

NH Legislature This Week—June 5, 2017
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Quote of the Week

"We left \$20 million on the table that we could use to fund vital services." **Sen. Lou D'Allesandro** (D-Manchester) on the Senate decision to use revenue estimates in the budget that were lower than those provided by Governor Sununu and the decision to make further cuts to business taxes.

"We have always stood up for Planned Parenthood" **Sen. Dan Feltes** (D-Concord) in reference to a couple of amendments to the state budget regarding funding for Planned Parenthood (see below).

The End is Near

The legislative session is drawing to close in June. This week, both the House and the Senate will be meeting to iron out differences between the two bodies on a range of legislation. Unfortunately, we don't know exactly which legislation, but the House will be taking up the budget written by the Senate and that is likely where the focus will be.

State Budget finally starts to move

The Senate has finally passed a budget and sent it to the House. That normally goes the other way around, but the House could not agree to a budget within its deadline for first time in living memory. We have seen little analysis of the Senate passed version, so we should be reporting more details in future issues. However, it should be noted that budget was passed on a party line vote of 14-9 after defeating Democratic amendments to increase support for mental health services, college education, hospitals, the new women's prison and child protection.

The proposal increases health care premiums for retired state employees and cuts education grants to local schools while cutting taxes for businesses.

One proposal that failed would have blocked any state or federal funding from going to any organization that provides abortion services. The state and federal government provide funding for mammograms and prenatal care at Planned Parenthood clinics, which are sometimes the only low-cost health care systems in rural areas. Abortion services are always funded through private funds. The amendment failed 17-6, but **Sen. Kevin Avard** (R-Nashua) said *"forcing people to violate their conscience with their tax dollars, that is hateful. I challenge anyone in here to tell me in any constitution where I am forced to pay for somebody's abortion. Show it to me."* However, as mentioned above, state funds are not used for abortion services. **Sen. Avard** voted in favor of the budget.

In closely watched upset, Democrat is elected from Wolfboro

Edith DesMarais has been elected to the NH House in a special election that was held May 23rd. Her election is a major upset and she becomes the first Democrat to be elected from Wolfboro since 1913. Congratulations!

E-pollbooks pilot program to start

SB113 creates a pilot program to test "e-pollbooks". This would replace the paper printouts that cities and towns use to confirm that a voter is on the town voter register rolls. It also has the advantage, because it would be a state level program, of being able to detect when someone tries to vote in more than one district. The bill was passed on a voice vote in both the Senate and the House and has broad bipartisan support. The bill now goes back to the Senate for concurrence with changes made by the House.

Marijuana decriminalization starts to come to New Hampshire

HB640 would decriminalize (but not legalize) possession of up to $\frac{3}{4}$ of an ounce of marijuana. That House had passed a version of the bill decriminalizing possession of up to an ounce, but the Senate lowered the amount to $\frac{3}{4}$ of an ounce. Possession would still be illegal, but would be subject to a maximum of \$100 fine instead of possible jail time and a criminal record. However, the manufacture and sale of marijuana will still be a criminal offense with penalties up to 40 years in jail. Currently, New Hampshire is the only New England state where possession of small amounts is still a criminal offense. The bill now goes to Governor Sununu, who has publicly stated that he will sign it into law.

Gambling on Kindergarten

The House has passed a version of a bill to fund all-day kindergarten, but it comes with 2 big caveates. It only funds \$9 million per year when the Department of Education thinks that the cost will be \$29 million per year. Also, the funding comes from legalizing Keno – a form of electronic bingo. The Senate has historically opposed Keno, but has supported casinos, so where this goes next is anyone's guess.

House passes bill to allow public funds to be diverted to private schools

SB8 would allow school boards to decide to send their students to private schools instead of public schools. The distinction being that public schools are directly controlled by the school board whereas the school board is only a client for a private school. Also, public schools are held to higher standards under state and federal law. The bill was passed on a largely party line vote of 210-147. **Rep. Ammon, Carr, Gargas and Lewicke** voted in favor of the bill. **Rep. Belanger** was not able to present for the vote.

Rep. Tom Katsiantonis (D-Manchester) arrested on tax evasion charges

The Attorney General announced that he has arrested Rep. Tom Katsiantonis (D-Manchester) and charged him with 4 counts of tax evasion, 2 counts of theft, 1 count of falsifying physical evidence and 1 count of unsworn falsification. The charges stem from allegations that he has not paid the state the appropriate amount of meals and rentals taxes and business profits taxes. He is also charged with making false statements in a liquor license renewal application. The charges relate to his ownership of Grand Slam Pizza and Tommy K's Restaurant and Bar. The most serious charges are Class A felonies punishable by up to 15 years in prison.

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

Hollis, Brookline, Mason Reps:

Sen. Kevin Avard (R) (603) 271-4151 Kevin.Avard@leg.state.nh.us

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Hollis

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Hollis

Rep. Keith Ammon (R) P: (603)296-9879 Keith.Ammon@leg.state.nh.us

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Rep. John Carr (R) P: (603)673-3603 john.carr@leg.state.nh.us

Brookline and Mason

Rep. John Lewicke (R) P: (603) 878-2610

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