



State of
New Hampshire

HOUSE RECORD

First Year of the 169th General Court Calendar and Journal of the 2025 Session

Web Site Address: <https://gc.nh.gov>

Vol. 47

Concord, N.H.

Thursday, May 8, 2025

No. 14

HOUSE JOURNAL NO. 13 (Cont'd)

Thursday, May 1, 2025

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

HOUSE JOURNAL NO. 14

Thursday, May 8, 2025

The House assembled at 10:00 a.m., the hour to which it stood adjourned, and was called to order by the Deputy Speaker.

Prayer was offered by House Chaplain, Reverend Jonathan Hopkins, Pastor at Concordia Lutheran Church in Concord.

Dear God, we pray You will give us courage, energy and abundant resources to do the right things. Help us to live the American principles and values of our founders. Help us with the steps we need to take to pass just and good legislation, and give us the motivation, a driving passion, to take the necessary action. We have been given much, and often we have hoarded it. Give us the passion for our state and country so we are ready to give up our time, energy, and money to serve our country and state. We pray that we be led farther and farther away from self-centeredness and materialism and closer to serving our neighbor. We pray today for all those who are sick or suffering. We pray especially for Speaker Packard. Help him to heal so he returns to us ready to lead and serve. May You give him Your healing touch. We give thanks for all families who give each other support and love. Families are the backbone of our communities. Help us to pass laws that help families care for each other and thrive in our state. Amen.

Representative Susan Porcelli, member from Hampton Falls, led the Pledge of Allegiance.

The National Anthem was sung by Bobby Pace of Kensington.

LEAVES OF ABSENCE

Reps. Edwards, Fedolfi, Foote, Gibbs, Grill, Geoffrey Smith, Sofikitis and Varney, the day, illness.

Reps. Bennett, Bryer, Franz, Litchfield, McFarlane, Ouellet, Packard, Plante, Presa, Read, Spahr, Trottier and Thomas Walsh, the day, important business.

Rep. Kate Murray, the day, illness in the family.

INTRODUCTION OF GUESTS

Keegan O'Conner, student from Fall Mountain Regional High School, Page for the day.

Brenda Major and the Major family, guests of Rep. Harb. Jonathan McCue, guest of Rep. Beauchemin. Karl Van Ledtje, guest of Rep. Malloy. John and Claudette Proulx, guests of Rep. Osborne. Fourth-grade students from Grinnell Elementary School, guest of Rep. Layon

MEMORIAL REMARKS

Reps. Harb and Almy offered memorial remarks for the former member from Plaistow, the Honorable Norman Major.

MOMENT OF SILENCE

A moment of silence was observed in honor and in memory of the former member from Plaistow, the Honorable Norman Major.

MOTION TO PRINT REMARKS

Rep. Melvin moved that the remarks made by Reps. Harb and Almy be printed in the Permanent Journal. Without objection, the Speaker ordered.

MEMORIAL REMARKS

Representative Harb: Thank you very much, Mister Speaker. Before we start, I have asked all of the delegation from either now or in the past to join us and also Ways and Means because many of you know Mr. Major served many years as Chairman and then minority leader on Ways and Means. Speaking with me today is Susan Almy. First, I'm going to ask Susan to come up and give us some remarks about Norman and all the years he served on Ways and Means. Thank you, Susan.

Representative Almy: Thank you. Norman Major and I first met each other in our second term when we both landed our dream assignment on the Finance Committee. Then we both were assigned to double duty, triple duty on the 10-person Division IV created to answer the supreme court order that the legislature define and fund an adequate education. Six weeks and 250 hours later we all knew each other pretty well. Norm was 12 years older than I was. Both of us with long first careers. The second term, Finance disgorged Ways and Means with us to attach to it. Norm was made Vice Chair and then Chair. We worked together pretty well for years until the Democrats won the majority in 2007 and I became Chair. Jordon Ulery can tell you how that went down with Norm. He was pretty shell-shocked and that lasted for a couple of years. Jordan actually helped a lot to keep us together at that point. There were a lot of legislators that were shell-shocked. Democrats had not been in power for 150 years. None of us knew what we were doing. We made up after a few years and resumed our partnership, collaborating in committee and on floor tactics. Norm went through several serious illnesses at that time. I was afraid he was dying twice, but he recovered, and he persisted for many years after that. I had started working in 2001 on the state's dedicated funds, which were all over the place and unknown to most people and we formed a permanent committee for oversight after several years and Norm became the Chair, and I took on the reporting. I joined him at NCSL in fighting the national push to let state sales tax for state's that taxed the goods sold to non sales tax states. I got to know his wife, Brenda, at evening meetings at NCSL. In 2016, we began working together to oppose the lost revenues that threatened the state's ability to serve its citizens. When he retired, I called him up to tell him about what was going on, but not as often as I would have liked. He'd always answer the phone with a pleased "Susan" that will echo in my ears for the rest of my life. Norm, as emblematic of the Republicans that I met when I first arrived, caring most about the welfare of the state and his community. He loved his community, and they loved him back. I live two hours away from Plaistow and I never knew how much he was loved until I went to the second huge party they gave him and learned how they had wrapped themselves around him on his retirement. I loved Norm as a brother and Brenda with him. I will miss him a lot.

Representative Harb: Thank you, Susan. I thank Norm's family and his widow, Brenda, for being here today. If you would wait once this presentation is over, I have a flag for you, a state flag that flew over the state house to present. Well, you've heard Susan tell you about his many years with Ways and Means. I want to tell you why I believe and all of us believe Norm was a great statesman, a great citizen of New Hampshire and truly one that dedicated his entire life to the state and his town, Plaistow. In addition to all these years he served in the House, which I believe is 26, locally he was on the budget committee, the board of adjustment, the select board, the anniversary committee, the time capsule committee, the old home day committee, assistant town moderator, assistant school district moderator and state representative for many years. I first got into politics with Norm when I ran for moderator of Plaistow and then moderator for the school district. Norm served with me for 12 years as assistant moderator. He served at least 20 years before that as assistant moderator to the town. Norm was a politician with a vision. More than 50 years ago, he had the Town of Plaistow buy a piece of land that stands at one of the tallest spots in Plaistow, saying someday we will have water in Plaistow. We now have it, and it comes down through Manchester, Salem, Atkinson and we have a flowing water line. Norm was so proud that he was one of the first to tie-in to that water line and he said, "See, if you keep working for things, Bob, it will come true if you just work long and hard enough." That was one of the many things he did. He was involved in my local church fundraising to build a new church umpteen years ago. The town annex has been named after Norm. As you might guess, being on Ways and Means and numbers, if you needed a number of any election for the last 40 years, Norm kept a record, and I hope his family passes it on to somebody. He kept a record of every vote in every hour in every election for over 40 years. So, you could ask him how many people voted at 8:00 on that day and he had a record and would pull it up. He really was our statistician. He was a member of the Lions Club locally. He was an Eagle Scout. His children are Eagle Scouts. His grandchildren are Eagle Scouts. Somebody came up to me at his wake and said, "I remember Norm, he brought us on a jamboree, I remember Norm, he brought us camping." His dedication to youth, children and the community of Plaistow is unlimited. It's not big enough to say we will all miss him because we will. I miss him standing next to me at every election for the town. I miss him for his guidance and mentoring. So important that all of us mentor those coming up. He mentored me and

my position here at the state house. We will greatly miss him. We all thank him for his service. A true politician. A true political servant of Plaistow and New Hampshire. I hope you will keep him in your prayers and his family in your prayers and remember Norman Major, one of our fallen. Mister Speaker, might we have a moment of silence?

REMARKS BY THE SPEAKER

The Speaker addressed the House on the passing of the former member from Plaistow, the Honorable Norman Major.

MOTION TO PRINT REMARKS

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

MEMORIAL REMARKS

Deputy Speaker Steven Smith: So, I shared an office with Norm for two years. I didn't know him well when that started and I viewed him as a serious man, a confident man, a respected man and somebody I didn't want to act like an idiot in front of, but sometimes I can't help it. I didn't really know how to interact with him because, you know, I'm kind of a little in awe of this person. One day my filter was off, I came in and did the *Cheers* greeting. I walked in and looked straight at him, and I went, "Norm!" He looked at me quizzically, said "Hi" and went back to the work that he was doing. So, now it's a thing. So, I did this to him a few times. I don't even know if he ever saw the show. He probably just thought I was nuts. One day, I walk into the LOB and Norm is there signing in at the security desk. There are a lot of people in that lobby. He turns around and looks straight at me and goes, "Steve!" And on that day, I learned that Norm Major had a great sense of humor, and I miss him.

SENATE MESSAGES

REQUESTS CONCURRENCE WITH AMENDMENTS

HB 213, relative to wage garnishment for child support. (Amendment printed SJ 4/17/25)

Rep. Mark Pearson moved that the House concur and spoke in favor.

Motion was adopted.

HB 87-FN, prohibiting the posting of land not owned by the poster. (Amendment printed SJ 4/17/25)

Rep. Roy moved that the House concur and spoke in favor.

Motion was adopted.

HB 179-FN, relative to hazardous waste accident fees. (Amendment printed SJ 4/17/25)

Rep. Judy Aron moved that the House concur and spoke in favor.

Motion was adopted.

HB 134, relative to the state building code. (Amendment printed SJ 4/17/25)

Rep. Carol McGuire moved that the House concur and spoke in favor.

Motion was adopted.

HB 214-FN, relative to the regulation of recreational therapists and respiratory care practitioners and relative to delaying the effective dates of various new procedures for criminal history records checks. (Amendment printed SJ 5/1/25)

Rep. Carol McGuire moved that the House concur and spoke in favor.

Motion was adopted.

HB 469, relative to membership of the public deposit investment pool advisory committee. (Amendment printed SJ 5/1/25)

Rep. Carol McGuire moved that the House concur and spoke in favor.

Motion was adopted.

HB 265, requiring that a public body's meeting minutes include start and end times of the meeting and the printed name of the recording secretary. (Amendment printed SJ 4/17/25)

Rep. Lynn moved that the House concur and spoke in favor.

Motion was adopted.

HB 92, requiring recusal of members of zoning boards of adjustment and planning boards in certain circumstances. (Amendment printed SJ 4/17/25)

Rep. Pauer moved that the House concur and spoke in favor.

Motion was adopted.

HB 110, authorizing counties to establish revolving fund accounts. (Amendment printed SJ 3/27/25)

Rep. Pauer moved that the House concur and spoke in favor.

Motion was adopted.

HB 127-FN, extending the closing date of the OHRV trails on the Connecticut River Headwaters property from September 30 to Columbus Day. (Amendment printed SJ 3/27/25)

Rep. Harb moved that the House concur and spoke in favor.

Motion was adopted.

HB 64, relative to extending hiring preferences for military members and their spouses to the state and private businesses, and establishing purchase preferences for disabled veterans and military spouses regarding state supply purchases. (Amendment printed SJ 4/17/25)

Rep. Moffett moved that the House concur and spoke in favor.

Motion was adopted.

CONSENT CALENDAR

Rep. Osborne moved that the Consent Calendar with the relevant amendments as printed in the day's House Record be adopted.

SB 250, relative to pharmacist administration of long-acting injectable drugs, removed by Reps. Alexander, Notter, Mazur, Reinfurt, Layon, Korzen, Noble, Giasson, Berry and Drew.

Consent Calendar was adopted.

Rep. Lucas recused herself on **SB 78** and did not participate in the vote on the Consent Calendar.

SB 19, relative to hotel and motel operations. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John Hunt for Commerce and Consumer Affairs. This bill, as introduced, repeals the requirement that hotel keepers post a notice of rental rates in hotel rooms and also repeals the requirement that motel operators place signs displaying rates for rental units. The amendment allows hotels and motels to deny or refuse rental agreements with guests under the age of 21. Vote 11-0.

Amendment (1689h)

Amend the bill by inserting after section 1 the following and renumbering the original sections 2 and 3 to read as 3 and 4, respectively:

2 New Section; Trade and Commerce; Public Accommodations; Rental Agreement Policies With Guests Under 21. Amend RSA 354-A by inserting after section 17 the following new section:

354-A:17-a Rental Agreement Policies With Guests Under 21. Nothing in this subdivision shall prohibit a hotel, motel, or other lodging establishment held out to transient guests for public accommodations from having policies denying or refusing rental agreements with guests under 21 years of age.

AMENDED ANALYSIS

This bill:

- I. Allows hotels and motels to deny or refuse rental agreements with guests under the age of 21.
- II. Repeals the requirement that hotel keepers post a notice of rental rates in hotel rooms.
- III. Repeals the requirement that motel operators place signs displaying rates for rental units.

SB 140-FN, establishing a domestic violence fatality review committee. **OUGHT TO PASS.**

Rep. Jennifer Rhodes for Criminal Justice and Public Safety. This bill will codify best practices into law by establishing a domestic violence fatality review committee by continuing to bring experts across the state to meet biennially for the purpose of conducting a review of homicides related to domestic violence and publish a report of their findings every two years. The comprehensive reviews that the committee conduct are an important part of the state's understanding of domestic violence homicides and allow the committee to better understand and identify barriers to a victim's safety and make recommendations to prevent future fatalities. Vote 16-0.

SB 145-FN, establishing an evidence shipping pilot program and providing an appropriation therefor. **OUGHT TO PASS.**

Rep. Richard Lascelles for Criminal Justice and Public Safety. This bill establishes a pilot program for utilizing common carriers for transporting evidence to the state laboratory rather than depending on state employees, who in many cases have other higher priority duties to perform. This bill establishes appropriate procedures to protect chain of custody while making the process more efficient and cost effective. Vote 16-0.

The Speaker referred the bill to the Committee on Finance.

SB 258-FN, establishing crimes related to the fraudulent use of gift cards. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jennifer Rhodes for Criminal Justice and Public Safety. This bill, as amended, will ensure that a recipient of an illegally obtained store gift card is not held accountable for receiving the property if they had no reasonable means of knowing or believing it was obtained by deception or forgery. This bill with the amendment will amend RSA 637 which establishes a criminal offense and ensures a person shall be guilty of theft that acquires or retains possession of retail gift cards, open loop gift cards, or card redemption information fraudulently; with the intent to defraud and without consent of the card holder, card issuer, or gift card reseller. This leg-

isolation will also put a value of \$250 on any gift card that does not have a listed value and gives definitions to gift card, open loop gift card, and closed loop gift card. This legislation is supported by law enforcement, the retailers association, and the New Hampshire attorney general's office. It is not supported by the thieves that are obtaining them with the intent to commit fraud against hard working individuals. Vote 16-0.

Amendment (1580h)

Amend RSA 637:10-d, II(b) as inserted by section 2 of the bill by replacing it with the following:

(b) Uses, for the purpose of obtaining money, goods, services, or anything else of value, a gift card or gift card redemption information that the person knows or believes has probably been obtained by deception or forgery; or

SB 95, relative to youth recreation camp cabins and the state building and fire codes. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Carol McGuire for Executive Departments and Administration. This bill exempts camp cabins from some elements of the state building code and fire code, particularly sprinklers. Small, seasonal cabins would be arduous and expensive to sprinkler, and camp residents have shown that they can evacuate in less than one minute, before sprinklers could even go off. This bill is supported by the state fire marshal and the fire safety inspectors. The committee amendment simply pre-approves any changes to the state building code and fire code necessary to implement the intent of the bill. Vote 12-0.

Amendment (1740h)

Amend the bill by inserting after section 2 the following and renumbering the original section 3 to read as 4:

3 Enabling Code Amendments. The state building code review board and the state board of fire control shall amend their codes as necessary to implement and comply with RSA 153:5, VII, and RSA 155-A:14.

SB 172, banning certain contract provisions from being enforced against advanced practice registered nurses. **OUGHT TO PASS.**

Rep. Erica de Vries for Executive Departments and Administration. This bill would improve access to health care across New Hampshire by banning non-compete agreements that may act to prevent Advanced Practice Registered Nurses (APRNs) from practicing in the communities that need them most, especially rural areas. New Hampshire already prohibited non-compete agreements for Registered Nurses because such agreements restrict workforce mobility and limit health care access. This bill extends that prohibition to APRNs. Vote 13-0.

SB 179-FN, relative to the state council on housing stability. **OUGHT TO PASS.**

Rep. Jaci Grote for Executive Departments and Administration. This bill is a request from the state council of housing stability and attaches the council to the department of health and human services (DHHS), adds a second landlord to the membership, and repeals the biennial housing plan. The council is active and holds a large diverse membership; it is thought that DHHS could add administrative support to its important work. Vote 14-0.

SB 184, recognizing the second Thursday in October as children's environmental health day. **INEXPEDIENT TO LEGISLATE.**

Rep. Jaci Grote for Executive Departments and Administration. Although the committee is sympathetic with the relationship of children's health and the environment, the committee maintains that there are more effective means to address this than recognition of a special day. Last year Governor Sununu signed such a proclamation and we heard in testimony that DES has such a program. The committee feels that these means of communication are most effective and therefore this bill was not needed. Vote 12-0.

SB 31-FN, establishing an apprentice guide license. **OUGHT TO PASS.**

Rep. Cathryn Harvey for Fish and Game and Marine Resources. This bill establishes an apprentice guide license. Anyone wishing to become a hunting or fishing guide but who has not yet completed the board requirements is eligible to a one time purchase of an apprentice license, and may then participate in guide activities only when accompanied by a properly licensed guide. Vote 14-0.

SB 32, relative to the fish and game commission. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Cathryn Harvey for Fish and Game and Marine Resources. This is a housekeeping bill requested by the Fish and Game Department to clarify wording in RSA 206, RSA 207, RSA 211, and RSA 214. It also allows Fish and Game to post public hearing notices digitally. Vote 12-0.

Amendment (1720h)

Amend RSA 207:7, V as inserted by section 2 of the bill by replacing it with the following:

V. The provisions of this section shall not apply shooting of injured or crippled waterfowl from a motorized watercraft while in the sea duck hunting area.

AMENDED ANALYSIS

This bill:

I. Allows public hearing notices to be posted digitally on newspaper websites.

- II. Allows the shooting of injured or crippled waterfowl from a motorized watercraft in a specified area.
- III. Removes the word “brook” from the reference to trout in the method and manner of taking fish.
- IV. Enables the executive director of fish and game to set the fisheries habitat fee in rules.
- V. Repeals the Connecticut River Atlantic salmon commission.

This bill is a request of the fish and game department.

SB 235, enabling funds from the Pitman-Robertson Act to be spent by the fish and game department on threatened and endangered species in New Hampshire. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Cathryn Harvey for Fish and Game and Marine Resources. This bill, as amended, allows funds from the Pitman-Robertson Act to be spent by the Fish and Game Department on threatened and endangered species of New Hampshire. The amendment allows the Executive Director of the Fish and Game Department to partner with retailers and approve collection points for donations around the state. Vote 14-0.

Amendment (1603h)

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

AN ACT enabling funds from the Pitman-Robertson Act to be spent by the fish and game department on threatened and endangered species in New Hampshire and allowing the fish and game department to collect donations at sites approved by the executive director.

Amend the bill by inserting after section 1 the following and renumbering the original section 2 to read as 4, respectively:

2 New Section; Funds Paid from Collected Donations. Amend RSA 206 by inserting after section 33-g the following new section:

206:33-h Funds Paid from Collected Donations. The executive director may approve donation collection points and may accept funds paid from such donation collection points within the state of New Hampshire. Notwithstanding any other provision of law to the contrary, the executive director may accept and receive such funds without the approval of the governor, the governor and council, or the commission. All moneys received under this section shall be deposited into the fish and game fund established under RSA 206:33 and used solely for the purposes set forth in RSA 206:34-a. The executive director may invest in technology necessary to enable the solicitation and collection of donations.

3 Fish and Game Fund. Amend RSA 206:34-a to read as follows:

206:34-a Use of Fish and Game Funds. All revenues accruing from sales of licenses and permits, *donations solicited and collected at donation collection points approved by the executive director*, and any other revenue received by the department, and any money reimbursed or granted to the department by the state or federal government for fish, game, and wildlife conservation or related programs shall be used solely for conservation, restoration, management, educational benefit, recreational use, and scientific study of the fish, game, and wildlife resources of the state, including acquisition of property and general administration of RSA title XVIII. Such funds shall be used for no other purposes.

AMENDED ANALYSIS

This bill enables funds from the Pitman-Robertson Act to be spent by the fish and game department on threatened and endangered species in New Hampshire.

This bill also allows the executive director of the fish and game department to approve collection points for donations around the state.

SB 92-FN, relative to the collection of birth worksheet information. **OUGHT TO PASS.**

Rep. Mark McLean for Health, Human Services and Elderly Affairs. This bill updates the language on New Hampshire’s birth worksheet to recognize civil unions and record the Apgar score at 10 minutes after birth in addition to the existing requirement to record the scores at 1 and 5 minutes after birth. More importantly, it prohibits the division of vital records from releasing to the Centers for Disease Control and Prevention (CDC) information that could be used to individually identify the child or its parents. While the committee agreed that the submission of anonymous data to the CDC would be beneficial in the legitimate analysis of birth trends, this bill, by withholding identifying data, maintains an appropriate balance and respects the right to privacy of New Hampshire’s residents as laid out in the constitutional amendment of 2018. Vote 17-1.

SB 118-FN, relative to the personal needs allowance of residents of nursing homes; making an appropriation to the department of health and human services for Hampstead hospital and residential treatment facility staff; and establishing the Hampstead hospital and residential treatment facility capital investment fund. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Yury Polozov for Health, Human Services and Elderly Affairs. The committee supports this bill, which adjusts the personal needs allowance for nursing home residents annually, based on the consumer price index, instead of every five years. It also appropriates funds to the Department of Health and Human Services for Hampstead Hospital and Residential Treatment Facility staff and establishes the Hampstead Hospital and Residential Treatment Facility Capital Investment Fund. The committee’s amendment includes a car-

ryforward clause, depositing previously approved related revenue, such as from leasing Hampstead Hospital, into the fund. Additionally, the amendment incorporates the House position on HB 53, allowing qualifying patients and designated caregivers to cultivate cannabis for therapeutic use, balancing patient savings with the underlying bill's increased taxation. Vote 18-0.

Amendment (1871h)

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

AN ACT relative to the personal needs allowance of residents of nursing homes; making an appropriation to the department of health and human services for Hampstead hospital and residential treatment facility staff; establishing the Hampstead hospital and residential treatment facility capital investment fund; and permitting qualifying patients and designated caregivers to cultivate cannabis for therapeutic use.

Amend the bill by replacing all after section 2 with the following:

3 New Paragraph; Department of Health and Human Services; Hampstead Hospital and Residential Treatment Facility; Establishing Fund. Amend RSA 126-A:5, by inserting after paragraph XXXVI the following new paragraph:

XXXVII. There is hereby established the Hampstead hospital and residential treatment facility capital investment fund. The department shall deposit revenue received through leasing Hampstead hospital and residential treatment facility or any other administrative activities into the fund. For the biennium ending June 30, 2027, the department shall deposit all revenue into the fund. In the event that such revenue exceeds \$3,000,000, for the biennium ending June 30, 2027, the department shall provide a report to the fiscal committee of the general court identifying the total amount. The fund shall be nonlapsing and continually appropriated to the commissioner for the purpose of supporting required capital investments and ongoing maintenance and upkeep of the campus at Hampstead hospital and residential treatment facility and may not be transferred or used for any other purpose.

4 Department of Health and Human Services; Carryforward. For the biennium ending June 30, 2025, all revenue collected by the department of health and human service derived from the operations transfer and asset purchase agreement, lease agreement, and transition services agreement, approved by the governor and executive council on December 18, 2024, shall be deposited into the Hampstead hospital and residential treatment fund.

5 New Subparagraph; Application of Receipts; Hampstead Hospital and Residential Treatment Facility Capital Investment Fund. Amend RSA 6:12, I(b) by inserting after subparagraph (399) the following new subparagraph:

(400) Moneys deposited in the Hampstead hospital and residential treatment facility capital investment fund as established in RSA 126-A:5, XXXVII.

6 Use of Therapeutic Cannabis for Therapeutic Purposes; Definitions. Amend RSA 126-X:1, IV to read as follows:

IV. "Cultivation location" means a locked and enclosed site, under the control of an alternative treatment center where cannabis is cultivated, secured with one or more locks or other security devices in accordance with the provisions of this chapter, ***or under the control of a qualifying patient or designated caregiver where cannabis is cultivated and which meets the requirements of this chapter.***

7 Use of Therapeutic Cannabis; Definitions. Amend RSA 126-X:1, VI to read as follows:

VI. "Designated caregiver" means an individual who:

(a) Is at least 21 years of age;

(b)(1) Has agreed to assist with one or more (not to exceed 5) qualifying [patient's] ***patients in the*** therapeutic use of cannabis, except if the qualifying patient and designated caregiver each live greater than 50 miles from the nearest alternative treatment center, ~~[in which case]~~ the designated caregiver may assist with the therapeutic use of cannabis for up to 9 qualifying patients; ***or***

(2) Has agreed to cultivate cannabis for therapeutic use pursuant to this chapter for no more than one qualifying patient;

(c) Has never been convicted of a felony or any felony drug-related offense; and

(d) Possesses a valid registry identification card issued pursuant to RSA 126-X:4.

8 New Paragraphs; Use of Cannabis for Therapeutic Purposes; Definitions. Amend RSA 126-X:1 by inserting after paragraph VI-a the following new paragraphs:

VI-b. "Immature cannabis plant" means a cannabis plant that has not flowered and which does not have buds that may be observed by visual examination and which is at least 12 inches tall.

VI-c. "Mature cannabis plant" means a cannabis plant that has flowered and that has buds that may be observed by visual examination.

9 Use of Therapeutic Cannabis; Definitions. Amend RSA 126-X:1, XIII(c) to read as follows:

(c) Cultivation by a designated caregiver or qualifying patient, ***except as provided under RSA 126-X:2, II-a and II-b.***

10 New Paragraphs; Use of Therapeutic Cannabis Purposes; Protections. Amend RSA 126-X:2 by inserting after paragraph II the following new paragraphs:

II-a. Except as provided in RSA 126-X:3, VII(b), a qualifying patient or designated caregiver who has reported to the department a cultivation location that meets the requirements of this chapter, shall not be subject to arrest by state or local law enforcement, prosecution or penalty under state or municipal law, or denied any right or privilege for the therapeutic use of cannabis in accordance with this chapter, if, at the cultivation location, while transporting cannabis and cannabis plants and seedlings to a new cultivation location that has been reported to the department within the prior 21 days, or while transporting cannabis seedlings from an alternative treatment center to the cultivation location, the qualifying patient or designated caregiver possesses or cultivates an amount of cannabis that does not exceed the following:

- (a) Eight ounces of usable cannabis;
- (b) Any amount of unusable cannabis; and
- (c) Three mature cannabis plants, 3 immature cannabis plants, and 12 seedlings.

II-b. A cultivation location under the control of a qualifying patient or designated caregiver shall meet the following requirements:

- (a) It shall be at the qualifying patient's or designated caregiver's residence.
- (b) It shall be reported to the department, except that either the qualifying patient or their designated caregiver, but not both, shall report a cultivation location to the department.
- (c) It shall be locked and enclosed.
- (d) The cannabis plants shall not be subject to public view, including from another private property, without the use of optical aids.
- (e) It shall have a canopy of no more than 50 square feet, except that if more than one qualifying patient, designated caregiver, or both, share a cultivation location, the total canopy of all cannabis plants shall not exceed 100 square feet.

11 Use of Therapeutic Cannabis; Purposes; Protections. Amend RSA 126-X:2, III to read as follows:

III. A designated caregiver may receive compensation for costs, ***not to exceed \$500 per calendar year***, not including labor, associated with assisting a qualifying patient who has designated the [designated] caregiver to assist him or her with the therapeutic use of cannabis. Such compensation shall not constitute the sale of [controlled substances] ***a controlled drug pursuant to RSA 318-B.***

12 Use of Therapeutic Cannabis; Protections. Amend RSA 126-X:2, XV to read as follows:

XV. A laboratory, ***and the employees thereof***, which conducts testing of cannabis [required under rules for] ***delivered to it by*** alternative treatment centers, [adopted under this chapter, and the employees thereof] ***qualifying patients, or designated caregivers***, shall not be subject to arrest by state or local law enforcement, prosecution or penalty under state or municipal law, or search, for acting pursuant to this chapter and department rules to possess cannabis on the premises of the laboratory for the purposes of testing, and, in the case of a laboratory employee, denied any right or privilege for working for such a laboratory.

13 Use of Therapeutic Cannabis; Prohibitions and Limits. Amend RSA 126-X:3, I to read as follows:

I. A qualifying patient may use ***and a qualifying patient or designated caregiver may cultivate*** cannabis on privately-owned real property only with written permission of the property owner or, in the case of leased property, with the permission of the tenant in possession of the property, except that a tenant shall not allow a qualifying patient to smoke cannabis on rented property if smoking on the property violates the lease or the lessor's rental policies that apply to all tenants at the property. ***A tenant or guest of a tenant shall not cultivate cannabis on rented property if the lessor has prohibited therapeutic cannabis cultivation.*** However, a tenant may permit a qualifying patient to use cannabis on leased property by ingestion or inhalation through vaporization even if smoking is prohibited by the lease or rental policies. For purposes of this chapter, vaporization shall mean the inhalation of cannabis without the combustion of the cannabis.

14 New Subparagraph; Use of Therapeutic Cannabis; Registry Identification Cards. Amend RSA 126-X:4, I by inserting after subparagraph (h) the following new subparagraph:

- (i) The qualifying patient's cultivation location, if any.

15 New Subparagraph; Use of Therapeutic Cannabis; Registry Identification Cards. Amend RSA 126-X:4, II by inserting after subparagraph (h) the following new subparagraph:

- (i) The designated caregiver's cultivation location, where he or she may cultivate cannabis on behalf of a single qualifying patient who has not reported a cultivation location.

16 Use of Therapeutic Cannabis; Registry Identification Cards. Amend RSA 126-X:4, IX(a) to read as follows:

IX.(a) A qualifying patient shall notify the department before changing his or her designated caregiver ***or cultivation location. A designated caregiver shall notify the department before changing his or her cultivation location.***

17 Use of Therapeutic Cannabis; Registry Identification Cards. Amend RSA 126-X:4, XI to read as follows:

XI.(a) The department shall create and maintain a confidential registry of each individual who has applied for and received a registry identification card as a qualifying patient or a designated caregiver in ac-

cordance with the provisions of this chapter. Each entry in the registry shall contain the qualifying patient's or designated caregiver's name, mailing address, date of birth, date of registry identification card issuance, effective date of *the* registry identification *card*, date of registry identification card expiration, [and] random 10-digit identification number, *and cultivation location, if any*. The confidential registry and the information contained in it shall be exempt from disclosure under RSA 91-A.

(b)(1) Except as specifically provided in this chapter, no person shall have access to any information about qualifying patients or designated caregivers in the department's confidential registry, or any information otherwise maintained by the department about providers and alternative treatment centers, except for authorized employees of the department in the course of their official duties and local and state law enforcement personnel who have detained or arrested an individual who claims to be engaged in the therapeutic use of cannabis.

