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HOUSE RECORD

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Thursday, March 23, 2023

No. 11

HOUSE JOURNAL NO. 10 (Cont'd)

Wednesday, March 22, 2023

Rep. Osborne moved that the House adjourn.
Motion was adopted.

HOUSE JOURNAL NO. 11

Thursday, March 23, 2023

The House assembled at 9:00 a.m., the hour to which it stood adjourned, and was called to order by the Speaker.

Prayer was offered by House Chaplain, Reverend Bob Stewart, Pastor of St. Paul's United Methodist Church in Manchester.

Good morning Mr. Speaker. Good morning, House of Representatives. Let us be in the spirit of prayer. Good morning God. We thank You O God for this day and it is in the rising of the sun that we see You and the beauty of the world Your hand has created. We see the purple mountain majesties above the fruited plains. New Hampshire, New Hampshire, God shed his grace on us, and crowns his good with brotherhood and sisterhood from sea to shining sea. Oh, beautiful for spacious skies, O God You have created. Help us to pause and appreciate what You have created. God, You are the source of all life, creating and sustaining every living thing. You are the source of all food that nourishes us in both body and soul. Nourish us this day as we work together for the common good for the State of New Hampshire. You are the light that dispels the clouds of error and doubt, and You prepare the way for us every hour of each and every day and we pray that You will guide our thoughts and our actions as we engage in all the business that will come before us this day. I pray that You keep Your guiding hand upon each member of this House. I pray each of us feel Your presence in all we do and say. I pray for all the leaders of this House. Give them the wisdom so they can lead with integrity and with authority. O loving God, may we, like the sun, rise to the challenges presented today and give us the ability to fulfill our appointed duties of this day with a readied mind and an active spirit. In Your name O God, we pray. Amen.

Representative Jim Kofalt, member from Wilton, led the Pledge of Allegiance.

The National Anthem was sung by the Wilton-Lyndeborough Cooperative Middle/High School Select Choir.

LEAVES OF ABSENCE

Reps. Baroody, Hatch, McCarter, Nelson and Stavis, the day, illness.

Reps. Ankarberg, Menear and Verville, the day, important business.

Reps. Schamberg and Trottier, the day, illness in the family.

INTRODUCTION OF GUESTS

Mary Makris, and Maureen White, guests of Rep. Freitas. Naomi Long, guest of Rep. Notter. Susan Caulfield, guest of Rep. Horrigan. Taryn Anderson and Katie Gosselin, Music Director and Assistant Principal of the singers, guests of Rep. Kofalt. Joseph Ribsam, Cassandra Sanchez, Susan Stearns, Rich Gulla, Michelle Wangerin, Marc Beaudoin, and Karen Rosenberg, guests of Rep. Edwards.

INTRODUCTION OF SPECIAL GUESTS

The Speaker introduced special guest, New Hampshire National Guard Soldier of the Year, Specialist Brendan Tuttle, a HIMARS crewmember in Bravo Battery, 3rd Battalion, 197th Field Artillery Regiment.

MOTION TO PRINT REMARKS

Rep. Shurtleff moved that the remarks made by Speaker Packard be printed in the Permanent Journal. Without objection, the Speaker ordered.

REMARKS

Speaker Packard: We have a very special guest in the gallery today. We want to welcome Specialist Brendan Tuttle and his family. Specialist Tuttle is with the crewmember and Bravo Battery, 3rd Battalion, 197th Field Artillery Regiment of the New Hampshire Army National Guard. He has been awarded soldier of the year following the New Hampshire Army National Guard competition last month. The House of Representatives would like to present you with a declaration to recognize this achievement. Congratulations to Specialist Tuttle for earning soldier of the year and on behalf of the Representatives and the State of New Hampshire, we would like to thank you, the men and women, of the 197th Field Artillery Regiment for your service. I learned this morning that Specialist Tuttle is being deployed to Kuwait. Welcome Specialist Tuttle. God speed Specialist Tuttle. Come home safe.

REGULAR CALENDAR CONT'D**SPECIAL ORDER**

HB 49-FN-A, relative to postponing the closure of the Sununu Youth Services Center. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Keith Erf for Finance. This bill is a backup to previous actions in SB 1 which extended the closing date for the Sununu Youth Services Center. The amendment gives more detail as to the size of the facility, aiming at 12 beds, expandable to 18 beds. It also gives more details as to what offenses qualify for detention and incarceration. A standard of care has been used for the younger offenders, which has proved successful in correcting negative behavior. We believe that these changes will allow us to continue to have one of the lowest numbers of incarcerated youth among the states. We hope to continue to help our youth toward being good citizens. Vote 23-2.

Amendment (0892h)

Amend the bill by replacing all after the enacting clause with the following:

1 Statement of Findings. The general court finds that:

I. Placement in corrections settings can be harmful to children and lead to increased delinquency and adult criminal behavior. It should therefore be reserved for those circumstances in which the safety of a child or of the community requires such confinement.

II. Placement of children who are not serious violent offenders in settings other than the Sununu youth services center (SYSC) complies with The Families First Act, P.L. 115-123, and the New Hampshire system of care established pursuant to 2019; 44 (SB 14), which prioritize community-based treatment of children.

III. Placement of children in corrections settings outside the state of New Hampshire undermines effective treatment. This act is in furtherance of these goals.

2 Department of Health and Human Services; Sununu Youth Services Center; Construction and Operation of a Replacement Secure Facility.

I. The department of health and human services shall be responsible to construct a secured treatment facility to replace the current Sununu youth services center (SYSC). The capacity of the facility shall be determined using data-driven analysis of SYSC residential trends, state demographics trends and regional trends in juvenile involvement in violent crime and organized crime. In no case shall the facility exceed a physical capacity of 18 beds with a plan to operate 12 beds. The department shall consult with the community selected for the location and operation of any new facility, as well as any municipality bordering the selected community. The department shall, to the extent practicable, implement any reasonable requests by the communities to ensure the safe operation of the facility, implement a payment in lieu of taxes arrangement to prevent the shifting of costs to local taxpayers, and ensure co-operation with the prospective community.

II. The facility shall not be administered by any non-governmental entity. The facility shall be owned, administered and operated by the department of health and human services with support and shared services contracts as appropriate. The facility shall be designed to meet the unique needs of youth who are at the facility pursuant to RSA 169-B:14, detention; RSA 169-B:19, commitment; RSA 169-B:24, transfer to superior court; RSA 169-B:32 or RSA 651:17-a, service of adult sentence of incarceration at the youth development center; and RSA 169-A, the interstate compact on juveniles. Upon opening, the facility shall be referred to as the juvenile treatment center (JTC) as identified in RSA 169-B and RSA 621. The facility shall have the capability for alternative flexible use when the census so permits. The facility shall not admit children other than those specified in this section.

III. The facility and program shall be designed to include:

(a) A physical design that complements therapeutic and trauma-informed care of children, including a home-like interior and exterior to the maximum extent practicable.

(b) Staff visibility and proximity to children, including administrative offices built within the secured facility in proximity to children and staff, to the maximum extent practicable.

(c) Capacity to provide services to meet the medical, physical, and behavioral health needs of all potentially eligible residents if appropriate for the child.

(d) Space for no more than 18 beds, including space with flexibility to meet the need for safety and security, crisis stabilization, admissions, and discharges for all children. The operational support plan shall be funded for 12 residents.

(e) Adequate space to meet the educational needs of all children including children with special education needs, while using virtual educational support services if appropriate for the child.

(f) Adequate space for indoor and outdoor recreation.

(g) Capacity to meet the nutritional needs of all children.

(h) Necessary elements to be architecturally secure and equipped with video surveillance in compliance with RSA 169-B:15-c.

(i) Operations may utilize virtual and shared services when consistent with the child's education or treatment plan and appropriate to effectively meet the needs of a particular child or children.

(j) Staffing ratios which shall not exceed those supported by national accrediting bodies.

(k) Strategic downsizing considerations as published in the Council of Juvenile Correctional Administrators Toolkit: Facility Closure and Strategic Downsizing of Juvenile Justice Systems by the Council of Juvenile Justice Administrators (2018).

IV. The facility programming and operations shall include:

(a) The development of staff qualifications and standard job descriptions comprising required licensing or skill attainment. Staff qualifications shall be designed to ensure the provision of treatment to children with behavioral health challenges through the implementation of trauma informed care. Job description requirements, where appropriate shall include self and group protection, training in trauma informed care to address challenging behaviors, including the use of de-escalation techniques.

(b) Use of evidence-based practices, as defined in RSA 170-G:1, V-a, selected to match the needs of the population served at the facility.

(c) Utilization of the uniform assessment, as specified in RSA 170-G:4-e, for all detained and committed youth to understand treatment needs and determine if a different level of care is indicated to meet the youth's needs, and where problem behavior appears patterned, a functional behavior analysis to inform effective behavioral interventions.

(d) Provision of care management services by a care management entity, as established in RSA 135-F:4, to begin immediate wraparound support upon admission to plan for discharge.

(e) Provision of frequent visitation opportunities with family, opportunities to include family in appropriate activities and daily access to family through telephonic or video conferencing.

(f) Provision of educational programming and staffing that meets the individualized educational needs of each child, including children with special education needs, creates meaningful educator-child pairings, maintains connections with sending school districts, and which includes availability of Hi-SET preparation and testing as appropriate. Virtual educational opportunities shall be leveraged appropriately to help meet the residents' needs.

(g) Integration of clinical sessions and recreational large muscle movement activities throughout the day.

(h) Access by the office of the child advocate, in real-time, as established in RSA 21-V:4, II, to the electronic case management system used by the facility, regular access to youth placed in the facility under RSA 21-V:4, III, and video surveillance and general access to the facility pursuant to RSA 21-V:2, VII.

(i) Provision of adequate security to maintain the safety of staff and residents as well as the safety of the surrounding community and the general public.

(j) Training that emphasizes the treatment of youth with behavioral health challenges using approaches that include the employment of de-escalation techniques and that recognizes the risk that children may have considerable trauma histories, and that is otherwise applicable to the facility.

(k) Procedures for supporting children in the community with flexible assignments based upon census changes.

V. The department of health and human services shall begin to implement the programming changes in subparagraphs IV(a) through (k) without regard to whether children are at the SYSC or the new facility as soon as reasonably practicable.

VI. The department of health and human services shall submit quarterly progress reports to the joint legislative oversight committee on health and human services, established by RSA 126-A:13, and to the office of the child advocate established under RSA 21-V beginning no later than 60 days after the passage of this act, until such time as the facility is operational. Each quarterly report shall include a statement indicating whether the reported progress is sufficient to meet the accepted completion deadline for the opening of the facility. In the event that sufficient progress to meet this deadline has not been made, the progress report

shall include the reasons for any projected delay in meeting the deadline, a description of the efforts being undertaken to minimize any delay in the development and opening of the facility and projected completion date. In addition, the quarterly progress reports shall include the following information:

- (a) Progress towards retaining an architectural consultant to design the plan for the facility;
- (b) Progress towards completion of the design for the facility;
- (c) Progress towards contracting with the company that will construct the replacement facility;
- (d) The anticipated date construction of the replacement facility will be completed; and
- (e) The anticipated date by which the replacement facility will be operational.

VII. The governor and council, using the final report of the commission established in RSA 169-B:48, shall exercise the decision to finalize the capacity and site selection of the replacement center in consultation with the senate president, speaker of the house, and the affected community.

VIII. The governor, with the approval of the fiscal committee of the general court, may delay the project completion date for construction delays or other unforeseen circumstances provided any such delay be no more than one year.

3 Sununu Youth Services Center; Architect Procurement. Amend 2023, 1:4 to read as follows:

1:4 Department of Health and Human Services; Sununu Youth Services Center; Construction and Operation of a Replacement Secure Facility. The department of health and human services, in collaboration with the department of administrative services, shall issue a request to procure a qualified architect ~~on or before March 1, 2023]~~ **within 60 days of the effective date of this act**, and shall collaborate to issue a request for proposals for a contractor to build the resulting construction project **on a time line supporting the use of American Rescue Plan Act of 2021, Public Law 117-2 funds or any other federal funds**. The SYSC shall immediately be closed for detention or admission of any child when a replacement facility is sufficiently completed that children can be legally and safely housed there.

4 Possession and Relinquishment of the Sununu Youth Services Center (SYSC). As of the date of the opening of the youth development center set forth in section 2 of this act, and notwithstanding RSA 4:40, the department of administrative services shall take possession of the entire property currently housing the SYSC on South River Road in Manchester, New Hampshire. The department shall relinquish the property and any revenues received shall be deposited in the general fund. The department shall consult with the city of Manchester, the New Hampshire department of business and economic affairs, and other organizations, as appropriate, prior to any sale of the property. In relinquishing the property, the return of the property to an entity that will enhance the tax and business tax rolls of the city of Manchester and the state of New Hampshire shall be a high priority. Any relinquishment of the SYSC shall be approved by the governor and council.

5 Appropriation; Construction and Operation of a Replacement Secure Facility. The sum of \$21,600,000 for the fiscal year ending June 30, 2023 is hereby appropriated to the department of health and human services for the design and construction of the new secured youth development facility, as described in section 2 of this act. Such funds shall prioritize use of federal funds, be nonlapsing and continually appropriated to the department for the purposes of this act, and shall not be transferred or used for any other purpose. Of this amount, the governor shall determine if any remaining discretionary funds appropriated in the American Rescue Plan Act of 2021, Public Law 117-2 or any other federal funds can be used for this purpose and any remainder shall be general funds. The governor is authorized to draw a warrant for the general fund share of said sum out of any money in the treasury not otherwise appropriated.

6 Juvenile Treatment Center; Forecasted Operating Budget of a Replacement Facility.

I. The operating budget of the juvenile treatment center shall be designed to be commensurate with the average cost per child to operate a similar juvenile facility in New England.

II. On at least a biennial basis, the operating budget of the juvenile treatment center shall be adjusted based on the average census for the previous biennium.

7 New Paragraphs; New Hampshire Youth Development Center; Administration. Amend RSA 621:1 by inserting after paragraph III the following new paragraph:

IV. In furtherance of the creation of a trauma informed care treatment environment, the director of the replacement facility shall possess at least the following qualifications:

- (a) An advanced degree in clinical practice of psychology, nursing, social work, or medicine;
- (b) Experience in the implementation of trauma informed care in congregate settings; and
- (c) Experience in trauma informed care of juveniles.

8 Delinquent Children; Release or Detention Pending Adjudicatory Hearing. Amend RSA 169-B:14, II(e) (3) to read as follows:

(3) Secure detention shall not be ordered for delinquency charges which may not form the basis for commitment under RSA 169-B:19, I(j) **or RSA 169-B:19, I(m)**.

9 Delinquent Children; Dispositional Hearing. Amend RSA 169-B:19, I(j) to read as follows:

(j) Commit the minor to the custody of the department of health and human services for the remainder of minority. Commitment under this subparagraph may only be made following written findings of fact by the court, supported by clear and convincing evidence, that commitment is necessary to protect the safety of the

minor or of the community, and may only be made if the minor has not waived the right to counsel at any stage of the proceedings. If there is a diagnosis or other evidence that a minor committed under this subparagraph may have a serious emotional disturbance or other behavioral health disorder, the minor shall, with the consent of the minor and the minor's family, be referred to a care management entity pursuant to RSA 135-F:4, III. The care management entity shall develop and oversee the implementation of a care plan for the minor, intended to reduce the period of commitment. Commitment may not be based on a finding of contempt of court if the minor has waived counsel in the contempt proceeding or at any stage of the proceedings from which the contempt arises. Commitment may include, but is not limited to, placement by the department of health and human services at a facility certified for the commitment of minors pursuant to RSA 169-B:19, VI, or administrative release to parole pursuant to RSA 621:19, **or administrative release consistent with the cap on youth development center population**, provided that the appropriate juvenile probation and parole officer is notified. Commitment under this subparagraph shall ~~[not be ordered as a disposition for a violation of RSA 262 or 637, possession of a controlled drug without intent to sell under RSA 318-B, or violations of RSA 634, 635, 641, or 644, which would be a misdemeanor if committed by an adult. However, commitment may be ordered under this subparagraph for any offense which would be a felony or class A misdemeanor if committed by an adult if the minor has previously been adjudicated under this chapter for at least 3 offenses which would be felonies or class A misdemeanors if committed by an adult. A court shall only commit a minor based on previous adjudications if it finds by clear and convincing evidence that each of the prior offenses relied upon was not part of a common scheme or factual transaction with any of the other offenses relied upon, that the adjudications of all of the prior offenses occurred before the date of the offense for which the minor is before the court, and that the minor was represented by counsel at each stage of the prior proceedings following arraignment.]~~ **only be ordered as a disposition for:**

(1) First degree murder, second degree murder, attempted murder, manslaughter, negligent homicide under RSA 630:3, II, first degree assault, second degree assault, except when the allegation is a violation of RSA 631:2, I(d), felonious sexual assault, aggravated felonious sexual assault, kidnapping, criminal restraint, robbery punishable as a class A felony, burglary while armed or involving the infliction of bodily harm under RSA 635:1, II, or arson punishable as a felony; or

(2) Pursuant to a plea agreement entered into by a minor with consultation of counsel, and the court makes express findings that this disposition is in the best interest of the minor.

10 New Subparagraph; Delinquent Children; Dispositional Hearing. Amend RSA 169-B:19, I by inserting after subparagraph (1) the following new subparagraph:

(m)(1) Notwithstanding the provisions of RSA 169-B:19, I(j), a court may commit the minor to the custody of the department of health and human services for the remainder of minority if the minor is found delinquent:

(A) For an offense which would be a felony if committed by an adult; or

(B) For any offense which would be a felony or class A misdemeanor if committed by an adult, if the minor has previously been adjudicated under this chapter for at least 3 offenses within the previous 12 months, which would be felonies or class A misdemeanors if committed by an adult. A court shall only commit a minor based on previous adjudications if it finds by clear and convincing evidence that each of the prior offenses relied upon was not part of a common scheme or factual transaction with any of the other offenses relied upon, that the adjudications of all of the prior offenses occurred before the date of the offense for which the minor is before the court.

(2) In utilizing subparagraphs (1)(A) or (B), the court shall first find that there is no placement or set of supervision and treatment services other than secure confinement that will protect the public from a substantial risk of serious bodily injury or substantial risk of felony property crime. A court's finding pursuant to this subparagraph shall only be sufficient to support secure confinement if it is made by clear and convincing evidence following either a stipulation by the parties or an evidentiary hearing wherein the court considers reliable evidence. Further, the court's findings shall include written, case-specific findings which identify the evidence relied upon and the basis for the determination that secure confinement is necessary. Commitment under this subparagraph may only be made if the minor has not waived the right to counsel at any stage of the proceedings. If there is a diagnosis or other evidence that a minor committed under this subparagraph may have a serious emotional disturbance or other behavioral health disorder, the minor shall, with the consent of the minor and the minor's family, be referred to a care management entity pursuant to RSA 135-F:4, III. The care management entity shall develop and oversee the implementation of a care plan for the minor, intended to reduce the period of commitment. Commitment may include, but is not limited to, placement by the department of health and human services at a facility certified for the commitment of minors pursuant to RSA 169-B:19, VI, administrative release to parole pursuant to RSA 621:19, or administrative release consistent with the cap on youth development center population under RSA 621:10, provided that the appropriate juvenile probation and parole officer is notified.

11 Youth Development Center; Department's Duties. Amend RSA 621:12, III to read as follows:

III. The commissioner shall provide a quarterly report to the fiscal committee of the general court of the average daily census, ~~[and]~~ the estimated monthly cost per resident at the Sununu youth services

center, including those funds used from accounting units not directly associated with the Sununu youth services center, ***highest level of charge for each commitment or detention, and the recidivism rate for the facility.***

12 New Paragraph; Delinquent Children; Definitions. Amend RSA 169-B:2 by inserting after paragraph XV the following new paragraph:

XVI. "Trauma informed care" means a program, organization, or system that realizes the widespread impact of trauma and understands potential paths for recovery, recognizes the signs and symptoms of trauma in clients, families, staff, and other individuals involved with the system, and responds by fully integrating knowledge about trauma into policies, procedures, and practices and seeks to actively resist retraumatization. Trauma informed care also follows the following principles: safety, trustworthiness and transparency, peer support, collaboration and mutuality, empowerment, voice and choice, and cultural, historical, and gender issues.

13 Applicability. RSA 169-B:19, as amended by sections 7 and 8 of this act, shall apply to cases pending as of the effective date of this act in which a dispositional order has not yet been ordered.

14 Effective Date.

I. Sections 8 and 9 of this act shall take effect 60 days after its passage.

II. The remainder of this act shall take effect upon its passage.

AMENDED ANALYSIS

This bill sets parameters for the construction and operation of a new youth secure facility to replace the Sununu Youth Services Center (SYSC), makes an appropriation thereof, sets forth requirements around the disposition of the current SYSC property, and amends the law surrounding the dispositional hearings of delinquent children.

Committee amendment was adopted.

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Edwards moved that the House reconsider its action whereby, on a Voice Vote, the House adopted committee amendment (0892h) on **HB 49-FN-A**, relative to postponing the closure of the Sununu Youth Services Center.

Motion was adopted.

The question now being adoption of committee amendment (0892h).

Reps. Stringham, Edwards and Marjorie Smith spoke against.

On a division vote, with 200 members having voted in the affirmative, and 179 in the negative, the committee amendment was adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment.

Rep. Edwards offered floor amendment (1104h).

Floor Amendment (1104h)

Amend the bill by replacing all after the enacting clause with the following:

1 Statement of Findings. The general court finds that:

I. Placement in corrections settings can be harmful to children and lead to increased delinquency and adult criminal behavior. It should therefore be reserved for those circumstances in which the safety of a child or of the community requires such confinement.

II. Placement of children who are not serious violent offenders in settings other than the Sununu youth services center (SYSC) complies with the Families First Act, Public Law 115-123, and the New Hampshire system of care established pursuant to chapter 44 of the laws of 2019, which prioritize community-based treatment of children.

III. Placement of children in corrections settings outside the state of New Hampshire undermines the stabilization and return to productive members to the communities. This act is in furtherance of these goals.

2 Department of Health and Human Services; Sununu Youth Services Center; Construction and Operation of a Replacement Secure Facility.

I. The department of health and human services shall be responsible to construct a secured treatment facility to replace the current Sununu youth services center (SYSC). The capacity of the facility shall be determined using data-driven analysis of SYSC residential trends, state demographics trends and regional trends in juvenile involvement in violent crime and organized crime. In no case shall the facility exceed a physical capacity of 18 beds with an operational plan to support 12 beds. The department shall consult with the community selected for the location and operation of any new facility, as well as any municipality bordering the selected community. The department shall, to the extent practicable, implement any reasonable requests by the communities to ensure the safe operation of the facility, implement a payment in lieu of taxes arrangement to prevent the shifting of costs to local taxpayers, and ensure co-operation with the prospective community. The department may use the final report of the commission established in RSA 169-B:48 in order to finalize the capacity and site selection of the replacement center.

II. The facility shall not be administered by any non-governmental entity. The facility shall be owned, administered and operated by the department of health and human services with support and shared services contracts as appropriate. The facility shall be designed to meet the unique needs of youth who are at the facility pursuant to RSA 169-B:14, detention; RSA 169-B:19, commitment; RSA 169-B:24, transfer to superior court; RSA 169-B:32 or RSA 651:17-a, service of adult sentence of incarceration at the youth development center; and RSA 169-A, the interstate compact on juveniles. Upon opening, the facility shall be referred to as the youth development center (YDC) as identified in RSA 169-B and RSA 621. The facility shall have the capability for alternative flexible use when the census so permits.

III. The facility and any available co-located services shall be designed to include:

(a) A physical design that complements therapeutic and trauma-informed care of children, including a home-like interior and exterior to the maximum extent practicable.

(b) Staff visibility and proximity to children, including administrative offices built within the secured facility in proximity to children and staff, to the maximum extent practicable.

(c) Capacity to provide services to meet the medical, physical, and behavioral health needs of all potentially eligible residents if appropriate for the child.

(d) Space for no more than 18 beds, including space with flexibility to meet the need for safety and security, crisis stabilization, admissions, and discharges for all children. The operational support plan shall anticipate 12 residents.

(e) Adequate space to meet the educational needs of all children including children with special education needs, while using virtual educational support services if appropriate for the child.

(f) Adequate space for indoor and outdoor recreation.

(g) Capacity to meet the nutritional needs of all children.

(h) Necessary elements to be architecturally secure and equipped with video surveillance in compliance with RSA 169-B:15-c.

(i) Operations may utilize virtual and shared services when consistent with the child's education or treatment plan and appropriate to effectively meet the needs of a particular child or children.

IV. The facility programming and operations shall include:

(a) The development of staff qualifications and standard job descriptions comprising required licensing or skill attainment. Staff qualifications shall be designed to ensure the provision of treatment to children with behavioral health challenges exacerbated by considerable trauma histories. Job description requirements, where appropriate shall include self and group protection, training in therapeutic approaches to address challenging behaviors, including the use of de-escalation techniques.

(b) Use of evidence-based practices, as defined in RSA 170-G:1, V-a, selected to match the needs of the population served at the facility.

(c) Utilization of the uniform assessment, as specified in RSA 170-G:4-e, for all detained and committed youth to understand treatment needs and determine if a different level of care is indicated to meet the youth's needs, and where problem behavior appears patterned, a functional behavior analysis to inform effective behavioral interventions.

(d) Provision of care management services by a care management entity, as established in RSA 135-F:4, to begin immediate wraparound support upon admission to plan for discharge.

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(g) Integration of clinical sessions and recreational large muscle movement activities throughout the day.

(h) Access by the office of the child advocate, in real-time, as established in RSA 21-V:4, II, to the electronic case management system used by the facility, regular access to youth placed in the facility under RSA 21-V:4, III, and video surveillance and general access to the facility pursuant to RSA 21-V:2, VII.

(i) Provision of adequate security to maintain the safety of staff and residents as well as the safety of the surrounding community and the general public.

(j) Training that emphasizes the treatment of youth with behavioral health challenges using approaches that include the employment of de-escalation techniques and that recognizes the risk that children may have considerable trauma histories, and that is otherwise applicable to the facility.

(k) Procedures for supporting children in the community with flexible assignments based upon census changes.

V. The department of health and human services shall begin to implement the programming changes in subparagraphs IV(a) through (k) without regard to whether children are at the SYSC or the new facility as soon as reasonably practicable.

VI. The department of health and human services shall submit quarterly progress reports to the joint legislative oversight committee on health and human services, established by RSA 126-A:13, and to the office of the child advocate established under RSA 21-V beginning no later than 60 days after the passage of this act, until such time as the facility is operational. Each quarterly report shall include a statement indicating whether the reported progress is sufficient to meet the accepted completion deadline for the opening of the facility. In the event that sufficient progress to meet this deadline has not been made, the progress report shall include the reasons for any projected delay in meeting the deadline, a description of the efforts being undertaken to minimize any delay in the development and opening of the facility and projected completion date. In addition, the quarterly progress reports shall include the following information:

- (a) Progress towards retaining an architectural consultant to design the plan for the facility;
- (b) Progress towards completion of the design for the facility;
- (c) Progress towards contracting with the company that will construct the replacement facility;
- (d) The anticipated date construction of the replacement facility will be completed; and
- (e) The anticipated date by which the replacement facility will be operational.

VII. The department of health and human services may use the final report of the commission established in RSA 169-B:48 in order to finalize the site selection of the replacement center.

VIII. The governor, with the approval of the fiscal committee of the general court, may delay the project completion date for construction delays or other unforeseen circumstances provided any such delay be no more than one year.

