

AFSC-NH State House Watch

Wrap-Up for 2015 Legislative Session

This year we've been closely following the progress of legislation on the budget, minimum wage, right-to-work (for less), housing, tenants' rights, voting, gambling, guns, immigration, taxes, and other social and economic justice issues.

The 2015 legislative session concluded on June 24. We offer a recap on the bills we were watching. We've divided them into 4 categories: bills we actively supported, actively opposed, generally liked, and generally disliked.

A bill that is classified as "actively supported" or "actively opposed" means that AFSC went to hearings, submitted testimony, and closely followed the path of the bill in the newsletter and on our radio show. Bills we generally liked or disliked are bills we paid attention to, but did not prioritize.

You can see that each bill is hyperlinked to the "docket" on the General Court webpage. From that site you can find the bill's text, a report on the path it took from introduction to its ultimate fate, and links to reports on any roll call votes that took place. There's even a link to "[docket abbreviations](#)" if some of the jargon is confusing.

For each bill we have indicated whether votes were cast by voice, by roll call, or by "division." A voice vote means the Speaker of the House or the President of the Senate determined whether "yea" or "nay" was in the majority on any motion based on the voices of the lawmakers; there is no record of who voted which way. A division vote in the House means that a precise vote count was taken, but that the votes of individual members were not recorded. If a roll call was taken, however, you can look up how each member voted (or if they did not vote at all). Be careful in reading these because it can be confusing. For example, a "yea" vote on an ITL ("inexpedient to legislate") motion is a vote to kill a bill, not a vote in favor of the bill. A vote on a motion to table is not necessarily an indication of how that member would vote if the bill were to come up for an actual vote.



If we have reported a numerical vote, you can assume it was by roll call unless we specified it was a "division." You can look up roll calls in a number of ways if you want to find out how particular members voted. For one thing, each member

has her/his own page where you can click on <voting record> and see all recorded votes. Alternatively, you can go to the docket for any bill and click on <RC> if it shows up in the docket. Or, you can click on the [Voting Record](#) page where you can search your way through roll calls on any House or Senate votes by year and bill number (going back to 1999!).

A couple of other notes: You will see that some bills were “retained” in House committees or “re-referred” to Senate committees. This may mean that the committee was just too busy to deal with it during the session and they’ll work on it over the summer and the fall. It may mean that there were a few bills that were similar, or that the House and Senate each had a bill with the same sort of language, and one was put on hold while the other passed or failed. It may mean that the bill is going to die a slow quiet death after we’ve all stopped paying attention. However, all bills that were retained or re-referred will come to the House and Senate floors for votes when legislators return in January. House committees have a November 12 deadline to report on their recommendations for all retained bills. The Senators have not given themselves a deadline for bills they have re-referred.

If the House and Senate passed differing versions of the same bill, they might have appointed a Committee of Conference (COC) to attempt to resolve differences. In some cases, the COCs did not reach agreement, which means that the bill died.

Finally, in most cases the final step for a bill to become law is for it to be signed by the Governor if it has passed both the House and Senate with the same language. At this time, many of the successful bills are somewhere in the pipeline between the General Court and the Governor’s desk. When it reaches her, she will either sign the bill into law, allow it to become law without her signature, or veto it. In the event of further vetoes, the Representatives and Senators will come back in the fall to consider whether or not to override the veto, which would require a two-thirds majority by both chambers to be successful.

Susan Bruce, Arnie Alpert, Maggie Fogarty

The AFSC-NH State House Watch Team

Reminder about State House Lingo

OTP - “Ought to Pass,” the recommendation for approving a bill or amendment.

ITL - “Inexpedient to Legislate,” the recommendation for defeating a bill or an amendment. “ITL” can also be used as a verb.

CoC - “Committee of Conference,” where House and Senate members seek to resolve differences on bills in which the two chambers have approved different language.

Bills We Actively Supported That Passed 😊

[SB 62](#) Relative to drivers' licenses for persons without a permanent address

A resident who is homeless can obtain a license by certifying to the DMV in writing that he or she currently resides in a certain town or city, and providing a letter signed by an authorized representative of a social service organization stating that the person is authorized to use that agency's address. The bill passed the Senate in a voice vote. The bill was then amended by the House to stipulate that a license issued under this bill shall expire within one year. The fee for such a license was reduced to \$50 for original driver's license and exam, and \$10 for renewal. Both the amendment and the bill passed the House on voice votes. The Senate concurred. Governor Hassan signed the bill on June 12, 2015. It goes into effect on August 11, 2015.