(2) If a local or state law enforcement officer submits a sworn affidavit to the department affirming that he or she has probable cause to believe cannabis is possessed *or cultivated* at a specific address, an authorized employee for the department may disclose whether the location is associated with a qualifying patient, designated caregiver, or cultivation location [~~of an alternative treatment center~~].

(3) If a local or state law enforcement officer submits a sworn affidavit to the department affirming that he or she has probable cause to believe a specific individual possesses *or cultivates* cannabis, an authorized employee for the department may disclose whether the person is a qualifying patient or a designated caregiver, provided that the law enforcement officer provides the person's name and address or name and date of birth.

(4) Requests by law enforcement officials under this section to the department pursuant to a sworn affidavit, search warrant, or court order, regardless of whether or not the name or address was found in the registry, shall be confidential under this chapter and exempt from disclosure under RSA 91-A. Aggregate data relative to such requests may be made public if it does not contain any identifying information regarding the specific law enforcement request.

(5) Counsel for the department may notify law enforcement officials about falsified or fraudulent information submitted to the department where counsel has reason to believe the information is false or falsified.

18 New Paragraph; Use of Therapeutic Cannabis; Registry Identification Cards. Amend RSA 126-X:4 by inserting after paragraph XII the following new paragraph:

XIII.(a) No later than December 1, 2025, the department shall allow existing and new qualifying patients and designated caregivers to report a cultivation location provided that:

(1) A qualifying patient may report a cultivation location only if he or she does not have a designated caregiver who has reported a cultivation location.

(2) A designated caregiver may report a cultivation location only if he or she does not have a qualifying patient who has reported a cultivation location.

(b) No individual shall report a cultivation location if such individual's permission to cultivate has been revoked pursuant to RSA 126-X:3, VIII(b).

19 Use of Therapeutic Cannabis; Affirmative Defense. Amend RSA 126-X:5, I to read as follows:

I. It shall be an affirmative defense for any person charged with manufacturing, possessing, having under his or her control, selling, purchasing, prescribing, administering, transporting, or possessing with intent to sell, dispense, or compound cannabis, cannabis analog, or any preparation containing cannabis, if:

(a) The actor is a qualifying patient who has been issued a valid registry identification card, was in possession of cannabis in a quantity and location permitted pursuant to this chapter, and was engaged in the therapeutic use of cannabis;

(b) The actor is a designated caregiver who has been issued a valid registry identification card, was in possession of cannabis in a quantity and location permitted pursuant to this chapter, and was engaged in the therapeutic use of cannabis on behalf of a qualifying patient; or

(c) The actor is an employee of a laboratory conducting testing required for alternative treatment centers pursuant to rules adopted under this chapter *or that tests cannabis provided to it by qualifying patients and designated caregivers*.

20 New Subparagraph; Use of Therapeutic Cannabis; Alternative Treatment Centers. Amend RSA 126-X:8, XIII by inserting after subparagraph (c) the following new subparagraph:

(d) A qualifying patient or designated caregiver shall not obtain from an alternative treatment center more than 12 seedlings during a 3-month period.

21 Use of Cannabis for Therapeutic Purposes; Prohibitions and Limits. Amend RSA 126-X:3, VII to read as follows:

VII.(a) The department may revoke the registry identification card of a qualifying patient or designated caregiver for violation of rules adopted by the department or for violation of any other provision of this chapter, including for obtaining more than 2 ounces of cannabis in any 10-day period in violation of RSA 126-X:8, XIII(b), and the qualifying patient or designated caregiver shall be subject to any other penalties established in law for the violation.

(b) The department may revoke a qualifying patient's or designated caregiver's permission to cultivate cannabis for a violation of the rules adopted by the department or for a violation of any provision of this chapter.

22 Use of Cannabis for Therapeutic Purposes; Alternative Treatment Centers. Amend RSA 126-X:8, XV(a) to read as follows:

XV.(a)(1) An alternative treatment center shall not possess or cultivate cannabis in excess of the following quantities:

[(1)] (A) Eighty **mature** cannabis plants, 160 [seedlings] **immature cannabis plants**, and 80 ounces of usable cannabis[; or 6 ounces of usable cannabis per qualifying patient]; and

[(2)] (B) Three mature cannabis plants, 12 [seedlings] **immature cannabis plants**, and 6 ounces **of usable cannabis** for each qualifying patient registered [as a qualifying patient] under this chapter.

(2) An alternative treatment center shall not be limited in the number of seedlings it can possess or cultivate.

23 Use of Cannabis for Therapeutic Purposes; Departmental Rules. Amend RSA 126-X:6, III(a)(15) to read as follows:

(15) Procedures for determining and enforcing the daily maximum amount of therapeutic cannabis which an alternative treatment center may cultivate or possess pursuant to RSA 126-X:8, XV(a)(1).

24 Effective Date.

I. Section 1 of this act shall take effect January 1, 2026.

II. Sections 3, 4, and 5 shall take effect June 30, 2025.

III. The remainder of this act shall take effect July 1, 2025.

AMENDED ANALYSIS

This bill:

I. Adjusts the personal needs allowance for nursing home residents to reflect social security increases on an annual basis rather than the current 5-year adjustment.

II. Makes an appropriation to the department of health and human services to fund certain leave accrual and retention payments for temporary classified staff positions at the Hampstead hospital and residential treatment facility.

III. Establishes the Hampstead hospital and residential treatment facility capital investment fund and provides that all revenue collected by the department of health and human services from the operations transfer and asset purchase agreements approved by the governor and council on December 18, 2024 be deposited in the fund.

IV. Permits qualifying patients and designated caregivers to cultivate cannabis for therapeutic use.

The Speaker referred the bill to the Committee on Finance.

SB 138, relative to record requests by health care providers and establishing a committee to study access to medical records in the state of New Hampshire. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Mark McLean for Health, Human Services and Elderly Affairs. The committee amended version of this bill removes the committee to study access to medical records created in the original bill and retains only that section of the bill mandating that when a person's healthcare provider requests their medical records, the transfer of records must be made within 14 days at no cost. Because current law already recognizes that a person's medical records belong to them, the committee felt that the 14-day requirement was a reasonable timeframe to help ensure the prompt delivery of medical care. Vote 16-1.

Amendment (1764h)

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

AN ACT relative to record requests by health care providers.

Amend the bill by replacing all after section 1 with the following:

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

AMENDED ANALYSIS

This bill provides that when a health care provider requests a patient's medical records, the records should be provided within 14 days of the request.

SB 248, establishing a committee to study palliative and hospice care in New Hampshire. **OUGHT TO PASS.**

Rep. Mark McLean for Health, Human Services and Elderly Affairs. This bill would establish a legislative committee to study palliative and hospice care in New Hampshire. The primary scope of the committee would be to evaluate availability and barriers to access for people with disabilities, recipients of long-term care, people with dementia, and veterans. Many people, such as survivors of traumatic brain injury, have poor access to on-going palliative care even though it has been demonstrated to have a significant impact on quality of life. These barriers need to be understood and addressed where possible. Additionally, as controversial

discussions around medical aid in dying continue, the committee felt that it was important to fully explore the powerful alternative that hospice care offers people by providing comfort and dignity during the final journey at the end of life. Vote 16-2.

SB 252, relative to criteria for providing certain medical care through telemedicine. **OUGHT TO PASS.**

Rep. Linda McGrath for Health, Human Services and Elderly Affairs. This bill expands the use of telemedicine to prescribe non-opioids and opioids. It deletes the need for an “in person” initial evaluation (this requirement was more restrictive than under federal rules) making it more accessible, especially for the incarcerated population who, when they get out, may wait months before being able to find an in-person provider and this would make sure their treatments are not interrupted. It will also help those who live in rural areas of the state. The bill also authorizes physician assistants and advanced practice registered nurses to prescribe these medications via telemedicine. Vote 18-0.

SB 173, relative to residential property subject to housing covenants under the low income housing tax credit program. **OUGHT TO PASS.**

Rep. David Paige for Housing. The low-income housing tax credit (LIHTC) program incentivizes private investment in affordable rental housing. Under current statute, municipalities may assess properties subject to a housing covenant under LIHTC using either an amount equal to 10% of actual income or, as an alternative, they may use a complex formula. Use of the latter method, however, has led to significant administrative burden, errors, and varying and subjective interpretations of the law. This bill would eliminate use of this alternative formula, leading to increased predictability in budgeting for property owners, reduced ambiguity, and less friction for those who are helping our neighbors and our communities through their commitment to provide housing below market rate. The Assessing Standards Board testified that they fully support this bill. Vote 15-0.

The Speaker referred the bill to the Committee on Ways and Means.

SB 263, criminalizing and creating a private right of action for the facilitation, encouragement, offer, solicitation, or recommendation of certain acts or actions through a responsive generative communication to a child. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Joe Alexander for Judiciary. The majority of the judiciary committee believes this bill has a lot of merit. The bill, as amended, would add language to the bill as sent to the House saying that the owner or operator of an Artificial Intelligence (AI) chatbot would have to have direct knowledge indicating the AI chatbot is engaging in “facilitation, encouragement, offer, solicitation, or recommendation of certain acts or actions through a responsive generative communication to a child.” The amendment would eliminate the private right of action and allow the Attorney General’s (AG) office sole enforcement powers. However, before bringing an action, the AG would have to give the offending business an opportunity to “cure” the violation, and could sue only if the business does not satisfactorily cure. The committee felt that with the advancement of AI happening so frequently it would place an undue burden on New Hampshire businesses and industries not to have such a provision. The Judiciary Committee believes we should be encouraging industry to harness the power of AI while putting in guardrails to protect our youth. This bill, as amended, does both of those things. Vote 17-1.

Amendment (1717h)

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

1 New Paragraph; Endangering Welfare of a Child; Responsive Generative Communication. Amend RSA 639:3 by inserting after paragraph III the following new paragraph:

III-a.(a) For the purposes of prosecution under this section, an owner or operator of a computer online service, Internet service, or bulletin board service, including a provider of an artificial intelligence (AI) chat program, large language model artificial intelligence bot, chat bot, character AI, or other computer application, the sole purpose of which is to provide responsive open-ended generative communication through the use of artificial intelligence, commits the offense of endangering the welfare of a child if the owner or operator knows at the time that they direct the communication to the child that the communication is made with the intent to facilitate, encourage, offer, solicit, or recommend that the child imminently engage in:

- (1) Sexually explicit conduct.
- (2) The production or participation in the production of a visual depiction of such conduct.
- (3) The illegal use of drugs or alcohol.
- (4) Acts of self-harm or suicide.
- (5) Any crime of violence against another person.

(b) This paragraph shall not apply to:

(1) A cloud service provider, or a provider of a telecommunications service or an information service, as defined in 47 U.S.C. section 153, with respect to the provision of content created by or supplied on behalf of another person; or

(2) Any product, service, website, or application that provides an AI chat program or character that is integral or incidental to a video game, television, streaming, movie, or other similar interactive experience.

2 New Section; Enforcement; Responsive Generative Communication with Children. Amend RSA 507 by inserting after section 8-j the following new section:

507:8-k Enforcement Action for Solicitation of Children Through Responsive Generative Communication.

I. Any owner or operator of a computer online service, Internet service, or bulletin board service, including a provider of an artificial intelligence (AI) chat program, large language model artificial intelligence bot, chat bot, character AI, or other computer application, the sole purpose of which is to provide responsive open-ended generative communication through the use of artificial intelligence, shall be liable to a child, parent of such child, or next friend of such child if the owner or operator knows at the time that they direct the communication to the child that the communication is made with the intent to facilitate, encourage, offer, solicit, or recommend that the child imminently engage in:

- (1) Sexually explicit conduct.
- (2) The production or participation in the production of a visual depiction of such conduct.
- (3) The illegal use of drugs or alcohol.
- (4) Acts of self-harm or suicide.
- (5) Any crime of violence against another person.

II. The attorney general may bring an action against an owner or operator that violates this section for damages proximately caused to a child, as provided in paragraph III, or for appropriate injunctive relief. Prior to initiating such action, the attorney general shall provide the owner or operator with written notice of each alleged violation and the factual basis thereof, and shall give the owner or operator 90 days to provide assurances satisfactory to the attorney general that the owner or operator has cured the violations and has taken adequate steps to prevent future violations. If such assurances satisfactory to the attorney general are provided, the attorney general shall not initiate an action against the owner or operator for such violations. The attorney general shall have the sole right of action for a violation of this section.

III. An owner or operator of such service shall be liable to a child, or the parent or next friend of the child, for damages proximately caused by a violation of paragraph I, but in no instance liable for an amount less than liquidated damages in the amount of \$1,000 per violation.

IV. This section shall not apply to:

(1) A cloud service provider, or a provider of a telecommunications service or an information service, as defined in 47 U.S.C. section 153, with respect to the provision of content created by or supplied on behalf of another person; or

(2) Any product, service, website, or application that provides an AI chat program or character that is integral or incidental to a video game, television, streaming, movie, or other similar interactive experience.

3 Effective Date. This act shall take effect January 1, 2026.

The Speaker referred the bill to the Committee on Criminal Justice and Public Safety.

SB 42, relative to notice of death affidavits. **OUGHT TO PASS.**

Rep. Laurel Stavis for Municipal and County Government. This bill will simplify the inheritance process for New Hampshire residents when they inherit real property by allowing them to present a notice of death affidavit to the Registry of Deeds in the county in which the property is located. It simplifies what is now an onerous process, especially so at a difficult time of loss for families and individuals. In some cases it may help to avoid probate and spare residents the expense of retaining an attorney. Vote 18-0.

SB 78, relative to the zoning board of adjustments appeal period. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Dylan Germana for Municipal and County Government. This bill provides clarity to both contractors/land developers and residents for how long an individual has to appeal to the board of adjustment. The amendment allows an additional 15 days to make such an appeal. Vote 18-0.

Amendment (1713h)

Amend the bill by replacing section 1 with the following:

1 Appeals to Board of Adjustment. Amend RSA 676:5, I to read as follows:

I. Appeals to the board of adjustment concerning any matter within the board's powers as set forth in RSA 674:33 may be taken by the applicant, an abutter as defined by RSA 672:3, or by any officer, department, board, or bureau of the municipality affected by any decision of the administrative officer. Such appeal shall be taken within ~~[a reasonable time, as provided by the rules of the board,]~~ **45 days** by filing with the officer from whom the appeal is taken and with the board a notice of appeal specifying the grounds thereof. The officer from whom the appeal is taken shall forthwith transmit to the board all the papers constituting the record upon which the action appealed from was taken.

AMENDED ANALYSIS

This bill removes the zoning board of adjustment's discretion for determining when to take an appeal and replaces it with a non-discretionary 45-day period.

SB 217, relative to public notice of historic tax rates and tax impacts of proposed projects. **INEXPEDIENT TO LEGISLATE.**

Rep. David Walker for Municipal and County Government. This bill, although well intended in principal, is too cumbersome to implement. Fitting many charts, graphs and summary of proposed projects on to the front page of the website is problematic and may lead to confusion on part of the taxpayer. The committee determined that the tax rate was insufficient information to enable the taxpayer to make an informed decision. The committee could not agree on the specific information to present that would remedy the bill. Therefore, the committee saw no need to advance this version of that legislation. Vote 17-1.

SB 225-FN-L, requiring public notice before re-assessment of property values for local tax purposes. **INEXPEDIENT TO LEGISLATE.**

Rep. David Walker for Municipal and County Government. Although the spirit of the bill is applauded, its application is not practical to implement across the state. This legislation applies to municipalities with a population of at least 10,000 and requires a notification of assessment change 45 day minimum prior to issuance of the final tax bill. This can be problematic due to delays that could potentially push the notification within the tax billing deadline. Additionally, no penalty or directive for deadline violations make the bill unenforceable. This legislation is in response to a court ordered revaluation on short notice to the City of Nashua. The city issued notices of a revaluation with only a seven-day period to "challenge" the findings. The committee believes a court ordered revaluation is the exception, not the rule and that the cause of the short notification should be determined. Additionally, the entire problem and the cost to remedy should be understood prior to drafting the solution. Therefore, the committee saw no need to advance this version of that legislation. Vote 18-0.

SB 151-FN, relative to accessible parking permit verification and fraud prevention. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Henry Giasson for Transportation. The intent is to increase the penalty for drivers who park in a restricted space without a properly issued disability placard. This bill increases the violation fines for parking in a restricted space and introduces a split dispersment with 50% of the assessed fine payable to the town or city where it occurred to encourage prudent enforcement. The amendment introduces penalties for fraudulent placards, purchased and stolen placards, and criminalizes repeat offenders. The end goal is to ensure that our pre-designated restricted spaces are reserved to our handicapped population and are not abused by those with no mobility restrictions. Vote 15-0.

Amendment (1799h)

Amend RSA 265:69, I(j) as inserted by section 1 of the bill by replacing it with the following:

(j) In any parking place, whether on public or private property, specially designated for a person with a walking disability by means of a sign as required by RSA 265:73-a stating that the space is reserved for a person with a walking disability or displaying the international accessibility symbol, unless that person has a special plate or placard issued or recognized pursuant to RSA 261:86 or RSA 261:88, and the person who qualifies for the plate or placard is being transported to or from the parking place. Notwithstanding the provisions of title LXII or any other provision of law, a person who violates the provisions of this subparagraph, ***except if subject to RSA 265:74, II***, shall be fined a minimum of [~~\$250~~] ***\$500 plus penalty assessment*** of which [~~20~~] ***50*** percent is payable to the town or city where the violation occurred;

Amend the bill by replacing section 3 with the following:

3 Walking Disability; Parking Privileges; Fines. Amend RSA 265:74 to read as follows:

265:74 Parking Privileges for Persons With Walking Disability.

I. Any motor vehicle carrying the special plates or hanging windshield placard issued to a person with a walking disability under RSA 261:88, or a similar license plate displaying the international accessibility symbol shall be allowed free parking in any city or town, including any state or municipal parking facility where a fee is charged. Each city or town shall have the discretion to set the time periods using guidelines which shall be provided by the governor's commission on disability. The free parking shall only be allowed if the person who qualifies for the special plates or hanging placard is being transported in the vehicle to or from the parking place. Parking places designated for persons with walking disabilities shall be utilized only if a person with a walking disability is being transported in the vehicle to or from the parking place. Notwithstanding the provisions of any local ordinance which has been adopted to regulate parking in places designated for persons with walking disabilities, any person who is convicted under this section shall be guilty of a violation and fined [~~\$250~~] ***\$500*** plus penalty assessment of which [~~20~~] ***50*** percent is payable to the town or city where the violation occurred.

II. Any person who parks a vehicle in any parking place, whether on public or private property, specially designated for a person with a walking disability by means of a sign as required by RSA 265:73-a stating that the space is reserved for a person with a walking disability or displaying the international accessibility symbol, while displaying a counterfeit, forged, stolen, or purchased

handicap placard that has not been issued by an agency with authority to do so, shall be guilty of a violation with a fine of not less than \$1,000 for a first offense, and a misdemeanor with a fine of not less than \$1,500 for a second or subsequent offense.

4 Effective Date. This act shall take effect January 1, 2026.

AMENDED ANALYSIS

This bill requires that walking disability placards contain certain driver's license information, creates a penalty for a disabled driver who parks in a restricted parking space without displaying their placard, and increases fines for parking in restricted spaces without a placard. This bill also makes the display of a counterfeit, fraudulent, or other unofficial walking disability placard while parked in a properly designated parking space reserved for individuals with walking disabilities a violation or misdemeanor.

The Speaker referred the bill to the Committee on Criminal Justice and Public Safety.

SB 266-FN, relative to safety and accountability of drivers under 18 years of age. **OUGHT TO PASS.**

Rep. Joseph Hamblen for Transportation. Whereas driving is a privilege in New Hampshire, the committee feels that drivers still, under the graduated license, need to learn the value of that privilege. By making the penalties larger for violations, the impression this makes on the violator will make more of an impact, thus causing the driver to be more mindful of their driving habits. Vote 15-0.

The Speaker referred the bill to the Committee on Criminal Justice and Public Safety.

REGULAR CALENDAR

CACR 8, relating to sheriffs. Providing that no person shall hold the office of county sheriff after he or she has attained the age of seventy-five years. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Richard Lascelles for the Majority of Criminal Justice and Public Safety. This bill changes the mandatory retirement age for sheriffs from 70 to 75. The current age restriction was established in 1792 when the world was very different. The state is losing the talent and experience of very good public servants due to this outdated requirement. Vote 9-7.

Rep. David Meuse for the Minority of Criminal Justice and Public Safety. Article 78 of the New Hampshire State Constitution states that "No person shall hold the office of Judge of any Court, or Judge of Probate, or Sheriff of any county, after he has attained the age of seventy years." This bill would retain the age 70 maximum for judges, but would establish an age 75 maximum for county sheriffs. While the minority was sympathetic to the argument that the role of a sheriff is primarily administrative and is analogous to that of a CEO in a private business, there are a number of concerns with extending the age limit. Physical and mental vigor, which both decline with age, are critical for such a high-stress role. On occasion, sheriffs are also required to act in a law enforcement capacity rather than simply a purely CEO-like administrative capacity. By comparison, the mandatory retirement age for our state police is set at age 60. Many corporations also set mandatory retirement ages for CEOs and board members. While age should never be a barrier to serving your community, mandatory retirement ages provide opportunities for qualified younger people to step up. Moreover, they don't preclude those impacted by them from serving their community in other ways, as the service of some of the members of our own legislature proves.

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

Rep. Meuse spoke against.

Rep. Roy spoke in favor and yielded to questions.

On a division vote, with 203 members having voted in the affirmative, and 158 in the negative, the majority committee report failed lacking the necessary 3/5ths vote.

SB 58-FN, relative to venue in criminal prosecutions of distribution of a controlled drug with death resulting. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Terry Roy for the Majority of Criminal Justice and Public Safety. This bill was brought at the request of the county attorneys who consulted with the attorney general's office. They were adamant that the language in the proposed bill would cause no constitutional problems. An attempt to equate the prosecution of the death of a person from fentanyl to identity theft is wholly inappropriate. Simply because language passed muster in one section of law, does not mean that is the only language that can ever be used across all laws. This argument was presented to the county attorneys for their consideration prior to the committee vote and they rejected it, indicating that they felt that at best it would complicate an already well researched law, and at worse was intended to weaken the proposed law. Vote 10-6.

Rep. Buzz Scherr for the Minority of Criminal Justice and Public Safety. This bill creates needless constitutional uncertainty under Part I, Article 17 of the New Hampshire Constitution regarding the proposed venue expansion by using language that has not been used previously in statutes with venue language, like identity fraud. The offered amendment by the minority of the committee imports the identity fraud language. That language has never been successfully challenged and so avoids any potential constitutional challenge with ease.

Majority Amendment (1722h)

Amend the bill by replacing section 2 with the following:

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

The question being adoption of the majority committee amendment.

Majority committee amendment was adopted.

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

Rep. Scherr offered minority committee amendment (1721h).

Minority Amendment (1721h)

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

AN ACT relative to criminal prosecutions of distribution of a controlled drug with death resulting.

Amend the bill by replacing section 1 with the following:

1 New Paragraph; Distribution of a Controlled Drug with Death Resulting; Venue. Amend RSA 318-B:26 by inserting after paragraph IX-a the following new paragraph:

IX-b. If any act performed in furtherance of the offenses prohibited by RSA 318-B:26, IX occurs in this state or if any victim of the offenses prohibited by RSA 318-B:26, IX resides in this state, the offense shall be deemed to have occurred in this state.

AMENDED ANALYSIS

This bill adds to the controlled drug act that if any act is performed in furtherance of the offenses prohibited by RSA 318-B:26, IX in this state or if any victim of the offenses prohibited by RSA 318-B:26, IX resides in this state, the offense shall be deemed to have occurred in this state.

The question being adoption of the minority committee amendment.

Rep. Scherr spoke in favor.

Rep. Rhodes spoke against.

On a division vote, with 164 members having voted in the affirmative, and 198 in the negative, the minority committee amendment.

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

On a division vote, with 212 members having voted in the affirmative, and 150 in the negative, the majority committee report was adopted, and the bill was ordered to third reading.

SB 62, relative to law enforcement participation in a federal immigration program. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Terry Roy for the Majority of Criminal Justice and Public Safety. The majority after hearing testimony from the county officials agreed that this bill ought to pass. This bill simply prohibits local officials from barring law enforcement and county correctional facilities from entering into agreements with the federal government that could actually generate revenue for temporarily housing federal inmates, including immigration detainees. Localities barring this cooperation would also limit local law enforcement from participating in task forces with their federal counterparts, thus limiting New Hampshire law enforcement from receiving important intelligence related to criminal trends and activities, and their knowledge of federal law enforcement activity in within the state. While we do not wish our local law enforcement to take on the responsibility that rightly belongs to the federal government, we also do not wish them to be locked out of information and assistance we may require in keeping our citizens safe from international gangs and state sponsors of crime and terror. The majority wishes to allow our law enforcement experts to do the jobs we hire them to do within the limits of the laws we create. We have created no laws, and nor do we wish to, that would force our law enforcement to refuse federal assistance and information. Vote 9-7.

Rep. Buzz Scherr for the Minority of Criminal Justice and Public Safety. This bill removes from county and local municipalities the control over how to manage the intrusive role of the federal government in immigration affairs. The House has already passed legislation, HB 511, that struck a better balance between local and federal decision-making.

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

Rep. Scherr offered floor amendment (1941h).

Floor Amendment (1941h)

Amend the bill by replacing section 1 with the following:

1 New Chapter; Participation in Federal Immigration Programs. Amend RSA by inserting after chapter 106-O the following new chapter:

CHAPTER 106-P**PARTICIPATION IN FEDERAL IMMIGRATION PROGRAMS**

106-P:1 Participation in Federal Immigration Programs.

Neither the state nor any county, municipality, or other political subdivision of this state shall prohibit or impede any state, county, or local law enforcement agency from applying for entry or entering into an agreement with the United States Immigration and Customs Enforcement to participate in a federal 287(g) program pursuant to 8 U.S.C. section 1357(g).

106-P:2 Identification of Officers Participating in Federal Immigration Programs. For any state, county, or local law enforcement agency that participates in a federal 287(g) program, the state, county or local law enforcement officer shall, when taking any action pursuant to the authority granted by the program, identify themselves by name, badge number, and agency and shall state that they are operating under the authority of United States Immigration and Customs Enforcement.

The question being adoption of floor amendment (1941h).

Rep. Scherr spoke in favor.

Rep. Roy spoke against.

Rep. Meuse requested a roll call; sufficiently seconded.

