

# Amendments

Internal Affairs  
May 12, 2011  
2011-1887s  
05/10



Amendment to HB 590

1 Amend the title of the bill by replacing it with the following:

2

3 AN ACT                establishing a committee to review state participation in federal grant-in-aid  
4                                programs.  
5

6 Amend the bill by deleting section 1 and renumbering the original sections 2-7 to read as 1-6,  
7 respectively.



2011-1887s

**AMENDED ANALYSIS**

**This bill establishes a committee to review state participation in federal grant-in-aid programs.**

# Committee Minutes

**SENATE CALENDAR NOTICE  
INTERNAL AFFAIRS**

- ✓ Senator Russell Prescott Chairman
- ✓ Senator Gary Lambert V Chairman
- ✓ Senator Jeb Bradley
- Senator Peter Bragdon
- ✓ Senator Sylvia Larsen

For Use by Senate Clerk's Office ONLY	
<input type="checkbox"/>	Bill Status
<input type="checkbox"/>	Docket
<input type="checkbox"/>	Calendar
Proof: <input type="checkbox"/>	Calendar <input type="checkbox"/> Bill Status

*Start: 2:45  
End: 3:30*

**Date: April 28, 2011**

**HEARINGS**

**Wednesday**

**5/4/2011**

**INTERNAL AFFAIRS**

**SH 100**

**1:30 PM**

(Name of Committee)

(Place)

(Time)

**EXECUTIVE SESSION MAY FOLLOW**

- |   |  |
|---|--|
| <p>1:30 PM    HB114</p> <p>1:45 PM    HB160</p> <p>2:00 PM    HB190</p> <p>2:15 PM    HB390</p> <p>✓ 2:30 PM    HB590</p> | <p>(New Title) reinstating and expanding the duties of the joint legislative historical committee.</p> <p>(2nd New Title) relative to the powers of the joint committee on legislative facilities.</p> <p>relative to legislative study committees.</p> <p>relative to the reinstatement and repeal of certain boards, commissions, councils, advisory committees, and task forces.</p> <p>(New Title) expressing the position of the New Hampshire general court that the offering and acceptance of federal grants-in-aid relating to matters not included among the defined powers of the federal government is unconstitutional under the state and federal Constitutions and establishing a committee to review state participation in federal grant-in-aid programs.</p> |
|---|--|

**Sponsors:**

**HB114**

Rep. Janet Wall

**HB160**

Rep. Andrew Renzullo

**HB190**

Rep. Laurie Harding

**HB390**

Rep. Laurie Harding

**HB590**

Rep. Gregory Sorg

Rep. Robert Foose

Rep. Robert Foose

Rep. Paul Mirski

Rep. Neal Kurk

Rep. Neal Kurk

Rep. Dan McGuire

Sen. Sharon Carson

Rep. Daniel Itse

Sen. Russell Prescott

Chairman

# Internal Affairs Committee

## Hearing Report

**TO:** Members of the Senate

**FROM:** Danielle Barker, Legislative Aide

**RE:** Hearing report on HB 590 – (New Title) expressing the position of the New Hampshire general court that the offering and acceptance of federal grants-in-aid relating to matters not included among the defined powers of the federal government is unconstitutional under the state and federal Constitutions and establishing a committee to review state participation in federal grant-in-aid programs.

**HEARING DATE:** May 4, 2011

**MEMBERS OF THE COMMITTEE PRESENT:** Sen. Prescott, Sen. Lambert, Sen. Bradley and Sen. Larsen

**MEMBERS OF THE COMMITTEE ABSENT:** Sen. Bragdon

**Sponsor(s):** Rep. Harding, Graf 11; Rep. Foose, Merr 1; Rep. Kurk, Hills  
7

**What the bill does:** This bill expresses the position of the New Hampshire general court that federal grants-in-aid relating to matters not delegated to the government of the United States by Article I, Section 8 of the federal Constitution is an unconstitutional exercise of federal authority and that acceptance by the state of New Hampshire an unconstitutional surrender of its sovereignty contrary to Part First, Article 7 of the New Hampshire constitution. The bill also establishes a committee to review state participation in federal grant-in-aid programs.

**Who supports the bill:** Rep. Manuse, Rep. Sorg, Rep. Smith, Rep. Ingbretson, Rep. Cohn, Rep. Cebrowski, Rep. Itse, Rep. McGuire, Rep. Reichard, Rep. Krasucki, Rep. Cartwright, Rep. Peckham and Rep. Davenport

**Who opposes the bill:** Shawn Mulholland representing the Town of Allenstown, Cordell Johnston representing the New Hampshire Municipal Association and Dean Michener representing the New Hampshire School Boards Association

**Who neither supports nor opposes the bill: Sen. Stiles**

**Summary of testimony received:**

Senator Prescott opened the public hearing on House Bill 590 and recognized Representative Sorg to introduce the bill.

Representative Sorg, the prime sponsor, explained to the Committee this bill would set up a committee whose function was to examine State statutes that allow the State to receive federal funding. This would wean the State off the federal toll, allows the State to be self-sufficient and separates the State and the federal government. He said the State is most likely going to be left without federal funds soon anyway because the government has realized they cannot just keep borrowing money. Currently, 30% of the State budget is federal funding. He said this is like a cancer that has metastasized. He said he would like the Democratic form of government to last. We have been around for a couple hundred years and the Roman Empire lasted about 500 years before it ended. When the United States was founded, 13 functioning republics all were very jealous of their individuality and authority and they knew they could push back on the federal government if it becomes too authoritative. He gave an example of President Cleveland who had vetoed a bill to grant \$10,000 to Texas for drought relief. President Cleveland vetoed it because he understood there was no authority in the Constitution to be dealing directly with the internal problems of an individual state. He explained to the Committee in practical life states cannot turn down the money and the regulations that come with the money because it will just go to another state, therefore the states succumb. He would like the State to reclaim its authority.

Senator Prescott asked if the bill, essentially, just established a committee.

Representative Sorg replied yes, a committee to examine federal grants-in-aid used in the State. He said nothing gets repealed through this bill, but the committee will examine what federal grants-in-aid permeate the State's policies.

Senator Larsen asked what the Representative's definition of a federal grant-in-aid was.

Representative Sorg said the federal government states if a state will enact regulations that are compatible with the federal government they will give the State money. He said the federal government is bribing us with our money.

Senator Larsen asked if that ranged from education aid to Medicare and Medicaid.

Representative Sorg replied the State would be the one enacting laws. He said he would not say Medicare or Social Security because that is between the federal government and individual citizens.