3 Sununu Youth Services Center; Architect Procurement. Amend 2023, 1:4 to read as follows:

1:4 Department of Health and Human Services; Sununu Youth Services Center; Construction and Operation of a Replacement Secure Facility. The department of health and human services, in collaboration with the department of administrative services, shall issue a request to procure a qualified architect on or before ~~[March 1, 2023]~~ ***within 60 days of the effective date of this act***, and shall collaborate to issue a request for proposals for a contractor to build the resulting construction project ***on a time line supporting the use of American Rescue Plan Act of 2021, Public Law 117-2 funds or any other federal funds***. The SYSC shall immediately be closed for detention or admission of any child when a replacement facility is sufficiently completed that children can be legally and safely housed there.

4 Possession and Relinquishment of the Sununu Youth Services Center (SYSC). As of the date of the opening of the youth development center set forth in section 2 of this act, and notwithstanding RSA 4:40, the department of administrative services shall take possession of the entire property currently housing the SYSC on South River Road in Manchester, New Hampshire. The department shall relinquish the property and any revenues received shall be deposited in the general fund. The department shall consult with the city of Manchester, the New Hampshire department of business and economic affairs, and other organizations, as appropriate, prior to any sale of the property. In relinquishing the property, the return of the property to an entity that will enhance the tax and business tax rolls of the city of Manchester and the state of New Hampshire shall be a high priority. Any relinquishment of the SYSC shall be approved by the governor and council.

5 Appropriation; Construction and Operation of a Replacement Secure Facility. The sum of \$21,600,000 for the fiscal year ending June 30, 2023 is hereby appropriated to the department of health and human services for the design and construction of the new secured youth development facility, as described in section 2 of this act. Such funds shall prioritize use of federal funds, be nonlapsing and continually appropriated to the department for the purposes of this act. Of this amount, the governor shall determine if any remaining discretionary funds appropriated in the American Rescue Plan Act of 2021, Public Law 117-2 (ARPA) or any other federal funds can be used for this purpose and any remainder shall be general funds. Should any amount of New Hampshire's ARPA State Fiscal Recovery Fund (SFRF) allocation, from the American Rescue Plan Act of 2021, Public Law 117-2, be identified and authorized for use on this project as outlined above, all such funds must be fully obligated for the project by September 30, 2024, and be fully expended no later than the ARPA SFRF deadline of December 31, 2026. Moreover, all required ARPA SFRF compliance and guidance must be followed, and the department of health and human services must coordinate with the governor's office for emergency relief & recovery (GOFERR) to fulfill those requirements and ensure proper accounting of and reporting on the use of ARPA SFRF on this project. The governor is authorized to draw a warrant for the general fund share of said sum out of any money in the treasury not otherwise appropriated.

6 Effective Date. This act shall take effect upon its passage.

AMENDED ANALYSIS

This bill sets out parameters for the contract, funding, and deadlines for a replacement youth development center facility.

The question being adoption of floor amendment (1104h).

Rep. Potenza spoke against.

Rep. Edwards spoke in favor, yielded to questions and requested a roll call; sufficiently seconded.

YEAS 276 - NAYS 104**YEAS - 276****BELKNAP**

Bogert, Steven
Harvey-Bolia, Juliet
St. Clair, Charlie

Bordes, Mike
Nagel, David
Terry, Paul

Coker, Matthew
O'Hara, Travis
Varney, Peter

Dumais, Russell
Smart, Lisa

CARROLL

Buco, Thomas
MacDonald, John
Woodcock, Stephen

Cordelli, Glenn
McAleer, Chris

Crawford, Karel
McConkey, Mark

Paige, David
Brown, Richard

CHESHIRE

Harvey, Cathryn
Hunt, John
Rhodes, Jennifer
Toll, Amanda

Fox, Dru
Jones, Philip
Schapiro, Joe
Weber, Lucy

Faulkner, Barry
Newell, Jodi
Tatro, Bruce
Nutting, Zachary

Germana, Nicholas
Qualey, James
Thackston, Dick

COOS

Davis, Arnold
Noël, Henry

Cascadden, Corinne
Ouellet, Mike

Kelley, Eamon
Tierney, James

Merner, Troy

GRAFTON

Adjutant, Joshua
Cormen, Thomas
Sullivan, Jared
Morse, Corinne

Baldwin, Heather
Greeson, Jeffrey
Ladd, Rick
Muirhead, Russell

Berezhny, Lex
Hoyt, Tommy
Lovett, Peter
Simon, Matthew

Brown, Carroll
Murphy, James
Massimilla, Linda
Sykes, George

HILLSBOROUGH

Lekas, Alicia
Alexander, Joe
Berry, Ross
Bradley, Amy
Creighton, Jim
DiSilvestro, Linda
Gagne, Larry
Grill, Jessica
Jack, Martin
Foxy, Loren
Leapley, Nicole
Murray, Megan
McGhee, Kat
Morton, Jennifer
Nutter-Upham, Frances
Petrigno, Peter
Newman, Ray
Rombeau, Catherine
Seidel, Sheila
Ulery, Jordan
Wilhelm, Matthew

Murray, Alissandra
Ammon, Keith
Boehm, Ralph
Calabro, Karen
Ford, Damond
Fedolfi, Jim
Goley, Jeffrey
Hamer, Heidi
Smith, Juliet
Gould, Linda
LeClerc, Daniel
Perez, Maria
McLean, Mark
Moulton, Candace
O'Brien, Michael
Plett, Fred
Raymond, Heather
Rung, Rosemarie
Sheehan, Vanessa
Veilleux, Daniel

Nutting-Wong, Allison
Boyd, Bill
Booras, Efsthathia
Chretien, Jacqueline
Darby, Will
Freitas, Mary
Gorski, Ted
Healey, Robert
Juris, Louis
Sanborn, Laurie
Leishman, Peter
MacKenzie, Mark
Ming, Ben
Murphy, Nancy
PANEK, Sandra
Post, Lisa
Reid, Karen
Ryan, Linda
Tellez, Trinidad
Thomas, Wendy

Abare, Kimberly
King, Bill
Bouchard, Donald
Cornell, Patricia
Devine, Shelley
Griffin, Gerald
Gregg, Alicia
Infantine, William
Kofalt, Jim
Lascelles, Richard
Long, Patrick
Mangipudi, Latha
Mooney, Maureen
Notter, Jeanine
Pedersen, Michael
Proulx, Mark
Renzullo, Andrew
Seibert, Christine
Tenczar, Jeffrey
Wheeler, Jonah

MERRIMACK

Andrus, Louise
Carey, Lorrie
Gallager, Eric
Lane, Connie
Mason, James
Payeur, Stephanie
Boyd, Stephen
Seaworth, Brian
Wolf, Dan

Aylward, Deborah
McGuire, Dan
Gibbs, Merryl
Leavitt, John
McWilliams, Rebecca
Polozov, Yury
Gould, Sherry
Shurtleff, Steve
Wood, Clayton

Brennan, Angela
Ebel, Karen
Hall, Muriel
Luneau, David
Moffett, Michael
Richards, Beth
Schuett, Dianne
Soucy, Timothy

McGuire, Carol
Ellison, Arthur
Hicks, Matthew
MacKay, James
Myler, Mel
Roesener, James
Schultz, Kristina
Testerman, Dave

ROCKINGHAM

Balboni, Peggy
DeSimone, Debra
Edgar, Michael
Gilman, Julie
Harb, Robert
Janigian, John
Knab, Allison
Lundgren, David
Maggiore, Jim

Bernardy, JD
Donnelly, Tanya
Edwards, Jess
Grossman, Gaby
Harley, Tina
Janvrin, Jason
Kuttab, Katelyn
Lynn, Bob
McBeath, Rebecca

Mannion, Dennis
Doucette, Fred
Emerick, Tracy
Guthrie, Joseph
Haskins, Linda
Katsakiores, Phyllis
Layon, Erica
Paige, Mark
McDonnell, Valerie

Thomas, Douglas
Dunn, Ron
Foote, Charles
Hamblet, Joan
Hobson, Deb
Khan, Aboul
Love, David
Pearson, Mark
McMahon, Charles

Melvin, Charles
O'Neil, Candice
Porcelli, Susan
Raynolds, Ned
Simpson, Alexis
Cahill, Tim
Vallone, Mark
Wallace, Scott

Meuse, David
Ford, Oliver
Potucek, John
Read, Ellen
Summers, James
Dolan, Tom
Vogt, Robin
Ward, Gerald

Milz, David
Osborne, Jason
Pratt, Kevin
Roy, Terry
Sweeney, Joe
Tripp, Richard
Vose, Michael
Weyler, Kenneth

Muns, Chris
Popovici-Muller, Daniel
Prudhomme-O'Brien, Katherine
Pearson, Stephen
Sytek, John
Tudor, Paul
MacDonald, Wayne
Yokela, Josh

STRAFFORD

Bay, Luz
Fitzpatrick, Daniel
Harrington, Michael
Rich, Jeffrey
Levesque, Cassandra
Selig, Loren

Bixby, Peter
Smith, Geoffrey
Horgan, James
Kaczynski, Thomas
Schmidt, Peter
Southworth, Thomas

Cannon, Gerri
Grassie, Chuck
Horrigan, Timothy
Kenney, Cam
Pare, Gail
Vincent, Kenneth

Conlin, Bill
Howard, Heath
Howland, Allan
LaMontagne, Jessica
Pitre, Joseph
Wall, Janet

SULLIVAN

Aron, Judy
Drye, Margaret
Spilsbury, Walter

Sullivan, Brian
Merchant, Gary
Stapleton, Walter

Cloutier, John
Palmer, William
Stone, Jonathan

Damon, Hope
Smith, Steven

NAYS - 104

BELKNAP

Bean, Harry
Beaudoin, Richard

Comtois, Barbara

Huot, David

Ploszaj, Tom

CARROLL

Burroughs, Anita

Costable, Michael

CHESHIRE

Abbott, Michael
Monteil, Renee

Ames, Richard
Parshall, Lucius

Eaton, Daniel
Santonastaso, Matthew

Filialt, Shaun

COOS

King, Seth

GRAFTON

Almy, Susan
Hakken-Phillips, Mary
Stringham, Jerry

Bolton, Bill
Nordgren, Sharon

Coulon, Matthew
Rochefort, David

Fellows, Sallie
Sellers, John

HILLSBOROUGH

Beaulieu, Jane
Cushman, Leah
Erf, Keith
Herbert, Christopher
Lewicke, John
McGough, Tim
Prout, Andrew
Spier, Carry
Telerski, Laura

Colcombe, Riché
Kelley, Diane
Davis, Fred
Kennedy, Stephen
Lloyd, Christal
Noble, Kristin
Newman, Sue
Staub, Kathy
Vail, Suzanne

Cole, Brian
Dutzy, Sherry
Harriott-Gathright, Linda
Kenny, Catherine
Howard, Molly
Pauer, Diane
Sirois, Shane
Lekas, Tony
Wherry, Robert

Corcoran, Travis
Elberger, Susan
Heath, Mary
Lanza, Judi
Mazur, Lisa
Preece, David
Sofikitis, Catherine
Mannion, Tom

MERRIMACK

Turcotte, Alan
Hill, Gregory
Wallner, Mary Jane

Aures, Cyril
Hoell, J.R.

Cambrils, Jose
See, Alvin

Gerhard, Jason
Walsh, Thomas

ROCKINGHAM

Ball, Lorie
Grote, Jaci
Cahill, Michael
Piemonte, Tony
Turer, Eric

Brouillard, Jacob
Murray, Kate
Malloy, Dennis
Quaratiello, Arlene
Vandecasteele, Susan

DiLorenzo, Charlotte
Perez, Kristine
Manos, Zoe
Soti, Julius

Drago, Mike
Walsh, Lilli
Phillips, Emily
True, Chris

STRAFFORD

Bailey, Glenn
Connor, James
Newton, Clifford

Bickford, David
Granger, Michael
Phinney, Brandon

Burnham, Claudine
Turcotte, Len
Potenza, Kelley

Rich, Cecilia
Smith, Marjorie
Treleaven, Susan

SULLIVAN

Rollins, Skip
and floor amendment (1104h) was adopted.

Tanner, Linda

The question now being adoption of the committee report of Ought to Pass with Amendment. Committee report was adopted and the bill was ordered to third reading.

REGULAR CALENDAR CONT'D

HB 557-FN, relative to the department of health and human services' rulemaking authority regarding immunization requirements. **WITHOUT RECOMMENDATION**

Statement in support of Ought to Pass: Current statute authorizes the addition of new immunization requirements for children by administrative rule. This bill recognizes that decisions of such gravity ought to be made by the entire legislature and should be afforded a thorough and transparent public debate. The bill would extend the vaccine requirements that presently exist in administrative rules (for varicella, Hepatitis B, and Haemophilus influenza type b) through their expiration in 2026, thereby giving the legislature ample time to consider adding these to statute, with full oversight and decision-making by the entire legislature.

Rep. Jim Kofalt

Statement in support of Inexpedient to Legislate: This bill removes the rulemaking authority of the commissioner of Health and Human Services (HHS) on immunization requirements beyond those diseases identified in statute. This bill would take away the necessary flexibility of the commissioner who needs to make real-time decisions regarding public health threats. Removing the commissioner's rulemaking authority may result in a delayed response to imminent threats to the health of New Hampshire's school children and communities. It is important to remember that during the early stages of the COVID pandemic, the legislature did not meet and, without the commissioner's judicious and timely authority to act, the health of our children and communities would have been compromised. The Department of Health and Human Services (DHHS) has stated that it has no plans to mandate a school COVID vaccine and, in fact, the last time that a new vaccine was mandated was 20 years ago. Decisions to add a vaccine requirement are uncommon and made only after extensive discussion with input and with recommendations from subject matter experts in the field of medicine and vaccine science who have decades of professional expertise. These decisions are not made in isolation by the commissioner. DHHS engages all stakeholders, including the public and policy makers, in a very transparent process. Preventing the spread of infectious diseases in our schools and communities is an important public health function best protected by keeping the rulemaking authority with the Commissioner of HHS. The existing statute is appropriate and allows for external and legislative input protecting parental choice and, most importantly, the health of all children enrolled in New Hampshire schools.

Rep. James Murphy

Rep. Kofalt moved Ought to Pass.

Rep. James Murphy spoke against.

Reps. Polozov and Wayne MacDonald spoke in favor.

Rep. Santonastaso requested a roll call; sufficiently seconded.

YEAS 184 - NAYS 193

YEAS - 184

BELKNAP

Bean, Harry
Dumais, Russell
Beaudoin, Richard

Bogert, Steven
Harvey-Bolia, Juliet
Smart, Lisa

Bordes, Mike
O'Hara, Travis
Terry, Paul

Comtois, Barbara
Ploszaj, Tom
Varney, Peter

CARROLL

Avellani, Lino
Crawford, Karel
Peternel, Katy

Belcher, Mike
MacDonald, John
Brown, Richard

Cordelli, Glenn
Smith, Jonathan

Costable, Michael
McConkey, Mark

CHESHIRE

Hunt, John
Thackston, Dick

Qualey, James
Nutting, Zachary

Rhodes, Jennifer

Santonastaso, Matthew

COOS

Davis, Arnold
Tierney, James

Merner, Troy

Ouellet, Mike

King, Seth

GRAFTON

Berezhny, Lex
Ladd, Rick

Brown, Carroll
Rocheport, David

Coulon, Matthew
Sellers, John

Greeson, Jeffrey
Simon, Matthew

HILLSBOROUGH

Lekas, Alicia
King, Bill

Abare, Kimberly
Boehm, Ralph

Alexander, Joe
Colcombe, Riché

Ammon, Keith
Cole, Brian

Corcoran, Travis
 Erf, Keith
 Gorski, Ted
 Kenny, Catherine
 Lascelles, Richard
 McLean, Mark
 Panek, Sandra
 Proulx, Mark
 Seidel, Sheila
 Mannion, Tom

Creighton, Jim
 Fedolfi, Jim
 Healey, Robert
 Kofalt, Jim
 Lewicke, John
 Mooney, Maureen
 Pauer, Diane
 Prout, Andrew
 Sheehan, Vanessa
 Tenczar, Jeffrey

Cushman, Leah
 Griffin, Gerald
 Infantine, William
 Gould, Linda
 Mazur, Lisa
 Noble, Kristin
 Plett, Fred
 Reid, Karen
 Sirois, Shane
 Ulery, Jordan

Kelley, Diane
 Gagne, Larry
 Kennedy, Stephen
 Sanborn, Laurie
 McGough, Tim
 Notter, Jeanine
 Post, Lisa
 Renzullo, Andrew
 Lekas, Tony
 Wherry, Robert

Andrus, Louise
 Cambrils, Jose
 Hoell, J.R.
 Boyd, Stephen
 Testerman, Dave

Aures, Cyril
 McGuire, Dan
 Leavitt, John
 Seaworth, Brian
 Wood, Clayton

MERRIMACK

Aylward, Deborah
 Gerhard, Jason
 Moffett, Michael
 See, Alvin

McGuire, Carol
 Hill, Gregory
 Polozov, Yury
 Walsh, Thomas

ROCKINGHAM

Ball, Lorie
 Thomas, Douglas
 Drago, Mike
 Foote, Charles
 Hobson, Deb
 Katsakiores, Phyllis
 Layon, Erica
 Pearson, Mark
 Ford, Oliver
 Popovici-Muller, Daniel
 Prudhomme-O'Brien, Katherine
 Soti, Julius
 Dolan, Tom
 Vandecasteele, Susan
 Weyler, Kenneth

Bernardy, JD
 DeSimone, Debra
 Dunn, Ron
 Guthrie, Joseph
 Janigian, John
 Khan, Aboul
 Love, David
 McDonnell, Valerie
 Osborne, Jason
 Porcelli, Susan
 Quaratiello, Arlene
 Summers, James
 Tripp, Richard
 Vose, Michael
 Yokela, Josh

Brouillard, Jacob
 Donnelly, Tanya
 Edwards, Jess
 Harb, Robert
 Janvrin, Jason
 Kuttub, Katelyn
 Lundgren, David
 McMahon, Charles
 Phillips, Emily
 Potucek, John
 Roy, Terry
 Sweeney, Joe
 True, Chris
 MacDonald, Wayne

Mannion, Dennis
 Doucette, Fred
 Emerick, Tracy
 Harley, Tina
 Perez, Kristine
 Walsh, Lilli
 Lynn, Bob
 Melvin, Charles
 Piemonte, Tony
 Pratt, Kevin
 Pearson, Stephen
 Cahill, Tim
 Tudor, Paul
 Wallace, Scott

Bailey, Glenn
 Harrington, Michael
 Newton, Clifford

Burnham, Claudine
 Horgan, James
 Phinney, Brandon

STRAFFORD

Connor, James
 Kaczynski, Thomas
 Pitre, Joseph

Granger, Michael
 Turcotte, Len
 Potenza, Kelley

Aron, Judy
 Spilsbury, Walter

Drye, Margaret
 Stapleton, Walter

SULLIVAN

Rollins, Skip
 Stone, Jonathan

Smith, Steven

NAYS - 193

BELKNAP

Nagel, David

St. Clair, Charlie

Coker, Matthew

Huot, David

CARROLL

McAleer, Chris

Woodcock, Stephen

Burroughs, Anita

Paige, David

CHESHIRE

Harvey, Cathryn
 Filiault, Shaun
 Newell, Jodi
 Toll, Amanda

Fox, Dru
 Germana, Nicholas
 Parshall, Lucius
 Weber, Lucy

Abbott, Michael
 Eaton, Daniel
 Jones, Philip
 Schapiro, Joe

Ames, Richard
 Faulkner, Barry
 Monteil, Renee
 Tatro, Bruce

COOS

Noël, Henry

Cascadden, Corinne

Kelley, Eamon

GRAFTON

Baldwin, Heather
 Hakken-Phillips, Mary
 Lovett, Peter
 Nordgren, Sharon

Bolton, Bill
 Hoyt, Tommy
 Massimilla, Linda
 Stringham, Jerry

Adjutant, Joshua
 Cormen, Thomas
 Murphy, James
 Morse, Corinne
 Sykes, George

Almy, Susan
 Fellows, Sallie
 Sullivan, Jared
 Muirhead, Russell

HILLSBOROUGH

Boyd, Bill
 Bradley, Amy
 Ford, Damond

Murray, Alissandra
 Booras, Efstathia
 Chretien, Jacqueline

Nutting-Wong, Allison
 Bouchard, Donald
 Cornell, Patricia

Beaulieu, Jane
 Calabro, Karen
 Darby, Will

Devine, Shelley
Davis, Fred
Grill, Jessica
Herbert, Christopher
Juris, Louis
LeClerc, Daniel
Howard, Molly
Mangipudi, Latha
Moulton, Candace
Pedersen, Michael
Raymond, Heather
Newman, Sue
Staub, Kathy
Veilleux, Daniel

DiSilvestro, Linda
Freitas, Mary
Hamer, Heidi
Jack, Martin
Foxy, Loren
Leishman, Peter
Murray, Megan
McGhee, Kat
Murphy, Nancy
Petrigno, Peter
Rombeau, Catherine
Seibert, Christine
Telerski, Laura
Thomas, Wendy

Dutzy, Sherry
Goley, Jeffrey
Harriott-Gathright, Linda
Jeudy, Jean
Lanza, Judi
Lloyd, Christal
Perez, Maria
Ming, Ben
Nutter-Upham, Frances
Preece, David
Rung, Rosemarie
Sofikitis, Catherine
Tellez, Trinidad
Wilhelm, Matthew

Elberger, Susan
Gregg, Alicia
Heath, Mary
Smith, Juliet
Leapley, Nicole
Long, Patrick
MacKenzie, Mark
Morton, Jennifer
O'Brien, Michael
Newman, Ray
Ryan, Linda
Spier, Carry
Vail, Suzanne

MERRIMACK

Turcotte, Alan
Ellison, Arthur
Hicks, Matthew
Mason, James
Richards, Beth
Schultz, Kristina
Wolf, Dan

Brennan, Angela
Gallager, Eric
Lane, Connie
McWilliams, Rebecca
Roesener, James
Shurtleff, Steve

Carey, Lorrie
Gibbs, Merryl
Luneau, David
Myler, Mel
Gould, Sherry
Soucy, Timothy

Ebel, Karen
Hall, Muriel
MacKay, James
Payeur, Stephanie
Schuett, Dianne
Wallner, Mary Jane

ROCKINGHAM

Balboni, Peggy
Grossman, Gaby
Knab, Allison
Malloy, Dennis
Milz, David
Read, Ellen
Vallone, Mark

DiLorenzo, Charlotte
Hamblet, Joan
Cahill, Michael
Manos, Zoe
Muns, Chris
Simpson, Alexis
Vogt, Robin

Edgar, Michael
Haskins, Linda
Paige, Mark
McBeath, Rebecca
O'Neil, Candice
Sytek, John
Ward, Gerald

Gilman, Julie
Murray, Kate
Maggiore, Jim
Meuse, David
Raynolds, Ned
Turer, Eric

STRAFFORD

Bay, Luz
Cannon, Gerri
Grassie, Chuck
Rich, Jeffrey
Smith, Marjorie
Southworth, Thomas

Bickford, David
Conlin, Bill
Howard, Heath
Kenney, Cam
Schmidt, Peter
Treleaven, Susan

Bixby, Peter
Fitzpatrick, Daniel
Horriggan, Timothy
LaMontagne, Jessica
Pare, Gail
Vincent, Kenneth

Rich, Cecilia
Smith, Geoffrey
Howland, Allan
Levesque, Cassandra
Selig, Loren
Wall, Janet

SULLIVAN

Sullivan, Brian
Palmer, William

Cloutier, John
Tanner, Linda

Damon, Hope

Merchant, Gary

and the motion failed.

Rep. Adjutant moved Inexpedient to Legislate.

On a division vote, with 194 members having voted in the affirmative, and 185 in the negative, the motion was adopted.

HB 575-FN, relative to vaccine and pharmaceutical products purchased, promoted, or distributed by the state and its political subdivisions. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. James Murphy for the Majority of Health, Human Services and Elderly Affairs. This bill prohibits the state and its political subdivisions from purchasing, promoting, or distributing any vaccine or pharmaceutical product that has not been tested with voluntary, human, clinical trials. This bill will have potentially wide-ranging negative and unintended consequences. Mandating a new clinical trial for the periodically updated flu and pneumococcal vaccines would delay their timely availability for children and adults resulting in increased morbidity. This bill would likely lead to higher patient costs for some childhood vaccines purchased through the Vaccines for Children (VFC) program if New Hampshire DHHS were unable to purchase, promote or distribute certain vaccines. Another unintended consequence would be the effect on the FDA provision known as expanded access, or "compassionate care." Patients with serious or immediately life-threatening diseases would not have access to medical products, including drugs, vaccines and biologics. These are products involved in clinical trials but, in certain desperate situations, can be used under "compassionate use." Situations involving compassionate care include ALS, muscular dystrophy and certain cancers. Any human clinical trial would be anything but 'voluntary' and would be prohibited under federal law and considered unethical, thus including 'voluntary' in the bill's text is unnecessary. This bill would also compromise the ability for those living in congregate settings like correctional facilities, nursing homes and mental health

institutions to have timely access to these products. The wording in this bill is vague and its intent is unclear. The unintended consequences would lead to decreased access to vaccines and other therapeutics and likely increase health care costs. Vote 11-9.

Rep. Jim Kofalt for the Minority of Health, Human Services and Elderly Affairs. Advertisements promoting vaccines and other pharmaceutical products should be paid for by the companies that sell them, not by taxpayers. Furthermore, the public should not be left to rely on unproven assertions that a particular vaccine is “safe and effective.” The bill limits its focus to vaccines and other pharmaceutical products that have not been subjected to voluntary, human, clinical trials; such as new COVID boosters that target the BA.5 omicron subvariant. This bill would prohibit the state from purchasing, promoting, or distributing such vaccines or other pharmaceuticals.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Rep. Wheeler spoke against.

Rep. James Murphy spoke in favor.

Rep. Gerhard requested a roll call; sufficiently seconded.