YEAS 161 - NAYS 199

YEAS - 161 BELKNAP

St. Clair, Charlie

CARROLL

Buco, Thomas

Paige, David

McAleer, Chris

Woodcock, Stephen

CHESHIRE

Ames, Dick
Germana, Dylan
Jones, Philip
Parshall, Lucius

Berch, Paul
Faulkner, Barry
Germana, Nicholas
Weber, Lucy

Harvey, Cathryn
Gruber, James
Newell, Jodi

Fox, Dru
Jacobs, Samantha
O'Rourke, Terri

GRAFTON

Almy, Susan
Fellows, Sallie
Lovett, Peter
Rockmore, Ellen

Baldwin, Heather
Fracht, David
Lucas, Janet
Stavis, Laurel

Bolton, Bill
Hakken-Phillips, Mary
Muirhead, Russell
Stringham, Jerry

Cormen, Thomas
Sullivan, Jared
Oppel, Thomas
Sykes, George

HILLSBOROUGH

Murray, Alistandra
Bouchard, Donald
Cornell, Patricia
Davis, Fred
Grund, Stephanie
Jack, Martin
Kluger, Lee Ann
Lloyd, Christal
Manohar, Sanjeev
Plamondon, Marc
Rombeau, Catherine
Salvi, Santosh
Telerski, Laura
Dolan, William

Beauchemin, Paige
Budathoki, Suraj
Darby, Will
Foss, Lily
Hartnett, Tim
Judy, Jean
Foxy, Loren
Long, Patrick
McGhee, Kat
Preece, David
Rung, Rosemarie
Spier, Carry
Tellez, Trinidad
Thomas, Wendy

Bergeron, Dan
Chourasia, Manoj
Dargie, Paul
Georges, Mary
Hegner, Karen
Juris, Louis
LeClerc, Daniel
Murray, Megan
Murphy, Nancy
Newman, Ray
Ryan, Linda
Staub, Kathy
Vail, Suzanne
Wheeler, Jonah

Booras, Efstathia
Chretien, Suzanne
Elberger, Susan
Gregg, Alicia
Herbert, Christopher
Kerwin, Erin
Leishman, Peter
MacKenzie, Mark
Petrigno, Peter
Raymond, Heather
Newman, Sue
Swanson, Dale
Veilleux, Daniel
Wilhelm, Matthew

MERRIMACK

Bricchi, Tracy
Ebel, Karen
Luneau, David
Payeur, Stephanie
Schultz, Kris
Woods, Gary

Caplan, Tony
Gallager, Eric
Hall, Muriel
Roesener, James
Snodgrass, Jim

Colby, Eleana
Hicks, Matthew
MacKay, James
Sargent, Gregory
Soucy, Timothy

Kelly, Eileen
Lane, Connie
Newsom, James
Schamberg, Thomas
Wallner, Mary Jane

ROCKINGHAM

Balboni, Peggy
Gilman, Julie
Paige, Mark
Manos, Zoe
Simpson, Alexis
Weinstein, Toni

Cahill, Michael
Grote, Jaci
Maggiore, Jim
Meuse, David
Sorensen, Carrie

de Vries, Erica
Haskins, Linda
Malloy, Dennis
Muns, Chris
Turer, Eric

Edgar, Michael
Knab, Allison
Mandelbaum, Jennifer
Scherr, Buzz
Ward, Gerald

STRAFFORD

Bay, Luz
Gilmore, Gary

Bixby, Peter
Howard, Heath

Burton, Wayne
Harrington, Michael

England, Myles
Horriggan, Timothy

Howland, Allan
Levesque, Cassandra
Schmidt, Peter
Pearson, Wayne

Johnson, Erik
Smith, Marjorie
Selig, Loren
Wade, Alice

LaMontagne, Jessica
Malone, Amy
Southworth, Thomas
Wall, Janet

Larochelle, John
Miller, Seth
Stone, John

SULLIVAN

Sullivan, Brian
Palmer, William

Cloutier, John

Damon, Hope

Girard, Dale

NAYS - 199

BELKNAP

Aldrich, Glen
Coker, Matthew
Harvey-Bolia, Juliet
Minor, Sheri

Bean, Harry
Comtois, Barbara
Lunney, Matthew
Terry, Paul

Bogert, Steven
Dumais, Russell
Nagel, David
Toner, Travis

Bordes, Mike
Freeman, Lisa
Ploszaj, Tom

CARROLL

Avellani, Lino
Hamblen, Joseph
Brown, Richard

Belcher, Mike
MacDonald, John
Taylor, Brian

Cordelli, Glenn
Smith, Jonathan

Crawford, Karel
Peternel, Katy

CHESHIRE

Murphy, Denis
Qualey, James

Karasinski, Sly
Rhodes, Jennifer

Mattson, Rita
Thackston, Dick

Nalevanko, Rich

COOS

Davis, Arnold
Morency, Pete

Durkin, Sean
King, Seth

Korzen, Lori
Tierney, James

Murphy, Michael
Valerino, Brian

GRAFTON

Barton, Joseph
Ladd, Rick

Beaulier, Calvin
Louis, Darrell

Berezhny, Lex
Sellers, John

Bjelobrk, Marie Louise

HILLSBOROUGH

Alexander, Joe
Berry, Ross
Corcoran, Travis
Drew, Matt
Flanagan, Jack
Gorski, Ted
Kofalt, Jim
Mazur, Lisa
Morton, Jonathan
Panek, Sandra
Post, Lisa
Rice, Kimberly
Sheehan, Vanessa
Tenczar, Jeffrey
Warden, Mark

Ammon, Keith
Boehm, Ralph
Creighton, James
Dumont, Dillon
Griffin, Gerald
Gould, Linda
Labrie, Brian
McLean, Mark
Noble, Kristin
Paquette, Kathleen
Proulx, Mark
Schneller, John
Sirois, Shane
Mannion, Tim
Wherry, Robert

Boyd, Bill
Colcombe, Riché
Kelley, Diane
Dupont, Pierre
Gagne, Larry
Kenny, Catherine
Lascelles, Richard
Miles, Julie
Notter, Jeanine
Pauer, Diane
Prout, Andrew
Scully, Kevin
Slottje, Jeremy
Mannion, Tom

Barbour, Liz
Cole, Brian
Daniels, Gary
Erf, Keith
Giasson, Henry
Kesselring, Steven
Murphy, Mary
Mooney, Maureen
Ohm, Bill
Peeples, Raymond
Reinfurt, Sherri
Seidel, Sheila
Suiter, John
Ulery, Jordan

MERRIMACK

Andrus, Louise
Cambrils, Jose
Hill, Gregory
Morse, Bryan
Seaworth, Brian

Aures, Cyril
McGuire, Dan
Leavitt, John
Pitaro, Matthew
See, Alvin

Aylward, Deborah
Devoid, Ricky
Mehegan, Peter
Polozov, Yury
Thibault, James

McGuire, Carol
Gonzalez, Ernesto
Moffett, Michael
Boyd, Stephen
Wood, Clayton

ROCKINGHAM

Ball, Lorie
Thomas, Douglas
Drago, Mike
Guzofski, James
Khan, Aboul
Layon, Erica
Pearson, Mark
Melvin, Charles
Osborne, Jason
Porcelli, Susan
Pearson, Stephen
Spillane, James
Dolan, Tom
Vose, Michael

Bernardy, JD
DeSimone, Debra
Dunn, Ron
Harb, Robert
Kuttab, Katelyn
Love, David
McDonnell, Valerie
Milz, David
Brown, Pam
Potucek, John
Sabourin dit Choinière, Matt
Summers, James
Tripp, Richard
MacDonald, Wayne

Bridle, Nicholas
DeVito, Sayra
Ford, Mary
Janigian, John
Miner, Laurence
Lundgren, David
McGrath, Linda
Nadeau, Brian
Perez, Kristine
Prudhomme-O'Brien, Katherine
Selby, Donald
Sweeney, Joe
Tudor, Paul
Weyler, Kenneth

Mannion, Dennis
Donnelly, Tanya
Guthrie, Joseph
Katsakiores, Phyllis
Walsh, Lilli
Lynn, Bob
McMahon, Charles
Nelson, Jodi
Popovici-Muller, Daniel
Roy, Terry
Soti, Julius
Sytek, John
Vandecasteele, Susan
Wilson, Vicki

STRAFFORD

Bailey, Glenn
DeRoy, Susan
Potenza, Kelley

Burnham, Claudine
Farrington, Samuel
Turcotte, Len

DeDe-Poulin, Denise
Granger, Michael
Walker, David

DeLemus, Susan
Kaczynski, Thomas

SULLIVAN

Drye, Margaret
Aron, Michael

Grant, George
Rollins, Skip

Hemingway, Wayne
Spilsbury, Walter

Aron, Judy

and floor amendment (1941h) failed.

The question being adoption of the majority committee report of Ought to Pass.
Rep. Sweeney offered floor amendment (1957h).

Floor Amendment (1957h)

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

AN ACT relative to law enforcement participation in a federal immigration program and relative to cooperation with federal immigration authorities.

Amend the bill by replacing all after section 1 with the following:

2 New Chapter; Anti-Sanctuary City Act. Amend RSA by inserting after chapter 106-O the following new chapter:

**CHAPTER 106-P
ANTI-SANCTUARY CITY ACT**

106-P:1 Definitions. In this chapter:

I. "Law enforcement agency" means any agency charged with enforcement of state, county, municipal, or federal laws or with managing custody of detained persons in this state and includes municipal police departments, sheriff's offices, state police departments, state university and college police departments, county correctional agencies, and the department of corrections.

II. "Local governmental entity" means any county, municipality, or other political subdivision of this state.

106-P:2 Prohibition of Sanctuary Policies.

Except as otherwise expressly prohibited by state or federal law, local governmental entities may not prohibit or impede any state or federal law enforcement agency from complying with title 8 of the United States Code.

106-P:3 Enforcement.

I. Any local governmental entity that violates this chapter may be subject to action by the attorney general, who may file suit against a local governmental entity in a court of competent jurisdiction for a violation of this chapter. Relief for violations of this chapter shall be determined by the court and may include injunctive relief and punitive damages. Punitive damages may include a fine of up to 25 percent of the total state funds received by the local government entity in the fiscal year when the violation occurred. Any fines collected for violations of this chapter shall be lapsed to the general fund of the state of New Hampshire.

II. An order approving a consent decree or granting an injunction shall include written findings of fact that describe with specificity the existence and nature of the sanctuary policy that violates this chapter.

3 County Department of Corrections; Immigration Detainees. New Paragraph; County Department of Corrections; Immigration Detainees. Amend RSA 30-B:1 by inserting after paragraph II the following new paragraph:

III. A county may hold Immigration and Customs Enforcement detainees, after the resolution of state charges, for a maximum of 48 hours, excluding Saturdays, Sundays, and holidays, in order to permit assumption of custody by federal authorities. Nothing in this paragraph shall prohibit the county from executing an agreement in accordance with RSA 30-B:16. Any agency refusing to honor an immigration detainer for an inmate shall report each such refusal to the attorney general in a time, form, and manner to be prescribed by the attorney general or the attorney general's designee.

4 Effective Date.

I. Sections 2 and 3 of this act shall take effect January 1, 2026.

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

AMENDED ANALYSIS

This bill provides that neither the state nor any county, municipality, or other political subdivision of this state shall prohibit or impede any state, county, or local law enforcement agency from applying for entry or entering into an agreement with the United States Immigration and Customs Enforcement to participate in a federal 287(g) program pursuant to 8 U.S.C. section 1357(g).

This bill also provides that unless expressly prohibited by state or federal law, local governmental entities may not prohibit or impede any state or federal law enforcement agency from complying with federal immigration laws, and provides for remedies for violations. This bill further authorizes county corrections facilities to hold individuals subject to an Immigration and Customs Enforcement detention for up to 48 hours following

the resolution of their state charges, excluding Saturdays, Sundays, and holidays, in order to permit assumption of custody by federal authorities, and requires any agency refusing to honor an immigration detainer for an inmate to report each such refusal to the attorney general.

The question being adoption of floor amendment (1957h).

Rep. Sweeney spoke in favor.

Rep. Meuse spoke against and requested a roll call; sufficiently seconded.

YEAS 202 - NAYS 160

YEAS - 202

BELKNAP

Aldrich, Glen
Coker, Matthew
Harvey-Bolia, Juliet
Minor, Sheri

Bean, Harry
Comtois, Barbara
Lunney, Matthew
Terry, Paul

Bogert, Steven
Dumais, Russell
Nagel, David
Toner, Travis

Bordes, Mike
Freeman, Lisa
Ploszaj, Tom

CARROLL

Avellani, Lino
Hamblen, Joseph
Brown, Richard

Belcher, Mike
MacDonald, John
Taylor, Brian

Cordelli, Glenn
Smith, Jonathan

Crawford, Karel
Peternel, Katy

CHESHIRE

Murphy, Denis
Qualey, James

Karasinski, Sly
Rhodes, Jennifer

Mattson, Rita
Thackston, Dick

Nalevanko, Rich

COOS

Davis, Arnold
Morency, Pete

Durkin, Sean
King, Seth

Korzen, Lori
Tierney, James

Murphy, Michael
Valerino, Brian

GRAFTON

Barton, Joseph
Ladd, Rick

Beaulier, Calvin
Louis, Darrell

Berezhny, Lex
Sellers, John

Bjelobrk, Marie Louise

HILLSBOROUGH

Alexander, Joe
Bergeron, Dan
Cole, Brian
Daniels, Gary
Erf, Keith
Giasson, Henry
Kesselring, Steven
Murphy, Mary
Mooney, Maureen
Ohm, Bill
Peeples, Raymond
Reinfurt, Sherri
Seidel, Sheila
Suiter, John
Ulery, Jordan

Ammon, Keith
Berry, Ross
Corcoran, Travis
Drew, Matt
Flanagan, Jack
Gorski, Ted
Kofalt, Jim
Mazur, Lisa
Morton, Jonathan
Pank, Sandra
Post, Lisa
Rice, Kimberly
Sheehan, Vanessa
Tenczar, Jeffrey
Warden, Mark

Boyd, Bill
Boehm, Ralph
Creighton, James
Dumont, Dillon
Griffin, Gerald
Gould, Linda
Labrie, Brian
McLean, Mark
Noble, Kristin
Paquette, Kathleen
Proulx, Mark
Schneller, John
Sirois, Shane
Mannion, Tim
Wherry, Robert

Barbour, Liz
Colcombe, Riché
Kelley, Diane
Dupont, Pierre
Gagne, Larry
Kenny, Catherine
Lascelles, Richard
Miles, Julie
Notter, Jeanine
Pauer, Diane
Prout, Andrew
Scully, Kevin
Slottje, Jeremy
Mannion, Tom

MERRIMACK

Andrus, Louise
Cambrils, Jose
Hill, Gregory
Morse, Bryan
Seaworth, Brian

Aures, Cyril
McGuire, Dan
Leavitt, John
Pitaro, Matthew
See, Alvin

Aylward, Deborah
Devoid, Ricky
Mehegan, Peter
Polozov, Yury
Thibault, James

McGuire, Carol
Gonzalez, Ernesto
Moffett, Michael
Boyd, Stephen
Wood, Clayton

ROCKINGHAM

Ball, Lorie
Thomas, Douglas
Drago, Mike
Guzofski, James
Khan, Aboul
Layon, Erica
Pearson, Mark
Melvin, Charles
Osborne, Jason
Porcelli, Susan
Pearson, Stephen

Bernardy, JD
DeSimone, Debra
Dunn, Ron
Harb, Robert
Kuttab, Katelyn
Love, David
McDonnell, Valerie
Milz, David
Brown, Pam
Potucek, John
Sabourin dit Choinière, Matt

Bridle, Nicholas
DeVito, Sayra
Ford, Mary
Janigian, John
Miner, Laurence
Lundgren, David
McGrath, Linda
Nadeau, Brian
Perez, Kristine
Prudhomme-O'Brien, Katherine
Selby, Donald

Mannion, Dennis
Donnelly, Tanya
Guthrie, Joseph
Katsakiores, Phyllis
Walsh, Lilli
Lynn, Bob
McMahon, Charles
Nelson, Jodi
Popovici-Muller, Daniel
Roy, Terry
Soti, Julius

Spillane, James
Dolan, Tom
Vose, Michael

Summers, James
Tripp, Richard
MacDonald, Wayne

Sweeney, Joe
Tudor, Paul
Weyler, Kenneth

Sytek, John
Vandecasteele, Susan
Wilson, Vicki

STRAFFORD

Bailey, Glenn
DeRoy, Susan
Kaczynski, Thomas

Burnham, Claudine
Farrington, Samuel
Potenza, Kelley

DeDe-Poulin, Denise
Granger, Michael
Turcotte, Len

DeLemus, Susan
Harrington, Michael
Walker, David

SULLIVAN

Drye, Margaret
Aron, Judy

Girard, Dale
Aron, Michael

Grant, George
Rollins, Skip

Hemingway, Wayne
Spilsbury, Walter

NAYS - 160

BELKNAP

St. Clair, Charlie

CARROLL

Buco, Thomas
Woodcock, Stephen

Burroughs, Anita

Paige, David

McAleer, Chris

CHESHIRE

Ames, Dick
Germana, Dylan
Jones, Philip
Parshall, Lucius

Berch, Paul
Faulkner, Barry
Germana, Nicholas
Weber, Lucy

Harvey, Cathryn
Gruber, James
Newell, Jodi

Fox, Dru
Jacobs, Samantha
O'Rorke, Terri

GRAFTON

Almy, Susan
Fellows, Sallie
Lovett, Peter
Rockmore, Ellen

Baldwin, Heather
Fracht, David
Lucas, Janet
Stavis, Laurel

Bolton, Bill
Hakken-Phillips, Mary
Muirhead, Russell
Stringham, Jerry

Cormen, Thomas
Sullivan, Jared
Oppel, Thomas
Sykes, George

HILLSBOROUGH

Murray, Aissandra
Budathoki, Suraj
Darby, Will
Foss, Lily
Hartnett, Tim
Judy, Jean
Foxx, Loren
Long, Patrick
McGhee, Kat
Preece, David
Rung, Rosemarie
Seibert, Christine
Tellerski, Laura
Dolan, William

Beauchemin, Paige
Chourasia, Manoj
Dargie, Paul
Georges, Mary
Hegner, Karen
Juris, Louis
LeClerc, Daniel
Murray, Megan
Murphy, Nancy
Newman, Ray
Ryan, Linda
Spier, Carry
Tellez, Trinidad
Thomas, Wendy

Booras, Efstathia
Chretien, Suzanne
Elberger, Susan
Gregg, Alicia
Herbert, Christopher
Kerwin, Erin
Leishman, Peter
MacKenzie, Mark
Petrigno, Peter
Raymond, Heather
Newman, Sue
Staub, Kathy
Vail, Suzanne
Wheeler, Jonah

Bouchard, Donald
Cornell, Patricia
Davis, Fred
Grund, Stephanie
Jack, Martin
Kluger, Lee Ann
Lloyd, Christal
Manohar, Sanjeev
Plamondon, Marc
Rombeau, Catherine
Salvi, Santosh
Swanson, Dale
Veilleux, Daniel
Wilhelm, Matthew

MERRIMACK

Bricchi, Tracy
Ebel, Karen
Luneau, David
Payeur, Stephanie
Schultz, Kris
Woods, Gary

Caplan, Tony
Gallager, Eric
Hall, Muriel
Roesener, James
Snodgrass, Jim

Colby, Eleana
Hicks, Matthew
MacKay, James
Sargent, Gregory
Soucy, Timothy

Kelly, Eileen
Lane, Connie
Newsom, James
Schamberg, Thomas
Wallner, Mary Jane

ROCKINGHAM

Balboni, Peggy
Gilman, Julie
Paige, Mark
Manos, Zoe
Simpson, Alexis
Weinstein, Toni

Cahill, Michael
Grote, Jaci
Maggiore, Jim
Meuse, David
Sorensen, Carrie

de Vries, Erica
Haskins, Linda
Malloy, Dennis
Muns, Chris
Turer, Eric

Edgar, Michael
Knab, Allison
Mandelbaum, Jennifer
Scherr, Buzz
Ward, Gerald

STRAFFORD

Bay, Luz
Gilmore, Gary
Johnson, Erik
Smith, Marjorie
Selig, Loren
Wade, Alice

Bixby, Peter
Howard, Heath
LaMontagne, Jessica
Malone, Amy
Southworth, Thomas
Wall, Janet

Burton, Wayne
Horriggan, Timothy
Larochelle, John
Miller, Seth
Stone, John

England, Myles
Howland, Allan
Levesque, Cassandra
Schmidt, Peter
Pearson, Wayne

SULLIVAN

Sullivan, Brian

Cloutier, John

Damon, Hope

Palmer, William

and floor amendment (1957h) was adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.
Rep. Roy spoke in favor.

Rep. Meuse spoke against and requested a roll call; sufficiently seconded.

YEAS 200 - NAYS 162**YEAS - 200****BELKNAP**

Aldrich, Glen
Coker, Matthew
Harvey-Bolia, Juliet
Minor, Sheri

Bean, Harry
Comtois, Barbara
Lunney, Matthew
Terry, Paul

Bogert, Steven
Dumais, Russell
Nagel, David
Toner, Travis

Bordes, Mike
Freeman, Lisa
Ploszaj, Tom

CARROLL

Avellani, Lino
Hamblen, Joseph
Brown, Richard

Belcher, Mike
MacDonald, John

Cordelli, Glenn
Smith, Jonathan

Crawford, Karel
Peternel, Katy

CHESHIRE

Murphy, Denis
Qualey, James

Karasinski, Sly
Rhodes, Jennifer

Mattson, Rita
Thackston, Dick

Nalevanko, Rich

COOS

Davis, Arnold
Morency, Pete

Durkin, Sean
King, Seth

Korzen, Lori
Tierney, James

Murphy, Michael
Valerino, Brian

GRAFTON

Barton, Joseph
Ladd, Rick

Beaulier, Calvin
Louis, Darrell

Berezhny, Lex
Sellers, John

Bjelobrk, Marie Louise

HILLSBOROUGH

Alexander, Joe
Berry, Ross
Corcoran, Travis
Drew, Matt
Flanagan, Jack
Gorski, Ted
Kofalt, Jim
Mazur, Lisa
Morton, Jonathan
Panek, Sandra
Post, Lisa
Rice, Kimberly
Sheehan, Vanessa
Tenczar, Jeffrey
Warden, Mark

Ammon, Keith
Boehm, Ralph
Creighton, James
Dumont, Dillon
Griffin, Gerald
Gould, Linda
Labrie, Brian
McLean, Mark
Noble, Kristin
Paquette, Kathleen
Proulx, Mark
Schneller, John
Sirois, Shane
Mannion, Tim
Wherry, Robert

Boyd, Bill
Colcombe, Riché
Kelley, Diane
Dupont, Pierre
Gagne, Larry
Kenny, Catherine
Lascelles, Richard
Miles, Julie
Notter, Jeanine
Pauer, Diane
Prout, Andrew
Scully, Kevin
Slottje, Jeremy
Mannion, Tom

Barbour, Liz
Cole, Brian
Daniels, Gary
Erf, Keith
Giasson, Henry
Kesselring, Steven
Murphy, Mary
Mooney, Maureen
Ohm, Bill
Peeples, Raymond
Reinfurt, Sherri
Seidel, Sheila
Suiter, John
Ulery, Jordan

MERRIMACK

Andrus, Louise
Cambrils, Jose
Hill, Gregory
Morse, Bryan
Seaworth, Brian

Aures, Cyril
McGuire, Dan
Leavitt, John
Pitaro, Matthew
See, Alvin

Aylward, Deborah
Devoid, Ricky
Mehegan, Peter
Polozov, Yury
Thibault, James

McGuire, Carol
Gonzalez, Ernesto
Moffett, Michael
Boyd, Stephen
Wood, Clayton

ROCKINGHAM

Ball, Lorie
Thomas, Douglas
Drago, Mike
Guzofski, James
Khan, Aboul
Layon, Erica
Pearson, Mark
Melvin, Charles
Osborne, Jason
Porcelli, Susan
Pearson, Stephen

Bernardy, JD
DeSimone, Debra
Dunn, Ron
Harb, Robert
Kuttab, Katelyn
Love, David
McDonnell, Valerie
Milz, David
Brown, Pam
Potucek, John
Sabourin dit Choinière, Matt

Bridle, Nicholas
DeVito, Sayra
Ford, Mary
Janigian, John
Miner, Laurence
Lundgren, David
McGrath, Linda
Nadeau, Brian
Perez, Kristine
Prudhomme-O'Brien, Katherine
Selby, Donald

Mannion, Dennis
Donnelly, Tanya
Guthrie, Joseph
Katsakiores, Phyllis
Walsh, Lilli
Lynn, Bob
McMahon, Charles
Nelson, Jodi
Popovici-Muller, Daniel
Roy, Terry
Soti, Julius

Spillane, James
Dolan, Tom
Vose, Michael

Summers, James
Tripp, Richard
MacDonald, Wayne

Sweeney, Joe
Tudor, Paul
Weyler, Kenneth

Sytek, John
Vandecasteele, Susan
Wilson, Vicki

STRAFFORD

Bailey, Glenn
DeRoy, Susan
Kaczynski, Thomas

Burnham, Claudine
Farrington, Samuel
Potenza, Kelley

DeDe-Poulin, Denise
Granger, Michael
Turcotte, Len

DeLemus, Susan
Harrington, Michael
Walker, David

SULLIVAN

Drye, Margaret
Aron, Judy

Girard, Dale
Aron, Michael

Grant, George
Rollins, Skip

Hemingway, Wayne
Spilsbury, Walter

NAYS - 162

BELKNAP

St. Clair, Charlie

CARROLL

Buco, Thomas
Taylor, Brian

Burroughs, Anita
Woodcock, Stephen

Paige, David

McAleer, Chris

CHESHIRE

Ames, Dick
Germana, Dylan
Jones, Philip
Parshall, Lucius

Berch, Paul
Faulkner, Barry
Germana, Nicholas
Weber, Lucy

Harvey, Cathryn
Gruber, James
Newell, Jodi

Fox, Dru
Jacobs, Samantha
O'Rorke, Terri

GRAFTON

Almy, Susan
Fellows, Sallie
Lovett, Peter
Rockmore, Ellen

Baldwin, Heather
Fracht, David
Lucas, Janet
Stavis, Laurel

Bolton, Bill
Hakken-Phillips, Mary
Muirhead, Russell
Stringham, Jerry

Cormen, Thomas
Sullivan, Jared
Oppel, Thomas
Sykes, George

HILLSBOROUGH

Murray, Alissandra
Bouchard, Donald
Cornell, Patricia
Davis, Fred
Grund, Stephanie
Jack, Martin
Kluger, Lee Ann
Lloyd, Christal
Manohar, Sanjeev
Plamondon, Marc
Rombeau, Catherine
Salvi, Santosh
Swanson, Dale
Veilleux, Daniel
Wilhelm, Matthew

Beauchemin, Paige
Budathoki, Suraj
Darby, Will
Foss, Lily
Hartnett, Tim
Jeudy, Jean
Foxy, Loren
Long, Patrick
McGhee, Kat
Preece, David
Rung, Rosemarie
Seibert, Christine
Telerski, Laura
Dolan, William

Bergeron, Dan
Chourasia, Manoj
Dargie, Paul
Georges, Mary
Hegner, Karen
Juris, Louis
LeClerc, Daniel
Murray, Megan
Murphy, Nancy
Newman, Ray
Ryan, Linda
Spier, Carry
Tellez, Trinidad
Thomas, Wendy

Booras, Efstathia
Chretien, Suzanne
Elberger, Susan
Gregg, Alicia
Herbert, Christopher
Kerwin, Erin
Leishman, Peter
MacKenzie, Mark
Petrigno, Peter
Raymond, Heather
Newman, Sue
Staub, Kathy
Vail, Suzanne
Wheeler, Jonah

MERRIMACK

Bricchi, Tracy
Ebel, Karen
Luneau, David
Payeur, Stephanie
Schultz, Kris
Woods, Gary

Caplan, Tony
Gallager, Eric
Hall, Muriel
Roesener, James
Snodgrass, Jim

Colby, Eleana
Hicks, Matthew
MacKay, James
Sargent, Gregory
Soucy, Timothy

Kelly, Eileen
Lane, Connie
Newsom, James
Schamberg, Thomas
Wallner, Mary Jane

ROCKINGHAM

Balboni, Peggy
Gilman, Julie
Paige, Mark
Manos, Zoe
Simpson, Alexis
Weinstein, Toni

Cahill, Michael
Grote, Jaci
Maggiore, Jim
Meuse, David
Sorensen, Carrie

de Vries, Erica
Haskins, Linda
Malloy, Dennis
Muns, Chris
Turer, Eric

Edgar, Michael
Knab, Allison
Mandelbaum, Jennifer
Scherr, Buzz
Ward, Gerald

STRAFFORD

Bay, Luz
Gilmore, Gary
Johnson, Erik
Smith, Marjorie
Selig, Loren
Wade, Alice

Bixby, Peter
Howard, Heath
LaMontagne, Jessica
Malone, Amy
Southworth, Thomas
Wall, Janet

Burton, Wayne
Horrigan, Timothy
Larochele, John
Miller, Seth
Stone, John

England, Myles
Howland, Allan
Levesque, Cassandra
Schmidt, Peter
Pearson, Wayne

SULLIVAN

Sullivan, Brian

Cloutier, John

Damon, Hope

Palmer, William

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

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Sweeney moved that the House reconsider its action whereby, on a roll call vote of 200-162, the House adopted the majority committee report of Ought to Pass with Amendment on **SB 62**, relative to law enforcement participation in a federal immigration program and relative to cooperation with federal immigration authorities.

Rep. Sweeney spoke against.

Motion failed.

MOTION TO PRINT DEBATE

Rep. Nicholas Germana moved that the debate on **SB 62**, relative to law enforcement participation in a federal immigration program and relative to cooperation with federal immigration authorities, be printed in the Permanent Journal.

Without objection, the Speaker ordered.

DEBATE ON SB 62

Speaker Steven Smith: The bill is on second reading and open to further amendment. Rep. Scherr moves floor amendment (1941h), which can be found in your seat pockets and is recognized to speak.

Representative Scherr: Thank you, Mister Speaker. This is a very simple amendment. It responds to what all of us have been seeing around the country when ICE goes to detain somebody. They go in masks. Their face is covered. They have no identity available. They don't tell people who they are. We, if New Hampshire officials are going to, law enforcement officials are going to participate and act under the authority of ICE, New Hampshire doesn't want those people to be traveling incognito. We don't want our deputy sheriffs, our local people to be masked and hidden. So, the amendment simply asks that when a New Hampshire law enforcement official is acting under the authority of ICE, that they identify themselves, they give their badge number and the department under which they're working. That's the way we do things. We don't create a situation that will feel like a kidnapping situation to those who are watching it. We want it to be clear what is happening and who is doing it. So, I ask you to press the green button and support this amendment.

Speaker Steven Smith: Rep. Roy is recognized to speak against the amendment.

Representative Roy: Thank you, Mister Speaker. Mister Speaker, 90% of the time I would agree with everything my friend just said. Our law enforcement should be uniformed. We should know who they are. When they are working with the federal government on situations like this, they are picking up people that work for organizations called cartels. In cartels, you may laugh, but they kill a lot of people, so I don't know how funny you think that is. Our law enforcement members' lives are at risk. There's a reason that you see these people wearing masks and balaclavas and things like that because they are targeted by the cartels. We have had federal ICE agents and federal law enforcement agents actually killed, targeted and assassinated by these cartels, which I fail to find any humor in whatsoever. I believe that there's a reason this is done that way, and we should support the men and women of law enforcement who we are asking to go out and take these criminals out of our society, to give them the safety.

Speaker Steven Smith: The House will be in order.

Representative Roy: The safety for themselves and their families to continue to do the job. Thank you.

Speaker Steven Smith: Rep. Meuse requests a roll call. Is that sufficiently seconded? That is sufficiently seconded. This will be a roll call vote. Members take your seats. The question is on the adoption of amendment (1941h), and this is a roll call vote. If you are in favor, press the green button; opposed, press the red. 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. 161 in the affirmative, 199 in the negative, the amendment fails. The bill is on second reading and open to further amendment. Rep. Sweeney moves amendment (1957h), which can be found in your seat pockets and is recognized to speak.

Representative Sweeney: Thank you, Mister Speaker. Mister Speaker, it feels like Groundhog Day again. We are, this underlying bill is a great bill to help local enforcement work with the federal government on enforcing our immigration laws. The amendment adds the anti-sanctuary city policy to the bill as well to help make sure that we can ban sanctuary cities in the State of New Hampshire. As I've said on this House floor before, if you are in New Hampshire illegally, you are not welcome in the State of New Hampshire. If you are in this country illegally, you are not welcome in the State of New Hampshire. New Hampshire will never be a sanctuary state, and we can ensure that by voting yes on this floor amendment today. Thank you.

Speaker Steven Smith: Rep. Meuse is recognized to speak against the amendment.

Representative Meuse: Thank you, Mister Speaker. Mister Speaker, to put it simply, what this amendment and the underlying bill do should offend every single one of us. In a state that prizes local control, what we

have before us is yet another measure that not only seeks to reduce local control to a point where it can be drowned in a bathtub, it also asks to make it possible to find counties and communities who fail to knuckle under. This amendment is not just about eliminating sanctuary cities, it's about members of this body, once again, imposing their will on counties and communities where they don't live and where they don't pay taxes because it's no longer just about imposing policies, it's about imposing control. What this amendment does is eliminate the ability of our counties and communities to have any say in how their law enforcement resources are paid for by their taxpayers. Resources that are being used or that would be used to support increasingly questionable, morally bankrupt and, in an increasing number of instances, blatantly illegal efforts to prop up federal immigration enforcement efforts that have become increasingly lawless, authoritarian and un-American. Under the cover of eliminating so-called sanctuary cities, the legislation before us explicitly authorizes law enforcement executives to pursue cooperation agreements on their own with the US Department of Homeland Security, regardless of whether their governing board or executive of the municipality, county or state supports them. For generations in New Hampshire, that sort of accountability to a governing board has been known as proper oversight. With this amendment, we effectively make good government a punishable offence. Something every single person in this room should be aware of is that the cost of a 287(g) task for arraignment falls not on the federal government or on the state, but on taxpayers in our counties and our communities. While ICE will provide training at no cost, all additional operating costs are borne entirely by taxpayers in the county or community whose law enforcement agency signs on to these arrangements. So, once again, the cost of a decision made in Concord is downshifted to our counties and to our communities. So, from an operational perspective for law enforcement, what exactly does all of this mean? It means questioning people about their immigration status, checking DHS databases for information on individuals, issuing detainers to hold individuals until ICE can take custody, entering data into ICE's case management system, issuing documentation to start the removal process, making recommendations for bonds and then transferring people to ICE custody. Multiply this across dozens, hundreds, thousands, tens of thousands of people or even the millions of people that some people are calling for and it's very easy to see how this is far from a trivial commitment in terms of time or in terms of dollars. And what do counties and local taxpayers get from these agreements? In addition to being complicit in terrorizing anyone with a foreign accent or a different skin color, they also get the bill. That's because neither the state nor the federal government covers these additional costs. As an added bonus, taxpayers get more potential liability. Misidentification in detainer enforcement is common and it's not unusual for ICE to delay taking custody of detainees for days opening the door to habeas corpus lawsuits like the one we recently saw in Merrimack. Not to mention lawsuits for racial profiling. In New Hampshire, by the way, our racial profiling law not only bans profiling based on race, it also bans profiling based on ethnicity, religion, nationality and national origin. So, what don't taxpayers get? What they won't get is any measurable increase in public safety because immigrants are the least likely segment of our population to commit crimes.