Senator Larsen asked if the Representative was aware that New Hampshire was in the lower 10 states of how much federal funding we receive. She asked him if he was okay with New Hampshire residents sending their tax dollars to the government and then not receiving funding in return.

Representative Sorg said for every dollar taxpayers send to the federal government they get .31 cents back. He said she stated this is why the government has the control they do over the states.

Senator Larsen commented the State has received funding for law enforcement activities and other programs that have helped the State. She asked him if he would like to back out of all of those programs.

Representative Sorg stated he personally wanted to, but that would be up to the potential study committee to determine. He said he went through the statutes and looked at all of the grants-in-aid accepted by the State from the government. He left the list of grants-in-aid with the Committee. He realizes it is not practical to cut off all federal funding, but he would like to start somewhere.

Senator Lambert referred to paragraph VI, "These unconstitutional encroachments of the government of the United States on the sovereignty and reserved powers of the state of New Hampshire have been accomplished in substantial part by inducing their acceptance by funding of all or a portion of the cost thereof." He asked what power the General Court had to make that statement.

Representative Sorg said it was in Article 7 of the New Hampshire Constitution.

Senator Lambert asked if Article 7 gave the General Court the right to say a law is unconstitutional.

Representative Sorg said all people have the right to their opinion on whether something is constitutional or not. He said the courts do not own the Constitution.

Senator Lambert asked if the Representative had received a legal opinion on this statement.

Representative Sorg said no.

Senator Prescott recognized Senator Stiles to speak.



Senator Stiles is neither in support nor in opposition of the bill. She brought forward a question from her communities. She said her communities recognize this bill only sets up a committee, but moving forward how would this bill impact communities applying for federal funding.

Senator Larsen asked if the State did not accept federal funding for education if it would have an effect on education.

Senator Stiles said yes. She said maybe this study committee would find those federal funds are necessary, but she would like the Committee to look into how this would impact those issues.

Senator Larsen mentioned state assessment tests and how that is funded through the federal government.

Senator Stiles concurred that those tests are funded by the government.

Senator Prescott recognized Representative Itse to speak.

Representative Itse is a co-sponsor and is in support of the bill. He told the Committee that right now 7% of special education program funding comes from federal funding. He asked if it was plausible that New Hampshire could educate its children with a pure New Hampshire model with less than the 93% they are spending currently on education. He suspects this is true and he said with that the State could give up the federal mandates on education. He said education concerns would not go unaddressed in today's day and age. He feels the State should consider what it is linking itself to when it takes federal grants-in-aid. He said President Pierce vetoed a bill regarding mental health funding stating, "I cannot find any authority in the Constitution for public charity. It would be contrary to the letter and spirit of the Constitution and subversive to the whole theory upon which the union of these states is founded."

Senator Prescott asked if he knew how this bill would affect towns writing for grants.

Representative Itse replied at the outset not at all, but it would then depend on how the laws of the State were amended. He said he cannot say what would be the final outcome.

Senator Lambert stated he has never seen language like this in all of his years as an attorney where the legislative body is declaring something unconstitutional. He said he would have more consideration for this bill if it were just stating that it was establishing a committee. He is wondering why all of this language was put in beyond establishing a committee.

Representative Itse replied because that is the opinion of the General Court if it were to be passed. He said it was previously common practice to nullify laws of the federal government by states. He said if the Senate felt it was appropriate to get rid of the language regarding that he said he would be disappointed, but would not struggle too much.

Senator Prescott recognized Representative McGuire to speak.

Representative McGuire is a co-sponsor and is in support of the bill. He stated, "He who pays the piper, calls the tune". He said there are a lot of cases where the state receives money and in turn, rules from the federal government. He said gas users pay roughly .18 cents to the federal government and then the State gets back federal funding. He said when the money comes back though it comes with rules and regulations. He handed out and spoke to a document from the Harvard Business School.

Senator Larsen said there was a suggestion made that the State could save money if it implemented the federal education mandates on its own. She asked if the State did not accept that federal education funding would the federal law mandating the State to follow that federal education mandate go away as well.

Representative McGuire replied that he had previously asked that same question. He said the answer he received was the federal mandates would still be in law, but he has not confirmed that himself.

Senator Larsen asked the Representative if he continued to follow that logic would that logic not lead to the conclusion that the State should secede from the union.

Representative McGuire replied he did not want to go there as there are tremendous benefits of being part of the United States. He said the government is borrowing money from China and it needs to pull back.

Senator Prescott recognized Cordell Johnston to speak.

Mr. Johnston is opposed to the bill. He represents the New Hampshire Municipal Association. He said he had concerns regarding municipalities receiving federal funding. He referred to the question raised by Senator Larsen regarding whether the mandates would go away if the funding were not accepted and he believes in some ways yes and in some ways no. He has a lot of concerns arise from the United States Environmental Protection Agency (EPA) and whether municipalities would have to follow their regulations even if they are not allowed to accept funding to implement the EPA mandates.

Senator Prescott referred to lines 27- 36, which are the duties of the committee. He asked if he could point to specific concerns in the bill.

Mr. Johnston said no, at this point all the bill does is create a study committee, but he believes the intent contained in the rest of it is the first step down a road he does not think the State should go down. He said if they took out section 4 they would have a committee with no duties, and he would be fine with that.

Senator Prescott recognized Shawn Mulholland to speak.

Mr. Mulholland is opposed to the bill. He represents the Town of Allenstown and he handed out a letter to the Committee.

Senator Larsen asked if the Town of Allenstown received any federal funding to help with their flood damage and whether he thinks this bill could prohibit that funding.

Mr. Mulholland stated they had received funding and that is precisely their concern.

With no one else wishing to speak Senator Prescott closed the public hearing.