YEAS 192 - NAYS 186

YEAS - 192

BELKNAP

Bordes, Mike

Coker, Matthew

Huot, David

St. Clair, Charlie

CARROLL

Buco, Thomas
Woodcock, Stephen

Burroughs, Anita

Paige, David

McAleer, Chris

CHESHIRE

Abbott, Michael
Eaton, Daniel
Jones, Philip
Tatro, Bruce

Ames, Richard
Faulkner, Barry
Newell, Jodi
Toll, Amanda

Harvey, Cathryn
Filiault, Shaun
Parshall, Lucius
Weber, Lucy

Fox, Dru
Germana, Nicholas
Schapiro, Joe

COOS

Cascadden, Corinne

Kelley, Eamon

Noël, Henry

GRAFTON

Adjutant, Joshua
Brown, Carroll
Hoyt, Tommy
Massimilla, Linda
Stringham, Jerry

Almy, Susan
Cormen, Thomas
Murphy, James
Morse, Corinne
Sykes, George

Baldwin, Heather
Fellows, Sallie
Sullivan, Jared
Muirhead, Russell

Bolton, Bill
Hakken-Phillips, Mary
Lovett, Peter
Nordgren, Sharon

HILLSBOROUGH

Murray, Alistandra
Booras, Efstathia
Calabro, Karen
Devine, Shelley
Davis, Fred
Grill, Jessica
Herbert, Christopher
Juris, Louis
LeClerc, Daniel
Murray, Megan
McGhee, Kat
Moulton, Candace
Preece, David
Rung, Rosemarie
Sofikitis, Catherine
Tellez, Trinidad
Wilhelm, Matthew

Nutting-Wong, Allison
Bouchard, Donald
Chretien, Jacqueline
DiSilvestro, Linda
Freitas, Mary
Hamer, Heidi
Jack, Martin
Foxy, Loren
Lloyd, Christal
Perez, Maria
McGough, Tim
Murphy, Nancy
Newman, Ray
Ryan, Linda
Spier, Carry
Vail, Suzanne

Boyd, Bill
Bouldin, Amanda
Cornell, Patricia
Dutzy, Sherry
Goley, Jeffrey
Harriott-Gathright, Linda
Judy, Jean
Lanza, Judi
Long, Patrick
MacKenzie, Mark
Ming, Ben
Nutter-Upham, Frances
Raymond, Heather
Newman, Sue
Staub, Kathy
Veilleux, Daniel

Beaulieu, Jane
Bradley, Amy
Darby, Will
Elberger, Susan
Gregg, Alicia
Heath, Mary
Smith, Juliet
Leapley, Nicole
Howard, Molly
Mangipudi, Latha
Morton, Jennifer
Petrigno, Peter
Rombeau, Catherine
Seibert, Christine
Telerski, Laura
Thomas, Wendy

MERRIMACK

Brennan, Angela
Gallager, Eric
Lane, Connie
McWilliams, Rebecca
Roesener, James
Shurtleff, Steve

Carey, Lorrie
Gibbs, Merryl
Luneau, David
Myler, Mel
Gould, Sherry
Soucy, Timothy

Ebel, Karen
Hall, Muriel
MacKay, James
Payeur, Stephanie
Schuett, Dianne
Wallner, Mary Jane

Ellison, Arthur
Hicks, Matthew
Mason, James
Richards, Beth
Schultz, Kristina
Wolf, Dan

ROCKINGHAM

Balboni, Peggy
Grossman, Gaby
Murray, Kate
Paige, Mark
McBeath, Rebecca
Popovici-Muller, Daniel
Turer, Eric

DiLorenzo, Charlotte
Grote, Jaci
Knab, Allison
Maggiore, Jim
Meuse, David
Raynolds, Ned
Vallone, Mark

Edgar, Michael
Hamblet, Joan
Kuttab, Katelyn
Malloy, Dennis
Muns, Chris
Simpson, Alexis
Vogt, Robin

Gilman, Julie
Haskins, Linda
Cahill, Michael
Manos, Zoe
O'Neil, Candice
Sytek, John
Ward, Gerald

STRAFFORD

Bay, Luz
Cannon, Gerri
Grassie, Chuck
Rich, Jeffrey
Smith, Marjorie
Southworth, Thomas

Bickford, David
Conlin, Bill
Howard, Heath
Kenney, Cam
Schmidt, Peter
Treleaven, Susan

Bixby, Peter
Fitzpatrick, Daniel
Horrigan, Timothy
LaMontagne, Jessica
Pare, Gail
Vincent, Kenneth

Rich, Cecilia
Smith, Geoffrey
Howland, Allan
Levesque, Cassandra
Selig, Loren
Wall, Janet

SULLIVAN

Sullivan, Brian
Palmer, William

Cloutier, John
Tanner, Linda

Damon, Hope

Merchant, Gary

NAYS - 186**BELKNAP**

Bean, Harry
Harvey-Bolia, Juliet
Beaudoin, Richard

Bogert, Steven
Nagel, David
Smart, Lisa

Comtois, Barbara
O'Hara, Travis
Terry, Paul

Dumais, Russell
Ploszaj, Tom
Varney, Peter

CARROLL

Avellani, Lino
Crawford, Karel
Peternel, Katy

Belcher, Mike
MacDonald, John
Brown, Richard

Cordelli, Glenn
Smith, Jonathan

Costable, Michael
McConkey, Mark

CHESHIRE

Hunt, John
Santonastaso, Matthew

Monteil, Renee
Thackston, Dick

Qualey, James
Nutting, Zachary

Rhodes, Jennifer

COOS

Davis, Arnold
Tierney, James

Merner, Troy

Ouellet, Mike

King, Seth

GRAFTON

Berezhny, Lex
Rochefort, David

Coulon, Matthew
Sellers, John

Greeson, Jeffrey
Simon, Matthew

Ladd, Rick

HILLSBOROUGH

Lekas, Alicia
King, Bill
Cole, Brian
Ford, Damond
Griffin, Gerald
Kennedy, Stephen
Sanborn, Laurie
Mooney, Maureen
Pauer, Diane
Proulx, Mark
Seidel, Sheila
Mannion, Tom
Wherry, Robert

Abare, Kimberly
Berry, Ross
Corcoran, Travis
Kelley, Diane
Gagne, Larry
Kenny, Catherine
Lascelles, Richard
Noble, Kristin
Pedersen, Michael
Prout, Andrew
Sheehan, Vanessa
Tenczar, Jeffrey

Alexander, Joe
Boehm, Ralph
Creighton, Jim
Erf, Keith
Gorski, Ted
Kofalt, Jim
Lewicke, John
Notter, Jeanine
Plett, Fred
Reid, Karen
Sirois, Shane
Ulery, Jordan

Ammon, Keith
Colcombe, Riché
Cushman, Leah
Fedolfi, Jim
Healey, Robert
Gould, Linda
Mazur, Lisa
Panek, Sandra
Post, Lisa
Renzullo, Andrew
Lekas, Tony
Wheeler, Jonah

MERRIMACK

Turcotte, Alan
McGuire, Carol
Hill, Gregory
Polozov, Yury
Walsh, Thomas

Andrus, Louise
Cambrils, Jose
Hoell, J.R.
Boyd, Stephen
Testerman, Dave

Aures, Cyril
McGuire, Dan
Leavitt, John
Seaworth, Brian
Wood, Clayton

Aylward, Deborah
Gerhard, Jason
Moffett, Michael
See, Alvin

ROCKINGHAM

Ball, Lorie
Thomas, Douglas
Drago, Mike

Bernardy, JD
DeSimone, Debra
Dunn, Ron

Brouillard, Jacob
Donnelly, Tanya
Edwards, Jess

Mannion, Dennis
Doucette, Fred
Emerick, Tracy

Foote, Charles
 Hobson, Deb
 Katsakiores, Phyllis
 Love, David
 McDonnell, Valerie
 Ford, Oliver
 Porcelli, Susan
 Quaratiello, Arlene
 Soti, Julius
 Dolan, Tom
 Vandecasteele, Susan
 Weyler, Kenneth

Guthrie, Joseph
 Janigian, John
 Khan, Aboul
 Lundgren, David
 McMahon, Charles
 Osborne, Jason
 Potucek, John
 Read, Ellen
 Summers, James
 Tripp, Richard
 Vose, Michael
 Yokela, Josh

Harb, Robert
 Janvrin, Jason
 Walsh, Lilli
 Lynn, Bob
 Melvin, Charles
 Phillips, Emily
 Pratt, Kevin
 Roy, Terry
 Sweeney, Joe
 True, Chris
 MacDonald, Wayne

Harley, Tina
 Perez, Kristine
 Layon, Erica
 Pearson, Mark
 Milz, David
 Piemonte, Tony
 Prudhomme-O'Brien, Katherine
 Pearson, Stephen
 Cahill, Tim
 Tudor, Paul
 Wallace, Scott

STRAFFORD

Bailey, Glenn
 Harrington, Michael
 Newton, Clifford

Burnham, Claudine
 Horgan, James
 Phinney, Brandon

Connor, James
 Kaczynski, Thomas
 Pitre, Joseph

Granger, Michael
 Turcotte, Len
 Potenza, Kelley

SULLIVAN

Aron, Judy
 Spilsbury, Walter

Drye, Margaret
 Stapleton, Walter

Rollins, Skip
 Stone, Jonathan

Smith, Steven

and the majority committee report was adopted.

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Adjutant moved that the House reconsider its action whereby, on a Roll Call vote of 192-186, the House adopted the majority committee report of Inexpedient to Legislate on **HB 575-FN**, relative to vaccine and pharmaceutical products purchased, promoted, or distributed by the state and its political subdivisions.

On a division vote, with 185 members having voted in the affirmative, and 194 in the negative, the motion failed.

REGULAR CALENDAR CONT'D

HB 582-FN, requiring the division of vital records to collect induced termination of pregnancy statistics. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.** Rep. Lucy Weber for the Majority of Health, Human Services and Elderly Affairs. In its original form, this bill requires providers of induced terminations of pregnancy to collect 15 categories of information about every person seeking to terminate a pregnancy, and to transmit that data, all of it intensely personal, be de-identified on an individual basis, to the New Hampshire Division of Vital Records Administration. Part 1, Article 2-b of the New Hampshire Constitution, passed in 2018, states that “[a]n individual’s right to live free from governmental intrusion in private or personal information is natural, essential, and inherent.” Much of the information required to be collected has no relevance for the provider with respect to the care provided. Members of the majority believe that government inquiry into the most personal of medical decisions and practices, such as methods of contraception, previous terminations, previous stillbirths and births, how many children born alive still living, marital status from the time of conception to time of termination, educational level, race and ethnicity, and the collection and transmission of that information is an infringement of the right to be free from government intrusion guaranteed in the New Hampshire Constitution. Moreover, there is a concern that data may be de-identified and linked to individuals. The amendment offered in committee tied the information collected more closely to that found in the CDC Abortion Surveillance System, which collects data voluntarily reported by the states. We were told that responses to “personal questions” would be voluntary, but the facts remain: first, all of this data is personal, and second, if the data is sought is to be used for statistical and public health purposes, the data would be considerably less useful because it was not complete. Finally, if informing public health decisions is the goal, the majority notes that this kind of information is not collected about other medical treatment, even those treatments which are also intimately entwined with maternal health and childbirth. Vote 11-9.

Rep. Leah Cushman for the Minority of Health, Human Services and Elderly Affairs. This bill would have New Hampshire join 47 other states which collect data on induced termination of pregnancy. The minority amendment would direct the Division of Vital Records Administration to collect data based on the CDC best practices which are adopted to varying levels across the country and world. Some of these data are more personal than basic data, and this bill provides for these fields to be optional. For many, abortion is a personal tragedy, and the minority believes that allowing the provision of other data which may inform public policy to offer services to avoid the need for abortion services in the future is a worthy effort. This data would make it possible to examine what drives trends in abortion rates to determine what societal factors increase them and which decrease those rates. Children are the future. Increasing rates of abortion are an indication of an unhealthy society. Without knowing how societal and demographic factors correlate with abortion rates, we cannot address the problems in society driving women to choose to terminate pregnancy.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Rep. Love spoke against.

Rep. Weber spoke in favor and yielded to questions.

On a division vote, with 205 members having voted in the affirmative, and 177 in the negative, the majority committee report was adopted.

MOTION TO PRINT DEBATE

Rep. Ammon moved that the debate on **HB 582-FN**, requiring the division of vital records to collect induced termination of pregnancy statistics, be printed in the Permanent Journal.

Without objection, the Speaker ordered.

DEBATE ON HB 582-FN

Representative Love: Thank you, Mister Speaker. Thank you, colleagues. I rise in opposition to the committee report of Inexpedient to Legislate on HB 582. HB 582 has nothing to do with prying into private medical records of anyone. In fact, HB 582 isn't much different than a highway accident statistic study. Where the accidents happen, under what conditions and leading to how we can cut down on accidents. Over the last few decades, New Hampshire taxpayers have funded the family planning program to the tune of several million. What we have essentially been doing is the equivalent of throwing money to the wind and hoping it helps. If we use some of the family planning funds to educate teens, both male and female now, about the consequences of unprotected sex, we may just save them from lifelong mental anguish that many experience after abortion. I had a close family member that spent 28 years suffering from a burning guilt as a result of an abortion at the age of 14. She had multiple suicide attempts, was institutionalized roughly 10 times, along with suffering chronic alcoholism and drug addiction. She died at the age of 42 from uterine cancer, but in her own words, "The doctors might have found the cancer in time if I had gotten my butt off the barstool." Uterine cancer is commonly cured if found in time. The combination of guilt and alcoholism killed her just as much as cancer. As legislators, we have an obligation to help the young women of New Hampshire and do all we can to collect anonymous information so the tragedy of post abortion guilt and its horrific implications can be minimized or possibly avoided altogether. Former President Bill Clinton once said that abortion should be accessible and rare. New Hampshire needs the information that HB 582 will provide in order to fulfill the latter part of President Clinton's statement. In conclusion, HB 582 is the anonymous gathering of data, data that will help the young women of New Hampshire. And again, any statements to the contrary are inaccurate and untrue. Please press the red button to overturn the committee recommendation of Inexpedient to Legislate so another motion can be made. Thank you, Mister Speaker.

Speaker Packard: The Chair recognizes Rep. Weber.

Representative Weber: Thank you, Mister Speaker. Nothing in this bill will prevent personal tragedy. What the bill will do is that it will require providers of induced termination of pregnancy to collect 15 different categories of information about every person seeking the procedure, a medical procedure that is legal. Then to transmit that data, all of it intensively personal, deidentified but on an individualized basis, to the New Hampshire Bureau of Vital Statistics. Much of the information required to be collected has no relevance for the provider with respect to the medical care provided. Part I, Article 2-b of the New Hampshire Constitution, passed in 2018, states that an individual's right to live free from governmental intrusion in private of personal information is natural, essential and inherent. Government inquiry into the most personal of medical decisions and practices, such as methods of contraception, previous terminations, previous still births, previous births, how many children born alive still living, marital status from the time of conception to the time of termination, educational level, race and ethnicity. That's pretty personal information and this is a small state and deidentified information, well, what could possibly go wrong with that? The collection and transmission of this information is an infringement of the right to be free from governmental intrusion guaranteed in the New Hampshire Constitution. We have all learned about the risk that the data can be reidentified and linked to individuals. The amendment offered in committee would change that so that parts would be voluntary, without any discussion about how that would be defined, but the facts remain. First of all, this data is personal and second, if that data sought is to be used for statistical and public health purposes, if it was voluntary, the data wouldn't be complete and wouldn't be very useful. Finally, if informing public health decisions is the goal, the majority notes that this kind of information is not collected about other medical treatments, even those other treatments which are also intimately intertwined with maternal health and child birth. So, what could possibly go wrong? Think about data collection. Think about the data leaks you have heard of. Think about your personal privacy and vote green on the ITL. Thank you.

Speaker Packard: Does the member yield to questions?

Representative Weber: Yes.

Speaker Packard: The member yields. You may inquire.

Representative Cordelli: Thank you, Mister Speaker. Thank you for taking my question. I'm wondering if you have any idea how many states do not collect such information?

Representative Weber: As we have often been told here, this is New Hampshire, and we do things the New Hampshire way.

Speaker Packard: The House will be in order. The motion before us is the majority committee report of Inexpedient to Legislate on HB 582. Are you ready for the question? A division has been requested. Members take your seats. The motion before us is the majority committee report of Inexpedient to Legislate on HB 582. The Chair recognizes Rep. Layon for a parliamentary inquiry. The House will be in order.

Representative Layon: Thank you, Mister Speaker. If I know today that the only people that have statistics on abortions in New Hampshire are the abortion providers. And if I believe that the legislature could better allocate family planning dollars if we had access to anonymized data. And if I know that by overturning this ITL motion, we will have the opportunity to consider language on page 92 that would allow us to provide information requested by the CDC and allow women to volunteer the reason why they were led to a decision that they wish they never had to make. And finally, Mister Speaker, if I know that the only way we can live up to President Clinton's desire for accessible and rare abortions is to be able to know how often we've reached this point, would I then press the red button? Thank you.

Speaker Packard: The Chair recognizes Rep. Weber for a parliamentary inquiry.

Representative Weber: Thank you, Mister Speaker. If I know that the reasons that I have reached any medical decision that I have reached are none of my healthcare providers business and are none of the state's business. And if I know that it applies to every single medical procedure that every single one of us undergoes, would I now vote red to preserve the privacy of every single one of us...

Speaker Packard: The House will be in order.

Representative Weber: or perhaps I ought to have said green because you get in a rut sometimes. Thank you. Please press the green button.

Speaker Packard: The motion before is the majority committee report of Inexpedient to Legislate on HB 582. This is a division vote. If you are in favor, you'll press the green button. If you are opposed, you'll press the red button. Voting stations are open for 30 seconds. Have all members present had an opportunity to vote? The House will attend to the state of the vote. 205 voting Yea, 177 voting Nay, the committee report is adopted.

REGULAR CALENDAR CONT'D

HB 615-FN, requiring independent audits of reproductive health care facilities. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Joe Schapiro for the Majority of Health, Human Services and Elderly Affairs. This bill would require reproductive health care facilities that have any financial or geographical connection to facilities that provide abortion services to undergo independent audits by certified public accountants in order to confirm that they are not using state funds to support abortion services in order to apply for state funding. The majority believed that such a requirement would be duplicative, financially onerous, and ineffective. Not only do these organizations already contract for fiscal audits, but previous audits conducted by the DHHS indicated no commingling of funds and were nevertheless roundly rejected by the Executive Council, which is charged with approving such funding. Vote 13-7.

Rep. Erica Layon for the Minority of Health, Human Services and Elderly Affairs. This bill was offered as a way to address the ongoing concern of the Executive Council that audits currently offered to prove fiscal separation are inadequate. The minority believes that this is an important effort to ensure that family planning dollars serve the intended goal of increasing access to health care services for at risk community members and not funding abortion services.

MOTION TO LAY ON THE TABLE

Rep. Layon moved that **HB 615-FN**, requiring independent audits of reproductive health care facilities, be laid on the table.

On a division vote, with 354 members having voted in the affirmative, and 29 in the negative, the motion was adopted.

REGULAR CALENDAR CONT'D

CACR 2, relating to reproductive freedom. Providing that all persons have the right to make their own reproductive decisions. **WITHOUT RECOMMENDATION**

Statement in support of Ought to Pass: This measure would place an article on the November 2024 warrant in each city and town, asking voters if the New Hampshire Constitution should be amended to insert language stating that "an individual's right to personal reproductive autonomy... shall not be denied or infringed unless justified by a compelling state interest..." The proposed amendment would require two-thirds support to be adopted. While the proposal would guarantee a full range of reproductive freedoms to all Granite State residents, the most immediate need for this measure stems from the United States Supreme Court's recent *Dobbs v. Jackson* decision. This decision overturned the federally guaranteed right to abortion, established under the *Roe v. Wade* and *Casey* rulings, and instead returned the power to regulate such matters to individual state

legislatures. In his concurrence, Justice Thomas also noted that other rights associated with the 14th Amendment's due process clause, and associated right to privacy, were also subject to such reversal – including the right to access contraception. As such, this vote is unique in state history, in that no basic federally guaranteed right has ever been rescinded in the past. Passing this measure would uphold the most basic tenets of individual freedom and liberty by directly offering voters the opportunity to restore their previously held right to make these private family reproductive and health decisions without undue government intrusion, as has been the case for the past 50 years. Additionally, the inclusion of “compelling state interest” language means that this does not guarantee unrestricted abortion rights with no potential for constraints, nor does it necessarily place it in conflict with existing state law. Voting in support of this measure also does not directly establish the right of reproductive freedom, but rather sends the question to the voters. It is our citizens who should be the ones to decide if the New Hampshire legislature should be allowed to wield this newly delegated power over reproductive decisions going forward, or if this authority should be given back to individuals, families, and their chosen medical providers as a basic right.

Rep. Eric Turer

Statement in support of Inexpedient to Legislate: This proposed constitutional amendment would establish a state constitutional right to “reproductive autonomy” and provide that such right could not be denied or infringed “unless justified by a compelling state interest achieved by the least restrictive means.” The committee members opposing the amendment do so primarily for two reasons. First, there is no need for such an amendment because reproductive/abortion rights are not in any way under threat in New Hampshire. The Fetal Life Protection Act (FLPA), enacted in 2021 and amended in 2022, allows unrestricted access to abortion during the first 24 weeks of pregnancy, and provides for exceptions to the post-24-week prohibition in cases of fatal fetal abnormalities or where continuation of the pregnancy threatens to result in serious risks to the life or health of the mother. The FLPA, as it now stands, enjoys widespread public support. Second, the amendment is entirely unspecific in terms of exactly what “rights” it would enshrine in the state constitution and when such rights could be restricted. It would effectively throw the entire abortion debate back to the courts – this time the New Hampshire Supreme Court rather than the U. S. Supreme Court – without giving the court any guidance as to what the citizens do or do not desire when it comes to abortion regulations. For example, if the proposed amendment were adopted, would the current 24-week abortion restriction be found constitutional because there is a compelling state interest to protect fetal life after that point, or would it not be? The answer obviously would be left to the judges, some of whom might say “yes” and others of whom might say “no.” Adopting this amendment would throw our state courts back into the *Roe v. Wade* quagmire, which, among other things, would very likely mean that future state court judicial nominations in New Hampshire would become as highly politicized as they are at the federal level.

Rep. Bob Lynn

Rep. Turer moved Ought to Pass and spoke in favor.

Rep. Lynn spoke against.

Rep. Granger requested a roll call; sufficiently seconded.

YEAS 193 - NAYS 191

YEAS - 193

BELKNAP

Coker, Matthew

Huot, David

St. Clair, Charlie

CARROLL

Buco, Thomas
Woodcock, Stephen

Burroughs, Anita

Paige, David

McAleer, Chris

CHESHIRE

Abbott, Michael
Eaton, Daniel
Jones, Philip
Schapiro, Joe

Ames, Richard
Faulkner, Barry
Monteil, Renee
Tatro, Bruce

Harvey, Cathryn
Filiault, Shaun
Newell, Jodi
Toll, Amanda

Fox, Dru
Germana, Nicholas
Parshall, Lucius
Weber, Lucy

COOS

Cascadden, Corinne

Kelley, Eamon

Noël, Henry

GRAFTON

Adjutant, Joshua
Cormen, Thomas
Murphy, James
Morse, Corinne
Sykes, George

Almy, Susan
Fellows, Sallie
Sullivan, Jared
Muirhead, Russell

Baldwin, Heather
Hakken-Phillips, Mary
Lovett, Peter
Nordgren, Sharon

Bolton, Bill
Hoyt, Tommy
Massimilla, Linda
Stringham, Jerry

HILLSBOROUGH

Murray, Aissandra
Bouchard, Donald
Chretien, Jacqueline
Devine, Shelley
Davis, Fred
Grill, Jessica
Herbert, Christopher
Juris, Louis
LeClerc, Daniel
Howard, Molly
Mangipudi, Latha
Moulton, Candace
Pedersen, Michael
Raymond, Heather
Newman, Sue
Staub, Kathy
Veilleux, Daniel

Nutting-Wong, Allison
Bouldin, Amanda
Cornell, Patricia
DiSilvestro, Linda
Freitas, Mary
Hamer, Heidi
Jack, Martin
Foxy, Loren
Leishman, Peter
Murray, Megan
McGhee, Kat
Murphy, Nancy
Petrigno, Peter
Rombeau, Catherine
Seibert, Christine
Tellerski, Laura
Thomas, Wendy

Beaulieu, Jane
Bradley, Amy
Ford, Damond
Dutzy, Sherry
Goley, Jeffrey
Harriott-Gathright, Linda
Judy, Jean
Lanza, Judi
Lloyd, Christal
Perez, Maria
Ming, Ben
Nutter-Upham, Frances
Preece, David
Rung, Rosemarie
Sofikitis, Catherine
Tellez, Trinidad
Wheeler, Jonah

Booras, Efsthathia
Calabro, Karen
Darby, Will
Elberger, Susan
Gregg, Alicia
Heath, Mary
Smith, Juliet
Leapley, Nicole
Long, Patrick
MacKenzie, Mark
Morton, Jennifer
O'Brien, Michael
Newman, Ray
Ryan, Linda
Spier, Carry
Vail, Suzanne
Wilhelm, Matthew

MERRIMACK

Turcotte, Alan
Ellison, Arthur
Hicks, Matthew
McWilliams, Rebecca
Roesener, James
Shurtleff, Steve

Brennan, Angela
Gallager, Eric
Lane, Connie
Myler, Mel
Gould, Sherry
Soucy, Timothy

Carey, Lorrie
Gibbs, Merryl
Luneau, David
Payeur, Stephanie
Schuett, Dianne
Wallner, Mary Jane

Ebel, Karen
Hall, Muriel
MacKay, James
Richards, Beth
Schultz, Kristina

ROCKINGHAM

Balboni, Peggy
Grossman, Gaby
Murray, Kate
Maggiore, Jim
Meuse, David
Read, Ellen
Vandecasteele, Susan

DiLorenzo, Charlotte
Grote, Jaci
Knab, Allison
Malloy, Dennis
Muns, Chris
Simpson, Alexis
Vogt, Robin

Edgar, Michael
Hamblet, Joan
Cahill, Michael
Manos, Zoe
O'Neil, Candice
Turer, Eric
Ward, Gerald

Gilman, Julie
Haskins, Linda
Paige, Mark
McBeath, Rebecca
Raynolds, Ned
Vallone, Mark
Yokela, Josh

STRAFFORD

Bay, Luz
Conlin, Bill
Howard, Heath
Kenney, Cam
Schmidt, Peter
Southworth, Thomas

Bixby, Peter
Fitzpatrick, Daniel
Horriggan, Timothy
LaMontagne, Jessica
Pare, Gail
Treleaven, Susan

Rich, Cecilia
Smith, Geoffrey
Howland, Allan
Levesque, Cassandra
Phinney, Brandon
Vincent, Kenneth

Cannon, Gerri
Grassie, Chuck
Rich, Jeffrey
Smith, Marjorie
Selig, Loren
Wall, Janet

SULLIVAN

Sullivan, Brian
Palmer, William

Cloutier, John
Tanner, Linda

Damon, Hope

Merchant, Gary

NAYS - 191**BELKNAP**

Bean, Harry
Dumais, Russell
Ploszaj, Tom
Varney, Peter

Bogert, Steven
Harvey-Bolia, Juliet
Beaudoin, Richard

Bordes, Mike
Nagel, David
Smart, Lisa

Comtois, Barbara
O'Hara, Travis
Terry, Paul

CARROLL

Avellani, Lino
Crawford, Karel
Peternel, Katy

Belcher, Mike
MacDonald, John
Brown, Richard

Cordelli, Glenn
Smith, Jonathan

Costable, Michael
McConkey, Mark

CHESHIRE

Hunt, John
Thackston, Dick

Qualey, James
Nutting, Zachary

Rhodes, Jennifer

Santonastaso, Matthew

COOS

Davis, Arnold
Tierney, James

Merner, Troy

Ouellet, Mike

King, Seth

GRAFTON

Berezhny, Lex
Ladd, Rick

Brown, Carroll
Rochefort, David

Coulon, Matthew
Sellers, John

Greeson, Jeffrey
Simon, Matthew

HILLSBOROUGH

Lekas, Alicia	Abare, Kimberly	Alexander, Joe	Ammon, Keith
Boyd, Bill	King, Bill	Berry, Ross	Boehm, Ralph
Colcombe, Riché	Cole, Brian	Corcoran, Travis	Creighton, Jim
Cushman, Leah	Kelley, Diane	Erf, Keith	Feddolfi, Jim
Griffin, Gerald	Gagne, Larry	Gorski, Ted	Healey, Robert
Hynes, Dan	Infantine, William	Kennedy, Stephen	Kenny, Catherine
Kofalt, Jim	Gould, Linda	Sanborn, Laurie	Lascelles, Richard
Lewicke, John	Mazur, Lisa	McGough, Tim	McLean, Mark
Mooney, Maureen	Noble, Kristin	Notter, Jeanine	Panek, Sandra
Pauer, Diane	Plett, Fred	Post, Lisa	Proulx, Mark
Prout, Andrew	Reid, Karen	Renzullo, Andrew	Seidel, Sheila
Sheehan, Vanessa	Sirois, Shane	Lekas, Tony	Mannion, Tom
Tenczar, Jeffrey	Ulery, Jordan	Wherry, Robert	

MERRIMACK

Andrus, Louise	Aures, Cyril	Aylward, Deborah	McGuire, Carol
Cambrils, Jose	McGuire, Dan	Gerhard, Jason	Hill, Gregory
Hoell, J.R.	Leavitt, John	Mason, James	Moffett, Michael
Polozov, Yuri	Boyd, Stephen	Seaworth, Brian	See, Alvin
Walsh, Thomas	Testerman, Dave	Wolf, Dan	Wood, Clayton

ROCKINGHAM

Ball, Lorie	Bernardy, JD	Brouillard, Jacob	Mannion, Dennis
Thomas, Douglas	DeSimone, Debra	Donnelly, Tanya	Doucette, Fred
Drago, Mike	Dunn, Ron	Edwards, Jess	Emerick, Tracy
Foote, Charles	Guthrie, Joseph	Harb, Robert	Harley, Tina
Hobson, Deb	Janigian, John	Janvrin, Jason	Perez, Kristine
Katsakiores, Phyllis	Khan, Aboul	Kuttat, Katelyn	Walsh, Lilli
Layon, Erica	Love, David	Lundgren, David	Lynn, Bob
Pearson, Mark	McDonnell, Valerie	McMahon, Charles	Melvin, Charles
Milz, David	Ford, Oliver	Osborne, Jason	Phillips, Emily
Piemonte, Tony	Popovici-Muller, Daniel	Porcelli, Susan	Potucek, John
Pratt, Kevin	Prudhomme-O'Brien, Katherine	Quaratiello, Arlene	Roy, Terry
Pearson, Stephen	Soti, Julius	Spillane, James	Summers, James
Sweeney, Joe	Sytek, John	Cahill, Tim	Dolan, Tom
Tripp, Richard	True, Chris	Tudor, Paul	Vose, Michael
MacDonald, Wayne	Wallace, Scott	Weyler, Kenneth	

STRAFFORD

Bailey, Glenn	Bickford, David	Burnham, Claudine	Connor, James
Granger, Michael	Harrington, Michael	Horgan, James	Kaczynski, Thomas
Turcotte, Len	Newton, Clifford	Pitre, Joseph	Potenza, Kelley

SULLIVAN

Aron, Judy	Drye, Margaret	Rollins, Skip	Smith, Steven
Spilsbury, Walter	Stapleton, Walter	Stone, Jonathan	

and the motion of Ought to Pass failed lacking the necessary three-fifths vote.