Speaker Steven Smith: The House will be in order.

Representative Meuse: But let's get back to counties and communities. What do they get if they decide the liability, the risk and the expense aren't worth it and they try to stop a law enforcement agency from entering into one of these agreements? Well, under this amendment, they could be fined up to 25% of all the money they receive from state government. So, in addition to removing any remaining shred of local control when it comes to this issue, this amendment finds yet another way for the state to suck money out of local taxpayers. We've seen this movie play out again and again during this Session. People who don't live in your town and who don't live in your county, once again want to control your town, control your county and control your local budgets and this issue is just one more way to make it happen. We can disagree about whether law enforcement, local law enforcement needs to be involved in any way with federal immigration enforcement, but decisions about how local tax dollars are spent should be 100% up to local taxpayers and not to legislators in this room or in the other Chamber creating more conquered chaos. Mister Speaker, I ask you to oppose this amendment, and I ask for a roll call vote.

Speaker Steven Smith: All right, the question is on the adoption of amendment (1957h). Rep. Meuse requests a roll call. Is that sufficiently seconded? Yes, it is. This will be a roll call vote. Members take your seats. The question is on the adoption of amendment (1957h). This is a roll call vote. If you are in favor, press the green button; opposed, press the red. 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. 202 in the affirmative, 160 in the negative, the amendment is adopted. Now, on to the main motion. which will be ought to pass as amended. Rep. Meuse is recognized to speak against the report.

Representative Meuse: Thank you, Mister Speaker. Mister Speaker, I won't repeat my objections from the previous debate as we vote on this bill. But, as we get ready to cast our final vote on this one, I'll leave you with this. What we have before us is yet another bill in a long line of proposed legislation that prioritizes federal immigration enforcement, not only over the most pressing needs of New Hampshire communities, but over the rights of people in their communities to have a say in law enforcement activities that they pay for. In addition to thumbing its nose at the entire notion of local control, this bill puts our law enforcement

agencies at the beck and call of a rogue federal agency that is now in the process of building an infrastructure for mass deportations that have already snared American citizens along with people whose worst crime was writing an op-ed in their college newspaper. We have always been a state that's about freedom. What this bill is about is tyranny and overreach. Please vote red to kill it and Mister Speaker, I again ask for a roll call vote.

Speaker Steven Smith: Before Rep. Roy gets up. Look, we say stuff they don't like; they say stuff we don't like. My recommendation, get over it, let all the opinions be heard and vote. Rep. Roy is recognized to speak in support of the motion.

Representative Roy: Thank you, Mister Speaker. Thank you. Separation of church and state. We hear it a lot. They say it's, you know, it's in the constitution. Well it's not. Local control, they say it's our, it's our state in New Hampshire. We're a Dillon's Rule state, look it up. We do not have local control unless this body gives it. Now, we generally like local control. When you make decisions locally and they go good, good for you. When they go south, not, you tried. But this issue doesn't stay locally. When you make your community a haven for murderers and rapists, there's no border at your town keeping them there. There's no force field. There's no force field that keeps them only in your town where you put your local control. Your local control impacts the lives of everyone. Ladies and gentlemen, I ask you to support the committee report, and the amendment as adopted and finally put this to rest. New Hampshire does not welcome illegals. Thank you.

Speaker Steven Smith: Rep. Meuse requests a roll call. Is that sufficiently seconded? That is sufficiently seconded. This will be a roll call vote. Members take your seats. The question is on the motion of ought to pass as amended on SB 62. Rep. Alisandra Murray is recognized for a parliamentary inquiry.

Representative Alisandra Murray: Thank you, Mister Speaker. Mister Speaker, if I know that this legislation is nothing more than a misguided solution in search of a problem. And, if I know that the state has no business dictating the relationship between counties and municipalities. And, if I further know that this is nothing more than an attempt to create the infrastructure necessary for mass deportation of both citizens and non-citizens alike without due process, then would I now press the red button to defeat this motion?

Speaker Steven Smith: Rep. Rhodes is recognized for a parliamentary inquiry.

Representative Rhodes: Thank you, Mister Speaker. Mister Speaker, if I know that this bill does not say that a municipality must do something, it says that municipalities shall be allowed if they elect to. And, Mister Speaker, if I know that this is not in search of a problem because we clearly have one, this is the solution, would I now press green?

Speaker Steven Smith: The question is on the adoption of the motion of ought pass as amended on SB 62. This is a roll call vote. If you're in favor, press the green button; opposed, press the red. 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. 200 in the affirmative, 162 in the negative, the motion's adopted.

REGULAR CALENDAR CONT'D

SB 262-FN, relative to the penalty for trafficking in persons under 18 years of age. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Terry Roy for the Majority of Criminal Justice and Public Safety. The majority after hearing testimony and considering evidence related to the topic, concluded that the bill ought to pass. The current penalty for the trafficking of children is seven years in prison. As in all things, context is important, and that is why in this particular case we must consider the context. Trafficking in persons under 18 is a very legalistic, even clinical way to say, taking someone's child and selling them to someone else to be used for that person's sexual gratification. The exact element of the crime reads as follows: "...person maintains or makes available an individual under 18 years of age for the purpose of engaging the individual in a commercial sex act or sexually-explicit performance for the benefit of another." Currently in New Hampshire your child could be sold into sexual slavery where he or she would be repeatedly raped by hundreds of men and the person responsible, if found guilty, would get 7 years in prison. By way of comparison, a person found guilty of being a career criminal, for example, three prior convictions in their whole life for any violation of the drug laws, in possession of a hunting rifle, faces a 10-year minimum sentence. If you got arrested and pleaded guilty three times to possessing marijuana in the 1970s, and were caught last fall hunting with your grandson, you would get a minimum of 10 years in prison. If you got caught pimping your granddaughter to strangers on the Internet, you'd get seven. Prior to 2014, the penalties for these two scenarios at least matched. In 2014 the legislature, saw fit to lower the penalty for trafficking our children from 10 to seven years with SB 317. Since that time the incidents of child trafficking have increased to crisis levels. So much for minimum mandatory sentences that do not work. The majority felt that not only is it right and just to increase the mandatory sentence for taking part in sexual slavery of someone under 18, it is supremely appropriate to make the number of years of incarceration match the age of the victims for whom the crime applies. Sell a New Hampshire child under 18 for sex, spend at least your next 18 years in jail. The minority relied on judicial discretion and cost of incarceration as objections. The majority believes that judicial discretion is an important aspect of our criminal justice system, but is not the entirety of it. Judges are not elected. They are not open to the wishes of the people of the time in which they serve. They are bound by the law and precedent. If a particular crime becomes

more of a problem for society, the people cannot petition the judiciary to punish offenders more harshly. Their recourse is to us, their representatives, to change the laws to effect their wishes. The people feel that some crimes are so heinous that they do not wish judicial discretion to be used. For some crimes, the people want a clear message to be sent. The message in this case, is that we do not care who you are, what your race, sex, or gender are, or how difficult your childhood was. If you sell one of our children into slavery, you are going to jail for a long, long time. Vote 9-7.

Rep. David Meuse for the Minority of Criminal Justice and Public Safety. While the minority agrees with the majority that perpetrators convicted of trafficking in children under the age of 18 deserve harsh punishment, it is critical to realize that under our existing statute, harsh punishment is already being delivered. Under current law, those convicted of this crime must serve a mandatory minimum sentence of 7 years and a maximum of 30 years. So if a judge feels the severity of the crime warrants it, he or she can already extend the sentence far beyond the statutory minimum. During the public hearing on the bill, no data or testimony was presented indicating that New Hampshire judges are actually under sentencing any of these offenders. Meanwhile, it is also important to recognize that extending the minimum from 7 to 18 years will have a significant cost. Recently, the Department of Corrections estimated the average annual cost of incarcerating a person to be \$78,000 per year. Increasing the minimum sentence by 11 years, unadjusted for inflation, would add \$858,000 to the state's cost for every person convicted under this bill. The minority believes that instead of making an already harsh statute even harsher, with questionable impact on deterrence, our tax dollars would be better spent funding additional trauma informed care for victims and finding and funding other ways to reduce trafficking in our state.

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

Rep. Scherr spoke against.

Rep. Rhodes spoke in favor.

Rep. Notter requested a roll call; sufficiently seconded.

YEAS 290 - NAYS 71

YEAS - 290

BELKNAP

Bean, Harry
Comtois, Barbara
Lunney, Matthew
Terry, Paul

Bogert, Steven
Dumais, Russell
Nagel, David
Toner, Travis

Bordes, Mike
Freeman, Lisa
Ploszaj, Tom

Coker, Matthew
Harvey-Bolia, Juliet
Minor, Sheri

CARROLL

Avellani, Lino
Crawford, Karel
Smith, Jonathan
Taylor, Brian

Belcher, Mike
Paige, David
McAleer, Chris

Buco, Thomas
Hamblen, Joseph
Peternel, Katy

Cordelli, Glenn
MacDonald, John
Brown, Richard

CHESHIRE

Berch, Paul
Hunt, John
Germana, Nicholas
Thackston, Dick

Harvey, Cathryn
Jones, Philip
Nalevanko, Rich

Germana, Dylan
Karasinski, Sly
Qualey, James

Murphy, Denis
Mattson, Rita
Rhodes, Jennifer

COOS

Davis, Arnold
Morency, Pete

Durkin, Sean
Tierney, James

Korzen, Lori
Valerino, Brian

Murphy, Michael

GRAFTON

Barton, Joseph
Cormen, Thomas
Louis, Darrell
Rockmore, Ellen

Beaulier, Calvin
Fellows, Sallie
Lucas, Janet
Sellers, John

Berezhny, Lex
Sullivan, Jared
Muirhead, Russell
Stavis, Laurel

Bjelobrk, Marie Louise
Ladd, Rick
Oppel, Thomas
Stringham, Jerry

HILLSBOROUGH

Alexander, Joe
Berry, Ross
Chourasia, Manoj
Cornell, Patricia
Darby, Will
Erf, Keith
Gagne, Larry
Gould, Linda
Jack, Martin

Ammon, Keith
Boehm, Ralph
Colcombe, Riché
Creighton, James
Drew, Matt
Davis, Fred
Georges, Mary
Gregg, Alicia
Judy, Jean

Boyd, Bill
Booras, Efstathia
Cole, Brian
Kelley, Diane
Dumont, Dillon
Flanagan, Jack
Giasson, Henry
Grund, Stephanie
Kenny, Catherine

Barbour, Liz
Bouchard, Donald
Corcoran, Travis
Daniels, Gary
Dupont, Pierre
Griffin, Gerald
Gorski, Ted
Hartnett, Tim
Kesselring, Steven

Kluger, Lee Ann
 Lascelles, Richard
 Long, Patrick
 McGhee, Kat
 Morton, Jonathan
 Ohm, Bill
 Petrigno, Peter
 Raymond, Heather
 Rung, Rosemarie
 Schneller, John
 Sheehan, Vanessa
 Suiter, John
 Mannion, Tim
 Dolan, William
 Wherry, Robert

Kofalt, Jim
 LeClerc, Daniel
 Murray, Megan
 McLean, Mark
 Murphy, Nancy
 Paquette, Kathleen
 Post, Lisa
 Reinfurt, Sherri
 Ryan, Linda
 Scully, Kevin
 Sirois, Shane
 Telerski, Laura
 Mannion, Tom
 Thomas, Wendy

Foxx, Loren
 Leishman, Peter
 Murphy, Mary
 Miles, Julie
 Noble, Kristin
 Pauer, Diane
 Proulx, Mark
 Rice, Kimberly
 Newman, Sue
 Seibert, Christine
 Slottje, Jeremy
 Tellez, Trinidad
 Ulery, Jordan
 Warden, Mark

Labrie, Brian
 Lloyd, Christal
 Mazur, Lisa
 Mooney, Maureen
 Notter, Jeanine
 Peeples, Raymond
 Newman, Ray
 Rombeau, Catherine
 Salvi, Santosh
 Seidel, Sheila
 Staub, Kathy
 Tenczar, Jeffrey
 Veilleux, Daniel
 Wheeler, Jonah

MERRIMACK

Andrus, Louise
 McGuire, Carol
 McGuire, Dan
 Hicks, Matthew
 Hall, Muriel
 Morse, Bryan
 Sargent, Gregory
 See, Alvin

Aures, Cyril
 Cambilis, Jose
 Devoid, Ricky
 Hill, Gregory
 MacKay, James
 Pitaro, Matthew
 Schamberg, Thomas
 Thibault, James

Aylward, Deborah
 Caplan, Tony
 Ebel, Karen
 Lane, Connie
 Mehegan, Peter
 Roesener, James
 Schultz, Kris
 Wood, Clayton

Bricchi, Tracy
 Colby, Eleana
 Gonzalez, Ernesto
 Leavitt, John
 Moffett, Michael
 Boyd, Stephen
 Seaworth, Brian

ROCKINGHAM

Balboni, Peggy
 Cahill, Michael
 DeVito, Sayra
 Ford, Mary
 Guzowski, James
 Katsakiores, Phyllis
 Miner, Laurence
 Lundgren, David
 Maggiore, Jim
 McDonnell, Valerie
 Milz, David
 Brown, Pam
 Potucek, John
 Sabourin dit Choinière, Matt
 Soti, Julius
 Sytek, John
 Turer, Eric
 MacDonald, Wayne

Ball, Lorie
 Mannion, Dennis
 Donnelly, Tanya
 Gilman, Julie
 Harb, Robert
 Khan, Aboul
 Walsh, Lilli
 Lynn, Bob
 Malloy, Dennis
 McGrath, Linda
 Nadeau, Brian
 Perez, Kristine
 Prudhomme-O'Brien, Katherine
 Selby, Donald
 Spillane, James
 Dolan, Tom
 Vallone, Mark
 Weyler, Kenneth

Bernardy, JD
 Thomas, Douglas
 Drago, Mike
 Grote, Jaci
 Haskins, Linda
 Knab, Allison
 Layon, Erica
 Paige, Mark
 Mandelbaum, Jennifer
 McMahon, Charles
 Nelson, Jodi
 Popovici-Muller, Daniel
 Roy, Terry
 Simpson, Alexis
 Summers, James
 Tripp, Richard
 Vandecasteele, Susan
 Wilson, Vicki

Bridle, Nicholas
 DeSimone, Debra
 Dunn, Ron
 Guthrie, Joseph
 Janigian, John
 Kuttab, Katelyn
 Love, David
 Pearson, Mark
 Manos, Zoe
 Melvin, Charles
 Osborne, Jason
 Porcelli, Susan
 Pearson, Stephen
 Sorensen, Carrie
 Sweeney, Joe
 Tudor, Paul
 Vose, Michael

STRAFFORD

Bailey, Glenn
 DeDe-Poulin, Denise
 Farrington, Samuel
 Johnson, Erik
 Miller, Seth
 Turcotte, Len

Bay, Luz
 DeLemus, Susan
 Granger, Michael
 Kaczynski, Thomas
 Potenza, Kelley
 Wade, Alice

Burnham, Claudine
 DeRoy, Susan
 Harrington, Michael
 Levesque, Cassandra
 Schmidt, Peter
 Walker, David

Burton, Wayne
 England, Myles
 Horrigan, Timothy
 Malone, Amy
 Southworth, Thomas
 Wall, Janet

SULLIVAN

Drye, Margaret
 Aron, Judy

Girard, Dale
 Aron, Michael

Grant, George
 Rollins, Skip

Hemingway, Wayne
 Spilsbury, Walter

NAYS - 71 BELKNAP

Aldrich, Glen

St. Clair, Charlie

CARROLL

Burroughs, Anita

Woodcock, Stephen

CHESHIRE

Ames, Dick
 Jacobs, Samantha
 Weber, Lucy

Fox, Dru
 Newell, Jodi

Faulkner, Barry
 O'Rorke, Terri

Gruber, James
 Parshall, Lucius

COOS

King, Seth

GRAFTON

Almy, Susan
Hakken-Phillips, Mary

Baldwin, Heather
Lovett, Peter

Bolton, Bill
Sykes, George

Fracht, David

HILLSBOROUGH

Beauchemin, Paige
Dargie, Paul
Herbert, Christopher
Manohar, Sanjeev
Spier, Carry

Bergeron, Dan
Elberger, Susan
Juris, Louis
Plamondon, Marc
Swanson, Dale

Budathoki, Suraj
Foss, Lily
Kerwin, Erin
Preece, David
Vail, Suzanne

Chretien, Suzanne
Hegner, Karen
MacKenzie, Mark
Prout, Andrew

MERRIMACK

Kelly, Eileen
Payeur, Stephanie
Wallner, Mary Jane

Gallager, Eric
Polozov, Yury
Woods, Gary

Luneau, David
Snodgrass, Jim

Newsom, James
Soucy, Timothy

ROCKINGHAM

de Vries, Erica
Scherr, Buzz

Edgar, Michael
Ward, Gerald

Meuse, David
Weinstein, Toni

Muns, Chris

STRAFFORD

Bixby, Peter
LaMontagne, Jessica
Stone, John

Gilmore, Gary
Larochelle, John
Pearson, Wayne

Howard, Heath
Smith, Marjorie

Howland, Allan
Selig, Loren

SULLIVAN

Sullivan, Brian

Cloutier, John

Damon, Hope

Palmer, William

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

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Heath Howard moved that the House reconsider its action whereby, on a roll call vote of 190-152, the House adopted the motion of Inexpedient to Legislate on **SB 23-FN**, expanding the crime of endangering the welfare of a child.

Rep. Heath Howard spoke in favor.

Rep. Aures requested a roll call; sufficiently seconded.

YEAS 158 - NAYS 206**YEAS - 158****BELKNAP**

St. Clair, Charlie

CARROLL

Buco, Thomas
Woodcock, Stephen

Burroughs, Anita

Paige, David

McAleer, Chris

CHESHIRE

Ames, Dick
Germana, Dylan
Jones, Philip
Parshall, Lucius

Berch, Paul
Faulkner, Barry
Germana, Nicholas
Weber, Lucy

Harvey, Cathryn
Gruber, James
Newell, Jodi

Fox, Dru
Jacobs, Samantha
O'Rorke, Terri

GRAFTON

Almy, Susan
Fellows, Sallie
Lovett, Peter
Rockmore, Ellen

Baldwin, Heather
Fracht, David
Lucas, Janet
Stavis, Laurel

Bolton, Bill
Hakken-Phillips, Mary
Muirhead, Russell
Stringham, Jerry

Cormen, Thomas
Sullivan, Jared
Oppel, Thomas
Sykes, George

HILLSBOROUGH

Murray, Alissandra
Budathoki, Suraj
Darby, Will
Foss, Lily
Hartnett, Tim
Juris, Louis
LeClerc, Daniel
MacKenzie, Mark
Petrigno, Peter
Raymond, Heather

Beauchemin, Paige
Chourasia, Manoj
Dargie, Paul
Georges, Mary
Hegner, Karen
Kerwin, Erin
Lloyd, Christal
Manohar, Sanjeev
Plamondon, Marc
Rombeau, Catherine

Booras, Efstathia
Chretien, Suzanne
Elberger, Susan
Gregg, Alicia
Herbert, Christopher
Kluger, Lee Ann
Long, Patrick
McGhee, Kat
Preece, David
Rung, Rosemarie

Bouchard, Donald
Cornell, Patricia
Davis, Fred
Grund, Stephanie
Jack, Martin
Foxy, Loren
Murray, Megan
Murphy, Nancy
Newman, Ray
Ryan, Linda

Newman, Sue
 Staub, Kathy
 Vail, Suzanne

Salvi, Santosh
 Swanson, Dale
 Veilleux, Daniel

Seibert, Christine
 Telerski, Laura
 Dolan, William

Spier, Carry
 Tellez, Trinidad
 Wilhelm, Matthew

MERRIMACK

Bricchi, Tracy
 Ebel, Karen
 Luneau, David
 Payeur, Stephanie
 Schultz, Kris
 Woods, Gary

Caplan, Tony
 Gallagher, Eric
 Hall, Muriel
 Roesener, James
 Snodgrass, Jim

Colby, Eleana
 Hicks, Matthew
 MacKay, James
 Sargent, Gregory
 Soucy, Timothy

Kelly, Eileen
 Lane, Connie
 Newsom, James
 Schamberg, Thomas
 Wallner, Mary Jane

ROCKINGHAM

Balboni, Peggy
 Edgar, Michael
 Knab, Allison
 Mandelbaum, Jennifer
 Scherr, Buzz
 Vallone, Mark

Cahill, Michael
 Gilman, Julie
 Paige, Mark
 Manos, Zoe
 Simpson, Alexis
 Ward, Gerald

de Vries, Erica
 Grote, Jaci
 Maggiore, Jim
 Meuse, David
 Sorensen, Carrie
 Weinstein, Toni

DeSimone, Debra
 Haskins, Linda
 Malloy, Dennis
 Muns, Chris
 Turer, Eric

STRAFFORD

Bay, Luz
 Gilmore, Gary
 Johnson, Erik
 Smith, Marjorie
 Selig, Loren
 Wade, Alice

Bixby, Peter
 Howard, Heath
 LaMontagne, Jessica
 Malone, Amy
 Southworth, Thomas
 Wall, Janet

Burton, Wayne
 Horrigan, Timothy
 Larochelle, John
 Miller, Seth
 Stone, John

England, Myles
 Howland, Allan
 Levesque, Cassandra
 Schmidt, Peter
 Pearson, Wayne

SULLIVAN

Sullivan, Brian

Cloutier, John

Damon, Hope

Palmer, William

NAYS - 206

BELKNAP

Aldrich, Glen
 Coker, Matthew
 Harvey-Bolia, Juliet
 Minor, Sheri

Bean, Harry
 Comtois, Barbara
 Lunney, Matthew
 Terry, Paul

Bogert, Steven
 Dumais, Russell
 Nagel, David
 Toner, Travis

Bordes, Mike
 Freeman, Lisa
 Ploszaj, Tom

CARROLL

Avellani, Lino
 Hamblen, Joseph
 Brown, Richard

Belcher, Mike
 MacDonald, John
 Taylor, Brian

Cordelli, Glenn
 Smith, Jonathan

Crawford, Karel
 Peternel, Katy

CHESHIRE

Murphy, Denis
 Nalevanko, Rich

Hunt, John
 Qualey, James

Karasinski, Sly
 Rhodes, Jennifer

Mattson, Rita
 Thackston, Dick

COOS

Davis, Arnold
 Morency, Pete

Durkin, Sean
 King, Seth

Korzen, Lori
 Tierney, James

Murphy, Michael
 Valerino, Brian

GRAFTON

Barton, Joseph
 Ladd, Rick

Beaulier, Calvin
 Louis, Darrell

Berezhny, Lex
 Sellers, John

Bjelobrk, Marie Louise

HILLSBOROUGH

Alexander, Joe
 Bergeron, Dan
 Cole, Brian
 Daniels, Gary
 Erf, Keith
 Giasson, Henry
 Kenny, Catherine
 Lascelles, Richard
 McLean, Mark
 Noble, Kristin
 Paquette, Kathleen
 Proulx, Mark
 Schneller, John
 Sirois, Shane
 Mannion, Tim
 Warden, Mark

Ammon, Keith
 Berry, Ross
 Corcoran, Travis
 Drew, Matt
 Flanagan, Jack
 Gorski, Ted
 Kesselring, Steven
 Leishman, Peter
 Miles, Julie
 Notter, Jeanine
 Pauer, Diane
 Prout, Andrew
 Scully, Kevin
 Slottje, Jeremy
 Mannion, Tom
 Wheeler, Jonah

Boyd, Bill
 Boehm, Ralph
 Creighton, James
 Dumont, Dillon
 Griffin, Gerald
 Gould, Linda
 Kofalt, Jim
 Murphy, Mary
 Mooney, Maureen
 Ohm, Bill
 Peebles, Raymond
 Reinfurt, Sherri
 Seidel, Sheila
 Suiter, John
 Ulery, Jordan
 Wherry, Robert

Barbour, Liz
 Colcombe, Riché
 Kelley, Diane
 Dupont, Pierre
 Gagne, Larry
 Jeudy, Jean
 Labrie, Brian
 Mazur, Lisa
 Morton, Jonathan
 Panek, Sandra
 Post, Lisa
 Rice, Kimberly
 Sheehan, Vanessa
 Tenczar, Jeffrey
 Thomas, Wendy

MERRIMACK

Andrus, Louise
Cambrils, Jose
Hill, Gregory
Morse, Bryan
Seaworth, Brian

Aures, Cyril
McGuire, Dan
Leavitt, John
Pitaro, Matthew
See, Alvin

Aylward, Deborah
Devoid, Ricky
Mehegan, Peter
Polozov, Yuri
Thibault, James

McGuire, Carol
Gonzalez, Ernesto
Moffett, Michael
Boyd, Stephen
Wood, Clayton

ROCKINGHAM

Ball, Lorie
Thomas, Douglas
Dunn, Ron
Harb, Robert
Kuttab, Katelyn
Love, David
McDonnell, Valerie
Milz, David
Brown, Pam
Potucek, John
Sabourin dit Choinière, Matt
Summers, James
Tripp, Richard
MacDonald, Wayne

Bernardy, JD
DeVito, Sayra
Ford, Mary
Janigian, John
Miner, Laurence
Lundgren, David
McGrath, Linda
Nadeau, Brian
Perez, Kristine
Prudhomme-O'Brien, Katherine
Selby, Donald
Sweeney, Joe
Tudor, Paul
Weyler, Kenneth

Bridle, Nicholas
Donnelly, Tanya
Guthrie, Joseph
Katsakiores, Phyllis
Walsh, Lilli
Lynn, Bob
McMahon, Charles
Nelson, Jodi
Popovici-Muller, Daniel
Roy, Terry
Soti, Julius
Sytek, John
Vandecasteele, Susan
Wilson, Vicki

Mannion, Dennis
Drago, Mike
Guzowski, James
Khan, Aboul
Layon, Erica
Pearson, Mark
Melvin, Charles
Osborne, Jason
Porcelli, Susan
Pearson, Stephen
Spillane, James
Dolan, Tom
Vose, Michael

STRAFFORD

Bailey, Glenn
DeRoy, Susan
Kaczynski, Thomas

Burnham, Claudine
Farrington, Samuel
Potenza, Kelley

DeDe-Poulin, Denise
Granger, Michael
Turcotte, Len

DeLemus, Susan
Harrington, Michael
Walker, David

SULLIVAN

Drye, Margaret
Aron, Judy

Girard, Dale
Aron, Michael

Grant, George
Rollins, Skip

Hemingway, Wayne
Spillsbury, Walter

and the motion failed.

REGULAR CALENDAR CONT'D**SB 292-FN-A**, authorizing a warrant for the funding of state special education aid. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Rick Ladd for Education Funding. This bill, as amended, requires that disbursements for special education aid to a school district to be at least 80% of the district's entitlement for special aid costs in the fiscal year. Claims for special education aid of about \$50 million submitted to the Department of Education (NH-DOE) by districts for the past year exceed the appropriated amount of \$34 million by nearly 50%, which has triggered the existing proration requirement. This has meant that districts will receive substantially less in reimbursements than anticipated and bear a correspondingly greater share of the costs of special education that exceed the statutory threshold of 3 and 1/2 times the estimated state average expenditure per pupil for the preceding year. A subcommittee of the Education Funding Committee is currently working with NHDOE, the Department of Health and Human Services, and special education directors to better ascertain how to fix the statewide special education aid costing formula. In the event a shortfall should occur in which the appropriation is less than 80% of eligible claims, the Governor would first draw from the education trust funds, and if that source is exhausted, could then draw from general funds, to make up the difference. The committee anticipates that appropriations will be set at a level intended to cover fully 100% of eligible claims in future years, and intends that shortfalls should be avoided, but has determined that it is prudent to allow some degree of proration in the event that unanticipated higher claims exceed appropriations, provided that the 80% floor would mitigate the impact on districts. Vote 18-0.

Amendment (1802h)

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

AN ACT relative to aid to school districts for the cost of special education.

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

1 Education; Special Education; State Aid. Amend RSA 186-C:18, III(a)-(b) to read as follows:

III.(a) The state board of education through the commissioner, department of education, shall distribute aid available under this paragraph as entitlement to such school districts as have a special education pupil for whose costs they are responsible, for whom the costs of special education in the fiscal year exceed 3 *and* 1/2 times the estimated state average expenditure per pupil for the school year preceding the year of distribution. ~~[If in any year, the amount appropriated for distribution as special education aid in accordance with this section is insufficient therefor, the appropriation shall be prorated proportionally based on entitlement among the districts entitled to a grant.]~~ *If in any year, the amount appropriated for distribution as special*

education aid in accordance with this section is insufficient therefor, the appropriation shall be prorated proportionally based on entitlement among the districts entitled to a grant, provided that the department of education shall distribute to the school district not less than 80 percent of the district's entitlement for catastrophic aid costs in the fiscal year. If there are unexpended funds appropriated under this paragraph at the end of any fiscal year, such funds shall be distributed for court-ordered placements and episodes of treatment under RSA 186-C:19-b. The state may designate up to \$250,000 of the funds which are appropriated as required by this paragraph, for each fiscal year, to assist those school districts which, under guidelines established by rules of the state board of education, may qualify for emergency assistance to mitigate the impact of special education costs. The state may designate up to an additional \$250,000 of the funds which are appropriated under this paragraph for each fiscal year for any community of 1,000 or fewer residents to mitigate the impact of special education costs when emergency assistance is necessary to prevent significant financial harm to such district or community. Upon application to the commissioner of education, and approval by the commissioner, such funds may be accepted and expended by school districts in accordance with this chapter; provided, however, that if a school district has received emergency assistance funds for certain children with disabilities, it shall not receive special education aid for those same children with disabilities. If any of the funds designated for emergency assistance under this paragraph are not used for such emergency assistance purposes, the funds shall be used to assist school districts in meeting special education cost increases in their special education programs as provided by this paragraph.

(b) The school district shall be liable for 3 **and** 1/2 times the estimated state average expenditure per pupil for the school year preceding the year of distribution, plus 20 percent of the additional cost, up to 10 times the estimated state average expenditure per pupil for the school year preceding the year of distribution.

