

# 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

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ANALYSIS

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

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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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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.

HB 1215 - AS AMENDED BY THE HOUSE

03Mar2010... 0559h

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

---

AMENDED ANALYSIS

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

.....

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                         Matter removed from current law appears ~~[in brackets and struck through.]~~  
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1 1 Employment of Relatives of Persons Receiving Public Welfare Assistance. Amend RSA 167:2-b  
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19 anything in this section conflicts with federal law or regulation related thereto, the federal law or  
20 regulation shall take precedence.

21 2 Human Service; Duties of Commissioner; Reference Removed. Amend RSA 161:4, II to read as  
22 follows:

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

28 3 Effective Date. This act shall take effect 60 days after its passage.

CHAPTER 136  
HB 1215 - FINAL VERSION

03Mar2010... 0559h

2010 SESSION

10-2264  
05/01

HOUSE BILL            **1215**

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

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COMMITTEE:           Children and Family Law

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CHAPTER 136  
HB 1215 - FINAL VERSION

03Mar2010... 0559h

10-2264  
05/01

STATE OF NEW HAMPSHIRE

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

28 136:3 Effective Date. This act shall take effect 60 days after its passage.

29 Approved: June 14, 2010

30 Effective Date: August 13, 2010

# Committee Minutes



**AMENDED  
SENATE CALENDAR NOTICE  
JUDICIARY**

Printed: 04/28/2010 at 8:28 am

- ✓ Senator Deborah Reynolds Chairman
- ✓ Senator Bette Lasky V Chairman
- ✓ Senator Matthew Houde
- ✓ Senator Sheila Roberge
- ✓ Senator Robert Letourneau

For Use by Senate Clerk's  
Office ONLY

Bill Status

Docket

Calendar

Proof:  Calendar  Bill Status

**Date: April 28, 2010**

**HEARINGS**

**Tuesday**

**5/4/2010**

JUDICIARY

SH 103

2:00 PM

(Name of Committee)

(Place)

(Time)

**EXECUTIVE SESSION MAY FOLLOW**

**Comments:** THE PURPOSE OF THIS AMENDED NOTICE IS TO REMOVE HB 1306 AND RESCHEDULE IT TO 5/5/10 AT 2:00 P.M.

- |  |  |
|--|--|
| <p>2:00 PM HB1133</p> <p>2:15 PM HB1134</p> <p>2:30 PM HB1185</p> <p><del>2:45 PM</del> HB1215</p> <p>3:00 PM HB1223</p> <p>3:15 PM HB1259</p> | <p>relative to the duration of involuntary emergency admissions.</p> <p>(New Title) authorizing federal law enforcement officials to take emergency law enforcement action to temporarily detain persons when assisting local law enforcement officials or upon witnessing a crime.</p> <p>relative to retired judges over 70 years of age.</p> <p>relative to gender neutral references in certain public assistance statutes.</p> <p>relative to notice in class action cases under the consumer protection act.</p> <p>relative to subrogation claims and liens in civil actions.</p> |
|--|--|

**Sponsors:**

- HB1133**  
Rep. Stephen Shurtleff
- HB1134**  
Rep. Stephen Shurtleff
- HB1185**  
Rep. Robert Rowe  
Rep. Frank Emiro
- ✓ **HB1215**  
Rep. David Bickford
- HB1223**  
Rep. Gary Richardson  
Rep. Janet Wall
- HB1259**  
Rep. David Nixon

Rep. Mary Gorman  
Sen. Peter Bragdon

Rep. William O'Brien  
Sen. Robert Letourneau

Rep. David Nixon

Rep. David Nixon

Rep. Robert Rowe

Rep. William O'Brien

Rep. Robert Rowe

Rep. James Craig

Rep. Paul McEachern

Gail Brown 271-3076

Sen. Deborah Reynolds

Chairman

# Judiciary Committee

## Hearing Report

**TO:** Members of the Senate

**FROM:** Susan Duncan, *Senior Legislative Aide*

**RE:** Hearing report on **HB 1215** – *AN ACT relative to gender neutral references in certain public assistance statutes.*

**HEARING DATE:** May 4, 2010

**MEMBERS OF THE COMMITTEE PRESENT:** Senators Reynolds;  
Lasky, Roberge, Letourneau and Houde

**MEMBERS OF THE COMMITTEE ABSENT:** No one

**Sponsor(s):** Representative Bickford

**What the bill does:** This bill makes certain public assistance statutes gender neutral and removes obsolete references to aid to dependent children.