HB 68-FN, adopting the uniform real property transfer on death act. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Katelyn Kuttat for the Majority of Judiciary. This bill adopts the Uniform Real Estate Transfer on Death Act. This bill provides a simple process for the non-probate transfer of real estate. It allows a property owner to designate a beneficiary to automatically receive the property upon the owner's death without probate procedure. It establishes a process to create and file a transfer on death deed with the registry of deeds. Twenty-seven other states and the District of Columbia currently have such statutes. The amendment incorporates all the changes suggested by a group of New Hampshire attorneys who specialize in probate and trust and estates practice. This group has thoroughly vetted the bill, as amended, and is satisfied that it is consistent with the law in other states and that it contains sufficient safeguards to guard against fraud or duress. For example, such a deed is revocable before the death of the transferor; the bill contains provisions requiring a person executing such a deed to have the same mental competency as is required to make a will; and the bill also allows challenges to the transfer on death to be made by interested parties within one year after the death of the transferor or six months after the appointment of an administrator of the transferor's estate. The majority of the committee feels offering the ability to create such deeds is economical and in the best interests of New Hampshire citizens. Vote 17-3.

Rep. Rebecca McBeath for the Minority of Judiciary. Members in favor of finding this bill Inexpedient to Legislate appreciate the hard work on this initiative and are favorable to the concept, however, there remains significant concern regarding the impact this version of a Transfer on Death Deed in New Hampshire would

have on the burgeoning incidents of financial exploitation of elders in New Hampshire. This bill will create a new type of deed in New Hampshire that could be signed by an individual without getting advice from anyone; not a family member, neighbor, or professional, prior to transferring their ownership rights in their home or other real estate to another individual that would be named on the transfer deed. While many states have adopted a transfer on death deed and it can be an important tool in estate planning, this bill does not go far enough to ensure that before an individual signs over the property rights to their home, or any real property, to another person, they have the ability to discuss it with someone they trust, or that they have the capacity to understand what the impact of the action they are taking and the impact it will have on other family members who are not named on the new transfer on death deed.

Majority Amendment (0436h)

Amend the bill by replacing all after the enacting clause with the following:

1 New Chapter; Uniform Real Property Transfer on Death Act. Amend RSA by inserting after chapter 563-C the following new chapter:

CHAPTER 563-D

UNIFORM REAL PROPERTY TRANSFER ON DEATH ACT

563-D:1 Short Title. This chapter may be cited as the Uniform Real Property Transfer on Death Act.

563-D:2 Definitions. In this chapter:

- I. "Beneficiary" means a person that receives property under a transfer on death deed.
- II. "Designated beneficiary" means a person designated to receive property in a transfer on death deed.
- III. "Joint owner" means an individual who owns property concurrently with one or more other individuals with a right of survivorship. The term includes a joint tenant. The term does not include a tenant in common.

IV. "Person" means an individual, corporation, business trust, estate, trust, partnership, limited liability company, association, joint venture, public corporation, government or governmental subdivision, agency, or instrumentality, or any other legal or commercial entity.

V. "Property" means an interest in real property located in this state which is transferable on the death of the owner.

VI. "Transfer on death deed" means a deed authorized under this chapter and intended to transfer property upon the death of the transferor.

VII. "Transferor" means an individual who makes a transfer on death deed.

563-D:3 Applicability. This chapter applies to a transfer on death deed made on or after the effective date of this chapter by a transferor dying on or after the effective date of this chapter.

563-D:4 Nonexclusivity. This chapter does not affect any method of transferring property otherwise permitted under the law of this state.

563-D:5 Transfer on Death Deed Authorized. An individual may transfer property to one or more beneficiaries effective at the transferor's death by a transfer on death deed.

563-D:6 Transfer on Death Deed Revocable. A transfer on death deed is revocable even if the deed or another instrument contains a contrary provision. Notwithstanding the foregoing, this act shall not preclude legal or equitable relief in the event the transferor repudiates a promise not to revoke a transfer on death deed.

563-D:7 Transfer on Death Deed Nontestamentary. A transfer on death deed is nontestamentary.

563-D:8 Capacity of Transferor. The capacity required to make or revoke a transfer on death deed is the same as the capacity required to make a will, as such standard is articulated in RSA 551:1.

563-D:9 Requirements. A transfer on death deed is void unless it:

- I. Meets the requirements set forth in RSA 477:3;
- II. Bears the title "Transfer on Death Deed";
- III. States that the transfer to the designated beneficiary is to occur at the transferor's death; and
- IV. Is recorded:

- (a) Prior to the transferor's death;
- (b) Within 60 days following the date of execution; and
- (c) At length in the registry of deeds for the county or counties in which the real estate lies.

563-D:10 Notice, Delivery, Acceptance, Consideration Not Required. A transfer on death deed is effective without:

- I. Notice or delivery to or acceptance by the designated beneficiary during the transferor's life; or
- II. Consideration.

563-D:11 Revocation by Instrument Authorized; Revocation by Act not Permitted.

I.(a) Subject to subparagraph (b), an instrument executed with the formalities of a deed pursuant to RSA 477:3 is effective to revoke a recorded transfer on death deed, or any part of it, only if the instrument:

- (1) Is one of the following:

(A) A transfer on death deed that revokes the deed or part of the deed expressly or by inconsistency;

(B) An instrument of revocation that expressly revokes the deed or part of the deed; or

(C) A deed that expressly revokes the transfer on death deed or part of the deed; and

(2) Is acknowledged by the transferor after the acknowledgment of the deed being revoked and is recorded at length in the registry of deeds for the county or counties in which the real estate lies by the earlier to occur of:

(A) Sixty days from the execution of the instrument; and

(B) The transferor's date of death.

(b) If a transfer on death deed is made by more than one transferor:

(1) Revocation by a transferor does not affect the deed as to the interest of another transferor; and

(2) A deed of joint owners is revoked only if it is revoked by all of the living joint owners.

II. After a transfer on death deed is recorded, it may not be revoked by a revocatory act on the deed.

III This section does not limit the effect of an inter vivos transfer of the property.

563-D:12 Effect of Transfer on Death Deed During Transferor's Life. During a transferor's life, a transfer on death deed does not:

I. Affect an interest or right of the transferor or any other owner, including the right to transfer or encumber the property;

II. Affect an interest or right of a transferee, even if the transferee has actual or constructive notice of the deed;

III. Affect an interest or right of a secured or unsecured creditor or future creditor of the transferor, even if the creditor has actual or constructive notice of the deed;

IV. Affect the transferor's or designated beneficiary's eligibility for any form of public assistance;

V. Create a legal or equitable interest in favor of the designated beneficiary; or

VI. Subject the property to claims or process of a creditor of the designated beneficiary.

563-D:13 Effect of Transfer on Death Deed at Transferor's Death.

I. Except as otherwise provided in the transfer on death deed, in this section, or in RSA 563-D:14, upon the death of the transferor, the following rules apply to property that is the subject of a transfer on death deed and owned by the transferor at death:

(a) Subject to subparagraph (b), the interest in the property is transferred to the designated beneficiary in accordance with the deed.

(b) The interest of a designated beneficiary is contingent on the designated beneficiary surviving the transferor, and unless the transfer on death deed provides otherwise, the interest of a designated beneficiary who fails to survive the transferor lapses. RSA 551:12 shall not apply to a transfer on death deed.

(c) Subject to subparagraph (d), concurrent interests are transferred to the beneficiaries in equal and undivided shares with no rights of survivorship, unless the transfer on death deed specifically creates a joint tenancy between or among the transferees.

(d) If the transferor has identified 2 or more designated beneficiaries to receive concurrent interests in the property, the share of one which lapses or fails for any reason is transferred to the other, or others in proportion to their respective interests in the remaining part of the property, unless the transfer on death deed provides otherwise.

II. Subject to RSA 477, a beneficiary takes the property subject to all conveyances, encumbrances, assignments, contracts, mortgages, liens, other interests to which the property is subject at the transferor's death, and claims of creditors of the estate of the transferor as provided in RSA 563-D:16. For purposes of this section and RSA 477, the recording of the transfer on death deed is deemed to have occurred at the transferor's death.

III. If a transferor is a joint owner and is:

(a) Survived by one or more other joint owners, the property that is the subject of a transfer on death deed belongs to the surviving joint owner or owners with right of survivorship; or

(b) The last surviving joint owner, the transfer on death deed is effective.

IV. A transfer on death deed transfers property without covenant or warranty of title even if the deed contains a contrary provision.

V. Property conveyed by a transfer on death deed shall not be considered part of the probate estate for purposes of a spouse's right to an elective share pursuant to RSA 560:10.

VI. Property conveyed by a transfer on death deed shall not be included for purposes of determining the share payable to a pretermitted heir of the transferor pursuant to RSA 551:10.

563-D:14 Designated Beneficiary Presumed to Have Predeceased Transferor. A beneficiary designated in a transfer on death deed shall be deemed to have predeceased the transferor under the following circumstances:

I. The divorce or annulment of the marriage between the transferor and such designated beneficiary, so long as the divorce or annulment has taken place subsequent to the execution of the transfer on death deed, unless the transfer on death deed provides otherwise; and

II. The death of the transferor, if intentionally and unlawfully caused by such designated beneficiary, but only if principles of equity warrant revocation.

563-D:15 Disclaimer. A beneficiary may disclaim all or part of the beneficiary's interest as provided by RSA 563-B.

563-D:16 Liability For Creditor Claims And Statutory Allowances.

I. To the extent the transferor's probate estate is insufficient to satisfy an allowed claim against the estate, the estate may enforce the liability against property transferred at the transferor's death by a transfer on death deed.

II. If more than one property is transferred by one or more transfer on death deeds, the liability under paragraph I is apportioned among the properties in proportion to their net values at the transferor's death.

III. If no administration shall have been granted upon the estate of the deceased transferor within 2 years from the transferor's date of death, no proceeding to enforce the liability under this section shall be commenced.

563-D:17 Validity of Transfer On Death Deed.

I. A transfer on death deed or a revocation of a transfer on death deed is deemed to be valid if it was created or revoked in accordance with this chapter.

II. An action to contest the validity of a transfer on death deed or a revocation of a transfer on death deed must be commenced within the later of:

(a) One year after the transferor's death; or

(b) Six months after the appointment of the administrator of the transferor's estate, if the administrator was appointed within one year after the death of the transferor.

563-D:18 Guardian and Agent May Not Modify Beneficiary Designation Unless Authorized.

I. The duly appointed conservator or guardian of the owner of the property may neither execute nor revoke a transfer on death deed unless expressly authorized to do so by court order.

II. Unless the power of attorney otherwise provides, an express grant of authority to create or change a beneficiary designation includes the authority to execute or revoke a transfer on death deed.

563-D:19 Optional Form of Transfer on Death Deed. The following form may be used to create a transfer on death deed. The other sections of this chapter govern the effect of this or any other instrument used to create a transfer on death deed.

NOTICE: This deed must be recorded by the earlier of 60 days from date of execution or the date of the owner's (transferor's) death, or it will not be effective.

REVOCABLE TRANSFER ON DEATH DEED

THIS REVOCABLE TRANSFER ON DEATH DEED, dated _____, is made by _____ (name of owner(s) making this deed) of _____ (mailing address of owner(s)).

This Revocable Transfer of Death Deed is made pursuant to the Uniform Real Property Transfer on Death Act, New Hampshire RSA 563-D. In accordance with the provisions of N.H. RSA 563-D, at my death, I transfer and convey my interest in the below described property to my designated beneficiary/beneficiaries as follows:

PRIMARY BENEFICIARY

I designate _____ (name of beneficiary) of _____ (mailing address of beneficiary) as the designated beneficiary if he/she survives me.
(Add additional primary beneficiaries as desired.)

SECONDARY BENEFICIARY (optional)

I designate _____ (name of secondary beneficiary) of _____ (mailing address of secondary beneficiary) as the designated beneficiary if my primary beneficiary does not survive me.
(Add additional secondary beneficiaries as desired.)

PROPERTY

The real property that shall be transferred at my death pursuant to this Revocable Transfer on Death Deed is located in the Town (City) of _____, County of _____, State of New Hampshire, and is more particularly bound and described as follows:

(Insert legal description of land or interest being conveyed including encumbrances, reservations, and exceptions. A street address by itself is not sufficient.)

Before my death, I have the right to revoke this deed.

This deed is exempt from real estate transfer tax as a revocable transfer on death deed for no consideration pursuant to RSA 78-B:2, XXV.

Executed this ____ day of _____

Signature of owner
(Add additional owners as needed.)

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me this ____ day of _____ by _____
(name of owner).

Notary Public/Justice of the Peace

My commission expires: _____

Notary Seal or Stamp:

(Add additional acknowledgments as needed.)

563-D:20 Optional Form of Revocation. The following form may be used to create an instrument of revocation under this chapter. The other sections of this chapter govern the effect of this or any other instrument used to revoke a transfer on death deed.

NOTICE: This revocation must be recorded by the earlier of 60 days from date of execution or the owner's date of death, or it will not be effective.

REVOCATION OF REVOCABLE TRANSFER ON DEATH DEED

Identifying information:

Owner or owners of property making this revocation:

Print name of owner

Owner's mailing address

(Add lines as needed for additional owners.)

PROPERTY

The real property is located in the Town (City) of _____, County of _____, State of New Hampshire, and is more particularly bound and described as follows:

(Insert legal description of land or interest including encumbrances, reservations, and exceptions. A street address by itself is not sufficient.)

I revoke all my previous transfers of this property by revocable transfer on death deed, pursuant to the Uniform Real Property Transfer on Death Act, New Hampshire RSA 563-D.

Signature of owner(s) making this revocation:

Signature

Date

(Add lines as needed for additional owners.)

STATE OF _____

COUNTY OF _____

The foregoing instrument was acknowledged before me this ____ day of _____ by _____
(name of owner).

Notary Public/Justice of the Peace

My commission expires: _____

Notary Seal or Stamp:

(Add additional acknowledgments as needed.)

563-D:21 Relation to Electronic Signatures in Global and National Commerce Act. This chapter modifies, limits, and supersedes the federal Electronic Signatures in Global and National Commerce Act, 15 U.S.C. Section 7001, et seq., but does not modify, limit, or supersede Section 101(c) of that act, 15 U.S.C. Section 7001(c), or authorize electronic delivery of any of the notices described in Section 103(b) of that act, 15 U.S.C. Section 7003(b).

2 New Paragraph; Tax on Transfer of Real Property; Exceptions; Transfer on Death Deed. Amend RSA 78-B:2 by inserting after paragraph XXIV the following new paragraph:

XXV. To a transfer on death deed under RSA 563-D, where no consideration is exchanged.

3 New Subparagraph; Probate Court; Concurrent Jurisdiction with Superior Court; Transfer on Death Deed. Amend RSA 547:3, II by inserting after subparagraph (e) the following new subparagraph:

(f) Transfer on death deeds pursuant to RSA 563-D.

4 Effective Date. This act shall take effect July 1, 2023.

Majority committee amendment was adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Majority committee report was adopted, and the bill was ordered to third reading.

HB 88, relative to reproductive rights. WITHOUT RECOMMENDATION

Statement in support of Ought to Pass: In June 2022, the Supreme Court reversed Roe v. Wade and held that a fundamental right to an abortion under the federal constitution does not exist. Following the Roe decision, the New Hampshire legislature banned access to abortion after 24 weeks of pregnancy, but did not articulate a right to an abortion before 24 weeks. In fact, part of the state's abortion ban reads: "Nothing in this subdivision shall be construed as creating or recognizing a right to abortion." RSA 329:49. Put another way, nowhere

in our state laws is there an explicit protection for a right to an abortion. This bill resolves this omission: it codifies the right to an abortion before 24 weeks of pregnancy. This bill will align New Hampshire with every other New England state that extends protection to a right to an abortion under state law. It does not alter current abortion restrictions.

Rep. Mark Paige

Statement in support of Inexpedient to Legislate: This bill would add a provision to New Hampshire law stating that, except as provided in the Fetal Life Protection Act (FLPA), RSA 329:43 through 329:50 and the Parental Notification Act, RSA 132:32 through 132:36, "the state shall not restrict or interfere with an individual's exercise of their private decision to terminate a pregnancy." This proposal adds no value to the existing law because the FLPA allows women the freedom to terminate a pregnancy prior to 24 weeks, and even beyond 24 weeks in cases involving a fatal fetal abnormality or where the life or serious risk to the health of the mother is at stake. At the hearing, there was no evidence suggesting any circumstances where existing law could be read to infringe this right.

Rep. Kristine Perez

Rep. Paige move Ought to Pass.

Rep. Kristina Perez spoke against.

Rep. Simpson spoke in favor.

On a division vote, with 199 members having voted in the affirmative, and 185 in the negative, the motion of Ought to Pass was adopted and the bill was ordered to third reading.

HB 224-FN, repealing the criminal and civil penalties from the fetal life protection act. WITHOUT RECOMMENDATION

Statement in support of Ought to Pass: This bill repeals three sections of the Fetal Life Protection Act, those that establish the criminal and civil penalties for violations which restrict access to abortion procedures after 24 weeks. Everything else in the Fetal Life Protection Act that have not otherwise been repealed remain in effect, including the prohibition against abortion after 24 weeks except in the case of fetal abnormalities incompatible with life, or a medical emergency in which an abortion is necessary to preserve the life of the pregnant woman whose life is endangered by a physical disorder, physical illness, or physical injury, including a life-endangering physical condition caused by or arising from the pregnancy itself, or when continuation of the pregnancy will create a serious risk of substantial and irreversible impairment of a major bodily function..." The New Hampshire Board of Medicine, or the relevant board charged with licensing other medical professionals, will continue to enforce medical guidelines and maintain authority to discipline any medical professional who violates guidelines, utilizing a range of actions culminating in the potential removal of the professionals' license to practice medicine. This is similar to the rules of professional responsibility that govern attorneys, and provides no protection from existing criminal or civil law. Intentionally or not, the language that this bill removes has had a deleterious effect on efforts to recruit needed medical professionals to work in New Hampshire. That is an outcome that benefits no one.

Rep. Marjorie Smith

Statement in support of Inexpedient to Legislate: This bill would repeal the civil and criminal penalty sections of the recently passed Fetal Life Protection Act (FLPA). It is important to understand that, without these penalties, the termination of the fetus after 24 weeks of pregnancy but before birth would not constitute a criminal homicide. The prospect that a doctor might face some disciplinary action by the medical licensing board does not, in our view, provide sufficient deterrence. More importantly, eliminating civil and criminal penalties would, in effect, create a "special rule" for medical professionals, allowing them to escape civil and criminal responsibility for their actions where no other professionals are accorded similar treatment. In this regard, bear in mind that under the FLPA, a doctor can be criminally prosecuted only if s/he knows that the fetus is beyond 24 weeks gestational age or consciously disregards a substantial risk that the fetus is beyond that age, and also knows that no circumstances exist which would allow for a post-24-week abortion. In short, current law allows a doctor to be prosecuted only if s/he knows that what they are doing is unlawful but chooses to proceed anyway. The arguments advanced in support of repealing the penalties are not persuasive. First, it is claimed that doctors in New Hampshire never perform post-24-week abortions unless there is a fatal fetal abnormality or continuing the pregnancy will endanger the life of, or pose serious health risks to, the mother. Of course, if this is true, then doctors have nothing to worry about because there simply will never be any criminal prosecutions or civil lawsuits brought against them. Second, it is claimed that there can be complex and/or ambiguous situations wherein it may be difficult to determine whether there were legitimate reasons for a doctor to perform a post-24-week abortion. While this may be true, the same complexities or ambiguities can be found in cases in which a lawyer is accused of fraud or a police officer is accused of using excessive force. Yet in these situations, the law provides no exemption from prosecution of these other professionals if they are determined to have knowingly violated the law. Doctors should be treated no differently.

Rep. Bob Lynn

Rep. Marjorie Smith moved Ought to Pass.

Rep. Lynn spoke against.

Rep. Wolf spoke in favor.

Rep. Granger requested a roll call; sufficiently seconded.

YEAS 205 - NAYS 178

YEAS - 205

BELKNAP

Bordes, Mike
St. Clair, Charlie

Coker, Matthew

Huot, David

Nagel, David

CARROLL

Buco, Thomas
McAleer, Chris

Burroughs, Anita
Woodcock, Stephen

Crawford, Karel

Paige, David

CHESHIRE

Abbott, Michael
Eaton, Daniel
Jones, Philip
Schapiro, Joe

Ames, Richard
Faulkner, Barry
Monteil, Renee
Thackston, Dick

Harvey, Cathryn
Filiault, Shaun
Newell, Jodi
Toll, Amanda

Fox, Dru
Germana, Nicholas
Parshall, Lucius
Weber, Lucy

COOS

Cascadden, Corinne

Kelley, Eamon

Noël, Henry

GRAFTON

Adjutant, Joshua
Bolton, Bill
Hakken-Phillips, Mary
Lovett, Peter
Nordgren, Sharon

Almy, Susan
Brown, Carroll
Hoyt, Tommy
Massimilla, Linda
Stringham, Jerry

Baldwin, Heather
Cormen, Thomas
Murphy, James
Morse, Corinne
Sykes, George

Berezhny, Lex
Fellows, Sallie
Sullivan, Jared
Muirhead, Russell

HILLSBOROUGH

Murray, Alistandra
Bouchard, Donald
Chretien, Jacqueline
Devine, Shelley
Davis, Fred
Grill, Jessica
Herbert, Christopher
Juris, Louis
LeClerc, Daniel
Long, Patrick
MacKenzie, Mark
Morton, Jennifer
O'Brien, Michael
Proulx, Mark
Rung, Rosemarie
Sofikitis, Catherine
Tellez, Trinidad
Wheeler, Jonah

Nutting-Wong, Allison
Bouldin, Amanda
Cornell, Patricia
DiSilvestro, Linda
Freitas, Mary
Hamer, Heidi
Jack, Martin
Foxy, Loren
Leishman, Peter
Howard, Molly
Mangipudi, Latha
Moulton, Candace
Pedersen, Michael
Newman, Ray
Ryan, Linda
Spier, Carry
Vail, Suzanne
Wilhelm, Matthew

Beaulieu, Jane
Bradley, Amy
Ford, Diamond
Dutzy, Sherry
Goley, Jeffrey
Harriott-Gathright, Linda
Judy, Jean
Lanza, Judi
Lewicke, John
Murray, Megan
McGhee, Kat
Murphy, Nancy
Petrigno, Peter
Raymond, Heather
Newman, Sue
Staub, Kathy
Veilleux, Daniel

Booras, Efstathia
Calabro, Karen
Darby, Will
Elberger, Susan
Gregg, Alicia
Heath, Mary
Smith, Juliet
Leapley, Nicole
Lloyd, Christal
Perez, Maria
Ming, Ben
Nutter-Upham, Frances
Preece, David
Rombeau, Catherine
Seibert, Christine
Telerski, Laura
Thomas, Wendy

MERRIMACK

Turcotte, Alan
Ellison, Arthur
Hicks, Matthew
Mason, James
Richards, Beth
Schultz, Kristina
Wolf, Dan

Brennan, Angela
Gallager, Eric
Lane, Connie
McWilliams, Rebecca
Roesener, James
Shurtleff, Steve

Carey, Lorrie
Gibbs, Merryl
Luneau, David
Myler, Mel
Gould, Sherry
Soucy, Timothy

Ebel, Karen
Hall, Muriel
MacKay, James
Payeur, Stephanie
Schuett, Dianne
Wallner, Mary Jane

ROCKINGHAM

Balboni, Peggy
Gilman, Julie
Haskins, Linda
Cahill, Michael
Manos, Zoe
O'Neil, Candice
Simpson, Alexis
Vogt, Robin

DiLorenzo, Charlotte
Grossman, Gaby
Murray, Kate
Paige, Mark
McBeath, Rebecca
Ford, Oliver
Turer, Eric
Ward, Gerald

Donnelly, Tanya
Grote, Jaci
Knab, Allison
Maggiore, Jim
Meuse, David
Raynolds, Ned
Vallone, Mark
Yokela, Josh

Edgar, Michael
Hamblet, Joan
Lundgren, David
Malloy, Dennis
Muns, Chris
Read, Ellen
Vandecasteele, Susan

STRAFFORD

Bay, Luz
Cannon, Gerri
Grassie, Chuck
Rich, Jeffrey
Smith, Marjorie
Southworth, Thomas

Bickford, David
Conlin, Bill
Howard, Heath
Kenney, Cam
Schmidt, Peter
Treleaven, Susan

Bixby, Peter
Fitzpatrick, Daniel
Horrigan, Timothy
LaMontagne, Jessica
Pare, Gail
Vincent, Kenneth

Rich, Cecilia
Smith, Geoffrey
Howland, Allan
Levesque, Cassandra
Selig, Loren
Wall, Janet

SULLIVAN

Sullivan, Brian
Palmer, William

Cloutier, John
Tanner, Linda

Damon, Hope

Merchant, Gary

NAYS - 178**BELKNAP**

Bean, Harry
Harvey-Bolia, Juliet
Smart, Lisa

Bogert, Steven
O'Hara, Travis
Terry, Paul

Comtois, Barbara
Ploszaj, Tom
Varney, Peter

Dumais, Russell
Beaudoin, Richard

CARROLL

Avellani, Lino
MacDonald, John
Brown, Richard

Belcher, Mike
Smith, Jonathan

Cordelli, Glenn
McConkey, Mark

Costable, Michael
Petermel, Katy

CHESHIRE

Hunt, John
Nutting, Zachary

Qualey, James

Rhodes, Jennifer

Santonastaso, Matthew

COOS

Davis, Arnold
Tierney, James

Merner, Troy

Ouellet, Mike

King, Seth

GRAFTON

Coulon, Matthew
Sellers, John

Greeson, Jeffrey
Simon, Matthew

Ladd, Rick

Rocheport, David

HILLSBOROUGH

Lekas, Alicia
Boyd, Bill
Colcombe, Riché
Cushman, Leah
Griffin, Gerald
Hynes, Dan
Kofalt, Jim
Mazur, Lisa
Noble, Kristin
Plett, Fred
Renzullo, Andrew
Lekas, Tony
Wherry, Robert

Abare, Kimberly
King, Bill
Cole, Brian
Kelley, Diane
Gagne, Larry
Infantine, William
Gould, Linda
McGough, Tim
Notter, Jeanine
Post, Lisa
Seidel, Sheila
Mannion, Tom

Alexander, Joe
Berry, Ross
Corcoran, Travis
Erf, Keith
Gorski, Ted
Kennedy, Stephen
Sanborn, Laurie
McLean, Mark
PANEK, Sandra
Prout, Andrew
Sheehan, Vanessa
Tenczar, Jeffrey

Ammon, Keith
Boehm, Ralph
Creighton, Jim
Fedolfi, Jim
Healey, Robert
Kenny, Catherine
Lascelles, Richard
Mooney, Maureen
Pauer, Diane
Reid, Karen
Sirois, Shane
Ulery, Jordan

MERRIMACK

Andrus, Louise
Cambrijs, Jose
Hoell, J.R.
Boyd, Stephen
Testerman, Dave

Aures, Cyril
McGuire, Dan
Leavitt, John
Seaworth, Brian
Wood, Clayton

Aylward, Deborah
Gerhard, Jason
Moffett, Michael
See, Alvin

McGuire, Carol
Hill, Gregory
Polozov, Yury
Walsh, Thomas

ROCKINGHAM

Ball, Lorie
Thomas, Douglas
Dunn, Ron
Guthrie, Joseph
Janigian, John
Khan, Aboul
Love, David
McMahon, Charles
Phillips, Emily
Potucek, John
Roy, Terry
Summers, James
Dolan, Tom
Vose, Michael

Bernardy, JD
DeSimone, Debra
Edwards, Jess
Harb, Robert
Janvrin, Jason
Kuttab, Katelyn
Lynn, Bob
Melvin, Charles
Piemonte, Tony
Pratt, Kevin
Pearson, Stephen
Sweeney, Joe
Tripp, Richard
MacDonald, Wayne

Brouillard, Jacob
Doucette, Fred
Emerick, Tracy
Harley, Tina
Perez, Kristine
Walsh, Lilli
Pearson, Mark
Milz, David
Popovici-Muller, Daniel
Prudhomme-O'Brien, Katherine
Soti, Julius
Sytek, John
True, Chris
Wallace, Scott

Mannion, Dennis
Drago, Mike
Foote, Charles
Hobson, Deb
Katsakiores, Phyllis
Layon, Erica
McDonnell, Valerie
Osborne, Jason
Porcelli, Susan
Quaratiello, Arlene
Spillane, James
Cahill, Tim
Tudor, Paul
Weyler, Kenneth

STRAFFORD

Bailey, Glenn
Harrington, Michael
Newton, Clifford

Burnham, Claudine
Horgan, James
Phinney, Brandon

Connor, James
Kaczynski, Thomas
Pitre, Joseph

Granger, Michael
Turcotte, Len
Potenza, Kelley

SULLIVAN

Aron, Judy
Spilsbury, Walter

Drye, Margaret
Stapleton, Walter

Rollins, Skip
Stone, Jonathan

Smith, Steven

and the motion of Ought to Pass was adopted, and the bill was ordered to third reading.
Rep. Lundgren voted Yea and intended to vote Nay.

