

NH Legislature This Week—June 19, 2017
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Quotes of the Week(s)

“I am sickened by this despicable act. Let me be as clear as I can be. Violence of any kind is unacceptable in our society and I condemn this action in the strongest possible terms. Real change can only come about through nonviolent action, and anything else runs against our most deeply held American values.” **Senator Bernie Sanders** (D-Vermont) on the shooting at a Republican baseball team practice.

“Horrorified by violence at Congressional baseball practice. Praying for my colleagues, their staff, & first responders.” **Rep. Ann Kuster** (D-NH).

“Former FBI Director James Comey's testimony underscored how significant Russian interference in our 2016 election was, as well as the urgent need to get to the bottom of any potential connections to President Trump's associates and to prevent future attacks against our democracy. I am particularly concerned by Comey's testimony that President Trump demanded the FBI Director's loyalty and attempted to influence an ongoing FBI investigation. It is critical that both the Senate Intelligence Committee and special counsel Bob Mueller follow the facts wherever they may lead, and I will do everything in my power to ensure that we get the truth for the American people.” **Senator Maggie Hassan** (D-NH).

“[The Comey testimony was a] serious indictment of the President's character and his commitment to the rule of law.” **Rep. Carol Shea-Porter** (D-NH).

“Those were lies. Plain and simple.” former FBI Director **James Comey on public statements made by President Trump.**

“If this did happen, it is one of the most unsettling things I've ever heard of between a President and the head of the FBI... [writing notes immediately after a meeting] is very powerful and it really creates an unsettling situation. It casts a cloud over the competence of this administration.” **Tom Rath**, Republican strategist and former state Attorney General.

The End is Near

A lot has happened in the last couple of weeks since our last issue and our quotes above focus on national, rather than state issues because of the importance of all that has happened. The focus in the state right now is largely on the budget (more below) and doing final negotiations

on the remaining bills. In this issue, we provide an overview of the legislative process with a focus on what happens at the end as we are now at the end of the session. We have included in this issue a list of almost all of the bills that we have been following along with their current status and how our representatives voted on each issue. This will be a handy reference. We will most likely only have one issue after this one, which will be an end-of-session recap with the final status of all bills. This Thursday is the final day for the legislature to take action on legislation before needing a special session. We will likely wait another week to send out this year's final issue so that we can report on what actions Governor Sununu takes on each bill.

The state budget is a “Republican Budget”

One disappointing sign of the times is that our politics have become so polarized that we are no longer willing to work together toward a common goal. While this has been on full display in Congress for a long time, it is becoming more prevalent in state politics as well. One example of this has been the strategy and public rhetoric around the state budget. It is taken as an assumption that, because the Republicans are the majority party in both the House and the Senate, that the budget must be passed without any compromises with the Democrats.

Given how closely the House is divided by party, this has given a small number of Republican legislators an enormous amount of power to shape the budget. Why not reach out to Democrats to find compromise language that might not satisfy all, but could at least pass with majority support?

Looking at the public statements, the budget is commonly referred to as a “Republican budget”. *“Republicans who support the party platform should vote for this Republican budget”* said NH Republican Party Chair **Jeanie Forrester**. An editorial in the Union Leader by Jennifer Horn, the former chair of the state Republican Party is called “A responsible, Republican budget”. Many media stories are calling it a Republican budget, but is having budgets be purely Republican or Democrat good for New Hampshire?

There are 221 Republicans, 170 Democrats and 2 Libertarians in the NH House. Why would the Republican leadership not make some attempt to win over moderate Democrats? *“I was disappointed the Republicans never reached out to the House Democrats or the Senate Democrats to try to make it bipartisan”* said House Democratic Leader, **Rep. Steve Shurtleff** (D-Penacook).

Keno-garten

This week, the legislature is expected to give its final approval to a bill to legalize Keno (a lottery-like gambling game) with the profits going toward expanding state support for kindergarten. Currently, the state provides funding for half-day kindergarten. This expansion is expected to increase support to 80% of the level that would be needed to support full day kindergarten. Governor Sununu has made this bill a signature part of his agenda and is expected to sign it into law soon.

Where are we now?

Here is our (almost) year-end wrap up of legislation. We will update this list in our last issue, but first, a refresher on the legislative process to explain the status of each bill.

When a bill is introduced in the House, it is given a bill number starting with HB and goes to a committee for a public hearing and a recommendation. Some bills may be sent to a second committee for a second public hearing and a further recommendation. It then comes back to the full House for a vote. If the House passes the bill, it goes to the Senate where the process is repeated.

If the Senate passes the bill, but with different wording, then the bill goes back to the House. The House then has three options. The House could vote to agree with the changes made by the Senate. In this case, the bill moves on to the Governor. The House could also reject the changes made by the Senate and refuse to negotiate, which means that the bill is defeated. Often, however, the House asks the Senate to form a Committee of Conference to negotiate.

