

**NH Legislature This Week—March 12, 2018**  
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**Quotes of the Week**

*"My daughter will be part of the 4% that take advantage of this."* **Sen. Harold French** (R-Franklin) regarding the Medicaid extension bill (SB313), which **he voted against**.

*"The affirmation this bill will provide to our transgender citizens, friends and community members is critical ... it is the first major step toward equality."* **Rep. Ed Butler** (D-Hart's Location) on the passage of HB1319, which added transgender people to the state civil rights laws.

*"... people being fired just because they are transgender; people being thrown out of their apartments because some guy doesn't like who they are. That's absurd in this day, especially in New Hampshire. We're supposed to be able to live free."* Transgender activist **Gerri Cannon** on the passage of HB1319, which added transgender people to the state civil rights laws.

*"While I'm glad this order temporarily exempts two of New Hampshire's largest trading partners, including Canada, I remain concerned about the significant impact that a tariff on steel and aluminum will have on New Hampshire's economy, which is supported by \$4 billion in exports."* **Sen. Jeanne Shaheen** on President's Trump executive order to create new taxes on imported steel and aluminum.

**Important Dates this week**

Tuesday, March 13<sup>th</sup> is **election day**. Hollis is voting 7am to 7pm at Lawrence Barn. Brookline is voting 7am to 7:30pm at Captain Samuel Douglass Academy. Mason is voting 11am to 7pm at Mason Town Hall.

Wednesday, March 14<sup>th</sup> is **Brookline Town Meeting** at 7pm at Captain Samuel Douglass Academy

Thursday, March 15<sup>th</sup> is the **Hollis Brookline Cooperative School District Meeting** at 7pm at the Hollis Brookline High School.

Saturday, March 17<sup>th</sup> is **Hollis Town Meeting** at 10am at the Hollis Brookline High School

Saturday, March 17<sup>th</sup> is **Mason Town Meeting** 9am at Mason Elementary School

**Republicans block Democratic attempt to tighten gun laws**

At the start of last week's session, the House Democrats asked for a rule suspension so that they could bring in new legislation to prohibit the sale and possession of bump stocks and to raise the age for purchasing rifles and shotguns from 18 to 21. While a majority voted in favor, it fell short of the 2/3 majority needed. The motion was supported by 191 Representatives and opposed by 125 Representatives. **Rep. Carr and Lewicke** voted in favor of the suspension. **Rep. Ammon and Belanger** voted against

the motion. **Rep. Gargasz** did not vote on the motion.

### **Transgender rights supporters celebrate several victories this week**

Supporters of equality for Transgender people have a lot to celebrate this week. HB1319 was passed by the House 195-129. The bill adds "gender identity" to the list of categories in which discrimination in employment, housing and public accommodations is prohibited, along with race, sex, religion and sexual orientation. If ultimately passed, New Hampshire will become the 21<sup>st</sup> state with such a law, joining all other New England states.

Additionally, the House defeated two anti-transgender bills. HB1560 would prohibit Medicaid from covering gender reassignment surgery or hormone therapy. This was defeated 140-188. Rep. Gargasz opposed the bill while Rep. Ammon, Belanger, Carr and Lewicke voted in favor of it. Similarly, HB1532 would have prohibited gender reassignment surgery for minors. This was defeated 157-172. The bill was opposed by Rep. Ammon and Gargasz while Rep. Belanger, Carr and Lewicke voted in favor of it. HB1319 now goes to the NH Senate where the bill enjoys the support of several Republican Senators who are sponsoring the bill, along with Democrats. In January, **Gov. Sununu** told the Union Leader that he is "inclined to move forward with it."

### **Medicaid expansion extension passed by the Senate**

The Republican version of a bill to extend the expanded version of Medicaid (SB313) was passed by the Senate with support of half of the Republicans and all of the Democrats. A Democratic version had earlier been rejected on a party line vote. The bill adds a work requirement, but an attempt by the Democrats to provide funding to achieve that (\$1.5 million) was rejected. **Senator Avard** and six other Republican Senators voted against the five year extension.

We and other news sources have stated that about 50,000 people are served by Medicaid in New Hampshire. It would be more accurate to say that about 125,000 people to have benefited from it at some point since 2015, averaging around 50,000 at any given time. Only around 15,000 who participated in the program early on are still on the program.