HB 261, authorizing residential tenants to terminate their lease in instances of domestic violence or following a disabling illness or accident. **WITHOUT RECOMMENDATION**

Statement in support of Ought to Pass: The purpose of this bill is to allow tenants, who are victims of domestic violence/sexual assault/stalking, and their family members to terminate a residential lease agreement with written notice to the landlord. The definitions in the bill are the same as referenced in other statutes. In this bill, a “domestic abuse victim” has the same meaning as “victim of domestic abuse” in RSA 173-B:1. A “sexual assault victim” has the same meaning as defined in RSA 632-A. And a “stalking victim” has the same meaning as defined in RSA 633:3-a. A tenant who provides the landlord with either a copy of a valid order of protection issued pursuant to RSA 173-B (the Protection of Persons From Domestic Violence Act) or documentation evidencing a criminal charge of domestic abuse, sexual assault, or stalking based on a police report reflecting that the tenant or household member, including a child of the tenant, was subject to domestic abuse, sexual assault, or stalking, then the tenant may terminate a residential lease agreement. The tenant, however, must also provide the landlord with written notice stating that the tenant or household member is a victim of domestic violence, sexual assault, or stalking, as well as a written notice requesting release from the lease agreement and a mutually agreed upon release date within the next thirty days. The documentation that the tenant provides to the landlord must be dated no more than 60 days prior to the tenant’s notice to the landlord. This bill also allows tenants who have suffered a disabling illness or accident after signing a lease the ability to leave that lease, if the new disability makes the unit inaccessible to the tenant and the tenant has written documentation indicating how, as a result of the disability, the rental property is no longer suitable for the tenant. In either the case of domestic violence/sexual assault/stalking or a disabling illness or accident, the tenant is responsible for rent for the month in which the tenancy is terminates and previous obligations outstanding on the termination date. However, if the tenant has paid a security deposit, it is not to be withheld for the early termination of the lease agreement pursuant to the terms of the bill. The Coalition Against Domestic Violence testified about the need for victims to be able to terminate a lease in order to free themselves from an abusive relationship and have their whereabouts remain confidential.

Rep. Zoe Manos

Statement in support of Inexpedient to Legislate: This bill would authorize tenants to terminate a tenancy if they or a household member was a victim of domestic violence or suffers a disabling illness or injury. Portions of the bill are left unclear, undefined and ambiguous. It would allow for termination based upon an ex-parte hearing, without a final hearing, and could dramatically affect the property owner and remaining co-tenants without an opportunity to be heard. In fact, the bill does not address obligations and rights of co-tenants. It creates a conflict in law that absolutely prevents landlords from properly handling co-tenant security deposits. Privacy provisions of the bill create a legal notice conflict and make it impossible to pursue legal action. The disabled person sections of this bill are already covered by federal fair housing law. Landlords already work with victims and those who newly become disabled to accommodate their needs and it is clearly in their best interests to do so. Creating new rights, especially where there has been no showing that problems in these areas arise frequently, creates more opportunity for abuse of the law. All in all, this bill creates far worse legal issues for New Hampshire tenants and landlords than the interests it seeks to protect.

Rep. Joe Alexander

Rep. Manos moved Ought to Pass.

On a division vote, with 193 members having voted in the affirmative, and 191 in the negative, the motion of Ought to Pass was adopted and the bill was ordered to third reading.

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Adjutant moved that the House reconsider its action whereby, on a Division vote of 193-191, the House adopted the motion of Ought to Pass on **HB 261**, authorizing residential tenants to terminate their lease in instances of domestic violence or following a disabling illness or accident. Rep. Hoell requested a roll call; not sufficiently seconded.

On a division vote, with 190 members having voted in the affirmative, and 194 in the negative, the motion failed.

REGULAR CALENDAR CONT'D**HB 271-FN**, repealing the fetal life protection act. **WITHOUT RECOMMENDATION**

Statement in support of Ought to Pass: Members in support of Ought to Pass on this bill do so based on their objections to both the process in which the language of the Fetal Life Protection Act of 2022 (FLPA) reached the Governor's desk and was signed into law, and to the violation of free choice and the punitive provisions of the act. We believe the enactment of the FLPA last year marks the first time in 40 years that the government of New Hampshire has infringed on the reproductive freedom of its citizens. We further believe the FLPA also was an anomaly for its provisions that invaded the privacy of discussion of an individual and their medical care provider regarding essential health care decisions. This bill would repeal the FLPA that we believe bypassed the rules of process for House bills by being inserted in the budget bill and signed into law by the Governor, and having nothing at all to do with state funding. This bill would repeal all portions of the FLPA, including the unconscionable provisions that criminalize the frequently ambiguous facts around life and death decisions that medical care providers face when providing medical care to patients. Supporters of Ought to Pass believe strongly that the FLPA should be repealed, and proponents of the act will then have the opportunity to introduce this substantive topic that will follow the consideration process outlined in the Rules of the House for all policy legislative initiatives.

Rep. Rebecca McBeath

Statement in support of Inexpedient to Legislate: This bill seeks to repeal the Fetal Life Protection Act (FLPA). The current act allows abortion through 24 weeks and beyond in the case of fetal abnormalities incompatible with life or in circumstances where continuation of the pregnancy threatens the life of the mother or risks substantial impairment of her health. The current law gives women the freedom and reproductive liberty to make abortion decisions with their healthcare provider for abortions up to 24 weeks. Repealing this act would allow for abortions beyond 24 weeks, when a baby is viable and could otherwise live outside of the womb. To be clear, repealing this act would make it legal to abort a baby right up until birth. Those recommending Inexpedient to Legislate feel it is unethical to cause the death of a baby who would be viable outside of the womb. Polling data has made clear that the majority of New Hampshire citizens are in favor of the law as it stands today.

Rep. Katelyn Kuttub

Rep. McBeath moved Ought to Pass.

Rep. Notter requested a roll call; sufficiently seconded.

YEAS 192 - NAYS 192**YEAS - 192
BELKNAP**

Huot, David St. Clair, Charlie

CARROLL

Buco, Thomas Burroughs, Anita Paige, David McAleer, Chris
Woodcock, Stephen

CHESHIRE

Abbott, Michael Ames, Richard Harvey, Cathryn Fox, Dru
Eaton, Daniel Faulkner, Barry Germana, Nicholas Jones, Philip
Monteil, Renee Newell, Jodi Parshall, Lucius Schapiro, Joe
Tatro, Bruce Toll, Amanda Weber, Lucy

COOS

Cascadden, Corinne Kelley, Eamon Noël, Henry

GRAFTON

Adjutant, Joshua Almy, Susan Baldwin, Heather Bolton, Bill
Cormen, Thomas Fellows, Sallie Hakken-Phillips, Mary Hoyt, Tommy
Murphy, James Sullivan, Jared Lovett, Peter Massimilla, Linda
Morse, Corinne Muirhead, Russell Nordgren, Sharon Stringham, Jerry
Sykes, George

HILLSBOROUGH

Murray, Alistandra Nutting-Wong, Allison Beaulieu, Jane Booras, Efsthathia
Bouchard, Donald Bouldin, Amanda Bradley, Amy Calabro, Karen
Chretien, Jacqueline Cornell, Patricia Ford, Damond Darby, Will
Devine, Shelley DiSilvestro, Linda Dutzy, Sherry Elberger, Susan
Davis, Fred Freitas, Mary Goley, Jeffrey Gregg, Alicia
Grill, Jessica Hamer, Heidi Harriott-Gathright, Linda Heath, Mary
Herbert, Christopher Jack, Martin Jeudy, Jean Smith, Juliet

Juris, Louis
LeClerc, Daniel
Howard, Molly
Mangipudi, Latha
Moulton, Candace
Pedersen, Michael
Newman, Ray
Ryan, Linda
Spier, Carry
Vail, Suzanne
Wilhelm, Matthew

Foxx, Loren
Leishman, Peter
Murray, Megan
McGhee, Kat
Murphy, Nancy
Petrigno, Peter
Raymond, Heather
Newman, Sue
Staub, Kathy
Veilleux, Daniel

Lanza, Judi
Lloyd, Christal
Perez, Maria
Ming, Ben
Nutter-Upham, Frances
Preece, David
Rombeau, Catherine
Seibert, Christine
Telerski, Laura
Thomas, Wendy

Leapley, Nicole
Long, Patrick
MacKenzie, Mark
Morton, Jennifer
O'Brien, Michael
Proulx, Mark
Rung, Rosemarie
Sofikitis, Catherine
Tellez, Trinidad
Wheeler, Jonah

MERRIMACK

Turcotte, Alan
Ellison, Arthur
Hicks, Matthew
McWilliams, Rebecca
Roesener, James
Shurtleff, Steve

Brennan, Angela
Gallager, Eric
Lane, Connie
Myler, Mel
Gould, Sherry
Soucy, Timothy

Carey, Lorrie
Gibbs, Merryl
Luneau, David
Payeur, Stephanie
Schuett, Dianne
Wallner, Mary Jane

Ebel, Karen
Hall, Muriel
MacKay, James
Richards, Beth
Schultz, Kristina
Wolf, Dan

ROCKINGHAM

Balboni, Peggy
Grossman, Gaby
Murray, Kate
Maggiore, Jim
Meuse, David
Read, Ellen
Vogt, Robin

DiLorenzo, Charlotte
Grote, Jaci
Knab, Allison
Malloy, Dennis
Muns, Chris
Simpson, Alexis
Ward, Gerald

Edgar, Michael
Hamblet, Joan
Cahill, Michael
Manos, Zoe
O'Neil, Candice
Turer, Eric
Yokela, Josh

Gilman, Julie
Haskins, Linda
Paige, Mark
McBeath, Rebecca
Raynolds, Ned
Vandecasteele, Susan

STRAFFORD

Bay, Luz
Cannon, Gerri
Grassie, Chuck
Rich, Jeffrey
Smith, Marjorie
Southworth, Thomas

Bickford, David
Conlin, Bill
Howard, Heath
Kenney, Cam
Schmidt, Peter
Treleaven, Susan

Bixby, Peter
Fitzpatrick, Daniel
Horrigan, Timothy
LaMontagne, Jessica
Pare, Gail
Vincent, Kenneth

Rich, Cecilia
Smith, Geoffrey
Howland, Allan
Levesque, Cassandra
Selig, Loren
Wall, Janet

SULLIVAN

Sullivan, Brian
Palmer, William

Cloutier, John
Tanner, Linda

Damon, Hope

Merchant, Gary

NAYS - 192

BELKNAP

Bean, Harry
Dumais, Russell
Ploszaj, Tom
Varney, Peter

Bogert, Steven
Harvey-Bolia, Juliet
Beaudoin, Richard

Bordes, Mike
Nagel, David
Smart, Lisa

Comtois, Barbara
O'Hara, Travis
Terry, Paul

CARROLL

Avellani, Lino
Crawford, Karel
Peternel, Katy

Belcher, Mike
MacDonald, John
Brown, Richard

Cordelli, Glenn
Smith, Jonathan

Costable, Michael
McConkey, Mark

CHESHIRE

Filiault, Shaun
Santonastaso, Matthew

Hunt, John
Thackston, Dick

Qualey, James
Nutting, Zachary

Rhodes, Jennifer

COOS

Davis, Arnold
Tierney, James

Merner, Troy

Ouellet, Mike

King, Seth

GRAFTON

Berezhny, Lex
Ladd, Rick

Brown, Carroll
Rocheft, David

Coulon, Matthew
Sellers, John

Greeson, Jeffrey
Simon, Matthew

HILLSBOROUGH

Lekas, Alicia
Boyd, Bill
Colcombe, Riché
Cushman, Leah
Griffin, Gerald

Abare, Kimberly
King, Bill
Cole, Brian
Kelley, Diane
Gagne, Larry

Alexander, Joe
Berry, Ross
Corcoran, Travis
Erf, Keith
Gorski, Ted

Ammon, Keith
Boehm, Ralph
Creighton, Jim
Fedolfi, Jim
Healey, Robert

Hynes, Dan
Kofalt, Jim
Lewicke, John
Mooney, Maureen
Pauer, Diane
Reid, Karen
Sirois, Shane
Ulery, Jordan

Infantine, William
Gould, Linda
Mazur, Lisa
Noble, Kristin
Plett, Fred
Renzullo, Andrew
Lekas, Tony
Wherry, Robert

Kennedy, Stephen
Sanborn, Laurie
McGough, Tim
Notter, Jeanine
Post, Lisa
Seidel, Sheila
Mannion, Tom

Kenny, Catherine
Lascelles, Richard
McLean, Mark
Panek, Sandra
Prout, Andrew
Sheehan, Vanessa
Tenczar, Jeffrey

MERRIMACK

Andrus, Louise
Cambriels, Jose
Hoell, J.R.
Polozov, Yuri
Walsh, Thomas

Aures, Cyril
McGuire, Dan
Leavitt, John
Boyd, Stephen
Testerman, Dave

Aylward, Deborah
Gerhard, Jason
Mason, James
Seaworth, Brian
Wood, Clayton

McGuire, Carol
Hill, Gregory
Moffett, Michael
See, Alvin

ROCKINGHAM

Ball, Lorie
Thomas, Douglas
Drago, Mike
Foote, Charles
Hobson, Deb
Katsakiores, Phyllis
Layon, Erica
Pearson, Mark
Milz, David
Phillips, Emily
Potucek, John
Roy, Terry
Summers, James
Dolan, Tom
Vallone, Mark
Weyler, Kenneth

Bernardy, JD
DeSimone, Debra
Dunn, Ron
Guthrie, Joseph
Janigian, John
Khan, Aboul
Love, David
McDonnell, Valerie
Ford, Oliver
Piemonte, Tony
Pratt, Kevin
Pearson, Stephen
Sweeney, Joe
Tripp, Richard
Vose, Michael

Brouillard, Jacob
Donnelly, Tanya
Edwards, Jess
Harb, Robert
Janvrin, Jason
Kuttub, Katelyn
Lundgren, David
McMahon, Charles
Osborne, Jason
Popovici-Muller, Daniel
Prudhomme-O'Brien, Katherine
Soti, Julius
Sytek, John
True, Chris
MacDonald, Wayne

Mannion, Dennis
Doucette, Fred
Emerick, Tracy
Harley, Tina
Perez, Kristine
Walsh, Lilli
Lynn, Bob
Melvin, Charles
Packard, Sherman
Porcelli, Susan
Quaratiello, Arlene
Spillane, James
Cahill, Tim
Tudor, Paul
Wallace, Scott

STRAFFORD

Bailey, Glenn
Harrington, Michael
Newton, Clifford

Burnham, Claudine
Horgan, James
Phinney, Brandon

Connor, James
Kaczynski, Thomas
Pitre, Joseph

Granger, Michael
Turcotte, Len
Potenza, Kelley

SULLIVAN

Aron, Judy
Spilsbury, Walter

Drye, Margaret
Stapleton, Walter

Rollins, Skip
Stone, Jonathan

Smith, Steven

and the motion of Ought to Pass failed.

Rep. Filiault voted Nay and intended to vote Yea.

CLERK'S NOTE

The Speaker voted creating a tied vote, and pursuant to House Rule 23, the motion failed.

MOTION TO LAY ON THE TABLE

Rep. Sweeney moved that **HB 271-FN**, repealing the fetal life protection act, be laid on the table.

Motion was adopted.

REGULAR CALENDAR CONT'D

HB 562-FN, requiring informed consent prior to receiving an abortion procedure. **INEXPEDIENT TO LEGISLATE.**

Rep. Scott Wallace for Judiciary. This bill seeks to require "Informed Consent" prior to a woman having an abortion. Based on testimony heard in the public hearing, this is already being done in all facilities where abortion services are being provided in New Hampshire. Although well intended, this bill would likely place additional stress on the woman by requiring her to undergo a battery of discussions regarding psychological and emotional conditions, potential impairment or irreversible damage to a major body function, chemically induced abortions and their associated perils, the risk of infections, and more. The majority of the committee found that this is an additional unnecessary burden to shackle New Hampshire's pregnant women with at a time when they are already under a great deal of stress and pressure. The committee vote of 17-3 supports this position. Vote 17-3.

The question being adoption of the committee report of Inexpedient to Legislate.

Committee report was adopted.

The House recessed at 12:10 p.m.

RECESS

The House reconvened at 1:10 p.m.

(Speaker Packard in the Chair)

REGULAR CALENDAR CONT'D

HB 591-FN, prohibiting abortions after detection of fetal heartbeat. **INEXPEDIENT TO LEGISLATE.**

Rep. Katelyn Kuttub for Judiciary. This bill seeks to prohibit abortions after the detection of a fetal heartbeat. Medical testimony established that a fetal heartbeat begins around 6 weeks. This is often before many women even realize they are pregnant. The majority of the committee feels the current law giving women the freedom and reproductive liberty to make abortion decisions with their healthcare provider for abortions up to 24 weeks, and beyond in certain limited circumstances, is in alignment with the views of the majority of New Hampshire citizens. Enacting this law would create a near total abortion ban. Polling data has made clear that the majority of New Hampshire citizens are in favor of the law as it stands today. Vote 16-4.

The question being adoption of the committee report of Inexpedient to Legislate.

Reps. Testerman and Sellers spoke against.

Rep. Moulton spoke in favor.

Rep. Granger requested a roll call; sufficiently seconded.

YEAS 271 - NAYS 110**YEAS - 271****BELKNAP**

Bogert, Steven
Harvey-Bolia, Juliet

Bordes, Mike
Nagel, David

Coker, Matthew
Beaudoin, Richard

Huot, David
St. Clair, Charlie

CARROLL

Buco, Thomas
Paige, David
Woodcock, Stephen

Burroughs, Anita
MacDonald, John

Costable, Michael
McAleer, Chris

Crawford, Karel
Brown, Richard

CHESHIRE

Abbott, Michael
Eaton, Daniel
Hunt, John
Parshall, Lucius
Toll, Amanda

Ames, Richard
Faulkner, Barry
Jones, Philip
Schapiro, Joe
Weber, Lucy

Harvey, Cathryn
Filiault, Shaun
Monteil, Renee
Tatro, Bruce
Nutting, Zachary

Fox, Dru
Germana, Nicholas
Newell, Jodi
Thackston, Dick

COOS

Cascadden, Corinne

Kelley, Eamon

Noël, Henry

Ouellet, Mike

GRAFTON

Adjutant, Joshua
Bolton, Bill
Hakken-Phillips, Mary
Ladd, Rick
Muirhead, Russell

Almy, Susan
Brown, Carroll
Hoyt, Tommy
Lovett, Peter
Nordgren, Sharon

Baldwin, Heather
Cormen, Thomas
Murphy, James
Massimilla, Linda
Stringham, Jerry

Berezhny, Lex
Fellows, Sallie
Sullivan, Jared
Morse, Corinne
Sykes, George

HILLSBOROUGH

Murray, Aissandra
Beaulieu, Jane
Bouchard, Donald
Chretien, Jacqueline
Ford, Damond
Dutzy, Sherry
Freitas, Mary
Grill, Jessica
Herbert, Christopher
Smith, Juliet
Lanza, Judi
Leishman, Peter
Howard, Molly
Mangipudi, Latha
Moulton, Candace
Pauer, Diane
Post, Lisa
Newman, Ray
Ryan, Linda

Nutting-Wong, Allison
Berry, Ross
Bouldin, Amanda
Cole, Brian
Darby, Will
Elberger, Susan
Goley, Jeffrey
Hamer, Heidi
Infantine, William
Juris, Louis
Lascelles, Richard
Lewicke, John
Murray, Megan
McGhee, Kat
Murphy, Nancy
Pedersen, Michael
Preece, David
Raymond, Heather
Newman, Sue

Alexander, Joe
Boehm, Ralph
Bradley, Amy
Cornell, Patricia
Devine, Shelley
Erf, Keith
Gorski, Ted
Harriott-Gathright, Linda
Jack, Martin
Kenny, Catherine
Leapley, Nicole
Lloyd, Christal
Perez, Maria
Ming, Ben
Nutter-Upham, Frances
Petrigno, Peter
Proulx, Mark
Rombeau, Catherine
Seibert, Christine

King, Bill
Booras, Efstathia
Calabro, Karen
Creighton, Jim
DiSilvestro, Linda
Davis, Fred
Gregg, Alicia
Heath, Mary
Judy, Jean
Fox, Loren
LeClerc, Daniel
Long, Patrick
MacKenzie, Mark
Morton, Jennifer
O'Brien, Michael
Plett, Fred
Prout, Andrew
Rung, Rosemarie
Sofikitis, Catherine

Spier, Carry
Telerski, Laura
Thomas, Wendy

Staub, Kathy
Tellez, Trinidad
Wheeler, Jonah

Lekas, Tony
Vail, Suzanne
Wilhelm, Matthew

Mannion, Tom
Veilleux, Daniel

MERRIMACK

Turcotte, Alan
Caplan, Tony
Gallager, Eric
Lane, Connie
McWilliams, Rebecca
Richards, Beth
Schuett, Dianne
Soucy, Timothy

Aylward, Deborah
Carey, Lorrie
Gibbs, Merry
Luneau, David
Myler, Mel
Roesener, James
Schultz, Kristina
Walsh, Thomas

Brennan, Angela
Ebel, Karen
Hall, Muriel
MacKay, James
Payeur, Stephanie
Boyd, Stephen
See, Alvin
Wallner, Mary Jane

McGuire, Carol
Ellison, Arthur
Hicks, Matthew
Mason, James
Polozov, Yuri
Gould, Sherry
Shurtleff, Steve
Wolf, Dan

ROCKINGHAM

Balboni, Peggy
DiLorenzo, Charlotte
Gilman, Julie
Hamblet, Joan
Janigian, John
Walsh, Lilli
Cahill, Michael
Manos, Zoe
Meuse, David
Osborne, Jason
Potucek, John
Soti, Julius
Tudor, Paul
MacDonald, Wayne

Ball, Lorie
Donnelly, Tanya
Grossman, Gaby
Harb, Robert
Murray, Kate
Layon, Erica
Paige, Mark
McBeath, Rebecca
Milz, David
Phillips, Emily
Raynolds, Ned
Sweeney, Joe
Turer, Eric
Ward, Gerald

Bernardy, JD
Doucette, Fred
Grote, Jaci
Haskins, Linda
Knab, Allison
Lundgren, David
Maggiore, Jim
McMahon, Charles
Muns, Chris
Popovici-Muller, Daniel
Read, Ellen
Dolan, Tom
Vogt, Robin
Weyler, Kenneth

Mannion, Dennis
Edgar, Michael
Guthrie, Joseph
Hobson, Deb
Kuttab, Katelyn
Lynn, Bob
Malloy, Dennis
Melvin, Charles
O'Neil, Candice
Porcelli, Susan
Simpson, Alexis
Tripp, Richard
Vose, Michael
Yokela, Josh

STRAFFORD

Bay, Luz
Cannon, Gerri
Grassie, Chuck
Horrigan, Timothy
LaMontagne, Jessica
Pare, Gail
Treleaven, Susan

Bickford, David
Conlin, Bill
Howard, Heath
Howland, Allan
Levesque, Cassandra
Phinney, Brandon
Vincent, Kenneth

Bixby, Peter
Fitzpatrick, Daniel
Harrington, Michael
Rich, Jeffrey
Smith, Marjorie
Selig, Loren
Wall, Janet

Rich, Cecilia
Smith, Geoffrey
Horgan, James
Kenney, Cam
Schmidt, Peter
Southworth, Thomas

SULLIVAN

Aron, Judy
Merchant, Gary
Tanner, Linda

Sullivan, Brian
Palmer, William

Cloutier, John
Rollins, Skip

Damon, Hope
Spillsbury, Walter

NAYS - 110

BELKNAP

Bean, Harry
Ploszaj, Tom

Comtois, Barbara
Smart, Lisa

Dumais, Russell
Terry, Paul

O'Hara, Travis
Varney, Peter

CARROLL

Avellani, Lino
McConkey, Mark

Belcher, Mike
Pernel, Katy

Cordelli, Glenn

Smith, Jonathan

CHESHIRE

Qualey, James

Rhodes, Jennifer

Santonastaso, Matthew

COOS

Davis, Arnold

Merner, Troy

King, Seth

Tierney, James

GRAFTON

Coulon, Matthew
Simon, Matthew

Greeson, Jeffrey

Rocheport, David

Sellers, John

HILLSBOROUGH

Lekas, Alicia
Colcombe, Riché
Fedolfi, Jim
Kennedy, Stephen
Mazur, Lisa
Noble, Kristin
Renzullo, Andrew
Tenczar, Jeffrey

Abare, Kimberly
Corcoran, Travis
Griffin, Gerald
Kofalt, Jim
McGough, Tim
Notter, Jeanine
Seidel, Sheila
Ulery, Jordan

Ammon, Keith
Cushman, Leah
Gagne, Larry
Gould, Linda
McLean, Mark
Panek, Sandra
Sheehan, Vanessa
Wherry, Robert

Boyd, Bill
Kelley, Diane
Healey, Robert
Sanborn, Laurie
Mooney, Maureen
Reid, Karen
Sirois, Shane

MERRIMACK

Andrus, Louise
Gerhard, Jason
Moffett, Michael

Aures, Cyril
Hill, Gregory
Testerman, Dave

Cambrils, Jose
Hoell, J.R.
Wood, Clayton

McGuire, Dan
Leavitt, John

ROCKINGHAM

Brouillard, Jacob
Dunn, Ron
Janvrin, Jason
Love, David
Piemonte, Tony
Roy, Terry
Sytek, John
Vandecasteele, Susan

Thomas, Douglas
Edwards, Jess
Perez, Kristine
Pearson, Mark
Pratt, Kevin
Pearson, Stephen
Cahill, Tim
Wallace, Scott

DeSimone, Debra
Emerick, Tracy
Katsakiores, Phyllis
McDonnell, Valerie
Prudhomme-O'Brien, Katherine
Spillane, James
True, Chris

Drago, Mike
Harley, Tina
Khan, Aboul
Ford, Oliver
Quaratiello, Arlene
Summers, James
Vallone, Mark

STRAFFORD

Bailey, Glenn
Turcotte, Len

Burnham, Claudine
Newton, Clifford

Connor, James
Pitre, Joseph

Granger, Michael
Potenza, Kelley

SULLIVAN

Drye, Margaret

Smith, Steven

Stapleton, Walter

Stone, Jonathan

and the committee report was adopted.