2 Education; Special Education; State Aid. Amend RSA 186-C:18, IV to read as follows:

IV. ~~[The state shall appropriate an amount for each fiscal year to assist special education programs that are statewide in their scope, and that meet the standards for such programs established by the state board of education. Funds under this paragraph shall be administered and distributed by the state board of education through the commissioner.]~~ ***The amount necessary to fund special education aid under this section is hereby appropriated to the department from the education trust fund created under RSA 198:39. The governor is authorized to draw a warrant from the education trust fund to satisfy the state's obligation under this section. Such warrant for payment shall be issued regardless of the balance of funds available in the education trust fund. If the balance in the education trust fund, after the issuance of any such warrant, is less than zero, the state comptroller shall transfer sufficient funds from the general fund to eliminate such deficit. The commissioner of the department of administrative services shall inform the fiscal committee and the governor and council of such balance. This reporting shall not in any way prohibit or delay the distribution of payments.***

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

AMENDED ANALYSIS

This bill removes the requirement that catastrophic special education funds be prorated among the school districts entitled to such aid and requires that disbursements for special education to a school district shall be at least 80 percent of the district's entitlement for catastrophic aid costs in the fiscal year.

The question being adoption of the committee amendment.

Committee amendment was adopted.

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

Committee report was adopted.

The Speaker referred the bill to the Committee on Finance.

SB 295-FN, relative to education freedom accounts. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Rick Ladd for the Majority of Education Funding. As amended, this bill increases the number of students eligible for Education Freedom Accounts (EFAs) by removing household income thresholds. For the 2025-2026 fiscal year, and each year thereafter, total enrollment for the EFA program shall be capped at 10,000. In any fiscal year when student applications for the EFA program are equal to or greater than 90% for the fiscal year, the total enrollment cap shall be increased by 25% (10,000 to 12,500). If enrollment caps surpass 90% of the capped amount, enrollment priority shall be determined in the following order: 1. Student currently enrolled in the program, 2. Sibling of an enrolled student, 3. Student with disabilities, and 4. Student with family income less than 350% of the federal poverty guidelines. The scholarship organization shall establish two application deadlines by which applications must be submitted and applications shall be approved on a rolling basis for the fall and spring semesters. As of September 2024, 5,321 students were in the EFA program with an annualized cost estimate of \$27.7M, with a per pupil grant averaging \$5,204. It is estimated that the average grant for the new eligible population will be approximately \$4,419, assuming 7% of enrolled students are eligible for special education differentiated aid. The average adequacy education grant for a K-12 public

education student was \$7,108 based upon FY26 preliminary estimates as of November 15, 2024. Comparatively addressed, the EFA program is a savings to the New Hampshire taxpayer (\$7,108 – \$5,204 = \$1,904). Although much of this report has centered on cost, the primary outcome of this bill is to provide the best educational fit for students who have struggled to succeed or who are not being academically challenged in the “one size fits all” state system. The EFA program is the learning experience that provides all children, regardless of family income, an education that better serves their learning styles, values, and aspirations. Vote 10-8.

Rep. David Luneau for the Minority of Education Funding. The school voucher program was introduced four years ago. Over that time, very few students have exited their local public schools to take a voucher. State law requires a performance audit of the program in order to assure the program is being operated in accordance with state law and rules, to make sure the expenditures are on approved educational materials and opportunities, and that student performance is being monitored. However, the state auditors have not been allowed to access information, and the audit results will be limited. This bill and amendment now seek to further expand the voucher program to include families of four earning more than \$110,000 per year. Given state budget constraints that have reduced state investments in the university system, community college system, public health, arts, tourism, and other critical needs areas, and no demonstrated savings for taxpayers, now is not the time to expand a program with no accountability standards or performance results to show.

Majority Amendment (1857h)

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

1 Education; Education Freedom Accounts; Definitions. Amend RSA 194-F:1, VI to read as follows:

VI. “Eligible student” means a resident of this state who is eligible to enroll in a public elementary or secondary school ~~[and whose annual household income at the time the student applies for the program is less than or equal to 350 percent of the federal poverty guidelines as updated annually in the Federal Register by the United States Department of Health and Human Services under 42 U.S.C. section 9902(2). No income threshold need be met in subsequent years, provided the student otherwise qualifies]~~. Students in the special school district within the department of corrections established in RSA 194:60 shall not be eligible students.

2 New Paragraphs; Education; Education Freedom Accounts; Application for an Education Freedom Account. Amend RSA 194-F:3 by inserting after paragraph I the following new paragraphs:

I-a. For the 2025-2026 fiscal year, and each fiscal year thereafter, total enrollment for the education freedom account program shall be capped at 10,000. However, in any fiscal year when student applications for the education freedom account program are equal to or greater than 90 percent of the total enrollment cap applicable to that fiscal year, the total enrollment cap shall increase by 25 percent. The department shall publish on its website information identifying the total enrollment cap when it is increased pursuant to this paragraph.

I-b. In the event that applications for the education freedom account program exceed 90 percent of the annual enrollment cap in a given fiscal year, as established in paragraph I-a, priority for the program shall be determined in the following order:

- (a) A student currently enrolled in the EFA program;
- (b) A sibling of a student currently enrolled in the EFA program;
- (c) A child with disabilities as defined by RSA 186-C:2;

(d) A student whose family income is less than or equal to 350 percent of the federal poverty guidelines as updated annually by the United States Department of Health and Human Services under 42 U.S.C. section 9902 (2).

I-c. In any fiscal year, for students applying after June 30 during the fall application window, only students who meet the priority categories as defined by RSA 194-F:3, I-b(b)-(d) are eligible for pro-rated accounts. The scholarship organization shall prioritize current EFA students for renewal in the spring by reserving space for them under that year’s enrollment cap before awarding new EFA accounts for fall applicants.

3 Education; Education Freedom Accounts; Application for an Education Freedom Account. Amend RSA 194-F:3, III(b) to read as follows:

(b) The student on whose behalf the parent is applying is an eligible student ***and meets the priority guidelines when applications exceed the enrollment cap.***

4 New Paragraph; Education; Education Freedom Accounts; Authority and Responsibilities of the Scholarship Organization. Amend RSA 194-F:4 by inserting after paragraph IV the following new paragraph:

IV-a. The scholarship organization shall establish and publicize no less than 2 deadlines by which application forms must be submitted.

5 Education Freedom Accounts; Application Acceptance Directive. Amend RSA 194-F:3, I to read as follows:

I. A parent may apply to the scholarship organization to establish an EFA for an eligible student. The scholarship organization shall accept and approve applications ***on a rolling basis*** for the fall and spring semesters each year and shall establish procedures for approving applications in an expeditious manner.

6 Education; Education Freedom Accounts; Authority and Responsibilities of the Scholarship Organization. RSA 194-F:3, III(b) is repealed and reenacted to read as follows:

- (b) The student on whose behalf the parent is applying is an eligible student.

7 Repeal. The following are repealed:

I. RSA 194-F:3, I-a, I-b, and I-c, relative to education freedom account eligibility.

II. RSA 194-F:4, IV-a, relative to scholarship organization deadlines.

8 Contingency. Sections 5 through 7 of this act shall take effect on the date the department of education certifies to the secretary of state and the director of the office of legislative services that student applications for the education freedom account program have not exceeded 90 percent of the total enrollment cap for 2 consecutive fiscal years.

9 Effective Dates.

I. Sections 5 through 7 of this act shall take effect as provided in section 8 of this act.

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

The question being adoption of the majority committee amendment.

On a division vote, with 185 members having voted in the affirmative, and 155 in the negative, the majority committee amendment was adopted.

MOTION TO LIMIT DEBATE

Rep. Sweeney moved the previous question on SB 295-FN.

The question being shall debate be limited?

Rep. Telerski requested a roll call; sufficiently seconded.

YEAS 195 - NAYS 166

YEAS - 195

BELKNAP

Aldrich, Glen
Comtois, Barbara
Lunney, Matthew

Bean, Harry
Dumais, Russell
Terry, Paul

Bogert, Steven
Freeman, Lisa
Toner, Travis

Coker, Matthew
Harvey-Bolia, Juliet

CARROLL

Avellani, Lino
Hamblen, Joseph
Brown, Richard

Belcher, Mike
MacDonald, John
Taylor, Brian

Cordelli, Glenn
Smith, Jonathan

Crawford, Karel
Peternel, Katy

CHESHIRE

Murphy, Denis
Nalevanko, Rich

Hunt, John
Qualey, James

Karasinski, Sly
Rhodes, Jennifer

Mattson, Rita

COOS

Davis, Arnold
Morency, Pete

Durkin, Sean
King, Seth

Korzen, Lori
Tierney, James

Murphy, Michael
Valerino, Brian

GRAFTON

Barton, Joseph
Ladd, Rick

Beaulier, Calvin
Louis, Darrell

Berezhny, Lex
Sellers, John

Bjelobrk, Marie Louise

HILLSBOROUGH

Alexander, Joe
Berry, Ross
Corcoran, Travis
Drew, Matt
Flanagan, Jack
Giasson, Henry
Kesselring, Steven
Murphy, Mary
Mooney, Maureen
Ohm, Bill
Peeples, Raymond
Reinfurt, Sherri
Seidel, Sheila
Suiter, John
Ulery, Jordan

Ammon, Keith
Boehm, Ralph
Creighton, James
Dumont, Dillon
Griffin, Gerald
Gorski, Ted
Kofalt, Jim
Mazur, Lisa
Morton, Jonathan
Panek, Sandra
Post, Lisa
Rice, Kimberly
Sheehan, Vanessa
Tenczar, Jeffrey
Warden, Mark

Boyd, Bill
Colcombe, Riché
Kelley, Diane
Dupont, Pierre
Gagne, Larry
Gould, Linda
Labrie, Brian
McLean, Mark
Noble, Kristin
Paquette, Kathleen
Proulx, Mark
Schneller, John
Sirois, Shane
Mannion, Tim
Wherry, Robert

Barbour, Liz
Cole, Brian
Daniels, Gary
Erf, Keith
Georges, Mary
Kenny, Catherine
Lascelles, Richard
Miles, Julie
Notter, Jeanine
Pauer, Diane
Prout, Andrew
Scully, Kevin
Slottje, Jeremy
Mannion, Tom

MERRIMACK

Aures, Cyril
McGuire, Dan
Leavitt, John
Pitaro, Matthew
See, Alvin

Aylward, Deborah
Devoid, Ricky
Mehegan, Peter
Polozov, Yury
Thibault, James

McGuire, Carol
Gonzalez, Ernesto
Moffett, Michael
Boyd, Stephen
Wood, Clayton

Cambrils, Jose
Hill, Gregory
Morse, Bryan
Seaworth, Brian

ROCKINGHAM

Ball, Lorie
 Thomas, Douglas
 Drago, Mike
 Harb, Robert
 Kuttab, Katelyn
 Love, David
 Markell, Jay
 Melvin, Charles
 Osborne, Jason
 Potucek, John
 Sabourin dit Choinière, Matt
 Summers, James
 Tripp, Richard
 MacDonald, Wayne

Bernardy, JD
 DeSimone, Debra
 Dunn, Ron
 Janigian, John
 Miner, Laurence
 Lundgren, David
 McDonnell, Valerie
 Milz, David
 Brown, Pam
 Prudhomme-O'Brien, Katherine
 Selby, Donald
 Sweeney, Joe
 Tudor, Paul
 Weyler, Kenneth

Bridle, Nicholas
 DeVito, Sayra
 Ford, Mary
 Katsakiores, Phyllis
 Walsh, Lilli
 Lynn, Bob
 McGrath, Linda
 Nadeau, Brian
 Perez, Kristine
 Roy, Terry
 Soti, Julius
 Sytek, John
 Vandecasteele, Susan
 Wilson, Vicki

Mannion, Dennis
 Donnelly, Tanya
 Guzofski, James
 Khan, Aboul
 Layon, Erica
 Pearson, Mark
 McMahon, Charles
 Nelson, Jodi
 Porcelli, Susan
 Pearson, Stephen
 Spillane, James
 Dolan, Tom
 Vose, Michael

STRAFFORD

Bailey, Glenn
 DeRoy, Susan
 Kaczynski, Thomas

Burnham, Claudine
 Farrington, Samuel
 Potenza, Kelley

DeDe-Poulin, Denise
 Granger, Michael
 Turcotte, Len

DeLemus, Susan
 Harrington, Michael
 Walker, David

SULLIVAN

Drye, Margaret
 Aron, Michael

Grant, George
 Rollins, Skip

Hemingway, Wayne
 Spilsbury, Walter

Aron, Judy

NAYS - 166**BELKNAP**

Ploszaj, Tom

St. Clair, Charlie

CARROLL

Buco, Thomas
 Woodcock, Stephen

Burroughs, Anita

Paige, David

McAleer, Chris

CHESHIRE

Ames, Dick
 Germana, Dylan
 Jones, Philip
 Parshall, Lucius

Berch, Paul
 Faulkner, Barry
 Germana, Nicholas
 Weber, Lucy

Harvey, Cathryn
 Gruber, James
 Newell, Jodi

Fox, Dru
 Jacobs, Samantha
 O'Rorke, Terri

GRAFTON

Almy, Susan
 Fellows, Sallie
 Lovett, Peter
 Rockmore, Ellen

Baldwin, Heather
 Fracht, David
 Lucas, Janet
 Stavis, Laurel

Bolton, Bill
 Hakken-Phillips, Mary
 Muirhead, Russell
 Stringham, Jerry

Cormen, Thomas
 Sullivan, Jared
 Oppel, Thomas
 Sykes, George

HILLSBOROUGH

Murray, Alissandra
 Bouchard, Donald
 Cornell, Patricia
 Davis, Fred
 Hartnett, Tim
 Jeudy, Jean
 Foxx, Loren
 Long, Patrick
 McGhee, Kat
 Preece, David
 Rung, Rosemarie
 Seibert, Christine
 Telerski, Laura
 Dolan, William

Beauchemin, Paige
 Budathoki, Suraj
 Darby, Will
 Foss, Lily
 Hegner, Karen
 Juris, Louis
 LeClerc, Daniel
 Murray, Megan
 Murphy, Nancy
 Newman, Ray
 Ryan, Linda
 Spier, Carry
 Tellez, Trinidad
 Thomas, Wendy

Bergeron, Dan
 Chourasia, Manoj
 Dargie, Paul
 Gregg, Alicia
 Herbert, Christopher
 Kerwin, Erin
 Leishman, Peter
 MacKenzie, Mark
 Petrigno, Peter
 Raymond, Heather
 Newman, Sue
 Staub, Kathy
 Vail, Suzanne
 Wheeler, Jonah

Booras, Efstathia
 Chretien, Suzanne
 Elberger, Susan
 Grund, Stephanie
 Jack, Martin
 Kluger, Lee Ann
 Lloyd, Christal
 Manohar, Sanjeev
 Plamondon, Marc
 Rombeau, Catherine
 Salvi, Santosh
 Swanson, Dale
 Veilleux, Daniel
 Wilhelm, Matthew

MERRIMACK

Andrus, Louise
 Kelly, Eileen
 Lane, Connie
 Newsom, James
 Schamberg, Thomas
 Wallner, Mary Jane

Bricchi, Tracy
 Ebel, Karen
 Luneau, David
 Payeur, Stephanie
 Schultz, Kris
 Woods, Gary

Caplan, Tony
 Gallager, Eric
 Hall, Muriel
 Roesener, James
 Snodgrass, Jim

Colby, Eleana
 Hicks, Matthew
 MacKay, James
 Sargent, Gregory
 Soucy, Timothy

ROCKINGHAM

Balboni, Peggy
 Gilman, Julie
 Knab, Allison
 Mandelbaum, Jennifer
 Popovici-Muller, Daniel
 Turer, Eric

Cahill, Michael
 Grote, Jaci
 Paige, Mark
 Manos, Zoe
 Scherr, Buzz
 Vallone, Mark

de Vries, Erica
 Guthrie, Joseph
 Maggiore, Jim
 Meuse, David
 Simpson, Alexis
 Ward, Gerald

Edgar, Michael
 Haskins, Linda
 Malloy, Dennis
 Muns, Chris
 Sorensen, Carrie
 Weinstein, Toni

STRAFFORD

Bay, Luz
 Gilmore, Gary
 Johnson, Erik
 Smith, Marjorie
 Selig, Loren
 Wade, Alice

Bixby, Peter
 Howard, Heath
 LaMontagne, Jessica
 Malone, Amy
 Southworth, Thomas
 Wall, Janet

Burton, Wayne
 Horrigan, Timothy
 Laroche, John
 Miller, Seth
 Stone, John

England, Myles
 Howland, Allan
 Levesque, Cassandra
 Schmidt, Peter
 Pearson, Wayne

SULLIVAN

Sullivan, Brian
 Palmer, William

Cloutier, John

Damon, Hope

Girard, Dale

and the motion was adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.
 Rep. Luneau offered floor amendment (1979h).

Floor Amendment (1979h)

Amend the bill by replacing all after section 7 with the following:

8 Contingency.

I. Sections 1 through 4 of this act shall take effect on the date the audit division of the office of legislative budget assistant certifies to the secretary of state and the director of the office of legislative services that:

(a) The performance audit of the education freedom account program required under 2022, 297:1 has been completed; and

(b) The audit finds sufficient management controls within the education freedom account program that ensure compliance with all state laws and department rules.

II. Sections 5 through 7 of this act shall take effect on the date the department of education certifies to the secretary of state and the director of the office of legislative services that student applications for the education freedom account program have not exceeded 90 percent of the total enrollment cap for 2 consecutive fiscal years.

9 Effective Date.

I. Sections 1 through 7 of this act shall take effect as provided in section 8 of this act.

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

AMENDED ANALYSIS

This bill:

I. Increases the number of students eligible for education freedom accounts by removing household income thresholds.

II. Removes certain conditions tied to education freedom account funds.

III. Repeals and amends certain provisions of law relative to education freedom account eligibility and scholarship organization deadlines.

IV. Requires that certifications to the secretary of state and the director of the office of legislative services be made before any provisions of the bill take effect.

The question being adoption of floor amendment (1979h).

Rep. Luneau requested a roll call; sufficiently seconded.

YEAS 165 - NAYS 199**YEAS - 165
BELKNAP**

Coker, Matthew

St. Clair, Charlie

CARROLL

Buco, Thomas
 McAleer, Chris

Burroughs, Anita
 Woodcock, Stephen

Crawford, Karel

Paige, David

CHESHIRE

Ames, Dick
 Germana, Dylan
 Jones, Philip
 Parshall, Lucius

Berch, Paul
 Faulkner, Barry
 Germana, Nicholas
 Weber, Lucy

Harvey, Cathryn
 Gruber, James
 Newell, Jodi

Fox, Dru
 Jacobs, Samantha
 O'Rourke, Terri

GRAFTON

Almy, Susan
 Fellows, Sallie
 Lovett, Peter
 Rockmore, Ellen

Baldwin, Heather
 Fracht, David
 Lucas, Janet
 Stavis, Laurel

Bolton, Bill
 Hakken-Phillips, Mary
 Muirhead, Russell
 Sykes, George

Cormen, Thomas
 Sullivan, Jared
 Oppel, Thomas

HILLSBOROUGH

Murray, Alissandra
 Bouchard, Donald
 Cornell, Patricia
 Davis, Fred
 Grund, Stephanie
 Jack, Martin
 Kluger, Lee Ann
 Lloyd, Christal
 Manohar, Sanjeev
 Plamondon, Marc
 Rombeau, Catherine
 Salvi, Santosh
 Swanson, Dale
 Veilleux, Daniel
 Wilhelm, Matthew

Beauchemin, Paige
 Budathoki, Suraj
 Darby, Will
 Foss, Lily
 Hartnett, Tim
 Judy, Jean
 Foxx, Loren
 Long, Patrick
 McGhee, Kat
 Preece, David
 Rung, Rosemarie
 Seibert, Christine
 Teterski, Laura
 Dolan, William

Bergeron, Dan
 Chourasia, Manoj
 Dargie, Paul
 Georges, Mary
 Hegner, Karen
 Juris, Louis
 LeClerc, Daniel
 Murray, Megan
 Murphy, Nancy
 Newman, Ray
 Ryan, Linda
 Spier, Carry
 Tellez, Trinidad
 Thomas, Wendy

Booras, Efstathia
 Chretien, Suzanne
 Elberger, Susan
 Gregg, Alicia
 Herbert, Christopher
 Kerwin, Erin
 Leishman, Peter
 MacKenzie, Mark
 Pettrigno, Peter
 Raymond, Heather
 Newman, Sue
 Staub, Kathy
 Vail, Suzanne
 Wheeler, Jonah

MERRIMACK

Bricchi, Tracy
 Ebel, Karen
 Luneau, David
 Payeur, Stephanie
 Schultz, Kris
 Woods, Gary

Caplan, Tony
 Gallager, Eric
 Hall, Muriel
 Roesener, James
 Snodgrass, Jim

Colby, Eleana
 Hicks, Matthew
 MacKay, James
 Sargent, Gregory
 Soucy, Timothy

Kelly, Eileen
 Lane, Connie
 Newsom, James
 Schamberg, Thomas
 Wallner, Mary Jane

ROCKINGHAM

Balboni, Peggy
 Gilman, Julie
 Knab, Allison
 Mandelbaum, Jennifer
 Scherr, Buzz
 Vallone, Mark

Cahill, Michael
 Grote, Jaci
 Paige, Mark
 Manos, Zoe
 Simpson, Alexis
 Ward, Gerald

de Vries, Erica
 Guthrie, Joseph
 Maggiore, Jim
 Meuse, David
 Sorensen, Carrie
 Weinstein, Toni

Edgar, Michael
 Haskins, Linda
 Malloy, Dennis
 Muns, Chris
 Turer, Eric

STRAFFORD

Bay, Luz
 Gilmore, Gary
 Johnson, Erik
 Smith, Marjorie
 Selig, Loren
 Wade, Alice

Bixby, Peter
 Howard, Heath
 LaMontagne, Jessica
 Malone, Amy
 Southworth, Thomas
 Wall, Janet

Burton, Wayne
 Horrigan, Timothy
 Laroche, John
 Miller, Seth
 Stone, John

England, Myles
 Howland, Allan
 Levesque, Cassandra
 Schmidt, Peter
 Pearson, Wayne

SULLIVAN

Sullivan, Brian
 Palmer, William

Cloutier, John

Damon, Hope

Girard, Dale

NAYS - 199**BELKNAP**

Aldrich, Glen
 Comtois, Barbara
 Lunney, Matthew
 Terry, Paul

Bean, Harry
 Dumais, Russell
 Nagel, David
 Toner, Travis

Bogert, Steven
 Freeman, Lisa
 Ploszaj, Tom

Bordes, Mike
 Harvey-Bolia, Juliet
 Minor, Sheri

CARROLL

Avellani, Lino
 MacDonald, John
 Taylor, Brian

Belcher, Mike
 Smith, Jonathan

Cordelli, Glenn
 Peternel, Katy

Hamblen, Joseph
 Brown, Richard

CHESHIRE

Murphy, Denis
 Nalevanko, Rich

Hunt, John
 Qualey, James

Karasinski, Sly
 Rhodes, Jennifer

Mattson, Rita

COOS

Davis, Arnold
 Morency, Pete

Durkin, Sean
 King, Seth

Korzen, Lori
 Tierney, James

Murphy, Michael
 Valerino, Brian

GRAFTON

Barton, Joseph
Ladd, Rick

Beaulier, Calvin
Louis, Darrell

Berezhny, Lex
Sellers, John

Bjelobrck, Marie Louise
Stringham, Jerry

HILLSBOROUGH

Alexander, Joe
Berry, Ross
Corcoran, Travis
Drew, Matt
Flanagan, Jack
Gorski, Ted
Kofalt, Jim
Mazur, Lisa
Morton, Jonathan
Panek, Sandra
Post, Lisa
Rice, Kimberly
Sheehan, Vanessa
Tenczar, Jeffrey
Warden, Mark

Ammon, Keith
Boehm, Ralph
Creighton, James
Dumont, Dillon
Griffin, Gerald
Gould, Linda
Labrie, Brian
McLean, Mark
Noble, Kristin
Paquette, Kathleen
Proulx, Mark
Schneller, John
Sirois, Shane
Mannion, Tim
Wherry, Robert

Boyd, Bill
Colcombe, Riché
Kelley, Diane
Dupont, Pierre
Gagne, Larry
Kenny, Catherine
Lascelles, Richard
Miles, Julie
Notter, Jeanine
Pauer, Diane
Prout, Andrew
Scully, Kevin
Slottje, Jeremy
Mannion, Tom

Barbour, Liz
Cole, Brian
Daniels, Gary
Erf, Keith
Giasson, Henry
Kesselring, Steven
Murphy, Mary
Mooney, Maureen
Ohm, Bill
Peeples, Raymond
Reinfurt, Sherri
Seidel, Sheila
Suiter, John
Ulery, Jordan

MERRIMACK

Andrus, Louise
Cambriels, Jose
Hill, Gregory
Morse, Bryan
Seaworth, Brian

Aures, Cyril
McGuire, Dan
Leavitt, John
Pitaro, Matthew
See, Alvin

Aylward, Deborah
Devoid, Ricky
Mehegan, Peter
Polozov, Yury
Thibault, James

McGuire, Carol
Gonzalez, Ernesto
Moffett, Michael
Boyd, Stephen
Wood, Clayton

ROCKINGHAM

Ball, Lorie
Thomas, Douglas
Drago, Mike
Harb, Robert
Kuttab, Katelyn
Love, David
Markell, Jay
Melvin, Charles
Osborne, Jason
Porcelli, Susan
Pearson, Stephen
Spillane, James
Dolan, Tom
Vose, Michael

Bernardy, JD
DeSimone, Debra
Dunn, Ron
Janigian, John
Miner, Laurence
Lundgren, David
McDonnell, Valerie
Milz, David
Brown, Pam
Potucek, John
Sabourin dit Choinière, Matt
Summers, James
Tripp, Richard
MacDonald, Wayne

Bridle, Nicholas
DeVito, Sayra
Ford, Mary
Katsakiores, Phyllis
Walsh, Lilli
Lynn, Bob
McGrath, Linda
Nadeau, Brian
Perez, Kristine
Prudhomme-O'Brien, Katherine
Selby, Donald
Sweeney, Joe
Tudor, Paul
Weyler, Kenneth

Mannion, Dennis
Donnelly, Tanya
Guzowski, James
Khan, Aboul
Layon, Erica
Pearson, Mark
McMahon, Charles
Nelson, Jodi
Popovici-Muller, Daniel
Roy, Terry
Soti, Julius
Sytek, John
Vandecasteele, Susan
Wilson, Vicki

STRAFFORD

Bailey, Glenn
DeRoy, Susan
Kaczynski, Thomas

Burnham, Claudine
Farrington, Samuel
Potenza, Kelley

DeDe-Poulin, Denise
Granger, Michael
Turcotte, Len

DeLemus, Susan
Harrington, Michael
Walker, David

SULLIVAN

Drye, Margaret
Aron, Michael

Grant, George
Rollins, Skip

Hemingway, Wayne
Spilsbury, Walter

Aron, Judy

and floor amendment (1979h) failed.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.
Rep. Luneau requested a roll call; sufficiently seconded.