[SB 135](#) Relative to lead poisoning in children

This bill passed the Senate on a roll call vote of 23-0. It was amended by the House, which added stronger language about blood levels and landlord notification. It went to a CoC, which was successful. The House adopted the CoC report on a roll call vote of 249-103, and the Senate adopted it in a voice vote.

Bills We Actively Supported That Failed 😞

[HB 669](#) Requiring law enforcement agencies to report on the receipt of certain equipment and grants from the federal government and on the deployment of tactical teams

This bill would have required police departments to report on writing grants for and obtaining military equipment and then reporting on how that equipment was used. This was a bid for transparency that failed. It was voted ITL on a roll call vote of 245-110. However, HB 407 passed after amendments that create a study process on police acquisition of military equipment. (See below)

[HB 675](#) Relative to eligibility for in-state tuition rates at the university system and the community college system of NH

This would have allowed students to be eligible for in-state tuition rates, regardless of their immigration status. The student would have to have graduated from a NH high school, or attended a NH high school for 3 years or lived in NH for 3 years prior to receiving a GED. The student would also be required to apply for citizenship or legalization of their status. We've supported similar bills in the past. We think that helping all of the young people in our state



achieve their educational goals and full potential is one of the best things we can do. Sadly, the House didn't share our view, and ITL'd the bill in a voice vote.

HB 684 Establishing a state minimum hourly rate

This bill also would have incrementally increased the state minimum wage over a 3 year period. It would have been set at \$9.10 in 2016, \$11.40 in 2017, \$14.25 in 2018, and after that would be adjusted using the Consumer Price Index. The bill was voted ITL in a roll call vote of 198-145.

SB 185 Extending the NH Health Protection Program

The bill was tabled (voice vote) in the Senate before it came up for a vote.

Bills We Actively Opposed That Failed ☺



HB 267 Requiring employers to verify an employee's eligibility to work in the United States

This bill would have required employers to use the Department of Homeland Security E-Verify system to determine their citizenship and eligibility for employment. It was ITL'd by the House in a division vote of 271-64.

HB 269 Allowing a landlord to collect first and last month rent in addition to a security deposit

This would have created an especially large burden for low-wage workers trying to move. The bill was ITL'd in a division vote of 187-167

HB 315 Relative to termination of tenancy

This bill would have provided additional grounds for termination of tenancy with 7 days notice. We opposed the bill, feeling that landlords already had sufficient power to enact 7 day evictions. The House passed the bill on a roll call vote of 263-95. It was killed by the Senate in a voice vote.

HB 402 Establishing the Franklin Partin right-to-work act

This bill was ITL'd by the House with a roll call vote of 184-74.

HB 658 Prohibiting collective bargaining agreements that require employees to join a labor union

This was the bill that included an exemption for police and firefighter unions. This bill squeaked through the House with a roll call vote of 149-146. The Senate

Finance Committee recommended that it ought to pass, but it was tabled before a vote was taken.

SB 107 Prohibiting collective bargaining agreements that require employees to join or contribute to a labor union

This was one of the four “right-to-work-for-less” bills that went nowhere this session. The Senate was tied, with a roll call vote of 12-12. The bill was tabled, with no pending motion.

SB 118 Relative to registration for the Selective Service System

This bill would have required men under age 26 to consent to register with the Selective Service System when applying for a driver’s license or non-driver photo ID. We’ve been opposing this bill (in various iterations) for over a decade. The House voted ITL in a voice vote.

SB 169 Relative to permissible uses of EBT cards

This bill prohibits purchases of various products and services with an EBT card, and adds penalties for using actual cash obtained from an EBT card to purchase the prohibited products and services. The sponsor admits that the bill is unenforceable, so the goal would seem to be to create an even more negative stigma around those persons receiving public benefits. After two failed floor amendments aimed at trying to make the bill less egregious failed, the bill passed on a roll call vote of 19-4. It went to the House, where it was amended to read the same as the original version of HB 219. It passed in a voice vote. The Senate did not concur. A CoC was appointed. The House agreed to the removing of the amendment and the restoration of the original Senate bill text. The House adopted the CoC report in a roll call vote of 213-143, and the Senate adopted the report in a voice vote. However, it was vetoed by the governor.