Rep. Vallone voted Nay and intended to vote Yea.

HB 150, relative to the certification of a collective bargaining unit. **WITHOUT RECOMMENDATION**
Statement in support of Ought to Pass: This bill changes the minimum number of potential bargaining unit members from 10 to 5. If passed, this bill would allow bargaining units to be certified with 5 or more employees in the proposed bargaining unit. This would open the door to collective bargaining for employees who are currently unable to participate due to having fewer than 10 employees in the proposed unit. Committee members who support Ought to Pass believe that making contract negotiations available to more employees would be beneficial to those employees. It was noted that the choice of 10 employees as the current minimum was arbitrary and there is no good reason not to lower the minimum to 5.

Rep. Brian Sullivan

Statement in support of Inexpedient to Legislate: The bill will allow for a certification of a bargaining unit of a minimum of five employees. The original law was enacted in 1975 and established a bargaining unit of a minimum of 10 employees. The law was amended in 1983 to include probationary employees in the count. In 2007, a bill to reduce the minimum to 5 failed in the House. In 2008, the minimum required number of employees was reduced to between 3-10, however, the employer did not have to recognize the unit. Finally, in 2011, the number was returned to a minimum of 10. There was only one group that came to argue in favor of the bill. They relayed a story about a group of 6 employees that were unable to create a bargaining unit and had to join another larger unit instead of having their own. The employees were able to join a unit, just not the one they would have preferred. There is a cost to an employer to create and manage a bargaining unit. The number of 10 was developed to allow smaller groups to still be able to join another unit while not burdening an employer with a number of very small units.

Rep. Lino Avellani

Rep. Sullivan moved Ought to Pass and spoke in favor.

Rep. Infantine spoke against.

On a division vote, with 204 members having voted in the affirmative, and 179 in the negative, the motion of Ought to Pass was adopted and the bill was ordered to third reading.

HB 561, establishing a committee to examine workforce and school accommodations for those with long-term COVID and ME/CFS. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Andrew Prout for the Majority of Labor, Industrial and Rehabilitative Services. The bill would create a study committee made up of four State Representatives and one Senator. The committee would examine the workforce and school accommodations for those that suffer from Long-term COVID and ME/CFS (Myalgic Encephalomyelitis/Chronic Fatigue Syndrome). The New Hampshire Department of Labor has not had a single complaint about an employer who did not provide a reasonable accommodation as outlined in the Americans with Disabilities Act for an employee who suffers from one of these afflictions. The conversation in the executive committee was more about the existence of these afflictions and what may have caused them and very little about reasonable accommodations. Vote 12-8.

Rep. Joshua Adjutant for the Minority of Labor, Industrial and Rehabilitative Services. The minority of the House Labor Committee is opposed to the Motion of Inexpedient to Legislate on this bill. Since March of 2021, we have been told over and over that "we have to learn to live with COVID." That is what this bill seeks to do. It asks the House to establish a committee to hear from those who suffer from long-COVID as well as medical

experts, employers, and all stakeholders to determine how long-COVID interacts with present disability law and if changes are needed. This bill will likely come to the House floor on or around the three-year anniversary of the first reported case of COVID in New Hampshire. This disease is new, and an appropriate amount of time has passed where data could be acquired by the committee on those with long-COVID. As such, the minority supports Ought to Pass.

MOTION TO LAY ON THE TABLE

Rep. Brian Sullivan moved that **HB 561**, establishing a committee to examine workforce and school accommodations for those with long-term COVID and ME/CFS, be laid on the table.

Motion was adopted.

REGULAR CALENDAR CONT'D

CACR 4, relating to compensation for legislators. Providing that legislators' biennial salary compensation shall be increased. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Stephen Pearson for the Majority of Legislative Administration. The majority of the committee heard testimony that the salary compensation for members of the General Court was set by our state constitution in 1889. Many in the State of New Hampshire proclaim pride on having a "citizen legislature." The majority believes that this bill's proposed salary level would qualify the legislature as neither a full-time job, nor a volunteer institution, and would not increase the quality or quantity of the candidates serving in our legislature. What would increase, however, is the price tag for the General Court to a cost of \$2.3 million annually. It was felt by the majority of the committee that this constitutional change would erode the historical nature of our legislature as a citizen legislature and voted to find the bill Inexpedient to Legislate. Vote 10-5.

Rep. Stephanie Payeur for the Minority of Legislative Administration. In 1889, the New Hampshire Legislature set in the New Hampshire Constitution that the stipend of a New Hampshire legislator would be \$200 for a two-year term. It is our belief that our founders did not intend to keep that amount stagnant for 134+ years. This bipartisan bill adjusts the \$200 stipend from 1889 to the present value in 2023 dollars at \$5,000 for a two-year term (\$2,500/yr; \$3,125/yr for officers). This is reasonable compensation to help address the costs of doing the job of a citizen legislator, and with inflation, the same amount as \$200 in 1889. Members can use the stipend to defray costs of meals, childcare, lodging, and other costs associated with performing these duties, thus opening the door for more citizens to put forward candidacy. Just as elected officials at the town and city levels receive reasonable stipends for School Board, Selectman, City Councilor, Sewer Commissioner, etc., it is appropriate to adjust the stipend to a modern-day value to reflect the time commitment and expenses incurred while doing the job of a legislator.

MOTION TO LAY ON THE TABLE

Rep. Nutting-Wong moved that **CACR 4**, relating to compensation for legislators. Providing that legislators' biennial salary compensation shall be increased, be laid on the table.

On a division vote, with 153 members having voted in the affirmative, and 229 in the negative, the motion failed.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Rep. Payeur spoke against.

Rep. Stephen Pearson spoke in favor.

Rep. Len Turcotte requested a roll call; sufficiently seconded.

YEAS 239 - NAYS 145

YEAS - 239

BELKNAP

Bean, Harry
Dumais, Russell
O'Hara, Travis
Terry, Paul

Bogert, Steven
Huot, David
Ploszaj, Tom
Varney, Peter

Coker, Matthew
Harvey-Bolia, Juliet
Beaudoin, Richard

Comtois, Barbara
Nagel, David
Smart, Lisa

CARROLL

Avellani, Lino
Crawford, Karel
Peternel, Katy

Belcher, Mike
MacDonald, John
Brown, Richard

Cordelli, Glenn
Smith, Jonathan

Costable, Michael
McConkey, Mark

CHESHIRE

Abbott, Michael
Thackston, Dick

Hunt, John
Nutting, Zachary

Qualey, James

Santonastaso, Matthew

COOS

Davis, Arnold
Tierney, James

Merner, Troy

Ouellet, Mike

King, Seth

GRAFTON

Almy, Susan
Greeson, Jeffrey
Massimilla, Linda

Berezhny, Lex
Hoyt, Tommy
Rocheport, David

Brown, Carroll
Murphy, James
Simon, Matthew

Coulon, Matthew
Ladd, Rick
Stringham, Jerry

HILLSBOROUGH

Lekas, Alicia
Ammon, Keith
Boehm, Ralph
Cole, Brian
Kelley, Diane
Erf, Keith
Gagne, Larry
Healey, Robert
Jack, Martin
Kofalt, Jim
Lewicke, John
Mooney, Maureen
Panek, Sandra
Proulx, Mark
Renzullo, Andrew
Sheehan, Vanessa
Mannion, Tom
Wherry, Robert

Nutting-Wong, Allison
Boyd, Bill
Bouldin, Amanda
Corcoran, Travis
Darby, Will
Davis, Fred
Goley, Jeffrey
Herbert, Christopher
Judy, Jean
Gould, Linda
Mazur, Lisa
Murphy, Nancy
Pauer, Diane
Prout, Andrew
Rung, Rosemarie
Sirois, Shane
Telerski, Laura
Wilhelm, Matthew

Abare, Kimberly
King, Bill
Bradley, Amy
Creighton, Jim
DiSilvestro, Linda
Freitas, Mary
Gorski, Ted
Hynes, Dan
Kennedy, Stephen
Sanborn, Laurie
McGough, Tim
Noble, Kristin
Plett, Fred
Newman, Ray
Ryan, Linda
Spier, Carry
Tenczar, Jeffrey

Alexander, Joe
Berry, Ross
Colcombe, Riché
Cushman, Leah
Elberger, Susan
Griffin, Gerald
Grill, Jessica
Infantine, William
Kenny, Catherine
Lascelles, Richard
McLean, Mark
Notter, Jeanine
Post, Lisa
Reid, Karen
Seidel, Sheila
Lekas, Tony
Ulery, Jordan

MERRIMACK

Andrus, Louise
Cambrijs, Jose
Gibbs, Merry
Leavitt, John
Polozov, Yuri
Seaworth, Brian
Testerman, Dave

Aures, Cyril
Carey, Lorrie
Hicks, Matthew
MacKay, James
Richards, Beth
See, Alvin
Wolf, Dan

Aylward, Deborah
McGuire, Dan
Hill, Gregory
Mason, James
Boyd, Stephen
Shurtleff, Steve
Wood, Clayton

McGuire, Carol
Ebel, Karen
Hoell, J.R.
Moffett, Michael
Schuett, Dianne
Walsh, Thomas

ROCKINGHAM

Ball, Lorie
Thomas, Douglas
Doucette, Fred
Emerick, Tracy
Harb, Robert
Janvrin, Jason
Knab, Allison
Love, David
Paige, Mark
McDonnell, Valerie
Ford, Oliver
Popovici-Muller, Daniel
Prudhomme-O'Brien, Katherine
Soti, Julius
Sytek, John
True, Chris
Vandecasteele, Susan
Weyler, Kenneth

Bernardy, JD
DeSimone, Debra
Drago, Mike
Foote, Charles
Harley, Tina
Perez, Kristine
Kuttab, Katelyn
Lundgren, David
Pearson, Mark
McMahon, Charles
Osborne, Jason
Porcelli, Susan
Quaratiello, Arlene
Spillane, James
Cahill, Tim
Tudor, Paul
Vose, Michael
Yokela, Josh

Brouillard, Jacob
DiLorenzo, Charlotte
Dunn, Ron
Gilman, Julie
Hobson, Deb
Katsakiores, Phyllis
Walsh, Lilli
Lynn, Bob
Maggiore, Jim
Milz, David
Phillips, Emily
Potucek, John
Pearson, Stephen
Summers, James
Dolan, Tom
Turer, Eric
MacDonald, Wayne

Mannion, Dennis
Donnelly, Tanya
Edwards, Jess
Grote, Jaci
Janigian, John
Khan, Aboul
Layon, Erica
Cahill, Michael
Malloy, Dennis
Muns, Chris
Piemonte, Tony
Pratt, Kevin
Simpson, Alexis
Sweeney, Joe
Tripp, Richard
Vallone, Mark
Wallace, Scott

STRAFFORD

Bailey, Glenn
Connor, James
Horgan, James
Phinney, Brandon
Wall, Janet

Bickford, David
Fitzpatrick, Daniel
Turcotte, Len
Pitre, Joseph

Burnham, Claudine
Granger, Michael
Smith, Marjorie
Potenza, Kelley

Cannon, Gerri
Harrington, Michael
Newton, Clifford
Southworth, Thomas

SULLIVAN

Aron, Judy
Rollins, Skip

Sullivan, Brian
Smith, Steven

Drye, Margaret
Spilsbury, Walter

Merchant, Gary
Stone, Jonathan

NAYS - 145**BELKNAP**

Bordes, Mike

St. Clair, Charlie

CARROLL

Buco, Thomas
Woodcock, Stephen

Burroughs, Anita

Paige, David

McAleer, Chris

CHESHIRE

Ames, Richard
Faulkner, Barry
Monteil, Renee
Schapiro, Joe

Harvey, Cathryn
Filiault, Shaun
Newell, Jodi
Tatro, Bruce

Fox, Dru
Germana, Nicholas
Parshall, Lucius
Toll, Amanda

Eaton, Daniel
Jones, Philip
Rhodes, Jennifer
Weber, Lucy

COOS

Cascadden, Corinne

Kelley, Eamon

Noël, Henry

GRAFTON

Adjutant, Joshua
Fellows, Sallie
Morse, Corinne
Sykes, George

Baldwin, Heather
Hakken-Phillips, Mary
Muirhead, Russell

Bolton, Bill
Sullivan, Jared
Nordgren, Sharon

Cormen, Thomas
Lovett, Peter
Sellers, John

HILLSBOROUGH

Murray, Aissandra
Calabro, Karen
Devine, Shelley
Hamer, Heidi
Juris, Louis
LeClerc, Daniel
Howard, Molly
Mangipudi, Latha
Moulton, Candace
Petrigno, Peter
Newman, Sue
Tellez, Trinidad
Wheeler, Jonah

Beaulieu, Jane
Chretien, Jacqueline
Dutzy, Sherry
Harriott-Gathright, Linda
Foxy, Loren
Leishman, Peter
Murray, Megan
McGhee, Kat
Nutter-Upham, Frances
Preece, David
Seibert, Christine
Vail, Suzanne

Booras, Efstathia
Cornell, Patricia
Fedolfi, Jim
Heath, Mary
Lanza, Judi
Lloyd, Christal
Perez, Maria
Ming, Ben
O'Brien, Michael
Raymond, Heather
Sofikitis, Catherine
Veilleux, Daniel

Bouchard, Donald
Ford, Damond
Gregg, Alicia
Smith, Juliet
Leapley, Nicole
Long, Patrick
MacKenzie, Mark
Morton, Jennifer
Pedersen, Michael
Rombeau, Catherine
Staub, Kathy
Thomas, Wendy

MERRIMACK

Turcotte, Alan
Gallager, Eric
Luneau, David
Roesener, James
Wallner, Mary Jane

Brennan, Angela
Gerhard, Jason
McWilliams, Rebecca
Gould, Sherry

Caplan, Tony
Hall, Muriel
Myler, Mel
Schultz, Kristina

Ellison, Arthur
Lane, Connie
Payeur, Stephanie
Soucy, Timothy

ROCKINGHAM

Balboni, Peggy
Hamblet, Joan
McBeath, Rebecca
Raynolds, Ned
Ward, Gerald

Edgar, Michael
Haskins, Linda
Melvin, Charles
Read, Ellen

Grossman, Gaby
Murray, Kate
Meuse, David
Roy, Terry

Guthrie, Joseph
Manos, Zoe
O'Neil, Candice
Vogt, Robin

STRAFFORD

Bay, Luz
Smith, Geoffrey
Howland, Allan
Levesque, Cassandra
Treleaven, Susan

Bixby, Peter
Grassie, Chuck
Rich, Jeffrey
Schmidt, Peter
Vincent, Kenneth

Rich, Cecilia
Howard, Heath
Kenney, Cam
Pare, Gail

Conlin, Bill
Horrigan, Timothy
LaMontagne, Jessica
Selig, Loren

SULLIVAN

Cloutier, John
Tanner, Linda

Damon, Hope

Palmer, William

Stapleton, Walter

and the majority committee report of Inexpedient to Legislate was adopted.

HB 423, relative to accessory dwelling unit uses allowed by right. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. John MacDonald for the Majority of Municipal and County Government. This bill would have increased the number of Accessory Dwelling Units (ADU's) allowed by right from one to two, changed the definition of an attached unit, and increased the maximum square footage of an ADU from 750 to 1000. It would also allow the towns the right to require one unit to meet the definition of workforce housing. The majority of the committee understands the importance of needed housing within our state, however this bill would create a statewide mandate that would override local community control already adopted by municipalities. The committee was not provided with the number of new ADU'S that have been created by the current law to judge the success or need for this legislative change. Lastly, there is currently the House Special Committee on Housing which was established to potentially address the housing shortage within our state. Vote 14-6. Rep. David Preece for the Minority of Municipal and County Government. This bill would increase the number of accessory dwelling units allowed by right from one to two, change the attached unit's definition, and

increase the maximum square footage from 750 to 1,000. This bill also gives towns the right to require one dwelling unit to meet the purpose for workforce housing. The minority of the committee believes that there is a housing crisis, and this bill, if enacted, would be one of the tools to create more housing. By allowing additional accessory dwelling units on single-family lots, this bill would help create needed low-cost housing for people of all ages, including by allowing homeowners to add in-law apartments, au-pair suites, or spaces for young adults moving home after college or moving into the community to start a new job. Any accessory dwelling unit would have to comply with the municipal zoning ordinances requirements for a single-family dwelling unit and prove that there is adequate private water and sewer capacity to serve the additional accessory dwelling unit.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Rep. Preece spoke against.

Rep. Len Turcotte spoke in favor.

MOTION TO LAY ON THE TABLE

Rep. Yokela moved that **HB 423**, relative to accessory dwelling unit uses allowed by right, be laid on the table. On a division vote, with 203 members having voted in the affirmative, and 178 in the negative, the motion was adopted.

REGULAR CALENDAR CONT'D

HB 480, relative to the intersection between route 302 and East Conway Road in Conway. **INEXPEDIENT TO LEGISLATE.**

Rep. David Milz for Public Works and Highways. The sponsor attempted to alter a planned reconstruction of an intersection at Route 302 and East Conway Road after the town of Conway and the New Hampshire Department of Transportation (DOT) had come to an agreement. The committee knows that the DOT worked with the town, listened to public testimony, presented two intersection alternatives, and the town accepted the proposed intersection improvement. It is our position that the committee should not be involved in choosing one design over another except under extraordinary circumstances. Vote 15-0.

The question being adoption of the committee report of Inexpedient to Legislate.

Committee report was adopted.

HB 511-FN, relative to requiring the department of transportation to do road maintenance and repairs according to its complete streets program **INEXPEDIENT TO LEGISLATE.**

Rep. John Cloutier for Public Works and Highways. Although the unanimous bipartisan committee majority does not quarrel with the concept of the Complete Streets Program, it believes the bill as written is problematic for several reasons. First, the bill would "require" towns and cities, among other entities who request maintenance and repair assistance for their roads from New Hampshire Department of Transportation (DOT), to coordinate with the state's Complete Streets Advisory Committee to plan and follow the Complete Streets Program Standards of the National Association of City Traffic Officials. Requiring towns and cities to coordinate with the Complete Streets Advisory Committee as well as plan and follow Complete Street standards would likely be a violation of New Hampshire Constitution Part I, Article 28-a, which forbids mandating programs upon its political subdivisions without the state fully paying for such programs. Second, according to the bill's revised fiscal note, dated May 30, 2023, the bill as written could result in an "indeterminable" increase in state and local expenditures. This situation could cause more problems for the State Highway Fund which is now in a structural deficit partly because of declining road toll revenues. Third, according to the same revised fiscal note, the New Hampshire DOT has not yet established unit costs that must be associated with such program improvements. Fourth, the Complete Streets Advisory Committee currently does not have available resources to review requests from municipalities who wish to even voluntarily participate in the Complete Streets Program. Fifth, the "one size fits all" approach in the bill as written does not take in to account the diverse transportation needs of our state's over 200 municipalities. Vote 15-0.

The question being adoption of the committee report of Inexpedient to Legislate.

Committee report was adopted.

HB 205, relative to testing private wells. **WITHOUT RECOMMENDATION**

Statement in support of Ought to Pass with Amendment: This bill, as revised by amendment, helps homeowners with private wells in two ways. First, it ensures all new wells are tested for the most common well water contaminants. These tests eliminate the false sense of security arising from inconsistent municipal testing requirements. Second, it adds PFAS to the notifications acknowledged in real estate transactions. This notification helps to inform the public of the potential for harmful levels of PFAS increasingly found in private wells throughout New Hampshire. The amended bill is based on the work of the Seacoast Commission on Long-Term Goals and Requirements for Drinking Water, and was originally

introduced in 2020 as HB 667, which passed the House on consent. Key stakeholders, including New Hampshire Department of Environmental Services and New Hampshire Well Water Association, support the bill with the amendment.

Rep. Will Darby

Statement in support of Inexpedient to Legislate: This bill is not ready for passage as written. Testimony from the New Hampshire Board of Realtors suggested the language be altered since current language reads, “most private wells contain harmful contaminants.” The realtors went on to state that the New Hampshire Department of Environmental Services (NHDES) concurs that it is not accurate that most wells are contaminated. The effective date of this bill was also a concern of the realtors because it did not give them enough time to educate and inform their members. The American Chemistry Council also suggested changes to the wording to align more closely with the current testing and reporting practices under NHDES. NHDES had concerns that the bill establishes that failure to comply with the proposed testing requirements for newly constructed wells would be a violation of RSA 485: New Hampshire Safe Drinking Water Act. Enforcement of the statute would require resources from NHDES. It is important to note that violations would only likely be recognized and addressed on a reactive basis by NHDES in response to inquiries or complaints from the public. NHDES would have no other way to proactively ensure that the required testing occurred based on the provisions in this bill. It is for these and other reasons that half of the committee believes this bill should be Inexpedient to Legislate.

Rep. Robert Harb

MOTION TO LAY ON THE TABLE

Rep. Renzullo moved that **HB 205**, relative to testing private wells, be laid on the table.
Motion was adopted.

REGULAR CALENDAR CONT'D

HB 139, relative to the definition of “municipal host” for purposes of limited electrical energy producers.
WITHOUT RECOMMENDATION

Statement in support of Ought to Pass: This bill is a modest expansion of net metering for political subdivisions. Currently, individual cities, towns, school districts, charter schools, and school administrative units (SAUs) can receive the net metering benefit, but only if all the recipients of the energy generated are within the same municipality. This bill would eliminate that requirement so that energy generation projects can be shared across neighboring towns. This is necessary to allow municipalities with sites that can support more generation than they need to benefit from the full capacity of their site, by allowing neighboring towns to enter an agreement to use that energy. The bill also adds housing authorities and other quasi-public entities to the definition of “political subdivisions.” The members of the committee supporting Ought to Pass feel that this simple, no-cost change in statute will support localities in their goal of becoming more energy independent. This will also contribute to the development of more distributed generation throughout the state, which is important for grid reliability and resiliency.

Rep. Jacqueline Chretien

Statement in support of Inexpedient to Legislate: This bill expands the definition of “municipal host” under the Limited Electrical Energy Producers Act (LEEPA) and removes the requirement that a municipal host be in the same municipality as all group members. Currently, there are ten municipal hosts in the state. This bill expands net metering and raises numerous issues including undefined terms, confusion of political subdivisions, and uncertainty about how it would affect entities like universities and the Pease Development Authority. For example, could a private company become a municipal host by getting multiple incongruous towns miles apart all over the state to qualify under LEEPA? The Department of Energy was opposed to the bill as written for these reasons. The Public Utilities Commission (PUC) has an open docket to address some of the concerns this bill attempts to fix. An amendment was offered based on the concerns but was rejected. Those on the committee who supported Inexpedient to Legislate feel it is prudent not to legislate action for which there is much uncertainty and to wait for the PUC docket to be completed to see what other action, if any, is needed.

Rep. Douglas Thomas

Rep. Chretien moved Ought to Pass.

MOTION TO LAY ON THE TABLE

Rep. Vose moved that **HB 139**, relative to the definition of “municipal host” for purposes of limited electrical energy producers, be laid on the table.

On a division vote, with 179 members having voted in the affirmative, and 197 in the negative, the motion failed.

The question now being adoption of the motion of Ought to Pass.

Rep. Summers spoke against and yielded to questions.

Rep. Chretien spoke in favor.

Rep. Hoell requested a roll call; sufficiently seconded.

