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Wednesday, March 11, 2026

No. 7

HOUSE JOURNAL NO. 7

Wednesday, March 11, 2026

The House assembled at 9:00 a.m. and was called to order by the Speaker.

Prayer was offered by House Chaplain, Reverend Kevin Twombly, Pastor at Restoration Foursquare Church in Concord.

Gracious and sovereign God, we gather at the opening of this session mindful of the trust placed in this House by the people of New Hampshire. We give thanks for the privilege of self-governance and for those who step forward to serve their neighbors through public office. Grant these Representatives clarity of mind steadiness of heart and a spirit willing to listen well. We remember the words of Franklin Pierce, who observed that “the storm of the frenzy and faction must inevitably dash itself in vain against the unshaken rock of the Constitution.” In times of disagreement and strong conviction, anchor this body in what is just, lawful and worthy of the people’s trust. Where debate is vigorous, grant respect. Where differences arise, cultivate understanding. Where decisions carry weight, provide wisdom and courage. Help each member to pursue the common good with integrity, humility, and a sincere desire to serve. Bless the communities they represent and all who call this state home. May the work done here today contribute to justice, stability and the flourishing of future generations. Guide this session with wisdom and sustain it with grace. Amen.

Rep. Allison Knab, member from Stratham, led the Pledge of Allegiance.

The National Anthem was sung by the Granite Statesmen from Concord.

ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled Senate Bills numbered SB49, SB103.

Rep. Osborne, Sen. Avard for the Committee

LEAVES OF ABSENCE

Reps. Bucu, Cambrils, Tom Dolan, Ford, Grote, Gruber, Molly Howard, Love, Geoffrey Smith, Sofikitis, Swanson and Varney, the day, illness.

Reps. Balboni, Bennett, DeDe-Poulin, Girard, Hicks, Janigian, Lovett, Lundgren, Tim Mannion, Markell, Notter, Plamondon, Jonathan Smith, St. Clair and Warden, the day, important business.

Rep. Cornell, the day, illness in the family.

INTRODUCTION OF GUESTS

Sally Tobias and Micah Warnock, guests of Rep. Selig, and Zoey Hill, guest of Rep. Luneau.

CONSENT CALENDAR

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

HB 1315, relative to the sale of tobacco products, e-cigarettes, devices, e-liquids, or alternative nicotine products, removed by Reps. Granger, Tom Mannion, Farrington, Corcoran, McFarlane, Spillane, Peternel, Drew, Belcher and Sabourin dit Choiniere.

HB 1408-FN, prohibiting public disclosure of personal information on the Internet by an elected official, removed by Reps. Farrington, McFarlane, Tom Mannion, D. Kelley, Popovici-Muller, Mehegan, C. McGuire, Drew, Read and Corcoran.

HB 1288, relative to enabling school administrative units to adopt budget caps, removed by Reps. Sellers, DeRoy, McFarlane, Nalevanko, Popovici-Muller, Vose, Bailey, Wherry, Pauer and Dan McGuire.

HB 1223, relative to the moderator’s authority to verify the device count during an election, removed by Reps. Scully, Bernardy, Hill, Miner, Cambrils, Sabourin dit Choiniere, Ohm, McFarlane, Porcelli and Kenny.

HB 1395, relative to the annual proclamation of “New Hampshire Day at the Big E.”, removed by Reps. Drye, J. Aron, Mattson, M. Aron, Korzen, Sellers, Nadeau, Mary Murphy, Spilsbury and Granger.

HB 1681, relative to the definition, inspection, and local approval of tiny houses and yurts as innovative housing structures, removed by Reps. Turcotte, Sheehan, Hill, Verville, T. Walsh, Corcoran, Gilman, Stavis, Mandelbaum and Maggiore.

Consent Calendar was adopted.

HB 1039, relative to the contents of parenting plans. **OUGHT TO PASS.**

Rep. Jodi Nelson for Children and Family Law. This bill enables a parenting plan to include provisions relative to the sharing of a child’s image on social media. This will protect the child’s privacy and digital footprint, reduces conflict between parents, prevents commercial or public exploitation, and aligns with best interest of the child standards. Vote 14-0.

HB 1206, clarifying the equity jurisdiction of the judicial branch family division. **OUGHT TO PASS.**

Rep. David Love for Children and Family Law. This bill will simplify language in current law, without changing the meaning of the law. Vote 14-0.

HB 1215, relative to supporting the preferred method of communication of an individual with developmental disabilities. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Debra DeSimone for Children and Family Law. This bill, as amended, ensures that people with communication-related disabilities, including autism and apraxia have the right to choose their preferred method of communication. It also ensures that schools, day programs, residential programs, and other services will make reasonable efforts to accommodate an individual’s preferred method of communication. Vote 14-0.

Amendment (0924h)

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

AN ACT relative to supporting the preferred method of communication of an individual with a communication disability.

Amend RSA 171-A:4-a as inserted by section 2 of the bill by replacing it with the following:

171-A:4-a Right to Preferred Method of Communication.

I. An individual with a communication disability who is receiving services under this chapter shall have the right to select and utilize their preferred method of communication that enables such individual to independently express their own thoughts and wishes. Methods of communication that may enable an individual to independently express themselves include, but are not limited to, any of the following methods:

- (a) Augmentative and Alternative Communication (AAC) techniques and devices.
- (b) Independent use of letterboards and independent typing-based communication.
- (c) Sign language and non-verbal gestural systems.
- (d) Speech-generating devices or any other assistive technology.

II. Every school, day, residential and other program or service provider involved in the implementation of the individual’s individualized education program or the individual’s service agreement shall make all reasonable efforts to accommodate an individual’s preferred method of communication, including securing necessary training to communicate with the individual using the individual’s preferred method of communication.

2026-0942h

AMENDED ANALYSIS

This bill supports the right of individuals with communication disabilities to use their preferred method of communication within the state service delivery system, including in residential settings and schools and with other service providers.

HB 1241, relative to the calculation of income for purposes of support orders in divorce proceedings. **INEXPEDIENT TO LEGISLATE.**

Rep. Debra DeSimone for Children and Family Law. RSA 458-C and RSA 458:19 already provide a fair and equitable formula that works in the best interest of families. On that basis of knowledge the committee’s majority vote is Inexpedient to Legislate. Vote 15-1.

HB 1263, relative to the definition of disposable military retirement pay and the suspension of alimony obligations. **INEXPEDIENT TO LEGISLATE.**

Rep. Jay Markell for Children and Family Law. This bill is not needed as courts have the authority to divide military pay and pensions under RSA 458-16-A. Vote 15-1.

HB 1404, establishing a study committee to study the equitable division of property in divorce proceedings. **REFER FOR INTERIM STUDY.**

Rep. Jodi Nelson for Children and Family Law. The committee believes that the subject deserves more time to research than our bill scheduling allows. As such, we would like to compare NH law to Maine law (as referenced in testimony) and laws in other states. Vote 14-0.

HB 1687-FN, removing the power of courts within the judicial branch family division to issue criminal determinations, judgments, and penalties. **INEXPEDIENT TO LEGISLATE.**

Rep. Jay Markell for Children and Family Law. This bill prohibits family division courts from making criminal determinations, entering criminal judgments, imposing criminal fines or penalties relative to matters within family division jurisdiction as it is defined in RSA 490-D:2. This bill is not needed as family division courts do not presently have subject matter jurisdiction over criminal matters. Vote 13-1.

HB 1757, prohibiting the remedy of alimony for marriages that existed for six years or less. **INEXPEDIENT TO LEGISLATE.**

Rep. Jodi Nelson for Children and Family Law. Creating a law requiring marriages that existed for six years or less to not be eligible for consideration of alimony is not feasible. There are valid reasons why alimony should be considered for shorter term marriages. These include disability or serious health conditions, family violence, career sacrifice, caring for a child with special needs or financial misconduct. As such, the courts, if this bill were to become a law, would not have discretion to make considerations for circumstances such as listed above. Vote 16-0.

HB 1770-FN, relative to the allocation of parental rights and responsibilities and establishing a presumption of equal parenting time. **INEXPEDIENT TO LEGISLATE.**

Rep. Jay Markell for Children and Family Law. This bill would replace the best interest of the child standard with a new standard which seems to constrain a court's ability to consider the factors contained in RSA 461-A:6, which it does not seek to repeal. Fit parents are presumed to be acting in their children's best interest and therefore this bill is not needed. To achieve the ends this bill seeks to achieve, a constitutional amendment would likely be required. Vote 14-0.

HB 1015, requiring disclosure of Japanese knotweed in real property transactions. **INEXPEDIENT TO LEGISLATE.**

Rep. Adam Presa for Commerce and Consumer Affairs. This bill sought to mandate a written disclosure regarding the presence of Japanese Knotweed during a real estate transaction. While we recognize the invasive nature of this species, requiring homeowners to identify a specific plant would create an unreasonable legal liability for people looking to sell their home who may not be able to recognize the plant, especially during the plant's dormant stage. Vote 15-0.

HB 1023, establishing accessory commercial units by right. **INEXPEDIENT TO LEGISLATE.**

Rep. Anita Burroughs for Commerce and Consumer Affairs. This bill permits accessory dwelling units by right in every zoning district statewide and explicitly prohibits municipalities from enacting more restrictive ordinances. This is a broad override of local zoning authority. Towns would lose the ability to determine where neighborhood commercial activity is appropriate, and to make decisions regarding the adequacy of infrastructure and roads. It would also determine if such an accessory unit would be a fit for the character of a neighborhood. Vote 15-0.

HB 1041, relative to permitting motor vehicle manufacturers to operate dealerships in market areas also served by franchise dealers. **INEXPEDIENT TO LEGISLATE.**

Rep. Anita Burroughs for Commerce and Consumer Affairs. This bill repeals the prohibition on motor vehicle manufacturers and distributors directly competing with their own franchised dealers in the same market. Franchise laws exist to balance power between manufacturers and independent dealers, and to prevent manufacturers from using superior market power to undercut their franchisees. This bill would remove that protection entirely, without replacement guardrails. Vote 15-0.

HB 1056, establishing a commission to study the impacts of reinsurance on the cost and availability of property insurance in New Hampshire. **REFER FOR INTERIM STUDY.**

Rep. Carry Spier for Commerce and Consumer Affairs. Reinsurance provides insurance companies with protection against catastrophic losses, including hurricanes, wildfires, pandemics, and litigation — which would otherwise threaten their financial stability. Absent reinsurance, many insurers would be unable to withstand significant events. Reinsurance providers typically conduct business on a global scale and are subject to relatively limited regulation. Two of the largest companies are Swiss RE and Munich RE. In 2025, primary insurers expended approximately \$725 billion worldwide for reinsurance, with 83% of those payments relating to claims within the United States. Prior to 1980, reinsurers determined pricing for catastrophic risk using long-term historical averages. However, after Swiss RE observed an upward trend in weather-related losses, both Swiss RE and Munich RE began adopting risk models incorporating climate trends, recognizing the correlation between rising global temperatures and increased catastrophic events. At present, reinsurance providers identify climate change — and its resulting increase in disaster frequency and severity, predominantly affecting the United States on a cost basis — as the foremost risk facing the sector. In 2026, the industry is tightening contract terms and employing forward-looking climate data, emphasizing the necessity for real-time, property-specific information. Following substantial wildfire and storm losses in 2025, reinsur-

ers are prioritizing the management of extreme volatility, proactive claims monitoring, and innovative risk management approaches in U.S. casualty underwriting. Unlike regional insurers, reinsurers establish rates based on losses at a global or regional level; as such, reinsurance premiums in New Hampshire are influenced by international disasters. Losses are distributed across all policyholders to mitigate disproportionate impacts on any single area. Between 2022 and 2025, reinsurance costs in New Hampshire increased from approximately 12% to 19% of primary insurance premium revenue, with rates projected to remain elevated. Property insurance premiums are expected to rise further in 2026, though potentially at a less accelerated pace than in prior years, due to persistently high construction expenses, increased reinsurance costs, and continued severe weather risk. The ramifications of fires and storms in 2025 will continue to influence rates in the coming year. The committee concluded that additional refinement of the bill is necessary to narrow its scope and provide clearer definitions of its objectives. Vote 15-0.

HB 1073, clarifying when the secretary of state shall complete the registry of New Hampshire decentralized autonomous organizations. **OUGHT TO PASS.**

Rep. John Hunt for Commerce and Consumer Affairs. In 2024, the legislature enacted RSA 301-B, establishing a legal framework for decentralized autonomous organizations (DAOs), which are member-governed entities that operate through blockchain-based smart contracts rather than traditional corporate hierarchies. The prior legislation included a state-administered registry. This bill extends the Secretary of State's deadline to complete the registry to January 1, 2027. The Secretary of State's Corporation Division testified that initial RFPs for the registry did not yield satisfactory proposals, and the office is pursuing an alternative approach through a design sprint with UNH's Interoperability Labs (IOL) and a new RFP to build the necessary filing interface. The committee found the extension reasonable and recommends the bill Ought to Pass. Vote 15-0.

HB 1124, relative to the right to compute. **OUGHT TO PASS.**

Rep. John Hunt for Commerce and Consumer Affairs. This bill establishes the Right to Compute Act as RSA 507-J, codifying a right to privately own and use computational resources for lawful purposes, grounded in existing New Hampshire constitutional protections for property, free expression, and privacy. The bill prohibits government entities from restricting computational resources except where a restriction is demonstrably necessary and narrowly tailored to a compelling government interest, with explicit carve-outs for fraud, critical infrastructure risk management, nuisance abatement arising from physical datacenter infrastructure, and the distribution of deepfakes or harmful synthetic content with actual knowledge of the nature of that material. The act functions as a floor rather than a ceiling, leaving existing consumer protection, fraud enforcement, and commercial licensing frameworks intact while establishing a principled standard against which future technology-related legislation can be evaluated. Supporters testified that the bill provides a necessary limiting principle to prevent overbroad regulation of computing tools and positions New Hampshire as a leader in digital rights. Vote 15-0.

HB 1174-FN, requiring all on-premises and off-premises licensees and state liquor stores to post visible signage warning of the potential health risks associated with alcohol use. **INEXPEDIENT TO LEGISLATE.**

Rep. John Potucek for Commerce and Consumer Affairs. The intent of this bill was to require additional messaging, specifically addressing the increased risk of cancer and birth defects associated with consuming alcoholic beverages, to accompany the surgeon general's warning in all onpremises establishments, offpremises businesses, and state liquor stores in New Hampshire. After review, the committee determined that the messaging already required under existing law (from 2025) adequately informs patrons of the risks related to alcohol consumption. Vote 13-0.

HB 1207-FN, relative to certain laws applicable to state chartered banks, credit unions, trust companies, and other consumer credit entities subject to the authority of the banking department. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John Hunt for Commerce and Consumer Affairs. By request of the Banking Department, this bill is relative to certain laws applicable to state chartered banks, credit unions, trust companies, and other consumer credit entities subject to the authority of the Banking Department. It raises fees for certain banking, credit union, and financial institution registration and operational requirements. It eases restrictions for felons to receive mortgage loan originator licenses under appropriate situations. Vote 14-0.

Amendment (0922h)

Amend the bill by replacing section 2 with the following:

2 Banks and Banking; Loans Associations; Credit Unions; Bank Commissioner; Examination, Annual Fixed Base Fee, and Assessment Costs. Amend RSA 383:11 to read as follows:

383:11 Examination, ***Annual Fixed Base Fee, and Assessment*** Costs.

I. The commissioner shall charge and collect from each entity, the condition and management of which he or she examines under the provisions of RSA 383:9, the actual cost of travel, lodging, meals, and other expenses of examination personnel employed in making examinations under this section plus an examination

fee[~~—~~which]. **The examination fee** shall be calculated as a sum equal to the product of the average daily rate of overall salary costs, including the benefits portion thereof, and expenses of all personnel employed in making examinations under the provisions of RSA 383:9 **over the 2 prior fiscal years**, multiplied by the number of personnel days devoted to the examination of the particular entity, provided, however, that no such entity shall be charged or pay for less than one full day. Sums collected under this section shall be payable to the state treasurer as restricted revenue and credited, in accordance with the department's accounting unit designation, to the appropriation for the commissioner or the consumer credit administration division.

I-a. Notwithstanding paragraph I, the commissioner shall not charge or collect from a New Hampshire state-chartered credit union, trust company, or family trust company the examination fee set forth in paragraph I in connection with a regular examination of such institution under RSA 383:9-d, RSA 383-C:14-1401, or RSA 383-D:11-1101 that commences on or after July 1, 2027. Beginning in the fiscal year that begins on July 1, 2027 and in each fiscal year thereafter, the commissioner shall charge and collect an annual fixed base fee from New Hampshire state-chartered institutions as follows:

(a) From each state-chartered credit union, trust company, or similar entity, except depository banks and family trust companies, an annual fixed base fee in the amount of \$23,000.

(b) From each state-chartered family trust company, an annual fixed base fee in the amount of \$11,000.

I-b. Nothing in paragraph I-a shall prevent the commissioner from charging and collecting from a New Hampshire state-chartered institution:

(a) The actual cost of travel, lodging, meals, and other expenses of examination personnel employed in making any examinations of such institutions, including without limitation regular examinations of such institutions; or

(b) The examination fee as provided in paragraph I in connection with any investigation, visitation, or non-regular examination of such institution.

II. If, after the close of each fiscal year, there remains any deficiency between the sums collected under [paragraph] **paragraphs I and I-a**, combined with the other fees, fines, and penalties collected by the department during the fiscal year just closed, and actual department expenditures for the fiscal year just closed, the commissioner shall make an assessment of the entities as follows:

(a) From banks, credit union, and trust companies. Each state-chartered depository bank, trust company, credit union, or similar entity, except family trust companies, shall be charged and pay such proportion of said balance applicable to the entity under the department's accounting unit designation, as its total assets bear to the total assets of all entities as shown by their reports to the commissioner as of June 30 preceding such charges, except that the percent of the fiduciary assets used in the calculation of the total assets of each entity and all entities shall be determined as follows:

(1) Fiduciary assets up to \$5,000,000,000 shall be calculated at 25 percent;

(2) Fiduciary assets that are between \$5,000,000,001 and \$10,000,000,000, shall be calculated at 20 percent;

(3) Fiduciary assets that are between \$10,000,000,001 and \$15,000,000,000, shall be calculated at 15 percent;

(4) Fiduciary assets that are between \$15,000,000,001 and \$20,000,000,000, shall be calculated at 10 percent;

(5) Fiduciary assets that are between \$20,000,000,001 and \$25,000,000,000, shall be calculated at 5 percent;

(6) Fiduciary assets that are between \$25,000,000,001 and \$50,000,000,000, shall be calculated at 2.5 percent;

(7) Fiduciary assets that are \$50,000,000,001 or more, shall be calculated at one percent.

(8) For purposes of this section, "fiduciary assets" means those assets reported in accordance with RSA 383-A:5-510, except that the term excludes any fiduciary asset that the entity holds, manages, or administers under an agreement with a New Hampshire family trust company.

