

Bill as
Introduced

HB 1215 - AS INTRODUCED

2010 SESSION

10-2264

05/01

HOUSE BILL ***1215***

AN ACT relative to gender neutral references in certain public assistance statutes.

SPONSORS: Rep. Bickford, Straf 3

COMMITTEE: Children and Family Law

ANALYSIS

This bill inserts gender neutral references in a section of the public assistance laws.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears [~~in brackets and struck through~~].
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Ten

AN ACT relative to gender neutral references in certain public assistance statutes.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 Employment of Relatives of Persons Receiving Aid to Dependent Children or Public Welfare
2 Assistance. Amend RSA 167:2-b to read as follows:

3 167:2-b Employment of Relatives of Persons Receiving Aid to Dependent Children or Public
4 Welfare Assistance. No person who is otherwise eligible for aid to dependent children or public
5 assistance based on financial need shall receive public welfare assistance from the state unless and
6 until all able-bodied adult [~~males~~] *persons*, under the age of 65 years, except those regularly
7 attending school, related to such person, and regularly residing in the same household as such
8 person, and legally liable to contribute to the support of such person and not prevented from
9 maintaining employment and contributing to the support of such person by reason of physical or
10 mental disability or other substantial or other justifiable cause, are employed on a full-time basis.
11 The amount or amounts earned by the persons obliged to maintain employment hereunder shall be
12 taken into consideration in determining the level of need for aid to dependent children or public
13 assistance. Nothing in this section shall be so construed to deny to any minor dependent child any
14 needed aid to dependent children or public assistance to which he *or she* would be otherwise
15 entitled. Unrelated adult [~~males~~] *persons* living in the same household in loco parentis as to any
16 such person seeking aid to dependent children or public assistance shall be obliged to contribute to
17 his or her support to the same extent as the [~~father~~] *parent* of such person, and in default thereof,
18 shall be subject to the same penalties as the [~~father~~] *parent* of such person would be in such case. If
19 anything in this section conflicts with federal law or regulation related thereto, the federal law or
20 regulation shall take precedence.

21 2 Effective Date. This act shall take effect 60 days after its passage.

Amendments

Rep. Bickford, Straf. 3
January 21, 2010
2010-0229h
05/10

Amendment to HB 1215



1 Amend the bill by replacing section 1 with the following:

2

3 1 Employment of Relatives of Persons Receiving Public Welfare Assistance. Amend RSA 167:2-b
4 to read as follows:

5 167:2-b Employment of Relatives of Persons Receiving ~~[Aid to Dependent Children or]~~ Public
6 Welfare Assistance. No person who is otherwise eligible for aid to dependent children or public
7 assistance based on financial need shall receive public welfare assistance from the state unless and
8 until all able-bodied adult ~~[males]~~ *persons*, under the age of 65 years, except those regularly
9 attending school, related to such person, and regularly residing in the same household as such
10 person, and legally liable to contribute to the support of such person and not prevented from
11 maintaining employment and contributing to the support of such person by reason of physical or
12 mental disability or other substantial or other justifiable cause, are employed on a full-time basis.
13 The amount or amounts earned by the persons obliged to maintain employment hereunder shall be
14 taken into consideration in determining the level of need for aid to dependent children or public
15 assistance. Nothing in this section shall be so construed to deny to any minor dependent child any
16 needed aid to dependent children or public assistance to which he *or she* would be otherwise
17 entitled. Unrelated adult ~~[males]~~ *persons* living in the same household in loco parentis as to any
18 such person seeking aid to dependent children or public assistance shall be obliged to contribute to
19 his or her support to the same extent as the ~~[father]~~ *parent* of such person, and in default thereof,
20 shall be subject to the same penalties as the ~~[father]~~ *parent* of such person would be in such case. If
21 anything in this section conflicts with federal law or regulation related thereto, the federal law or
22 regulation shall take precedence.