**Action:** The Committee took no action at this time.

DCB

{file: HB 0590 report}  
Date: May 10, 2011

# Speakers



# SENATE INTERNAL AFFAIRS COMMITTEE

Date: May 4, 2011

Time: 2:30 p.m. Public Hearing on HB 590

**HB 590 - (New Title) expressing the position of the New Hampshire general court that the offering and acceptance of federal grants-in-aid relating to matters not included among the defined powers of the federal government is unconstitutional under the state and federal Constitutions and establishing a committee to review state participation in federal grant-in-aid programs.**

Please check box(es) that apply:

	SPEAKING	FAVOR	OPPOSED	NAME (Please print)	REPRESENTING
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Rep. Andrew J. Manuse	Rakingham 5
✓	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	REP GREG SORG (SPONSOR)	GRAFTON 3
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Rep Will Smith	Rock 18
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Rep Paul Ing'nelson	Grafton 5
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Rep SETH COHN	Merr 6
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	SHAUN MULHOLLAND	TOWN OF ALLANDOWN
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Rep. JOHN CEBROWSKI	HILLS. 18
✓	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Sen. Stelin	DIST 24 / <del>Rock</del>
✓	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Rep Dan Alt	Rock 9
✓	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Rep. Dan McGuire (co-sponsor)	Merrimack 8
✓	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Cordell Johnston	NH Municipal Ass'n
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Kevin Reichard	Derry Dist 5
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Joseph Krasucki	Nashua Dist. 26
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Michael Weeden	Strafford Dist 6
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Anne Cartwright	Cheshire 2

# Testimony

# Do Powerful Politicians Cause Corporate Downsizing?\*

Lauren Cohen  
Harvard Business School and NBER  
lcohen@hbs.edu

Joshua Coval  
Harvard Business School and NBER  
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Christopher Malloy  
Harvard Business School and NBER  
cmalloy@hbs.edu

This draft: March 11, 2011  
First draft: April 3, 2009

\* We would like to thank Stephen Ansolabehere, Malcolm Baker, Utpal Bhattacharya, Bo Becker, Dan Bergstresser, John Campbell, Jon Carmel, John Cochrane, Randy Cohen, Shawn Cole, Jess Cornaggia, Stefano DellaVigna, Ray Fisman, Fritz Foley, Ken Froot, Eitan Goldman, David Goldreich, Rick Green, Chris Leach, Francisco Perez-Gonzalez, Thomas Philippon, Julio Rotemberg, Al Roth, Rick Ruback, Huntley Schaller, Chester Spatt, Erik Stafford, Jeremy Stein, Anjan Thakor, Tuomo Vuolteenaho, Eric Zitzewitz, and seminar participants at Colorado, Georgia Tech, Harvard Business School, Indiana, Michigan, Penn State, Princeton, Rotterdam, Singapore Management University, Texas, Tilburg, Toronto, UCLA, the NBER Political Economy Meeting, the Washington University Corporate Finance Conference, the UBC Summer Finance Conference, the Financial Research Association (FRA) Conference, the Western Finance Association Meetings (Victoria, Canada), the Utah Winter Finance Conference, and the United States Congress for helpful comments and discussions. We are grateful to Diego Garcia and Oyvind Norli for providing data on geographic locations of firm operations. We also thank David Kim for excellent research assistance. We are grateful for funding from the National Science Foundation.



## ABSTRACT

This paper employs a new empirical approach for identifying the impact of government spending on the private sector. Our key innovation is to use changes in congressional committee chairmanship as a source of exogenous variation in state-level federal expenditures. In doing so, we show that fiscal spending shocks appear to significantly dampen corporate sector investment and employment activity. These corporate reactions follow both Senate and House committee chair changes, are present among large and small firms and within large and small states, and are most pronounced among geographically-concentrated firms. The effects are economically meaningful and the mechanism - entirely distinct from the more traditional interest rate and tax channels - suggests new considerations in assessing the impact of government spending on private sector economic activity.

JEL Classification: E13, E62, G31

Key words: Government spending, seniority, corporate behavior, investment, earmarks



HARVARD | BUSINESS | SCHOOL

WORKING KNOWLEDGE

## Stimulus Surprise: Companies Retrench When Government Spends

Q&A with: Joshua Coval

Published: May 24, 2010

Author: Sean Silverthorne

Recent research at Harvard Business School began with the premise that as a state's congressional delegation grew in stature and power in Washington, D.C., local businesses would benefit from the increased federal spending sure to come their way.

It turned out quite the opposite. In fact, professors Lauren Cohen, Joshua Coval, and Christopher Malloy discovered to their surprise that companies experienced lower sales and *retrenched* by cutting payroll, R&D, and other expenses. Indeed, in the years that followed a congressman's ascendancy to the chairmanship of a powerful committee, the average firm in his state cut back capital expenditures by roughly 15 percent, according to their working paper, "Do Powerful Politicians Cause Corporate Downsizing?"

"It was an enormous surprise, at least to us, to learn that the average firm in the chairman's state did not benefit at all from the unanticipated increase in spending," Coval reports.

Over a 40-year period, the study looked at increases in local earmarks and other federal spending that flowed to states after the senator or representative rose to the chairmanship of a powerful congressional committee.

We asked Coval about the relationship between the government and the private sector, and how policymakers should critically evaluate federal stimulus plans to help local companies.

**Sean Silverthorne:** First, a little bit about your empirical approach to the research. Why did you decide to study changes in congressional committee chairmanships?

**Joshua Coval:** Our original goal was to investigate how politically connected firms benefit from increases in the power of their representatives. A benefit in focusing on changes in committee chairmanships is that their timing is largely exogenous from the perspective of the ascending chairman and his constituents. That is, a change in chairmanship can only occur if the incumbent retires or is voted out--both of which are entirely independent of what is currently happening in the ascending chairman's state.

**Q:** One of your findings was that the chairs of powerful congressional committees truly bring home the bacon to their states in the forms of earmark spending. Can you give a sense of how large this effect is?

**A:** Sure. The average state experiences a 40 to 50 percent increase in earmark spending if its senator becomes chair of one of the top-three committees. In the House, the average is around 20 percent. For broader measures of spending, such as discretionary state-level federal transfers, the increase from being represented by a powerful senator is around 10 percent.

**Q:** Perhaps the most intriguing finding, at least for me, was the degree and consistency to which federal spending at the state level seemed to be connected with a decrease in corporate spending and employment. Did you suspect this was the case when you started the study?

**A:** We began by examining how the average firm in a chairman's state was impacted by his ascension. The idea was that this would provide a lower bound on the benefits from being politically connected. It was an enormous surprise, at least to us, to learn that the average firm in the chairman's state did not benefit at all from the increase in spending. Indeed, the firms significantly cut physical and R&D spending, reduce employment, and experience lower sales.

The results show up throughout the past 40 years, in large and small states, in large and small firms, and are most pronounced in geographically concentrated firms and within the industries that are the target of the spending.

**Q:** Although you didn't intend to answer this question with the research, what does your team suspect are some of the causes that could explain why companies retrench when federal dollars come into their neighborhoods?

**A:** Some of the dollars directly supplant private-sector activity—they literally undertake projects the private sector was planning to do on its own. The Tennessee Valley Authority of 1933 is perhaps the most famous example of this.