(b) From family trust companies. Each family trust company shall be charged and pay such proportion of said balance applicable to all banks, credit unions, and trust companies under the department's accounting unit designation, as its total assets bear to the total assets of the entities as shown by their reports to the commissioner as of June 30 preceding such charges, except that the percent of the fiduciary assets used in the calculation of the total assets of each family trust company shall be equal to 5 percent of its fiduciary assets as reported on its report to the commissioner as of June 30 of the year preceding the charges; however, the minimum amount chargeable shall be \$3,000 and the maximum amount chargeable shall be established by the commissioner by rule, but shall not exceed 5 percent of the total assessment for that year.

(c) From consumer credit division entities. Each entity subject to the supervision of the commissioner under the provisions of RSA 361-A, RSA 397-A, RSA 399-A, RSA 399-D, and RSA 399-G, shall be charged and shall pay such proportion of the balance applicable to the consumer credit administration division under the

department's accounting unit designation as the gross revenue received from the total dollar volume of loans made, originated, funded, or brokered, or debt adjustment contracts entered into, or mortgage servicing fees received or money transmitted from each entity's New Hampshire business bears to the total gross revenue received from the total dollar volume of the loans made, originated, funded, or brokered, or debt adjustment contracts entered into, or mortgage servicing fees received, or money transmitted, from New Hampshire business by all entities during the preceding calendar year ending December 31, as shown by their reports to the commissioner.

III. Except for entities supervised under RSA 361-A, RSA 397-A, RSA 399-A, RSA 399-D and RSA 399-G where the individual regulatory chapter specifies a shorter time, payments of the charges provided for by paragraphs I, ***I-a***, and II shall be made within 60 days after the entity's receipt of the notice of the charge.

IV. Any excess collected in any fiscal year under the provisions of this section shall be used to reduce the sum required to be collected in the next succeeding fiscal year.

V. A state chartered institution that is dissolved or converted before the close of a fiscal year, shall be responsible for payment of its pro rata share of the assessment for that fiscal year. ***If the institution that is dissolved or converted is a state-chartered credit union, trust company, or family trust company and the institution has not yet made payment of the annual fixed base fee for that fiscal year, it shall also be responsible for payment of the annual fixed base fee.*** Prior to approving the dissolution or conversion of the institution, the commissioner, in the commissioner's discretion, shall [either]:

(a) Charge and collect payment of the annual fixed base fee set forth in paragraph I-a prior to the approval of the dissolution or conversion, in the case of a state-chartered credit union, trust company, or family trust company; and either:

~~[(a)]~~ (1) Impose requirements to ensure payment of the assessment after the approval of the dissolution or conversion; or

~~[(b)]~~ (2) Collect payment of the assessment as calculated under paragraph II prior to approval of the dissolution, or if the calculation of the assessment is not yet available and the commissioner determines the last assessment imposed as well as the institution's share of the last assessment imposed, is reflective of the institution's obligation for the current fiscal year, the commissioner may instead collect payment of the assessment based on a pro rata portion of the last assessment imposed on the institution.

Amend the bill by replacing section 13 with the following:

13 Banks and Banking; Loan Associations; Credit Unions; Regulatory Approval Procedures; Fee Schedule. Amend RSA 383-A:6-609(a) to read as follows:

383-A:6-609 Fee Schedule.

(a) ~~[The commissioner shall charge a filing fee to each person for services rendered by the department in reviewing a notice or application.]~~ ***Applicants shall pay a fee in connection with the filing of an application or notice.*** Sums collected under this section shall be payable to the state treasurer as restricted revenue and credited, in accordance with the banking division's accounting unit designation, to the appropriation for the commissioner. ~~[Charges for services]~~ ***Fees*** shall be ~~[billed]~~ ***paid*** as follows:

(1) Fee for new state bank or credit union charter: ~~[\$15,000]~~ ***\$30,000***

(2) Fee for domestication of foreign trust company: \$7,500

(3) Fee for charter conversion, combination, acquisition, change in control, share exchange, reorganization, or approval of trust powers: ~~[\$2,500]~~ ***\$7,500***

(4) Fee for the dissolution of a trust company: \$2,000

(5) Fee for a reduction in a depository bank's capital, change in business plan or change in required capital of a trust company, amendment to a state bank's organizational instrument, amendment of a credit union's bylaws, or formation of a subsidiary entity that requires approval of the commissioner: ~~[\$500]~~ ***\$1,000***

(6) Fee for a new branch, loan production office and trust company office: ~~[\$500]~~ ***\$1,000***

(7) Fee for a relocation or termination of a branch, loan production office or trust company office: ~~[\$100]~~ ***\$500***

(8) Fee to issue a certificate of existence: \$50

(9) Fee for a reservation or approval of a name or trade name: ~~[\$50]~~ ***\$500***

(10) Fee for a letter of no objection: \$1,000

Amend the bill by replacing section 29 with the following:

29 Repeals. The following are repealed:

I. RSA 397-A:5, IV-c(a)(4), relative to the requirements to be considered as a mortgage banker, mortgage broker, or to receive mortgage servicer licensing.

II. RSA 399-G:15, II(d), relative to average daily outstanding transmission liability.

III. RSA 383-A:6-609(b), relative to the cost to completing an investigation or examination exceeding the set fee.

2026-0922h
AMENDED ANALYSIS

This bill:

I. Eliminates regular examination fees for New Hampshire state-chartered credit unions, trust companies, and family trust companies and replaces them with an annual fixed base fee.

II. Aligns minimum license requirements in New Hampshire state law with the federal Secure and Fair Enforcement for Mortgage Licensing (SAFE) Act by easing the restriction for applicants with certain prior criminal convictions to qualify for a mortgage loan originator license.

III. Authorizes the bank commissioner to conduct certain communications with consumer credit division license applicants through the nationwide multistate licensing system.

IV. Makes amendments to the state law that governs the licensing, supervision, and examination of money transmitters.

V. Modifies application requirements for financial institution applicants, including raising filing fees for certain types of applications and notices and expanding the definition of a “change of ownership of a trust company.”

VI. Raises the license application and renewal fees for small loan lender, mortgage banker, mortgage servicer, mortgage broker, mortgage loan originator, money transmitter, and debt adjuster licensees.

VII. Makes other technical amendments to the New Hampshire state banking laws.

HB 1208-FN, relative to caller identification requirements for telemarketing calls. **INEXPEDIENT TO LEGISLATE.**

Rep. Keith Ammon for Commerce and Consumer Affairs. This bill would amend RSA 359-E to require telemarketers to display a real, working phone number on caller ID and to prohibit them from displaying numbers that have been disconnected or reassigned. The committee heard testimony acknowledging the problem of misleading caller ID, but the discussion raised serious questions about enforcement, including which agency would be responsible, whether any Attorney General review had been conducted, and the practical difficulty of reaching overseas call centers, contractors, and other parties in the telemarketing chain. Testimony also explored the relationship between this bill and existing federal protections under the Telephone Consumer Protection Act, with some stakeholders suggesting that relevant provisions could be moved into existing state consumer protection statutes and others recommending Refer for Interim Study. The committee further notes that technology-based solutions for call screening and spam blocking are already freely available in app marketplaces, providing consumers with tools to address this problem without the need for additional legislation. Vote 15-0.

HB 1231, requiring health care providers to disclose medical services billed to the patient’s insurance carrier. **REFER FOR INTERIM STUDY.**

Rep. Carry Spier for Commerce and Consumer Affairs. Based on testimony supplied by the NH Hospital Association, patients already receive a document called Explanation of Benefits (EOB) from their insurance carrier. These documents help patients understand how much their health plan covers, and what they will need to pay when they get a bill from their provider. The EOB includes all of the information required by this bill. Additionally, under RSA 151:12-a, hospitals are already required to provide patients with itemized bills upon request which include Current Procedural Terminology (CPT) codes and the amounts billed for each service. In order to comply with the requirements of the bill, healthcare providers and hospitals would have to furnish payment information from insurers within a 15-day window. Commercial payors can take up to 45 days and more to adjudicate a claim, so this presents operational challenges. Also, since not all patients use a healthcare provider portal, statements would have to be mailed out which will add more cost and complexity. The committee feels that work needs to be done with stakeholders to better understand exactly what is not working and to develop an amendment that accurately addresses the identified problem. Vote 15-0.

HB 1262-FN, relative to home heating oil and propane contracts. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Susan Porcelli for Commerce and Consumer Affairs. The purpose of this bill as amended is to add consumer protections for home heating oil and propane contracts, sales, and practices under RSA 339:79. According to the Attorney General, consumer issues related to delivery and contract terms have risen sharply. The bill requires clear terms and conditions for pre-buy contracts, disclosing specific fees, guidelines for storage tank removal and publishing the NH Department of Justice consumer protection hotline. Testimony described the devastating impact to homeowners when a scheduled delivery is not made. The bill also specifies an emergency delivery provision and residential propane terms of service. The assistant attorney general and the Propane Gas Association of New England collaborated to address these critical consumer issues. Vote 14-0.

Amendment (0979h)

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

AN ACT relative to home heating oil and propane contracts and sales.

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

1 Petroleum Sales Contracts. Amend RSA 339:79 to read as follows:

339:79 Requirements for Guaranteed Price Plans, ~~[and] Prepaid Contracts for Petroleum,~~ **and Contracts for Petroleum.**

I. A contract with a consumer that offers a guaranteed price plan, requires prepayment by the consumer, or ~~[similar]~~ **other** contracts shall be in writing and shall disclose the terms and conditions of the plan. A solicitation for such a guaranteed price plan that could become a contract upon response from a consumer shall also be in writing with the terms and conditions, ~~[disclosed in plain language]~~ **including any pre-buy fees or ancillary charges. Any contract shall also include:**

(a) **Dealer contact information for written or electronic communication in the event that a consumer wishes to make a notification to the dealer for discontinuation of the contract; and**

(b) **The contract information for the New Hampshire department of justice consumer protection hotline.**

II. A contract for the retail sale of home heating oil, kerosene, or liquefied petroleum gas to a consumer shall also indicate the total amount of money to be paid by the consumer, the gallons committed by the fuel dealer to be delivered under the contract, the price per gallon, the payment terms, **and disclose all fees, including tank rental fees and other ancillary fees,** the duration of the contract, the remedies enforceable by the dealer against a non-performing consumer, and that the contract is secured as provided in this section, **if applicable.** The information required by this section shall be in plain language and shall be printed in no less than 12-point boldface type of uniform font after the price of service described.

III. A contract that requires prepayment by the consumer shall comply with paragraphs I and II of this section. Such contract also:

(a) Shall not be advertised or solicited by the dealer in any manner to advertise, solicit, or promote the details of prepaid contracts being offered to consumers, nor shall the dealer solicit or promote pre-buy services independent of all the services offered by the dealer, earlier than May 1 or later than October 31 of the year in which the heating fuel season begins. Such contracts may be signed prior to May 1 only at the request of the consumer.

(b) Shall ~~[require dealers to reimburse]~~ **provide the option for consumers to be reimbursed** at the contract price for any undelivered pre-purchased fuel **and any prorated pre-buy fees,** within 30 **calendar** days after the contract ends~~[-, unless the dealer and consumer agree to different terms].~~

(c) Shall include a clear explanation of the means by which the dealer will meet the obligations of the contract for the entire contract period, including supplier agreements, futures contracts, bonding, a line of credit or liquid product inventory.

(d) Shall not falsely claim coverage. Any dealer who falsely claims coverage or fails to maintain coverage until the completion of the contract shall be guilty of a class A misdemeanor, in addition to other penalties as provided in ~~[paragraph VI]~~ **this section.**

IV. No home heating oil, kerosene, or liquefied petroleum gas dealer shall enter into a prepaid contract to provide home heating oil, kerosene, or liquefied petroleum gas to a consumer unless that dealer has, within 7 days of the acceptance of the contract, obtained and maintained any one of the following:

(a) A firm commitment in the form of a futures contract or other commitment that guarantees that the dealer may purchase, at a fixed price, heating oil, kerosene, or liquefied petroleum gas in an amount not less than 75 percent of the maximum number of gallons that the dealer is committed to deliver pursuant to all prepaid contracts entered into by the dealer. The amount of such futures contract may be reduced to reflect any amount of home heating oil, kerosene, or liquefied petroleum gas already delivered to and paid for by the consumer;

(b) A surety bond, made payable to the attorney general, in an amount not less than 50 percent of the total amount of funds paid to the dealer by consumers pursuant to prepaid heating oil, kerosene, or liquefied petroleum gas contracts;

(c) A letter of credit, made payable to the attorney general, from an FDIC-insured institution in an amount that represents 100 percent of the cost to the dealer of the maximum number of gallons that the dealer is committed to deliver pursuant to all prepaid contracts entered into by the dealer. The cost shall be calculated at the time the contracts are entered into; or

(d) A liquid product inventory of home heating oil, kerosene, or liquefied petroleum gas in an amount equal to 75 percent of the outstanding volume in gallons that the dealer is obligated to deliver under the terms of prepaid contracts in force.

V. Paragraph IV of this section shall not apply to budget plans under which consumers pay their yearly heating costs by making equal monthly payments.

V-a. A home heating oil, kerosene, or liquefied petroleum gas dealer who offers prepaid contracts under this section shall register the dealer's intent to offer such contracts with the secretary of state by May 1 of each year. Registration shall be on a form provided by the secretary of state and shall indicate which securitization method or combination of methods listed in paragraph IV are used to secure the contracts.

V-b. A home heating oil, kerosene, or liquefied petroleum gas dealer who offers prepaid contracts under this section shall file an annual report with the secretary of state by December 1 of each year demonstrating how the dealer has satisfied the requirements of this section, including how the prepaid contracts are secured. The report shall be made on a form provided by the secretary of state. The form shall conspicuously bear the warning that making a false statement on the form shall constitute an unfair or deceptive act or practice in violation of RSA 358-A. The report shall be signed by the dealer. If the dealer is a corporation, the report shall be signed by either the president or an officer of the corporation and shall include a list of all of the members of the board of directors of the corporation. The secretary of state may not charge a fee for the form or for filing the report.

VI. If a consumer provides electronic or written notification of discontinuance of the contract to a liquefied petroleum gas dealer, the dealer shall make every reasonable attempt to transfer ownership of the tank to the consumer or another dealer, or within 60 calendar days from the date of notification or as soon as weather and access to the tank allow, shall remove the dealer-owned tank. If a dealer cannot transfer ownership or remove the tank within 60 calendar days, the dealer shall, in writing, inform the consumer of the reasons for the delay and provide regular updates as to when the removal or transfer will be completed. The sale of any tank shall be at the price agreed to in a then pre-existing written contract, or if there is no pre-existing written contract, for the fair market value of a tank in such current condition.

VII. Upon agreement of the dealer and the consumer at any time, or between October 1 and April 30, if the consumer provides a written, electronic, or verbal request for a fuel delivery and, at the time of the request, there are 25 gallons or less of heating fuel in the consumer's tank, the dealer shall either:

(a) Deliver heating fuel within five calendar days of the consumer's request;

(b) Within 24 hours of the request, provide written authorization in compliance with RSA 339-B:15 for another provider to deliver fuel to the consumer's tank; or

(c) Within 24 hours of the request, provide a written denial of the consumer's request for emergency delivery, which includes the number of gallons of fuel in the consumer's tank at the time of the request was made.

VIII. No dealer may charge a rental fee for a heating fuel tank that is owned by another company or the consumer.

IX. Propane dealer refunds shall be handled as follows:

(a) Within 30 calendar days of the date when the dealer or consumer terminates service or is notified by the consumer that the tank has been disconnected, whichever is earlier, the dealer shall refund to the consumer the actual amount paid by the consumer for the most recent delivery for propane remaining in the dealer owned storage tank, less any payments due to the dealer from the consumer. Unless requested by the consumer, a dealer shall not provide a refund in the form of reimbursement or credit to any account with the dealer. No contract shall contain a provision whereby refunds are provided in the form of reimbursement or credit to any account with the dealer.

(b) If the quantity of propane remaining in the dealer owned propane storage tank cannot be determined with certainty, the dealer shall, within the time period set forth in subparagraph (a), refund to the consumer, at the actual price per gallon paid by the consumer for the most recent delivery, for 80 percent of the dealer's best reasonable estimate of the quantity of heating fuel remaining in the tank, less any payments due from the consumer. The dealer shall refund the remainder of the amount due as soon as the quantity of heating fuel left in the tank can be determined with certainty, but no later than 14 calendar days after the removal of the tank or restocking of the tank at the time of reconnection, whichever occurs first.

X. Disclosure of prices, fees and terms of service are as follows:

(a) Dealers shall not charge any fees, charges, surcharges or penalties related to termination of propane service including but not limited to fees to remove the dealer's storage tank from the premises (excluding actual excavation costs), pump out or restock heating fuel from a dealer owned tank, or terminate service, if, regardless of current ownership of the premises:

(1) The heating fuel above ground storage tank has been located on the consumer's premises for 24 months or more; or

(2) The heating fuel underground storage tank has been located on the consumer's premises for 60 months or more.

(b) Dealers shall provide the consumer with the option to purchase the propane storage tank and associated equipment at any time during the term of service at a price agreed to in a pre-existing written contract or if there is no pre-existing written contract, at the fair market value for the tank in such condition.

(c) Prior to the commencement of service, a dealer shall notify the consumer of its terms of service and provide a written disclosure itemizing all fees and their stated duration that are applicable to the consumer based on stated usage and other pertinent information. After establishing

service, a dealer may increase a fee or add a new fee only by providing written notification to the consumer. New or amended fees shall take effect no sooner than 60 days after the dealer mails or delivers the notice to the consumer. The dealer may only charge the consumer fees that are contained in the written disclosure. The information required by this subparagraph shall be in plain language and shall be printed in no less than 12-point boldface type of uniform font.

XI. Failure to comply with *any provision of* this section shall constitute an unfair or deceptive act or practice in violation of RSA 358-A.

2 Regulation of Business Practices for Consumer Protection; Acts Unlawful. Amend RSA 358-A:2, XVI to read as follows:

XVI. Failing to deliver home heating fuel in accordance with a prepaid contract *or an agreement whereby the dealer provides automatic delivery to a consumer.*

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

2026-0979h

AMENDED ANALYSIS

This bill updates requirements for home heating oil, kerosene, and propane dealers, adding contract disclosures, limits on fees, prepaid-contract protections, delivery obligations, tank-removal rules, propane refund requirements, and treating violations as unfair or deceptive acts.

HB 1265, prohibiting the construction of data centers in the state and establishing a committee to study the environmental impact of data centers. **INEXPEDIENT TO LEGISLATE.**

Rep. Keith Ammon for Commerce and Consumer Affairs. This bill would stop all new data center construction in New Hampshire for one year and create a small legislative committee to study how data centers affect the environment. The committee heard testimony raising concerns about water consumption, energy demand, noise, wetlands disruption, and emissions, while business groups and small data center stakeholders testified in opposition, warning that a blanket ban could deter investment and that ongoing improvements in technology and operations can address environmental impacts without halting construction. Discussion also touched on whether the study committee should include the Department of Environmental Services, the Public Utilities Commission, or industry representatives, and whether targeted guardrails would be more effective than a moratorium. Beyond the testimony, the committee recognizes that computed intelligence is the foundation of the new digital economy, and that banning the infrastructure that supports it would be a disservice to our constituents by shutting New Hampshire out of the high-paying jobs, tax revenue, and economic growth this industry brings. Vote 15-0.