### **NH Firearms Coalition targets Sen. Hennessey**

In the wake of the tragic shootings in Florida, schools are looking into their gun safety policies and one of the more disturbing aspects is that, in NH, the schools cannot prohibit non-students from entering the schools with loaded guns. Many are concerned about the prospects of having deadly weapons within easy reach in a school, which is a tumultuous and emotional time for most teenagers. Sen. Martha Hennessey (D-Hanover) recently offered an amendment to SB357 that would allow school districts to be able to keep guns out of our public schools on an everyday basis.

The NH Firearms Coalition, a militant gun rights group, responded with a posting on their Facebook page showing a picture of Sen. Hennessey as it would appear looking through the scope of a rifle. The group said "we reject the concept that the acts of a criminal who

violated Florida's gun free school zone law and then committed murder in any way justifies increased gun control on law-abiding gun owners anywhere." They further went on to say that Sen. Hennessey, by introducing this amendment, was engaging in a "sneak attack, reminiscent of the terrorists' attacks on September 11, 2001."

A public hearing on the amendment is scheduled for Tuesday at 10am in Representatives Hall.

**Last week, the House voted on the following bills:**

HB1587 would set the **minimum age for anyone to marry** at 16. A person under the age of 18 would need permission of a judge. There would be no distinction between opposite sex marriage and same sex marriages. Current law allows females as young as 13 and males as young as 14 to be married in opposite sex marriages. For a same sex marriage, both individuals must be at least 18. A judge's authorization is required for any marriage in which at least one participant is under 18. The House passed the bill as amended by the committee on a voice vote (consent calendar).

HB1433 would require **candidates for President and Vice President to disclose federal income tax records**. The House defeated the bill on a voice vote (consent calendar).

HB1666 would have required **redistricting** for any district in which the election results indicate that the district was gerrymandered according to a specific algorithm . The House defeated the bill on a voice vote (consent calendar).

HB525 would have stopped part of the planned reduction in **state funding of local schools**. State funding for schools has been dropping, causing increases in local education property taxes to make up the difference. The House defeated the bill on a voice vote (consent calendar).

HB1575 described by the Committee: "This bill, as amended, allows for the hunting of small game with an **air rifle**. The amendment addresses all the issues raised by the Fish and Game Department. The bill, as amended, will finally remove New Hampshire from the distinction of being the only state in the nation that does not allow hunting of any kind with an airgun. **The committee was invited to and attended an air rifle demonstration at Sig Sauer.**" Sig Sauer is based in New Hampshire and also **makes the MCX rifle used by the shooter at the Orlando night club**. Sig Sauer says that it "developed the MCX rifle for America's special forces. Their goal: a firearm that's as quiet as an MP5, as deadly as an AK-47, and more modular than anything ever designed." They are available at several stores around New Hampshire. The House passed the bill as amended by the committee on a voice vote (consent calendar).

HB1438 would allow landlords to place restrictions on the **possession of firearms and explosives by tenants**. The House Judiciary Committee believes that such restrictions can already be placed in leases and therefore the bill is not needed. The House defeated the bill on a voice vote (consent calendar).

HB1315 would prohibit the **University System** from using University funds to oppose the formation of **unions**. The House passed the bill 204-118. The votes were not

recorded.

HB1798 would prohibit the state from waiving the federal work requirement for certain individuals who receive **food stamp** benefits. The House Health, Human Services and Elderly Affairs Committee notes that the bill would currently only affect 38 people in towns identified as having few employment opportunities by denying them \$150 per month in funding provided by the federal government. **Sen. Avard** is a cosponsor of the bill. The House defeated the bill on a voice vote.

HB1804 is similar to HB1798 in prohibiting waivers to federal **work requirements for food stamps**, but also creates a new system of work requirements for other welfare programs. The House Health, Human Services and Elderly Affairs Committee recommends that the bill be defeated and the members that support the bill note that they "sided with the intent of the bill more than the legislative language." The House defeated the bill 183-110. The votes were not recorded.

CACR15 is proposed **amendment to the NH Constitution** that would allow any taxpayer to file a **lawsuit against the government relating the spending of certain funds**. This amendment is in response to recent rulings by the NH Supreme Court that have curtailed this ability. The House passed the amendment 309-9. **Rep. Ammon, Belanger, Carr, Gargas and Lewicke** voted in favor of the amendment.