YEAS 188 - NAYS 176**YEAS - 188****BELKNAP**

Aldrich, Glen
Dumais, Russell
Ploszaj, Tom

Bean, Harry
Freeman, Lisa
Minor, Sheri

Bogert, Steven
Harvey-Bolia, Juliet
Terry, Paul

Comtois, Barbara
Lunney, Matthew
Toner, Travis

CARROLL

Avellani, Lino
MacDonald, John

Belcher, Mike
Smith, Jonathan

Cordelli, Glenn
Peternel, Katy

Hamblen, Joseph
Brown, Richard

CHESHIRE

Murphy, Denis
Nalevanko, Rich

Hunt, John
Qualey, James

Karasinski, Sly
Rhodes, Jennifer

Mattson, Rita

COOS

Davis, Arnold
Morency, Pete

Durkin, Sean
King, Seth

Korzen, Lori
Tierney, James

Murphy, Michael
Valerino, Brian

GRAFTON

Barton, Joseph
Ladd, Rick

Beaulier, Calvin
Louis, Darrell

Berezhny, Lex
Sellers, John

Bjelobrk, Marie Louise

HILLSBOROUGH

Alexander, Joe
Boehm, Ralph
Creighton, James
Dumont, Dillon
Griffin, Gerald
Gould, Linda
Labrie, Brian
McLean, Mark
Noble, Kristin
Paquette, Kathleen
Prout, Andrew
Scully, Kevin
Slottje, Jeremy
Mannion, Tom

Ammon, Keith
Colcombe, Rich 
Kelley, Diane
Dupont, Pierre
Gagne, Larry
Kenny, Catherine
Lascelles, Richard
Miles, Julie
Notter, Jeanine
Pauer, Diane
Reinfurt, Sherri
Seidel, Sheila
Suiter, John
Ulery, Jordan

Barbour, Liz
Cole, Brian
Daniels, Gary
Erf, Keith
Giasson, Henry
Kesselring, Steven
Murphy, Mary
Mooney, Maureen
Ohm, Bill
Peeples, Raymond
Rice, Kimberly
Sheehan, Vanessa
Tenczar, Jeffrey
Warden, Mark

Berry, Ross
Corcoran, Travis
Drew, Matt
Flanagan, Jack
Gorski, Ted
Kofalt, Jim
Mazur, Lisa
Morton, Jonathan
Panek, Sandra
Post, Lisa
Schneller, John
Sirois, Shane
Mannion, Tim
Wherry, Robert

MERRIMACK

Aures, Cyril
McGuire, Dan
Leavitt, John
Pitaro, Matthew
See, Alvin

Aylward, Deborah
Devoid, Ricky
Mehegan, Peter
Polozov, Yury
Thibault, James

McGuire, Carol
Gonzalez, Ernesto
Moffett, Michael
Boyd, Stephen
Wood, Clayton

Cambrils, Jose
Hill, Gregory
Morse, Bryan
Seaworth, Brian

ROCKINGHAM

Ball, Lorie
DeSimone, Debra
Dunn, Ron
Janigian, John
Miner, Laurence
Lynn, Bob
McGrath, Linda
Nadeau, Brian
Perez, Kristine
Prudhomme-O'Brien, Katherine
Selby, Donald
Sweeney, Joe
Vose, Michael

Bernardy, JD
DeVito, Sayra
Ford, Mary
Katsakiores, Phyllis
Walsh, Lilli
Pearson, Mark
McMahon, Charles
Nelson, Jodi
Popovici-Muller, Daniel
Roy, Terry
Soti, Julius
Tripp, Richard
MacDonald, Wayne

Mannion, Dennis
Donnelly, Tanya
Guzowski, James
Khan, Aboul
Layon, Erica
Markell, Jay
Melvin, Charles
Osborne, Jason
Porcelli, Susan
Pearson, Stephen
Spillane, James
Tudor, Paul
Weyler, Kenneth

Thomas, Douglas
Drago, Mike
Harb, Robert
Kuttab, Katelyn
Love, David
McDonnell, Valerie
Milz, David
Brown, Pam
Potucek, John
Sabourin dit Choini re, Matt
Summers, James
Vandecasteele, Susan
Wilson, Vicki

STRAFFORD

Bailey, Glenn
DeRoy, Susan
Kaczynski, Thomas

Burnham, Claudine
Farrington, Samuel
Potenza, Kelley

DeDe-Poulin, Denise
Granger, Michael
Turcotte, Len

DeLemus, Susan
Harrington, Michael
Walker, David

SULLIVAN

Drye, Margaret
Aron, Michael

Grant, George
Rollins, Skip

Hemingway, Wayne
Spilsbury, Walter

Aron, Judy

NAYS - 176**BELKNAP**

Bordes, Mike

Coker, Matthew

Nagel, David

St. Clair, Charlie

CARROLL

Buco, Thomas
McAleer, Chris

Burroughs, Anita
Taylor, Brian

Crawford, Karel
Woodcock, Stephen

Paige, David

CHESHIRE

Ames, Dick
Germana, Dylan
Jones, Philip
Parshall, Lucius

Berch, Paul
Faulkner, Barry
Germana, Nicholas
Weber, Lucy

Harvey, Cathryn
Gruber, James
Newell, Jodi

Fox, Dru
Jacobs, Samantha
O'Rorke, Terri

GRAFTON

Almy, Susan
 Fellows, Sallie
 Lovett, Peter
 Rockmore, Ellen

Baldwin, Heather
 Fracht, David
 Lucas, Janet
 Stavis, Laurel

Bolton, Bill
 Hakken-Phillips, Mary
 Muirhead, Russell
 Stringham, Jerry

Cormen, Thomas
 Sullivan, Jared
 Oppel, Thomas
 Sykes, George

HILLSBOROUGH

Murray, Alissandra
 Booras, Efstathia
 Chretien, Suzanne
 Elberger, Susan
 Gregg, Alicia
 Herbert, Christopher
 Kerwin, Erin
 Leishman, Peter
 MacKenzie, Mark
 Petrigno, Peter
 Newman, Ray
 Ryan, Linda
 Spier, Carry
 Tellez, Trinidad
 Thomas, Wendy

Boyd, Bill
 Bouchard, Donald
 Cornell, Patricia
 Davis, Fred
 Grund, Stephanie
 Jack, Martin
 Kluger, Lee Ann
 Lloyd, Christal
 Manohar, Sanjeev
 Plamondon, Marc
 Raymond, Heather
 Newman, Sue
 Staub, Kathy
 Vail, Suzanne
 Wheeler, Jonah

Beauchemin, Paige
 Budathoki, Suraj
 Darby, Will
 Foss, Lily
 Hartnett, Tim
 Judy, Jean
 Foxx, Loren
 Long, Patrick
 McGhee, Kat
 Preece, David
 Rombeau, Catherine
 Salvi, Santosh
 Swanson, Dale
 Veilleux, Daniel
 Wilhelm, Matthew

Bergeron, Dan
 Chourasia, Manoj
 Dargie, Paul
 Georges, Mary
 Hegner, Karen
 Juris, Louis
 LeClerc, Daniel
 Murray, Megan
 Murphy, Nancy
 Proulx, Mark
 Rung, Rosemarie
 Seibert, Christine
 Telerski, Laura
 Dolan, William

MERRIMACK

Andrus, Louise
 Kelly, Eileen
 Lane, Connie
 Newsom, James
 Schamberg, Thomas
 Wallner, Mary Jane

Bricchi, Tracy
 Ebel, Karen
 Luneau, David
 Payeur, Stephanie
 Schultz, Kris
 Woods, Gary

Caplan, Tony
 Gallager, Eric
 Hall, Muriel
 Roesener, James
 Snodgrass, Jim

Colby, Eleana
 Hicks, Matthew
 MacKay, James
 Sargent, Gregory
 Soucy, Timothy

ROCKINGHAM

Balboni, Peggy
 Edgar, Michael
 Haskins, Linda
 Maggiore, Jim
 Meuse, David
 Sorensen, Carrie
 Vallone, Mark

Bridle, Nicholas
 Gilman, Julie
 Knab, Allison
 Malloy, Dennis
 Muns, Chris
 Sytek, John
 Ward, Gerald

Cahill, Michael
 Grote, Jaci
 Lundgren, David
 Mandelbaum, Jennifer
 Scherr, Buzz
 Dolan, Tom
 Weinstein, Toni

de Vries, Erica
 Guthrie, Joseph
 Paige, Mark
 Manos, Zoe
 Simpson, Alexis
 Turer, Eric

STRAFFORD

Bay, Luz
 Gilmore, Gary
 Johnson, Erik
 Smith, Marjorie
 Selig, Loren
 Wade, Alice

Bixby, Peter
 Howard, Heath
 LaMontagne, Jessica
 Malone, Amy
 Southworth, Thomas
 Wall, Janet

Burton, Wayne
 Horrigan, Timothy
 Larochelle, John
 Miller, Seth
 Stone, John

England, Myles
 Howland, Allan
 Levesque, Cassandra
 Schmidt, Peter
 Pearson, Wayne

SULLIVAN

Sullivan, Brian
 Palmer, William

Cloutier, John

Damon, Hope

Girard, Dale

and the majority committee report was adopted.

The Speaker referred the bill to the Committee on Finance.

ENROLLED BILL REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled Senate Bill numbered 93.

Rep. Osborne, Sen. Avard for the Committee

MOTION TO PRINT DEBATE

Rep. Gregg moved that the debate on the motion to reconsider **SB 23-FN**, expanding the crime of endangering the welfare of a child, be printed in the Permanent Journal.

Without objection, the Speaker ordered.

DEBATE ON SB 23**RECONSIDERATION MOTION**

Representative Health Howard: Thank you, Mister Speaker. Having voted on the prevailing side, I would like to reconsider SB 23.

Speaker Steven Smith: You may speak to your motion.

Representative Heath Howard: Thank you, Mister Speaker. If I know that the decision that we made last week was wrong because New Hampshire law enforcement has requested that this law not be enacted because we are currently unable to prosecute certain cases of child abuse for more than a misdemeanor. And if I know that police cited cases of children living covered in feces and teeth rotting out of their head with no recourse to charge the parents. And if I know that this bill has nothing to do with parenting decisions like signing your kids up for sports or going to a water park and those anecdotes are a political distraction from doing the right thing, then I would now vote yes to reconsider SB 23. Thank you.

Speaker Steven Smith: Okay, the question is to reconsider the vote on SB 23. Are you ready for the question? A division's been requested. Members take your seats. Rep. Aures requests a roll call. Is that sufficiently seconded? That is sufficiently seconded. This will be a roll call vote. Members keep on taking your seats. Alrighty then, the question is whether to reconsider the vote on SB 23. That's a division vote. That's a roll call vote. Rep. DeVito is recognized to do a parliamentary inquiry.

Representative DeVito: Thank you, Mister Speaker. Mister Speaker, if I know when this bill was first introduced, the only testimony in favor was a law enforcement agent lamenting the number of homes he enters finding things like alcohol and guns. And, if I know that I'll be damned if Granite Staters will have their homes raided for guns and alcohol, to be charged with felonies due to this legislation. Mister Speaker, if I believe this bill makes felons out of parents giving their kids the type of childhood we were blessed to enjoy. And, if I know that anyone who supports this motion is voting to strip children of loving parents and parents of their Second Amendment rights, Mister Speaker why on earth would I vote anything but red on SB 23? Thank you.

Speaker Steven Smith: The question is whether to reconsider the vote on SB 23. If you are in favor, press the green button; opposed, press the red. 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. 158 in the affirmative, 206 in the negative, the motion fails

(Rep. Kofalt in the Chair)

MOTION TO PRINT DEBATE

Rep. Nicholas Germana moved that the Parliamentary Inquiries on **SB 295-FN**, relative to education freedom accounts, be printed in the Permanent Journal.

Without objection, the Speaker ordered.

DEBATE ON SB 295-FN

Speaker Steven Smith: The question before the House is shall debate be limited? Rep. Sweeney is recognized for a parliamentary inquiry.

Representative Sweeney: Thank you, Mister Speaker. Mister Speaker, if I know that this body has debated this policy at length, not only this Session, but in Sessions past. Mister Speaker, if I know that this motion simply limits floor amendments and the final vote on the bill to PIs only so both sides still have their ability to discuss what the legislation is doing in this form of a parliamentary inquiry, would I now vote yes on the motion to move the previous question so that we can get through the business of this bill and the remaining bills we have today? Thank you.

Speaker Steven Smith: Rep. Telerski is recognized for parliamentary inquiry.

Representative Telerski: Thank you, Mister Speaker. If I know that the issue of school vouchers is extremely important to the public and voters and they want to hear what their representatives have to say about it, would I now vote no against this motion to prevent silencing of the debate? Thank you.

Speaker Steven Smith: The question is shall debate be limited on SB 295. This is a roll call vote. If you are in favor, press the green button; opposed, press the red. 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. 195 in the affirmative, 166 in the negative, the motion is adopted. Rep. Luneau moves floor amendment (1979h), which can be found in your seat pockets and requests a roll call. Is that sufficiently seconded? That is sufficiently seconded. This will be a roll call vote. Members take your seats. The question is on the adoption of amendment (1979h). This is a roll call vote. Rep. Luneau is recognized for a parliamentary inquiry.

Representative Luneau: Thank you very much, Mister Speaker. If I know that this floor amendment is not about guardrails. And if I know that I've been up here a lot talking about guardrails such as annual income recertification, such as limiting the program to budget amounts, but that's not what this amendment does. If I know that a sample audit of the EFA program found 12 out of 50 accounts, nearly 25%, had been approved in error. And, if I know that the state's audit division is looking into the program now and will release their findings soon. And, if I know that this floor amendment would require the audit report to have a clean bill of health before expanding the program. And, if I know that a clean bill of health means that the state auditors find that there are sufficient management controls to continue to operate the program, then wouldn't I support a floor amendment that forces compliance, that forces the program administrator to comply with the laws and the rules that we have passed in this body, then wouldn't I vote yes on this floor amendment and take what we're doing here seriously? Thank you, Mister Speaker.

Speaker Steven Smith: The House will be in order and Rep. Ladd is recognized for parliamentary inquiry.
Representative Ladd: Thank you, Mister Speaker. If I know this amendment is simply another trap, a delay tactic to implement the EFA program. And, if I know no date has been forwarded or responded to the committee regarding when the LBA report would even become forthcoming. If I also know that the LBA, legislative budget performance audits rarely come forward with less than 120 pages and many recommendations and many tables that we always look towards doing and complying with for improvement, would I then now press the red button to say no to this unneeded delay tactic? Thank you.

Speaker Steven Smith: The question is on the adoption of floor amendment (1979h). It's a roll call vote. If you are in favor, press the green button; opposed, press the red. 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. 165 in the affirmative, 199 in the negative, the amendment fails. The question now is on the majority committee report of ought to pass as amended. A roll call has been requested and it is sufficiently seconded. This will be a roll call vote. Members remain in your seats. All right, the question is on the majority committee report of ought to pass as amended on SB 295. Rep. Damon is recognized for a parliamentary inquiry.

Representative Damon: Thank you, Mister Speaker. If I know that expanding the EFA voucher program to a cost of \$100 million when we lack adequate revenues to fund essential needs of New Hampshire citizens such as Medicaid, state employee retirement, affordable housing and correction safe staffing levels. And, if I know that we should fund our impressive university system that benefits our economy rather than paying stipends to wealthy families. And, most importantly, if I know that the public, statewide, overwhelmingly and repeatedly oppose this free state marketing scheme, would I now press the red button to end this fiscal irresponsibility?

Speaker Steven Smith: Rep. Ladd is recognized for a parliamentary inquiry.

Representative Ladd: Thank you, Mister Speaker. If I know the EFA program is not a voucher, not a voucher scam and certainly...

Speaker Steven Smith: The House will be in order. We have higher standards than a junior high lunchroom.

Representative Ladd: And certainly not a recruiting tool for people moving into New Hampshire. And, if I know parents are justified in not wanting their children struggling, being bullied or who are not academically challenged in a one-size fit all school situation. If I know projected costs for the EFA program, as asserted by those opposed to the program, are incorrectly exaggerated, would I then support the increased number of students eligible for the Education Freedom Account Program by pressing the green button? Thank you, Mister Speaker.

Speaker Steven Smith: The question is on the majority committee report of ought to pass as amended on SB 295. This is a roll call vote. If you are in favor, press the green button; opposed, press the red. 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. 188 in the affirmative, 176 in the negative, the motion's adopted. SB 295 is referred to the Committee on Finance.

REGULAR CALENDAR CONT'D

SB 190, relative to the state health assessment and state health improvement plan advisory council and the commission on the interdisciplinary primary care workforce. **MAJORITY: OUGHT TO PASS. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Jaci Grote for the Majority of Executive Departments and Administration. This bill adjusts the quorums for the state health assessment and state health improvement plan advisory council which has 39 members, and the state health assessment and state health improvement plan advisory council, which has 23 members, to 1/7 of the members being in one room while others join virtually. Although it is preferred that members are together in person for meetings, it is important to note that the majority of these councils have a broad membership with state wide focus that includes rural areas. Many members of these councils are doctors and asking medical professionals to drive to Concord for a one hour meeting is unrealistic when considering the limited medical access in those parts of the state that are hours away. A minority of the committee felt that this quorum requirement would detract from information exchanges but the majority felt that these professionals have experience with this communication format and the quorum target could be met while making progress with the council goals and mission. Vote 11-4.

Rep. Erica Layon for the Minority of Executive Departments and Administration. The minority of the committee believes in the value of in-person meetings over remote meetings and believe that for a body to function effectively the social interactions facilitated by regularly sharing a physical presence should be valued. The view that in person is best was nearly universal, however the minority took the position that reducing the in-person quorum to 1/7 of the body was not conducive to good public service. The amendment supported by the minority of the committee retains the language to allow the full quorum for the state health assessment and state health improvement plan advisory council to float with the number of appointed members, but deletes the exemption to RSA 91-A to permit an in-person quorum of 1/7 of the members in sections two and three of the bill. These committees with longstanding memberships present a unique situation for new members as they will be at a disadvantage when other members have established relationships and they will not be afforded the same opportunity by decreasing in-person attendance.

The question being adoption of the majority committee report of Ought to Pass.
Rep. Layon offered minority committee amendment (1662h).

Minority Amendment (1662h)

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

AN ACT relative to the state health assessment and state health improvement plan advisory council.

Amend the bill by deleting sections 2 and 3 and renumbering the original section 4 to read as 2.

AMENDED ANALYSIS

This bill sets quorum requirements for the state health assessment and state health improvement plan advisory council.

The question being adoption of the minority committee amendment.

Rep. Layon spoke in favor.

Rep. Grote spoke against.

On a division vote, with 130 members having voted in the affirmative, and 231 in the negative, the minority committee amendment failed.

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

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

SB 251, establishing a commission to study the delivery of public health services through regional public health networks and the continued development of coordinated responses to public health incidents and emergencies in New Hampshire. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.** Rep. Matt Drew for the Majority of Health, Human Services and Elderly Affairs. This bill is yet another unnecessary study commission. Notably, in this case, it is a study commission on a subject for which the state already has substantial infrastructure dedicated to this exact purpose: the Bureau of Emergency Preparedness, Response, and Recovery in the Department of Health and Human Services. Vote 11-6.

Rep. Gary Woods for the Minority of Health, Human Services and Elderly Affairs. This bill would provide the venue for a thorough review of the public health services capabilities or lack thereof in each of the 13 regional networks. The need for continued review was made evident in the recent COVID crisis. This commission would be able to review and make recommendations to better meet a future pandemic. In addition, other issues such as sudden loss of a regional hospital or a widespread natural disaster would require significant cooperation within the regional networks to minimize the impact. The role of the regional New Hampshire members in a multi-state disaster in our neighboring states is another area that can be clarified. The minority recognizes planning now is essential for preparedness when these services are called upon.

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

Rep. Woods spoke against.

Rep. Drew spoke in favor.

On a division vote, with 202 members having voted in the affirmative, and 157 in the negative, the majority committee report was adopted.

REFERRAL DECLINED

Rep. Janigian, Chairman of the Committee on Ways and Means, under the provisions of House Rule 47 (f), declined the referral of **SB 173**, relative to residential property subject to housing covenants under the low income housing tax credit program.

REFERRAL DECLINED

Rep. Weyler, Chairman of the Committee on Finance, under the provisions of House Rule 47 (f), declined the referral of **SB 292-FN-A**, relative to aid to school districts for the cost of special education.

(Rep. Steven Smith in the Chair)

REGULAR CALENDAR CONT'D

SB 141-FN, extending the time to petition for a new trial in certain cases. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: OUGHT TO PASS.**

Rep. Bob Lynn for the Majority of Judiciary. This bill seeks to amend the statute allowing for motions for new trial, so as to eliminate the three-year time limit following conviction that currently applies to such motions when the motion is made in criminal cases. As it comes to us from the other body, the bill is essentially the same as SB 507 (2024), which was vetoed by Governor Sununu and not overridden by the legislature. The Governor's veto message stated: "In sum, while I understand and agree with the notion of not time-barring scientific evidence of exoneration, the open-ended language of this bill could have the unintended consequence of encouraging baseless assertions unnecessarily bogging down proceedings. The legislature should revisit the intent of this bill with a model based on broadening the application(s) of RSA 651-D to avoid such outcomes."

The majority amendment accomplishes what the Governor suggested. First, it amends RSA 526, which has been in existence since the 1800s, so that it applies only in civil cases, while creating a new RSA 534-A that will henceforth govern new trial requests in criminal cases. The new chapter allows motions for a new trial to be filed on any proper grounds if made within three years after the date of conviction. In addition, it also changes existing law by allowing new trial motions to be filed without time limit if the motion is based upon a request for new scientific testing of physical evidence, a new scientific understanding of evidence, or newly discovered evidence. However, unlike the open-ended language of the original bill, which does not limit the motions to these grounds, and which also contains no guardrails to prevent the filing of baseless or frivolous claims, the amendment adopts procedures similar to those that have been in effect since 2004 with respect to claims seeking new DNA testing of criminal evidence. These procedures, which have worked well, require the defendant to provide a threshold level of information about the evidence to be tested, the new type of testing to be done, and an explanation of how the new testing will exonerate the defendant. The defendant also must assert that he is innocent of the crime of which he was convicted - a requirement that is crucial to ensure that courts are not burdened with motions that are based on collateral matters (such as search and seizure issues) that have nothing to do with the merits of the case. If the defendant meets these criteria, the court must then hold a hearing and will order new testing when it is established that exculpatory test results will constitute new, non-cumulative evidence that the defendant did not commit the crime of which he was convicted. And where the test results are in fact favorable to the defendant, the court must order a new trial or other appropriate relief if such results demonstrate a reasonable probability that, had this evidence been available at trial, the defendant would not have been convicted. The amendment creates an analogous process for claims based on new scientific understanding of evidence or newly discovered evidence that was not available or admissible at trial. While everyone agrees that an innocent person should not be barred from seeking relief by the current three-year limitations period, there is a legitimate need to protect the finality of judgments and the integrity of the court system and judicial and prosecutorial resources from baseless claims, which, unfortunately, are too often asserted by bored prisoners who have unlimited time to do so. The bill, as amended, satisfies these dual objectives, which is why the majority of the committee recommends the bill Ought to Pass with Amendment. Vote 10-8.

Rep. Paul Berch for the Minority of Judiciary. This liberty-minded bill will allow a new trial where there is evidence of innocence which arises more than three years after conviction. Under current New Hampshire law, such a petition must be filed within three years, even if newly discovered evidence, new forensic testing, or new scientific understanding arises after that date. This bill will allow wrongly convicted persons an opportunity to file a petition asking for an opportunity to be heard. Misapplied forensic science is the second most frequent contributing factor to wrongful convictions. This is a narrowly drawn bill that simply extends the ability to file a request to the court. It is not an attempted re-write of a whole area of law. The courts will still review the petitions and have the power to reject them if they are either frivolous or do not meet the legal standard which has existed in RSA 526:1 since 1878: "A new trial may be granted in any case when through accident, mistake or misfortune justice has not been done and a further hearing would be equitable." The majority amendment would limit this provision for the first time since 1878 to only civil cases. The majority has also suggested that this extension of time would result in a flood of petitions, yet no evidence from either New Hampshire or other states (such as California, Colorado, Massachusetts, New Jersey, Pennsylvania, South Carolina and West Virginia – all with no time limits) was provided to support that claim and witnesses with experience with these cases in court testified otherwise. Additionally, the majority suggested that the courts are simply too busy with other things to spend the time determining if someone is lawfully imprisoned based upon newly discovered evidence. The minority asserts that in the Granite State, being too busy doing other things should not be the standard. Both the majority and minority agree that the courts already possess sufficient power to rapidly dismiss meritless claims. The minority believes that a potentially innocent citizen should not have the courthouse doors closed due to an unworkable time limit or having so many barriers imposed by the government, that seeking relief becomes impossible. Wrongfully convicted individuals must not continue to languish in prison and have no legal pathway to prove their innocence. The minority recommends that the majority amendment be rejected and that this bill Ought to Pass.

Majority Amendment (1654h)

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

AN ACT relative to the time to petition for a new trial.

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

1 New Trials in Civil Cases. Amend the chapter heading of RSA 526 to read as follows:

NEW TRIALS IN CIVIL CASES

2 New Trials; When Granted in Civil Cases. Amend RSA 526:1 to read as follows:

526:1 When Granted *In Civil Cases*. ***The provisions of this chapter shall apply to requests for a new trial in civil cases only.*** A new trial may be granted in any case when through accident, mistake or misfortune justice has not been done and a further hearing would be equitable.

3 New Chapter; New Trials in Criminal Cases. Amend RSA by inserting after chapter 534 the following new chapter:

CHAPTER 534-A
NEW TRIALS IN CRIMINAL CASES

534-A:1 Petition to Set Aside Conviction; New Trial; Time Limit. A petition to set aside a conviction or for a new trial on any grounds that constitute a proper legal basis for granting such relief may be made no later than 3 years after the date the conviction was entered; provided, however, that if the petition is based on a claim that physical evidence should be subjected to new or additional forensic testing or is subject to new scientific understanding, or a claim of newly discovered or newly admissible evidence, the petition must satisfy the requirements of RSA 534-A:2, II and RSA 534-A:2, III, and the provisions of RSA 534-A:5 through RSA 534-A:11 shall apply to such petition.

534-A:2 Exception to Time Limit. The time limit specified in RSA 534-A:1 shall not apply to petitions to set aside a conviction or for a new trial that satisfy all of the following conditions:

I. The petitioner seeks a new trial in a criminal case that resulted in a conviction of a felony;

II. The petitioner is either incarcerated, subject to other terms of a sentence, or subject to collateral consequences of the sentence that impair the petitioner's ability to exercise a constitutional, statutory, or common law right or privilege available to other United States citizens; and

III. The petition meets the requirements of either RSA 534-A:3 or RSA 534-A:4.

534-A:3 Additional Forensic Testing or New Scientific Understanding. To satisfy this section the petitioner shall, under penalty of perjury:

I. Assert that the petitioner is innocent of the crime of which the petitioner was convicted.

II. Explain how physical evidence that was introduced against the petitioner at trial or that would have been presented at trial had the petitioner not pleaded guilty can be subjected to new or additional forensic testing that was not reasonably available, despite due diligence, at the time the conviction was entered, or is subject to new scientific understanding that did not exist at the time the conviction was entered.

III. Explain the grounds for a reasonable belief that the new forensic testing or the new scientific understanding of the evidence, as described in paragraph II, in light of all the circumstances, will demonstrate that the petitioner did not commit the crime for which he or she was convicted.

534-A:4 Newly Discovered Evidence. To satisfy this section the petitioner shall, under penalty of perjury:

I. Assert that the petitioner is innocent of the crime of which the petitioner was convicted.

II. Specify relevant and material evidence that either was not reasonably known to or available to the petitioner, despite due diligence, at the time the conviction was entered, or was not admissible in evidence at the time the conviction was entered, but is now both available and admissible in evidence.

III. Explain the grounds for a reasonable belief that the evidence described in paragraph II, in light of all the circumstances, will demonstrate that the petitioner did not commit the crime for which he or she was convicted.

534-A:5 Notice to Prosecuting Authority; Discovery. The court shall notify the office of the attorney general, or the county attorney who prosecuted the case, of a petition made under this chapter, and shall afford an opportunity to respond. Upon receiving notice of a petition made pursuant to RSA 534-A:2, the attorney general, or county attorney who prosecuted the case, shall take such steps as are necessary to ensure that any evidence described in the petition or obtained in connection with the case or investigation is preserved pending the completion of proceedings under this chapter and shall inform the petitioner regarding the location and condition of evidence in their possession that was obtained in relation to the underlying case, regardless of whether it was introduced at trial. Items discoverable at trial under the New Hampshire rules of criminal procedure shall be made available to the petitioner.

534-A:6 Request for Additional Testing. With respect to a petition that seeks new or additional forensic testing of physical evidence, the court, after a hearing, shall order such testing upon finding that the petitioner has established each of the following factors by a preponderance of the evidence:

I. The evidence to be tested was secured in relation to the investigation or prosecution that resulted in the petitioner's conviction or sentence, and is available and in a condition that would permit the testing that is requested in the petition.

II. The evidence to be tested has been subject to a chain of custody sufficient to establish that it has not been substituted, tampered with, replaced, or altered in any material aspect.

III. The evidence sought to be tested is relevant and material to the issue of the petitioner's guilt or innocence of the crime of which he or she was convicted.

IV. If the requested testing produces exculpatory results, the testing will constitute new, noncumulative material evidence that the petitioner did not commit the crime for which he or she was convicted.

V. The evidence sought to be tested was not previously tested using similar testing methods or the type of testing sought is capable of producing new or more informative results.

VI. If other forensic testing previously was done in connection with the case, the requested testing would provide results that are new or more informative and probative on a material issue and would have a reasonable probability of contradicting prior test results.

VII. The testing requested employs a method generally accepted within the relevant scientific community.
 534-A:7 Procedure for Additional Testing. If the court grants the petition for testing, the court's order shall:

I. Identify the specific evidence to be tested and the testing methods to be used.

II. If the court ordered different testing than requested by the petitioner, the court shall explain why the different test was ordered.

III. Designate the New Hampshire state police forensic laboratory to conduct the test. However, the court, upon a showing of good cause, may order testing by another qualified laboratory or agency that conforms to quality assurance standards required by the Federal Bureau of Investigation or another nationally or internationally recognized accrediting organization. The laboratory shall give equal access to its personnel, opinions, conclusions, reports, and other documentation to the prosecuting attorney and the petitioner. Consumptive testing shall not occur except upon written permission by both the prosecutor and petitioner or by a specific order of the court.

534-A:8 Costs of Additional Testing. The cost of testing ordered under this chapter shall be paid by the petitioner unless the court has appointed counsel to represent a petitioner who is indigent and the court determines that, in the interests of justice, such costs should be paid by the state from funds appropriated for indigent defense pursuant to RSA 604-A.

534-A:9 Procedure Upon Results of Testing.

I. If the results of testing conducted under this chapter are unfavorable to the petitioner, the court shall dismiss the petition.

II. In addition to any other substantive or procedural remedies provided by law, if the results of testing conducted under this chapter are favorable to the petitioner, the court shall order a hearing and thereafter, if the court finds by a preponderance of the evidence that, based upon the new test results, there is a reasonable probability the petitioner would not have been convicted, shall enter any order that serves the interests of justice, including an order vacating and setting aside the judgment, discharging the petitioner if the petitioner is in custody, resentencing the petitioner, or granting a new trial.

534-A:10 Procedure Upon Petition Asserting New Scientific Understanding. In the case of a petition that does not seek testing of physical evidence, but asserts that such evidence is subject to a new scientific understanding, the court, after hearing, shall enter an order granting a new trial if the court finds by a preponderance of the evidence:

I. That the new scientific understanding proffered represents a bona fide scientific theory that is accepted as valid in the relevant scientific community, as established through the testimony of one or more experts qualified to testify pursuant to New Hampshire rules of evidence 702 and 703;

II. That the new scientific understanding constitutes relevant, material, and non-cumulative evidence that would be admissible at a new trial;

III. That the scientific understanding was not known or reasonably available to the petitioner at the time the conviction was entered; and

IV. That evidence of the new scientific understanding is of such character that, had it been presented in the proceedings prior to the entry of the conviction, there is a reasonable probability the petitioner would not have been convicted.

534-A:11 Procedure Upon Petition Asserting Newly Discovered Evidence. In the case of a petition that does not seek testing of physical evidence or claim the existence of a new scientific understanding of such evidence, but asserts that there exists evidence that was not available or not admissible at the time the conviction was entered, the court, after hearing, shall enter an order for a new trial if the court finds by a preponderance of the evidence:

I. That the petitioner was not at fault for failing to discover the evidence prior to the entry of the conviction;

II. That the evidence is admissible, material to the merits, and non-cumulative; and

III. That the evidence is of such a character that, had it been presented in the proceedings prior to the entry of the conviction, there is a reasonable probability the petitioner would not have been convicted.

534-A:12 Construction. Nothing in this chapter shall be construed to prevent the court from dismissing without hearing a petition that fails to satisfy the requirements for obtaining relief under this chapter or that raises claims which are repetitive of ones that have previously be adjudicated.

4 Effective Date. This act shall take effect January 1, 2026.

AMENDED ANALYSIS

This bill creates a new chapter governing a petition to set aside a criminal verdict or for a new criminal trial.

The question being adoption of the majority committee amendment.

Rep. Berch spoke against.

Rep. Lynn spoke in favor.

On a division vote, with 172 members having voted in the affirmative, and 191 in the negative, the majority committee amendment failed.

The question now being adoption of the majority committee report of Ought to Pass.
Rep. Alexander offered floor amendment (1997h).

Floor Amendment (1997h)

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

AN ACT extending the time to petition for a new trial in certain cases and relative to adding library cards and membership status to the list of confidential library user records.

Amend the bill by inserting after section 1 the following and renumbering the original section 2 to read as 3: 2 Statewide Library Development System; Library User Records; Confidentiality. Amend RSA 201-D:11, I and II to read as follows:

I. Library records which contain the names or other personal identifying information regarding the users of public or other than public libraries shall be confidential and shall not be disclosed except as provided in paragraph II. Such records include, but are not limited to, library, **library cards, library membership status**, information system, and archival records related to the circulation and use of library materials or services, including records of materials that have been viewed or stored in electronic form.

II. Records described in paragraph I may be disclosed to the extent necessary for the proper operation of such libraries and shall be disclosed upon request by, or consent of, the user or pursuant to subpoena, court order, or where otherwise required by statute. **Nothing in this section shall exclude a school from notifying parents about educational materials being borrowed by or taught to their children.**

AMENDED ANALYSIS

This bill creates an exception to the 3-year timeframe to petition for a new trial.

This bill further expands the confidentiality of the library user records to include library cards and membership status.

The question being adoption of floor amendment (1997h).