HB 1281, establishing standards for the training of comfort dogs. **REFER FOR INTERIM STUDY.**

Rep. John Hunt for Commerce and Consumer Affairs. This bill defines facility comfort dogs and requires training for facility comfort dogs to be certified as such. The bill was intended to regulate state and local agencies if they have dogs to provide comfort. The committee felt the bill had a lot of issues and decided it needed a lot of work. The committee is also aware that the Senate also has a version, so the committee hopes that the Senate version addresses the problems. Vote 15-0.

HB 1339, prohibiting the discrimination against cash buyers in business transactions. **INEXPEDIENT TO LEGISLATE.**

Rep. John Hunt for Commerce and Consumer Affairs. Since COVID, many businesses for various reasons have chosen to go cashless. Other states have enacted similar legislation, but the exemptions were numerous and inconsistent. The Commerce and Consumer Affairs Committee wants to support small businesses who have made the decision to go cashless for whatever reason, knowing full well that they may lose a customer. Vote 14-0.

HB 1347, relative to health care provider networks and referrals. **REFER FOR INTERIM STUDY.**

Rep. Carry Spier for Commerce and Consumer Affairs. This bill would essentially require that if a specialist and a primary care physician (PCP) are both in-network with a patient's insurance, a health system should not deny the patient access to the specialist merely because their PCP is not employed by that system. Large health systems – which are comprised of medical groups and hospitals – are increasingly restricting access to specialty PCPs. The bill as amended allows for no exceptions. A \$100,000 fine is imposed for each violation. Speaking against the bill the NH Hospital Association pointed out that referrals to a specialist can be rejected for a number of reasons, for example: (a) the provider (specialist) does not feel their expertise would address the patient's needs, (b) the provider feels unsafe treating a patient, (c) the provider is not taking on new patients (scheduling issues). Mandating providers to accept referrals from anywhere would add to existing long delays for patients, especially for new patients. The NH Association of Counties pointed out that nursing homes would have to accept new patients even if the resident requires specialized dementia placement and that secure unit is full, or if the individual's medical or behavioral needs exceed what the facility can safely handle. The prime sponsor acknowledges that there are problems with the bill and would like to take the time to make changes considering the comments presented at the hearing. Vote 13-0.

HB 1353, relative to discounted motor vehicle insurance premiums for voluntary safety inspections. **INEXPEDIENT TO LEGISLATE.**

Rep. Chris McAleer for Commerce and Consumer Affairs. The main reason the Commerce and Consumer Affairs Committee recommends Inexpedient to Legislate on this bill is that the question of auto inspections is still up in the air at the judicial level and the final outcome should be determined before a bill is passed that could be irrelevant. Vote 14-0.

HB 1406, prohibiting health carriers from using artificial intelligence to change the clinical judgment of a provider. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Carry Spier for Commerce and Consumer Affairs. As amended this bill will require that health carriers maintain written records that detail if and how artificial intelligence or other machine based systems are used. If such systems are provided by a third party, the Insurance Department shall hold the health carrier responsible for monitoring the activities of that outside party. Carriers must also provide protocols ensuring qualified human review of determinations affecting provider coding decisions and maintain records of how they achieved adverse determinations. The NAIC (National Association of Insurance Commissioners) developed a bulletin regarding the use of artificial intelligence by insurance companies. The New Hampshire Insurance Department particularized this bulletin for our state. This bill adds requirements that further particularize the use of artificial intelligence by health insurance providers. The bill was developed in consultation with the Insurance Department who supported the final version. Two of the larger health carriers in New Hampshire indicated that while they use artificial intelligence as a tool, it has never been used to change codes or reject claims. However, there are a growing number of national lawsuits claiming AI is being used to rubber stamp denials, override physician recommendations, cause high rejection rates that are overturned on appeal, prioritize profit over care. The tools provided by this bill will help give the Insurance Department access to the information they need to stop any of these predatory actions from occurring in our state. Vote 14-0.

Amendment (0986h)

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

AN ACT relative to health carrier recordkeeping requirements in utilization review, including specifications regarding the use of artificial intelligence.

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

1 New Subparagraph; Managed Care Law; Utilization Review; Standards and Procedures for Use of Artificial Intelligence. Amend RSA 420-J:6, I by inserting after subparagraph (d) the following new subparagraph:

(e) Each health carrier shall maintain written records related to the health carrier's use of algorithms, artificial intelligence, or other machine based systems, including but not limited to:

- (1) Which functions artificial intelligence is used for; and
- (2) Protocols ensuring qualified human review of determinations affecting provider coding decisions.

2 New Paragraph; Managed Care Law; Utilization Review; Adverse Determinations; Contracting Liability. Amend RSA 420-J:6 by inserting after paragraph XI the following new paragraphs:

XII. Adverse Determinations.

(a) All adverse determinations, including payment reductions and down coding, must be made by a qualified health care provider.

(b) The health carrier must provide written notice of the adverse determination to the covered person and the covered person's health care provider detailing the reason for the decision.

(c) The health carrier shall maintain records including, but not limited to the following:

- (1) The information submitted to the health carrier;
- (2) The information reviewed by the qualified health care provider;
- (3) Applicable clinical guidelines;
- (4) Whether artificial intelligence was used to assist the reviewer; and
- (5) The clinical rationale for the decision.

XIII. Whenever a health carrier contracts to have another entity perform any functions, including use of artificial intelligence systems developed by another entity, related to utilization review, the commissioner shall hold the health carrier responsible for monitoring the activities of the entity with which it contracts and for ensuring that the requirements of this section and applicable rules are met.

3 Effective Date. This act shall take effect January 1, 2027.

2026-0986h
AMENDED ANALYSIS

This bill:

I. Requires health carriers under the managed care law to maintain written records relative to their use of artificial intelligence and protocols for ensuring human review of certain determinations.

II. Requires health carriers to make any adverse determinations relative to a covered individual and maintain records related to an adverse determination including whether artificial intelligence was used.

III. Establishes health carriers as responsible for the activities of entities which they have contracted with, relative to such requirements.

HB 1486, prohibiting insurance companies from considering the driving record of household members not covered by the motor vehicle insurance policy when establishing policy premiums. **INEXPEDIENT TO LEGISLATE.**

Rep. John Hunt for Commerce and Consumer Affairs. This bill as introduced prohibits insurers from penalizing an insured driver due to a spouse's DWI conviction or license status unless that person is a listed driver. The sponsor valiantly worked with the Insurance Department to amend the bill to mandate insurance companies to tell customers that they do not write policies for households that have drivers who have negative driving records. As it turns out, some auto insurance companies refuse to write policies for anyone who has in their households anyone with a negative driving record. There are plenty of other insurance companies that do not have this refusal, so mandating that insurance company to tell a customer to shop some where else seem inappropriate. Vote 14-0.

HB 1491, relative to pooled risk management programs. **OUGHT TO PASS.**

Rep. John Hunt for Commerce and Consumer Affairs. This legislation is the exact bill that passed unanimously out of the Commerce and Consumer Affairs Committee last year but the Senate refused to concur without a committee of conference. In the meantime, several schools and municipalities have been hit with a huge back billing due to the current law. Vote 14-0.

HB 1502, governing special bank and credit union deposits. **OUGHT TO PASS.**

Rep. John Hunt for Commerce and Consumer Affairs. This is a Uniform Commercial Law bill that is being implemented by all states. It regulates deposits held at banks and credit unions that are used for a specific, contingent purpose on behalf of a beneficiary. Vote 14-0.

HB 1504-FN, prohibiting retailers from engaging in price gouging on certain necessary products and services. **INEXPEDIENT TO LEGISLATE.**

Rep. Anita Burroughs for Commerce and Consumer Affairs. This bill attempts to create a broad, emergency-triggered price-gouging prohibition that applies across the entire supply chain. In doing so, it goes well beyond typical consumer-protection models and risks market distortion, litigation, and enforcement chaos, especially in New Hampshire's small-business retail economy. There are no limits to the list, no exclusions, and no regulatory guidance. Businesses won't know what pricing is lawful until after enforcement. The prohibition would apply to manufacturers, suppliers, wholesalers, distributors and to the retail seller. Many of these companies have no control over retail pricing. Vote 14-0.

HB 1532, relative to the maximum temperature for vape heating coils and other required safety measures. **INEXPEDIENT TO LEGISLATE.**

Rep. Lilli Walsh for Commerce and Consumer Affairs. This bill requires the Department of Health and Human Services to make rules defining the maximum temperature for vape heating coils and other required safety measures. The committee recognizes the importance of consumer safety; however, the regulation of product design and manufacturing standards for vaping devices is more appropriately addressed at the federal level to ensure uniformity, technical consistency, and effective enforcement across state lines. Fragmented state-by-state regulation risks creating conflicting standards that may be difficult to implement and comply with. Accordingly, the committee recommends this bill be found inexpedient to legislate. Vote 15-0.

HB 1538, preventing vape products from being marketed towards minors. **REFER FOR INTERIM STUDY.**

Rep. Chris McAleer for Commerce and Consumer Affairs. The bill prohibits branding, labeling or otherwise promoting the sale of vape products in a manner that might mimic other products like food, candy, school products or other items targeting children. In addition, vape products that include video games would not be permitted. The committee fully supports the intent of the bill but feels work is needed to more clearly define the type and scope of marketing that clearly focused on minors. Vote 15-0.

HB 1582-FN, prohibiting the use of credit information in underwriting and rating personal automobile and homeowners insurance policies and prohibiting certain surveillance practices by insurers. **INEXPEDIENT TO LEGISLATE.**

Rep. Chris McAleer for Commerce and Consumer Affairs. The Commerce and Consumer Affairs Committee unanimously agreed these practices were wholly consistent with the insurer's need to rate their prospective policy holder's ability to pay for the coverage as well as assess the respective dollar value of the property to be covered such that the policy limits reflect the actual property value not an excessive value. Vote 13-0.

HB 1614-FN, restricting the use of coal tar-based sealant products containing levels of polycyclic aromatic hydrocarbons. **REFER FOR INTERIM STUDY.**

Rep. Jared Sullivan for Commerce and Consumer Affairs. The committee has voted to recommend this bill be Referred for Interim Study so that we can take more time to fully understand the issue and examine potential alternatives to coal tar sealants. While additional information is needed before moving forward with

legislation, there is clear evidence that these products contain substances that are harmful to our waterways and aquatic ecosystems. Polycyclic aromatic hydrocarbons found in coal tar sealants are known contaminants that can persist in the environment and pose risks to water quality. During the interim, we will work with experts, stakeholders, and industry representatives to better understand the impacts and evaluate possible alternatives. Protecting New Hampshire's waterways is an important priority, and it is appropriate that we continue studying how best to address these toxic substances. Vote 15-0.

HB 1630-FN, prohibiting the sale of nitrous oxide and certain inhalants for recreational purposes. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Anita Burroughs for Commerce and Consumer Affairs. Nitrous oxide, when used for recreational purposes, can have serious repercussions. This is particularly true for the largest demographic of recreational nitrous oxide, young people ages 14-22. Many children see this as a legal way to get high, without the understanding that nitrous oxide use can cause long term brain damage, and significant behavioral changes, since these products are readily available in smoke shops and gas stations, and many of these products are specifically marketed to appeal to young people. There are also concerns about the safety of roadways when individuals are using nitrous oxide. The committee decided that instead of banning nitrous oxide that those nitrous oxide products being sold for recreational use can be controlled by Liquor Commission enforcement, for those retail outlets who have obtained a beer or cigarette license. Vote 13-0.

Amendment (0867h)

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

1 Premise Restrictions; Unlawful Purposes. RSA 179:50 is repealed and reenacted to read as follows:

179:50 Unlawful Purpose.

I. No licensee shall use, or allow to be used, his or her premises for any purpose contrary to law.

II. All licensees shall comply with the provisions of RSA 644:5-a, relative to inhaling toxic vapors for effect.

III. A licensee shall not sell, distribute, furnish, or offer for sale any nitrous oxide device, canister, cartridge, or receptacle containing nitrous oxide. This paragraph shall not apply to the sale of nitrous oxide contained in food products for use as a propellant.

IV. Whether a violation of paragraph II or III occurred, and the penalty for such violation, shall be determined by the commission in accordance with rules adopted under RSA 541-A. However, a second offense under paragraph II shall result in revocation of the license.

2 Effective Date. This act shall take effect January 1, 2027.

2026-0867h

AMENDED ANALYSIS

This bill prohibits licensees from using their premises for illegal purposes, requires compliance with laws on inhaling toxic vapors, and bans selling nitrous oxide devices, with violations subject to enforcement by the liquor commission and repeat offenses leading to license revocation.

HB 1638-FN, creating a bypass mechanism for health insurer step therapy protocols when medically necessary. **REFER FOR INTERIM STUDY.**

Rep. Julie Miles for Commerce and Consumer Affairs. The committee received testimony from patients, clinicians, insurers, and other interested parties regarding the use of step therapy protocols in health coverage. Members heard concerns about treatment delays and administrative barriers, as well as testimony outlining the role of step therapy in managing overall healthcare costs. The committee agrees this is a significant and evolving policy area involving patient access, clinical standards, fiscal considerations, and regulatory authority. Additional data and stakeholder input are necessary to fully evaluate the potential impact of proposed changes. By unanimous bipartisan vote, the committee recommends Refer for Interim Study to allow for continued review and thoughtful consideration of this important issue before further legislative action. Vote 15-0.

HB 1650-FN, relative to an age-appropriate design code. **INEXPEDIENT TO LEGISLATE.**

Rep. Anita Burroughs for Commerce and Consumer Affairs. This bill regulates online platforms reasonably likely to be accessed by minors and requires age assurance to determine whether users are minors. It mandates the highest privacy defaults for minors on social media. The bill regulates how content is organized and recommended, implicating First Amendment protections. The committee believes the bill invites costly, losing lawsuits. Vote 13-0.

HB 1656-FN, relative to insurance coverage for pelvic health therapy. **INEXPEDIENT TO LEGISLATE.**

Rep. John Hunt for Commerce and Consumer Affairs. This bill requires insurers to offer pelvic health insurance coverage and requires insurers to report on data regarding pelvic health treatment and care. Finally the bill also requires the Insurance Department to publish an annual report relative to insurer data concerning pelvic health insurance coverage. The Insurance Department notes that the Affordable Care Act requires states to defray mandate costs in the individual and small group qualified health plan markets and an actuarial

mandate study would be required to determine a more precise impact. There may also be initial administrative and implementation costs for carriers. Ultimately counties and municipalities and small business who purchase health insurance will have increased premium costs. Vote 15-0.

HB 1658-FN, relative to parental consent and age verification for digital application platforms. **INEXPEDIENT TO LEGISLATE.**

Rep. Carry Spier for Commerce and Consumer Affairs. This bill requires that when a minor tries to load an app, either the individual app or the app store verify age of the user and if under 18, parental consent. During the hearing, one of the speakers indicated that the phone company keeps the age of the user assigned to a line and that information is accessible to the app store. A “test” was performed during which a committee member tried to add a line to their family plan. At no point did the phone company ask the age or the name of the person assigned to the line. Basically, they just assigned the line to the designated primary holder. However, there are apps with parental controls that can be installed on the phone that limit screen time. While the bill is well intentioned it poses a number of issues. This bill is based on a Utah law that has not yet gone into effect. So, the consequences and costs are not yet known. However, in both Texas and Louisiana similar laws have been shot down as against free speech. The bill places significant new obligations on application developers by requiring them to create an experience tailored to minors. While public discussion often centers on large app store operators, the bill would affect thousands of developers, many of them small businesses, that lack the resources to absorb complex compliance burdens. The interaction between age signals, design requirements, and accounts with adult primary users remains unclear and would be difficult to implement consistently or to enforce. There are no situations listed in the bill that list the responsibility of the parents with respect to their child’s actions. The Attorney General’s office was not specifically against the bill; however, the bill did not give them the ability to write rules in order to enforce the requirements or allocate the additional budget they would need to carry out the enforcement. The bill also lacks a right to cure, and by classifying violations as deceptive acts, it effectively exposes developers to private litigation under the NH Consumer Protection Act. The whole system, expensive to implement as it is, is based on a minor’s honest answers, something that is not ensured. If the purpose of the bill is to limit access to porn, it needs to be pointed out that porn is available on the internet without the need of an app. Vote 13-0.

HB 1744-FN, relative to oversight and reporting requirements for health insurance carriers regarding mental health coverage. **INEXPEDIENT TO LEGISLATE.**

Rep. John Hunt for Commerce and Consumer Affairs. This bill establishes reporting requirements for health insurance carriers regarding mental health and substance use disorder coverage. The bill directs the Insurance Commissioner to review reports annually to ensure compliance with state and federal requirements. The bill directs the Commissioner of the Department of Health and Human Services to compile similar information regarding mental health and substance use disorder coverage under the state Medicaid program. Many elements of this bill are already implemented and this bill would not only be redundant but the committee believes inappropriate since the Insurance Department does not regulate the state Medicaid Program. Vote 13-0.

HB 1765-FN, enabling wine and beverage manufacturers to offer tastings of and sell products of certain New Hampshire wine and beverage manufacturers. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John Hunt for Commerce and Consumer Affairs. This bill enables wine and small beverage manufacturers to offer tastings of other New Hampshire wine and small beverage manufacturers’ products. Wineries and small beverage manufactures would be able to offer other New Hampshire-only wines and beverages without having to get another license. Vote 13-0.

Amendment (0473h)

Amend the bill by replacing sections 1 and 2 with the following:

1 New Paragraph; Liquor Licenses and Fees; Wine Manufacturer License. Amend RSA 178:8 by inserting after paragraph XII the following new paragraph:

XIII. For an additional annual fee of \$120, any wine manufacturer licensee with sales of under 1,000 cases per licensing year may purchase products from a beverage manufacturer licensed under RSA 178:12, or another wine manufacturer licensed under this section, for the purpose of sampling or selling its products at the licensee’s premises. Wine manufacturer licensees operating pursuant to this paragraph shall be subject to the following limitations:

(a) On-premises samples may be sold or given away.

(b) Sample sizes shall be limited to the provisions of RSA 178:12, II-a for beverages, and paragraph III of this section for wine.

(c) Off-premises retail sales made at the beverage manufacturer’s facility or another wine manufacturer’s facility shall be limited to products in their unopened original containers and to customers and persons of legal drinking age.

(d) All sales and sampling activities must occur during the licensee’s normal business hours.