If both the House and the Senate agree, then the committee is formed with the Speaker of the House and the Senate President each appointing three members. If the Senate does not agree to form a Committee of Conference, then the bill is defeated. Once the committee is formed, all 6 members must agree on the final wording of the bill. If all 6 members do not agree, then the bill is defeated. Once an agreement is made, the bill goes back to the House and the Senate for one final vote. The language can not be changed at this point, the House and the Senate may only vote to approve or disapprove the bill as written. If both House and Senate agree to the negotiated language, then the bill goes to the Governor.

For bills introduced in the Senate, they follow the same process but go through the Senate first and are then sent to the House.

If the House and Senate have passed the same bill with the same wording, then the bill goes to the Governor, who may sign the bill into law or veto it. If the bill is vetoed, it then goes back to the House and Senate a vote to attempt to override the Governor's veto. If it passes both the House and the Senate by a 3/5 majority, then it becomes law. Otherwise, the bill fails.

With this as a background, here is the status of the bills that we have been following. Included are all recorded votes for **Senator Kevin Avard** (R-Nashua, representing Brookline, Greenville, Hollis, Mason, New Ipswich, Rindge, and Wards 1, 2 and 5 in Nashua), **Representative Keith Ammon** (R-New Boston, representing Hollis, Milford, Mont Vernon and New Boston), **Representative Jim Belanger** (R-Hollis), **Representative Carolyn Gargasz** (R-Hollis), **Representative John Carr** (R-Brookline, representing Brookline and Mason) and **Representative John Lewicke** (R-Mason, representing Brookline and Mason).

Voting Rights and Elections

SB3 places restrictions on voting regarding proving a person's domicile. Sen. Avard is a sponsor.

Status: Passed by the legislature, sent to the Governor

Our Reps: Sen. Avard and Rep. Ammon, Carr, Gargasz, and Lewicke voted in favor. Rep.

Belanger had an excused absence the day of the vote.

SB107 would create an independent redistricting commission.

Status: Defeated in the Senate

Our Reps: Sen. Avard voted against.

SB111 would create a bipartisan commission to study Russian interference in the election of 2016.

Status: Defeated in the Senate

Our Reps: Sen. Avard voted against.

SB194 would allow voters to register online.

Status: Defeated in the Senate

Our Reps: Sen. Avard voted against.

HB203 would establish an independent commission to redraw districts after the next census.

Status: Defeated by the House

Our Reps: Rep. Ammon, Belanger, Carr, Gargas and Lewicke voted against.

Welfare

SB7 would restrict eligibility for federal food stamps. Sen. Avard is the primary sponsor.

Status: Passed by the Senate, retained by House committee until next year.

Our Reps: Sen. Avard voted in favor.

Unions

SB11 would prohibit collective bargaining agreements that require all employees to join the union that negotiated the contract. Sen. Avard is a sponsor.

Status: Passed by the Senate, defeated in the House

Our Reps: Sen. Avard and Rep. Ammon, Belanger, Carr, Gargas and Lewicke voted in favor.

HB438 would prohibit the state and local governments from withholding union dues from employees wages.

Status: Retained in committee in the House until next year

Our Reps: N/A

Guns

SB12 would repeal the licensing requirement for carrying a concealed gun. Sen. Avard is a sponsor.

Status: Signed into law

Our Reps: Sen. Avard and Rep. Ammon, Belanger, Carr and Lewicke voted in favor. Rep. Gargas had an excused absence for the day.

HB201 would require background checks for gun purchases at gun shows, online, and in classified ads.

Status: Defeated in the House

Our Reps: Rep. Ammon, Belanger, Carr, Gargas and Lewicke voted against.

Education

SB43 would make it more difficult for schools to evaluate programs to reduce violence and risky behavior. Sen. Avard is the primary sponsor.

Status: In Conference Committee

Our Reps: Sen Avard voted in favor. The House vote was not recorded.

SB44 would prohibit the state from requiring implementation of the common core standards.

Sen. Avard is the prime sponsor.

Status: In Conference Committee

Our Reps: Sen Avard voted in favor. The House vote was not recorded.

SB45 would require high schools to include a course in civics as a graduation requirement.

Status: Signed into law

Our Reps: The votes were not recorded.

SB191 would provide some funding for full day kindergarten by establishing Keno gambling.

Status: In Conference Committee

Our Reps: Sen. Avard and Rep. Gargasz voted in favor. Rep. Ammon and Lewicke voted against. Rep. Belanger was excused for the day. Rep. Carr did not vote on the bill.

HB129 would repeal the education tax credit which allows public funds to go to private schools.

