

NH Legislature This Week—March 26, 2018
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Quotes of the Week

"This is not acceptable and this cannot be our new normal. You know, after the Parkland tragedy, Americans did what we always do. We came together to grieve for the dead, to honor those who gave their lives to save others, but tears are not enough. It's not enough to say 'our thoughts and prayers are with the victims and their families.' These words ring empty unless we are willing to pass bipartisan gun safety legislation supported by <inaudible over the cheering> Americans." **Senator Jeanne Shaheen** at the March for our Lives rally in Nashua.

"Your school boards are not competent to protect you. ... You think you're afraid of guns, but actually you're afraid of dying." **Sen. Bob Guida** (R-Warren) addressing high school students in the gallery during the vote (which failed) to allow local school boards to prohibit guns in their schools.

"School boards get to decide what goes on in their school buildings, and they should be able to decide whether or not to allow guns or firearms in schools. That simple." **Sen. Martha Hennessey** (D-Hanover).

"After the senseless attack on Las Vegas, this proposed rule [to prohibit bump stocks] is a critical step in our effort to reduce the threat of gun violence that is in keeping with the Constitution and the laws passed by Congress." **Attorney General Jeff Sessions**.

This week is all about hearings

The House and Senate will not be meeting this week. They will meet again on Thursday, April 5th. We have now passed through "crossover" and each chamber should have voted on all of their own bills by now. From the point forward, the House will be working on bills passed by the Senate and the Senate will be working on bills passed by the House. The House and Senate will be spending this week holding public hearings on many of the bills that have passed the other chamber.

May 3rd is the date by which the House and Senate expect to be finished with these. After that date, the legislature will focus on bills on which the House and Senate are in disagreement or bills that Governor Sununu has vetoed.

March for Our Lives gathers thousands

On Saturday, an estimated 4,000 people marched on Concord to demand sensible gun legislation to combat gun violence. An additional 500 people marched in Nashua, joined by **Senator Jeanne Shaheen**, **Senator Maggie Hassan**, and **Nashua Mayor Jim Donchess**. Rallies were also held in Keene, Lancaster, Jackson and Portsmouth. WMUR has a video of the speakers at the Nashua rally at <http://www.wmur.com/article/march-for-our-lives-rallies-held-across-nh/19582554>.

Attempt to give local school boards authority to set gun rules fails

Senator Martha Hennessey (D-Hanover) introduced an amendment to a bill on school safety to give local school boards the authority to ban guns in their schools. Currently, state law allows any adult to enter a school with a loaded handgun or rifle. They will not have committed a crime until they point the gun at someone. School boards are specifically prohibited by state law from placing any restrictions on gun possession or usage on school grounds. As expected, Senators who proudly proclaim that they support local control of the schools voted against allowing schooling districts to set their own policies and the amendment failed on a party line vote of 9-14. Democrats supported the amendment and Republicans opposed it. Democratic Senator Kevin Cavanaugh (D-Manchester) had an excused absence for the day. Meanwhile, the House passed HB1313, allowing loaded rifles on ATVs and snowmobiles, 181-148.

National ban on bump stocks coming?

The Justice Department has announced that they will propose a rule to ban bump stocks. We will see if this actually happens and what it really means.

The House Science, Technology and Energy Committee is geeking out this week

On Tuesday 10:00, the committee is hearing three presentations on technologies that sound really interesting. The first is a presentation by startup **TransitX** which wants to build solar powered airborne pods for public transportation. They are planning to do a pilot program in the Boston area this year. Check out transitx.com for more. At 1:00, the committee will be hearing a presentation on "blockchain technology in the energy sector", followed by a 2:30 presentation by the **Advanced Regenerative Manufacturing Institute** which is headed by inventor **Dean Kamen**. Members of the public can sit in on the presentations on Tuesday in room 304 of the Legislative Office Building.

Last week, the House voted on the following bills:

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

HB1759 would place restrictions on the use of **drones**. The House defeated the bill on a voice vote.

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". 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). The House defeated the resolution on a voice vote.

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 sent the bill to interim study, effectively defeating it, on a voice vote.

HB1680 would prohibit **pregnancy termination** after the fetus is "viable". The House tabled the bill 170-163. If not removed from the table by the end of the session, the bill will effectively be defeated. **Rep. Gargasz and Lewicke** voted to table the bill. **Rep. Ammon and Belanger** voted against tabling.

HB1721 would prohibit "coercive" **pregnancy termination**, but defines "coercive" so broadly that it would describe almost all such terminations. The House defeated the bill 100-237. **Rep. Ammon, Belanger and Lewicke** voted in favor of the bill. **Rep. Gargasz** voted against the bill.

HB1313 would allow people to **carry loaded guns on Off-Highway Recreational Vehicles** (such as ATVs, trail bikes and UTVs) **and snowmobiles**. The House passed the bill 181-148. **Rep. Ammon, Belanger, Gargasz and Lewicke** voted in favor of the bill.

Last week, the Senate voted 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**. The Senate defeated the floor amendment on a party line 9-14. **Sen. Avard** voted against the amendment.

CACR22 is a state **Constitutional Amendment** that would give additional constitutional protections to **crime victims**. The Senate passed the amendment 20-3. **Sen. Avard** voted against the amendment.

Senate Hearings for this week:

Senate Finance Committee (Statehouse room 103)

HB559 would increase the funding available for **energy efficiency** programs funded through the Regional Greenhouse Gas Initiative from \$2M to \$5M and allow school districts to apply for such funds. Tuesday 1:00.

HB1315 would prohibit the **University System** from using its funds to oppose the formation of **unions**. Tuesday 2:00.

Senate Judiciary Committee (Statehouse room 100)

HB1283 would prohibit police from conducting sobriety checkpoint. Thursday 9:45.

HB1443 would allow jury nullification (instructing juries that they may find a person innocent even if the state has proven that they have broken the law). Thursday 10:45.

Senate Rules and Enrolled Bills Committee (Statehouse room 103)

CACR16 is a state **Constitutional Amendment** that would add a right to **privacy**. The amendment would add the following sentence to the Constitution: "An individual's right to live free from governmental intrusion in private or personal information is natural, essential, and inherent." Thursday 10:00.

CACR15 is a state **Constitutional Amendment** that would give citizens a **right to sue**

the state in certain circumstances, overturning a state supreme court decision to the contrary. The language to be added is "The public also has a right to an orderly, lawful, and accountable government. Therefore, any individual taxpayer eligible to vote in the State shall have standing to petition the Superior Court to declare whether the State or political subdivision in which the taxpayer resides has spent, or has approved spending, public funds in violation of a law, ordinance, or constitutional provision. In such a case, the taxpayer shall have to demonstrate that his or her personal rights were impaired or prejudiced beyond his or her status as a taxpayer. However, this right shall not apply when the challenged governmental action is the subject of a judicial or administrative decision from which there is a right of appeal by statute or otherwise by the parties to that proceeding."

Thursday 10:15.

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

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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

Brookline and Mason

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