Rep. Alexander spoke in favor.

Rep. Marjorie Smith spoke against.

Rep. Mazur requested a roll call; sufficiently seconded.

YEAS 192 - NAYS 170

YEAS - 192

BELKNAP

Aldrich, Glen
Freeman, Lisa
Ploszaj, Tom

Bean, Harry
Harvey-Bolia, Juliet
Minor, Sheri

Bogert, Steven
Lunney, Matthew
Terry, Paul

Dumais, Russell
Nagel, David
Toner, Travis

CARROLL

Avellani, Lino
MacDonald, John
Taylor, Brian

Belcher, Mike
Smith, Jonathan

Cordelli, Glenn
Peternel, Katy

Crawford, Karel
Brown, Richard

CHESHIRE

Murphy, Denis
Nalevanko, Rich

Hunt, John
Qualey, James

Karasinski, Sly
Rhodes, Jennifer

Mattson, Rita
Thackston, Dick

COOS

Davis, Arnold
Morency, Pete

Durkin, Sean
King, Seth

Korzen, Lori
Tierney, James

Murphy, Michael
Valerino, Brian

GRAFTON

Barton, Joseph
Ladd, Rick

Beaulier, Calvin
Louis, Darrell

Berezhny, Lex
Sellers, John

Bjelobrk, Marie Louise

HILLSBOROUGH

Alexander, Joe
Bergeron, Dan
Cole, Brian
Daniels, Gary
Erf, Keith
Giasson, Henry
Kesselring, Steven
Murphy, Mary
Morton, Jonathan
Panek, Sandra
Post, Lisa
Schneller, John

Ammon, Keith
Berry, Ross
Corcoran, Travis
Drew, Matt
Flanagan, Jack
Gorski, Ted
Kofalt, Jim
Mazur, Lisa
Noble, Kristin
Paquette, Kathleen
Proulx, Mark
Scully, Kevin

Boyd, Bill
Boehm, Ralph
Creighton, James
Dumont, Dillon
Griffin, Gerald
Gould, Linda
Labrie, Brian
McLean, Mark
Notter, Jeanine
Pauer, Diane
Prout, Andrew
Seidel, Sheila

Barbour, Liz
Colcombe, Riché
Kelley, Diane
Dupont, Pierre
Gagne, Larry
Kenny, Catherine
Lascelles, Richard
Mooney, Maureen
Ohm, Bill
Peebles, Raymond
Reinfurt, Sherri
Sheehan, Vanessa

Sirois, Shane
Mannion, Tim
Wherry, Robert

Slottje, Jeremy
Mannion, Tom

Suiter, John
Ulery, Jordan

Tenczar, Jeffrey
Warden, Mark

MERRIMACK

Andrus, Louise
Cambriis, Jose
Hill, Gregory
Morse, Bryan
Seaworth, Brian

Aures, Cyril
McGuire, Dan
Leavitt, John
Pitaro, Matthew
Thibault, James

Aylward, Deborah
Devoid, Ricky
Mehegan, Peter
Polozov, Yury

McGuire, Carol
Gonzalez, Ernesto
Moffett, Michael
Boyd, Stephen

ROCKINGHAM

Ball, Lorie
DeSimone, Debra
Dunn, Ron
Harb, Robert
Kuttab, Katelyn
Lundgren, David
McDonnell, Valerie
Milz, David
Brown, Pam
Prudhomme-O'Brien, Katherine
Selby, Donald
Sweeney, Joe
Tudor, Paul
MacDonald, Wayne

Bernardy, JD
DeVito, Sayra
Ford, Mary
Janigian, John
Miner, Laurence
Lynn, Bob
McGrath, Linda
Nadeau, Brian
Perez, Kristine
Roy, Terry
Soti, Julius
Sytek, John
Vallone, Mark
Wilson, Vicki

Mannion, Dennis
Donnelly, Tanya
Guthrie, Joseph
Katsakiores, Phyllis
Layon, Erica
Pearson, Mark
McMahon, Charles
Nelson, Jodi
Popovici-Muller, Daniel
Pearson, Stephen
Spillane, James
Dolan, Tom
Vandecasteele, Susan

Thomas, Douglas
Drago, Mike
Guzofski, James
Khan, Aboul
Love, David
Markell, Jay
Melvin, Charles
Osborne, Jason
Potucek, John
Sabourin dit Choinière, Matt
Summers, James
Tripp, Richard
Vose, Michael

STRAFFORD

Bailey, Glenn
DeRoy, Susan
Kaczynski, Thomas

Burnham, Claudine
Farrington, Samuel
Potenza, Kelley

DeDe-Poulin, Denise
Granger, Michael
Turcotte, Len

DeLemus, Susan
Harrington, Michael

SULLIVAN

Drye, Margaret
Aron, Judy

Girard, Dale
Aron, Michael

Grant, George
Rollins, Skip

Hemingway, Wayne
Spilsbury, Walter

NAYS - 170

BELKNAP

Bordes, Mike

Coker, Matthew

Comtois, Barbara

St. Clair, Charlie

CARROLL

Buco, Thomas
McAleer, Chris

Burroughs, Anita
Woodcock, Stephen

Paige, David

Hamblen, Joseph

CHESHIRE

Ames, Dick
Germana, Dylan
Jones, Philip
Parshall, Lucius

Berch, Paul
Faulkner, Barry
Germana, Nicholas
Weber, Lucy

Harvey, Cathryn
Gruber, James
Newell, Jodi

Fox, Dru
Jacobs, Samantha
O'Rorke, Terri

GRAFTON

Almy, Susan
Fellows, Sallie
Lovett, Peter
Rockmore, Ellen

Baldwin, Heather
Fracht, David
Lucas, Janet
Stavis, Laurel

Bolton, Bill
Hakken-Phillips, Mary
Muirhead, Russell
Sykes, George

Cormen, Thomas
Sullivan, Jared
Oppel, Thomas

HILLSBOROUGH

Murray, Alissandra
Budathoki, Suraj
Darby, Will
Foss, Lily
Hartnett, Tim
Jeudy, Jean
Foxy, Loren
Long, Patrick
McGhee, Kat
Plamondon, Marc
Rice, Kimberly
Newman, Sue
Staub, Kathy
Vail, Suzanne
Wheeler, Jonah

Beauchemin, Paige
Chourasia, Manoj
Dargie, Paul
Georges, Mary
Hegner, Karen
Juris, Louis
LeClerc, Daniel
Murray, Megan
Miles, Julie
Preece, David
Rombeau, Catherine
Salvi, Santosh
Swanson, Dale
Veilleux, Daniel
Wilhelm, Matthew

Booras, Efstathia
Chretien, Suzanne
Elberger, Susan
Gregg, Alicia
Herbert, Christopher
Kerwin, Erin
Leishman, Peter
MacKenzie, Mark
Murphy, Nancy
Newman, Ray
Rung, Rosemarie
Seibert, Christine
Telerski, Laura
Dolan, William

Bouchard, Donald
Cornell, Patricia
Davis, Fred
Grund, Stephanie
Jack, Martin
Kluger, Lee Ann
Lloyd, Christal
Manohar, Sanjeev
Petrigno, Peter
Raymond, Heather
Ryan, Linda
Spier, Carry
Tellez, Trinidad
Thomas, Wendy

MERRIMACK

Bricchi, Tracy
Ebel, Karen
Luneau, David
Payeur, Stephanie
Schultz, Kris
Wallner, Mary Jane

Caplan, Tony
Gallager, Eric
Hall, Muriel
Roesener, James
See, Alvin
Woods, Gary

Colby, Eleana
Hicks, Matthew
MacKay, James
Sargent, Gregory
Snodgrass, Jim

Kelly, Eileen
Lane, Connie
Newsom, James
Schamberg, Thomas
Soucy, Timothy

ROCKINGHAM

Balboni, Peggy
Edgar, Michael
Knab, Allison
Malloy, Dennis
Muns, Chris
Sorensen, Carrie
Weyler, Kenneth

Bridle, Nicholas
Gilman, Julie
Walsh, Lilli
Mandelbaum, Jennifer
Porcelli, Susan
Turer, Eric

Cahill, Michael
Grote, Jaci
Paige, Mark
Manos, Zoe
Scherr, Buzz
Ward, Gerald

de Vries, Erica
Haskins, Linda
Maggiore, Jim
Meuse, David
Simpson, Alexis
Weinstein, Toni

STRAFFORD

Bay, Luz
Gilmore, Gary
Johnson, Erik
Malone, Amy
Southworth, Thomas
Walker, David

Bixby, Peter
Howard, Heath
LaMontagne, Jessica
Miller, Seth
Stone, John
Wall, Janet

Burton, Wayne
Horrigan, Timothy
Larochele, John
Schmidt, Peter
Pearson, Wayne

England, Myles
Howland, Allan
Smith, Marjorie
Selig, Loren
Wade, Alice

SULLIVAN

Sullivan, Brian

Cloutier, John

Damon, Hope

Palmer, William

and floor amendment (1997h) was adopted.

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

On a division vote, with 343 members having voted in the affirmative, and 19 in the negative, the majority committee report was adopted, and the bill was ordered to third reading.

SB 105, enabling towns to adopt budget caps. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Diane Pauer for the Majority of Municipal and County Government. This bill is enabling legislation that allows the voters of a town to adopt an optional town budget cap which establishes an annual cap on spending proposed by the selectboard and an official budget committee, similar to spending caps currently available to cities and school districts. The town budget cap is based on a current per resident expenditure multiplied by the town population, as calculated and reported annually by the Department of Business and Economic Affairs. The current per resident expenditure is adjusted annually based on one of the following factors: a fixed percentage, a selected inflation index from the U.S. Bureau of Labor Statistics, or the Municipal Cost Index (MCI) published by American City and County. Significantly, the town budget cap is adopted or rescinded by a 3/5 supermajority vote; and each year the town budget cap can be overridden by a 3/5 supermajority vote of the legislative body. Notably, this legislation is similar to RSA 32:5-e, School District Budget Cap. The amendment makes several important clarifications to the bill language, including several important statutory references, and also adds language to include the provisions for an existing town budget cap to be modified by a 3/5 supermajority vote of the legislative body without the need to first rescind the existing budget cap and adopt a modified version with a new formula. Importantly, this bill provides Granite State taxpayers the ability to adopt a budget cap in their town to more effectively manage town budgets in a fiscally responsible and sustainable manner. Vote 10-8.

Rep. Eleana Colby for the Minority of Municipal and County Government. Even in its amended form, this bill falls short by allowing the legislative body to adopt a budget cap while overlooking crucial language necessary for municipalities to implement it fairly and effectively. The bill shockingly grants the governing body the sole authority to select an inflation index, stripping the legislative body of the ability to amend the question. This disregards the voters' fundamental right to determine the best index for their community and their personal wallets. The minority of the committee strongly opposes the infringement on the public's right to amend a warrant article during their own town meeting, especially for an issue as vital to community viability, safety, and financial stability. Moreover, the bill imposes an unrealistic requirement of a 3/5 supermajority to change the local budget cap method once adopted. If a community discovers flaws in the chosen inflation index or wants to adopt a different budget capping method, they could find themselves trapped with a subpar option, leading to severe financial repercussions year after year. To date, the variation between indices is an astonishing two percentage points, equating to hundreds of thousands of dollars in over- or underfunding. These onerous restrictions not only undermine the democratic process but also erode local municipal sovereignty and trample on individual liberty.

Majority Amendment (1626h)

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

1 New Sections; Towns, Cities, Villages Districts, and Unincorporated Places; Municipal Budget Law. Amend RSA 32 by inserting after section 5-f the following new sections:

32:5-g Town Budget Cap. Upon adoption under RSA 32:5-h, the following shall apply:

I. In a town that has adopted this section, the total amount raised and appropriated for the fiscal year, including the operating budget and all other warrant articles with a tax impact, as shown on the budget certified by the select board or the budget committee and posted with the warrant for the annual meeting pursuant to RSA 32:5, shall not exceed the current per resident expenditure, as defined in subparagraph (a), times the current town population, as defined in subparagraph (b), times (1+ IF), where IF is an amount for an annual increase for inflation.

(a) The first year after the budget cap is adopted, the current per resident expenditure shall be the per resident expenditure adopted in the warrant article under RSA 32:5-h, IV. In subsequent years, the current per resident expenditure shall be the previous year's current per resident expenditure times (1+IFP), where IFP is the previous year's IF.

(b) The current town population shall be the most recent figure calculated by the department of business and economic affairs, office of planning and development, pursuant to RSA 78-A:25, I.

II. The annual increase for inflation (IF) shall be either a fixed percentage, annual percentage change of an inflation index published by the U.S. Bureau of Labor Statistics as of October 1, preceding the date of the budget hearing held pursuant to RSA 32:5, I, or annual percentage change of the Municipal Cost Index (MCI) published by American City and County as of October 1, preceding the date of the budget hearing held pursuant to RSA 32:5, I.

III. The legislative body may override the budget cap by the usual procedures applicable to annual town meetings of the legislative body, provided that when a proposed appropriation will cause the total amount raised and appropriated to exceed the budget cap or the total amount already raised and appropriated has exceeded the budget cap, voting on the appropriation question shall be by ballot, but the question shall not be placed on the official ballot used to elect officers, except in the case of a legislative body that uses an official ballot form of meeting under RSA 40:13 or under a charter adopted pursuant to RSA 49-D. If a 3/5 majority, or the supermajority as determined under a charter pursuant to RSA 49-D, of those voting on the question vote "yes," the appropriation is approved. Only votes in the affirmative or negative shall be included in the calculation of the 3/5 majority or the supermajority as determined under a charter pursuant to RSA 49-D.

IV. When using the official ballot form of meeting under RSA 40:13, if the warrant article for the operating budget results in appropriations exceeding the budget cap and receives less than 3/5 majority "yes" vote, the adopted operating budget shall be reduced by appropriations already raised to remain compliant with the budget cap.

32:5-h Adoption of Town Budget Cap.

I. The provisions of RSA 32:5-g may be adopted by any town in the state whose legislative body raises and appropriates funds through an annual meeting. A 3/5 majority of those voting on the question shall be required to adopt the provisions of RSA 32:5-g. Only votes in the affirmative or negative shall be included in the calculation of the 3/5 majority.

II. The question shall be placed on the warrant of the annual or special meeting by the select board or by petition under the procedures set out in RSA 39:3.

III. A public hearing shall be held by the select board on the question at least 15 days, but not more than 30 days, before the question is to be voted on. Notice of the hearing shall be posted in at least 2 public places in the town, and published in a local newspaper of general circulation at least 7 days prior to the date of the hearing.

IV. If, under RSA 32:5-g, II, a fixed percentage is used for the annual increase for inflation, the wording of the question shall be:

"Shall we adopt the provisions of RSA 32:5-g, and implement a budget cap whereby the select board (or budget committee) shall not submit a recommended budget that is higher than _____ dollars per resident expenditure times the current town population plus a _____ percent annual increase for inflation. Requires a 3/5ths majority of the town."

Alternatively, if an annual inflation index is used, the wording of the question shall be:

"Shall we adopt the provisions of RSA 32:5-g, and implement a budget cap whereby the select board (or budget committee) shall not submit a recommended budget that is higher than _____ dollars per resident expenditure times the current town population plus an annual increase for inflation using (the index) published by (the United States Bureau of Labor Statistics or American City and County) as of October 1. Requires a 3/5ths majority of the town."

V. The question shall not be subject to amendment by the legislative body. Voting on the question shall be by ballot, but the question shall not be placed on the official ballot used to elect officers, except in the case of a legislative body that uses an official ballot form of meeting under RSA 40:13 or under a charter

adopted pursuant to RSA 49-D. Polls shall remain open and ballots shall be accepted by the moderator for a period of not less than one hour following the completion of discussion on the question. If a 3/5 majority of those voting on the question vote "yes," RSA 32:5-g shall apply within the town beginning with the following fiscal year and for all subsequent years until it is changed as provided in paragraph VI or rescinded as provided in paragraph VII.

VI. Any town which has adopted RSA 32:5-g may consider adoption of a new town budget cap, using any method described in RSA 32:5-g, II, in the manner described in paragraphs I through V. If the adoption of a new proposed town budget cap fails, the existing town budget cap shall continue to apply.

VII. Any town which has adopted RSA 32:5-g may consider rescinding its action in the manner described in paragraphs I through V. The wording of the question shall be:

"Shall we rescind the provisions of RSA 32:5-g, known as the town budget cap, as adopted by the (town) on (date of adoption), so that there will no longer be a town budget cap limit on the amount raised and appropriated?" A 3/5 majority of those voting on the question shall be required to rescind the provisions of this section, except in the case of repeal by charter enactment under RSA 49-D. Only votes in the affirmative or negative shall be included in the calculation of the 3/5 majority.

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

The question being adoption of the majority committee amendment.

Majority committee amendment was adopted.

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

Rep. Colby spoke against.

Rep. Pauer spoke in favor.

Rep. Granger requested a roll call; sufficiently seconded.

YEAS 193 - NAYS 168

YEAS - 193

BELKNAP

Aldrich, Glen
Coker, Matthew
Harvey-Bolia, Juliet
Minor, Sheri

Bean, Harry
Comtois, Barbara
Lunney, Matthew
Terry, Paul

Bogert, Steven
Dumais, Russell
Nagel, David
Toner, Travis

Bordes, Mike
Freeman, Lisa
Ploszaj, Tom

CARROLL

Avellani, Lino
MacDonald, John
Taylor, Brian

Belcher, Mike
Smith, Jonathan

Cordelli, Glenn
Peternel, Katy

Hamblen, Joseph
Brown, Richard

CHESHIRE

Murphy, Denis
Nalevanko, Rich

Hunt, John
Qualey, James

Karasinski, Sly
Rhodes, Jennifer

Mattson, Rita

COOS

Davis, Arnold
Morency, Pete

Durkin, Sean
King, Seth

Korzen, Lori
Tierney, James

Murphy, Michael
Valerino, Brian

GRAFTON

Barton, Joseph
Ladd, Rick

Beaulier, Calvin
Louis, Darrell

Berezhny, Lex
Sellers, John

Bjelobrck, Marie Louise

HILLSBOROUGH

Alexander, Joe
Berry, Ross
Corcoran, Travis
Drew, Matt
Flanagan, Jack
Gorski, Ted
Kofalt, Jim
Mazur, Lisa
Morton, Jonathan
Panek, Sandra
Post, Lisa
Schneller, John
Sirois, Shane
Mannion, Tim
Wherry, Robert

Ammon, Keith
Boehm, Ralph
Creighton, James
Dumont, Dillon
Griffin, Gerald
Gould, Linda
Labrie, Brian
McLean, Mark
Noble, Kristin
Paquette, Kathleen
Prout, Andrew
Scully, Kevin
Slottje, Jeremy
Mannion, Tom

Boyd, Bill
Colcombe, Riché
Kelley, Diane
Dupont, Pierre
Gagne, Larry
Kenny, Catherine
Lascelles, Richard
Miles, Julie
Notter, Jeanine
Pauer, Diane
Reinfurt, Sherri
Seidel, Sheila
Suiter, John
Ulery, Jordan

Barbour, Liz
Cole, Brian
Daniels, Gary
Erf, Keith
Giasson, Henry
Kesselring, Steven
Murphy, Mary
Mooney, Maureen
Ohm, Bill
Peeples, Raymond
Rice, Kimberly
Sheehan, Vanessa
Tenczar, Jeffrey
Warden, Mark

MERRIMACK

Andrus, Louise
Cambrils, Jose
Hill, Gregory
Morse, Bryan
Seaworth, Brian

Aures, Cyril
McGuire, Dan
Leavitt, John
Pitaro, Matthew
See, Alvin

Aylward, Deborah
Devoid, Ricky
Mehegan, Peter
Polozov, Yury
Thibault, James

McGuire, Carol
Gonzalez, Ernesto
Moffett, Michael
Boyd, Stephen

ROCKINGHAM

Ball, Lorie
DeSimone, Debra
Dunn, Ron
Harb, Robert
Kuttab, Katelyn
Love, David
McDonnell, Valerie
Milz, David
Brown, Pam
Potucek, John
Sabourin dit Choinière, Matt
Summers, James
Tudor, Paul
Weyler, Kenneth

Bernardy, JD
DeVito, Sayra
Ford, Mary
Janigian, John
Miner, Laurence
Lynn, Bob
McGrath, Linda
Nadeau, Brian
Perez, Kristine
Prudhomme-O'Brien, Katherine
Selby, Donald
Sweeney, Joe
Vandecasteele, Susan

Mannion, Dennis
Donnelly, Tanya
Guthrie, Joseph
Katsakiores, Phyllis
Walsh, Lilli
Pearson, Mark
McMahon, Charles
Nelson, Jodi
Popovici-Muller, Daniel
Roy, Terry
Soti, Julius
Dolan, Tom
Vose, Michael

Thomas, Douglas
Drago, Mike
Guzofski, James
Khan, Aboul
Layon, Erica
Markell, Jay
Melvin, Charles
Osborne, Jason
Porcelli, Susan
Pearson, Stephen
Spillane, James
Tripp, Richard
MacDonald, Wayne

STRAFFORD

Bailey, Glenn
DeRoy, Susan
Kaczynski, Thomas

Burnham, Claudine
Farrington, Samuel
Potenza, Kelley

DeDe-Poulin, Denise
Granger, Michael
Turcotte, Len

DeLemus, Susan
Harrington, Michael
Walker, David

SULLIVAN

Drye, Margaret
Rollins, Skip

Grant, George
Spilsbury, Walter

Aron, Judy

Aron, Michael

NAYS - 168**BELKNAP**

St. Clair, Charlie

CARROLL

Burroughs, Anita
Woodcock, Stephen

Crawford, Karel

Paige, David

McAleer, Chris

CHESHIRE

Ames, Dick
Germana, Dylan
Jones, Philip
Parshall, Lucius

Berch, Paul
Faulkner, Barry
Germana, Nicholas
Thackston, Dick

Harvey, Cathryn
Gruber, James
Newell, Jodi
Weber, Lucy

Fox, Dru
Jacobs, Samantha
O'Rorke, Terri

GRAFTON

Almy, Susan
Fellows, Sallie
Lovett, Peter
Rockmore, Ellen

Baldwin, Heather
Fracht, David
Lucas, Janet
Stavis, Laurel

Bolton, Bill
Hakken-Phillips, Mary
Muirhead, Russell
Sykes, George

Cormen, Thomas
Sullivan, Jared
Oppel, Thomas

HILLSBOROUGH

Murray, Alissandra
Bouchard, Donald
Cornell, Patricia
Davis, Fred
Grund, Stephanie
Jack, Martin
Kluger, Lee Ann
Lloyd, Christal
Manohar, Sanjeev
Plamondon, Marc
Raymond, Heather
Newman, Sue
Staub, Kathy
Vail, Suzanne
Wheeler, Jonah

Beauchemin, Paige
Budathoki, Suraj
Darby, Will
Foss, Lily
Hartnett, Tim
Jeudy, Jean
Foxy, Loren
Long, Patrick
McGhee, Kat
Preece, David
Rombeau, Catherine
Salvi, Santosh
Swanson, Dale
Veilleux, Daniel
Wilhelm, Matthew

Bergeron, Dan
Chourasia, Manoj
Dargie, Paul
Georges, Mary
Hegner, Karen
Juris, Louis
LeClerc, Daniel
Murray, Megan
Murphy, Nancy
Proulx, Mark
Rung, Rosemarie
Seibert, Christine
Telerski, Laura
Dolan, William

Booras, Efstathia
Chretien, Suzanne
Elberger, Susan
Gregg, Alicia
Herbert, Christopher
Kerwin, Erin
Leishman, Peter
MacKenzie, Mark
Petrigno, Peter
Newman, Ray
Ryan, Linda
Spier, Carry
Tellez, Trinidad
Thomas, Wendy

MERRIMACK

Bricchi, Tracy
Ebel, Karen

Caplan, Tony
Gallager, Eric

Colby, Eleana
Hicks, Matthew

Kelly, Eileen
Lane, Connie

Luneau, David
Payeur, Stephanie
Schultz, Kris
Woods, Gary

Hall, Muriel
Roesener, James
Snodgrass, Jim

MacKay, James
Sargent, Gregory
Soucy, Timothy

Newsom, James
Schamberg, Thomas
Wallner, Mary Jane

ROCKINGHAM

Balboni, Peggy
Edgar, Michael
Knab, Allison
Malloy, Dennis
Muns, Chris
Sytek, John
Weinstein, Toni

Bridle, Nicholas
Gilman, Julie
Lundgren, David
Mandelbaum, Jennifer
Scherr, Buzz
Turer, Eric
Wilson, Vicki

Cahill, Michael
Grote, Jaci
Paige, Mark
Manos, Zoe
Simpson, Alexis
Vallone, Mark

de Vries, Erica
Haskins, Linda
Maggiore, Jim
Meuse, David
Sorensen, Carrie
Ward, Gerald

STRAFFORD

Bay, Luz
Gilmore, Gary
Johnson, Erik
Malone, Amy
Southworth, Thomas
Wall, Janet

Bixby, Peter
Howard, Heath
LaMontagne, Jessica
Miller, Seth
Stone, John

Burton, Wayne
Horrigan, Timothy
Larochelle, John
Schmidt, Peter
Pearson, Wayne

England, Myles
Howland, Allan
Smith, Marjorie
Selig, Loren
Wade, Alice

SULLIVAN

Sullivan, Brian
Hemingway, Wayne

Cloutier, John
Palmer, William

Damon, Hope

Girard, Dale

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

SB 153-FN, relative to expedited driveway permitting of major entrances for residential use of 20 units or greater. **OUGHT TO PASS.**

Rep. Richard Brown for Public Works and Highways. This bill authorizes an optional public/private partnership between the Department of Transportation and residential developers, allowing reduced times for driveway permits. The new process would require approval or denial of any driveway permit for residential use of 20 units or greater to be completed within 60 days of receiving a completed application. The new process would allow for collection of fees and use of third-party consultants to expedite the process with the Department of Transportation oversight and final approval. Vote 14-2.

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

Rep. Milz offered floor amendment (1876h).

Floor Amendment (1876h)

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

AN ACT relative to expedited driveway permitting of major entrances for residential use of 20 units or greater and the time frame for approval or denial of permit applications.

Amend the bill by inserting a new section 1 and renumbering the original sections 1-3 to read as 2-4, respectively:

1 Issuance or Denial of Permit for Access to Public Way; Time Frame. Amend RSA 236:13, IV-a to read as follows:

IV-a. For any existing or proposed residential use of land, including multifamily development that is not classified as a major driveway under the department's policy relating to driveways and access to the state highway system, the department shall issue *or deny* the permit described in paragraph II within 60 days of receiving a completed application.

AMENDED ANALYSIS

This bill requires the commissioner of transportation to approve or deny permit applications for a driveway or public access to a way within 60 days of receipt of application and creates an expedited driveway permit for major entrances for parcels of land for residential use of 20 units or greater.

The question being adoption of floor amendment (1876h).

Rep. Milz spoke in favor.

Floor amendment (1876h) was adopted.

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

Rep. Boehm spoke against.

Rep. Richard Brown spoke in favor.

Rep. Granger requested a roll call; sufficiently seconded.