Status: Defeated by the House

Our Reps: Rep. Ammon, Belanger, Carr and Lewicke voted against. Rep. Gargasz was excused for the day.

HB429 claims to be able to overturn the NH Supreme Court decision on education funding without changing the constitution. Sen. Avard is a sponsor.

Status: Defeated by the House

Our Reps: The House vote was not recorded.

Jobs and Economy

SB83 would raise the minimum wage to \$8.50.

Status: Defeated in the Senate

Our Reps: Sen. Avard voted against.

HB115 would raise the minimum wage to \$9.25.

Status: Defeated by the House

Our Reps: Rep. Ammon, Belanger, Carr, Gargasz and Lewicke voted against.

Drugs

HB640 would decriminalize possession of up to $\frac{3}{4}$ of an ounce of marijuana by people over 21. Possession would still be subject to a fine.

Status: Passed by the legislature, sent to the Governor

Our Reps: Sen. Avard and Rep. Ammon, Belanger, Carr, Gargasz and Lewicke voted in favor.

Environment and Gas Pipelines

SB229 would provide protections for residents whose land is taken by eminent domain for a

natural gas pipeline. Sen. Avard is the primary sponsor. Rep. Lewicke and Carr are sponsors.
Status: Passed by the Senate, but defeated in the House without a single supporter – even the bill's sponsors.

Our Reps: Sen. Avard voted in favor. The House vote was technically not recorded.

HB179 would prohibit taxes on electricity ratepayers to pay for natural gas pipelines. Rep. Lewicke is a sponsor.

Status: Defeated by the House

Our Reps: The House vote was not recorded.

HB493 would require land owners to be reimbursed for the full, fair market value of land taken by eminent domain for natural gas pipelines. Sen. Avard and Rep. Lewicke are sponsors.

Status: Defeated in the House

Our Reps: The House vote was not recorded.

HB621 would create a Road Usage Fee that would tax only fuel efficient cars.

Status: tabled (effectively defeated) by the House

Our Reps: The House vote was not recorded.

Health Care

SB234 would create a needle exchange program

Status: Signed into law

Our Reps: The votes in the Senate and House were not recorded.

SB236 would make the Medicaid expansion under ObamaCare permanent.

Status: Tabled (effectively defeated) in the Senate

Our Reps: The Senate vote was not recorded.

HB587 and SB224 would prohibit “conversion therapy” that seeks to change a person's sexual orientation for persons under 18.

Status: SB224 was passed by the Senate. Both bills were retained in committee in the House until next year.

Our Reps: Sen. Avard voted against.

Privacy

HB97 would place restrictions on the use of drones.

Status: Passed by the House, defeated by the Senate.

Our Reps: The votes in the Senate and House were not recorded.

HB171 would prohibit the state and local governments from assisting federal agencies in the collection of electronic data without a warrant. Sen. Avard is a sponsor.

Status: Passed by the House, but defeated by the Senate

Our Reps: Sen. Avard voted in favor of the bill. The House vote was not recorded.

Judiciary

HB133 would instruct juries that they can ignore criminal offenses if they choose.

Status: Passed by the House, but defeated by the Senate

Our Reps: Sen. Avard and Rep. Ammon, Belanger, Carr and Lewicke voted in favor. Rep. Gargasz voted against.

Broadband Internet Access

HB191 and SB170 would allow towns to take out a bond for the purpose of expanding broadband Internet access.

Status: HB191 was defeated in the House. SB170 was retained in committee in the Senate until next year.

Our Reps: Rep. Lewicke voted in favor. Rep. Ammon, Belanger, and Carr voted against. Rep. Gargasz was excused for the day.

HB238 would establish a committee to study broadband access to the Internet

Status: Passed by the Legislature, sent to the Governor

Our Reps: Rep. Lewicke voted in favor. Rep. Ammon, Belanger, Carr, and Gargasz voted against.

Civil Rights

HB478 would expand NH's civil rights laws to include “gender identity”, making it illegal to discriminate against transgendered people based on employment, housing and public accommodations.

Status: tabled (effectively defeated) in the House

Our Reps: Rep. Gargasz voted in favor. Rep. Ammon, Belanger, Carr and Lewicke voted against.

Reproductive Health Care

HB578 would prohibit termination of a pregnancy after “viability”, defined as being capable of being supported by life support systems.

Status: tabled (effectively defeated) in the House

Our Reps: The House vote was not recorded

HB589 would repeal the 25 foot “buffer zone” around family planning clinics in which protesters are prohibited. Sen. Avard is a sponsor.

Status: Defeated by the House

Our Reps: Rep. Ammon, Belanger, Carr and Lewicke voted in favor. Rep. Gargasz voted against.

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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Brookline and Mason