

Committee Report

REGULAR CALENDAR

January 29, 2018

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

**The Majority of the Committee on Labor, Industrial and
Rehabilitative Services to which was referred HB 1386,**

**AN ACT establishing a joint committee on employee
relations. Having considered the same, report the same
with the recommendation that the bill OUGHT TO PASS.**

Rep. Philip Bean

FOR THE MAJORITY OF THE COMMITTEE

**MAJORITY
COMMITTEE REPORT**

Committee:	Labor, Industrial and Rehabilitative Services
Bill Number:	HB 1386
Title:	establishing a joint committee on employee relations.
Date:	January 29, 2018
Consent Calendar:	REGULAR
Recommendation:	OUGHT TO PASS

STATEMENT OF INTENT

This legislation simply restores the joint committee on employee relations to "pre 2009" status. The intent is to execute best practices in the appointment process to better serve the state of New Hampshire, the governing body and New Hampshire employees.

Vote 8-5.

Rep. Philip Bean
FOR THE MAJORITY

Original: House Clerk
Cc: Committee Bill File

REGULAR CALENDAR

Labor, Industrial and Rehabilitative Services

HB 1386, establishing a joint committee on employee relations. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Philip Bean for the **Majority** of Labor, Industrial and Rehabilitative Services. This legislation simply restores the joint committee on employee relations to "pre 2009" status. The intent is to execute best practices in the appointment process to better serve the state of New Hampshire, the governing body and New Hampshire employees. **Vote 8-5.**

COMMITTEE REPORT

BEAN

COMMITTEE: LABOR

BILL NUMBER: HB 1386

TITLE: _____

DATE: 24 JAN 18 CONSENT CALENDAR: YES ☐ NO ☐

☒ OUGHT TO PASS

☐ OUGHT TO PASS W/ AMENDMENT

☐ INEXPEDIENT TO LEGISLATE

☐ INTERIM STUDY (Available only 2nd year of biennium)

Amendment No.

STATEMENT OF INTENT:

THIS LEGISLATION SIMPLY RESTORES THE JOINT
COMMITTEE ON EMPLOYEE RELATIONS TO "PRE 2009"
STATUS. THE INTENT IS TO EXECUTE
BEST PRACTICES IN THE APPOINTMENT
PROCESS TO BETTER SERVE THE STATE
OF NEW HAMPSHIRE, THE GOVERNING BODY
AND NEW HAMPSHIRE EMPLOYEES.

COMMITTEE VOTE: _____

RESPECTFULLY SUBMITTED,

- Copy to Committee Bill File
- Use Another Report for Minority Report

Rep. PHILIP BEAN
For the Committee

REGULAR CALENDAR

January 29, 2018

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Minority of the Committee on Labor, Industrial and Rehabilitative Services to which was referred HB 1386,

AN ACT establishing a joint committee on employee relations. Having considered the same, and being unable to agree with the Majority, report with the following resolution: RESOLVED, that it is INEXPEDIENT TO LEGISLATE.

Rep. Douglas Ley

FOR THE MINORITY OF THE COMMITTEE

**MINORITY
COMMITTEE REPORT**

Committee:	Labor, Industrial and Rehabilitative Services
Bill Number:	HB 1386
Title:	establishing a joint committee on employee relations.
Date:	January 29, 2018
Consent Calendar:	REGULAR
Recommendation:	INEXPEDIENT TO LEGISLATE

STATEMENT OF INTENT

This proposal reconstitutes the membership of the Joint Committee on Employee Relations to its former membership structure, due to the lack of appointments made by the Governor. In essence, it is a legislative solution to a political problem, a problem which could easily be resolved without changes to statutes.

Rep. Douglas Ley
FOR THE MINORITY

Original: House Clerk
Cc: Committee Bill File

REGULAR CALENDAR

Labor, Industrial and Rehabilitative Services

HB 1386, establishing a joint committee on employee relations. **INEXPEDIENT TO LEGISLATE.** Rep. Douglas Ley for the **Minority** of Labor, Industrial and Rehabilitative Services. This proposal reconstitutes the membership of the Joint Committee on Employee Relations to its former membership structure, due to the lack of appointments made by the Governor. In essence, it is a legislative solution to a political problem, a problem which could easily be resolved without changes to statutes.