Other dollars appear to indirectly crowd out private firms by hiring away employees and the like. For instance, our effects are strongest when unemployment is low and capacity utilization is high. But we suspect that a third and potentially quite strong effect is the uncertainty that is created by government involvement.

**Q:** These findings present something of a dilemma for public policymakers who believe that federal spending can stimulate private economic development. How would you suggest they approach the problem that federal dollars may actually cause private-sector retrenchment?

**A:** Our findings suggest that they should revisit their belief that federal spending can stimulate private economic development. It is important to note that our research ignores all costs associated with paying for the spending such as higher taxes or increased borrowing. From the perspective of the target state, the funds are essentially free, but clearly at the national level someone has to pay for stimulus spending. And in the absence of a positive private-sector response, it seems even more difficult to justify federal spending than otherwise.

**Q:** What do you think your research has brought to the literature?

**A:** The literature has had difficulty empirically identifying the effect of government spending on the private sector. Because spending both influences and is influenced by developments in the private sector, disentangling the two has proven challenging. We think our approach offers a rare opportunity to identify the private-sector response to government spending increases that are essentially random.

**Q:** What are you working on next?

**HB 590**  
**Supplement to Testimony of Rep. Gregory M. Sorg**

**Senate Internal Affairs Committee**  
**State House, Room 100, 2:30 p.m.**  
**May 4, 2011**

**1. The Original Allocation of Power: Madison, *The Federalist*, No. 45:**

“The powers delegated by the proposed Constitution to the federal government are few and defined. Those which are to remain in the State governments are numerous and indefinite. The former will be exercised principally on external objects, as war, peace, negotiation, and foreign commerce; with which last the power of taxation will, for the most part, be connected.

“The powers reserved to the several States will extend to all the objects which, in the ordinary course of affairs, concern the lives, liberties, and properties of the people, and the internal order, improvement, and prosperity of the State. The operations of the federal government will be most extensive and important in times of war and danger; those of the State governments, in times of peace and security.”

**2. The Original Allocation Followed: Veto of the Texas Seed Bill (1887):**

“Early in 1887 both houses of Congress passed a bill – the so-called Texas Seed Bill – which sharply challenged [President] Cleveland’s views. Certain Texas counties had suffered from a drought and were in urgent need of seed-grain. Congress generously appropriated \$10,000 to enable the Commissioner of Agriculture to distribute seed. The amount was trifling; but Cleveland, who had just vetoed the Dependent Pensions Bill, saw that the same underlying delusion – the delusion that the government ought to give alms to anybody in distress – was involved. The Texas legislature could easily meet the need, or popular subscriptions could be circulated. On February 19 he disallowed the measure, sending the House a remonstrance that has more than once been quoted by his successors...

“Cleveland believed it wrong, as he wrote, ‘to indulge a benevolent and charitable sentiment through the appropriation of public funds’ for this purpose. ‘I can find no warrant for such an appropriation in the Constitution, and I do not believe that the power and duty of the General Government ought to be expended to the relief of individual suffering which is in no manner properly related to the public service or benefit.’ Once more he struck out one of his few memorable phrases: ‘A prevalent tendency to disregard the limited mission of this (the Government’s) power and duty should, I think, be steadfastly resisted, to the end that the lesson should constantly be enforced that though the people support the Government, the Government should not support the people.’”

(Allan Nevins, *Grover Cleveland, A Study in Courage*, New York, Dodd, Mead & Company (1933)), pp 331-332.)

**3. The Original Allocation Justified: *New State Ice Company v. Liebmann*, 285 U.S. 262, 280, 306-311 (1932), dissenting opinion of Justice Louis D. Brandeis:**

“It is one of the happy incidents of the federal system that a single courageous State may, if its citizens choose, serve as a laboratory, and try novel social and economic experiments

without risk to the rest of the country....If we would guide by the light of reason, we must let our minds be bold.”

#### **4. The Original Allocation Protected: Hamilton, *The Federalist*, No. 78:**

“It is not otherwise to be supposed, that the Constitution could intend to enable the representatives of the people to substitute their will to that of their constituents. It is far more rational to suppose, that the courts were designed to be an intermediate body between the people and the legislature, in order, among other things, to keep the latter within the limits assigned to their authority... [A]ccordingly, whenever a particular statute contravenes the Constitution, it will be the duty of the judicial tribunals to adhere to the latter and disregard the former...[T]he courts of justice are to be considered as the bulwarks of a limited Constitution against legislative encroachments...”

#### **5. The Original Allocation Betrayed: *Massachusetts v Mellon*, 262 US 447 (1923), selected West headnotes:**

The courts have no power *per se* to review and annul acts of Congress on the ground that they are unconstitutional, but may only ascertain and declare the law when justification for some direct injury, suffered or threatened, presenting a justiciable issue, is made to rest on such an act, and have little more than the negative power to disregard an unconstitutional enactment standing in the way of enforcement of a legal right.

The contention, in suit to enjoin enforcement of appropriation act of Congress, that it invades the reserved powers of the states, raises a political and not judicial question, and is a matter not admitting of the exercise of the judicial power.

In suit by a state to enjoin enforcement of Act Cong. Nov. 23, 1921, 12 Stat. 224, 42 USCA § 161 et seq., on the ground that it is an attempt to legislate within the field of local powers exclusively reserved to the states, nothing is added to the effect of this assertion by allegations that the ulterior purpose was to induce the states to yield a portion of their sovereign rights, that the burden of the appropriations thereby provided for falls unequally on the several states, and that there is imposed on the states an illegal and unconstitutional option to yield a part of their reserved rights or lose their share of the moneys appropriated, as the burden falls on inhabitants and not on the states, and the state may refuse to yield its rights.

#### **6. New Hampshire Succumbs: Revised Laws 6:2 and 6:3 (1933), now RSA 124:1 and 124:2:**

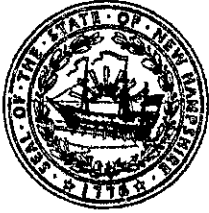
**124:1 Authority for Seeking Aid.** – The governor, with the approval of the council, is authorized to apply for financial or any other aid which the United States government has authorized or may authorize to be given to the several states for emergency industrial or unemployment relief, for public works and highway construction, for the creation of employment agencies, or for any other purpose intended to relieve distress. Any officer of the state who may be designated in any act passed by the congress of the United States, or in any regulation or requirement of any agency of the United States, is authorized in the name of the state to make all applications and sign all documents which may be necessary to obtain such aid, provided that such applications have the approval of the governor and council. The state treasurer is directed to receive all money so granted by the United States, or by any agency thereof, to the state and to hold all such funds separate from all other funds of the state. Such funds shall be disbursed by

the treasurer upon warrants drawn by the governor for the purposes for which such relief or aid is granted. **Source:** 1933, 162:2. RL 6:2.