YEAS 293 - NAYS 61**YEAS - 293****BELKNAP**

Aldrich, Glen
Freeman, Lisa
Minor, Sheri

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

Coker, Matthew
Nagel, David

Dumais, Russell
Ploszaj, Tom

CARROLL

Avellani, Lino
Paige, David
McAleer, Chris
Woodcock, Stephen

Belcher, Mike
Hamblen, Joseph
Peternel, Katy

Burroughs, Anita
MacDonald, John
Brown, Richard

Crawford, Karel
Smith, Jonathan
Taylor, Brian

CHESHIRE

Ames, Dick
Murphy, Denis
Jacobs, Samantha
Parshall, Lucius

Berch, Paul
Faulkner, Barry
Germana, Nicholas
Rhodes, Jennifer

Fox, Dru
Gruber, James
Newell, Jodi
Thackston, Dick

Germana, Dylan
Hunt, John
O'Rorke, Terri
Weber, Lucy

COOS

Davis, Arnold
Morency, Pete

Durkin, Sean
Tierney, James

Korzen, Lori

Murphy, Michael

GRAFTON

Almy, Susan
Bjelobrk, Marie Louise
Fracht, David
Lovett, Peter
Rockmore, Ellen

Baldwin, Heather
Bolton, Bill
Hakken-Phillips, Mary
Lucas, Janet
Sykes, George

Barton, Joseph
Cormen, Thomas
Sullivan, Jared
Muirhead, Russell

Beaulier, Calvin
Fellows, Sallie
Louis, Darrell
Oppel, Thomas

HILLSBOROUGH

Murray, Alissandra
Beauchemin, Paige
Bouchard, Donald
Cole, Brian
Dargie, Paul
Elberger, Susan
Foss, Lily
Gorski, Ted
Hartnett, Tim
Judy, Jean
Kluger, Lee Ann
Lascelles, Richard
Long, Patrick
Murphy, Mary
Mooney, Maureen
Notter, Jeanine
Pauer, Diane
Preece, David
Reinfurt, Sherri
Salvi, Santosh
Slottje, Jeremy
Swanson, Dale
Mannion, Tim
Veilleux, Daniel
Wherry, Robert

Alexander, Joe
Bergeron, Dan
Budathoki, Suraj
Corcoran, Travis
Drew, Matt
Erf, Keith
Griffin, Gerald
Gould, Linda
Hegner, Karen
Juris, Louis
Kofalt, Jim
LeClerc, Daniel
Murray, Megan
Mazur, Lisa
Morton, Jonathan
Ohm, Bill
Petrigno, Peter
Proulx, Mark
Rung, Rosemarie
Schneller, John
Spier, Carry
Telerski, Laura
Mannion, Tom
Dolan, William
Wilhelm, Matthew

Ammon, Keith
Berry, Ross
Chourasia, Manoj
Cornell, Patricia
Dumont, Dillon
Davis, Fred
Georges, Mary
Gregg, Alicia
Herbert, Christopher
Kerwin, Erin
Foxy, Loren
Leishman, Peter
MacKenzie, Mark
McGhee, Kat
Murphy, Nancy
Panek, Sandra
Plamondon, Marc
Newman, Ray
Ryan, Linda
Seidel, Sheila
Staub, Kathy
Tellez, Trinidad
Ulery, Jordan
Thomas, Wendy

Barbour, Liz
Booras, Efstathia
Chretien, Suzanne
Creighton, James
Dupont, Pierre
Flanagan, Jack
Giasson, Henry
Grund, Stephanie
Jack, Martin
Kesselring, Steven
Labrie, Brian
Lloyd, Christal
Manohar, Sanjeev
Miles, Julie
Noble, Kristin
Paquette, Kathleen
Post, Lisa
Raymond, Heather
Newman, Sue
Sheehan, Vanessa
Suiter, John
Tenczar, Jeffrey
Vail, Suzanne
Warden, Mark

MERRIMACK

Aylward, Deborah
McGuire, Dan
Gallager, Eric
Lane, Connie
Mehegan, Peter
Pitaro, Matthew
Sargent, Gregory
Snodgrass, Jim
Woods, Gary

Bricchi, Tracy
Devoid, Ricky
Gonzalez, Ernesto
Luneau, David
Morse, Bryan
Polozov, Yury
Schamberg, Thomas
Soucy, Timothy

McGuire, Carol
Kelly, Eileen
Hicks, Matthew
Hall, Muriel
Newsom, James
Roesener, James
Schultz, Kris
Thibault, James

Caplan, Tony
Ebel, Karen
Hill, Gregory
MacKay, James
Payeur, Stephanie
Boyd, Stephen
Seaworth, Brian
Wallner, Mary Jane

ROCKINGHAM

Balboni, Peggy
de Vries, Erica

Bridle, Nicholas
DeVito, Sayra

Mannion, Dennis
Dunn, Ron

Thomas, Douglas
Edgar, Michael

Ford, Mary
 Guzowski, James
 Katsakiores, Phyllis
 Layon, Erica
 Pearson, Mark
 Markell, Jay
 Milz, David
 Osborne, Jason
 Prudhomme-O'Brien, Katherine
 Scherr, Buzz
 Spillane, James
 Tripp, Richard
 MacDonald, Wayne

Gilman, Julie
 Harb, Robert
 Khan, Aboul
 Lundgren, David
 Malloy, Dennis
 McDonnell, Valerie
 Muns, Chris
 Popovici-Muller, Daniel
 Roy, Terry
 Simpson, Alexis
 Summers, James
 Turer, Eric
 Ward, Gerald

Grote, Jaci
 Haskins, Linda
 Miner, Laurence
 Lynn, Bob
 Mandelbaum, Jennifer
 Melvin, Charles
 Nadeau, Brian
 Porcelli, Susan
 Pearson, Stephen
 Sorensen, Carrie
 Sweeney, Joe
 Vallone, Mark
 Weinstein, Toni

Guthrie, Joseph
 Janigian, John
 Walsh, Lilli
 Paige, Mark
 Manos, Zoe
 Meuse, David
 Nelson, Jodi
 Potucek, John
 Sabourin dit Choinière, Matt
 Soti, Julius
 Sytek, John
 Vose, Michael
 Weyler, Kenneth

STRAFFORD

Bailey, Glenn
 Burton, Wayne
 Farrington, Samuel
 Harrington, Michael
 LaMontagne, Jessica
 Miller, Seth
 Southworth, Thomas
 Wall, Janet

Bay, Luz
 DeDe-Poulin, Denise
 Gilmore, Gary
 Horrigan, Timothy
 Larochelle, John
 Potenza, Kelley
 Stone, John

Bixby, Peter
 DeLemus, Susan
 Granger, Michael
 Howland, Allan
 Smith, Marjorie
 Schmidt, Peter
 Pearson, Wayne

Burnham, Claudine
 England, Myles
 Howard, Heath
 Johnson, Erik
 Malone, Amy
 Selig, Loren
 Wade, Alice

SULLIVAN

Sullivan, Brian
 Girard, Dale
 Palmer, William

Cloutier, John
 Grant, George
 Rollins, Skip

Damon, Hope
 Aron, Judy

Drye, Margaret
 Aron, Michael

NAYS - 61 BELKNAP

Bean, Harry
 Toner, Travis

Comtois, Barbara

Lunney, Matthew

Terry, Paul

CARROLL

Cordelli, Glenn

CHESHIRE

Karasinski, Sly

Mattson, Rita

Nalevanko, Rich

Qualey, James

COOS

King, Seth

Valerino, Brian

GRAFTON

Berezhny, Lex

Ladd, Rick

Sellers, John

Stavis, Laurel

HILLSBOROUGH

Boyd, Bill
 Daniels, Gary
 Peeples, Raymond
 Sirois, Shane

Boehm, Ralph
 Darby, Will
 Prout, Andrew
 Wheeler, Jonah

Colcombe, Riché
 Gagne, Larry
 Rombeau, Catherine

Kelley, Diane
 Kenny, Catherine
 Scully, Kevin

MERRIMACK

Andrus, Louise
 Leavitt, John

Aures, Cyril
 Moffett, Michael

Cambrils, Jose
 See, Alvin

Colby, Eleana

ROCKINGHAM

Ball, Lorie
 Donnelly, Tanya
 Love, David
 Brown, Pam
 Vandecasteele, Susan

Bernardy, JD
 Drago, Mike
 Maggiore, Jim
 Perez, Kristine
 Wilson, Vicki

Cahill, Michael
 Knab, Allison
 McGrath, Linda
 Selby, Donald

DeSimone, Debra
 Kuttab, Katelyn
 McMahon, Charles
 Dolan, Tom

STRAFFORD

DeRoy, Susan

Kaczynski, Thomas

Turcotte, Len

Walker, David

SULLIVAN

Hemingway, Wayne

Spilsbury, Walter

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

BILL REMOVED FROM THE CONSENT CALENDAR

SB 250, relative to pharmacist administration of long-acting injectable drugs. **OUGHT TO PASS.**

Rep. Yury Polozov for Health, Human Services and Elderly Affairs. The committee believes that this bill harmonizes regulation of pharmacists to clarify that they can administer long-acting substances because the previously used term “dispense” was not clear enough for drugs that are professionally administered and not just handed to the patient to administer at a later time. Pharmacists are still not allowed to prescribe and make clinical evaluations, but administration by pharmacists improves availability and provides for lower treatment cost. Among treatments that this bill improves access to are substance abuse treatments with buprenorphine. The committee received testimony that buprenorphine was shown to decrease overdose rates by 80%, which is a significant life-saving effect. Vote 16-0.

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

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

REMARKS BY THE SPEAKER

The Speaker addressed the House to recognize and applaud legislative staff.

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**

SB 19, relative to hotel and motel operations.

SB 140-FN, establishing a domestic violence fatality review committee.

SB 258-FN, establishing crimes related to the fraudulent use of gift cards.

SB 95, relative to youth recreation camp cabins and the state building and fire codes.

SB 172, banning certain contract provisions from being enforced against advanced practice registered nurses.

SB 179-FN, relative to the state council on housing stability.

SB 31-FN, establishing an apprentice guide license.

SB 32, relative to the fish and game commission.

SB 235, enabling funds from the Pitman-Robertson Act to be spent by the fish and game department on threatened and endangered species in New Hampshire and allowing the fish and game department to collect donations at sites approved by the executive director.

SB 92-FN, relative to the collection of birth worksheet information.

SB 138, relative to record requests by health care providers.

SB 248, establishing a committee to study palliative and hospice care in New Hampshire.

SB 252, relative to criteria for providing certain medical care through telemedicine.

SB 42, relative to notice of death affidavits.

SB 78, relative to the zoning board of adjustments appeal period.

SB 58-FN, relative to venue in criminal prosecutions of distribution of a controlled drug with death resulting.

SB 62, relative to law enforcement participation in a federal immigration program and relative to cooperation with federal immigration authorities.

SB 262-FN, relative to the penalty for trafficking in persons under 18 years of age.

SB 190, relative to the state health assessment and state health improvement plan advisory council and the commission on the interdisciplinary primary care workforce.

SB 173, relative to residential property subject to housing covenants under the low income housing tax credit program.

SB 292-FN-A, relative to aid to school districts for the cost of special education.

SB 141-FN, extending the time to petition for a new trial in certain cases and relative to adding library cards and membership status to the list of confidential library user records.

SB 105, enabling towns to adopt budget caps.

SB 153-FN, relative to expedited driveway permitting of major entrances for residential use of 20 units or greater and the time frame for approval or denial of permit applications.

SB 250, relative to pharmacist administration of long-acting injectable drugs.

UNANIMOUS CONSENT

Rep. Wendy Thomas requested Unanimous Consent of the House regarding FIRST Robotics World Championship and addressed the House.

MOTION TO PRINT REMARKS

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

Without objection, the Speaker ordered.

REMARKS

Representative Wendy Thomas: Thank you, Mister Speaker. Colleagues, because they didn't come to brag, we've come on their behalf. This past week, Chop Shop 166 of Merrimack High School achieved something truly extraordinary. At the FIRST Robotics World Championship, their alliance placed 4th in the world. Yes, 4th out of nearly 6,000 international teams. That's not just a win for Chop Shop, that's a win for our entire community. It's the result of years of hard work, innovation, collaboration, and leadership by a dedicated group of students and volunteer mentors. Chop Shop isn't a one-time victory either. Chop Shop has a long legacy of excellence, not only in building robots, but in building character, confidence, and lifelong skills in STEM and teamwork. This is not an exclusive club. This is a welcoming family. There is absolutely a place for everyone on this team, whether you're into programming, mechanics, business, art, media or just want to be part of something amazing. Chop Shop is built on a foundation of love, respect, and education, and every student who joins is given the chance to grow, thrive, and shine. And for anyone curious about what FIRST Robotics is all about, come see it for yourself. Their events are open to the public, and the next off-season competition, Mayhem in Merrimack, will be held at the Merrimack High School on May 17. You won't just be watching robots, you'll be witnessing the future in action. Congratulations to Chop Shop 166. Your achievement is nothing short of world class.

UNANIMOUS CONSENT

Rep. Burton requested Unanimous Consent of the House regarding the Vietnam War and addressed the House.

MOTION TO PRINT REMARKS

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

Without objection, the Speaker ordered.

REMARKS

Representative Burton: Thank you, Mister Speaker. Last week, there has been a display about the Vietnam War in the front, which reminded me of Vietnam 50 years ago when I was there. But I'm reminded every morning when I put my hearing aid on after spending time in the machine gun bunker on the banks of the Mekong River. It was a horrendous war and there's still great confusion about the war itself. But, while we can dishonor the war, we should never dishonor the veterans who served there. What I was wondering is, if there is any Vietnam Veterans here. Could you stand and be recognized?

UNANIMOUS CONSENT

Rep. Turer requested Unanimous Consent of the House regarding Granite Bridge Alliance and addressed the House.

(Rep. Kofalt in the Chair)

MOTION TO PRINT REMARKS

Rep. Nicholas Germana moved that the remarks made by Rep. Turer during Unanimous Consent be printed in the Permanent Journal.

Without objection, the Speaker ordered.

REMARKS

Representative Turer: Thank you, Mister Speaker. I rise on behalf of the House Granite Bridge Legislative Alliance Caucus to speak about the Braver Angels organization around whose principles the GBLA as we go by is focused. For those not familiar with the Braver Angels, it's a national grassroots nonpartisan organization dedicated to political depolarization at all levels of society. It promotes the value and process of constructive engagement with those that we disagree with, not to achieve unity or consensus, but simply to get people to "disagree" better. This work is alive here in the New Hampshire House thanks to the leadership of Speaker Packard. By dedicating one morning at the outset of this and the prior House Sessions for a Braver Angels workshop, the Speaker set both the tone and the expectation for all Members to uphold these goals and provide the basic skills to foster them. From that beginning, a group of members formed the

Granite Bridge Legislative Alliance here in the New Hampshire House. It was the first legislative caucus built around these principles and other states are now following this lead. We are not a caucus to advocate on legislation, but rather to advocate for processes that foster greater human connection and better interaction across all matters of disagreement. Last month, the president and co-founder of the Braver Angels, Mr. David Blankenhorn, announced his retirement and offered some profound reflections. This speech is to commemorate Mr. Blankenhorn's truly brave work and the robust organization he created. I hope many will agree that restoring constructive engagement with those we disagree with is badly needed at this defined moment in our history. This is true even or no, especially at a moment, when such ideas may seem naive or even fruitless. Before discussing Mr. Blankenhorn's insights, I want to acknowledge two unanimous consent speeches which also inspired this statement given by Republican or sorry given by Rep. Nagel and Rep. Georges. They offered their thoughts at the conclusion of two divisive House Sessions. One is a Republican, the other a Democrat. One a person of science, medicine, the other who spoke as a person of deep religious faith. Neither statement was political. Both ended up focusing on the same goal, the value of relating to each other as human beings, each having the potential to change our entrenched perspectives. I was certainly not longing for more speeches at the end of those long session days. You are likely not longing for one now, but I found those statements to be a much-needed reminder of why we're all here and I left the Chamber with a greater sense of hope on both of those days as a result. Mr. Blankenhorn shared a meaningful observation about the term hope as compared to optimism in his retirement remarks. Citing Czech writer and President Vaclav Havel, he noted that optimism is the blind belief that things will work out well, while hope is the belief that the things you are doing are worth doing regardless of the likely outcome. That definition of hope best embodies why I believe we come together here, why the principles that the Braver Angels promotes are worth embracing, regardless of the size or partisan direction of any numerical advantage or disadvantage we may face here. Yes, this Session we come knowing that the nature of many bills and the outcomes of many votes are largely foretold, but that must not become an excuse to abandon the possibility that our ideas can shape and be shaped by purposeful engagement with those we disagree with to achieve a better outcome. We don't set our values aside when we do this, rather it's through constructive dialogue to advocate for our values that the process of coming together here is rendered worthwhile. I think most would acknowledge that such engagement is happening far less than it used to. It's hurting our communities. Our constituents are hungry for something better, and we owe it to them to lead. Mr. Blankenhorn noted his belief that state legislators are where the greatest opportunity to further the Braver Angel's mission exists. I think he's right. I'll vastly oversimplify but not distort things by saying that the historic passage of the House's budget by a voice vote just two years ago was fundamentally an example of what true constructive engagement across the political divide can accomplish. I'll close by noting that the name Braver Angels is paraphrased from the end of Abraham Lincoln's first Inaugural Address where he called on "The better angels of our nature" to come together and heal the wounds dividing the nation at that time. Mr. Blankenhorn then cited novelist Marilynne Robinson, who said, "Go as far as you can until you can't take another step and then take another step." I hope, there's that word again, hope you will take that next step. Be brave enough to disagree better. Reach out to any of us here with questions or to join the caucus or as Representative Kuttub pointed out as an opportunity to just sit down together for a free meal or so if the goals that we just discussed resonate with you. Thank you, Mister Speaker.

UNANIMOUS CONSENT

Rep. Wade requested Unanimous Consent of the House regarding immigration and addressed the House.

MOTION TO PRINT REMARKS

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

Without objection, the Speaker ordered.

REMARKS

Representative Wade: Thank you, Mister Speaker. I agree with the remarks of the previous speaker. We do live in very divided times and today I'm here to talk about immigration, which is a very divisive topic for many of us here in the legislature. And I'm here to share the story of one man who I've had the honor to interact with and work with his family and get to know them. Their case is related to some bills that we passed earlier today. So, Juan Francisco Mendez is a man from Guatemala. He has a wife and a nine-year-old son. A few years ago they came here to seek asylum for fear of persecution in their native country. His wife and his son received asylum status, and he was still awaiting his hearing to get his asylum status. About four weeks ago in New Bedford, Massachusetts, he was on his way to a dentist appointment when ICE agents pulled over his car and asked him and his wife to get out of the vehicle. They claimed that they had a warrant. They claimed that he was a man named Antonio. He is not. His wife is not. They, you know, they were very confused. He and his wife were very confused as to why they were

getting pulled over, why they said that they had a warrant for his arrest when he had not committed any crime. They called their attorney. She said she was on her way. And the ICE agents stood outside their car asking for them to get out. They didn't, that was their right. The agents did not have a warrant. However, those agents then refused to wait for their attorney to show up and used a sledgehammer to smash through their car window, drag him out of the vehicle and arrest him before his attorney even arrived, denying him his constitutional right to due process. He was then taken to Dover, New Hampshire, my district, my town and is currently being held in the Strafford County jail. He has not seen a judge in over four weeks at this point. His hearing is today. I'm still waiting to get a text from his wife on the ruling. He hasn't committed any crime. The government has not alleged, well they have alleged that he has committed a crime, but despite repeated attempts to find out what that crime was, they haven't said anything. They've refused to admit what they think his crime was. And so I found out about this situation. I got in touch with his wife and was doing my best to basically figure out how, you know, how to resolve this situation. I was able to arrange a visit two weekends ago for his wife and son to come up here to Dover to visit him. I drove down to New Bedford, and I met her. She didn't speak English. Her son spoke a little English, and we drove up. I sat in the visitation room in the Strafford County jail during the visitation. I sat and I watched as his wife and son saw him for the first time in a month and they held their hands up to the glass. His wife drew hearts. His son had brought a happy meal toy that he had gotten that morning to show his dad. I sat there and the guard had given me a Spanish to English translation book so that I could maybe exchange some words. I couldn't find any words to say to him. I searched through that book for an hour. I cried. I looked, I flipped through everything that I could think of to find something, anything that I could say to that man to make any sense of the hell that our government has put him through, and I came up with nothing. His case is one of thousands, and many more people who are being put in this situation. He is one of the lucky ones because at least he's getting to see a judge. At least he's getting to present his case, even though it's taken a month and he's been held in jail with no charges for a month. At least he is getting to see a judge, but there are so many people out here that can't see judges, that are being sent off with no due process, with no anything, with just the government claiming that they had committed some crime with providing no proof of that crime. That is wrong and what we are doing to people is wrong. I agree, people who have committed serious crimes, maybe they should be deported, but every single person, every one of us, every single person in this country deserves to have their case heard. You should not just be able to point at somebody and claim that they are a criminal and take them away from their family and ship them off to another country that they probably haven't been to in decades or maybe they were facing persecution by gangs and that sort of thing. We shouldn't be able to do that to people. Right now there are police and there are county jails that are entering into these contracts with ICE. I have tried everything I can to get information from our county jail. They have no idea what the charges are. ICE hasn't told them anything. ICE has just handed them a person and said here is an alleged criminal. We're not going to tell you what he did, but you have to pay a bunch of money or we're going to pay you some money to house him. That's wrong. It's just wrong and we're continuing to do this to people. We're continuing to expand the county contracts with ICE and all of these unaccountable, I contacted Chris Pappas' office and that's how I found out ICE has fired almost every single one of their congressional liaisons. There are congressional liaisons at these agencies that are meant to basically be the contact person for a congressperson seeking to find out information about a case. There's congressional liaisons at every agency across the government, but they have fired the ones at ICE because they don't want congresspeople to find out what they are doing to people and we cannot let this keep happening. I don't know how else to express it. I'm just here to tell you the story of one man in the hopes that you will see. Are there criminals who happen to be immigrants? Sure. Are there criminals who happen to be Americans? Sure, but right now all of this is happening without due process and if they don't have due process we don't either. I am just imploring you to consider people like Juan. Not just him, but his wife, his son, his nine-year-old son who stopped going to school because he was terrified that ICE would take him. His wife, who can no longer drive her car because ICE smashed in her windows with a sledgehammer and now she doesn't have an income and she can't afford to repair her windows. That is pure evil, and we need to consider this when we're voting on these bills and when we're having our counties enter into these contracts. Remember people like Juan, that is what I'm urging you here today to do. Thank you.

UNANIMOUS CONSENT

Rep. Budathoki requested Unanimous Consent of the House regarding Pakistan and India and addressed the House.

MOTION TO PRINT REMARKS

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

Without objection, the Speaker ordered.

REMARKS

Representative Budathoki: Thank you, Mister Speaker. I rise today with deep concern and urgency following the deadly escalation in South Asia on April 22nd. Last month, in Indian-administered Kashmir, gunmen carried out a brutal attack, brutal terrorist attack, that claimed the lives of at least 26 innocent people. These senseless acts of violence have shaken the world region and raised alarm across the globe. In response, the Indian government launched air strikes on several villages it claims were harboring the attackers. Pakistan has vowed retaliation heightening the risks of a wider conflict. Let us remember India and Pakistan are both nuclear armed nations with a long volatile history of armed clashes, including full-scale wars. The stakes could not be higher. These are not just two countries in conflict, they are nations once united by history, culture and geography before partisans. The lives lost, whether in Kashmir, Delhi or Lahore should not be politicized. They should compel us all to work toward lasting peace. Therefore, I not only urge the governments of India and Pakistan to immediately cease hostilities and pursue dialogue, but I also call on the United States government to take an active role in de-escalation. As a global leader and ally to both nations, the US must use its diplomatic influence to encourage peace talks, support conflict resolution efforts, and prevent further loss of innocent lives. Let us, in this Chamber, unite to stand against violence and for diplomacy against war and for wisdom. We owe it to the victims and the future of the region to act. Thank you.

RECESS MOTION

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

The House recessed at 1:30 p.m.

RECESS

(Speaker Packard in the Chair)

COMMITTEE ASSIGNMENT

The Speaker made the following changes to committee assignments:
Rep. DeSimone Chair of the Committee on Children and Family Law.

COMMITTEE ASSIGNMENT

The Speaker made the following changes to committee assignments:
Rep. Barbour Vice Chair of the Committee on Environment and Agriculture.

COMMITTEE ASSIGNMENT

The Speaker made the following changes to committee assignments:
Rep. Seidel Vice Chair of the Committee on Children and Family Law.

COMMITTEE ASSIGNMENT

The Speaker made the following changes to committee assignments:
Rep. Dunn Vice Chair of the Committee on Resources, Recreation and Development.

RECESS

(Rep. Osborne in the Chair)

ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 73, 120, 165, 204, 279, 294, 307, 327, 371, 390, 393, 455, 777 and 779.

Rep. Osborne, Sen. Avar for the Committee

SENATE MESSAGES**CONCURRENCE**

HB 138-L, relative to tax impact notation on warrant articles with multi-year tax impacts.

HB 178, relative to foster parent representation of foster children with disabilities.

HB 242, relative to brew pub licenses.

HB 404, relative to information on the hike safe card.

HB 406-FN, relative to the formation of fraudulent businesses.

HB 437, providing specific curative measures for undischarged mortgages.

HB 473-FN, criminalizing multiple forms of exposing children to controlled substances and allowing law enforcement to take a child into protective custody for screening and testing in an instance of suspected or actual criminal exposure to controlled substances.

HB 627, relative to permitting the public utilities commission to approve new providers for the Lifeline program.

HB 631-FN, permitting residential building in commercial zoning.

HB 694-FN, requiring leases of land, buildings, or space by state agencies to be at fair market value.

REREFERRED TO COMMITTEE

HB 126, relative to prescriptions for certain controlled drugs.

HB 410-FN, limiting local authority to adopt restrictions on the building and development of residential properties.

HB 707-FN, requiring the department of environmental services to revise the rules for proposed new landfills.

LAI D ON THE TABLE

HB 107, relative to political advertising printed in newspapers, periodicals, or billboards.

HB 190-FN, relative to therapeutic cannabis possession limits.

HB 207-FN, relative to repealing the prohibition on the possession or sale of blackjacks, slung shots, and metallic knuckles except by or to minors.

HB 223, relative to licensing requirements for health care facilities that operate within 15 miles of a critical access hospital.

HB 380-FN, relative to penalties for criminal violations of the therapeutic use of cannabis.

HB 381-FN, limiting liability for certain design features of firearms.

NONCONCURRENCE

HB 66-FN, relative to material subject to disclosure under the right to know law.

HB 70-FN, relative to the use of electronic medical records.

HB 247-L, authorizing municipalities to hold a referendum on whether to allow historic horse racing.

HB 284-FN, requiring tax impact statements on municipal warrant articles.

HB 514-FN, allowing private persons to sue for violations of election laws.

HB 522-FN, relative to the expectation of privacy in personal information maintained by the state.

HB 548-FN, relative to licensing requirements for health care facilities that operate on a membership-based business model.

HB 559, relative to staffing requirements in emergency medical transport vehicles.

HB 584-FN, relative to public health, safety, and state sovereignty.

HB 666-FN, relative to adding restitution payment for violations of the confidentiality of the library use records and adding library cards and membership status to the list of confidential matters.

HB 687-FN, relative to class action settlements and consent decrees.

HB 732-FN, to enhance informed consent and accountability in psychotropic drug prescriptions for children under Medicaid.

RECESS

(Speaker Packard in the Chair)

SENATE MESSAGES

CONCURRENCE

HB 77-FN, prohibiting certain licensees from electronically recording or storing personal information obtained from an identification card.

HB 81, relative to consumption of beverages or liquor in areas not approved for service by the liquor commission.

HB 90-FN, relative to the definition of part-time teachers.

HB 187-FN, relative to restraining orders sought by a parent on behalf of a minor child.

HB 235, relative to amending the educator code of ethics and code of conduct to include responsibility to parents.

HB 260-FN, creating a commemorative license plate celebrating the 250th anniversary of American Independence.

HB 310, establishing a commission to study the creation of a regulatory framework for stable tokens, tokenized real-world assets, and blockchain-based trusts in New Hampshire.

HB 320-FN, relative to enforcement of marital property settlements.

HB 324-FN, relative to prohibiting obscene or harmful sexual materials in schools.

HB 354, relative to alternate certification pathways for career and technical education instructors.

HB 356, enabling school districts to adopt partisan school district elections.

HB 373-L, relative to the management and regulation of town real property.

HB 394, relative to the powers and duties of cooperative school district budget committees and the role of cooperative school district board member representatives on such committees.

HB 413, relative to subdivision regulations on the completion of improvements and the regulation of building permits.

HB 467, defining “social districts” and enabling municipalities to create social districts.

HB 484, relative to reallocation or repurposing of career and technical education classroom space by local school districts.

HB 505-FN, allowing the sale of freeze dried foods produced in homestead food operations.

HB 511-FN, relative to cooperation with federal immigration authorities.

HB 577, relative to modifying the definition of ADUs.

HB 632, permitting health care providers affiliated with the Veterans Administration to certify medical accommodations on behalf of veterans residing in New Hampshire.

HB 633-FN, creating a legislative study committee to investigate the implementation of housing investment trusts in New Hampshire.

HB 699, relative to special education definitions.

HB 731-FN, relative to supportive housing options for individuals with developmental disabilities.

HB 780, relative to the director of the division of archives and records management of the department of state.

HB 781-FN, requiring school districts to adopt policies establishing a cell phone-free education.

NONCONCURRENCE

HB 50, relative to intentional or knowing violation of the prohibition on teaching discrimination.

HB 88-FN, establishing community property trusts.

HB 217, relative to absentee ballots.

HB 259, relative to increasing the number of handicap license plates and placards the department of motor vehicles may issue to individuals.

HB 274, relative to the verification of voter rolls annually.

HB 280, relative to wage payments.

HB 433-FN, making 17 the age of consent for marriage if either party is active duty military and removing language regarding age waivers for marriage registration records, since age waivers are no longer issued in New Hampshire.

HB 461, relative to department of safety and department of motor vehicle training and testing materials.

HB 489, allowing volunteer emergency workers to use a rear facing blue light on their private vehicles when involved in emergency service.

HB 546-FN, relative to financial disclosures and the public reporting of those disclosures by the secretary of state.

HB 598, establishing a committee to study data sources of all entities operated by all branches of government that are or are potentially made available to the public, identify the data formats of those sources, and recommend legislation to standardize types and formats of data output from all or select governmental entities.

HB 739-FN, relative to excess funds paid to municipalities for use in school districts.

REREFERRED TO COMMITTEE

HB 105-FN, creating a new conservation license plate and directing the additional fee to the cyanobacteria mitigation loan and grant fund.

HB 171, establishing a moratorium on the issuance of permits for new landfills.

HB 221, relative to assessment of cost effectiveness of the systems benefit charge.

HB 233, requiring meetings of the New Hampshire vaccine association to be audio and video recorded and published on its website within 48 hours.

HB 292, establishing a commission to study school administrative unit consolidation.

HB 321-FN, requiring the division of motor vehicles to extend a fine payment period for certain motor vehicle violations from 30 days to 90 days if the driver requests the extension.

HB 340-FN, relative to electioneering by public employees.

HB 431, establishing a commission to study the costs of special education.

HB 452-FN, relative to the issuance of drivers' licenses for aliens temporarily residing in New Hampshire.

HB 481, relative to moving the state primary date.

HB 486-FN, relative to grandparents' visitation rights.

HB 639-FN, relative to the use of and disputes over blockchain and digital currencies.

HB 649-FN, removing the requirement for physical safety inspections and on-board diagnostic tests for passenger vehicles and eliminating funding for the motor vehicle air pollution abatement fund.

HB 676, relative to the composition and responsibilities of the parent and education service provider advisory commission, and establishing education freedom account impact and parent satisfaction surveys.

LAID ON THE TABLE

HB 151, relative to the term for supervisors of the checklist.

HB 276, establishing a liquor license where beverages, wine, and liquor can be sold without food.

HB 282-FN, increasing the maximum benefits for first responders critically injured in the line of duty.

HB 613, relative to enabling local political subdivisions to vote and set a reduced default budget option.

HB 616-FN, relative to the confiscation of animals from persons suspected of or charged with abuse of animals and establishing a committee to study the animal cruelty statutes.

HB 653-FN, establishing a pilot program within the department of education to implement alternatives to restraint and seclusion of students.

**SENATE MESSAGE
CONCURRENCE WITH AMENDMENTS**

SB 19, relative to hotel and motel operations.

SB 32, relative to the fish and game commission.

SB 58-FN, relative to venue in criminal prosecutions of distribution of a controlled drug with death resulting.

SB 62, relative to law enforcement participation in a federal immigration program and relative to cooperation with federal immigration authorities.

SB 95, relative to youth recreation camp cabins and the state building and fire codes.

SB 105, enabling towns to adopt budget caps.

SB 138, relative to record requests by health care providers.

SB 153-FN, relative to expedited driveway permitting of major entrances for residential use of 20 units or greater and the time frame for approval or denial of permit applications.

SB 235, enabling funds from the Pitman-Robertson Act to be spent by the fish and game department on threatened and endangered species in New Hampshire and allowing the fish and game department to collect donations at sites approved by the executive director.

SB 258-FN, establishing crimes related to the fraudulent use of gift cards.

SB 292-FN-A, relative to aid to school districts for the cost of special education.

RECESS

(Rep. Bolton in the Chair)

ENROLLED BILL AMENDMENTS

HB 268-FN, relative to hearings before the board of tax and land appeals.

Amendment 2025-2223EBA

Amend RSA 498-A:16 as inserted by section 1 of the bill by replacing line 4 with the following:

participate in a just compensation hearing under RSA 498-A:24 through electronic or
Motion was adopted.

HB 647-FN, relative to the fee for a newborn lifetime hunting and fishing license.

Amendment 2025-2218EBA

Amend RSA 214-9-c, I(b)(2) as inserted by section 1 of the bill by replacing line 5 with the following:

reached his or her first birthday shall be [~~\$300~~] ***set by the executive director as prescribed in***
Motion was adopted.

RECESS

(Speaker Packard in the Chair)

ENROLLED BILL AMENDMENT

SB 62, relative to law enforcement participation in a federal immigration program and relative to cooperation with federal immigration authorities. (Amendment printed SJ 5/15/25)

Motion was adopted.

RECESS

(Rep. Osborne in the Chair)

ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bill numbered 511 and Senate Bill numbered 62.

Rep. Osborne, Sen. Avarð for the Committee

RECESS