Original: House Clerk
Cc: Committee Bill File

MINORITY REPORT

COMMITTEE:

Labor

BILL NUMBER:

HB 1386

TITLE:

DATE:

1/24/18

CONSENT CALENDAR:

YES ☐

NO ☐



OUGHT TO PASS



OUGHT TO PASS W/ AMENDMENT



INEXPEDIENT TO LEGISLATE



INTERIM STUDY (Available only 2nd year of biennium)

Amendment No.

STATEMENT OF INTENT:

This proposal reconstitutes the membership of the
Jt. Committee on Employee Relations to its former
membership structure, due to the lack of appointments made
by the governor. In essence, it is a legislative solution
to a political problem, ~~in~~ a problem which could easily
be resolved without changes to statutes.

COMMITTEE VOTE:

8-5

• Copy to Committee Bill File

RESPECTFULLY SUBMITTED,

Rep.

For the Minority

Voting Sheets

HOUSE COMMITTEE ON LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES

EXECUTIVE SESSION on HB 1386

BILL TITLE: establishing a joint committee on employee relations.

DATE: January 24, 2018

LOB ROOM: 307

MOTIONS: OUGHT TO PASS

Moved by Rep. Bean

Seconded by Rep. L. Turcotte

Vote: 8-5

CONSENT CALENDAR: NO

Statement of Intent: Refer to Committee Report

Respectfully submitted,


Rep Brian Seaworth, Clerk

HOUSE COMMITTEE ON LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES

EXECUTIVE SESSION on HB 1386

BILL TITLE: establishing a joint committee on employee relations.

DATE: 1/24/18

LOB ROOM: 307

MOTION: (Please check one box)

☒ OTP ☐ ITL ☐ Retain (1st year) ☐ Adoption of Amendment # _____
☐ Interim Study (2nd year) (if offered)

Moved by Rep. BEAN Seconded by Rep. TURLOTTE Vote: 8-5

MOTION: (Please check one box)

☐ OTP ☐ OTP/A ☐ ITL ☐ Retain (1st year) ☐ Adoption of Amendment # _____
☐ Interim Study (2nd year) (if offered)

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

MOTION: (Please check one box)

☐ OTP ☐ OTP/A ☐ ITL ☐ Retain (1st year) ☐ Adoption of Amendment # _____
☐ Interim Study (2nd year) (if offered)

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

MOTION: (Please check one box)

☐ OTP ☐ OTP/A ☐ ITL ☐ Retain (1st year) ☐ Adoption of Amendment # _____
☐ Interim Study (2nd year) (if offered)

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

CONSENT CALENDAR: _____ YES ☒ NO

Minority Report? ☒ Yes _____ No If yes, author, Rep: LEY Motion ITL

Respectfully submitted: _____

Rep Brian Seaworth, Clerk



STATE OF NEW HAMPSHIRE
OFFICE OF THE HOUSE CLERK

1/5/2018 10:30:31 AM
Roll Call Committee Registers
Report

2018 SESSION

LABOR

Bill #: HB 1386 Title: ESTAB. A JOINT COMMITTEE ON EMPLOYEE REL.

PH Date: 1 / 17 / 18 Exec Session Date: 1 / 24 / 18

Motion: OTP Amendment #: _____

<u>MEMBER</u>	<u>YEAS</u>	<u>NAYS</u>
Schmidt, Stephen J. Chariman	8	
Pellegrino, Anthony J. Vice Chairman		
Seaworth, Brian Clerk	1	
Murphy, Keith		
Avellani, Lino M.	2	
Turcotte, Leonard P.	3	
McCarthy, Michael J..		
Bean, Philip W.	4	
Merner, Troy		
Morrison, Sean D.		
O'Day, John E.	5	
Ley, Douglas A.		1
Cahill, Michael D.	6	
DiSilvestro, Linda A.		
O'Neil, William J.		2
Baroody, Benjamin C.		
Schmidt, Janice E.		3
Krans, Hamilton R.		4
MacKenzie, Mark S.		5
TOTAL VOTE:		

SULLIVAN, BRIAN

7

8 5

Hearing Minutes

HOUSE COMMITTEE ON LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES

PUBLIC HEARING ON HB 1386

BILL TITLE: establishing a joint committee on employee relations.