**Who supports the bill:** Representative Bickford; Representative Gile

**Who opposes the bill:** No one

### Summary of testimony received:

- Representative Bickford introduced the legislation and explained that his brother who is an attorney in Wolfeboro noted to him that statute references that only males can be held liable for welfare under RSA 167:2-b.
- He said that the language regarding “aid to dependant children” is deleted from statute because these terms keep changing, so a more general reference to public assistance is used.
- In response to a question from Senator Reynolds, Representative Bickford responded that because the name keeps changing, this way the statute will keep up.
- Representative Gile appeared in support but did not testify.

**Fiscal Impact:** Not applicable.

**Future Action:** Senator Lasky moved “Ought to Pass.” Senator Houde seconded the motion. The Committee voted 5 to 0 in support. Senator Letourneau will report the bill out of Committee.

sfd  
[file: HB 1215]  
Date: May 6, 2010

Date: May 4, 2010  
Time: 3:15 p.m.  
Room: State House Room 103

The Senate Committee on Judiciary held a hearing on the following:

HB 1215                    relative to gender neutral references in certain public  
                                 assistance statutes.

Members of Committee present:                    Senator Reynolds  
    Senator Lasky  
    Senator Houde  
    Senator Roberge  
    Senator Letourneau

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The Chair, Senator Deborah R. Reynolds, opened the hearing on HB 1215 and invited the prime sponsor, Representative David Bickford, to introduce the legislation.

Representative Bickford: Thank you, Madam Chair. Again, my name is David Bickford from New Durham. I'm here to introduce HB 1215 and I think it will be easier than the last bill.

This came to me by my brother, who is an attorney in Wolfeboro. He came across it in some of his work. He said, "Do you really want to continue to do this whereby only males are held to be liable for their children when welfare is in place?" So, I said I would run it through the Legislature and see. It probably just hasn't come up. So, that's what we did. I brought it to the Child and Family Law Committee. They agreed.

The only thing we further changed in the amended version is aid to dependent children because that just keeps changing the name. It went to TANF and I have heard it has changed recently again to something else.

So, this is sort of like the blue laws, I guess.

Senator Deborah R. Reynolds, D. 2:                    Are you concluded with your  
testimony, Representative?

Representative Bickford: Yes, I am.

Senator Deborah R. Reynolds, D. 2: Thank you. I just wanted to get back that this is not the most important piece here, but aid to dependent children; you are striking that because federal law does not refer to them that way. Why are we deleting that?

Representative Bickford: We felt that the generic public welfare assistance would be adequate instead of trying to keep up with the federal acronyms. We were going to go TANF and then somebody told us it just changed to another name. So, that's what happened.

Senator Deborah R. Reynolds, D. 2: Okay. Any further questions of Representative Bickford at all? Seeing none, thank you very much for your testimony.

Representative Mary Stuart Gile is here and you don't want to speak, Representative?

Representative Mary Stuart Gile: Only if there were questions.

Senator Deborah R. Reynolds, D. 2: Okay. Thank you very much. Is there anybody else signed in relative to HB 1215? Seeing none, I am going to close the hearing.

Hearing concluded at 3:17 p.m.

Respectfully submitted,



L. Gail Brown

Senate Secretarial Supervisor

9/17/10

# Speakers



# Voting Sheets



# Senate Judiciary Committee

## EXECUTIVE SESSION

Bill # HB1215

Hearing date: 5/4/10

Executive session date: 5/4/10

Motion of: OTP

VOTE: 5-0

**Made by** Reynolds   
**Senator:** Lasky   
 Houde   
 Letourneau   
 Roberge

**Seconded** Reynolds   
**by Senator:** Lasky   
 Houde   
 Letourneau   
 Roberge

**Reported** Reynolds   
**by Senator:** Lasky   
 Houde   
 Letourneau   
 Roberge

Motion of: \_\_\_\_\_

VOTE: \_\_\_\_\_

**Made by** Reynolds   
**Senator:** Lasky   
 Houde   
 Letourneau   
 Roberge

**Seconded** Reynolds   
**by Senator:** Lasky   
 Houde   
 Letourneau   
 Roberge

**Reported** Reynolds   
**by Senator:** Lasky   
 Houde   
 Letourneau   
 Roberge

<u>Committee Member</u>	<u>Present</u>	<u>Yes</u>	<u>No</u>	<u>Reported out by</u>
Senator Reynolds, Chairman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Lasky, Vice-Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Houde	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Letourneau	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Roberge	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

\*Amendments: \_\_\_\_\_  
 \_\_\_\_\_

Notes: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

# Committee Report

STATE OF NEW HAMPSHIRE  
SENATE  
REPORT OF THE COMMITTEE

Date: May 5, 2010

THE COMMITTEE ON Judiciary

to which was referred House Bill 1215

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

Having considered the same, the committee recommends that the Bill:

**OUGHT TO PASS**

BY A VOTE OF:    5-0

AMENDMENT #        s

Senator Robert J. Letourneau  
For the Committee

L. Gail Brown 271-3076

## New Hampshire General Court - Bill Status System

**Docket of HB1215**

Docket Abbreviations

**Bill Title:** relative to gender neutral references in certain public assistance statutes.*Official Docket of HB1215:*

<b>Date</b>	<b>Body</b>	<b>Description</b>
12/10/2009	H	Introduced 1/6/2010 and Referred to Children and Family Law; <b>HJ 6</b> , PG.232
01/06/2010	H	Public Hearing: 1/19/2010 2:00 PM LOB 206
01/19/2010	H	Executive Session: 1/28/2010 2:00 PM LOB 206 ==RECESSED==
02/04/2010	H	Continued Executive Session: 2/9/2010 1:15 PM LOB 206
02/16/2010	H	Committee Report: Ought to Pass with Amendment #0559h for Mar 3 CC (Vote 12-0); <b>HC 17</b> , PG.793
02/16/2010	H	Proposed Committee Amendment #0559h; <b>HC 17</b> , PG.838
03/03/2010	H	Amendment #0559h Adopted, VV; <b>HJ 20</b> PG.1095-1096
03/03/2010	H	Ought to Pass with Amendment #0559h: MA VV; <b>HJ 20</b> PG.1095-1096
03/24/2010	S	Introduced and Referred to Judiciary; <b>SJ 11</b> , Pg.260
04/19/2010	S	Hearing: May 4, 2010, Room 103, State House, 2:45 p.m.; <b>SC17</b>
05/05/2010	S	Committee Report: Ought to Pass, 5/12/10; <b>SC19</b>
05/12/2010	S	Ought to Pass, MA, VV; OT3rdg; <b>SJ 18</b> , Pg.474
05/12/2010	S	Passed by Third Reading Resolution; <b>SJ 18</b> , Pg.497
05/19/2010	S	Enrolled; <b>SJ 20</b> , Pg.664
05/19/2010	H	Enrolled; <b>HJ 46</b> , PG.2244
06/16/2010	H	Signed by the Governor 06/14/2010; Effective 08/13/2010; Chapter 0136

NH House

NH Senate

Contact Us

*New Hampshire General Court Information Systems*  
 107 North Main Street - State House Room 31, Concord NH 03301

# Other Referrals

# COMMITTEE REPORT FILE INVENTORY

HB 1215 ORIGINAL REFERRAL

\_\_\_\_\_ RE-REFERRAL

1. THIS INVENTORY IS TO BE SIGNED AND DATED BY THE COMMITTEE SECRETARY AND PLACED INSIDE THE FOLDER AS THE FIRST ITEM IN THE COMMITTEE FILE.
2. PLACE ALL DOCUMENTS IN THE FOLDER FOLLOWING THE INVENTORY IN THE ORDER LISTED.
3. THE DOCUMENTS WHICH HAVE AN "X" BESIDE THEM ARE CONFIRMED AS BEING IN THE FOLDER.
4. THE COMPLETED FILE IS THEN DELIVERED TO THE CALENDAR CLERK.

DOCKET (Submit only the latest docket found in Bill Status)

COMMITTEE REPORT

CALENDAR NOTICE on which you have taken attendance

HEARING REPORT (written summary of hearing testimony)

HEARING TRANSCRIPT (verbatim transcript of hearing)

List attachments (testimony and submissions which are part of the transcript) by number [1 thru 4 or 1, 2, 3, 4] here: \_\_\_\_\_

SIGN-UP SHEET

ALL AMENDMENTS (passed or not) CONSIDERED BY COMMITTEE:

\_\_\_\_\_ - AMENDMENT # \_\_\_\_\_      \_\_\_\_\_ - AMENDMENT # \_\_\_\_\_  
\_\_\_\_\_ - AMENDMENT # \_\_\_\_\_      \_\_\_\_\_ - AMENDMENT # \_\_\_\_\_

ALL AVAILABLE VERSIONS OF THE BILL:

AS INTRODUCED       AS AMENDED BY THE HOUSE  
 FINAL VERSION      \_\_\_\_\_ AS AMENDED BY THE SENATE

PREPARED TESTIMONY AND OTHER SUBMISSIONS (Which are not part of the transcript)

List by letter [a thru g or a, b, c, d] here: \_\_\_\_\_

EXECUTIVE SESSION REPORT

OTHER (Anything else deemed important but not listed above, such as amended fiscal notes):

IF YOU HAVE A RE-REFERRED BILL, YOU ARE GOING TO MAKE UP A DUPLICATE FILE FOLDER

DATE DELIVERED TO SENATE CLERK

9/23/10

[Signature]

COMMITTEE SECRETARY