2 Liquor Licenses and Fees; Beverage Manufacturer License. RSA 178:12, XIV is repealed and reenacted to read as follows:

XIV. For an additional annual fee of \$120, any beverage manufacturer licensee with production of under 2,500 barrels per licensing year may purchase products from any wine manufacturer licensed under RSA 178:8, or from any beverage manufacturer licensed under RSA 178:12, regardless of such manufacturer's production volume for the purpose of sampling or selling such products at the licensee's premises. Beverage manufacturer licensees operating under this paragraph shall be subject to the following limitations:

(a) On-premises samples may be sold or given away.

(b) Sample sizes shall be limited to the provisions of paragraph II-a of this section for beverages, and RSA 178:8, III for wine.

(c) Off-premises retail sales made at the wine manufacturer's facility or another beverage manufacturer's facility shall be limited to products in their unopened original containers and to customers and persons of legal drinking age.

(d) All sales and sampling activities must occur during the licensee's normal business hours.

HB 1813-FN, relative to changes to health carrier contracts with providers. **REFER FOR INTERIM STUDY.** Rep. Julie Miles for Commerce and Consumer Affairs. The members of the committee recognize that provider contracts are a foundational part of how healthcare is delivered and administered, and that changes to those agreements can affect reimbursement, administrative workflow, and the ability of providers to plan and deliver patient care. This bill proposes requirements related to notice of supplemental materials, limits the frequency of those changes, and requires disclosure of the financial impact of significant modifications. This bill would not change the underlying contract. While the committee agrees that greater transparency and predictability would benefit providers and the patients they serve, testimony indicated that the operational and contractual implications of these provisions require further evaluation. Because health carrier contracts involve complex administrative processes and established regulatory frameworks, the committee determined that additional time would allow stakeholders, including providers, carriers, and regulators, to review how these requirements would function in practice and whether adjustments may be needed to ensure they improve workflow without creating unintended administrative burdens. Vote 14-0.

HB 1100-FN, establishing an exception to the prohibition against interception and disclosure of telecommunication or oral communications. **OUGHT TO PASS.**

Rep. Buzz Scherr for Criminal Justice and Public Safety. This bill is a common sense addition to the telecommunications statute. When one is told at the beginning of a phone call that the call will be recorded, this bill allows the caller to also record the call. Vote 13-0.

HB 1173, relative to post-secondary education opportunities for inmates. **OUGHT TO PASS.**

Rep. Buzz Scherr for Criminal Justice and Public Safety. This bill adopts the practice currently in place for allowing prisoners to go on work release for those prisoners seeking to go on post-secondary education release. The same strict vetting process will apply and the process will not increase the cost to the department of corrections. Vote 12-0.

HB 1216, relative to informed consent for law enforcement searches of houses or other property. **OUGHT TO PASS.**

Rep. Buzz Scherr for Criminal Justice and Public Safety. This bill implements the same process the police now use to obtain consent from one to search their car to the process of obtaining consent to search a person's real property. As with consensual car searches, consensual real property searches would be obtained by either signing a written form or agreeing orally on camera acknowledging the individual's awareness of their right to refuse and waiving that right. Vote 12-1.

HB 1522-FN, relative to amending and adding definitions related to the protection of persons from domestic violence. **OUGHT TO PASS.**

Rep. Alissandra Murray for Criminal Justice and Public Safety. This bill adds "coercive control" to New Hampshire's domestic violence statute, recognizing that domestic violence is often a pattern of behavior that includes threatening, humiliating, or intimidating actions designed to isolate a person and restrict their freedom. Many survivors experience coercive control, and this change clarifies state law to better reflect that reality. The bill also adds the crime of nonconsensual dissemination of private sexual images to the statute. This is an egregious abuse that perpetrators frequently use to harass, intimidate, threaten, or coerce victims. Examples of this are an abuser controlling a victim's access to heat, food, hygiene, transportation, internet and phone access, essentially isolating the victim. The harm caused by this conduct can be profound and long-lasting, with serious impacts on a victim's safety, reputation, and economic well-being. Vote 13-0.

HB 1537-LOCAL, relative to the use of high resolution cameras to identify school bus stop light violators. **OUGHT TO PASS.**

Rep. Alissandra Murray for Criminal Justice and Public Safety. This bill enables local school districts to install high-resolution cameras on school bus stop arms to identify and hold accountable drivers whose reckless behavior endangers children. Participation in the program is entirely voluntary, and municipalities would fund the cameras locally. Therefore, this legislation has no fiscal impact on the state. Vote 12-0.

HB 1637, relative to the scheduling of hearings on certain motions to modify or revoke bail. **OUGHT TO PASS.** Rep. Buzz Scherr for Criminal Justice and Public Safety. This bill implements a critical, common-sense time line for our court system when dealing with some of the most volatile and potentially dangerous situations: motions to modify or revoke bail in domestic violence, stalking, and harassment cases. Currently, when the state or the defense files a motion to change or revoke the conditions of release in these specific cases, the statute only dictates that the motion be determined “promptly.” This administrative ambiguity can leave victims in a dangerous state of limbo, as court dockets fill up and hearings are delayed. This bill corrects this by explicitly requiring that a hearing be scheduled within 72 hours of the motion being filed, excluding weekends and state or federal holidays. The committee unanimously agreed that cases involving domestic violence and stalking carry a high risk of retaliation or escalation. Therefore, any changes to a defendant’s bail conditions or release status must be addressed by a judge immediately, rather than languishing in the system. By enacting this strict 72 hour rule, we are ensuring that the judicial system acts swiftly to prioritize public safety, protect victims, and guarantee timely due process. Vote 13-0.

HB 1670-FN, relative to organized retail crime. **REFER FOR INTERIM STUDY.**

Rep. Terry Roy for Criminal Justice and Public Safety. While every member of this committee recognizes the severe economic impact of organized retail crime on New Hampshire businesses, the consensus is that this specific legislation as written might create more legal problems than it solves. This bill seeks to establish a brand new, standalone criminal offense for “organized retail crime” and introduces new statutory definitions such as acting as a “kingpin” or leader of a retail crime enterprise. However, after hearing testimony from legal and law enforcement professionals, the committee found that these new classifications are entirely redundant. Under current New Hampshire law, RSA 637, prosecutors already have the authority to aggregate the value of stolen goods over a 180-day period. This allows the state to easily elevate a series of minor shoplifting incidents into serious felony theft charges without the need for a new statute. Furthermore, introducing terms like “kingpin” into theft statutes sounds tough on paper, but in the courtroom, it creates a massive new burden of proof for the state. To secure a conviction under this bill, prosecutors would have to prove not just theft, but the complex hierarchy and organizational structure of the thieves. This gives defense attorneys new loopholes to exploit. The committee unanimously agreed that the most effective way to combat organized retail crime is to enforce our existing, robust theft and conspiracy laws as well as perhaps giving law enforcement greater ability to work with regional partners and examining bail for people caught shoplifting from other states. We must also examine the reluctance of retailers to prosecute these crimes. Vote 11-0.

HB 1699-FN, enabling the carriage of certain firearms on slow-moving boats. **INEXPEDIENT TO LEGISLATE.**

Rep. Terry Roy for Criminal Justice and Public Safety. The committee finds that amending RSA 207:7 to allow loaded rifles, shotguns, muzzleloaders, and crossbows on mechanically powered boats introduces severe and unnecessary risks to waterway safety. Operating a vessel creates an inherently unstable platform, drastically increasing the likelihood of an accidental discharge. To understand the gravity of this risk, consider Lake Winnepesaukee on a busy summer weekend, packed with thousands of recreational boaters, kayakers, and paddleboarders across its nine-mile width. If an individual loses their footing on a rocking deck and accidentally discharges a standard 5.56mm centerfire rifle, the public safety implications are catastrophic. A 5.56mm round leaves the muzzle at roughly 3,000 feet per second and has a maximum travel distance exceeding two miles. Importantly, this round retains more than enough kinetic energy to cause a fatal injury at distances well beyond 1,000 yards. Furthermore, if fired at a shallow downward angle, the bullet will not simply sink; it is highly likely to skip and ricochet off the water’s surface. This ricochet effect alters the bullet’s trajectory while maintaining lethal velocity, sending it unpredictably across a crowded waterway where it could strike an unsuspecting boater over a mile away. The New Hampshire Fish and Game Commission vigorously opposed this measure, highlighting the practical impossibility for conservation officers to enforce a subjective “slow-moving” speed exception in the field. The current law provides a vital, bright-line safety standard that protects the boating public and ensures our law enforcement officers can enforce the law effectively, and the proposed exceptions in this bill would needlessly compromise that established safety. Vote 12-0.

HB 1805-FN, relative to physical fitness performance requirements for certified law enforcement officers. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Terry Roy for Criminal Justice and Public Safety. New Hampshire is currently facing an unprecedented recruitment and retention crisis within our law enforcement agencies. We are losing far too many experienced, veteran officers to early retirement or to neighboring states because of rigid, one-size-fits-all physical fitness testing mandates. While physical readiness is undeniably important for law enforcement, a rigid statewide standard often fails to account for the invaluable institutional knowledge, investigative expertise, and community relationships possessed by our veteran officers. A seasoned detective or a patrol officer with twenty years of experience should not be forced off the job because of a minor physical limitation that does not impede their core duties, especially when we are struggling to fill empty cruisers. The amendment to the bill provides a much-needed, common-sense solution: it returns the decision-making power to the local level. By allowing local

police chiefs and county sheriffs to determine the physical fitness testing requirements for their own departments, subject to the final approval of the New Hampshire Police Standards and Training Council (PSTC), we are empowering local agencies to build and retain the workforce they actually need. This ensures that statewide standards remain high through PSTC oversight, while giving local departments the flexibility to retain their most experienced officers rather than watching them take their talents across state lines. Vote 13-0.

Amendment (0658h)

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

1 Police Standards and Training Council; Education and Training Required. Amend RSA 106-L:6 to read as follows:

106-L:6 Education and Training Required.

I. The council shall provide by rule that after one year from the effective date of the rule no person shall be appointed as a police officer, state corrections officer, or state probation-parole officer, except on a temporary or probationary basis, unless such person has satisfactorily completed a preparatory program of police, corrections, or probation-parole training appropriate to such person's position at a school approved by the council. No such officer who lacks the educational and training qualifications required by this section may have the temporary or probationary employment extended beyond ~~[2-years]~~ **1 year; however, the council, upon a finding of good cause, may grant an extension not to exceed an additional 6 months.**

II. Every elected police officer shall be required to satisfactorily complete a preparatory program of police training at a school approved by the council. Any elected officer who has not complied with the educational and training requirements of this paragraph within 6 months after election shall be removed from office by the governing body of the governmental unit by which such officer was elected; provided, however, that the council may, for such reasons as it may specify in its rules, grant an extension of this time limit not to exceed an additional 6 months. A governing body which has removed an elected police officer from office under the provisions of this paragraph shall appoint a police officer to fill the vacant office. The appointed police officer shall continue to hold office until the elected officer who was removed has complied with the educational and training requirements of this paragraph or until an election is held, whichever occurs first. If any police officer who has failed to comply with the educational and training requirements of this paragraph is reelected, such officer shall not take office without permission of the council. If a noncomplying police officer who has not obtained the permission of the council to take office is reelected, the governing body of the governmental unit by which such officer was elected shall appoint a police officer to fill the vacant office. The appointed police officer shall continue to hold office until the elected officer has complied with the educational and training requirements of this paragraph or until an election is held, whichever occurs first.

III. The council, by rules adopted under RSA 541-A, shall establish the standards for physical and mental fitness under paragraphs ~~[IV-XI]~~ **IV through XVIII** and shall fix other qualifications for the appointment of police officers, state corrections officers, and probation-parole officers, including minimum age, physical and mental standards, citizenship, good moral character, experience, and other such matters ~~[as relate]~~ **related** to the competence and reliability of persons to assume and discharge the responsibilities of their offices. The council shall prescribe the means for presenting evidence of the fulfillment of these requirements.

IV. The council shall require that all uncertified ~~[part-time and full-time]~~ police officers, state corrections officers, and probation-parole officers, prior to assuming their duties, successfully pass a medical examination including a drug screening administered under the direction of a licensed physician according to protocols adopted by the council. Such examination, when conducted, shall be valid for a period of one year for purposes of application for employment.

V. The council shall require that all uncertified ~~[part-time and full-time]~~ police officers, state corrections officers, and probation-parole officers, as a condition of admission to a basic or reciprocal certification training program successfully pass a physical fitness performance test administered according to standards adopted by the council.

VI. The council shall require that all uncertified ~~[part-time and full-time]~~ police officers, state corrections officers, and probation-parole officers, prior to assuming their duties, successfully pass a psychological screening test battery administered under the direction of a licensed psychologist or psychiatrist according to protocols adopted by the council and designed to detect behavioral traits that could adversely affect the person's ability to perform the essential functions of a law enforcement officer. Such an examination shall be valid for a period of one year from the date of administration for purposes of application for such employment.

VII. Beginning January 1, ~~[2001]~~ **2027**, the police standards and training council shall require that all certified police officers, state corrections officers, and probation-parole officers, hired after that date, as a condition of continued certification and employment furnish the council every 3 years with a certificate from a licensed physician, physician associate, or registered nurse practitioner who has conducted a medical examination of the officer according to protocols adopted by the council, certifying that in the opinion of the examiner the officer is physically capable of ~~[participating in the council's physical fitness test]~~ **performing the essential physical functions of a law enforcement officer as defined by the council.**

VIII. Any officer who is unable to meet the medical requirements of paragraph VII may request an additional medical examination by a physician chosen by the council. If the officer is still unable to meet the standards, such officer's certification ~~[shall be placed in a probationary status for a period of up to 2 years; during which time the officer may request re-examination at any time. If following the 2-year period the officer is still unable to meet the standards, the officer's certification]~~ shall be suspended until such time as such officer obtains the medical certification required in paragraph VII.

IX. ~~[Beginning January 1, 2001, the police standards and training council shall require that all certified police officers, state corrections officers, and probation-parole officers, hired after that date, as a condition of continued certification and employment every 3 years pass a physical fitness performance test administered by the hiring authority or the council, according to protocols adopted by the council.]~~

X. Any officer who is unable to meet the physical fitness performance requirements of paragraph IX may request an additional physical fitness performance test administered by the council. If the officer is still unable to meet the standards, such officer's certification shall be placed in a probationary status for a period of up to 2 years, during which time the officer may request re-examination at any time. If, following the 2-year period, the officer is still unable to meet the standards, the officer's certification shall be suspended until such time as such officer is able to pass the physical performance test.

XI. In any case where the council has reasonable grounds to doubt that the medical examination performed as required in paragraph VII was performed in accordance with the appropriate protocols, the council may require the officer to submit to a separate examination by a physician selected by the council, at the council's expense.

XII. A licensed physician, psychiatrist, psychologist, or person acting under the licensee's supervision, whose examination administered under this chapter results in an employment decision adverse to a police, corrections, or probation-parole officer shall be immune from suit resulting from such examination or decision, providing such examination is conducted in good faith, not in a wanton or reckless manner.

XIII. To the extent required to comply with federal or state law, the council may grant a waiver, with respect to employment at a specific agency, to an officer who cannot meet the standards in paragraphs VII and VIII.

XIV. Nothing in this section shall prevent individual hiring agencies from adopting physical fitness programs *or physical performance standards* for their officers that are more stringent or frequent than those required in this section.

XV. Except as provided in paragraph XI IX and notwithstanding other provisions of law to the contrary, a hiring authority may assess a testing fee to cover all or part of the cost of any medical or psychological examination in cases where the person has been given a conditional offer of employment. A hiring authority may also make repayment of a testing fee part of any training or hiring contract that establishes a minimum term of employment for such an officer.

XVI. XIV. The council shall issue a certificate evidencing satisfaction of the requirements of paragraphs I, II, and III to any applicant who presents such evidence as may be required by its rules of satisfactory completion of a program or course of instruction in another jurisdiction equivalent in content and quality to that required by the council for approved police, corrections, or probation-parole, as appropriate, education and training programs in this state.

XVII. Any special agent of the state liquor commission who has the power to enforce the criminal laws under RSA title XIII and rules of the state liquor commission and who was serving under a permanent appointment prior to August 13, 1985, shall not be required to meet the requirements of paragraphs I and III; however, any special agent referred to in this paragraph shall complete such limited programs as may be prescribed by rule adopted under RSA 541-A by the police standards and training council under this section within one year of the date the programs are required. Should any special agent exempted from the requirements of paragraphs I and III of this section by this paragraph terminate employment with the state liquor commission and be hired as a police officer by another police department of the state or a political subdivision thereof, the special agent's certification shall lapse and may be reinstated upon completion of such necessary additional training courses as the police standards and training council may prescribe by rule adopted under RSA 541-A.]

XV. *Within 9 months of the effective date of this section, each law enforcement agency shall adopt an officer wellness program to support that agency's law enforcement officers' wellness throughout their careers.*

XVI. *An officer wellness program shall include all of the following:*

(a) *A written policy that defines physical and mental wellness for the agency's law enforcement officers and the agency's internal process to support and promote each aspect of officer wellness.*

(b) *A defined fitness test, if such test is adopted by the agency, that establishes performance standards and minimum passing scores.*

(c) *A written policy, or provisions in the applicable collective bargaining agreement, that outlines for its officers the ongoing standards enumerated in this chapter, the expectations of employment under the policy, and the due process rights for its officers.*

XVII. The chief executive officer of every law enforcement agency in the state shall be responsible for the implementation of this section and shall file copies of all written policies required by this section with the police standards and training council.

XVIII. The council shall create an officer wellness program model policy that may be used by law enforcement agencies to meet the requirements of this section.

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

2026-0658h

AMENDED ANALYSIS

This bill makes modifications to the physical fitness requirements for law enforcement officers and requires law enforcement agencies to adopt an officer wellness program to support law enforcement officers' wellness.

HB 1816-FN, relative to the intervention of the department of education into a school or school district during a financial emergency. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Rick Ladd for Education Funding. This bill allows the Commissioner of Education, in collaboration with the local school board, to initiate and implement a district recovery plan if a school district's financial and operational condition is deemed a financial emergency by the State Board of Education. During the recent situation in Claremont, the department did not have statutory authority to assist the school district in developing a recovery plan, and to oversee such plan to leverage resources to address core financial needs. This bill, as amended, has been carefully written so as not to take local control from the locally-elected board of education, but upon the state board deciding that a financial emergency exists, the department is authorized to assist the district in overseeing a recovery plan to enable the school district or school to meet its financial, operational, and instructional responsibilities for all school aged children. The department's oversight, not control, of school district or school governance, organizational structure, and/or administrative services may only occur up to one year. The intent of this bill as amended, is to enable the department to provide corrective and technical assistance in a situation deemed a financial emergency by the State Board of Education. The local school board shall remain in control throughout the recovery plan process. Vote 18-0.

Amendment (0983h)

Amend the bill by replacing section 1 with the following:

1 New Section; The State School Organization; State Board of Education; Financial Emergency Powers of the State Board. Amend RSA 186 by inserting after section 5 the following new section:

186:5-a Financial Emergency Powers of the State Board.

