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New Hampshire Governor MAGGIE HASSAN

Press Release

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Governor Hassan's Veto Message Regarding SB 169

CONCORD – Governor Maggie Hassan released the following message after vetoing SB 169:

"By the authority vested in me, pursuant to part II, Article 44 of the New Hampshire Constitution, on July 10, 2015, I have vetoed Senate Bill 169, relative to the permissible uses of electronic benefits transfer (EBT) cards.

"Senate Bill 169 prohibits the use of cash received from electronic benefit transfer (EBT) cards for the purpose of gambling and the purchase of tobacco products, alcoholic beverages, lottery tickets, firearms, and adult entertainment. While the sponsors and I agree that public assistance should not be used for these purposes, the approach taken by this legislation would be unenforceable, as retail clerks and sales associates would have no way of determining where an individual's cash came from at the time of sale. That is why I will sign the alternative – and workable – version of this legislation, House Bill 219.

"Senate Bill 169 could lead to retail clerks being in the uncomfortable position of policing potential abuse by trying to decide whether 'someone looks like' they receive assistance. That could lead to discrimination, as many of those who opposed the bill warned. The seniors, people with disabilities, and struggling families who receive cash public assistance sometimes have alternative sources of income, making it nearly impossible to determine the source of the cash that is being utilized for the purchase.

"House Bill 219 allows for a more enforceable approach to address the issue of potential public assistance fraud or abuse. House Bill 219 prevents use of EBT cards within body piercing or tattoo parlors, cigar stores and smoke shops, and marijuana dispensaries. These locations are exclusive to the product or service they provide, and thus preventing use of EBT cards in these establishments does not prevent someone from purchasing basic household items that these locations do not sell. House Bill 219 also requires an educational component for cash assistance recipients and retail establishments, something Senate Bill 169 fails to do. For these reasons, I will be signing into law House Bill 219 when it reaches my desk.

"Senate Bill 169 establishes an unenforceable precedent that could put our cashiers and retail clerks in the untenable position of determining the source of a customer's cash in an attempt to police potential abuse, along with denying access to families who need and qualify for this financial support. I will be signing House Bill 219, which accomplishes this bill's goals of protecting taxpayer dollars used in this critical program without creating an unenforceable regulation or the potential for discrimination. Therefore, I have vetoed Senate Bill 169."