

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 struckthrough.~~]

Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

Committee Minutes

Senate Executive Departments and Administration Committee
Deb Chroniak 271-1403

HB 1386, establishing a joint committee on employee relations.

Hearing Date: March 14, 2018

Time Opened: 9:30 a.m.

Time Closed: 9:36 a.m.

Members of the Committee Present: Senators Carson, Reagan, Gannon, Soucy and Cavanaugh

Members of the Committee Absent: None

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

Sponsors:
Rep. Weyler

Who supports the bill: Representative Kenneth L. Weyler, Rock 13

Who opposes the bill: No one

Who is neutral on the bill: Brian Hawkins, Lobbyist, State Employees Association (SEA)

Summary of testimony presented in support:

Representative Weyler (testimony provided)

- Stated one of the most important votes taken is that of the biennial budget.
- Finance Committee goes over department budgets line-by-line.
- Pay and benefits are a major budget expense.
- Legislation restores the Joint Committee on Employee Relations to what it was before 2009, which year this Committee was eliminated.
- 2015 Title XXIII, LABOR, Chapter 273-A, Public Employee Labor Relations language was placed in to law. The issue is it takes way too long to appoint all of these people to the Committee.
- Believes the language in this legislation brings appropriate members with a proper mix of all areas, with both majority and minority represented.
- It is important to know the Committee members in advance because meetings can be called with very short notice.

Senator Carson asked if Representative Weyler knew why this committee was terminated in 2009. Representative Weyler was out of office during that time frame.

Summary of testimony presented in neutral position:

Brian Hawkins, SEA

- The State Employees Association represents the overall majority of the Executive Branch employees engaged in collective bargaining with the state.
- This Committee did exist (known as the JEC Committee).
- There was a piece of legislation where the Legislature eliminated a series of committees; this was one which was eliminated.
- The makeup of the committee is the only change; the remainder of the bill is identical to that of 2009.

Senator Gannon asked how this had been done without the requested legislation. Mr. Hawkins said the motivation to bring this legislation back was because some in the Legislature felt there was not a connection with agreements reached with the Governor (especially on cost items). This Committee would be the liaison on cost issues.

- The SEA does not have a position on this legislation, but believes the existence of this Committee is a good thing to have, even though there is a smaller committee in place (appointed by Senate President and Speaker). The larger committee would hold specific positions. The difference in number of members is the smaller committee is approximately ten members and the latter committee (this legislation) would hold sixteen members.

Hearing closed at 9:36 a.m.

Future Action: Ought to Pass

dac

[HB 1386]

Date Hearing Report completed: March 15, 2018-F

Speakers

Testimony

#1

HB 1386

Remarks by Rep. Ken Weyler

March 14, 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 yea 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.

HB 1386

Remarks by Rep. Ken Weyler

March 14, 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 yea 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.

Committee Report

STATE OF NEW HAMPSHIRE
SENATE
REPORT OF THE COMMITTEE

Wednesday, March 14, 2018

THE COMMITTEE ON Executive Departments and Administration
to which was referred HB 1386

AN ACT establishing a joint committee on employee relations.

Having considered the same, the committee recommends that the Bill

OUGHT TO PASS

BY A VOTE OF: 4-1

Senator Sharon Carson
For the Committee

Deb Chroniak 271-1403