**124:2 Faith and Credit Pledged.** – The faith and credit of the state are pledged to make adequate provision, from time to time, by appropriation or otherwise, to meet all obligations of the state incident to the acceptance of federal aid under the provisions of any act referred to in RSA 124:1 and the governor and council are authorized to issue all necessary documentary evidence of such faith and credit. **Source:** 1933, 162:3. RL 6:3.

**7. What Article 7 of Part I says *and does not say*:**

“The people of this state have the sole and exclusive right of governing themselves as a free, sovereign, and independent state; and do, and forever hereafter shall, exercise and enjoy every power, jurisdiction, and right, pertaining thereto, which is not, or may not hereafter be, by them expressly delegated to the United States of America in congress assembled, *unless, of course, the price for surrendering the same is high enough.*”



# State of New Hampshire

GENERAL COURT

CONCORD

Rec'd 11/9/11

## MEMORANDUM

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**DATE:** November 1, 2011

**TO:** Honorable John H. Lynch, Governor  
Honorable William L. O'Brien, Speaker of the House  
Honorable Peter Bragdon, President of the Senate  
Honorable Karen O. Wadsworth, House Clerk  
Tammy L. Wright, Senate Clerk  
Michael York, State Librarian

**FROM:** Representative Gregory M. Sorg, Chairman

**SUBJECT:** Final Report on HB 590, Chapter 226, Laws of 2011  
Establishing a committee to review state participation in federal grant-in-aid programs.

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Pursuant to HB 590, Chapter 226, Laws of 2011, enclosed please find the Final Report of the committee to review state participation in federal grant-in-aid programs.

If you have any questions or comments regarding this report, please do not hesitate to contact me.

I would like to thank those members of the committee who were instrumental in this study. I would also like to acknowledge all those who testified before the committee and assisted the committee in our study.

Enclosures

cc: Members of the Committee

# FINAL REPORT

**Establishing a committee to review state participation in federal grant-in-aid programs.**

**HB 590, Chapter 226, Laws of 2011**

**November 1, 2011**

The charge of the committee was to:

- Review the Revised Statutes Annotated to identify the statutory authority for each federal grant-in-aid program in which the state participates.
- Assess the value to the state of each program on its merits, without reference to the availability of federal aid, and the feasibility of retaining each meritorious program in the absence of federal aid.
- For each program determined both to merit retention and to be feasible to retain without federal aid, the committee shall consider and make recommendations as to the most expeditious and practicable means of modifying it to make feasible the transition to support entirely from state, local, and/or private sources of funding.
- Solicit information and testimony from the legislative budget assistant's office, the department of health and human services, the department of education, and other agencies and individuals with information and expertise relevant to the study

## **PURPOSES OF THE STUDY:**

- Identify programs funded in full or in part by federal grants that appear never to have served a useful purpose to the citizens of New Hampshire other than to provide employment for the persons administering them, but were begun and have continued merely because federal funding was made available for them.
- Identify programs funded in full or in part by federal grants that, though they may arguably once have served a useful purpose, no longer do so.
- Identify programs funded in full or in part by federal grants that appear could be administered more efficiently and effectively for their intended beneficiaries were the state to cease acceptance of federal funding and the federal rules and administrative costs that accompany them, and itself fund and administer them in accordance with rules entirely of the state's creation.
- Identify programs funded in full or in part by federal grants that appear would actually be less expensive to the state even if funded entirely with state funds, were the state to cease acceptance of federal funding and the federal rules and administrative costs that accompany them.
- Identify programs funded in full or in part by federal grants that are so contrary to the division of authority between the states and the federal government under the federal system and so inconsistent with the principles of rule by the consent of the governed and the preservation of the liberty of the individual as to tend towards the undermining and eventual destruction of that system and its replacement by an all-encompassing central government.



## ISSUES:

- Approximately 40% of the expenditures of the federal government consisting of borrowing, and it having become clear even to Congress that this state of affairs is unsustainable even in the short term, and it being inevitable that the federal government will have to reduce expenditures and that such reduction shall be reflected at least in part in reductions in federal aid to states, the state of New Hampshire must begin planning accordingly.
- Approximately 30% of the operating budget of the state of New Hampshire consisting of federal grants, the need for the state to undertake the process of reducing its dependence upon federal funding is immediate and urgent.
- To the same extent as the sources of funding of governmental activities and administration of that funding are diverted to more remote levels of government, representative government is undermined, accountability is lost, and individual liberty is threatened.

## PROCESS AND PROCEDURES:

The following is a summary of the content of each meeting of the Committee:

**Thursday, September 15, 2011 @ 1:00:** At this, the Committee's organizational meeting, Rep. Sorg was elected Chairman and Clerk. The Committee reached consensus that Tuesday afternoon was the most convenient time for future meetings. Committee Researcher Ann FitzGerald advised the Committee that she had obtained for the Committee's use a copy of the report prepared by the Department of Administrative Services of the Single Audit of Federal Financial Assistance Programs for the year ended June 30, 2010. She offered to make copies of chapters B and E of the report for each Committee member. These chapters, she explained, identify each federal grant-in-aid program, the federal agency source and the state agency consumer of the grants. The availability of this report saved the members of the Committee what would have been the near impossible task of themselves working through the Revised Statutes Annotated to identify these programs.

**Tuesday, September 27, 2011 @ 1:00:** The Committee received testimony from Jeffrey A. Pattison, Legislative Budget Assistant, Office of Legislative Budget Assistant; and Richard J. Mahoney, Director of Audits, Audit Division, Office of Legislative Budget Assistant. They explained the processes by which the state accepts federal grant-in-aid funds; explained the processes for accounting for the expenditure of federal funds at the state level under the federal Single Audit Act; explained the roles of the legislative Fiscal Committee and Audit Oversight Committee; and worked the Committee through chapters B and E of the 2010 Single Audit of Federal Financial Assistance Programs. The Committee was left favorably impressed with the oversight and management of federal grant-in-aid programs at the state level, but concerned that no mechanism or institutional check appears to exist to ensure the sustainability of federal funding from the standpoint of the extent to which the federal government spends beyond its

means, or to alert the state of the consequent risk to which its dependence on federal funding – which they stated currently to be \$1.6 billion of \$5.2 billion, or 30.8%, of the total state operating budget – subjects it in the event the federal government, either voluntarily or by the force of circumstances, should retrench and significantly cut back its funding.

