

NH Legislature This Week—February 26, 2018
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Quotes of the Week

"If you think that just by banning an assault rifle we're just going to make everybody safer, I'm sorry, I just don't see how that works because there are all these other options out there still ... [gun control] really has to happen on the federal level."

Governor Chris Sununu.

"Talk is cheap. We need action ... [Governor Sununu] has been pistol-whipped by the NRA and the gun groups, and he's trying to talk out of both sides of his mouth." **Senate Democratic Leader Jeff Woodburn.**

The House and Senate will not be meeting this week, but the House will be meeting Tuesday, Wednesday and Thursday of the following week while the Senate will be meeting that Thursday. The House began last week's session with a moment of silence for the victims of the Stoneman Douglas High School shooting. As people begin to more loudly call for more control over our gun culture, we will have to see whether these are also met with silence.

House Committee to work on Medicaid this week

There are no House hearings this week of particular note. However, the House Health, Human Services and Elderly Affairs Committee will be meeting on Tuesday at 10am in room 305 of the Legislative Office Building (LOB) to work on Medicaid (HB1813 and HB1816). We would encourage those who are available to attend, but note that this is NOT a public hearing and the committee will NOT be taking public input at this time. The public is invited to witness the meeting, however.

Guns on College Campuses bill defeated

Last week, the House defeated HB1542, which would have allowed college students to carry pistols and revolvers on college campuses. The University System of New Hampshire and the Community College System of New Hampshire both prohibit firearms on campus except by law enforcement. The bill was defeated 110-231. **Rep. Ammon, Belanger and Lewicke** voted in favor of the bill. **Rep. Carr and Gargas** voted against the bill.

Bill to annul marijuana convictions advances

The House also passed a bill (HB1477) which will allow people who have been convicted of possession of $\frac{3}{4}$ of an ounce of marijuana or less to have their convictions annulled. The bill passed the House 314-24 and now goes to the Senate. New Hampshire

decriminalized possession of small amounts of marijuana last year.

Committee work explained

Occasionally, we try to educate our readers on some of the finer points of the legislative process. This week, we want to focus on what is really the heart of the process – committees. Both the House and Senate have a number of standing (permanent) committees that each specialize in a particular area and review bills for the area of expertise. The major difference between the House and the Senate is due to the different sizes of those bodies. As there are 400 House seats, each member typically is a member of only one committee and that is what they specialize in. As there are only 24 Senators, each Senator must be a member of multiple committees. Most Senators are either a committee chair or vice chair. Aside from this, they pretty much work the same way. Using the House as an example, when a bill is introduced, the Speaker assigns the bill to the committee that is most logical for the bill. For example, bills dealing with hunting would typically go to the House Fish and Game and Marine Resources Committee. Other times, a bill may reasonably go to one of several committees and the Speaker generally tries to spread the bills out evenly.

Once a bill has been assigned to a committee, the committee will schedule a public hearing which is noticed in the weekly House Calendar (issued every Friday). At the hearing, testimony from the public is heard and there are general rules which may change from year to year or committee to committee, but in general there is an ordering to the speakers with the primary sponsor going first, followed by other sponsors, then other legislators, then members of the public. If there are a large number of people providing testimony, a hearing may spill over into a second day, which must also be noticed in advance. Also, if a larger crowd of citizens than expected attends, the hearing may be moved to Representative's Hall. If this happens, a notice is posted next to the original meeting room and typically there will be legislator or staff person who will redirect people. At the hearings, citizens can testify or just sign in on the blue sheets indicating support or opposition without testifying. The public can also just attend without signing in.

In addition to the public testimony, the members of the committee may also ask for opinions from state departments, associations such as lobbyists (they wear orange badges), unions or legal experts to help inform their decisions. If the committee feels that they have enough information to make a recommendation, then they will publicly notice an executive session in which they will vote on their recommendation. If they feel that the issue needs more careful study, they may form a subcommittee with typically 5 members to study the issue in greater depth and then to bring a recommendation back to the entire committee. Either way, the full committee will eventually hold an executive session in which they decide what to do with the bill. The executive sessions, work sessions and subcommittee meetings are all public meetings. They are noticed to the public in the House Calendar each week and the public is able to attend the meeting. However, public input is only allowed during the hearing unless the committee specifically

asks someone for input.