I. Nothing in this section shall be construed to permit either the department of education or the state board of education to take control of the daily operations of any local public school district or school, unless the financial and operational condition of the local public school district or school is deemed a financial emergency by the state board of education necessitating department intervention and oversight. In such an emergency, the commissioner of the department of education shall have authority to assist the school district or school in developing a recovery plan and to oversee such plan to leverage resources to address core financial needs. The recovery plan may consider:

- (a) Altering administrative practices and operating conditions;
- (b) Reallocating school district or school resources;
- (c) Renegotiating contracts and agreements; and

(d) Department oversight of school district or school governance, organizational structure, and/or administrative services identified in RSA 194-C:4, II for up to one year.

II. For purposes of this section, "school in financial emergency" or "school district in financial emergency" necessitates that immediate oversight providing corrective and technical assistance by the department is imperative for the school district or school to meet its financial, operational, and instructional responsibilities for all school-age children. The state board of education shall adopt rules, pursuant to RSA 541-A, relative to implementing corrective and technical assistance to a school district or school in a state of financial emergency.

III. The department of education may request up to \$200,000 from the education trust fund into a non-lapsing reserve fund for the purpose of corrective and technical assistance necessary to implement a district financial emergency recovery plan pursuant to this section.

HB 1490, requiring scholarship organizations to provide written notice to parents explaining the parents' requirement to provide written notice upon termination of a home education program. **INEXPEDIENT TO LEGISLATE.**

Rep. Katy Peternel for Education Policy and Administration. This bill would ensure that the scholarship organization provide notice to parents of students who home educate pursuant to RSA 193-A of the need to provide written notice of termination of their home education program when enrolling in the Education Freedom Account program. The scholarship organization does this in their student handbook and is now also including it on the application, so this bill is no longer necessary. Vote 17-0.

HB 1521, clarifying the definition of home education. **INEXPEDIENT TO LEGISLATE.**

Rep. Katy Peternel for Education Policy and Administration. The intent of this bill is to clarify the difference between home education pursuant to RSA 193-A versus what looks like home education under RSA 194-F. Since the exact language is included in HB 1268, the committee determined that this bill is no longer necessary. Vote 17-0.

HB 1644, permitting towns to unilaterally withdraw from a cooperative school district. **REFER FOR INTERIM STUDY.**

Rep. Melissa Litchfield for Education Policy and Administration. This bill would permit a town to unilaterally withdraw from a cooperative school district. The committee recognizes the importance of local decision-making in educational governance and shares the sponsor's interest in ensuring communities have meaningful authority over their school structures. At the same time, members determined that the scope of this bill presents complex issues involving bonded indebtedness, contractual obligations, governance structure, and potential constitutional considerations. These matters affect not only withdrawing towns, but also remaining member districts and taxpayers statewide. The committee is advancing related legislation, HB 1374, which refines the existing withdrawal process within the current statutory framework. This bill proposes broader structural changes. The committee believes those broader changes warrant additional legal and fiscal review to ensure clarity, fairness, and long-term stability before permanent statutory changes are enacted. Vote 15-3.

HB 1669, establishing a teacher bill of rights. **REFER FOR INTERIM STUDY.**

Rep. Melissa Litchfield for Education Policy and Administration. The committee recognizes the critical role teachers play in the lives of our students and deeply values the partnership between teachers and parents. When educators and families work together with mutual respect and clear communication, students thrive. This bill raises important questions about how we define and protect professional expectations within our schools. While members appreciate the intent behind the legislation, the committee believes additional time is needed to ensure the language is clear, balanced, and thoughtfully aligned with existing law. There is also question if this is more appropriate as a House Resolution. Given the importance of this relationship and the long-term implications of statutory changes, the majority of the committee determined that Interim Study is the most responsible course of action. This will allow for broader stakeholder input and careful refinement so that any future proposal strengthens trust, reinforces collaboration, and supports the shared goal of student success. Vote 17-1.

HB 1712, relative to charter conversion schools. **INEXPEDIENT TO LEGISLATE.**

Rep. Kristin Noble for Education Policy and Administration. The majority of the committee agrees with the prime sponsor, that this bill be found Inexpedient to Legislate because there simply was not enough time to dedicate to it. Vote 16-1.

HB 1774-FN, relative to qualifying scholarship granting organizations and programs of low-earning outcomes. **ought to pass with amendment.**

Rep. Katy Peternel for Education Policy and Administration. This bill codifies the new federal income tax credit for contributions of individuals to qualified scholarship granting organizations. It directs the Department of Education to create a qualifying scholarship granting organizations list and establish rules to allow organizations to be added to the list. It also directs the Governor to approve workforce training programs, in consultation with the state workforce innovation board for federal Workforce Pell Grants. One of the benefits of this school choice option is that low-income public-school students can apply for the scholarship for after-school tutoring programs. This levels the playing field with students whose parents can afford additional academic support. As amended, it removes the low-earning outcome program. Although New Hampshire has opted into this program, putting it into statute prevents the requirement of annual renewal. Vote 17-1.

Amendment (0915h)

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

AN ACT relative to qualifying scholarship granting organizations and federal workforce Pell grants.

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

1 New Paragraphs; The State and Its Government; General Provisions; Definitions. Amend RSA 21-I:1-a by inserting after paragraph V the following new paragraphs:

VI. "Qualified scholarship granting organization" means a nonprofit organization that meets the requirements of 26 U.S.C. section 25F.

VII. "Eligible workforce training programs" means programs that meet the requirements in 20 U.S.C. section 1088(b)(3)(A) and related federal rules.

2 Department of Revenue Administration; Income Tax Credit Contribution Program. The department of revenue administration shall participate in the federal income tax credit for contributions of individuals to qualified scholarship granting organizations, beginning in taxable years ending after December 31, 2026. The department shall automatically renew its participation each subsequent taxable year.

3 Department of Education; Qualifying Scholarship Granting Organizations List. The department of education shall create a qualified scholarship granting organizations list and shall work with the department of revenue administration to ensure the organizations are added to the list pursuant to the department of education's internal procedures.

4 Department of Education; Publication List. The department of education shall:

I. Annually submit a list of qualified scholarship granting organizations to the Secretary of the Treasury of the United States;

II. Publish a list of qualified scholarship granting organizations on its website; and

III. Certify its authority to submit the list required under paragraph I to the Secretary of the Treasury of the United States.

5 State Workforce Innovation Board; Workforce Training Program Approval. The governor shall, in coordination with the state workforce innovation board, approve all workforce training programs for federal Workforce Pell Grants, if such programs satisfy the requirements of 20 U.S.C. section 1070a and related federal rules.

6 State Workforce Innovation Board; Approval of Funds. The state workforce innovation board shall adopt an internal procedure, according to applicable federal rules, to determine that a program meets the requirements to be an eligible workforce training program.

7 Rulemaking Prohibition. No division or department of state government shall have the authority to adopt or promulgate any rule to implement sections 1-6 of this act.

8 Effective Date. This act shall take effect July 1, 2026.

2026-0915h
AMENDED ANALYSIS

This bill:

I. Directs the department of revenue administration to participate in the federal income tax credit for contributions of individuals to qualified scholarship granting organizations.

II. Directs the department of education to create a qualifying scholarship granting organizations list.

III. Directs the governor to approve workforce training programs for federal Workforce Pell Grants.

HB 1234, identifying certain school district offices as incompatible for purposes of school district elections. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Connie Lane for Election Law. This bill, as amended, provides that no one can run for or hold two or more school district elected offices that are defined as "incompatible." Under the bill, no one may hold more than one of the following offices: member of school board, school district moderator, school district treasurer, school district auditor, school district clerk, or budget committee member at large or advisory budget or finance committee member. Also, no employee of a school administrative unit or school district can be a school board member in any district of the school administrative unit. The committee felt that this bill helps reduce any conflicts of interest and improves transparency with regard to school boards and school district administration. Vote 17-0.

Amendment (0744h)

Amend the bill by replacing section 1 with the following:

1 Qualifications for Office; School District Elections RSA 671:18 is repealed and reenacted to read as follows:

671:18 Qualifications.

I. To become a candidate for any school district office, a person must be a registered voter in the district. No person shall simultaneously hold more than one of the following offices: member of school board, school district moderator, school district treasurer, school district auditor, school district clerk, or budget committee member-at-large under RSA 32:15 covering the school district, or advisory budget or finance committee member under RSA 32:24 covering the school district. No person employed on a salaried basis by a school administrative unit or by any school district within a school administrative unit shall be a school board member, budget committee member-at-large under RSA 32:15, or advisory budget or finance committee member under RSA 32:24 for any district of the school administrative unit. Salaried positions shall include, but are not limited to, the following: teacher, custodian, administrator, secretary, school bus driver (if paid by the district), school lunch worker and teacher's aide.

II. No person shall at the same time file a declaration of candidacy for any 2 or more elected offices that are incompatible under paragraph I nor shall they file a declaration of candidacy for an elected office that is incompatible with an office in paragraph I that they currently hold when the current term of the held office extends past the election for the filed declaration of candidacy.

HB 1247, requiring the secretary of state to create, post on the secretary of state's website, and otherwise distribute notice of proposed constitutional amendments. **OUGHT TO PASS.**

Rep. Robert Wherry for Election Law. The purpose of this bill is to provide greater awareness to the public of an upcoming vote on a constitutional amendment such that more voters are better informed prior to ar-

riving at the ballot box on election day. Currently, constitutional amendments are presented to the voters on the ballot through RSA 663:2. The format for the constitutional amendment questions is prescribed under RSA 663:3, and voters' guides for constitutional amendments are governed under RSA 633:3-a. Despite these provisions, voters often arrive at the ballot box unaware that they will have to vote on a constitutional amendment. This bill seeks to have public postings of notices prepared by the Secretary of State to be displayed by the towns and city clerks. Furthermore, such notices would direct the reader to a webpage hosted by the Secretary of State's office with the relevant information from RSA 633:3 provided. It is believed that this additional notification and communication process will increase voter awareness such that more voters are better informed prior to arriving at the ballot box on election day. Accordingly, the Election Law Committee voted to recommend the bill Ought to Pass. Vote 17-0.

HB 1266, allowing election moderators access to the area designated for counting votes during the performance of their duties. **OUGHT TO PASS.**

Rep. Clayton Wood for Election Law. This bill permits election moderators to enter and remain in the area where votes are being counted in order to carry out their official responsibilities, even when the moderator is a candidate on the ballot, provided that they do not touch the ballots. Under current law, uncertainty can arise regarding whether a moderator may be present in the vote-counting area in such circumstances. This bill clarifies that moderators retain the authority to access the counting area as necessary to perform their official duties. Vote 17-0.

HB 1284, requiring the inclusion of a voter's year of birth on the voter checklist. **INEXPEDIENT TO LEGISLATE.**

Rep. James Qualey for Election Law. This bill would amend RSA 654:25 to add a voter's year of birth to the list of information maintained by the supervisors of the checklist. It has been the experience of the Election Law Committee that many people of voting age would consider dissemination of their age, to a wider extent than absolutely necessary, to be a privacy violation with possible personal security implications. It is the view of the Election Law Committee that when individuals' ages have been established as being 18 years or greater and noted as such on the checklist, there are no further election security benefits to be gained by also including their birthdates on the checklist. The Election Law Committee therefore recommends that this bill be found Inexpedient to Legislate. Vote 17-0.

HB 1298, relative to the disposal of electronic ballot counting device external memory devices. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Katherine Prudhomme-O'Brien for Election Law. This bill authorizes the destruction of external memory devices used in electronic ballot counting machines following an election, in the same manner that other election materials, such as used and unused ballots, may be disposed of after the statutory retention period. The bill includes a limited exception for the external memory devices used in older electronic ballot counting machines. Because these devices are costly and increasingly difficult to obtain, they may be retained for continued use. These legacy machines are currently being phased out as jurisdictions transition to newer equipment. Vote 16-0.

Amendment (0603h)

Amend the bill by replacing section 1 with the following:

1 Disposal and Retention Schedule; Electronic Ballot Counting Device External Storage Devices. Amend RSA 33-A:3-a, XXXVI-XXXVII to read as follows:

XXXVI. Elections-federal elections: ballots and absentee ballot applications, affidavit envelopes, lists, and electronic ballot counting device external storage devices: by the town clerk until the contest is settled and all appeals have expired or at least 22 months after the election, whichever is longer. Extra electronic ballot counting device external storage devices programmed for, but not used during the election are exempt from preservation. ***The external storage devices of electronic ballot counting devices that capture digital images shall be disposed of in the same manner as ballots and absentee ballot applications, affidavit envelopes, and lists. The storage devices of electronic ballot counting devices that do not capture digital images shall not be disposed of in the same manner as ballots and absentee ballot applications, affidavit envelopes, and lists.***

XXXVII. Elections-not federal: ballots and absentee ballot applications, affidavit envelopes, lists, and electronic ballot counting device external storage devices: by the town clerk until the contest is settled and all appeals have expired or at least 60 days after the election, whichever is longer. Extra electronic ballot counting device external storage devices programmed for, but not used during the election are exempt from preservation. ***The external storage devices of electronic ballot counting devices that capture digital images shall be disposed of in the same manner as ballots and absentee ballot applications, affidavit envelopes, and lists. The storage devices of electronic ballot counting devices that do not capture digital images shall not be disposed of in the same manner as ballots and absentee ballot applications, affidavit envelopes, and lists.***

2026-0603h
AMENDED ANALYSIS

This bill requires the external memory devices from certain electronic ballot counting devices to be destroyed in the same way as ballots.

HB 1325, enabling supervisors of the checklist to correct the checklist on any day of the week. **OUGHT TO PASS.** Rep. Robert Wherry for Election Law. The purpose of this bill is to allow the supervisors of the voter checklist greater flexibility in scheduling the correction session of the voter checklist. Under RSA 669:5 Voters and Checklists, the supervisors of the voter checklist are required to prepare, post, and revise the checklist for a town meeting or election in the same manner as for a state election as provided in RSA 654:25-654:31. RSA 669:5 currently requires that the correction session be held specifically on a Saturday six to 13 days prior to the election. This bill removes this Saturday requirement and enables the supervisors of the checklist to hold the correction session on other days in accordance with the requirements under RSA 654:27 Session for Correction. Vote 17-0.

HB 1329, requiring the secretary of state to add voters' ages to the voter file. **INEXPEDIENT TO LEGISLATE.** Rep. James Qualey for Election Law. This bill would amend RSA 654:31, IV to require the Secretary of State to include voters' ages in the list of voter information that shall be provided to candidates upon request. It has been the experience of the Election Law Committee that many people of voting age consider their age to be personal information and would consider it a privacy violation for it to be disseminated more widely than absolutely necessary. It is the view of the Election Law Committee that when individuals' ages have been established as being 18 years or greater and noted as such on the checklist, there are no further election security or public benefits to be gained by also including their ages on a list to be provided to candidates. The Election Law Committee therefore recommends that this bill be found Inexpedient to Legislate. Vote 17-0.

HB 1330, allowing all registered voters to vote in state and presidential primaries regardless of declared party affiliation. **INEXPEDIENT TO LEGISLATE.**

Rep. James Qualey for Election Law. This bill proposes to allow any registered voter, regardless of declared party affiliation, to choose to vote in the primary election of any recognized political party. It is the view of the majority of the Election Law Committee that the core purpose of political parties is to provide individuals the ability to organize and work with other like-minded people to identify, recruit, nominate, and support candidates for elected office who share the policy preferences and priorities of the party's members. The function of primary elections is to provide an accurate and transparent means by which a political party chooses its own nominees. It is the opinion of the majority of the Election Law Committee that imposing a requirement on a political party that their primary elections include voters from any other political party would pose a substantial risk of interference with or, even, suppression of the party's right to choose its own candidates. Therefore, the majority of the committee concludes that this bill should be found Inexpedient to Legislate. Vote 13-3.

HB 1342, restricting access to certain information relative to voters subject to the Uniformed and Overseas Citizens Absentee Voting Act. **INEXPEDIENT TO LEGISLATE.**

Rep. Connie Lane for Election Law. This bill would provide public access to certain information about voters who are subject to the Uniformed and Overseas Citizens Absentee Voting Act, 52 USC sections 2031-20311 ("UOCAVA"). Due to potential conflict with federal law and privacy concerns, the committee voted this bill Inexpedient to Legislate. Vote 17-0.

HB 1388, relative to the form of ballot for amendments to the constitution. **OUGHT TO PASS.**

Rep. Robert Wherry for Election Law. This bill clarifies that each proposed constitutional amendment must be presented to voters as a separate question and that voters may not be required to cast a single vote covering multiple constitutional amendments. Each amendment must stand on its own so that voters are able to clearly express their approval or rejection of a specific proposal. The committee believes this approach protects voters from being forced to accept or reject unrelated provisions bundled together in a single question. By requiring that each amendment be presented individually, voters are given a clear and straightforward choice on each constitutional change before them. The committee believes that changes to the state constitution should be considered carefully and voted on transparently. Ensuring that each amendment receives its own vote helps preserve the integrity of the constitutional amendment process and protects the ability of voters to make informed decisions. Vote 16-0.

HB 1667-FN, establishing the first-in-the-nation security task force to coordinate planning for presidential campaign events. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Katherine Prudhomme-O'Brien for Election Law. This bill creates a first-in-the-nation security task force that will coordinate planning for presidential campaign events and will produce a comprehensive first-in-the-nation security plan for the 2028 cycle. The committee believes that with the heightened security concerns around our political process that the state should take a more formal role in the protection of candidates and event attendees. Vote 17-0.

Amendment (0976h)

Amend RSA 21-P:72, V as inserted by section 1 of the bill by replacing it with the following:

V. The task force shall meet at the call of the chair and at least quarterly through June 30, 2028. A majority of appointed members constitutes a quorum. Members shall serve without compensation but may receive mileage at the state rate. Notwithstanding RSA 91-A:3, II, the task force may meet in nonpublic session, following the procedures established in RSA 91-A:3, I, III, and IV, in order to consider any issue related to sensitive law enforcement or security issues which the task force believes would likely result in a significant risk of harm should such details or information be made public.

HB 1695, requiring the secretary of state to include a voter's guide to the proposed constitutional amendment to voters on the ballot. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Connie Lane for Election Law. This bill, as amended, will require that a proposed constitutional amendment shall appear on the ballot showing any deleted language in struck text and new language in bold italics. The original bill required that the ballot contain a statement about what would happen if the amendment was passed and what would happen if the amendment was not passed. The statement would have been written by the committee passing the amendment. The majority of the committee felt that such statements would be inherently subjective and wanted an objective method to show the change(s) in the proposed constitutional amendment. The majority offered an amendment in a bipartisan effort to improve the existing situation facing voters when they receive a constitutional amendment ballot with no way to figure out what the amendment is doing to our constitution. Even though some members think that the bill as amended may be confusing to voters, it is an improvement over the existing system, which provides no explanation and does not show the language being changed. For these reasons, the committee voted that this bill Ought to Pass with Amendment. Vote 16-1.