HB1241 would establish a commission to assess the benefits and costs of a "**health care for all**" single payer program. The House defeated the bill 149-176. **Rep. Ammon, Belanger, Carr, Gargas and Lewicke** voted against the bill.

HB1516 would establish a commission to examine the feasibility of the New England states entering into a compact for a **single payer healthcare** system. The House defeated the bill on a voice vote. There was a motion to reconsider this decision, but that failed 141-185. Those votes were not recorded.

HB1354 would make the Speaker of the House and the Senate President voting members of the **University System Board of Trustees**. The Board currently consists of 27 members. The House passed the bill 164-155. **Rep. Belanger, Carr, Gargas and Lewicke** voted in favor of the bill. **Rep. Ammon** voted against the bill.

HB1756 would allow for a 1.5% **Cost of Living Adjustment (COLA) for state and local retirees** with lengthy service and low pensions. The pensions have not been adjusted for COLA since 2010. The House passed the bill on a voice vote. Before this, there was a motion to defeat the bill which failed 157-163. Based on this, **Rep. Ammon, Belanger, Carr, Gargas and Lewicke** voted against the bill.

HB1532 would prohibit **gender reassignment surgery for transgender minors**. The House defeated the bill 157-172. That vote was not recorded. However, before this vote, there was a motion to pass the bill which failed 162-164. That vote was recorded and **Rep. Belanger, Carr and Lewicke** voted in favor of the bill. **Rep. Ammon and Gargas** voted against the bill.

HB1560 would prohibit Medicaid from paying for gender reassignment drugs, surgery or hormone therapy. The House defeated the bill 140-188. **Rep. Ammon, Belanger, Carr and Lewicke** voted in favor of the bill. **Rep. Gargas** voted against the bill.

HB1319 would prohibit **discrimination based on gender identity** in employment, housing and public accommodations. The House passed the bill 195-129. **Rep. Gargasz** voted in favor of the bill. **Rep. Ammon, Belanger, Carr and Lewicke** voted against the bill.

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

HB1759 would place restrictions on the use of **drones**. The House Executive Departments and Administration Committee cited several concerns with details in the bill and the lack of time available to address them and so recommends that the bill be defeated 17-0. Note: the bill had been on the consent calendar, but **Rep. Neal Kurk** (R-Weare) removed it.

HR20 is a resolution "**affirming state's powers**" and opposing federal authority over states. The House State-Federal Relations and Veterans Affairs Committee notes that "one could interpret this bill as a prelude to secession" and recommends the resolution be defeated 17-1. The resolution is sponsored by **Rep. Dan Itse** (R-Fremont and Vice Chair of the House Children and Family Law Committee), **Rep. J. R. Hoell** (R-Dunbarton), Rep. **James Spilane** (R-Deerfield), and **Rep. Victoria Sullivan** (R-Manchester). Note: the bill had been on the consent calendar, but Rep. Hoell removed it.

HB1443 would allow **jury nullification** by instructing jurors in a trial that they can find the defendant not guilty even if the state has proven its case if they so choose. The House Judiciary Committee recommends that the bill be passed 9-8.

HB1787 would allow medical professionals and pharmacists to **refuse to provide treatments or medications** that conflict with their personal beliefs, such as contraception, sterilization, and pregnancy termination. The House Judiciary Committee recommends that the bill be defeated 14-1.

CACR19 is an **amendment to the NH Constitution** that would allow **towns, cities and counties to enact their own laws** that protect the "health, safety and welfare" of their citizens. Currently, towns, cities and counties can only enact regulations that the state explicitly allows them to make. The House Judiciary Committee recommends that the amendment be defeated 11-8.

HCR11 is a resolution urging the pardon of **Jerry DeLemus**. DeLemus was sentenced to seven years in prison for traveling to Nevada to support an armed standoff against the federal government. He spent more than a month in an encampment organizing armed patrols and threatening law enforcement officers who were attempting to protect federally owned lands. The House Judiciary Committee recommends that the resolution be passed 9-8.