YEAS 188 - NAYS 186**YEAS - 188****BELKNAP**

Coker, Matthew

Huot, David

St. Clair, Charlie

CARROLLBuco, Thomas
Woodcock, Stephen

Burroughs, Anita

Paige, David

McAleer, Chris

CHESHIREAbbott, Michael
Eaton, Daniel
Jones, Philip
Schapiro, JoeAmes, Richard
Faulkner, Barry
Monteil, Renee
Tatro, BruceHarvey, Cathryn
Filiault, Shaun
Newell, Jodi
Weber, LucyFox, Dru
Germana, Nicholas
Parshall, Lucius**COOS**

Cascadden, Corinne

Kelley, Eamon

Noël, Henry

GRAFTONAdjutant, Joshua
Cormen, Thomas
Murphy, James
Morse, Corinne
Sykes, GeorgeAlmy, Susan
Fellows, Sallie
Sullivan, Jared
Muirhead, RussellBaldwin, Heather
Hakken-Phillips, Mary
Lovett, Peter
Nordgren, SharonBolton, Bill
Hoyt, Tommy
Massimilla, Linda
Stringham, Jerry**HILLSBOROUGH**Murray, Aissandra
Bradley, Amy
Ford, Damond
Dutzy, Sherry
Goley, Jeffrey
Harriott-Gathright, Linda
Judy, Jean
Lanza, Judi
Lloyd, Christal
MacKenzie, Mark
Morton, Jennifer
O'Brien, Michael
Newman, Ray
Ryan, Linda
Spier, Carry
Vail, Suzanne
Wilhelm, MatthewNutting-Wong, Allison
Calabro, Karen
Darby, Will
Elberger, Susan
Gregg, Alicia
Heath, Mary
Smith, Juliet
Leapley, Nicole
Long, Patrick
Mangipudi, Latha
Moulton, Candace
Pedersen, Michael
Raymond, Heather
Newman, Sue
Staub, Kathy
Veilleux, DanielBeaulieu, Jane
Chretien, Jacqueline
Devine, Shelley
Davis, Fred
Grill, Jessica
Herbert, Christopher
Juris, Louis
LeClerc, Daniel
Howard, Molly
McGhee, Kat
Murphy, Nancy
Petrigno, Peter
Rombeau, Catherine
Seibert, Christine
Telerski, Laura
Thomas, WendyBouchard, Donald
Cornell, Patricia
DiSilvestro, Linda
Freitas, Mary
Hamer, Heidi
Jack, Martin
Foxy, Loren
Leishman, Peter
Murray, Megan
Ming, Ben
Nutter-Upham, Frances
Preece, David
Rung, Rosemarie
Sofikitis, Catherine
Tellez, Trinidad
Wheeler, Jonah**MERRIMACK**Turcotte, Alan
Ebel, Karen
Hall, Muriel
MacKay, James
Richards, Beth
Shurtleff, SteveBrennan, Angela
Ellison, Arthur
Hicks, Matthew
McWilliams, Rebecca
Roesener, James
Soucy, TimothyCaplan, Tony
Gallager, Eric
Lane, Connie
Myler, Mel
Gould, Sherry
Wallner, Mary JaneCarey, Lorrie
Gibbs, Merryll
Luneau, David
Payeur, Stephanie
Schuett, Dianne
Wolf, Dan**ROCKINGHAM**Balboni, Peggy
Grossman, Gaby
Murray, Kate
Maggiore, Jim
Meuse, David
Read, Ellen
Vogt, RobinDiLorenzo, Charlotte
Grote, Jaci
Knab, Allison
Malloy, Dennis
Muns, Chris
Simpson, Alexis
Ward, GeraldEdgar, Michael
Hamblet, Joan
Cahill, Michael
Manos, Zoe
O'Neil, Candice
Turer, EricGilman, Julie
Haskins, Linda
Paige, Mark
McBeath, Rebecca
Raynolds, Ned
Vallone, Mark**STRAFFORD**Bay, Luz
Conlin, Bill
Howard, Heath
Kenney, Cam
Schmidt, Peter
Treleaven, SusanBixby, Peter
Fitzpatrick, Daniel
Horriggan, Timothy
LaMontagne, Jessica
Pare, Gail
Vincent, KennethRich, Cecilia
Smith, Geoffrey
Howland, Allan
Levesque, Cassandra
Selig, Loren
Wall, JanetCannon, Gerri
Grassie, Chuck
Rich, Jeffrey
Smith, Marjorie
Southworth, Thomas

SULLIVAN

Sullivan, Brian
Palmer, William

Cloutier, John
Stapleton, Walter

Damon, Hope
Tanner, Linda

Merchant, Gary

NAYS - 186**BELKNAP**

Bean, Harry
Harvey-Bolia, Juliet
Beaudoin, Richard

Bogert, Steven
Nagel, David
Smart, Lisa

Comtois, Barbara
O'Hara, Travis
Terry, Paul

Dumais, Russell
Ploszaj, Tom
Varney, Peter

CARROLL

Avellani, Lino
Crawford, Karel
Peternel, Katy

Belcher, Mike
MacDonald, John
Brown, Richard

Cordelli, Glenn
Smith, Jonathan

Costable, Michael
McConkey, Mark

CHESHIRE

Hunt, John
Thackston, Dick

Qualey, James
Nutting, Zachary

Rhodes, Jennifer

Santonastaso, Matthew

COOS

Davis, Arnold
Tierney, James

Merner, Troy

Ouellet, Mike

King, Seth

GRAFTON

Berezhny, Lex
Ladd, Rick

Brown, Carroll
Rocheport, David

Coulon, Matthew
Sellers, John

Greeson, Jeffrey
Simon, Matthew

HILLSBOROUGH

Lekas, Alicia
Berry, Ross
Corcoran, Travis
Erf, Keith
Gorski, Ted
Kennedy, Stephen
Sanborn, Laurie
McGough, Tim
Notter, Jeanine
Proulx, Mark
Seidel, Sheila
Mannion, Tom

Abare, Kimberly
Boehm, Ralph
Creighton, Jim
Fedolfi, Jim
Healey, Robert
Kenny, Catherine
Lascelles, Richard
McLean, Mark
Pauer, Diane
Prout, Andrew
Sheehan, Vanessa
Tenczar, Jeffrey

Ammon, Keith
Colcombe, Riché
Cushman, Leah
Griffin, Gerald
Hynes, Dan
Kofalt, Jim
Lewicke, John
Mooney, Maureen
Plett, Fred
Reid, Karen
Sirois, Shane
Ulery, Jordan

King, Bill
Cole, Brian
Kelley, Diane
Gagne, Larry
Infantine, William
Gould, Linda
Mazur, Lisa
Noble, Kristin
Post, Lisa
Renzullo, Andrew
Lekas, Tony
Wherry, Robert

MERRIMACK

Andrus, Louise
Cambriis, Jose
Hoell, J.R.
Polozov, Yuri
Walsh, Thomas

Aures, Cyril
McGuire, Dan
Leavitt, John
Boyd, Stephen
Testerman, Dave

Aylward, Deborah
Gerhard, Jason
Mason, James
Seaworth, Brian
Wood, Clayton

McGuire, Carol
Hill, Gregory
Moffett, Michael
See, Alvin

ROCKINGHAM

Ball, Lorie
Thomas, Douglas
Drago, Mike
Guthrie, Joseph
Janigian, John
Khan, Aboul
Love, David
McDonnell, Valerie
Ford, Oliver
Popovici-Muller, Daniel
Prudhomme-O'Brien, Katherine
Soti, Julius
Sytek, John
True, Chris
MacDonald, Wayne

Bernardy, JD
DeSimone, Debra
Dunn, Ron
Harb, Robert
Janvrin, Jason
Kuttab, Katelyn
Lundgren, David
McMahon, Charles
Osborne, Jason
Porcelli, Susan
Quaratiello, Arlene
Spillane, James
Cahill, Tim
Tudor, Paul
Wallace, Scott

Brouillard, Jacob
Donnelly, Tanya
Emerick, Tracy
Harley, Tina
Perez, Kristine
Walsh, Lilli
Lynn, Bob
Melvin, Charles
Phillips, Emily
Potucek, John
Roy, Terry
Summers, James
Dolan, Tom
Vandecasteele, Susan
Weyler, Kenneth

Mannion, Dennis
Doucette, Fred
Foote, Charles
Hobson, Deb
Katsakiores, Phyllis
Layon, Erica
Pearson, Mark
Milz, David
Piemonte, Tony
Pratt, Kevin
Pearson, Stephen
Sweeney, Joe
Tripp, Richard
Vose, Michael
Yokela, Josh

STRAFFORD

Bailey, Glenn
Granger, Michael
Newton, Clifford

Bickford, David
Harrington, Michael
Phinney, Brandon

Burnham, Claudine
Horgan, James
Pitre, Joseph

Connor, James
Turcotte, Len
Potenza, Kelley

SULLIVAN

Aron, Judy
Spillsbury, Walter

Drye, Margaret
Stone, Jonathan

Rollins, Skip

Smith, Steven

and the motion of Ought to Pass was adopted and the bill was ordered to third reading.

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Adjutant moved that the House reconsider its action whereby, on a Roll Call vote of 188-186, the House adopted the motion of Ought to Pass on **HB 139**, relative to the definition of “municipal host” for purposes of limited electrical energy producers.

On a division vote, with 185 members having voted in the affirmative, and 192 in the negative, the motion failed.

REGULAR CALENDAR CONT'D

HB 142, relative to the operation of the Burgess Biopower plant. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Michael Vose for the Majority of Science, Technology and Energy. With last year’s passage of an amended version of SB 271, state government started the clock ticking on a need to address the status of the Burgess Biopower plant in Berlin. In 2010-2011, the utility today known as Eversource negotiated a purchase power agreement (PPA) with a company (Laidlaw, now Burgess) that proposed to build a 70-megawatt wood-burning electricity generation plant. The plant was envisioned as both an economic boost to a North Country ravaged by economic hard times occasioned by the closure of a large paper mill, and as a way to diversify the state’s electricity supply. The PPA received a rigorous review by the Public Utilities Commission (PUC). That review identified risks in the negotiated PPA that could generate negative economic consequences for both parties to the agreement and to the state as a whole. The PUC conditioned its approval of the PPA on a mechanism to limit over-market energy costs to \$100 million and to further provide a way to recover costs that exceeded that limit. In 2017, the limit was fast approaching. Burgess sought relief from the legislature, which offered it in the form of SB 577 in 2017/18 (later augmented by SB 271 in 2022). The result was a PUC order that upon expiration of the grace period provided by SB 577 and SB 271, Burgess would be required to pay back all accumulated over-market energy costs according to the terms of the original PPA. That brings us to today where Burgess has stated that they cannot abide by the PPA terms to pay back \$48 million in over market costs. A Department of Energy financial audit confirms this reality. As amended, this bill eradicates the current \$48 million over-limit accumulated costs and restores the PPA to its original form. This forgiveness will allow Burgess and Eversource to find a way to take action to fix a problematic PPA. Vote 18-2.

Rep. Michael Harrington for the Minority of Science, Technology and Energy. This bill reduces the amount that the Burgess Biomass electricity generation plant owes the ratepayers of Eversource. Prior to construction, Burgess pursued and obtained a purchase power agreement with Eversource. The contract contained a strike price for electricity of \$0.08/kilowatt hour (kwh). Over the 20-year length of the agreement, Eversource would buy the output of Burgess and charge or credit Burgess based on where wholesale electric rates are at the time of purchase relative to the strike price. For example, if 10,000 kwhs were purchased when the wholesale price was \$0.10/ kwh, \$200 would be credited to Burgess. If on the other hand the wholesale price was \$0.06/ kwh, Burgess would be charged \$200. These credits and charges are passed onto the ratepayers. When the net amount owed to the ratepayers exceeds \$100 million, Burgess was supposed to start paying it back. The problem is that the wholesale price has been substantially lower than \$0.08/ kwh most of the time and Burgess now owes the ratepayers almost \$150 million. This bill reduces this amount by \$50 million but would leave the rest of the contract in place. This means Burgess will continue to rack up more and more charges with no plan to pay them off. For example, for January of 2023 which had historically high rates, the average wholesale price was \$0.055/ kwh. When asked at the hearing what was their plan for repaying the ratepayers, Burgess offered no plan. One committee member stated that they will be back next session asking for another bail out. It is time to stop the bleeding. Last year Burgess was given 18 months to come up with a plan, but the only thing offered was more ratepayer subsidies. This bill will lower the amount owed to ratepayers but does not change the main problem, the strike price of \$0.08/ kwh is and most likely will continue to be much higher than the wholesale price and Burgess will continue to rack up more debt with no plan to pay it back.

Majority Amendment (0939h)

Amend the bill by replacing all after the enacting clause with the following:

1 Findings.

I. The general court finds that the continued operation of the Burgess BioPower plant in Berlin is desirable to the energy infrastructure of the state of New Hampshire, within the bounds of previous agreements made to sustain the facility, and while not damaging the larger economy of the state.

II. The original purchase power agreement (PPA) signed by Burgess Biopower and PSNH and conditionally approved by the public utilities commission was deemed necessary in 2010 to provide support for

the economically disadvantaged North Country due to the closure of a large paper mill, a major Coos county employer. Burgess Biopower and PSNH agreed to the terms of the public utilities commission conditional approval and altered the PPA accordingly.

III. The PPA terms, according to public utilities commission docket testimony, posed several risks. The legislature intervened to mitigate one such risk in 2017 with SB577, which Burgess Biopower believed would forgive an accumulation of over market energy costs. The public utilities commission interpreted the legislation to mean that the over accumulation of costs would require a repayment according to the terms of the contract. The legislature then extended the relief provided by SB577 for one year in SB271.

IV. In 2023, a department of energy audit confirmed that such repayment of accumulated costs would be detrimental to the continued operation of Burgess Biopower. Forgiving those over-threshold costs, which have already been recovered from ratepayers, can (a) restore the original intent of the PPA, (b) redress the legislature's earlier erroneous interference in a private contractual matter, and (c) protect ratepayers and the overall economy of the state.

2 Public Utilities Commission; Authority to Amend Orders.

I. The public utilities commission shall amend any of its orders as necessary to accomplish the following:

(a) Maintain the CRF Balance, capped at \$100 million. The \$100 million which accrued in the CRF prior to the legislature's suspensions of the operation of the cap on the CRF shall be subject to the terms of the Power Purchase Agreement (PPA) as approved by Order No. 25,213 in Docket No. DE 10-195 and all subsequent amendments.

(b) Accruals in Excess of the \$100 million cap of the CRF During the legislative suspension periods. Burgess BioPower shall not be obligated to repay any amounts in excess of the \$100 million CRF balance that have accrued and been paid for by ratepayers during the legislature's previous suspensions of the operation of the cap on the CRF.

(c) New accruals to be paid for by Burgess. On a moving forward basis, Burgess Biopower will be responsible for any further accumulation over the \$100 million balance of the CRF by remitting payment pursuant to Section 6.1.4(c) of the PPA.

II. Given the contributions, both economic and energy-related, that the Burgess Biopower plant provides to the state's North Country region, such relief provided to the Burgess Biopower plant by the restoration of the terms of the original PPA shall be deemed to be reasonable, legitimate, and in the public interest for the purposes of RSA 374:57, or any provision of law applicable to the approval of power purchase agreements.

III. To ensure the continued viability of Burgess Biopower, any proceeding conducted by the public utilities commission shall be conducted on an expedited basis, by opening a docket within 30 days after passage of this act and issuing a final order implementing the relief provided in this act no later than 6 months from the effective date of this act.

3 Effective Date. This act shall take effect upon its passage.

Majority committee amendment was adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.

Rep. Harrington spoke against.

Rep. Vose spoke in favor.

Rep. Santonastaso requested a roll call; sufficiently seconded.

YEAS 269 - NAYS 109

YEAS - 269

BELKNAP

Bogert, Steven
Ploszaj, Tom

Coker, Matthew
St. Clair, Charlie

Huot, David

Harvey-Bolia, Juliet

CARROLL

Buco, Thomas
MacDonald, John
Peternel, Katy

Burroughs, Anita
Smith, Jonathan
Brown, Richard

Cordelli, Glenn
McAleer, Chris
Woodcock, Stephen

Paige, David
McConkey, Mark

CHESHIRE

Abbott, Michael
Eaton, Daniel
Hunt, John
Parshall, Lucius
Thackston, Dick

Ames, Richard
Faulkner, Barry
Jones, Philip
Rhodes, Jennifer
Toll, Amanda

Harvey, Cathryn
Filiault, Shaun
Monteil, Renee
Schapiro, Joe
Weber, Lucy

Fox, Dru
Germana, Nicholas
Newell, Jodi
Tatro, Bruce
Nutting, Zachary

COOS

Davis, Arnold
Noël, Henry

Cascadden, Corinne
Ouellet, Mike

Kelley, Eamon
Tierney, James

Merner, Troy

GRAFTON

Adjutant, Joshua
Bolton, Bill
Hakken-Phillips, Mary
Ladd, Rick
Muirhead, Russell
Stringham, Jerry

Almy, Susan
Brown, Carroll
Hoyt, Tommy
Lovett, Peter
Nordgren, Sharon
Sykes, George

Baldwin, Heather
Cormen, Thomas
Murphy, James
Massimilla, Linda
Rocheport, David

Berezhny, Lex
Fellows, Sallie
Sullivan, Jared
Morse, Corinne
Simon, Matthew

HILLSBOROUGH

Murray, Alissandra
Boehm, Ralph
Bradley, Amy
Creighton, Jim
Devine, Shelley
Davis, Fred
Grill, Jessica
Herbert, Christopher
Juris, Louis
Gould, Linda
Leapley, Nicole
Long, Patrick
Mangipudi, Latha
Morton, Jennifer
Nutter-Upham, Frances
Post, Lisa
Raymond, Heather
Rung, Rosemarie
Seidel, Sheila
Staub, Kathy
Veilleux, Daniel

Nutting-Wong, Allison
Booras, Efstathia
Calabro, Karen
Ford, Damond
DiSilvestro, Linda
Freitas, Mary
Hamer, Heidi
Jack, Martin
Kennedy, Stephen
Sanborn, Laurie
LeClerc, Daniel
Howard, Molly
McGhee, Kat
Moulton, Candace
O'Brien, Michael
Preece, David
Reid, Karen
Ryan, Linda
Sheehan, Vanessa
Tellerski, Laura
Thomas, Wendy

Alexander, Joe
Bouchard, Donald
Chretien, Jacqueline
Kelley, Diane
Dutzy, Sherry
Goley, Jeffrey
Harriott-Gathright, Linda
Judy, Jean
Kenny, Catherine
Lanza, Judi
Leishman, Peter
Murray, Megan
Ming, Ben
Murphy, Nancy
Pedersen, Michael
Proulx, Mark
Renzullo, Andrew
Newman, Sue
Sofikitis, Catherine
Tellez, Trinidad
Wherry, Robert

Beaulieu, Jane
Bouldin, Amanda
Cornell, Patricia
Darby, Will
Elberger, Susan
Gregg, Alicia
Heath, Mary
Smith, Juliet
Foxy, Loren
Lascelles, Richard
Lloyd, Christal
MacKenzie, Mark
Mooney, Maureen
Notter, Jeanine
Petrigno, Peter
Newman, Ray
Rombeau, Catherine
Seibert, Christine
Spier, Carry
Vail, Suzanne
Wilhelm, Matthew

MERRIMACK

Turcotte, Alan
Carey, Lorrie
Gibbs, Merryl
Leavitt, John
McWilliams, Rebecca
Richards, Beth
Shurtleff, Steve

Brennan, Angela
Ebel, Karen
Hall, Muriel
Luneau, David
Moffett, Michael
Roesener, James
Soucy, Timothy

Cambrils, Jose
Ellison, Arthur
Hicks, Matthew
MacKay, James
Myler, Mel
Gould, Sherry
Wallner, Mary Jane

Caplan, Tony
Gallager, Eric
Lane, Connie
Mason, James
Payeur, Stephanie
Schuett, Dianne
Wolf, Dan

ROCKINGHAM

Balboni, Peggy
Thomas, Douglas
Emerick, Tracy
Hamblet, Joan
Janigian, John
Walsh, Lilli
Cahill, Michael
Manos, Zoe
Melvin, Charles
Ford, Oliver
Pratt, Kevin
Simpson, Alexis
Dolan, Tom
Vogt, Robin
Weyler, Kenneth

Ball, Lorie
DiLorenzo, Charlotte
Gilman, Julie
Harb, Robert
Murray, Kate
Layon, Erica
Paige, Mark
McBeath, Rebecca
Meuse, David
Osborne, Jason
Prudhomme-O'Brien, Katherine
Spillane, James
Tudor, Paul
Vose, Michael

Bernardy, JD
Donnelly, Tanya
Grossman, Gaby
Harley, Tina
Khan, Aboul
Love, David
Maggiore, Jim
McDonnell, Valerie
Muns, Chris
Piemonte, Tony
Raynolds, Ned
Sweeney, Joe
Turer, Eric
MacDonald, Wayne

Mannion, Dennis
Edgar, Michael
Grote, Jaci
Haskins, Linda
Knab, Allison
Lynn, Bob
Malloy, Dennis
McMahon, Charles
O'Neil, Candice
Potucek, John
Read, Ellen
Cahill, Tim
Vallone, Mark
Ward, Gerald

STRAFFORD

Bay, Luz
Conlin, Bill
Grassie, Chuck
Rich, Jeffrey
Smith, Marjorie
Southworth, Thomas

Bixby, Peter
Connor, James
Howard, Heath
Kenney, Cam
Schmidt, Peter
Treleaven, Susan

Rich, Cecilia
Fitzpatrick, Daniel
Horrigan, Timothy
LaMontagne, Jessica
Pare, Gail
Vincent, Kenneth

Cannon, Gerri
Smith, Geoffrey
Howland, Allan
Levesque, Cassandra
Selig, Ellen
Wall, Janet

SULLIVAN

Sullivan, Brian
Merchant, Gary
Stapleton, Walter

Cloutier, John
Palmer, William
Tanner, Linda

Damon, Hope
Rollins, Skip

Drye, Margaret
Smith, Steven

NAYS - 109**BELKNAP**

Bean, Harry
O'Hara, Travis
Varney, Peter

Bordes, Mike
Beaudoin, Richard

Comtois, Barbara
Smart, Lisa

Dumais, Russell
Terry, Paul

CARROLL

Avellani, Lino

Belcher, Mike

Costable, Michael

Crawford, Karel

CHESHIRE

Qualey, James

Santonastaso, Matthew

COOS

King, Seth

GRAFTON

Coulon, Matthew

Greeson, Jeffrey

Sellers, John

HILLSBOROUGH

Lekas, Alicia
Berry, Ross
Cushman, Leah
Gagne, Larry
Infantine, William
McGough, Tim
Pauer, Diane
Lekas, Tony
Wheeler, Jonah

Abare, Kimberly
Colcombe, Riché
Erf, Keith
Gorski, Ted
Kofalt, Jim
McLean, Mark
Plett, Fred
Mannion, Tom

Ammon, Keith
Cole, Brian
Fedolfi, Jim
Healey, Robert
Lewicke, John
Noble, Kristin
Prout, Andrew
Tenczar, Jeffrey

King, Bill
Corcoran, Travis
Griffin, Gerald
Hynes, Dan
Mazur, Lisa
Panek, Sandra
Sirois, Shane
Ulery, Jordan

MERRIMACK

Andrus, Louise
McGuire, Dan
Polozov, Yury
Testerman, Dave

Aures, Cyril
Gerhard, Jason
Boyd, Stephen
Wood, Clayton

Aylward, Deborah
Hill, Gregory
Seaworth, Brian

McGuire, Carol
Hoell, J.R.
See, Alvin

ROCKINGHAM

Brouillard, Jacob
Dunn, Ron
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Lundgren, David
Popovici-Muller, Daniel
Pearson, Stephen
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Yokela, Josh

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Milz, David
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Horgan, James
Pitre, Joseph

Burnham, Claudine
Turcotte, Len
Potenza, Kelley

Granger, Michael
Newton, Clifford

SULLIVAN

Aron, Judy

Spilsbury, Walter

Stone, Jonathan

and the majority committee report was adopted, and the bill was ordered to third reading.

INTRODUCTION OF SPECIAL GUESTS

The Speaker recognized special guests in the gallery, a delegation of prosecutors from Mongolia. Facilitated by Friends Forever International, a nonprofit organization committed to promoting peace and understanding across cultural divides.

REGULAR CALENDAR CONT'D

HB 486-FN, relative to vehicle registrations and reciprocal toll collection enforcement agreements. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Cyril Aures for the Majority of Ways and Means. The sponsor of this bill believes the fines and possible vehicle registration suspension is too severe for habitual toll violators. It is the majority opinion that due to the number of violations required to start the suspension process (10+ violations and on average \$500 +/- in fines), the \$50 fine plus tolls and fees is commensurate. In addition, habitual violators would have received five notifications at 30 days each, totaling a minimum 150 days to settle their accounts. Also, this bill would

eliminate New Hampshire's reciprocity with Massachusetts, Maine, and other states, eliminating New Hampshire's ability to collect tolls and fees from out-of-state habitual toll violators. This would also prevent our neighboring states from also collecting in the same manner. Vote 18-2.

Rep. Jordan Ulery for the Minority of Ways and Means. This bill would prevent foreign states from using the power of the state to deprive a New Hampshire resident of the ability to register any vehicle due to incurring civil fines associated with toll evasion. Nothing in the bill would prevent civil suits by the turnpike authority against an evader. The minority disagrees with using the force and power of government to collect a fee.

MOTION TO LAY ON THE TABLE

Rep. Comtois moved that **HB 486-FN**, relative to vehicle registrations and reciprocal toll collection enforcement agreements, be laid on the table.

Motion was adopted.

REGULAR CALENDAR CONT'D

HB 510-FN, relative to removing the exemption for premium cigars from the tobacco tax. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. David Rochefort for the Majority of Ways and Means. This bill would eliminate the current tax exemption on premium cigars. If the exemption was eliminated, a tax of 65.03% would be imposed on premium cigars. Premium cigars are not like any other tobacco product and enjoy a successful industry in New Hampshire. This is in large part due to the current exemption resulting in business from neighboring states that heavily taxed these products. The majority believes that this business would be lost to internet sales if the exemption was lifted resulting in the loss of jobs. Vote 15-5.

Rep. Richard Ames for the Minority of Ways and Means. The minority believes there is no rational basis for the existing exemption of premium cigars from the tobacco tax. Premium cigars, like all other tobacco products, have serious adverse effects on health and economic productivity. According to the written testimony of the New Hampshire Public Health Association, "cigar smoking leads directly to a substantial burden of head and neck cancers amongst users." The New Hampshire premium cigar tax exemption should be eliminated. Continuing to exempt premium cigars sends the wrong signal.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Majority committee report was adopted.

HB 607-FN, relative to the regulation of games of chance. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Fred Doucette for the Majority of Ways and Means. This bill, as amended, makes several housekeeping changes to RSA 287-D, the charity gaming law most requested by the Lottery Commission. The bill also increases the maximum allowable wager from \$10 to \$25, keeping in line with New Hampshire Lottery's maximum value scratch ticket, and increases the maximum tournament buy-in to \$2,500. These changes will help to keep New Hampshire charitable gaming facilities competitive with surrounding states. The bill makes permanent the current restriction on the number of facilities that can offer historic horse racing; that restriction is currently scheduled to expire on July 1, 2024. Charitable gaming is a cornerstone fundraising tool for hundreds of New Hampshire charities, last year raising over \$20 million for charities across the state. The amendment corrected all technical issues identified by the lottery. Vote 12-7.

Rep. Richard Ames for the Minority of Ways and Means. Under current law, licenses to operate historic horse racing gaming machines in New Hampshire may only be held by the gaming operators, fourteen in number according to information presented to the committee, who held charitable gaming operator licenses when gaming with historic horse racing gaming machines was first authorized in 2021. Furthermore, this handful of licensees may only operate historic horse racing gaming machines within the city or town in which the licensee held its license on May 1, 2020. Under current law, these operator and locational limits will sunset on July 1, 2024. After that date, other licensees operating at other locations, if approved by the Lottery Commission, will be free under current law to enter the historic horse racing gaming market. Under this bill, the current law sunsetting the gaming operator limit will be immediately repealed, meaning that the monopoly position held by those original fourteen operators and the limit of those operators' facilities to their respective cities and towns will be maintained without any durational limit. The minority agrees that the law should be revised to enable appropriately limited entry into the historic horse racing machine market. But the arbitrary limits enabled in perpetuity by this bill go too far.

Majority Amendment (1024h)

Amend the bill by replacing sections 4-7 with the following:

4 Facilities License Application; Specific Requirements. RSA 287-D:7 is repealed and reenacted to read as follows:

287-D:7 Facilities License Application; Specific Requirements.

I. Any person or entity other than a charitable organization or governmental subdivision with control of a facility, including by a written lease, at which games of chance are held for 5 or more game dates per calendar year shall be licensed.

II. A facilities license application shall include certification of compliance with all of the requirements of RSA 287-D:5, provided that the lottery commission may, by rules adopted by the commission under RSA 541-A, establish additional items to be submitted on the application form or attached to it.

III. Licenses shall expire three years after being issued, provided that the licensee shall annually file with the commission a statement as to any changes to the information required on the license application with the commission no later than December 31 of each year. The licensee shall immediately notify the commission in the event the licensee is subject to arrest or conviction of any criminal offense.