Amendment (0476h)

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

AN ACT preventing any guide or explanation regarding the effect of a proposed constitutional amendment from appearing on the ballot.

Amend the bill by replacing sections 1 and 2 with the following:

1 Questions to Voters; Constitutional Amendments; Form of Ballot. Amend RSA 663:3 to read as follows: 663:3 Form of Ballot.

I. The following words shall be printed above the constitutional amendment questions on all ballots containing such questions: "Questions Relating to Constitutional Amendments Proposed by the Convention to Revise the Constitution" or "Questions Relating to Constitutional Amendments Proposed by the Legislature to Revise the Constitution," whichever is appropriate. A constitutional question shall include, in the text of the question, the text of the article of the constitution as it is proposed to be amended, and the results of the vote taken on ordering the proposed amendment to third reading in both the senate and the house of representatives or at the constitutional convention, whichever is appropriate.

II. In instances where the general court or constitutional convention proposes a constitutional amendment in which the constitution would be amended, the proposed amendment shall be displayed on the ballot by way of bracketing and striking text that would be removed and bolding and italicizing text that would be added.

2 Voter's Guides; Constitutional Amendments. RSA 663:3-a is repealed and reenacted to read as follows:

663:3-a Voter's Guides. If the general court or constitutional convention proposes a constitutional amendment, no explanation or voter's guide to the text of the amendment shall be included on any ballot in which a vote on the adoption of the constitutional amendment takes place.

2026-0476h

AMENDED ANALYSIS

This bill prevents any guide or explanation regarding the effect of a proposed constitutional amendment from appearing on the ballot.

HB 1092, relative to guard dogs. **INEXPEDIENT TO LEGISLATE.**

Rep. Judy Aron for Environment and Agriculture. This bill was voted Inexpedient to Legislate because the language in this bill was included as part of another bill which was a consolidation of three bills having to do with the definition of Livestock Guardian Dogs and Crop Guardian Dogs. Subsequently, there was no need to pass this bill which solely made a change to RSA 466:31, II(g). Vote 13-0.

HB 1133, defining and regulating livestock guardian dogs. **INEXPEDIENT TO LEGISLATE.**

Rep. Judy Aron for Environment and Agriculture. This bill was voted Inexpedient to Legislate because the intent of the language in this bill was included as part of another bill which was a consolidation of three bills having to do with the definition of Livestock Guardian Dogs and Crop Guardian Dogs. This bill originally

sought to define livestock guardian dogs, require their registration, and set penalties for nuisance barking of dogs declared to be livestock guardian dogs. The bill had many problems as presented, but the committee understood that there was a problem with nuisance barking of dogs whose owners claimed their dogs were livestock guardian dogs when in fact they were not. Therefore, the committee added language to another bill to address this issue. Vote 13-0.

HB 1189-FN, establishing a solid waste site evaluation committee. **OUGHT TO PASS WITH AMENDMENT.** Rep. Peter Bixby for Environment and Agriculture. While the regulatory review process in the New Hampshire Department of Environmental Services assesses the technical qualifications for major solid waste disposal permits, the process does not fully evaluate potentially significant statewide, regional, and local impacts. Recognizing this, the Governor proposed a solid waste site evaluation committee (SWSEC) in her budget. Our committee worked with House Finance to refine the Governor's proposal for inclusion in HB 2. The other body chose to take a substantially different approach to a SWSEC, and the SWSEC did not survive the committee of conference process. This bill is an improved version of the SWSEC proposal that was in the House version of HB 2. It establishes a procedure to evaluate the local, regional, and statewide benefits and burdens of a new major solid waste facility that are not captured by existing regulatory reviews, including noise, odor, aesthetics, local and regional economic impacts, property value impacts, nature and source of waste, need, impacts on tourism, recreation and traffic, and other similar impacts. This bill does not interfere with existing contracts between local governments and other entities and ensures that affected communities will have ample options for providing input on any proposed project. This bill establishes a preference for using expansions and redevelopment of brownfields for waste disposal over using greenfields. It advances the goal of maintaining adequate, reasonably priced, and environmentally protective disposal capacity for solid waste generated in New Hampshire. Vote 12-0.

Amendment (0965h)

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

1 New Subdivision; Solid Waste Site Evaluation Committee. Amend RSA 149-M by inserting after section 64 the following new subdivision:

Solid Waste Site Evaluation Committee

149-M:65 Declaration of Purpose.

I. The legislature and the executive branch recognize that the selection of sites for major solid waste disposal facilities may have significant statewide, regional, and local impacts that are not fully evaluated through existing regulatory review.

II. Accordingly, the general court finds that it is in the public interest to establish a procedure to evaluate the local, regional, and statewide benefits and burdens of a new major solid waste facility that are not captured by existing regulatory reviews, including noise, odor, aesthetics, local and regional economic impacts, property value impacts, nature and source of waste, need, impacts on tourism, recreation and traffic, and other similar impacts.

III. Furthermore, the general court recognizes there is a compelling state interest in maintaining adequate, reasonably priced, and environmentally protective disposal capacity for solid waste generated in New Hampshire.

IV. The general court prefers that new landfill capacity be developed in expansions of existing permitted landfills or brownfield sites instead of on greenfield sites.

149-M:66 Definitions. In this subdivision:

I. "Acceptance" means a determination by the committee that it finds that the application is complete and ready for consideration.

II. "Administrator" means the administrator of the site evaluation committee established pursuant to RSA 162-H:3-a.

III. "Affected municipality" means any municipality or unincorporated place in which any part of a major solid waste disposal facility is proposed to be located and any municipality or unincorporated place from which any part of the proposed major solid waste disposal facility will be visible or audible, including off-site traffic impacts.

IV. "Certificate" means the document issued by the committee, containing such terms and conditions as the committee deems appropriate, that authorizes the applicant to proceed with the proposed site and facility.

V. "Commence construction" means any clearing of the land, excavation or other substantial action that would result in long-term impacts to the site of the proposed facility, but does not include land surveying, optioning or acquiring land or rights in land, changes desirable for temporary use of the land for public recreational uses, necessary subsurface explorations to determine hydrogeologic and soil conditions, work required as part of an application to any federal, state, or local authority, or other preconstruction monitoring or testing to establish background information related to the suitability of the site for the proposed use.

VI. "Committee" means the solid waste evaluation committee established by this subdivision.

VII. "Department" means the department of environmental services.

VIII. "Major solid waste disposal facility" means a location, system, or physical structure for the collection, separation, storage, transfer, processing, treatment, or disposal of solid waste with a proposed waste acceptance rate greater than 100,000 tons per year. "Major solid waste disposal facility" does not include a facility designed to manage food waste in accordance with RSA 149-M:27, V(b)(1)-(5), or any facility proposed to be constructed by a New Hampshire municipal government.

IX. "Filing" means the date on which the application is first submitted to the committee.

X. "Person" means any individual, group, firm, partnership, corporation, cooperative, municipality, political subdivision, government agency, or other organization.

149-M:67 Solid Waste Evaluation Committee Established.

I. There is hereby established a committee to be known as the New Hampshire solid waste site evaluation committee consisting of 7 members, as follows:

(a) The chairperson of the waste management council established under RSA 21-O:9, who shall serve as chairperson of the committee. If there is an appeal pending before the waste management council related to the major solid waste disposal facility, then the chairperson of the wetlands council, water council, or air resources council established under RSA 21-O, selected by the commissioner of the department, shall serve on the committee and as chairperson of the committee.

(b) The commissioner of the department of business and economic affairs, or designee.

(c) The commissioner of the department of environmental services, or designee.

(d) Four members and, when required by RSA 149-M:68, an alternate member, appointed by the governor with the consent of the executive council, including a member who serves on a local conservation commission, a member who has expertise in the private waste management industry, a member with expertise in municipal planning and one with expertise or experience in environmental protection, health, or science.

(e) At any given time, there shall not be more than 2 members of the committee with current or past employment, contract work, or consulting services in the private waste management industry.

(f) No member of the committee may be an employee or contractor of an entity that owns or operates an existing or planned major solid waste disposal facility or an entity that has applied to own or operate a major solid waste disposal facility.

II. All members, including those who sit for a member recused under RSA 149-M:68, shall refrain from ex parte communications regarding any matter pending before the committee. A majority of the members of the committee shall constitute a quorum for the purpose of conducting the committee's business.

III. The committee shall be administratively attached to the department of environmental services.

IV. The chairperson shall serve as the chief executive of the committee and may:

(a) Serve as presiding officer.

(b) Delegate to other members the duties of the presiding officer, as appropriate.

(c) Establish, with the consent of the committee, the budgetary requirements of the committee.

(d) Engage personnel in accordance with this chapter.

V. The presiding officer may appoint a hearing officer to perform the functions described in RSA 149-M:70, V.

149-M:68 Members Appointed By The Governor With The Consent Of Council.

I. Members and alternate members appointed under RSA 149-M:67, I(c) and (d) shall serve 4-year terms and until their successors are appointed and qualified. Any member chosen to fill a vacancy occurring other than by expiration of a term shall be appointed for the unexpired term of the member who is succeeded.

II. If at any time the member appointed by the governor with the consent of the executive council must recuse himself or herself from a matter before the committee or is not otherwise available for good reason, the alternate member shall replace such member.

III. No member nor any member of his or her family shall receive income from entities that own or operate, or have applied to own or operate, major solid waste disposal facilities in New Hampshire. The members appointed by the governor with the consent of the executive council and their alternates shall comply with RSA 15-A and RSA 15-B.

IV. Any member appointed by the governor with the consent of the executive council may be removed from office in accordance with RSA 4:1.

149-M:69 Administrator and Other Committee Support. The administrator shall provide support to the committee. If the administrator is not available or the position is vacant, the committee may hire an independent contractor at the expense of the applicant. The administrator shall be under the supervision of the chairperson when performing duties for the committee. The administrator shall be compensated for work performed for the committee as set forth in RSA 149-M:85. The administrator, or chairperson in the absence of an administrator, with committee approval, may engage additional technical, legal, or administrative support to fulfill the functions of the committee as necessary.

149-M:70 Powers and Duties of the Committee; Rules.

I. The committee shall:

- (a) Evaluate and issue any certificate under this chapter for a major solid waste disposal facility.
- (b) Determine the terms and conditions of any certificate issued under this chapter.
- (c) Adjudicate enforcement matters.
- (d) Assist the public in understanding the requirements of this chapter.
- (e) Deny applications for a certificate based on such findings and rulings as may be

necessary to support its decision to deny.

(f) Execute the general court's stated preference that new landfill capacity shall be based on need and shall only be developed in accordance with RSA 149-M:65, IV.

II. The committee shall hold hearings as required by this chapter and such additional hearings as it deems necessary and appropriate and, in addition to the requirements under RSA 91-A, ensure adequate and timely public notice of no less than 7 calendar days.

III. The committee may delegate to the administrator or such state agency or official as it deems appropriate the authority to specify the use of any technique, methodology, practice, or procedure approved by the committee within a certificate issued under this chapter, or the authority to specify minor changes in the major solid waste disposal facility configuration to the extent that such changes are authorized by the certificate for those portions of a proposed major solid waste disposal facility project.

IV. The committee shall not delegate its authority or duties except as provided under this subdivision.

V. In any matter before the committee, the presiding officer, or a hearing officer designated by the presiding officer, may hear and decide procedural matters that are before the committee, including procedural schedules, consolidation of parties with substantially similar interests, discovery schedules and motions, and identification of significant disputed issues for hearing and decision by the committee. Undisputed petitions for intervention may be decided by the hearing officer and disputed petitions shall be decided by the presiding officer. Any party aggrieved by a decision on a petition to intervene may within 10 calendar days request that the committee review such decision. Other procedural decisions may be reviewed by the committee at its discretion.

VI. The committee shall issue such rules to administer this chapter, pursuant to RSA 541-A, after public notice and hearing, as may from time to time be required.

149-M:71 Prohibitions and Restrictions.

I. No person shall commence construction of any major solid waste disposal facility within the state unless it has obtained a certificate pursuant to this chapter. Such facilities shall be constructed, operated, and maintained in accordance with the terms of the certificate and any other federal, state, or local permits or approvals. Such certificates are not required for changes or additions to existing facilities unless they propose an increase in existing permitted annual throughput of greater than or equal to 50,000 tons per year. Such a certificate shall not be transferred or assigned without approval of the committee. Unless otherwise specified in this chapter, any approved major solid waste facility shall not be constructed, operated, or closed in a manner materially different than the manner in which it was presented in the application for a certificate as modified and conditioned by such certificate.

II. Notwithstanding RSA 541-A:29 or any other law to the contrary, an application for a certificate from the committee shall be approved or denied by the committee prior to final decisions on all other state agency permit applications. Applications for certificates may be filed and evaluated by the committee concurrently with other state approvals and public hearings may be scheduled concurrently with hearings held by other state agencies as part of their permitting process for the same facility.

III. Notwithstanding paragraph II, for facilities under review by the department for a permit on or prior to July 1, 2026, an application for a certificate from the committee shall be approved or denied after other state agency approvals have been obtained. The committee need not assess technical questions already considered by other states or federal agencies, but shall take into account the conclusions of these analyses, including permit terms and conditions, in its approval or denial of the certificate. The committee may also take into account independent analyses in its process of approval or denial of the certificate.

149-M:72 Application for Certificate.

I. All applications for a certificate for a major solid waste disposal facility shall be filed with the administrator or the chair of the committee.

II. Upon filing of an application, the chairperson or designated presiding officer shall expeditiously conduct a preliminary review to ascertain if the application contains sufficient information to carry out the purposes of this chapter. If the application does not contain such sufficient information, the chairperson or designated presiding officer shall, in writing, expeditiously notify the applicant of that fact and specify what information the applicant must supply.

III. To carry out the committee's duties in RSA 149-M:70, each application shall:

(a) Describe in reasonable detail the types and quantities of waste and their characteristics proposed to be accepted and size of each major part of the proposed facility.

(b) Describe in reasonable detail the source of waste to be accepted and if there is a preference for waste originating within the state of New Hampshire.

(c) Describe how the proposed facility satisfies the criteria listed under RSA 149-M:11, III.

(d) Identify both the applicant's preferred choice and other alternatives it considers available for the site and configuration of each major part of the proposed facility and the reasons for the applicant's preferred choice.

(e) Describe in reasonable detail the impact of each major part of the proposed facility on existing local, regional, and state land uses.

(f) Document that written notification of the proposed project, including appropriate copies of the application, has been given to the appropriate governing body of each affected municipality, as defined in RSA 149-M:66, III. The application shall include a list of the affected municipalities.

(g) Provide analysis on the local, regional, and statewide visual impact of the proposed facility during construction, operation, and post-closure and the visual impacts as evaluated through a visual impact assessment prepared in accordance with professional standards by an expert in the field.

(h) Provide information in reasonable detail about the impacts on local, regional and state property values, human health, tourism, outdoor recreation, wildlife, traffic, noise, and odor by the proposed facility. These analyses shall be conducted in accordance with professional standards by an expert in these fields.

(i) Provide a reasonable amount of information relative to how new contaminants of concern not regulated by a permit issued by the department will be monitored, evaluated, and managed over the proposed life of the facility.

(j) Provide a reasonable amount of information relative to the potential economic harms of the proposed project on the local area, affected municipalities, the region, the state, and potential infrastructure deterioration.

(k) Provide a reasonable amount of information relative to the potential economic benefits of the proposed project on the local area, affected municipalities, the region, the state, and potential infrastructure improvements.

(l) Provide such additional information as the committee may require or request to carry out the purpose of this chapter.

IV. To the extent any information provided in the application was submitted and considered by a state agency as part of its permitting evaluation and decision under RSA 149-M:71, III, the applicant shall specify what information was so considered and the statutory and regulatory authority for that agency's consideration of the information.

V. For all information submitted with the application that was prepared by an outside consultant or expert, the applicant shall submit the qualifications of such consultants or experts to prepare such information.

VI. The committee shall require the applicant to hire an independent third party at the expense of the applicant and agreed upon by the committee in consultation with the municipality where the facility is proposed to be located, to peer review any assessments provided under this section.

VII. The chairperson or designated presiding officer shall decide whether to accept the application as administratively complete within 60 days of filing. If the chairperson or designated presiding officer rejects an application because it determines it to be administratively incomplete, the applicant may choose to file a new and more complete application or cure the defects in the rejected application within 10 days of receipt of notification of rejection.

VIII. Public information sessions shall be held in accordance with RSA 149-M:76.

IX. Within 180 days of the acceptance of an application, the committee shall issue or deny a certificate for the proposed major solid waste disposal facility.

X. The applicant shall immediately inform the committee of any substantive modification to its application.

XI. The committee may request that state agencies with relevant technical expertise participate in committee proceedings.

XII. The department shall conduct a review of the application information submitted pursuant to RSA 149-M:72, III(c) to determine whether the facility has demonstrated that it satisfies the criteria in RSA 149-M:11, III. Such review shall be conducted in accordance with RSA 149-M:11. The department shall report its findings to the committee in order to inform the committee's decision on the application.

XIII. The committee may deny a certificate based upon the department's findings in relation to RSA 149-M:11, III.

XIV. The committee may deny a certificate based upon the criteria in RSA 149-M:9, IX.

XV. A state agency may intervene as a party in any committee proceeding in the same manner as other persons under RSA 541-A.

149-M:73 Disclosure of Ownership. Any application for a certificate, or for change in ownership and transfer of certificate, shall be signed and sworn to by the person or executive officer of the association or corporation making such application and shall contain the following information:

I. Full name and address of the person, association, or corporation.

II. If an association or limited liability company, the name of the state under which it was formed and the names and residences of the members of the association or limited liability company.

III. If a corporation, the name of the state under which it is incorporated with its principal place of business and the names and addresses of its directors, officers, and stockholders.

IV. If doing business in a form other than as an association, limited liability company, or corporation, the form of the business, the name of the state under which it was formed, and the names and residences of anyone with a financial, ownership, or control interest in the organization.

V. The location or locations where an applicant is to conduct its business.

VI. A statement of assets and liabilities of the applicant and other relevant financial information of such applicant.

VII. The committee shall administratively approve changes of ownership and transfers of certificates within 90 days of a petition if it determines the new certificate holder has adequate financial, technical, and managerial capability to assure construction and operation of the facility in continuing compliance with the terms and conditions of the certificate and any federal, state, and local permits.

149-M:74 Application and Filing Fees.

I. A person filing with the committee an application for a certificate for a major solid waste disposal facility shall pay to the committee at the time of filing a fee determined in accordance with the fee schedule described in paragraph II. If an application for a certificate for a major solid waste disposal facility is deemed incomplete pursuant to RSA 149-M:72, VII, and a new application is submitted thereunder, the unused portion of the initial application fee shall be refunded to the applicant or credited to the filing of the new application. The committee may in its discretion provide for a credit or refund in other circumstances that are unforeseen by the applicant.

