

# Senate Commerce Committee

*Aaron Jones 271-2609*

**AMENDMENT # 2026-1065s, relative to employee leasing companies, workers' compensation coverage options, and a minimum wage exemption for minor league baseball players, to SB 655, relative to employee leasing companies and workers' compensation coverage options.**

**Hearing Date:** March 10, 2026

**Time Opened:** 9:31 a.m.

**Time Closed:** 9:47 a.m.

**Members of the Committee Present:** Senators Innis, Ricciardi, Murphy, McGough, Fenton and Reardon

**Members of the Committee Absent :** None

**Bill Analysis:** This bill permits client companies or leasing companies to secure workers' compensation coverage.

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**Sponsors:**

Sen. Innis

Sen. Rochefort

Sen. Murphy

Sen. Pearl

Sen. Ward

Sen. McGough

Rep. Labrie

Rep. Peternel

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**Who supports the amendment:** Senator Howard Pearl, Steven Gonzalez (MLB), Justin Worrell (Insperity), Alan Raff (NH AFL-CIO), Glenn Brackett (NH AFL-CIO), Cory Stone

**Who opposes the amendment:** Representative Timothy Horrigan, Jennifer Favreau, Marjorie Boyer, Tami Lanzillo Zeimetz

**Who is neutral on the amendment:** Danielle Albert (NH DOL), John Garrigan (NH DOL)

**Summary of testimony presented in support:**

***Senator Tim Lang***

- Amendment 26-1065s was brought forth on behalf of the Major League Baseball Players Association (MLBPA).

- The Association has a collective bargaining agreement (CBA) in place with the MLB; therefore, they are requesting a minor change to exempt them from certain parts of state labor laws.

***Steven Gonzalez, Senior Vice President and Chief Employment Counsel, MLB***

- In March 2023, the MLB and the MLBPA agreed to their first ever CBA. Mr. Gonzalez said the MLB and the union believed this negotiated compensation structure was beneficial to the players and it fit their day-to-day experience.
- Unlike typical hourly workers, players receive part of their compensation in the form of housing benefits, club provided meals, per diems when they are on the road, health and retirement benefits, salary continuation when they are injured, tuition assistance, and signing bonuses on occasion.
- Based on salary alone, Mr. Gonzalez said the CBA ensured players achieved a standard of living as intended by New Hampshire law. In 2026, the minimum pay for a player on a Double-A team is \$1,040 per week. Under the state's current minimum wage and overtime framework, this would cover 100 hours per week.
- Mr. Gonzalez said a statutory change was needed to address the impractical way hours are tracked. Unlike hourly workers who can only work at a specified time, minor league players work at and away from the ballpark. It does not benefit them to have their playing or practice time limited, or their access to club facilities restricted.
- This proposed change would treat players as salaried workers who may perform job-related tasks for their own benefit and development, even if those activities are not required by their employer.
- Players work on their own time during the season and off-season to maintain their physical fitness and study the craft to seek a competitive edge. This is one reason they are paid and receive health insurance year-round, even though baseball activities are seasonal.
- If hours were tracked, Mr. Gonzalez said it would lead to interesting results for players on and off the field. To avoid unlimited wage exposure, he asked if clubs should limit the time a player can review their bats, pitching mechanics, or their opponents' habits; if players should be prevented from accessing clubhouse or gym facilities other than when they need to be there pre- and post-game; or if players should clock out when they are pulled from a game.
- This amendment would preserve the opportunity for players to achieve their goal of making it to the next level. It also would place New Hampshire on an equal footing with other states like California, New York, New Jersey, Washington, Wisconsin, North Carolina, Florida, Indiana, Arkansas, Kentucky, and Oregon.
- **Senator Murphy** asked if this would apply to other semi-professional sports leagues.

- **Mr. Gonzalez** said it would not. As drafted, the amendment applied solely to professional minor leagues that are subject to a CBA. He believed this would only apply to the Fisher Cats. Under the minor league umbrella, there is Rookie Ball, Single-A, Double-A, and Triple-A. Independent teams would not fall under this exemption because players are not subject to CBAs.

***Glenn Brackett, New Hampshire AFL-CIO***

- Nationally, Association players are members of the AFL-CIO. At the state level, however, the Fisher Cats are not a member of their organization.
- Mr. Brackett said the Association and the MLB did a good job rectifying the problems that arose in the minor leagues during the pandemic.

**Summary of testimony presented in opposition:** None

**Neutral Information Presented:**

***Danielle Albert, Deputy Commissioner, and John Garrigan, General Counsel, New Hampshire Department of Labor***

- Attorney Garrigan said the effect CBAs have on state labor law is nuanced. In this area, federal labor relations law and federal courts have upheld federal preemption.
- Claims made under state law do not typically proceed; however, there are limited exceptions where a state claim can be litigated.
- An area that may not be covered by a CBA is recordkeeping. Under RSA 279, the Department has specific recordkeeping requirements wherein employers must maintain records of hours worked and wages paid. If this amendment were adopted, those records would be exempt for a specific class of individuals, specifically minor league baseball players.
- Attorney Garrigan said other areas of law, such as RSA 275, have additional recordkeeping requirements that would not change.
- The Department interpreted this change as applying to individuals who play baseball, not any of the other jobs on the team.
- Since the term “minor league level” is not defined, Attorney Garrigan asked for specificity to help the Department determine what is considered a minor league baseball team.
- **Senator Innis** believed a minor league team would cover an instructional league or Double-A and Triple-A teams. He asked if they needed to be more specific.
  - **Attorney Garrigan** said there are minor leagues that are associated with Major League Baseball, but there are also other professional baseball teams and semi-professional teams. He asked if this amendment

intended to cover the larger universe of teams that are out there, which is why the Department wanted more specificity.

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Date Hearing Report completed: March 12, 2026