Amendment to HB 1215

1 Amend the bill by replacing all after the enacting clause with the following:

2
3 1 Employment of Relatives of Persons Receiving Public Welfare Assistance. Amend RSA 167:2-b
4 to read as follows:

5 167:2-b Employment of Relatives of Persons Receiving ~~[Aid to Dependent Children or]~~ Public
6 Welfare Assistance. No person who is otherwise eligible for ~~[aid to dependent children or]~~ public
7 assistance based on financial need shall receive ~~public welfare assistance~~ from the state unless and
8 until all able-bodied adult ~~[males]~~ *persons*, under the age of 65 years, except those regularly
9 attending school, related to such person, and regularly residing in the same household as such
10 person, and legally liable to contribute to the support of such person and not prevented from
11 maintaining employment and contributing to the support of such person by reason of physical or
12 mental disability or other substantial or other justifiable cause, are employed on a full-time basis.
13 The amount or amounts earned by the persons obliged to maintain employment hereunder shall be
14 taken into consideration in determining the level of need for ~~[aid to dependent children or]~~ public
15 assistance. Nothing in this section shall be so construed to deny to any minor dependent child any
16 needed ~~[aid to dependent children or]~~ public assistance to which he *or she* would be otherwise
17 entitled. Unrelated adult ~~[males]~~ *persons* living in the same household in loco parentis as to any
18 such person seeking ~~[aid to dependent children or]~~ public assistance shall be obliged to contribute to
19 his or her support to the same extent as the ~~[father]~~ *parent* of such person, and in default thereof,
20 shall be subject to the same penalties as the ~~[father]~~ *parent* of such person would be in such case. If
21 anything in this section conflicts with federal law or regulation related thereto, the federal law or
22 regulation shall take precedence.

23 2 Human Service; Duties of Commissioner; Reference Removed. Amend RSA 161:4, II to read as
24 follows:

25 II. PERSONNEL STANDARDS. Based upon the number of applicants and recipients in the
26 localities, the commissioner of health and human services shall determine the number of employees
27 necessary for the administration of old age assistance, ~~[aid to dependent children,]~~ and aid to the
28 needy blind in all administrative units, state, county, and town, subject to the regulations of the
29 director of personnel.

30 3 Effective Date. This act shall take effect 60 days after its passage.



2010-0404h

AMENDED ANALYSIS

This bill makes certain public assistance statutes gender neutral and removes obsolete references to aid to dependent children.

Amendment to HB 1215

1 Amend the bill by replacing all after the enacting clause with the following:

2
3 1 Employment of Relatives of Persons Receiving Public Welfare Assistance. Amend RSA 167:2-b
4 to read as follows:

5 167:2-b Employment of Relatives of Persons Receiving [~~Aid to Dependent Children or~~] Public
6 Welfare Assistance. No person who is otherwise eligible for [~~aid to dependent children or~~] public
7 assistance based on financial need shall receive public welfare assistance from the state unless and
8 until all able-bodied adult [~~males~~] **persons**, under the age of 65 years, except those regularly
9 attending school, related to such person, and regularly residing in the same household as such
10 person, and legally liable to contribute to the support of such person and not prevented from
11 maintaining employment and contributing to the support of such person by reason of physical or
12 mental disability or other substantial or other justifiable cause, are employed on a full-time basis.
13 The amount or amounts earned by the persons obliged to maintain employment hereunder shall be
14 taken into consideration in determining the level of need for [~~aid to dependent children or~~] public
15 assistance. Nothing in this section shall be so construed to deny to any minor dependent child any
16 needed [~~aid to dependent children or~~] public assistance to which he *or she* would be otherwise
17 entitled. Unrelated adult [~~males~~] **persons** living in the same household in loco parentis as to any
18 such person seeking [~~aid to dependent children or~~] public assistance shall be obliged to contribute to
19 his or her support to the same extent as the [~~father~~] **parent** of such person, and in default thereof,
20 shall be subject to the same penalties as the [~~father~~] **parent** of such person would be in such case. If
21 anything in this section conflicts with federal law or regulation related thereto, the federal law or
22 regulation shall take precedence.

23 2 Human Service; Duties of Commissioner; Reference Removed. Amend RSA 161:4, II to read as
24 follows:

25 II. PERSONNEL STANDARDS. Based upon the number of applicants and recipients in the
26 localities, the commissioner of health and human services shall determine the number of employees
27 necessary for the administration of **public assistance**, old age assistance, [~~aid to dependent~~
28 ~~children,~~] and aid to the needy blind in all administrative units, state, county, and town, subject to
29 the regulations of the director of personnel.

30 3 Effective Date. This act shall take effect 60 days after its passage.

Amendment to HB 1215
- Page 2 -

2010-0559h

AMENDED ANALYSIS

This bill makes certain public assistance statutes gender neutral and removes obsolete references to aid to dependent children.

Speakers

Hearing Minutes

HOUSE COMMITTEE ON CHILDREN AND FAMILY LAW

PUBLIC HEARING ON HB 1215

BILL TITLE: relative to gender neutral references in certain public assistance statutes.