II. The fees under paragraph I shall be determined in accordance with a fee schedule posted by the committee on its website, which shall include the following amounts:

(a) Application fee for a major solid waste disposal facility: \$20,000 base charge and \$1,000 per additional 10,000 tons/year throughput in excess of 100,000 tons per year.

(b) Filing fees for administrative proceedings:

(1) Petition for committee jurisdiction: \$500.

(2) Certificate transfer of ownership: \$1,000.

(3) Request to modify a certificate: \$1,000.

III. All fee charges shall be deposited in the solid waste evaluation committee fund established in RSA 149-M:84 and shall be nonlapsing and accounted for as a separate line item.

IV. The committee shall review and evaluate the application fees and filing fees in the fee schedule in subparagraphs II(a) and (b) at least once each year. The committee may increase any amount in the fee schedule by no more than the increase in the consumer price index from the prior year, provided that any such increase shall occur not more frequently than once during any 12-month period. Modifications to the fee schedule shall be posted on the committee website, with a link prominently displayed on the home page.

V. If the committee determines the cost of committee proceedings for an application significantly exceed the filing fees paid by the applicant for that application, the additional cost shall be borne by the applicant or certificate holder in such amount as may be approved by the committee.

149-M:75 Counsel for the Public.

I. An application for a certificate under this subdivision shall be served contemporaneously by the applicant upon the attorney general. Upon receipt of such an application, the attorney general shall appoint an assistant attorney general as counsel for the public in connection with the committee's consideration of the application. Counsel for the public shall be deemed to represent the public as a party to the proceedings before the committee.

II. This section shall not be construed to prevent any person from being heard or represented by counsel; provided, however, the committee may compel consolidation of representation for such persons as have, in the committee's reasonable judgment, substantially identical interests.

149-M:76 Public Hearing; Studies.

I. Notice of any project for which an application for a certificate has been submitted shall be issued pursuant to RSA 36:56, III.

II. At least 30 days prior to filing an application for a certificate, an applicant shall hold at least one public information session in the affected municipality where the proposed facility is to be located. This session may be held concurrently with a public session held as a requirement of any other state permit or approval.

III. The committee may order the applicant to provide such additional public information sessions in affected municipalities as are reasonable to inform the public of the proposed project.

IV. Within 90 days after acceptance of an application for a certificate, the committee shall hold at least one public information session in each municipality where the proposed facility is proposed to be located.

V. Subsequent public hearings shall be in the nature of adjudicative proceedings under RSA 541-A and shall be held in the municipality in which the proposed facility is to be located or in Concord, New Hampshire, as determined by the committee. The committee shall give adequate public notice of the time and place of each subsequent hearing.

VI. The committee shall adopt rules regarding the timing and method of notices for public information sessions and public hearings, and any other requirements regarding such sessions and hearings.

VII. The committee shall consider and weigh all evidence presented at public hearings and shall consider and weigh written information and reports submitted to it by members of the public prior to the closing of the record of the proceeding. The committee shall provide an opportunity at one or more public hearings for comments from the governing body of each affected municipality and residents of each affected municipality. The committee shall consider, as appropriate, prior committee findings and rulings on the same or similar subject matters, but shall not be bound thereby.

VIII. The solid waste evaluation committee shall require from the applicant whatever information it deems necessary to assist in the conduct of the hearings, and any investigation or studies it may undertake, and in the determination of the terms and conditions of any certificate under consideration.

IX. The committee and counsel for the public shall conduct such reasonable studies and investigations as they deem necessary or appropriate to carry out the purposes of this chapter and may employ a consultant or consultants, legal counsel, and other staff in furtherance of the duties imposed by this chapter, the cost of which shall be borne by the applicant or certificate holder in such amount as may be approved by the committee. The committee and counsel for the public are further authorized to assess the applicant or certificate holder for all travel and related expenses associated with the processing of an application or other proceedings under this chapter.

X. Times for conducting public hearings and rendering a decision on the application may be extended for good cause upon written request of the applicant.

149-M:77 Judicial Review. Decisions made pursuant to this chapter shall be appealed in accordance with RSA 541.

149-M:78 Monitoring and Enforcement.

I. The department shall monitor the construction and operation of any major solid waste disposal facility granted a certificate under this chapter, after all other subsequent approvals are obtained, to ensure compliance with such certificate and enforce the terms and conditions of any such certificate. With the exception of the authority retained by the state agencies in accordance with paragraph V, the department may delegate the authority to monitor the construction or operation of any major solid waste disposal facility granted a certificate under this chapter to such state agency or official as it deems appropriate but shall ensure that the terms and conditions of the certificate are met. Any authorized representative or delegate of the department shall have a right of entry onto the premises of any part of the solid waste generation facility to ascertain if the facility is being constructed or operated in continuing compliance with the terms and conditions of the certificate. During normal hours of business administration and on the premises of the facility, such a representative or delegate shall also have a right to inspect such records of the certificate holder as are relevant to the terms or conditions of the certificate.

II. Whenever the department administratively determines, on its own or in response to a complaint, that any term or condition of any certificate issued under this chapter or prior law is being violated, it shall, in writing, notify the certificate holder of the specific violation and order the person to immediately terminate the violation. If, 15 days after receipt of the order, the person has failed or neglected to terminate the violation, the department shall notify the committee, which may suspend the person's certificate. In addition to suspension, if, after 15 days of receipt of the order, the person has failed or neglected to terminate the violation, the committee may impose a fine not to exceed \$5,000 per day until the violation is corrected. Except for emergencies, prior to any suspension or imposition of a fine, the committee shall give written notice of its consideration of suspension or imposition of a fine and of its reasons therefor and shall provide opportunity for a prompt hearing.

III. In addition to other remedies provided in this chapter, upon petition of the department, the committee may suspend a certificate if the committee determines that a person has made a material misrepresentation in the application, or in the supplemental or additional statements of fact, or studies required of the applicant, or if the committee determines that the person has violated the provisions of this chapter, or any rule adopted under this chapter. Except for emergencies, prior to any suspension, the committee shall give written notice of its consideration of suspension and of its reasons therefor and shall provide an opportunity for a prompt hearing.

IV. Upon petition of the department, the committee may revoke any certificate that is suspended after the person holding the suspended certificate has been given at least 90 days' written notice of the committee's consideration of revocation and of its reasons therefor and has been provided an opportunity for a full hearing.

V. Notwithstanding any other provision of this chapter, each state agency having permitting or other regulatory authority shall retain all of its powers and duties of enforcement.

VI. The full amount of costs and expenses incurred by the department and committee in connection with any enforcement action against a person holding a certificate, in which the person is determined to have violated any provision of this chapter, any rule adopted by the department or committee, or any of the terms

and conditions of the issued certificate, shall be assessed to the person and shall be paid by the person to the committee. Any amounts paid by a person to the committee pursuant to this paragraph shall be deposited in the solid waste evaluation committee fund established in RSA 149-M:84.

VII. The department may adopt rules in furtherance of its monitoring and enforcement responsibilities under this chapter.

149-M:79 Records. Complete verbatim records shall be kept by the committee of all hearings, and records of all other actions, proceedings, and correspondence of the committee, including submittals of information and reports by members of the public, shall be maintained, all of which records shall be open to the public inspection and copying as provided for under RSA 91-A. Committee records regarding pending applications for a certificate shall also be made available on the committee's website unless such records were submitted under seal and are exempt from public disclosure under RSA 91-A.

149-M:80 Temporary Suspension of Deliberations. If the committee, at any time while an application for a certificate is before it, deems it to be in the public interest, it may temporarily suspend its deliberations and time frames established under this chapter.

149-M:81 Findings and Certificate Issuance.

I. Any certificate issued by the committee shall be based on the record. The decision to issue a certificate in its final form or to deny an application once it has been accepted shall be made by a majority of the committee.

II. The committee may consult with interested regional agencies and agencies of border states in the consideration of certificates.

III. After due consideration of all relevant information regarding the potential siting, including potential significant impacts and benefits, the committee shall determine if issuance of a certificate will serve the objectives of this chapter. In order to issue a certificate, the committee shall find that:

(a) The applicant has adequate financial, technical, and managerial capability to assure construction, operation, and closure of the facility in continuing compliance with the terms and conditions of the certificate.

(b) The facility will not unduly interfere with the orderly development of the region with due consideration having been given to the views of municipal and regional planning commissions and municipal governing bodies.

(c) The facility satisfies the criteria in RSA 149-M:11, III.

(d) The public benefit of the facility to the region shall outweigh any adverse impact of the facility on human health, aesthetics, historic preservation, economic impacts to the region, tourism, outdoor recreation, regional and statewide business development, wildlife, noise, odor, traffic and transportation impacts, existing land uses, including property values, characteristics and source of waste, and any other impacts assessed as part of the application pursuant to RSA 149-M:72, III.

(e) Issuance of a certificate will serve the public interest of the citizens of New Hampshire.

IV. The committee shall issue an order granting or denying a certificate. Such order shall summarize and address issues of concern expressed during public information sessions and hearings to ensure that the public's voice has been heard and recorded.

V. A certificate of site and facility may contain such reasonable terms and conditions, including, but not limited to the authority to require bonding, as the committee deems necessary. Such certificates, when issued, shall be final and subject only to judicial review.

VI. The committee shall condition the certificate upon the results of applicable federal and state approvals or appeal processes and required federal and state agency studies whose study period exceeds the application period.

149-M:82 Penalties.

I. Any construction or operation of major solid waste disposal facilities without first obtaining a certificate from the committee, or any material violation of the terms and conditions of a certificate issued by the committee, shall be subject to a civil penalty not to exceed \$10,000 for each violation or for each day of a continuing violation. Such violation may also be enjoined by the superior court upon application of the attorney general.

II. Whoever purposely or knowingly commits any violation of any provision of this section shall be guilty of a misdemeanor if a natural person, or guilty of a felony if any other person.

149-M:83 Severability. If any provision of this chapter, or application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the chapter which can be given effect without the invalid provisions or applications, and to this end, the provisions of this chapter are severable.

149-M:84 Fund Established; Funding Plan. There is hereby established in the office of the state treasurer a nonlapsing, special fund to be known as the solid waste evaluation committee fund. All application and other filing fees received by the committee under this chapter shall be deposited in the fund. All moneys in the fund shall be continually appropriated to the committee and shall be used to pay for operating costs of the committee and the partial salary of the administrator. If the administrator position is vacant, the fund may be used to pay an independent contractor to perform those duties. Notwithstanding any other provision

of law, the committee may engage the department for additional technical, legal, or administrative support to fulfill the requirements of this chapter, the cost of which shall be charged directly to the applicant or major solid waste disposal facility owner.

149-M:85 Compensation and Reimbursement.

I. The public members of the committee shall be compensated for all time spent on committee business, including compensation and reimbursement for major solid waste disposal facility proceeding time and expenses. Compensation shall be provided on a pro rata basis, based upon the daily salary rate of an unclassified position at the initial step in grade FF under RSA 94:1-a, I(a).

II. State agencies represented on the committee shall be reimbursed for major solid waste disposal facility proceeding time and expenses incurred by their respective members or designees, except that time spent for the first 5 full days of their participation with respect to any application or other proceeding concerning a major solid waste disposal facility shall not be subject to reimbursement. The rate of reimbursement to each respective agency shall be based on a pro rata share of the employee's salary, benefits, and related costs.

III The department of justice shall be reimbursed in the same manner as described in paragraph II for major solid waste disposal facility proceeding time and expenses that are incurred by the counsel for the public.

IV. All persons or agencies seeking compensation or reimbursement under this section shall keep detailed time and expense records which shall be submitted to the chairperson or administrator and used to determine the amount of compensation or reimbursement. The chairperson or administrator shall develop a record keeping system and accounting and payment procedures.

V. Compensation shall not be provided to members of the committee for initial meetings conducted prior to acceptance of application fees. The department shall provide support for the adoption of rules established by the committee.

149-M:86 Solid Waste Permit Applications Suspended. The department shall not issue any permit approvals that authorize new capacity for major solid waste disposal facilities until rules are adopted by the committee or until July 1, 2027, whichever is later.

2 New Subparagraph; Solid Waste Evaluation Committee Fund. Amend RSA 6:12, I(b) by inserting after subparagraph (410) the following new subparagraph:

(411) Moneys deposited in the solid waste evaluation committee fund as established in RSA 149-M:84.

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

HB 1253, enabling the use of dogs to guard crops. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Judy Aron for Environment and Agriculture. This bill was a combination of three bills having to do with the definition of Livestock Guardian Dogs (LGD) and Crop Guardian Dogs (CGD). There are three main parts to this bill. Part 1 was adding language to existing exemptions to include specifically livestock guarding and crop guarding. That was the original language of this bill, HB 1253, with a slight clarification. Part 2 was adding new sections to statute to define Livestock Guardian Dogs (LGD) and Crop Guardian Dogs (CGD) and setting penalties for saying a dog is one or the other in order to evade nuisance barking laws. Part 3 was the original language of HB 1092 which changes existing law (RSA 466:31, II(g)) having to do with guard dogs and their actions when not being on the owner's property. By combining these three bills, we recommended HB 1092 and HB 1133 be found Inexpedient to Legislate, and recommended this combined bill, HB 1253 regarding livestock guardian dogs and crop guardian dogs. Our committee believes this bill and its amendment makes much needed simplified changes that not only further define Livestock Guardian Dogs (LGD) and Crop Guardian Dogs (CGD) but also set penalties for people with nuisance barking dogs who claim their dogs are LGD's or CGD's in order to skirt the law regarding nuisance barking. Our committee also thinks that this will be of great help to local law enforcement, municipalities and animal control officers. We worked with NH Farm Bureau members, dog organizations, farmers, and members of our committee to draft the amendment. Vote 13-0.

Amendment (0930h)

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

AN ACT exempting dogs guarding livestock or crops from nuisance dog statutes when engaged in such work.

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

1 Guardian Dogs; Livestock; Crops. Amend RSA 466:30-a, I to read as follows:

I. Notwithstanding any other provisions of this chapter, it shall be unlawful for any dog to run at large, except when accompanied by the owner or custodian, and when used for hunting, for guarding, working, **guarding crops, guarding livestock**, or herding livestock, as defined in RSA 21:34-a, II(a)(4), for supervised competition and exhibition, or for training for such. For the purpose of this section, "accompanied" means that the owner or custodian must be able to see or hear, or both, or have reasonable knowledge of where the dog is hunting, where training is being conducted, where trials are being held, or where the dog is guarding, working, **guarding crops, guarding livestock**, or herding livestock. Nothing herein provided shall mean that the dog must be within sight at all times.

2 New Sections; Guardian Dogs. Amend RSA 466 by inserting after section 30-b the following new sections:
466:30-c Livestock Guardian Dogs.

I. Notwithstanding any other provision of law, a dog may run at large while it is actively engaged in the protection, herding or management of livestock, provided that such dog:

(a) Is actively used for guarding livestock and works primarily with the livestock herd or flock in a pasture, range, field, yard, or similar open agricultural environment, rather than primarily in a residential home, yard, or urban/suburban setting;

(b) Exhibits behaviors consistent with its working role and is not exhibiting persistent nuisance barking unrelated to guarding.

II. Any person who knowingly and willfully falsely claims livestock guardian dog status in response to a nuisance complaint, enforcement action, or otherwise to evade application of nuisance or at-large laws shall be guilty of a violation. Upon verified complaint, the local animal control authority or law enforcement agency may issue:

(a) A written warning for a first violation.

(b) A civil penalty of \$150 for a second violation and the implementation of bark mitigation measures.

(c) A civil penalty of \$500 or more for a third violation and subsequent violations.

466:30-d Crop Guardian Dogs.

I. Notwithstanding any other provision of law, a dog may run at large while it is actively engaged in the protection of farm crops, provided that such dog is:

(a) Is actively used for guarding crops in a pasture, range, field, yard, or similar open agricultural environment, rather than primarily in a residential home, yard, or urban/suburban setting;

(b) Exhibits behaviors consistent with its working role and is not exhibiting persistent nuisance barking unrelated to guarding.

II. A crop guardian dog shall not be deemed to be at large for the purposes of RSA 466:28, provided that the crop guardian dog remains within the boundaries of property owned or operated by the dog owner and does not trespass onto neighboring properties or public ways.

III. Any person who knowingly and willfully falsely claims crop guardian dog status in response to a nuisance complaint, enforcement action, or otherwise to evade application of nuisance or at-large laws shall be guilty of a violation. Upon verified complaint, the local animal control authority or law enforcement agency may issue:

(a) A written warning for a first violation.

(b) A civil penalty of \$150 for a second violation and the implementation of bark mitigation measures.

(c) A civil penalty of \$500 or more for a third violation and subsequent violations.

3 Crop Guardian Dogs; Livestock Guardian Dogs. Amend RSA 466:31, II(g) to read as follows:

(g) If, whether alone or in a pack with other dogs, it bites, attacks, or preys on game animals, domestic animals, fowl, or human beings *when not on the owner's property*.

4 Effective Date. This act shall take effect January 1, 2027.

2026-0930h

AMENDED ANALYSIS

This bill exempts dogs engaged in guarding livestock or crops from nuisance statutes when engaged in such work.

HB 1305, enabling the use of telehealth to deliver veterinary care. **INEXPEDIENT TO LEGISLATE.**

Rep. Barbara Comtois for Environment and Agriculture. The committee voted Inexpedient to Legislate after concluding that the bill, as drafted, is not ready for prime time and would require substantial revision. While the committee acknowledges that telehealth may serve a limited, supplemental role in veterinary care, members expressed concern that the bill would permit the establishment of a veterinarian-client-patient relationship, including the prescribing of medications, without any prior in-person examination of the animal. The committee noted that the vast majority of veterinary diagnosis and treatment depends upon a hands-on physical examination, which cannot be reliably replicated through remote or computer-based platforms. Of particular concern was the potential for out-of-state veterinarians, operating via telehealth, to recommend or prescribe medications for New Hampshire animals with whom they have no established relationship. This raised significant issues related to patient safety, standards of care, and regulatory oversight. The committee further observed that most New Hampshire veterinarians already provide appropriate triage and guidance by telephone to established clients, enabling animal owners to determine when in-person care is necessary. Accordingly, the committee found no demonstrated need for the broad statutory expansion proposed in the bill. The committee concluded that veterinary telehealth, if authorized, should be limited to New Hampshire-licensed veterinarians who have established an in-state veterinarian-client-patient relationship based upon a prior in-person examination. The committee determined that this bill would require significant amendment to address these concerns before it could warrant further consideration. Vote 11-2.

HB 1478-FN, requiring the department of environmental services to revise the rules for proposed new landfills. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Kelley Potenza for Environment and Agriculture. As amended, this bill takes care of multiple policy decisions to protect the health and safety of New Hampshire citizens, drinking water sources, and our environment, including drinking water wells, perennial rivers, lakes, and coastal waters, from contamination. This strengthens already existing rules regarding landfill siting. This legislation modernizes our approach to new greenfield landfill siting, ensuring we put human health first and environmental protection back in the driver's seat. This legislation establishes landfill siting criteria aligned with those of other states/provinces/countries—via site-specific surface and drinking water setbacks, based on how quickly pollution can move through local soils and bedrock. This bill establishes a modern, local data criterion for new greenfield landfill siting. This legislation also adds words to the governing statute of the NH Department of Environmental Services Solid Waste Division changing their authority merely from “write rules” to writing rules “necessary to protect the public health and the environment with an ample margin of safety.” Vote 12-1.