5 Game Operator Employer License Application; Specific Requirements. RSA 287-D:8 is repealed and reenacted to read as follows:

287-D:8 Game Operator Employer License Application; Specific Requirements. Any person or entity other than a charitable organization that employs primary or secondary game operators shall be licensed under this section. In addition to the general requirements under RSA 287-D:5, a game operator employer license application shall include the following information provided that the lottery commission may, by rules adopted by the commission under RSA 541-A, establish additional items to be submitted on the application form or attached to it:

I. Certification of compliance with all of the requirements of RSA 287-D:5.

II. Federal tax identification number.

III. One passport quality photograph, if the applicant is an individual.

IV. A description of the licensed premises.

V. A bond for each location where the game operator employer is conducting games of chance, conditioned upon the licensees running games of chance in conformity with this chapter and with the rules and regulations prescribed by the lottery commission, in the amount of up to \$1,000,000 but not less than \$25,000. The amount of the bond in excess of \$25,000 established for each licensee shall be based on that licensee's normal outstanding obligations of charity payments and state taxes, including any amounts due from historic racing revenue.

VI. Licenses shall expire 3 years after being issued, provided that the licensee shall annually file with the commission a statement as to any changes to the information required on the license application with the commission no later than December 31 of each year. The licensee shall immediately notify the commission in the event the licensee is subject to arrest or conviction of any criminal offense.

VII. Concurrent with the charitable organization, game operator employers who operate games of chance on behalf of a charitable organization shall be responsible for all requirements for which the charitable organization is responsible when a charitable organization operates games of chance itself.

VIII. Unless a provision to the contrary is part of a written agreement in place prior to the commencement of a game date between the charitable organization and the game operator employer, all moneys due to the charitable organization shall be paid over to the organization no later than the 15th day of the month following the month in which a game was conducted.

6 Primary Game Operator License; Specific Requirements RSA 287-D:9 is repealed and reenacted to read as follows:

287-D:9 Primary Game Operator License Application; Specific Requirements.

I. Other than members of a charitable organization, any person who is involved in conducting, managing, supervising, directing, or running games of chance, including, but not limited to, gambling operation managers and assistant managers, managers or supervisors of security employees, pit bosses, shift bosses, credit executives, and cashier operations supervisors shall be licensed under this section. In addition to the general requirements under RSA 287-D:5, a primary game operator license application shall include the following information provided that the lottery commission may, by rules adopted by the commission under RSA 541-A, establish additional items to be submitted on the application form or attached to it:

(a) The identity of the game operator employer for whom the applicant works.

(b) A list of any other states in which the game operator has been registered or licensed as a professional fundraiser, professional game operator, or other similar position.

(c) Whether a registration or license listed in subparagraph (b) has been denied, suspended, revoked, or enjoined by a court or state agency, or if such proceedings are pending.

(d) The names and addresses of any individuals with whom the applicant is affiliated in the fundraising or game operating business.

(e) One passport quality photograph.

II. The provisions of RSA 7:28-c shall not apply to primary game operator licensees.

III. Nothing in this section shall prevent a licensee from working for another game operator employer. A licensee who works for more than one game operator employer during the licensed period shall have a separate badge for each game operator employer, and pay a separate fee for each badge.

IV. The primary game operator license shall expire on the last day of the month of the licensee's birthday 3 years after it is issued, provided that the licensee shall annually file with the commission a statement as to any changes to the information required in paragraph I no later than the last day of the month of the licensee's birthday. The licensee shall immediately notify the commission in the event the licensee is subject to arrest or conviction of any criminal offense.

7 Secondary Game Operator License Application; Specific Requirements. Amend RSA 287-D:10 to read as follows:

287-D:10 Secondary Game Operator License Application; Specific Requirements.

I. Other than members of a charitable organization, any person who is employed by a game operator employer ~~[or a primary game operator]~~ shall be licensed under this section.

II. In addition to the general requirements under RSA 287-D:5, a secondary game operator license application shall include the following information provided that the lottery commission may, by ~~[rule]~~ **rules adopted by the commission under RSA 541-A**, establish additional items to be submitted on the application form or attached to it:

(a) A list of any other states in which the game operator has been registered or licensed as a professional fundraiser, professional game operator, or other similar position.

(b) A statement of whether a registration or license listed in subparagraph (a) has been denied, suspended, revoked, or enjoined by a court or state agency, or if such proceedings are pending.

(c) The identity of the primary game operators for whom the applicant works.

(d) ~~[Two]~~ **One** passport quality ~~[photographs]~~ **photograph**.

III. A secondary game operator license shall expire on the last day of the month of the licensee's birthday **3 years after it is issued, provided that the licensee shall annually file with the commission a statement as to any changes to the information required in paragraph II with the commission no later than the last day of the month of the licensee's birthday. The licensee shall immediately notify the commission in the event the licensee is subject to arrest or conviction of any criminal offense.**

IV. The provisions of RSA 7:28-c shall not apply to secondary game operator licensees.

V. Nothing in this section shall prevent a licensee from working for different licensed entities. ~~[A licensee who works for more than one game operator employer during the licensed period shall submit a supplemental application with a separate licensing fee.]~~ **The licensee shall** have a separate badge for each game operator employer, and pay a separate fee for each badge.

VI. Upon receipt of a completed application under this section, and at the request of the applicant, the lottery commission may issue a provisional license, valid for up to 60 days, under rules adopted by the lottery commission under RSA 541-A regarding provisional licenses. If the lottery commission denies the license, the provisional license shall expire upon the applicant's receipt of such denial. If the applicant requests a provisional license under this paragraph, he or she shall submit a fee of \$10 to the lottery commission, in addition to the application fee for the license, at the time of such request.

Amend the bill by replacing section 13-14 with the following:

13 Penalties. Amend RSA 287-D:23, III to read as follows:

III. The lottery commission may suspend or revoke the license of any licensee who violates any provision of this chapter or for just cause shown. Any licensee whose license is revoked shall not be eligible for licensure for a period ~~[of up to one year]~~ from the date of revocation **as determined by the commission. In determining the amount of time for suspension or revocation, the lottery commission may take into consideration all relevant circumstances, including: the degree of noncompliance, the extent of harm caused by the violation, the nature and persistence of the violation, the time and cost associated with the investigation by the state, and the economic impact of the violation on the state or the charitable organization conducting or sponsoring the game.**

14 Penalties. Amend RSA 287-D:23, IX to read as follows:

IX. The lottery commission may impose an administrative fine scaled to reflect a violator's prior history of noncompliance with laws pertaining to games of chance and the scope and severity of the violation, after notice and hearing, pursuant to rules adopted under RSA 541-A, for any violation of this chapter, any rule adopted under this chapter, any license issued pursuant to this chapter, or any order issued pursuant to this chapter, or upon any person who makes or certifies to a ~~[material]~~ **materially** false statement relative to any application or report required by this chapter. In determining the amount of a fine, the lottery commission may take into consideration all relevant circumstances, including: the degree of noncompliance, the extent of harm caused by the violation, the nature and persistence of the violation, the time and cost associated with the investigation by the state, and the economic impact of the violation on the state or the charitable organization conducting or sponsoring the game. No administrative fine imposed under this paragraph shall preclude the imposition of other penalties as provided by law. Rehearings and appeals from a decision of the lottery commission under this paragraph shall comply with RSA 541. Fines imposed by the lottery commission shall be as follows:

(a) The fine for a minor violation shall be not less than \$25 and not more than \$500 per violation. A minor violation shall be one where the lottery commission determines that the potential for harm to the interests of the state and the charitable organization, as well as the integrity of charitable gaming is minor ~~[and may include, but is not limited to, the failure of a game operator, a game operator employer, charitable organization, or charitable organization member to:~~

- ~~(1) Wear a properly issued badge;~~
- ~~(2) Post 2 copies of the laws and rules;~~
- ~~(3) Have a diagram available for each table where games of chance are being played indicating the type of game being played, the bet amount, the buy-in amount, and the re-buy amounts as applicable; or~~
- ~~(4) Publicly display the name of the charitable organization].~~

(b) The fine for a moderate violation shall be not less than \$250 and not more than \$1,500 per violation. A moderate violation shall be one where the lottery commission determines that the potential for harm to the interests of the state and the charitable organization, as well as the integrity of charitable gaming is moderate ~~[and may include, but is not limited to, a game operator, game operator employer, charitable organization, or charitable organization member:~~

- ~~(1) Filing a late financial report;~~
- ~~(2) Operating a game not specifically listed on the game schedule;~~
- ~~(3) Operating a game on a different date than licensed without approval of the lottery commission; or~~
- ~~(4) Committing 3 or more minor violations within 2 years].~~

(c) The fine for a major violation shall be not less than \$1,000 and not more than \$5,000 per violation. A major violation shall be one where the lottery commission determines that the potential for harm to the interests of the state and the charitable organization, as well as the integrity of charitable gaming is major. ~~[and shall include, but is not limited to, a game operator, game operator employer, charitable organization, or charitable organization member:~~

- ~~(1) Operating a game of chance without a license;~~
- ~~(2) Operating a game of chance without having the personnel or officials required;~~
- ~~(3) Purposely operating a game of chance without a representative of the charitable organization present as specified in RSA 287-D:14, XI;~~
- ~~(4) Operating a game of chance with game operators who are not licensed;~~
- ~~(5) Failing to establish or maintain a New Hampshire bank account; or~~
- ~~(6) Committing 5 or more minor violations or 3 or more moderate violations within 2 years.]~~

(d) The lottery commission may suspend any part of a fine for just cause.

Amend the bill by replacing section 19 with the following:

19 Effective Date.

I. Sections 9 and 10 of this act shall take effect upon its passage.

II. The remainder of this act shall take effect 60 days after its passage.

Majority committee amendment was adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.
Rep. Doucette offered floor amendment (1103h).

Floor Amendment (1103h)

Amend the bill by replacing section 18 with the following:

18 Amend Effective Date; Licensed Historic Horse Racing Facilities. Amend 2021, 66:11, I to read as follows:

I. Section 10 of this act shall take effect July 1, [2024] **2029**.

The question being adoption of floor amendment (1103h).

Rep. Doucette spoke in favor.

Floor amendment (1103h) was adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.
Majority committee report was adopted and the bill was ordered to third reading.

BILLS REMOVED FROM THE CONSENT CALENDAR

HR 14, a resolution to urge the investigation of due process in family court cases. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Patrick Long for Children and Family Law. The committee continues hearing testimony on irregularities specific to the family division of Circuit Court. This resolution would benefit the Children and Family Law Committee and New Hampshire families in determining appropriate and informed movement forward. Vote 16-0.

Amendment (0894h)

Amend the title of the resolution by replacing it with the following:

A RESOLUTION regarding the evaluation of alleged procedural irregularities in the New Hampshire judicial branch circuit court, family division and affiliated agencies.

Amend the resolution by replacing all after the title with the following:

Whereas, the house children and family law committee has received allegations of irregularities, including failure to follow or enforce statutes, unwarranted waiver of or failure to follow court rules, delay in rendering decisions, denial of due process, and other procedural issues, therefore be it

Resolved by the House of Representatives:

That a select committee appointed by the speaker of the house shall conduct hearings to receive testimony and evidence from persons knowledgeable about the family division of the circuit court and affiliated agencies. The committee shall consist of 11 state legislators who shall serve as the voting members and 5 knowledgeable members of the public, experienced in family law issues who shall serve as the non-voting members. No officers of the court shall be non-voting members. The committee's primary focus shall be to schedule hearings to receive testimony from former parties, litigants, counsel who have participated in proceedings before the family division or affiliated agencies, or parties with direct knowledge of such proceedings. Focus shall be on the more recent cases and events. The committee shall also schedule hearings to gather relevant information, as necessary, from:

1. Guardians ad litem who have participated in proceedings before the family division.
2. Employees of the division of children, youth and families.
3. Employees of the bureau of child support services.
4. Members and employees of the New Hampshire judicial branch, except that no testimony from judges will be requested that would cause a judge to be in violation of the rules of judicial conduct or otherwise request judges to reveal their analysis of individual case decisions.

Additionally, the committee may seek guidance regarding relevant procedures in the family division from:

5. Representatives of The New Hampshire Bar Association.
6. Representatives of New Hampshire Legal Assistance.
7. A national organization such as the National Center for State Courts or the National Council of Juvenile and Family Court Judges to provide information regarding family court process and procedures in other states.

The committee will coordinate with the judicial branch when meeting at a circuit court to observe public hearings regarding family division cases.

The committee may designate individual members to review non-confidential case files and hearing recordings and report to the committee regarding observations from their review of those files and recordings.

The committee shall hold not less than 3 public hearings to hear testimony from current and former litigants, counsel or persons directly knowledgeable regarding these issues. The hearings shall be noticed in at least one state-wide newspaper one week in advance of the hearing. Hearings may be held in public venues other than the legislative office building around the state to facilitate public participation.

The committee may hold additional public hearings to inquire of jurists, the bureau of child and family support services, or the division of children, youth, and families employees regarding the veracity of non-confidential circumstances and facts at issue in cases being reviewed. If necessary, the committee shall have the power to subpoena and compel attendance of state officers and the provision of non-confidential documents. This shall be accomplished by an affirmative vote of the committee which shall then be referred to the speaker of the house by the chair of the committee, requesting the issuance of a subpoena.

The committee shall report its findings by November 1, 2024 to the chair of the house children and family law committee, the chair of the house judiciary committee, the chair of the senate house and human services committee, the chair of the senate judiciary committee the speaker of the New Hampshire house of representatives, the president of the New Hampshire senate, the governor, and to the administrative judge of the circuit court.

MOTION TO LAY ON THE TABLE

Rep. Mark Pearson moved that **HR 14**, a resolution to urge the investigation of due process in family court cases, be laid on the table.

Motion was adopted.

BILLS REMOVED FROM THE CONSENT CALENDAR CONT'D

HB 648-FN, relative to establishing a state bank of New Hampshire. **INEXPEDIENT TO LEGISLATE.**

Rep. Keith Ammon for Commerce and Consumer Affairs. Over the past decade, multiple bills proposing the establishment of a state bank in New Hampshire have ultimately been rejected by the Commerce and Consumer Affairs Committee due to concerns about the feasibility and effectiveness of such a bank. The unique circumstances in North Dakota that led to the success of their state bank do not apply to New Hampshire. Private sector banks and existing development funding organizations already serve our state's banking needs well. The main concerns with this legislation are: 1) how such a bank would be capitalized; 2) how it would survive the long path to profitability; 3) how much taxpayers would be on the hook if it failed; and 4) potential conflicts with other agencies and institutions. For all of these reasons, the majority of the committee recommends this bill be found Inexpedient to Legislate. Vote 18-1.

The question being adoption of the committee report of Inexpedient to Legislate.
 Reps. Horrigan and Gerhard spoke against.
 Rep. Hunt spoke in favor.
 Committee report was adopted.

HB 277, relative to patients' right to sterilization treatment. **INEXPEDIENT TO LEGISLATE.**

Rep. Erica Layon for Health, Human Services and Elderly Affairs. The committee agreed that adult women should not be denied sterilization on the grounds that the doctor knew better than the woman that she would want children in the future. This is all too common and a problem that must be addressed, however the members of the committee opposed this bill for various reasons. Some objected to mandating insurance coverage of a procedure in the patient's bill of rights. Others objected to adding individual procedures to the intentionally broad patient's bill of rights. Others were concerned that a surgeon's right of conscience could be put at risk, and that language to address this shortcoming would make the bill useless. Due to these numerous concerns, the committee would welcome a new approach to this pressing concern. Vote 20-0.

MOTION TO LAY ON THE TABLE

Rep. Layon moved that **HB 277**, relative to patients' right to sterilization treatment, be laid on the table. On a division vote, with 367 members having voted in the affirmative, and 8 in the negative, the motion was adopted.

RESOLUTION

Rep. Osborne offered the following: RESOLVED, that the House now adjourn from the early session, that the business of the late session be in order at the present time, that the reading of bills be by title only and resolutions by caption only and that all bills ordered to third reading be read a third time by this resolution, and that all titles of bills be the same as adopted, and that they be passed at the present time, and when the House adjourns today it be to meet at the Call of the Chair.
 Motion was adopted.

LATE SESSION

Third Reading and Final Passage

HB 49-FN-A, relative to postponing the closure of the Sununu Youth Services Center.

HB 68-FN, adopting the uniform real property transfer on death act.

HB 88, relative to reproductive rights.

HB 224-FN, repealing the criminal and civil penalties from the fetal life protection act.

HB 261, authorizing residential tenants to terminate their lease in instances of domestic violence or following a disabling illness or accident.

HB 150, relative to the certification of a collective bargaining unit.

HB 139, relative to the definition of "municipal host" for purposes of limited electrical energy producers.

HB 142, relative to the operation of the Burgess Biopower plant.

HB 607-FN, relative to the regulation of games of chance.

UNANIMOUS CONSENT

Rep. Damon requested Unanimous Consent of the House regarding Women's History Month and addressed the House.

MOTION TO PRINT REMARKS

Rep. Tanner moved that the remarks made by Rep. Damon during Unanimous Consent be printed in the Permanent Journal.

Without objection, the Speaker ordered.

REMARKS

Representative Damon: Thank you, Mister Speaker. Colleagues, good afternoon. Thank you for tolerating a Unanimous Consent. I know it's been a long day. I stand before you for recognition of March National Women's History Month and I stand with my education committee colleagues of both parties and others who value the role of women in state government. If I asked all of the women here to come down, it would be about 1/3 of the House and less people to be speaking to. If I asked all the men who value women in government, I think we would all be on this side of the podium. At least I hope so. So, as I briefly acknowledge some significant women in New Hampshire history, I ask you to also reflect on the women who have contributed to your opportunities and successes. I am the granddaughter of a suffragette, Mabelle Merritt, 1895 to 2000. Yes, she touched 3 centuries and lived to be 105. Gram was 25 when women in the U.S. achieved the right to vote. She understood the privilege and value of voting, never missed an election and I carry her with me every day. Today, in my first term as a New Hampshire State Representative, I feel enormous responsibility as one woman with a small role to play in democracy. I enter these walls with reverence for our history and

respect for our democracy. The New Hampshire Women's Foundation, a statewide nonpartisan nonprofit reports that in the 2022 elections the other side of the wall reached gender parity for the second time with 12 of the 24 members being women. We had the first state legislative body with more women than men in 2008. Currently, the New Hampshire House has 37% women of which 100 are Democrats and 48 are Republicans. Notable New Hampshire women include, and the list could go on forever so I assure you I will not. Harriet Wilson of Milford. The first African American of any gender to publish a novel in North America. Harriet Patience Dame. The first woman to have her portrait hung at our State House. She was a prominent nurse in the American Civil War, twice captured. Marilla Ricker. She was the first female lawyer in New Hampshire. The first woman to run for governor, a suffragist and a philanthropist. She paved the way for women to be accepted into the New Hampshire Bar and made significant, lasting contributions to women's rights. When Miss Ricker announced her campaign for governor in 1910, 10 years before she acquired the right to vote, she said, "I'm running for Governor in order to get people in the habit of thinking of women as governors. People have to think about a thing for several centuries before they get acclimated the idea." Fortunately, it did not take centuries. In 1920, the 19th Amendment to the United States Constitution confirmed women's right to vote. New Hampshire elected 2 women to the State House that year on write-in campaigns, Jessie Doe and Dr. Mary Louise Farnham. Forty-four years later, Dudley Dudley became the first woman on the executive council. Her portrait is here at the State House as well. New Hampshire was the first state in the U.S. to have an all-woman congressional delegation. As you all know probably, we were the first state to elect the same woman to be both governor and state senator, which we have now done twice, and I don't think any other state has done it once yet. All of this is not only good for women. It is good for our country. Women's life experiences are different than men. Not better. Not worse, but different. Having women's perspectives and voices at the table, in positions of power to make collaborative decisions is necessary to everyone's wellbeing, especially since we have created such a large table this week. Role models in mentoring are incredibly important to young people. Seeing folks that you can relate to, people who look like you, seeing women in leadership roles, helps young people envision themselves serving in similar positions. Of the 213 portraits at our State House, 9 are women. I want to begin to work to change that and I invite you to collaborate with me. I look forward to the time when women's history is simply recognized as inclusive to history, when we have equal representation at all levels of government. I thank you for your time and I hope you have a wonderful weekend.

UNANIMOUS CONSENT

Rep. McGhee requested Unanimous Consent of the House regarding a celebration of public service for the former member from Hollis, the Honorable Jim Belanger and addressed the House.

UNANIMOUS CONSENT

Rep. Cannon requested Unanimous Consent of the House regarding Transgender Day of Visibility and addressed the House.

MOTION TO PRINT REMARKS

Rep. Weber moved that the remarks made by Rep. Cannon during Unanimous Consent be printed in the Permanent Journal.

Without objection, the Speaker ordered.

REMARKS

Representative Cannon: Thank you, Mister Speaker. Thank you all for sticking around. March 31 is the International Transgender Day of Visibility. It was founded in 2009 to honor the achievements and contributions of a large community of very diverse individuals. The International Transgender Day of Visibility is a time to celebrate the lives and achievements of transgender individuals around the world and to recognize the bravery it takes to live openly and authentically. It is also a time to raise awareness of the discrimination and violence that all transgender communities still face, which makes it difficult and even unsafe or fatal for many transgender individuals to be visible. The transgender community has suffered oppression disproportionately in many ways, including discrimination in employment and the workplace, discrimination in educational institutions, and violence at the hands of others. Transgender individuals of color, individuals with limited resources, immigrants, individuals living with disabilities, justice-involved individuals, and transgender youth, experience unwarranted violence. More than 700 anti-transgender bills have been submitted to legislatures across the US during the years 2021, 2022, and 2023. Yet the transgender community has made it clear that transgender individuals will not be erased and deserve to be accorded all of the rights and opportunities made available to all. Before the creation of the United States, Indigenous two-spirit, transgender individuals existed across North America in many Native American communities. With specific terms in their own languages for these individuals and the social and spiritual roles they fulfilled in their communities, and, while many traditions were lost or actively suppressed by the efforts of missionaries, government agents, boarding schools, and settlers, these traditions have experienced a revival in recent decades. Transgender individuals continue to tell their stories and push for full equity under the law across our country. The civil rights struggle has

been strengthened and inspired by the leadership of the transgender community. Transgender individuals in the United States have made significant strides in elected office and political representation. At least 29 states have at least 1 transgender elected official at the State or municipal level. There are no less than 18 transgender, gender-non conforming, or nonbinary elected officials serving in our state legislatures. And even in our own legislature, our own James Roesener who is the first openly transgender male in the country and is one of our legislators. Alissandra Murray, and myself also are here to represent the community. Transgender individuals have created culture and history as artists, musicians, organizers, and leaders. For many of us the International Transgender Day of Visibility is a time to celebrate the transgender community around the world. It is a day when we recognize the bravery of the transgender community as it fights for equality, dignity and respect. Thank you.

RECESS MOTION

Rep. Osborne moved that the House stand in recess for the purposes of the introduction of bills, enrolled bill amendments, enrolled bill reports, vacate motions and receiving messages.

Motion was adopted.

The House recessed at 3:15 p.m.

RECESS

(Speaker Packard in the Chair)

MOTION TO VACATE

Rep. Steven Smith moved that the House vacate the reference of **SB 52-FN**, relative to the regulation and operation of electric vehicle charging stations, to the Committee on Transportation.

Motion was adopted.

The Speaker referred **SB 52-FN** to the Committee on Science, Technology and Energy.

MOTION TO VACATE

Rep. Steven Smith moved that the House vacate the reference of **SB 65**, relative to screening panels for medical injury claims, to the Committee on Health, Human Services and Elderly Affairs.

Motion was adopted.

The Speaker referred **SB 65** to the Committee on Judiciary.

MOTION TO VACATE

Rep. Steven Smith moved that the House vacate the reference of **SB 110-FN-L**, relative to residency status, to the Committee on Health, Human Services and Elderly Affairs.

Motion was adopted.

The Speaker referred **SB 110-FN-L** to the Committee on Municipal and County Government.

MOTION TO VACATE

Rep. Steven Smith moved that the House vacate the reference of **SB 211-FN**, relative to background investigations of solid waste and hazardous waste facility permit applicants, to the Committee on Executive Departments and Administration.

Motion was adopted.

The Speaker referred **SB 211-FN** to the Committee on Environment and Agriculture.

RECESS

(Speaker Packard in the Chair)

RESOLUTION

Rep. Steven Smith offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, Senate Bills numbered 74, 105, 130, 151, 249, 252, 253, 256, 260 and 263 shall be by this resolution read a first and second time by the therein listed titles and referred to the therein designated committees.

Motion was adopted.

INTRODUCTION OF SENATE BILLS

First, second reading and referral

SB 74-FN, relative to the department of administrative services. (Executive Departments and Administration)

SB 105-FN, relative to information collected by the division of vital records administration as part of the live birth worksheet. (Executive Departments and Administration)

SB 130-FN, relative to a court security officer training program. (Criminal Justice and Public Safety)

SB 151-FN, relative to mental health education. (Education)

SB 249-FN, relative to the release of a defendant pending trial. (Criminal Justice and Public Safety)

SB 252-FN, relative to release of a defendant pending trial. (Criminal Justice and Public Safety)

SB 253, relative to parental access to a minor child's medical records. (Children and Family Law)

SB 256-FN, establishing a safety program for off-highway recreational vehicles. (Transportation)

SB 260-FN, relative to deductions under the business profits tax for compensation of members and owners. (Ways and Means)

SB 263-FN, extending the New Hampshire granite advantage health care program and reestablishing the commission to evaluate the effectiveness and future of the New Hampshire granite advantage health care program. (Health, Human Services and Elderly Affairs)

COMMITTEE ASSIGNMENTS

The Speaker made the following changes to committee assignments:

Rep. Berry, Chairman on the Committee on Election Law.

Rep. Boehm, Vice Chairman on the Committee on Election Law.

RECESS

(Speaker Packard in the Chair)

MOTION TO VACATE

Rep. Steven Smith moved that the House vacate the reference of **SB 235-FN**, relative to services provided through a primary care behavioral health model, to the Committee on Health, Human Services and Elderly Affairs.

Motion was adopted.

The Speaker referred **SB 235-FN** to the Committee on Commerce and Consumer Affairs.

RECESS

(Speaker Packard in the Chair)

MOTION TO VACATE

Rep. Steven Smith moved that the House vacate the reference of **SB 267-FN**, requiring the commissioner of the department of environmental services to consider "cumulative impacts analysis" in rules and statutes, to the Committee on Resources, Recreation and Development.

Motion was adopted.

The Speaker referred **SB 267-FN** to the Committee on Environment and Agriculture.

SENATE MESSAGES

CONCURRENCE

CACR 6, relating to the retirement age for judges. Providing that the mandatory judicial retirement age shall be increased from 70 to 75.

HB 66, establishing a committee to study non-pharmacological treatment options for patients with chronic pain.

HB 79, establishing a committee to study the New Hampshire law relative to standards for farm products and marketing and grading commodities.

HB 85, relative to antenuptial agreements.

HB 151, establishing a committee to study the issue of unmarried cohabitants, domestic partnerships, and common law marriage.

HB 162, relative to supported decision making.

HB 188, relative to the duration of physical therapy.

HB 223, relative to prescription refills.

HB 240, relative to equal access to marriage.

HB 365, relative to a statewide facility condition assessment for school buildings.

HB 466, relative to water bottle filling stations in schools.

HB 501, relative to ages for special education services.

NONCONCURRENCE

HB 124, relative to temporary alimony.

RECESS