

NH Legislature This Week—March 19, 2018
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Quotes of the Week

"Vengeance is a raw human emotion, but in the end is it the most effective way to deal with violence in our society?" **Sen. Betty Lasky** (D-Nashua).

"For God's sake, go buy some electric cars!" **Governor Chris Sununu** announcing the \$4M (15%) of the Volkswagen settlement funds in NH will be used to fund electric vehicle charging stations.

"The upset in Trumpland sends a message to Trump toadies in Congress ... I sent the max. First time in about 50 years I've made a contribution to a Democrat. First time ever, actually." former Senator **Gordon Humphrey** (R-NH).

Still dealing with a pile of bills

The House was not able to address all of the bills before it this week and so some of the votes were moved to next week. Thursday of this week is "crossover". This is the date by which the House and Senate of each committed to have voted on all of their own bills. After that date, each chamber will focus on debating and voting on bills that have already passed the other chamber. In other words, after that date, all bills under discussion will have already been passed by either the House or the Senate.

Important Dates this week

Monday, March 19th is the regular monthly meeting of the Brookline and Mason Democrats (every third Monday) at 6:30pm at the Brookline Fire Station.

Thursday, March 22nd is the **Hollis Brookline Cooperative School District Meeting Part 2** at 7pm at the Hollis Brookline High School. We still have the operating budget and other important articles to decide and the coop could potentially decide to reconsider any of its earlier votes, although doing so would require a separate, special meeting for any revotes.

Death Penalty repeal passes Senate

The Senate has passed a death penalty repeal bill 14-10 with bipartisan support on both sides. The bill would substitute life in prison without the possibility of parole as being the highest possible sentence. There have been many attempts in the past to repeal NH's rarely used death penalty, but the law has remained on the books. This attempt may not fare much better as **Governor Sununu** appears to be opposed to repeal and the vote in the Senate was not strong enough to override a veto.

Voting in favor of repeal were **Sen. Jeff Woodburn** (D-Whitefield), **Sen. Bob Giuda** (R-Warren), **Sen. David Watters** (D-Dover), **Sen. Martha Hennessey** (D-Hanover), **Sen. Harold French** (R-Franklin), **Sen. Ruth Ward** (R-Stoddard), **Sen. Jay Kahn** (D-Keene), **Sen. Gary Daniels** (R-Milford), **Sen. Kevin Avard** (R-Nashua), **Sen. Betty Lasky** (D-

Nashua), **Sen. Dan Feltes** (D-Concord), **Sen. John Reagan** (R-Deerfield), **Sen. Donna Soucy** (D-Manchester), and **Sen. Martha Fuller Clark** (D-Portsmouth).

Voting against repeal were **Sen. Jeb Bradley** (R-Wolfeboro), **Sen. James Gray** (R-Rochester), **Sen. Andy Sanborn** (R-Bedford), **Sen. Sharon Carson** (R-Londonderry), **Sen. Kevin Cavanaugh** (D-Manchester), **Sen. Regina Birdsell** (R-Hampstead), **Sen. Lou D'Allesandro** (D-Manchester), **Sen. Chuck Morse** (R-Salem), **Sen. William Gannon** (R-Sandown), and **Sen. Dan Innis** (R-New Castle).

Senator Kevin Avard (R-Nashua) is the primary sponsor of the bill.

Last week, the House voted on the following bills:

Note: **Rep. Carr** had an excused absence for the day.

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 passed the bill 158-151. **Rep. Ammon, Belanger and Lewicke** voted in favor of the bill. **Rep. Gargasz** did not vote on the bill.

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 defeated the bill 109-218. **Rep. Ammon and Lewicke** voted in favor of the bill. **Rep. Belanger and Gargasz** voted against the bill.

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 defeated the Amendment 112-217. **Rep. Ammon, Belanger, Gargasz and Lewicke** voted against the bill.

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 defeated the resolution 154-174. **Rep. Ammon, Gargasz and Lewicke** voted in favor of the resolution. **Rep. Belanger** voted against the resolution.

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 tabled the bill, effectively defeating it, 195-126. **Rep. Ammon, Belanger, Gargasz and Lewicke** voted to table the bill.

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 defeated the bill 86-234. **Rep. Ammon** voted in favor of the bill. **Rep. Belanger, Gargasz and Lewicke** voted against

the bill.

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 passed the bill 168-147. **Rep. Ammon, Belanger, Gargasz and Lewicke** voted in favor of the bill.

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 defeated the bill 138-165. **Rep. Ammon, Belanger, and Lewicke** voted against the bill. **Rep. Gargasz** did not vote on the bill.

HB1772 would allow **voters to register online**, as is done in 37 other states, including Massachusetts and Vermont. The House defeated the bill 128-179. **Rep. Ammon, Belanger, Gargasz 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.

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:

SB593 would repeal the death penalty and substitute life in prison without the possibility of parole. **Sen. Avard** is the primary sponsor. The Senate passed the bill 14-10. **Sen. Avard** voted in favor of the bill.

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. **Sen. Avard** is a cosponsor. The Senate amended the bill so that it would only apply to adult education and not the University System or the College System. The Senate passed the bill 13-11. **Sen. Avard** voted in favor of the amended bill.

SB331 would prohibit Medicaid from paying for **sex reassignment surgery** or hormone therapy. The Senate tabled the bill, effectively defeating it, on a voice vote after failing to pass or defeat the bill 12-12. **Sen. Avard** voted in favor of the bill.

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

SB357 deals with safe schools. **Sen. Martha Hennessey (D-Hanover)** plans to introduce an amendment that would allow school districts to be able **prohibit guns at their schools**.

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

Nashua Wards 1, 2, 5, Hollis, Brookline, Mason, Greenville, New Ipswich, and Rindge

Rep. Jim Belanger (R) P: (603)465-2301 Jim.belanger@leg.state.nh.us

Hollis

Rep. Carolyn Gargas (R) P: (603)465-7463 cgargasz@cs.com

Hollis

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

Hollis, Milford, Mont Vernon, New Boston

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 Lewicke@yahoo.com

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