DATE: January 17, 2018

LOB ROOM: 307

Time Public Hearing Called to Order: 12:00 p.m.

Time Adjourned: 12:04 p.m.

Committee Members: Reps. S. Schmidt, Seaworth, L. Turcotte, M. McCarthy, Bean, O'Day, D. Ley, Cahill, DiSilvestro, Barody, J. Schmidt, Krans and MacKenzie

Bill Sponsors:

Rep. Weyler

TESTIMONY

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

***Rep. Ken Weyler** - Prime Sponsor: A major part of the budget is pay and benefits for State employees, something like 35%. The problem with the existing language is that it takes too long to fill the existing committee. The bill restores the committee as it existed before 2009.

Respectfully submitted,


Rep. Brian Seaworth
Clerk

PUBLIC HEARING ON HB 1386

DATE: January 17, 2018

Time Public Hearing Called to Order: 12:00

Time Adjourned: 12:04

Committee Members: Reps. S. Schmidt, Pellegrino, Murphy, Avellani, L. Turcotte, M. McCarthy, Bean, Merner, Morrison, O'Day, D. Ley, Cahill, DiSilvestro, O'Neil, Baroody, J. Schmidt, Krans, MacKenzie and Seaworth

Rep. Weyler

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

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There is no text or other markings on the paper.

HB 1386 establishing a joint committee on employee relations.

Open: 12:00 PM

Close: 12:04 PM

Sponsors: Rep. Weyler

Rep. Weyler* - Prime Sponsor

A major part of the budget is pay and benefits for State employees, something like 35%

The problem with the existing language is that it takes too long to fill the existing committee. The bill restores the committee as it existed before 2009.

SIGN UP SHEET

To Register Opinion If Not Speaking

Bill # HB 1386 Date January 17, 2018

Committee Labor

**** Please Print All Information ****

[illegible]

Testimony

HB 1386

Remarks by Rep. Ken Weyler

Committee on Labor, Industrial and Rehabilitative Services

January 17, 2018

1. One of the most important votes we take is to establish the biennial budget. A major part of this is the pay and benefits of state employees.
2. The Finance Committee spends over a month going line by line over the many pages of these department budgets.
3. Pay and benefits being such a major expense, knowledgeable members should have an opportunity to view the latest employee agreement, and have a ye or nay on the document.
4. The proposal before you restores the Joint Committee on Employee Relations to what it was before 2009. That year the committee was eliminated.
5. In 2015, in a compromise, the language, on the reverse of this page was put in. The problem with this language is that it takes too long for all these people to be appointed. There will likely be an argument about who is appointed.
6. The language in this proposal has stood the test of time, brings the appropriate members together with a proper mix of Leadership, Finance, Labor, Public Works, and Commerce; with both majority and minority represented. It saves the time lag of appointments.
7. I am hopeful that you will see the necessity of having the members known in advance, as the meeting is likely to be called with very short notice. Having been on this committee in the early 2000's, I can report that is the way it happens.
8. Please support this proposal. Thank you.

TITLE XXIII

LABOR

CHAPTER 273-A

PUBLIC EMPLOYEE LABOR RELATIONS

Section 273-A:9-b

273-A:9-b Legislative Oversight Committee on Employee Relations. –

I. There shall be a permanent joint legislative committee known as the legislative oversight committee on employee relations.

II. (a) The committee shall include the following members:

(1) Five members of the senate, appointed by the senate president.

(2) Five members of the house of representatives, appointed by the speaker of the house of representatives.

(b) Members of the committee shall receive mileage at the legislative rate.