**Tuesday, October 4, 2011 @ 1:00:** The Committee received testimony from Representative Dan McGuire, a member of both the House Finance Committee and the legislative Fiscal Committee. He confirmed the concern of this Committee as to those committees' lack of a view of the larger picture. He testified that the institutional bias of the responsible legislative committees is towards accepting federal funding uncritically, whenever and however available, with little or no view towards the long-term effect upon the state either from the theoretical standpoint of its sovereignty under the federal system, or from the practical standpoint of the catastrophic effect a federal retrenchment would have in the context of the state's already large and continually growing dependence upon federal funding for even routine, traditional state and local activities.

Rep. McGuire suggested as general areas where an end to federal funding would be beneficial from both standpoints would include agriculture, fine arts, and education programs, areas in which the federal government either has no constitutional role or no constructive practical role, or where a once-constructive role has been negated by expansion to absurd and intrusive degrees of minutia in both activities and rules. He cited studies that suggest that the federal government removes about \$1.60 from the economy to generate \$1.00 in federal funding, of which about 50¢ is consumed in administrative costs, the result being the kind of "trickle down" economics of which Progressives are supposed to be sworn enemies. He cited several specific wasteful and counterproductive grant programs, such as \$250,000 for creation of a drought management program in a state which has never suffered from drought; and \$200,000 to study the question of whether the Blandings turtle is endangered, an affirmative answer to which would result in further federal restrictions on the landowners of this state under the Endangered Species Act.

**Tuesday, October 11, 2011 @ 1:00:** The Committee discussed the findings of its members upon their review of chapters B and E of the Single Audit of Federal Financial Assistance Programs for the year ended June 30, 2010 in the light of the presentations of Jeffrey A. Pattison, Richard J. Mahoney, and Representative Dan McGuire.

Most of the discussion focused on the baneful effects of federal rules and local helplessness, and the consequent civic laziness, that follow in the wake of federal aid to public education. The opinion was general that schools set to standards that inevitably become more rigid as they are set from a more remote level of government to cover a greater number of students negates the flexibility and adaptability of children, focuses educational achievement to the lowest common denominator among children, discourages parental involvement in one of the most important responsibilities of parenthood, and imposes political, civic and social norms with which many parents profoundly disagree.

The Committee pondered the dynamic that tends towards an ever-growing federal involvement at the expense of the states in areas from which the federal Constitution excluded it, which are the facts, first, that the effectiveness of U.S. representatives and (ever since ratification of the 17<sup>th</sup> Amendment) U.S. senators is measured to a large degree by the volume of federal grants they steer to their respective states; and, second, that the effectiveness of state representatives and state senators is measured to a large degree by the extent to which they can increase services without raising taxes. The result is the downside of the Faustian bargain first entered into in the economic emergency of 1933, and reaffirmed repeatedly ever since, whereby state representatives and senators purchase electability at the cost of the sovereignty and reserved powers of the state, the preservation of which is their constitutional duty pursuant to Part I, Article 7 of the New Hampshire Constitution. The Committee noted further that the alternative of federal block grants, a lesser evil by reason that it involves less rigorous federal supervision and more state discretion, is not practiced because any tangible favorable results of block grants are too far removed from individual U.S. representatives and senators for them to be able to take credit for them.

**Tuesday, October 25, 2011 @ 1:00:** The Committee received testimony from Representative Ken Weyler, Chairman of the House Finance Committee. He began by submitting to the Committee a spread sheet entitled "Federal Taxes Paid vs. Federal Spending Received," which listed the figures for the years 1981 through 2005. Though outdated, the rankings were so consistent through the years listed as to make it abundantly clear that due, according to Rep. Weyler, to its relatively low poverty rate, New Hampshire ranks near the top in per capita taxes paid and near the bottom in per capita federal funding received. The existence of federal grant-in-aid programs is thus a net loser for New Hampshire, but of course as long as any substantial number of states are net beneficiaries, such programs will continue; states such as New Hampshire will be subsidizing them; and the incentive will remain even for "donor" states such as New Hampshire to try to limit their losses by getting as back as much of their "contributions" as possible. Thus do net losers as well as net gainers among the states - that is, all 50 of them - act as enablers of their own constitutional enfeeblement and financial dependency.

Rep. Weyler asserted that the Finance Committee is nevertheless vigilant in avoiding participating in programs that in effect reward and subsidize and thereby tend to perpetuate the bad behavior of individuals. But he acknowledged that full oversight is made difficult for a variety of reasons, including (to name just three) (1) the impediment to negotiating with state agencies over personnel given that the state is riddled with employees whose pay comes in part from federal funding; (2) the incentive of state agency heads and office directors to acquire more "clients" and thereby protect their positions and enhance their responsibilities and compensation; and (3) the difficulty of assessing the costs and larger-picture value of any of the many programs whose funding comes in increments and is reported to the Finance Committee in that manner by the agency concerned, instead of in terms of the overall amount that the agency knows with moral certainty will eventually be received in the fiscal year.

Nevertheless, Rep. Weyler expressed the belief that Finance is vigilant in its evaluation of programs for selection, rejection, or termination based upon its consideration of the key questions of: What happens to people when a temporary program eventually expires? Is the

program really helping people to overcome a temporary need? Is the program achieving what it was intended to achieve? Is a new program one that will become politically impossible for the state to withdraw from even if it does not achieve what it is intended to achieve or costs more than it was supposed to cost? Are the program's benefits being used by their recipients as temporary help rather than as a road to permanent dependency? Are there other programs that intended temporary beneficiaries of expiring programs will be able to access in order to perpetuate their dependency on government?

In its discussion following the conclusion of Rep. Weyler's presentation, this Committee's members were uniformly impressed with the integrity and diligence of the Finance Committee's review and oversight processes as he described them, within the parameters the Finance Committee has set for those processes. But those parameters seem to this Committee to be too narrow, as exemplified by the questions – listed above - by which the Finance Committee is guided. The questions this Committee believes are most important; the questions which if given informed consideration over the past 80 years it believes could have saved the state of New Hampshire from falling into the very kind of dependency it from which it seeks to save the beneficiaries of grant-in-aid programs, but which appear not to be given that consideration, are these: Is participation in the program under consideration consistent with the Tenth Amendment of the federal Constitution? Is it consistent with Article 7 of Part I of the New Hampshire Constitution? Does it contribute to a transfer of sovereign authority over its subject matter from the people and its state legislature, not just to the federal legislature, but to federal administrative agency political appointees and civil servants and to federal judges, over whom Congress seems no longer to have any practical control?