DATE: January 19, 2010

LOB ROOM: 206 **Time Public Hearing Called to Order:** 2:00 p.m.

Time Adjourned: 2:08 p.m.

(please circle if present)

Committee Members: Reps. Gile, B. Richardson, Grassie, Ginsburg, Matarazzo, D. Rollo, Arsenault, Skinder, Ford, P. Gould, G. Hutchinson, Itse, Gargas, Julie Brown, Moran, Bickford, Hogan, J. Johnson and DeSimone.

Bill Sponsors: Rep. Bickford, Straf 3

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

Rep. David Bickford introduced the bill.

Update gender references that are outdated. Strike out "Aid to dependent children", just say "receiving public welfare".

Respectfully submitted,


Rep. Carolyn Gargas, Clerk

HOUSE COMMITTEE ON CHILDREN AND FAMILY LAW

PUBLIC HEARING ON HB 1215

BILL TITLE: relative to gender neutral references in certain public assistance statutes.

DATE: 1-19-10

LOB ROOM: 206

Time Public Hearing Called to Order: 2:00

Time Adjourned: 2:08

(please circle if present)

Committee Members: Reps. Gile, B. Richardson, Grassie, Ginsburg, Matarazzo, D. Rolle, Arsenault, Skinder, Ford, C. Gould, G. Hutchinson, Itse, Gargas, Julie Brown, Moran, Bickford, Hogan, J. Johnson and DeSimone.

Bill Sponsors: Rep. Bickford, Straf 3

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

Rep Bickford - introduce bill
update gender references that are outdated -
Strike out "Aid to dependent children"
just say "receiving public welfare"

Voting Sheets

HOUSE COMMITTEE ON CHILDREN AND FAMILY LAW

EXECUTIVE SESSION on HB 1215

BILL TITLE: relative to gender neutral references in certain public assistance statutes.

DATE: February 2, 2010

LOB ROOM: 206

Amendments:

Sponsor: Rep. Bickford	OLS Document #:	2010	0229h
Sponsor: Rep. Bickford	OLS Document #:	2010	0404h
Sponsor: Rep.	OLS Document #:		

Motions: OTP, OTR/A, ITL, Interim Study (Please circle one.)

Moved by Rep. Bickford

Seconded by Rep. Arsenalut

Vote: (Please attach record of roll call vote.)

Motions: OTP, OTR/A, ITL, Interim Study (Please circle one.) **Motion Withdrawn**

Moved by Rep. Bickford

To Be Rescheduled

Seconded by Rep. Ford

Vote: (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE:

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Carolyn M. Gargas, Clerk

HOUSE COMMITTEE ON CHILDREN AND FAMILY LAW

EXECUTIVE SESSION on HB 1215

BILL TITLE: relative to gender neutral references in certain public assistance statutes.

DATE: ~~JANUARY 28, 2010~~

LOB ROOM: 206 ~~FEBRUARY 2, 2010~~

*to hold for 2-4-2010
move to 2/9/10 @ 1:15*

Amendments:

Sponsor: Rep. *Bickford* OLS Document #: *2010-0229h*
Sponsor: Rep. *Arserault* OLS Document #:
Sponsor: Rep. *Bickford* OLS Document #: *2010-0404h*

Motions: ~~OTB~~ OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. *Bickford*
Seconded by Rep. *Arserault*
Vote: (Please attach record of roll call vote.)

Motions: ~~OTB~~ OTP/A, ITL, Interim Study (Please circle one.) *Amendment 2010-0404h.*

Moved by Rep. *Bickford*
Seconded by Rep. *Ford*
Vote: (Please attach record of roll call vote.) *to be rescheduled*
motion withdrawn

CONSENT CALENDAR VOTE:

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,
Rep. Carolyn M. Gargas, Clerk

HOUSE COMMITTEE ON CHILDREN AND FAMILY LAW

EXECUTIVE SESSION on HB 1215

BILL TITLE: relative to gender neutral references in certain public assistance statutes.

DATE: February 9, 2010

LOB ROOM: 206

Amendments:

Sponsor: Rep. Bickford OLS Document #: 2010 0559h

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. Bickford

Seconded by Rep. Hogan

Vote: 12-0 (Please attach record of roll call vote.)

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. Bickford

Seconded by Rep. Rollo

Vote: 12-0 (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE: 12-0

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Carolyn M. Gargasz, Clerk

HOUSE COMMITTEE ON CHILDREN AND FAMILY LAW

EXECUTIVE SESSION on HB 1215

BILL TITLE: relative to gender neutral references in certain public assistance statutes.