III. The chair of the committee shall rotate biennially between the senate president or designee and the speaker of the house of representatives or designee, provided that the senate president shall serve as the first chairperson under the provisions of this subparagraph, beginning with the 2015-16 biennium. In the event that the presiding officer or designee serving as chairperson resigns or for any reason is unable to serve, the other presiding officer or designee shall serve as chairperson for the remainder of the biennium, provided that such substitution shall not change the rotation provided for in this subparagraph.

IV. The committee shall meet with the state negotiating committee after the first Wednesday in December in even-numbered years, as necessary, to discuss the state's objectives in the bargaining process. Meetings shall be at the call of the chairperson.

V. The committee shall hold public hearings on all collective bargaining agreements with state employees and on all fact finder's reports relative to the collective bargaining process with state employees, and shall submit any recommendations on such agreements or reports to the members of the senate and the house of representatives.

VI. The senate president may appoint one or more alternates to serve on the committee in the event that a senate member is unable to attend. The speaker of the house of representatives may appoint one or more alternates to serve on the committee in the event that a house member is unable to attend.

Source. 2015, 274:20, eff. Sept. 16, 2015.

Bill as Introduced

HB 1386 - AS INTRODUCED

2018 SESSION

18-2693
04/10

HOUSE BILL **1386**

AN ACT establishing a joint committee on employee relations.

SPONSORS: Rep. Weyler, Rock. 13

COMMITTEE: Labor, Industrial and Rehabilitative Services

ANALYSIS

This bill establishes the joint committee on employee relations and repeals the legislative oversight committee on employee relations.

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 Eighteen

AN ACT establishing a joint committee on employee relations.

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

1 1 New Paragraph; Public Employee Labor Relations Board; Joint Committee on Employee
2 Relations. Amend RSA 273-A:9 by inserting after paragraph V the following new paragraph:

3 VI. There shall be a joint legislative committee known as the joint committee on employee
4 relations.

5 (a) The joint committee on employee relations shall include the following members:

6 (1) The president of the senate.

7 (2) The speaker of the house of representatives.

8 (3) The majority leader of the senate.

9 (4) The majority leader of the house of representatives.

10 (5) The minority leader of the senate.

11 (6) The minority leader of the house of representatives.

12 (7) The chairperson of the senate finance committee.

13 (8) The chairperson of the senate capital budget committee.

14 (9) The chairperson of the house of representatives finance committee.

15 (10) The chairperson of the senate ways and means committee.

16 (11) The vice chairperson of the house of representatives finance committee.

17 (12) The chairperson of the house of representatives public works and highways
18 committee.

19 (13) The chairperson of the house of representatives labor, industrial and
20 rehabilitative services committee.

21 (14) The ranking minority member of the house of representatives labor, industrial
22 and rehabilitative services committee.

23 (15) The chairperson of the senate commerce committee.

24 (16) The vice chairperson of the senate commerce committee.

25 (b) Members of the committee shall receive mileage at the legislative rate. The chair of
26 the committee shall rotate biennially between the president of the senate or designee and the
27 speaker of the house of representatives or designee, provided that the speaker of the house of
28 representatives shall serve as the first chairperson under the provisions of this subparagraph. In
29 the event that the presiding officer or designee serving as chairperson resigns or for any reason is
30 unable to serve, the other presiding officer or designee shall become chairperson, provided that such
31 substitution shall not change the rotation provided for in this subparagraph.

HB 1386 - AS INTRODUCED

- Page 2 -

1 (c) The joint committee on employee relations shall meet with the state negotiating
2 committee after the first Wednesday in December in the even-numbered years as necessary, to
3 discuss the state's objectives in the bargaining process. The meeting shall be at the call of the
4 chairperson of the joint committee on employee relations.

5 (d) The joint committee on employee relations shall hold hearings on all collective
6 bargaining agreements with state employees and on all fact-finders' reports relative to the collective
7 bargaining process with state employees and shall submit any recommendation on such agreements
8 or reports to the members of the senate and the house of representatives.

9 2 Repeal. RSA 273-A:9-b, relative to the legislative oversight committee on employee relations,
10 is repealed.

11 3 Effective Date. This act shall take effect 60 days after its passage.