Bills We Actively Opposed that Passed ☹️

HB 219 Relative to the use of electronic benefit transfer (EBT) cards

This bill prohibits the use of EBT cards in businesses that primarily engage in body piercing, branding, or tattooing; cigar stores and smoke shops; and marijuana dispensaries. The bill also requires the Department of Health and Human Services to establish an education program relative to the use of EBT cards and requires the department to report on the effectiveness of electronic blocking of EBT cards at prohibited locations.

We see this bill as another attempt to publicly demean people who are receiving public benefits. It passed the House in a voice vote. It went to the Senate, where it was amended to read the same as SB 169, the Senate EBT bill. This passed the Senate in a voice vote. The House did not concur, and the bill went to a CoC. The

members of the CoC changed 11 times. Eventually the Senate agreed to the removing of their amendment, thereby allowing the House to return to their original text. The House and Senate both adopted the CoC report on voice votes. It has been signed into law by Governor Hassan.

HB 550 Relative to the administration of the tobacco tax and relative to the sale or exchange of an interest in a business organization under the business profits tax

This bill started off making some changes in the wording of the tobacco laws, as requested by the Department of Revenue Administration. It passed the House in a voice vote, and went to Senate Ways and Means where a non-germane amendment was tacked on that would lower business taxes for a private company going public. This transpired after the Planet Fitness CEO threatened to take his corporate headquarters out of state unless the tax code was changed to benefit his company.

The Senate passed the bill in a roll call vote of 14-10. The House did not concur. The CoC changed the bill to ensure that more companies can benefit from the changes in the tax code, thereby ensuring a larger loss of revenue to the state. The CoC report was adopted by the House in a roll call vote of 201-145 and by the Senate in a roll call vote of 14-10. It now goes to the Governor.



Bills We Generally Liked that Passed 😊

HB 147 Relative to the homestead exemption amount

The amount of the exemption was increased from \$100,000 to \$120,000 for a single person, and from \$200,000 to \$240,000 per couple. The bill passed the House in a voice vote, passed the Senate by voice vote, and was signed by Governor Hassan.

HB 407 Establishing a committee to study the classifications of military vehicles and equipment that may be purchased by the state and its political subdivisions

This bill began as an attempt to prohibit the state and municipalities from acquiring military equipped vehicles or equipment not readily available on the commercial market. It was amended to become a committee to study the classifications of military vehicles and equipment that may be purchased by the

state and municipalities. The amended bill passed the House in a voice vote. The Senate added an amendment that tacked on a committee to study honorary legislation, such as the strangely controversial bill to name the red tailed hawk the State Raptor. The amended bill passed the Senate in a voice vote. The House did not concur. The bill went to a CoC, where the Senate agreed to the removal of the honorary legislation committee. The Senate adopted the CoC report in a voice vote. The House adopted the CoC report by a division vote of 302-53.

[HB 614](#) Implementing the goals of the state 10-year energy strategy, modifying uses of the site evaluation committee fund, establishing fees for facility evaluation, and relative to public information sessions on proposed energy siting

This passed the House on a division vote of 267-67. The Senate amended the bill to be more specific in the stipulations about the use of the site evaluation committee, the fees for evaluation, and the public information sessions. It passed the Senate in a voice vote. The House did not concur, and a CoC was set up. The CoC added an annual review and evaluation of the filing fees, and made allowances for increasing or decreasing the fees. The CoC report was adopted by the House and Senate by voice votes in both chambers.

[HB 681](#) Establishing a fine for persons convicted of domestic violence and increasing the marriage license fee

The bill started out in the House with an increase in the marriage license fee that would go to help fund the state's domestic violence education program. It passed on a roll call vote of 223-146. The Senate amended the bill to add a \$50 fine to be paid by convicted abusers. The Senate passed the amended bill in a voice vote. The House did not concur, and a CoC was created. The House members of the CoC were concerned that a low income abuser might be jailed for not being able to pay the fine. A new stipulation was added, giving the judge the ability to defer the fine or set up a payment plan. The Senate adopted the CoC report in a voice vote. The House adopted the report on a roll call vote of 203-144.

