

NH Legislature This Week—February 5, 2018
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Quotes of the Week

"I am an adult. I don't need to be told by someone that sexual harassment or assault is wrong. I was in the Army for 8 years. I had these classes every month. You can review it and tell me all about it, and how nobody cares." **Rep. Brian Stone** (R-Northwood) explaining why he felt that a legislative anti-sexual harassment workshop was a waste of time.

"I admire them all, especially the lovely lady legislators in their mini-skirts and slacks. Gad, what forms!" Poem posted on wall of the Antechamber to Representatives Hall and written in 1989.

The House, but not the Senate will be meeting this week. For the House, this is the first meeting in several weeks and there are a lot of bills to vote on. The House will meet on Wednesday and may meet on Thursday as well. Also, **Governor Sununu** will be delivering his State of the State address to the House and Senate on Thursday morning at 10:00am.

Medicaid expansion in danger

HB1811 would extend the New Hampshire health protection program (Medicaid expansion), which lowers the cost of health insurance for over 50,000 low income adults. The program is due to expire December 31. So far, the state has not paid for any of the costs, with the federal government paying all but a small portion. That small portion was being paid by hospitals and insurers, but this has been deemed illegal as the state is supposed to be paying this. The state share of the expenses will go up to 10% in 2020. The House Health, Human Services and Elderly Affairs Committee recommends that the bill be sent to interim study, effectively defeating it and allowing the program to expire, 12-8. The House is expected to vote on this bill this week.

Sexual Harassment training

The NH Legislature held a session on anti-sexual harassment in Representatives Hall this last week. It was not well attended. Only about 40 of the 424 legislators attended. See quotes above.

Transgender anti-discrimination bill to get a continuing hearing

A large number of people attended the hearing for HB1319, adding gender identity to the anti-discrimination statutes. As a result, the hearing was moved to Representatives Hall and the testimony lasted much longer than anticipated. In order to allow the committee to hear from the citizens who were not able speak at the hearing, the committee is going to be scheduling a continuation of the hearing soon. We will let you know when that is

scheduled.

Dueling resolutions opposing hate crimes

There are two resolutions opposing hate crimes that will be considered by the House this week. Both are resolutions and not changes of law and therefore are a public statement about the sentiment of the legislature. The first, HCR13, is a resolution with bipartisan support (15 sponsors) which is very specific in opposing "racism, religious or ethnic bias, discrimination based on disability, age, marriage, familial status, sexuality or gender discrimination, incitement to violence, or animus contrary to the law in the state of New Hampshire." This resolution cites many specific statistics and incidents such as "in 2016, hate crimes targeting Muslims in the United States increased by 67 percent", "in 2015, anti-Semitic incidents increased in the United States for the second straight year", "in 2015, in single-bias hate crime incidents in the United States ... 52.2 percent were victims of crimes motivated by their offenders' anti-Black or anti-African American bias", and "results of the 2015 U.S. Transgender Survey found that 12 percent of transgender students in kindergarten through grade 12 in New Hampshire faced such severe mistreatment as a transgender person that they left the school." The resolution calls on state law enforcement officers to expeditiously investigate credible reports and to hold the perpetrators accountable.

However, this resolution, heard by the House Criminal Justice and Public Safety Committee only received 13-7 support. **Rep. John Burt** (R-Goffstown) wrote in opposition to the resolution that "The majority of the Republicans on the Criminal Justice committee know that this bill even though well intended only brings more division among the citizens of N.H." and recommends supporting the other resolution instead.

HJR5 is very short, one sentence statement opposing "hate, bigotry and violence in all their forms" without specifically mentioning any specific types or instances of discrimination. This resolution (with only 4 sponsors) was sent to a different committee (House Legislative Administration) and was placed on the consent calendar on a vote of 9-0.

Consent Calendar

As a reminder for the consent calendar works, when the disposition of a bill is considered by the committee to be relatively non-controversial, the bill will be placed on the consent calendar with the appropriate recommendation (should be passed or should be defeated). At the start of the session, any member of that chamber (House and Senate both have consent calendars) can remove any bill from the list and force a debate and separate vote. The House or Senate then casts one voice vote to accept all the remaining recommendations. This means that bills recommended to be passed will be passed and bills recommended for defeat will be defeated. This allows the chamber to quickly pass/defeat dozens of bills that have broad agreement quickly.

