

NH Legislature This Week—March 5, 2018
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Quotes of the Week

"Trade wars are good." **President Trump** announcing that he is imposing new tariffs on imported steel.

"President Trump's impulsive announcement is already sending shockwaves across the world markets. It's time the President listens to experts who understand that launching a trade war will kill jobs, damage small businesses and hurt families across our country."

Senator Jeanne Shaheen.

Busy Week

This week starts a busy period in the State House. The House is voting on a range of issues including pregnancy termination, guns, marriage age and transgender equality. The House has 243 bills on the Consent calendar and 145 bills on the Regular calendar. Next Thursday, March 15th is the last date to act on bills not being heard by a second committee; the following Thursday, March 22nd is the last date for the House to act on House bills.

The Senate has 5 bills on their consent calendar and 16 bills on the Regular calendar. Thursday, March 22nd is "Crossover Day", both the House and Senate need to vote on all bills originating in their chamber.

Important Dates this month

Tuesday, March 6th is **Hollis School District Meeting** at 7pm at the Hollis Brookline Middle School

Tuesday, March 13th 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 14th is **Brookline Town Meeting** at 7pm at Captain Samuel Douglass Academy

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

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

Saturday, March 17th is **Mason Town Meeting** 9am at Mason Elementary School

This week, the House will vote 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 Children and Family Law Committee recommends that the bill be passed as amended 13-0. The bill is on the consent calendar to be passed as amended.

HB1433 would require **candidates for President and Vice President to disclose federal income tax records**. The House Election Law Committee recommends that the bill be defeated 17-3. The bill is on the consent calendar to be defeated.

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 Election Law Committee cited several concerns and recommends that the bill be defeated 20-0. The bill is on the consent calendar to be defeated.

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. The bill is on the consent calendar to be defeated.

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 Finance Committee recommends that the bill be defeated 24-0. The bill is on the consent calendar to be defeated.

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 Fish and Game and Marine Resources Committee recommends that the bill be passed as amended 17-0. The bill is on the consent calendar to be passed as amended.

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 committee recommends that the bill be defeated 16-1. The bill is on the consent calendar to be defeated.

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 on the consent calendar to be defeated. 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).

HB1315 would prohibit the **University System** from using University funds to oppose the formation of **unions**. The House Executive Departments and Administration Committee recommends that the bill be passed 12-6.

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 and therefore recommends that the bill be defeated 15-5. **Sen. Avard** is a cosponsor of the bill.

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 14-5 and the members that support the bill note that they "sided with the intent of the bill more than the legislative language."

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 Judiciary Committee recommends that the Amendment be passed 18-0.

HB1241 would establish a commission to assess the benefits and costs of a "**health care for all**" single payer program. The House Commerce and Consumer Affairs Committee recommends that the bill be defeated 11-8.

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 Commerce and Consumer Affairs Committee recommends that the bill be defeated 11-9.

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 Education Committee recommends that the bill be passed 10-9.

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 Finance Committee recommends that the bill be defeated 14-10.

HB1532 would prohibit **gender reassignment surgery for transgender minors**. The House Health, Human Services and Elderly Affairs Committee recommends that the bill be passed 12-8.

HB1560 would prohibit Medicaid from paying for gender reassignment drugs, surgery or hormone therapy. The House Health, Human Services and Elderly Affairs Committee recommends that the bill be defeated 13-7.

HB1319 would prohibit **discrimination based on gender identity** in employment,

housing and public accommodations. The House Judiciary Committee recommends that the bill be passed 10-8.

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.

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.

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 Senate Election Law and Internal Affairs Committee recommends that the bill be passed 4-0.

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:

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Hollis

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Hollis

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Brookline and Mason

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