The final recommendation of the committee can be to pass the bill (Ought to Pass or OTP), defeat the bill (Inexpedient to Legislate or ITL), pass the bill but with recommended changes (Ought to Pass as Amended or OTPA), or the committee could recommend that the bill be sent back to committee for a more study. If sent back, the committee then has several months to study the bill and make a recommendation. However, on even numbered years (when elections are held), all bills not passed by the end of the year are officially defeated. Thus, each odd numbered year start with a clean slate with no holdover bills. Sending a bill to study on an election year is often used as a polite way to defeat the bill.

Last week, the House voted on the following bills:

HCR13 is a detailed, bipartisan resolution condemning "hate crime and any other form of conduct that constitutes racism, religious or ethnic bias, discrimination based on age, marriage, familial status, sexuality or gender discrimination, incitement to violence, or animus contrary to law in the state of New Hampshire." The bill specifically cites statistics and incidents against Muslims, Jews, African Americans, transgendered people, and others. The bill specifically calls on law enforcement officials to "expeditiously investigate all credible reports" and "to hold the perpetrators ... accountable and bring the perpetrators to justice". The resolution is sponsored by a broad, bipartisan range of legislators. The House passed the resolution 234-69, after surviving an effort to table the bill which failed 132-191. **Rep. Gargasz** voted in favor of the resolution. **Rep. Belanger and Lewicke** voted against the resolution. **Rep. Ammon and Carr** had excused absences for the day.

HB114 would reduce the financial incentives that are aimed at achieving 15% renewable energy by 2025 and would lower the goal to just 6% renewable energy. The House passed the bill 167-164. **Rep. Belanger, Gargasz and Lewicke** voted in favor of the bill. **Rep. Ammon and Carr** had excused absences for the day.

Last week, the Senate voted on the following bills:

SB554 would raise the minimum wage from \$7.50 per hour to \$12.00 per hour incrementally by 2023, but would set the minimum to higher levels if the employer does not offer an employer-sponsored health care plan, with the minimum wage rising to \$15.00 per hour. The Senate defeated the bill on a party line 10-14 (supported by Democrats, opposed by Republicans). Sen. Avard voted against the bill.

SB362 would require all **candidates for President and Vice President** to disclose federal tax returns. The Senate defeated the bill on a party line 10-14 (supported by Democrats, opposed by Republicans). Sen. Avard voted against the bill.

SB545 would raise the minimum age to purchase tobacco products from 18 to 21. **Rep. Gargasz** is a cosponsor. The Senate tabled the bill on a voice vote.

Where to find more information

The New Hampshire legislature web site is www.gencourt.state.nh.us. Here, you can find the full text of all bills, find the full list of sponsors of bills and see more detailed status. If you have questions about how to use the state website, we would be glad to help. Just email us at brooklinedemocrats@gmail.com.

Watch and listen to House and Senate sessions live and archived

<http://www.gencourt.state.nh.us/media/default.htm>

Terms and Abbreviations

ITL means "**Inexpedient To Legislate**". If the full House or full Senate votes to ITL a bill, then the bill is defeated.

OTP means "**Ought to Pass**" meaning that a committee is recommending that a bill be passed.

Consent Calendar: If a bill receives a unanimous recommendation from a committee, the committee may place the bill on the Consent Calendar. When full House meets, the first vote taken is to approve all recommendations on all bills in the consent calendar. This allows the House to quickly dispense with non-controversial bills and move on to topics that need discussion. If any legislator requests that a bill be removed from the consent calendar, then it will be removed and it will be brought up for discussion and a vote along with the other non-consent calendar bills.

Resolutions: Sometimes the House, the Senate or both will pass resolutions. These are just public statements of opinion or interest, but they have no legal standing. It is similar to issuing a press release. HCR is a House resolution. HJR is a joint resolution (both House and Senate) that originates in the House.

LOB refers to the **Legislative Office Building**, which is immediately behind the statehouse. Most committee hearings are held in this building.

Reps Hall refers to **Representatives Hall** in the Statehouse where the House of Representatives meetings. This room is used for hearings that are expected to be very large.