Last week, the Senate voted on the following bills:

SB492 would prohibit the manufacture, sale, possession and use of “bump stocks” which turn legal guns into illegal machine guns. Bump stocks were used by the shooter in Las Vegas. The bill is sponsored by **Sen. Jeff Woodburn** (D-Whitefield), **Sen. Kevin Cavanaugh** (D-Manchester), **Sen. Lou D'Allesandro** (D-Manchester), **Sen. Dan Feltes** (D-Concord), **Sen. Martha Fuller Clark** (D-Portsmouth), **Sen. Martha Hennessey** (D-Hanover), **Sen. Betty Lasky** (D-Nashua), **Sen. Donna Soucy** (D-Manchester), **Sen. David Watters** (D-Dover), **Rep. Steve Shurtleff** (D-Penacook), **Rep. Paul Berch** (D-Westmoreland), **Rep. Shannon Chandley** (D-Amherst), and **Rep. Robert Cushing** (D-Hampton). The Senate voted to send the bill to interim study, effectively defeating it 14-9. All Republicans (including **Sen. Avard**) voted against the bill. Sen. Lou D'Allesandro had an excused absence and all other Democrats voted against the motion to send the bill to study.

This week, the House will vote on the following bills:

HB1341 would declare that gender reassignment surgery on a minor is child abuse, along with physical, mental and sexual abuse. This could lead to the removal of the minor from their home and criminal charges against the parents, guardians and doctors. **Rep. Dave Testerman** (R-Franklin) is the primary (and only) sponsor. He is married to Karen Testerman, who was the head of Cornerstone Policy Research, a socially conservative NH organization that largely focused on opposition to LGBT causes. The House Children and Family Law Committee recommends that the bill be defeated 13-2. The bill is on the consent calendar.

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 Criminal Justice and Public Safety Committee recommends that the resolution be passed 13-7.

HJR5 is a resolution in opposition to “hate, bigotry, and violence in all their forms.” The full resolution reads “Whereas extremists in our society have openly espoused hate and bigotry and at least one group has expressed a desire to achieve their ends through violence; and Whereas hate, bigotry, and violence have no place in our state and nation and are an affront to American values; now, therefore, be it Resolved by the Senate and House of Representatives in General Court convened; that the Senate and the House of Representatives reject hate, bigotry, and violence in all their forms, and call on all Americans to unite against hate, bigotry, and violence and strive each day to live up to the principle that all people are created equal.” The House Legislative Administration

Committee recommends that the resolution be passed 9-0. The bill is on the consent calendar.

HB628 would create a state-wide insurance pool for participants to draw from when on federal Family and Medical Leave Act. The final version of the bill uses an opt-out version that supporters are concerned will make the program unsustainable. This bill was passed by House earlier this year and then sent to the Commerce and Consumer Affairs Committee for further review. The Committee recommends that the bill be defeated 11-9.

HB1793 would implement a single payer health care system in New Hampshire. The House Commerce and Consumer Affairs Committee recommends that the bill be defeated 10-8. The minority recommends that the bill be sent to study so that an improved bill can be brought up in future legislatures.

HB1811 would extend the New Hampshire health protection program, which lowers the cost of health insurance for over 50,000 low income adults. The program is due to expire December 31. The House Health, Human Services and Elderly Affairs Committee recommends that the bill be sent to interim study, effectively defeating it and allowing the program to expire, 12-8.

HB1763 would create a new Road Usage Fee for fuel efficient vehicles that would be added to the annual permit fees. The bill would tax vehicles that achieve better than 20mpg efficiency with more efficient cars paying higher taxes. The intent is to ensure that all vehicles, on average, pay the same state taxes as a 20 mpg vehicle pays in gas taxes. The additional funds would support highway maintenance. The House Ways and Means Committee recommends that the bill be passed 23-0.

HB114 would reduce the financial incentives that are aimed at achieving 15% renewable energy by 2025 and would lower to the goal to just 6% renewable energy. The House Science, Technology and Energy Committee recommends that the bill be passed 11-10.

Senate Hearings for this coming week:

Senate Judiciary Committee (Statehouse room 100)

CACR22 is a proposed constitutional amendment that would declare that crime victims shall be afforded constitutional rights. The amendment is cosponsored by Sen. Avard. Tuesday, 9:00am.

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

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