HB1259 would require the use of **seat belts** in vehicles. Currently, only minors are required to wear seat belts. NH has the lowest seat belt usage in the country (67%). 73% of fatal accidents victims in NH were not wearing seat belts, compared to 41% nationally. The House Transportation Committee recommends that the bill be defeated 10-9.

HB1442 would allow a waiver for the **driver education** requirement for those under 18 if

the parents provide a written statement that they trained their child. The bill does not specify any standards for such training. The House Transportation Committee recommends that the bill be defeated 16-3.

HB1686 would extend the "education tax credits" program that allows businesses to send their **tax dollars to private schools and homeschool** parents by allowing individuals to "contribute" tax dollars that they would otherwise pay in the Interest and Dividends tax. Combined with deductions from federal tax returns, this would allow wealthy tax payers to make a profit, receiving more in tax breaks than they paid in "donations". The House Ways and Means Committee recommends that the bill be passed as amended 13-10.

HB1432 would require that any **private school or homeschools** that receives "public funds through scholarships, tax credits, freedom savings accounts, or vouchers" to perform **background checks** on all employees and volunteers and conform to state and federal **nondiscrimination** laws, as is required of public schools. The House Education Committee recommends that the bill be defeated 11-8.

HB1772 would allow **voters to register online**, as is done in 37 other states, including Massachusetts and Vermont. The House Election Law Committee recommends that the bill be defeated 11-9.

HB1707 would place **restrictions on pregnancy termination** by requiring a 24 hour waiting period and require that the patient be given graphic and medically questionable information intended to make her reconsider her decision. The House Health, Human Services and Elderly Affairs Committee recommends that the bill be sent to interim study, effectively defeating it, 11-9. However the minority of the committee supports defeating the bill directly.

HB1680 would prohibit **pregnancy termination** after the fetus is "viable". The House Judiciary Committee recommends that the bill be passed 10-8.

HB1721 would prohibit "coercive" **pregnancy termination**, but defines "coercive" so broadly that it would describe almost all such terminations. The House Judiciary Committee recommends that the bill be defeated 15-3.

HB1313 would allow people to **carry loaded guns on Off-Highway Recreational Vehicles** (such as ATVs, trail bikes and UTVs) **and snowmobiles**. The Resources, Recreation and Development Committee recommends that the bill be passed 11-7.

#### **Last week, the Senate voted on the following bills:**

SB 438 would clarify the process that towns use to **postpone elections** but requires them to get final approval from the Secretary of State. As many readers will remember, a blizzard last year caused the postponement of voting in many towns, and created confusion over who had the authority to postpone elections. The bill also gives moderators the power to change the date of the town meeting at the last minute due to weather emergencies. The Senate passed the bill on a voice vote.

SB313 is the Republican bill to extend the expansion of Medicaid. The Senate passed the bill 17-7. **Sen. Avard** voted against the bill. The other 6 Senators to vote against the bill

were also Republicans (**Sen. Regina Birdsell, Sen. Sharon Carson, Sen. Gary Daniels, Sen. Harold French, Sen. Bob Giuda, and Sen. Andy Sanborn**). The bill was supported by 7 Republicans and all 10 Democrats.

**This week, the Senate will vote on the following bills:**

SB525 would prohibit **financial assistance to higher education students who are not a legal resident**. The Senate Education Committee recommends that the bill be defeated 5-0 because it would deny asylum seekers and green card holders access to important educational services. The bill is on the consent calendar to be defeated. **Sen. Avard** is a cosponsor.

**Senate Hearings for this coming week:**

**Senate Education Committee (Representatives Hall)**

SB357 is regarding safe schools. This hearing is for an amendment that would allow schools to prohibit guns. Tuesday 10am.

**Senate Judiciary Committee (Statehouse room 100)**

SB593 would repeal the **death penalty**. **Sen. Avard** is the primary sponsor. Monday 1:00pm.

**Where to find more information**

The New Hampshire legislature web site is [www.gencourt.state.nh.us](http://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](mailto: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](mailto:letters@nashuatelegraph.com)

Hollis Brookline Journal

[cabnews@cabinet.com](mailto: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](mailto:TheMasonGrapevine@yahoo.com)

**Hollis, Brookline, Mason Reps:**

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Hollis

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Hollis

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Brookline and Mason

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Brookline and Mason

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