"**Retained**" means that a Committee has voted to keep a bill until next year. Next year, any bills that have been retained must be sent to the full House/Senate for a vote. Any bill that does not get retained must be sent to the full House/Senate for vote by Crossover or the end of the session.

"**Crossover**" is March 31st. The House will vote on all bills introduced in the House by this date except for bills that have been retained until next year. Similarly, the Senate will vote on all bills introduced into the Senate by this date except for bills that are being retained until next year.

"**Tabled**": The full House or full Senate can "table" a bill which means that the bill is kept in "limbo" without being passed or defeated. For tabled bill to be brought back up for a vote again (to pass it) requires a 2/3 majority. If the bill has not been passed when the legislature adjourns at the end of the year, it is defeated. Tabling a bill usually happens when the legislature wants to defeat a bill but doesn't want to directly oppose it. It can

also sometimes happen if there are not enough votes to pass, but leadership hopes to be able to come up with enough votes later—but this then requires a 2/3 majority.

A brief guide to how legislation becomes law

Bills introduced in the House:

1. The bill is assigned to a committee and the committee holds a public hearing.
2. The committee either retains the bill or votes to recommend that the bill be passed (OTP), changed (OTPA), or defeated (ITL).
3. Except for retained bills, all other bills go to the full House which can pass, defeat, change a bill or send it to a second committee.
4. If sent to a second committee, the committee must then retain or recommend to pass, change or defeat the bill. It then goes back to the full House for a second vote.
5. If passed by the House, the bill goes to the Senate
6. The bill is assigned to a Senate committee which then holds a public hearing
7. The Senate committee either retains the bill or votes to recommend that the bill be passed (OTP), changed (OTPA), or defeated (ITL).
8. Except for retained bills, all other bills go to the full Senate which can pass, defeat, change a bill or send it to a second committee.
9. If sent to a second committee, the committee must then retain or recommend to pass, change or defeat the bill. It then goes back to the full Senate for a second vote.
10. If passed by the Senate, the bill goes to the Governor who may sign the bill into law or veto it.
11. If the Governor vetoes the bill, it goes back to the House
12. If 2/3 of the House votes to override the veto then the bill goes back to the Senate
13. If 2/3 of the Senate votes to override the veto then the bill becomes law.

For Senate bills, the process is the same except that it goes through the Senate before it goes to the House.

For Constitutional Amendments (CACRs) the process is slightly different.

CACRs introduced in the House:

1. Assigned to a committee and the committee holds a public hearing.
2. The committee votes to recommend that the CACR be passed, changed, killed or sent to study
3. Regardless of the committee recommendation, all CACRs go to the full House which can pass, kill or change a bill or send it to study. Passing a CACR requires 60% of the House members present to vote in favor.
4. If passed by the House, the bill goes to the Senate
5. Assigned to a Senate committee which then holds a public hearing
6. The Senate committee votes to recommend that the bill be passed, changed, killed or sent to study

7. Regardless of the committee recommendation, all bills go to the full Senate which can pass, kill or change a bill or send it to study. Passing a CACR requires 60% of the Senate members present to vote in favor.
8. If passed by the Senate, the CACR will put on the ballot at the next election (November 2012). If 2/3 of the voters vote in favor of it, then it becomes part of the NH Constitution.

Where to Send Letters to the Editor:

Nashua Telegraph

letters@nashuatelegraph.com

Hollis Brookline Journal

cabnews@cabinet.com

The Journal welcomes letters from its readers that are exclusive to this newspaper. Letters must be 400 words or fewer and are subject to editing either for content or for length. Letters must be received no later than noon on Monday. The Journal does not publish anonymous letters, those written under an assumed name or containing only the writer's initials. Nor does it publish form letters, or those written as part of an orchestrated campaign. Letters must be in good taste and free of libel or personal attacks. Important: Letters must contain the writer's name, home address and day/night telephone numbers and e-mail for confirmation purposes. Only the writer's name and hometown will be published. The deadline for submitting letters is noon on Monday. The Journal is published every Friday.

The Mason Grapevine

Residents of Mason can submit letters to the Mason Grapevine at

TheMasonGrapevine@yahoo.com

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Hollis

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