Questions such as these, this Committee has concluded, are regarded – to the extent they are considered at all - to be mere esoterica not relevant to real world governing. But this Committee believes them to be of the utmost practicality because their informed and mature consideration as an integral component of the Finance Committee's and Fiscal Committee's proceedings might – this Committee believes would – have prevented the state's own critical dependency upon federal funding for meeting its responsibilities and its consequent need for retrenchment in the wake of the federal debt crisis.

As usual, our state Constitution anticipated and provided the preventative to this problem. Article 38 of Part II wisely and presciently instructs that:

“A frequent recurrence to the fundamental principles of the constitution, and a constant adherence to justice, moderation, temperance, industry, frugality, and all the social virtues, are indispensably necessary to preserve the blessings of liberty and good government; the people ought, therefore, to have a particular regard to all those principles in the choice of their officers and representatives, and they have a right to require of their lawgivers and magistrates, an exact and constant observance of them, in the formation and execution of the laws necessary for the good administration of government.”

Although every New Hampshire representative and senator swears an oath at the commencement of each biennium to uphold the Constitution, it is safe to say that few ever make “[a] frequent recurrence to the fundamental principles of the constitution” in going about the work of

legislating. Instead, we work diligently to provide the people with the most government services practicable now at the least cost possible now, with little regard to the implications for the future. The result has been the fruition of that Faustian bargain by which we have by degrees and in increments sold our patrimony of state sovereignty and individual liberty to a central government that was supposed to be confined "by the chains of the Constitution" to express, limited powers, leading our state to the predictable and preventable fiscal percipience upon whose edge it now stands..

## **RECOMMENDATIONS:**

### **Future Process Changes:**

**Chapter 226 Committee:** The extent to which the federal government has insinuated itself into the budget and the administration of the government of this state has been found to be too great for this Committee even adequately to identify and quantify, much less to determine the remedies for in the time available to it. The cure to the state's by now narcotic-like dependence upon federal funding for even basic state and local services cannot be other than a long term process. This process was begun by the enactment of HB 590 and the inquiry of this, the committee it created – this Committee - directing attention to the problem of the long-term prospects for this state's sovereignty and solvency implicit in dependence on federal funding to balance its operating budget. The process can be continued, this Committee believes, through relatively minor reforms to the budgeting process so that attention can be and will remain focused as much on the need to wean the state from federal funding of state functions as upon providing and paying for essential state and local services. Accordingly, this Committee believes that were the following reforms to be implemented and observed in good faith there would be no need to extend the life of this Committee at the risk of its becoming yet a further encrustation of supervision and oversight.

**Finance Committee:** Every program for which state funding is sought that is to include federal funding to defray all or any part of its cost must contain a statement – similar to the fiscal note that every House Bill is required to carry – detailing the provision of Article I, Section 8 of the federal Constitution and the essay number of *The Federalist* that authorizes federal involvement. Decisions of federal courts sanctioning such involvement must be held to be inadmissible, as the federal courts have demonstrated over their entire history, but in particular since 1937, no inclination either to recognize effective limits upon the reach of the federal Congress or to protect and defend the federal system. Accordingly, the need for an authoritative body of interpretation of the parameters of the division of authority between the state and federal governments and the limits of federal power should be served by adoption of *The Federalist* as a matter of future state policy. *The Federalist* would serve the same purpose in interpreting the state-federal relationship in the budgeting process as the Official Comments to the Uniform Commercial Code do in interpreting RSA 382-A.

**Fiscal Committee:** The Fiscal Committee should have as a non-voting *ex officio* member a member of the House Constitutional Review and Statutory Recodification Committee (CRSRC) appointed by the latter's Chairman, whose role would be to focus on each grant or program to

come before the Fiscal Committee purely from the standpoint of the extent to which it impacts upon the reserved powers of the state and the federal system as laid down in *The Federalist*; to advise the Fiscal Committee of that impact as an integral part of the Committee's deliberations; and to keep the Chairman of CRSRC fully apprised of the course of his or her service as liaison with the Fiscal Committee.

**Constitutional Review and Statutory Recodification Committee:** All renewals of and all new proposed grant-in-aid programs should be subject to approval both by the Fiscal Committee on policy grounds and by CRSRC on constitutional grounds as informed by *The Federalist*.

### **Present Policy Changes:**

**Education:** This Committee is at a loss to understand why the general court ever thought that federal involvement in public education could ever be other than harmful both to the quality of education, the public fisc, and the independence of the state of New Hampshire within the federal system. Even before the Supreme Court's *Claremont* series of education funding decisions attempted to impose centralized state control of education by oligarchic ukase, there was such a long tradition of local control and funding of education in this state that it would seem that our elected representatives would reflexively have viewed with the gravest misgivings so much further a removal of control as must inevitably be the result of opening the tent of New Hampshire to the camel's nose of the first dollar of "assistance" from a federal Department of Education. By now, in the aftermath of 35 years' experience with the federal Department of Education and 15 years experience with *Claremont II*, it must be clear to anyone not a member of or politically beholden to a teachers' union that Thomas Jefferson, father of the University of Virginia, had it right when he declared in 1816 that the notion that schools would be better run by "any other general authority of the government than by the parents within each ward [is] a belief against all experience." This Committee recommends that the general court extricate the state of New Hampshire from all manner of federal programs directly or indirectly affecting public education and the functioning and operations of public schools as soon as the expiration of current contractual commitments enable it legally to do so.

**Nutritional Programs:** It was through just such a program (the Act of November 23, 1921, 42 Stat. 224, c. 135, commonly called the "Maternity Act"), and the U.S. Supreme Court's refusal to consider a challenge to its constitutionality (*Massachusetts v Mellon*, 262 US 447 (1923)), that the federal government was first enabled to breach, through grant-in-aid programs, the delineation of the separation of authority between the state and federal governments established by the federal constitution. If the state of New Hampshire considers the providing of nutritional programs for needful citizens of this state and the preservation of its sovereignty both to be worthwhile, it must provide and pay for such programs itself and cease accepting federal funding and the accompanying federal rules.