[SB 47](#) Repealing the payment of subminimum wages to persons with disabilities

This bill passed the Senate on a 24-0 roll call vote. It passed the House in a voice vote and was signed by the Governor.

[SB 92](#) Establishing a committee to study public access to political campaign information

The committee will evaluate the merits of having an online system of campaign finance reporting, and a clearinghouse of information for voters including registration, polling place information, and filings by candidates and PACs. The Senate passed this in a voice vote. The House added an amendment refining the

duties of the committee, and passed it in a voice vote. The Senate concurred, and the Governor has signed the bill.

Bills We Generally Liked that Failed ☹️

[HB 163](#) Establishing a state minimum hourly rate

This would have set the state minimum wage at \$16. It was voted ITL by the House in a voice vote.

[HB 316](#) Establishing a committee to study offshore wind and energy production

ITL'd by the House in a voice vote.

[HB 350](#) Establishing a commission to study the impacts of the property tax on NH residents, businesses, municipalities, and the economy

This seemed like a good idea to us. It was killed by the House in a roll call vote of 213-143.

[HB 370](#) Enabling counties and municipalities to establish minimum wage rates

This was ITL'd by the House in a voice vote.

[HB 392](#) Relative to the minimum hourly wage

This would have established a state minimum hourly wage to be adjusted by the cost of living index. The minimum wage would have been set at \$8.25 in 2016, \$9.00 in 2017, and \$10.00 in 2018. Even these modest increases were too much. The House ITL'd the bill in a voice vote.

[HB 551](#) Relative to preventing diversion of business tax income to tax havens

Again - this seemed like a good idea to us. After being special ordered to the end of the regular calendar (by voice vote), it was tabled by the House in a voice vote.

[HB 600](#) Relative to paid sick leave for employees

Employers would have been required to pay sick leave after employees worked more than 6 months. An employee would accrue one hour of paid sick time every 30 hours. No more than 40 hours a year, unless the employer chose a higher rate. The House ITL'd the bill by a roll call vote of 219-122.

[HB 627](#) Relative to registering to vote

This bill would have eliminated same day voter registration. It was ITL'd by the House by a roll call vote of 275-64.



[HB 686](#) Establishing a single payer health care system and making an appropriation therefore

The House killed the bill in a voice vote.

[SB 52](#) Establishing a commission to study the issue of residential tenancies in foreclosed properties

This bill passed the Senate in a voice vote. It was ITL'd by the House in a division vote of 188-127.

[SB 146](#) Relative to accessory dwelling units

The bill was an attempt to establish requirements for local regulation of accessory dwelling units. The goal was to help create more affordable housing without the need for more infrastructure or land development. The Senate passed it in a voice vote. It went to the House Public and Municipal Affairs Committee, where it has been retained.

[SB 156](#) Prohibiting discrimination against employees who are victims of domestic violence, sexual assault, or stalking

The Senate Commerce Committee recommended the bill ought to pass. The bill was tabled before the full Senate voted.

[SB 175](#) Relative to the regulation of blighted property

This would have authorized municipalities to enact ordinances that address blighted property. The bill was re-referred back to the Senate Public and Municipal Affairs Committee where it has been languishing since February.

[SB 207](#) Eliminating the requirement that moderators photograph voters without identification

The Senate voted along party lines to ITL, in a roll call vote of 14-10.

[CACR 11](#) Relative to voting at elections. Providing that the General Court may authorize all voters to choose to vote by absentee ballot

This proposed constitutional amendment would have allowed all voters to choose to vote absentee. It was ITL'd by the House by a voice vote.

Bills We Generally Disliked that Failed 😊

[HB 112](#) Relative to domicile for voting purposes

This was yet another in the ongoing attempts to limit voting by tying residence to motor vehicle law. The bill was tabled by the House and an opinion from the state Supreme Court was sought. The State Supreme Court struck down a 2012 law that contained similar requirements.

HB 127 Relative to identification of voters.

This would have authorized ballot clerks to verify the identity of a voter. It was ITL'd by the House in a voice vote.