DATE: February 9 2010

LOB ROOM: 206

Amendments:

Sponsor: Rep. Bickford

OLS Document #: 2010-0559

Sponsor: Rep.

OLS Document #:

Sponsor: Rep.

OLS Document #:

Motions:

OTP, OTP/A, ITL, Interim Study (Please circle one.) amendment

Moved by Rep. Bickford

Seconded by Rep. Hagan

Vote: 12-0 (Please attach record of roll call vote.)

Motions:

OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. Bickford

Seconded by Rep. Rallo

Vote: 12-0 (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE:

(Vote to place on Consent Calendar must be unanimous.) 12-0

Statement of Intent:

Refer to Committee Report

Respectfully submitted,

Rep. Carolyn M. Gargas, Clerk

Carolyn Gargas

CHILDREN AND FAMILY LAW

Bill #: HB 1215 Title: Relation to gender neutral references in certain public assistance statutes
 PH Date: 1, 19, 10 Exec Session Date: 02, 09, 10

Motion: OTR Amendment #: 2010-0559h

MEMBER	YEAS	NAYS
Gile, Mary Stuart, Chairman	✓	
Richardson, Barbara H, V Chairman	✓	
Grassie, Anne C	✓	
Ginsburg, Ruth		
Matarazzo, Anthony P		
Rollo, Deanna S	✓	
Arsenault, Beth R		
Skinder, Carla M		
Ford, Susan M	✓	
Gould, Franklin F	✓	
Hutchinson, Gina A		
Itse, Daniel C		
Gargas, Carolyn M, Clerk	✓	
Brown, Julie M	✓	
Moran, Edward P	✓	
Bickford, David A	✓	
Hogan, Edith A	✓	
Johnson, Jane B		
DeSimone, Debra L	✓	
TOTAL VOTE:	12	0

CHILDREN AND FAMILY LAW

Bill #: 1215 Title: Relative to gender neutral reference in certain public assistance statutes
 PH Date: 1/19/10 Exec Session Date: 2/9/10

Motion: OTR/A Amendment #: 2010-0559 h

MEMBER	YEAS	NAYS
Gile, Mary Stuart, Chairman	✓	
Richardson, Barbara H, V Chairman	✓	
Grassie, Anne C	✓	
Ginsburg, Ruth		
Matarazzo, Anthony P		
Rollo, Deanna S	✓	
Arsenault, Beth R		
Skinder, Carla M		
Ford, Susan M	✓	
Gould, Franklin F	✓	
Hutchinson, Gina A		
Itse, Daniel C		
Gargas, Carolyn M, Clerk	✓	
Brown, Julie M	✓	
Moran, Edward P	✓	
Bickford, David A	✓	
Hogan, Edith A	✓	
Johnson, Jane B		
DeSimone, Debra L	✓	
TOTAL VOTE:	12	0

Committee Report

CONSENT CALENDAR

February 16, 2010

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Committee on CHILDREN AND FAMILY LAW to which
was referred HB1215,

AN ACT relative to gender neutral references in certain public
assistance statutes. Having considered the same, report the
same with the following amendment, and the recommendation
that the bill OUGHT TO PASS WITH AMENDMENT.

Rep. David A Bickford

FOR THE COMMITTEE

COMMITTEE REPORT

Committee:	CHILDREN AND FAMILY LAW
Bill Number:	HB1215
Title:	relative to gender neutral references in certain public assistance statutes.
Date:	February 16, 2010
Consent Calendar:	YES
Recommendation:	OUGHT TO PASS WITH AMENDMENT

STATEMENT OF INTENT

RSA 167:2b addresses limited public assistance based on the legal liability of all able-bodied adult males to contribute to the support of such person. This bill expands that responsibility to include all able-bodied adult women. It also removes the "Aid to Dependent Children" to the generic term of "public assistance".

Vote 12-0.

Rep. David A Bickford
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

CHILDREN AND FAMILY LAW

HB1215, relative to gender neutral references in certain public assistance statutes. **OUGHT TO PASS WITH AMENDMENT.**

Rep. David A Bickford for CHILDREN AND FAMILY LAW. RSA 167:2b addresses limited public assistance based on the legal liability of all able-bodied adult males to contribute to the support of such person. This bill expands that responsibility to include all able-bodied adult women. It also removes the "Aid to Dependent Children" to the generic term of "public assistance". **Vote 12-0.**

Original: House Clerk
Cc: Committee Bill File