**Weatherization Assistance:** This federal program began – as so many do – as a "temporary" response to an emergency, in this case that created by the exponential increases in prices for crude oil and refined petroleum products following the OPEC embargo in 1973 in connection with that year's Arab-Israeli War. It was intended to enable a smooth transition to the new reality

of the cost of heating oil, but almost 40 years later it is still with us. Government subsidy encourages poor decision-making and dependency. The people of New Hampshire must be held competent to understand that every November, without fail, it gets cold at this latitude and that they must arrange their affairs so as to provide for this fact of life as a matter of personal responsibility. And again, if the state of New Hampshire considers assistance in the purchase of home heating oil for needful citizens and the preservation of its sovereignty both to be worthwhile, it must provide and pay for such assistance itself and cease accepting federal funding and the accompanying federal rules.

**Grants for: Historic Preservation; Sexual Assault Services; Violence Against Women Prevention; Rural domestic Violence, Dating Violence, Stalking and Residential Substance Abuse Prevention; Prisoner Reentry Initiative; Safe Havens for Children; Delinquency Prevention; Crime Victim Assistance and Compensation; Community Policing; Enforcing Underage Drinking Laws; Senior Community Service Employment; Dislocated Workers Assistance; Promotion of the Arts:** These and many other such federally funded activities, though each in itself undoubtedly a good thing, are subject to the same objections and contribute to the undermining of the federal system in the same manner as the educational, nutritional and/or weatherization assistance programs discussed above, and like them should as soon as possible either be discontinued or continued supported entirely with in-state sources of funding and control.

2069



# Committee Report

STATE OF NEW HAMPSHIRE  
SENATE  
REPORT OF THE COMMITTEE

Date: May 12, 2011

THE COMMITTEE ON Internal Affairs

to which was referred House Bill 590

AN ACT (New Title) expressing the position of the New Hampshire general court that the offering and acceptance of federal grants-in-aid relating to matters not included among the defined powers of the federal government is unconstitutional under the state and federal Constitutions and establishing a committee to review state participation in federal grant-in-aid programs.

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

**OUGHT TO PASS WITH AMENDMENT**

BY A VOTE OF: 4-1

AMENDMENT # 1887s

Senator Jeb E. Bradley  
For the Committee

Danielle Barker 271-3091

## New Hampshire General Court - Bill Status System

**Docket of HB590**

Docket Abbreviations

**Bill Title:** (2nd New Title) establishing a committee to review state participation in federal grant-in-aid programs.

*Official Docket of HB590:*

<b>Date</b>	<b>Body</b>	<b>Description</b>
1/24/2011	H	Introduced 1/6/2011 and Referred to State-Federal Relations and Veterans Affairs; <b>HJ 11</b> , PG. 192
2/1/2011	H	==CANCELLED== Public Hearing: 2/17/2011 2:00 PM LOB 203
2/3/2011	H	==RESCHEDULED== Public Hearing: 2/10/2011 2:00 PM LOB 203 ==Executive Session to Follow==
2/15/2011	H	Majority Committee Report: Ought to Pass with Amendment #0293h(NT) for Feb 23 (Vote 8-2; RC); <b>HC 15</b> , PG.279
2/15/2011	H	Proposed Majority Amendment #2011-0293h (New Title); <b>HC 15</b> , PG.306
2/15/2011	H	Minority Committee Report: Inexpedient to Legislate; <b>HC 15</b> , PG.279-280
2/23/2011	H	Amendment #0293h (New Title) Adopted, VV; <b>HJ 21</b> , PG.499
2/23/2011	H	Ought to Pass with Amendment #0293h(NT): MA <b>RC 228-111</b> ; <b>HJ 21</b> , PG.499-501
2/23/2011	H	Referred to Constitutional Review and Statutory Recodification; <b>HJ 21</b> , PG.501
3/1/2011	H	Public Hearing: 3/9/2011 11:00 AM LOB 303
3/1/2011	H	Executive Session: 3/22/2011 10:00 AM LOB 206
3/22/2011	H	Majority Committee Report: Ought to Pass for Mar 30 (Vote 12-2; RC); <b>HC 27</b> , PG.815
3/22/2011	H	Minority Committee Report: Inexpedient to Legislate; <b>HC 27</b> , PG.815
3/30/2011	H	Ought to Pass: MA VV; <b>HJ 34</b> , PG.1091
4/27/2011	S	Introduced and Referred to Internal Affairs; <b>SJ 15</b> , Pg.291
4/28/2011	S	Hearing: 5/4/11, Room 100, State House, 2:30 p.m.; <b>SC22</b>
5/12/2011	S	Committee Report: Ought to Pass with Amendment #2011-1887s, NT, 5/18/11; <b>SC24</b>
5/18/2011	S	Committee Amendment 1887s, NT, Not Voted On; <b>SJ 17</b> , Pg.351
5/18/2011	S	Sen. Bradley Moved Laid on Table, MA, VV; <b>SJ 17</b> , Pg.351
6/1/2011	S	Sen. White Moved Remove From Table, MA, VV; <b>SJ 19</b> , Pg.527
6/1/2011	S	Committee Amendment 1887s, NT, AA, VV; <b>SJ 19</b> , Pg.527
6/1/2011	S	Ought to Pass with Amendment 1887s, NT, MA, VV; OT3rdg; <b>SJ 19</b> , Pg.527
6/1/2011	S	Passed by Third Reading Resolution; <b>SJ 19</b> , Pg.539
6/8/2011	H	House Concurs with Senate AM 1887s(NT) (Rep Baldasaro and Itse): MA <b>RC 243-110</b> ; <b>HJ 51</b> , PG.1720-1722
6/8/2011	S	Enrolled
6/8/2011	H	Enrolled; <b>HJ 51</b> , PG.1727
6/30/2011	H	Law Without Signature 06/29/2011; Effective 06/29/2011; Chapter 0226

NH House

NH Senate

# Other Referrals

HB590

# COMMITTEE REPORT FILE INVENTORY

ORIGINAL REFERRAL       RE-REFERRAL

1. THIS INVENTORY IS TO BE SIGNED AND DATED BY THE COMMITTEE AIDE 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
- HEARING REPORT
- HANDOUTS FROM THE PUBLIC HEARING
- PREPARED TESTIMONY AND OTHER SUBMISSIONS
- SIGN-UP SHEET(S)

ALL AMENDMENTS (passed or not) CONSIDERED BY COMMITTEE:

- AMENDMENT # 18875       - AMENDMENT # \_\_\_\_\_  
 - AMENDMENT # \_\_\_\_\_       - AMENDMENT # \_\_\_\_\_

ALL AVAILABLE VERSIONS OF THE BILL:

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

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 7/22/11      *Ganielle B...*  
BY COMMITTEE AIDE