SB 179 This is the voting bill that would add a 30 day residency requirement to voter eligibility

This proposal is almost certainly unconstitutional. It passed the Senate in a roll call vote of 13-10. The House amended it, changing the language in a muddled and unsuccessful attempt to comply with the constitution, and it passed with a roll call vote of 211-145. The Senate concurred, and the bill went to the Governor's desk where, thankfully, it was vetoed.

HB 208 Relative to allowance sales under the NH regional greenhouse gas initiative

This was an attempt to change the allocation of proceeds received from allowance sales under RGGI. The House amended the bill to stipulate that all proceeds be rebated to retail electric ratepayers. The bill passed on a third reading voice vote. The Senate tinkered with the use of the energy efficiency fund, allocating all amounts to be allocated to commercial, industrial, and residential electric customers. Thirty percent of the proceeds were also designated to the low-income core energy efficiency program. The Senate version passed in a roll call vote of 14-10. The House did not concur. The CoC was not able to reach agreement, and so the RGGI law stays as it was before this epic attempt to change it.

HB 448 Establishing February 6 as Ronald Reagan Day

We just said no. So did the House, voting to ITL the bill in a roll call vote of 196-103.

HB 657 Relative to video lottery

This bill would have set up the structure for casinos, with a gaming commission, gaming enforcement, and fund distribution. It was ITL'd in a voice vote.

HCR 1 Rescinding all requests by the NH legislature for a federal constitutional convention

This attempt to subvert the democratic process was killed by the House in a roll call vote of 262-75.

SB 5 Relative to transfers into the revenue stabilization reserve account

This bill attempted to stipulate that any exception from the automatic transfer of a surplus into the state's rainy day fund would require a 2/3 vote of the general court. It passed the Senate in a roll call vote of 14-9. The House voted it ITL in a voice vote.

SB 113 Relative to video lottery and table gaming

This was a bill to permit the operation of 2 casinos in NH. It cleared the Senate in a roll call vote of 13-11. It did not fare so well in the House, where after a couple of failed floor amendments the bill was ITL'd in a division vote of 223-141.

The Budget



HB 1 Short version: the House passed a terrible budget. The Senate amended it to be less terrible, but still terrible, and now with business tax cuts that will hobble future legislators. The bill went to a CoC where it was altered slightly, but it was still terrible. The governor vetoed it. A continuing resolution is in place to keep the state going until the fall when a compromise will again be sought between legislators and the governor.

HB 2 The budget trailer bill, where revenues and fees are determined for funding the budget. Also vetoed by the Governor. This is the location of language calling for privatization of the Sununu Youth Center, the state's juvenile detention facility.

HB 25 This is the budget for capital improvement projects. It was passed by the House in a voice vote. The short version: The Senate did some tinkering and amending, including the addition of \$1 million to the affordable housing fund, with priority for housing projects that are committed to providing housing for veterans. The Senate passed it on a roll call vote of 22-0. The House did not concur. A CoC was created. Numbers were tinkered with. No one is happy (which is the standard by which some of our legislators judge the success of a budget bill) and the CoC report was adopted by a voice vote in the House and another voice vote in the Senate. It has been signed by the governor.



Retained Bills

[HB 312](#) This would establish a deed or lease as presumptive evidence of domicile for persons registering to vote. The right to vote should not be tied to property ownership or rental. This bill is retained in House Election Law.

[HB 324](#) This bill permits the members of a union to vote to decertify the union if membership falls below 50%. The bill also permits employers to require such a vote. It's been retained by the House Labor, Industrial and Rehabilitative Services Committee.

[HB 386](#) Reducing the rate of the business profits tax. This bill has been retained by the House Ways and Means Committee. The last subcommittee work session was June 2.

[HB 369](#) Establishing a defined contribution retirement plan for public employees. This has been retained by the Special Committee on Public Employee Pension Plans. No action has been taken since February.

[HB 393](#) Including the distributing of model acts to elected officials as lobbying and requiring disclosure of compensation or reimbursement received by elected officials from such lobbyists for attendance at an event. This bill was aimed at the American Legislative Exchange Council (ALEC) a conservative group that writes and distributes model legislation to its members. This attempt to create transparency was retained by the House Election Law Committee where no action has been taken on it since February.

[HB 477](#) Relative to workers compensation benefits and establishing payment schedules. This bill has been retained by the House Labor Committee. No action has been taken on it since February.

[HB 488](#) Relative to an abusive work environment and the health and safety of public employees. This bill was retained in the Executive Departments and Administration Committee. Last work session was May 12.

[HB 594](#) Establishing Keno. The bill has been retained by House Ways and Means, and has seen no activity since early March.

[HB 602](#) Relative to the use of drones. This bill regulates the use of drones by government agencies and individuals. It establishes criminal penalties and civil remedies for violations of the law. The bill has been retained by the House Executive Departments and Administration Committee. The last work session was in May.

[HB 605](#) Repealing mandatory minimum sentences. Was retained by the House Criminal Justice and Public Safety Committee. There have been no work sessions.

[HB 630](#) Establishing the NH video lottery. This bill would allow some 700 eligible establishments to apply for a license to have video lottery in their places of business. The license would cost \$10,000. The bill was retained in House Ways and Means, and has not been acted on since early March.

[SB 136](#) Establishing a committee to review constitutional amendments pending in Congress regarding the Citizens United decision and related cases that have been introduced in the Supreme Court. This bill passed the Senate in a voice vote. It was referred to the House Legislative Administration Committee, where it has been retained.

[SB 198](#) Would allow all voters to vote by absentee ballot. This bill was re-referred back to the Senate Public and Municipal Affairs Committee.

Special bonus section!

NH loves to name things. We have one official state song and eight honorary state songs.

We also have:

- State bird – the purple finch
- State tree – the white birch
- State insect – the ladybug
- State flower – the purple lilac
- State fruit – the pumpkin
- State amphibian – the red-spotted newt
- State animal – the white tailed deer
- State gem – smoky quartz
- State mineral – beryl
- State rock – granite
- State wildflower – pink ladyslipper
- State butterfly – the Karner Blue
- State freshwater game fish – the brook trout
- State saltwater game fish – the striped bass
- State sport – skiing
- State vegetable – the white potato

We also have a state tartan. Clearly we are not a state that is afraid to have symbols. Well, not until this year.

HB 113 Designating the mastodon as the official state fossil.

The fourth grade class at Kearsarge Elementary in Bradford thought it was unconscionable that NH was the only state in New England that didn't have a state fossil. An 11,000 year old mastodon tooth had been found over on the seacoast, and so they lobbied for the mastodon to become the official state fossil. They lost, in a House division vote of 207-109.

HB 152 Establishing a state poem

This would have made Richard T. Hartnett's poem, "My Homeland Sea" the official state poem of NH. Hartnett wrote the poem while serving in the South Pacific in 1944. It's an ode to patriotism and homesickness. The legislature wasn't interested. It was voted ITL by the House in a voice vote.

HB 373 Establishing the red-tailed hawk as the NH state raptor

This bill taught an unexpected lesson to the 4th grade class at the Lincoln Ackerman School in Hampton Falls. Mr. Cutting's class worked with State Rep. Renny Cushing to come up with the bill to make the red-tailed hawk the official state raptor, like many other 4th grade classes before them. On the day that the House was to vote on the bill, the class was sitting up in the visitor's gallery with their teacher and some of their parents. Three legislators excoriated the children for bothering them with this bill when they had important things to be working on. One made some particularly offensive and gruesome comments. The bill was voted ITL in a voice vote.

The story didn't end there. It was picked up a few days later by a blogger, then NH1, and it quickly spread across the globe. NH's legislators were mocked around the world, and also by comedian John Oliver.

The story didn't end there, either. It seems a red tailed hawk took up residence on the grounds of the White House. President Obama thought the hawk should have a name - and he asked Mr. Cutting's 4th grade class to name the bird. They chose the name Lincoln. Lincoln even has his own twitter account. The fourth graders had one heck of a learning experience.

HB 423 Designating the bobcat as the New Hampshire state wildcat

This bill originated in a fourth grade class at the Well School in Peterborough. It came up for a vote about a month after the red-tailed hawk debacle, and perhaps because of that, it passed in a voice vote and was signed by the Governor.

AMERICAN FRIENDS SERVICE COMMITTEE - NH PROGRAM
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July 13, 2015