Amendment (0975h)

Amend the bill by replacing section 3 with the following:

3 New Paragraphs; Groundwater Protection. Amend RSA 149-M:9 by inserting after paragraph XV the following new paragraphs:

XVI. No solid waste permit shall be issued by any division of the department for the siting of a new landfill if any part of the actual solid waste disposal area is proposed to be located sufficiently close to any existing drinking water well, perennial river, lake, or coastal water of New Hampshire, as defined in RSA 483-B:4, XVI, such that groundwater on the landfill site would be able to reach the water body within 5 years of migrating off-site due to any leak, spill, or other failure.

XVII.(a) The department shall establish a site-specific setback distance for any proposed new landfill from any drinking water wells, perennial river, lake, or coastal water of New Hampshire, as defined in RSA 483-B:4, XVI. The setback distance shall be sufficient to prevent any contaminated groundwater at any part of the landfill footprint or leachate storage or piping infrastructure from reaching any existing drinking water wells, perennial river, lake, or coastal water of New Hampshire within 5 years. The setback distance shall be calculated as follows:

(1) The applicant shall hire a hydrogeologist who has never worked with or been contracted through a third party with any applicant's current or previous projects, at the applicant's expense, to estimate based upon adequate and representative on-site field testing of both the landfill footprint and leachate storage or piping infrastructure, the velocity of groundwater in both surficial geological deposits and bedrock. The velocity shall be estimated by calculating the 95th percentile upper confidence limit of the mean measured rate, using the formula recommended by the United States Environmental Protection Agency at EPA 600-R-97/006.

(2) The 5-year distance-of-travel estimate shall be calculated by multiplying the velocity, in units of feet per year, by 5.

(3) The setback from any existing drinking water well, perennial river, lake, or coastal water of New Hampshire shall be the greater of the 5-year distance-of-travel estimate calculated in subparagraph (2) or 1,500 feet.

(b) No permit shall be issued by any division of the department for the siting of a new landfill that fails to conform to the setback distance as calculated using the method set forth in subparagraph (a).

(c) In this section, “new landfill” excludes any expansion or modification of any landfill facilities on any site where, as of January 1, 2025, a RCRA Subtitle D landfill exists that has received all permits necessary to operate at present and is currently operating under such permits at the time it files an application to expand.

(d) In this section, “site” means a single parcel or adjacent parcels, owned in its entirety by a landfill operator or its affiliates as of January 1, 2025, including a site where one or more public utility easements traverse the site.

XVIII. The department shall not issue a permit for a new landfill unless the applicant conducts subsurface investigations in sufficient numbers and locations to properly describe the surficial stratigraphy and the bedrock beneath and adjacent to the proposed solid waste boundary, at least to the depth of any aquifers currently used to provide drinking water to residents. Pump tests shall be conducted at selected locations as needed to evaluate aquifer yield and connectivity of bedrock fractures using the department's database of the location and depth of private drinking water wells.

XIX. No permit shall be granted for a new landfill unless undisturbed in-situ soils for 20 feet immediately beneath the footprint and underneath all leachate storage and transfer infrastructure have a maximum saturated hydraulic conductivity of 1×10^{-4} centimeters per second (cm/sec) or less. If the above in-situ soils do not meet the maximum hydraulic conductivity criterion of 1×10^{-4} cm/sec, no amount of imported soil can overcome such deficiency, and the tract shall be deemed impermissible for use as a landfill.

XX. No permit shall be granted for a new landfill unless the subgrade below the liner consists of soil with a saturated hydraulic conductivity of 1×10^{-4} cm/sec or less.

XXI. All references to number-year storm events regarding new landfill permitting requirements in relation to design, construction, and leachate management shall have the minimum value of a 50-year storm margin of safety.

HB 1488, relative to rabies vaccines for animals. **REFER FOR INTERIM STUDY.**

Rep. Barbara Comtois for Environment and Agriculture. This bill addresses rabies vaccination requirements for animals, including provisions related to rabies antibody titer testing and vaccination exemptions. The committee believes that titer testing warrants further investigation and intends to more thoroughly examine the scientific evidence, as well as review how other states utilize titer testing as a basis for exempting pets from additional rabies vaccinations. The committee also identified the need to provide greater statutory clarity for pet owners by defining what constitutes a “veterinary medical condition” that would justify a vaccination exemption. This includes circumstances in which vaccination is contraindicated due to an animal’s medical condition or would endanger the animal’s life or health because of disease, infirmity, disability, ongoing therapy, a documented prior adverse reaction, or other relevant veterinary medical considerations. Given the scope and importance of these issues, the committee determined that additional time is necessary to conduct a thorough review. Accordingly, the committee opted for Interim Study to allow sufficient time to complete its research and develop informed recommendations. Vote 11-2.

HB 1620, establishing closure and remediation requirements for abandoned or leaking on-premises-use fuel oil tanks and requiring disclosure of tank status during property sales. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Peter Bixby for Environment and Agriculture. Underground home heating oil tanks which are no longer in service pose a significant risk of leaking and causing environmental contamination. Remediating such spills is far more costly than taking preventative measures, but there is currently no requirement to remove such out-of-service tanks. As amended, this bill establishes a definition for residential heating oil underground storage tanks and requires that tanks that are permanently out of service be removed or, if structural issues prevent removal, closed in place, using procedures established in fire code. A tank which is made unnecessary by a change in heating system or a tank that the owner never intends to use again is deemed to be permanently out-of-service. The bill also requires reporting and remediation if, in the process of removal or closure, it is determined that the tank has contaminated surrounding soil. Existing law provides financial assistance for the removal of oil tanks that are nearing the end of their service life. The bill also requires notification of such tanks prior to real estate transactions. Vote 12-0.

Amendment (0936h)

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

AN ACT requiring the removal of residential heating oil underground after 12 consecutive months of non-use except in certain circumstances.

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

1 New Subdivision; Residential Heating Oil Underground Storage Tanks. Amend RSA 146-A by inserting after section 19 the following new subdivision:

Residential Heating Oil Underground Storage Tanks

146-A:20 Underground Storage Tank; Definition. In this subdivision, “residential heating oil underground storage tank” means an underground storage tank used solely for heating a residential building.

146-A:21 Removal Required.

I. Except as provided in RSA 146-A:21, II, a residential heating oil underground storage tank shall be removed, in accordance with state fire code as defined by RSA 153:1, VI-a, if a change in the heating system removes it from use or if the owner does not intend to use it in the future.

II. A residential heating oil underground storage tank, required to be removed under this section, may be permanently abandoned by closure in-place, in accordance with state fire code as defined by RSA 153:1, VI-a, if removing the system would undermine the integrity of any overlying structure.

III. A discharge of oil discovered during the removal or closure in-place of a residential heating oil underground storage tank is subject to RSA 146-A:4 and RSA 146-A:5.

2 New Subparagraph; Notification Required; Conveyances of Realty. Amend RSA 477:4-d, I by inserting after subparagraph (d) the following new subparagraph:

(e) Information relative to the presence of a residential heating oil underground storage tank.

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

2026-0936h

AMENDED ANALYSIS

This bill requires the removal of residential heating oil underground if a change in the heating system removes it from use or if the owner does not intend to use it in the future except in certain circumstances.

HB 1766-FN, relative to cruelty to livestock. OUGHT TO PASS WITH AMENDMENT.

Rep. Barbara Comtois for Environment and Agriculture. The legislation adds a new section to RSA 644:8 that specifically addresses cruelty to livestock. Under current law, all animals are treated the same; however, livestock animals are fundamentally different from household pets such as dogs and cats. The care, management, and medical treatment of large animals involve specialized knowledge and practices that many individuals outside the agricultural and veterinary communities may not fully understand. As a result, decisions affecting livestock welfare can sometimes be, and has been, made without appropriate expertise. This bill addresses that concern by ensuring that individuals with species-specific knowledge, such as the state veterinarian or a qualified designee, are involved in the decision-making process regarding reports of animal cruelty or neglect. Our committee believes this safeguard is critically important. It also ensures that if a person is not charged within seven days, the animals must be returned to the owner. The bill also clarifies that only law enforcement or a municipal animal officer may take the livestock into protective custody when the owner or caretaker is not present. In addition, when livestock is taken into protective custody, the law enforcement officer must provide written notice to the owner or caretaker detailing the date and time of the seizure, the number of animals taken, the reason for the action, and the procedure for regaining custody. These provisions ensure transparency, accountability, and fairness. Together, these measures strengthen due process protections with regard to livestock cruelty/neglect complaints while ensuring that livestock welfare decisions are informed by appropriate expertise. Due process is the foundation of our legal system, and this bill upholds that principle. Vote 12-1.

Amendment (0985h)

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

1 Cruelty to Animals. Amend RSA 644:8, IV(a)(1) to read as follows:

IV.(a)(1) Any person charged with animal cruelty under paragraphs III or III-a may have his or her animals, ***except for livestock***, confiscated by the arresting officer. ***The confiscation of livestock shall be governed by paragraph IV-b.***

2 Cruelty to Animals. Amend RSA 644:8, IV-a(a) to read as follows:

IV-a.(a) Except as provided in subparagraphs (b) and (c) any appropriate law enforcement officer, animal control officer, or officer of a duly licensed humane society may take into temporary protective custody any animal, ***except for livestock, which shall be governed by paragraph IV-b***, when there is probable cause to believe that it has been or is being abused or neglected in violation of paragraphs III or III-a when there is a clear and imminent danger to the animal's health or life and there is not sufficient time to obtain a court order. Such officer shall leave a written notice indicating the type and number of animals taken into protective custody, the name of the officer, the time and date taken, the reason it was taken, the procedure to have the animal returned and any other relevant information. Such notice shall be left at the location where the animal was taken into custody. The officer shall provide for proper care and housing of any animal taken into protective custody under this paragraph. If, after 7 days, the animal has not been returned or claimed, the officer shall petition the municipal or district court seeking either permanent custody or a one-week extension of custody or shall file charges under this section. If a week's extension is granted by the court and after a period of 14 days the animal remains unclaimed, the title and custody of the animal shall rest with the officer on behalf of the officer's department or society. The department or society may dispose of the animal in any lawful and humane manner as if it were the rightful owner. If after 14 days the officer or the officer's department determines that charges should be filed under this section, the officer shall petition the court.

3 New Paragraphs; Cruelty to Animals; Livestock. Amend RSA 644:8 by inserting after paragraph IV-a the following new paragraphs:

IV-b.(a) Any person charged with cruelty to animals under RSA 644:8 paragraphs III or III-a concerning livestock may have his or her livestock confiscated by the arresting officer. No animal shall be confiscated unless a person is charged under this section, except when there is probable cause to believe the livestock's life is in imminent danger. The investigating officer for a case involving livestock as defined in RSA 427:38, III shall be accompanied by the state veterinarian or designee in person or by video who shall determine whether there is probable cause to believe that the livestock should be confiscated. Any person not charged within 7 days of having their livestock confiscated shall have them returned.

(b) A person charged under this section may petition the court to seek an examination of the livestock by a veterinarian licensed under RSA 332-B of his or her choice at the expense of the person charged. The person charged shall be made aware of such right in writing by the arresting officer.

(c) Courts shall give cases in which livestock have been confiscated by an arresting officer priority on the court calendar. In cases in which livestock have been confiscated by an arresting officer or his or her agency, a status hearing shall be held by the court within 14 days of the confiscation of the livestock.

(d) Any person with proof of sole ownership or co-ownership of the livestock confiscated by an arresting officer in a livestock cruelty case and who is not a defendant or party of interest in the criminal case

may petition the court for temporary custody of the livestock. The court shall give such person priority for temporary custody of the livestock if the court determines it is in the best interest of the livestock's health, safety, and wellbeing.

(e) No custodian of the livestock confiscated under this section shall spay or neuter or otherwise permanently alter the confiscated livestock in his or her custody pending final disposition of the court case unless a treating veterinarian deems such procedure necessary to save the life of the livestock or the owner of the livestock agrees in writing to the procedure or treatment. If the treating veterinarian believes that livestock which has been confiscated is in a state of suffering and that the cost to alleviate the suffering will exceed the amount of allowable reimbursement as set by Agr 3504.01(c)(8), unless the owner pays for the care, the animal shall be euthanized.

(f) Upon a person's conviction of cruelty to animals regarding livestock, the court shall dispose of the confiscated livestock in any manner it decides except in a case in which the confiscated livestock is owned or co-owned by persons other than the defendant. If the defendant does not have an ownership interest in the confiscated livestock, the court shall give priority to restoring full ownership rights to any person with proof of ownership if the court determines that such is in the best interest of the livestock's health, safety, and wellbeing. If the confiscated livestock is co-owned by the defendant, the court shall give priority to transferring the defendant's interest in the property to the remaining owner or co-owners equitably if the court determines that such is in the best interest of the livestock's health, safety, and wellbeing.

(g) The costs to provide the confiscated livestock with humane care and adequate and necessary veterinary services, if any, incurred in boarding and treating the livestock, pending disposition of the case, and in disposing of the livestock upon a conviction of said person for cruelty to animals regarding livestock, shall be borne by the person so convicted in accordance with rules adopted by the department of agriculture, markets, and food.

(h) Any donations raised using the stories or likenesses of the animals in protective custody shall be used to offset the cost of care of such animals.

IV-c.(a) Except as provided in RSA 644:8, IV(b), any appropriate law enforcement officer or municipal animal control officer may take into temporary protective custody any livestock when the owner or caretaker is not present and there is probable cause to believe that it has been or is being abused or neglected in violation of paragraphs III or III-a when there is a clear and imminent danger to the livestock's health or life and there is not sufficient time to obtain a court order. Such officer shall leave a written notice indicating the type and number of livestock taken into protective custody, the name of the officer, the time and date taken, the reason it was taken, the procedure to have the livestock returned and any other relevant information. Such notice shall be left at the location where the livestock was taken into custody. The officer shall provide for proper care and housing of any livestock taken into protective custody under this paragraph. Unless charges have been filed or a warrant establishing probable cause has been issued, the livestock shall be returned to the owner or their designee or caretaker upon request. If, after 7 days, the livestock has not been returned or claimed, the officer shall petition the municipal or district court seeking either permanent custody or a one-week extension of custody or shall file charges under this section. If a week's extension is granted by the court and after a period of 14 days the livestock remains unclaimed, the title and custody of the livestock shall rest with the officer on behalf of the officer's department. The department may dispose of the livestock in any lawful and humane manner as if it were the rightful owner. If after 14 days the officer or the officer's department determines that charges should be filed under this section, the officer shall petition the court. An owner of livestock taken into protective custody shall have the right as referenced in subparagraph IV(b).

(b) For purposes of subparagraph (a) the investigating officer for livestock, as defined RSA 427:38, III, shall be accompanied by the state veterinarian or their designee in person or by video who shall set the probable cause criteria for taking the livestock.

(c) In cases where one or more lactating livestock is confiscated, proof shall be provided by the confiscating party to the attending veterinarian and the owner or caretaker that proper care and facilities shall be provided for adults and offspring. No lactating livestock shall be separated from its non-weaned offspring unless such separation is authorized by a licensed veterinarian.

(d) No person, other than the state veterinarian or their designee, or an employee of a government agency with jurisdiction to investigate violations of this section, and which is conducting an investigation under this section, may take part during any investigation into a complaint conducted pursuant to this section. No person who may be called upon to take custody of any livestock seized as a result of a complaint under this section may participate in the decision to seize any livestock.

(e) In order to protect the integrity of complaint investigations an appropriate law enforcement officer shall require any person or their designated agent called upon to take custody of any livestock seized or to assist during any complaint investigation, to sign a binding nondisclosure agreement intended to protect any shared or confidential information against unauthorized use pending final adjudication or dismissal of such complaint; provided that information may be disclosed only to officials with a need to know who are subject to confidentiality obligations.

(f) No custodian of livestock in temporary protective custody under this section shall spay or neuter or otherwise permanently alter the confiscated livestock in his or her custody pending final disposition of the court case unless a treating veterinarian deems such procedure necessary to save the life of the livestock or the owner of the livestock agrees in writing to the procedure or treatment. If the treating veterinarian believes that livestock which has been confiscated is in a state of suffering and that the cost to alleviate the suffering will exceed the amount of allowable reimbursement as set by Agr 3504.01(c)(8) unless the owner pays for the care, the animal shall be euthanized.

4 Veterinarian Assistant. Amend RSA 644:8, V to read as follows:

V. A veterinarian licensed to practice in the state *and the state veterinarian or their designee* shall be held harmless from either criminal or civil liability for any decisions made for services rendered under the provisions of this section or RSA 435:11-16. Such a veterinarian *or designee* is, therefore, under this paragraph, protected from a lawsuit for his *or her* part in an investigation of cruelty to animals.

5 State Veterinarian; Powers. Amend RSA 436:8 to read as follows:

436:8 Powers. The state veterinarian, under the direction of the commissioner, shall have all of the powers of the commissioner and shall have general charge of the enforcement of this chapter. Complaints under RSA 644:8, 644:8-a, 644:8-aa and any other law pertaining to the abuse of domestic animals, as defined under RSA 436:1, shall initially be filed with the local law enforcement agency, animal control officer, state police, or sheriff which has jurisdiction over where the animal is located or kept. At the request of the local law enforcement agency, animal control officer, state police, or sheriff, the state veterinarian shall assist in a secondary capacity in enforcing the provisions of and investigating said complaints. ~~[In the event the commissioner becomes incapacitated or a vacancy occurs in the office, the state veterinarian shall perform all the duties of that office during any such incapacity or until any such vacancy is filled. The commissioner may direct the state veterinarian to act for him or her in an official capacity whenever he or she may be absent from his or her duties.]~~

6 Repeal. RSA 644:8, IV-a(b), relative to livestock confiscation, is repealed.

7 Effective Date. This act shall take effect January 1, 2027.

2026-0985h AMENDED ANALYSIS

This bill provides procedures for the potential confiscation of livestock involved in cruelty to animal cases.

CACR 17, Relating to the commissioner of the department of insurance. Providing that the commissioner of the department of insurance be elected. **INEXPEDIENT TO LEGISLATE.**

Rep. Erica Layon for Executive Departments and Administration. The committee believes that making the insurance commissioner an elected position is not prudent, as this would make this a political position. Vote 14-1.

HB 1004, exempting certain dwelling units from automatic sprinkler system requirements. **REFER FOR INTERIM STUDY.**

Rep. Erica Layon for Executive Departments and Administration. This bill seeks to exempt buildings of up to four units from sprinkler requirements. Given the recent change to permit a single stairway in buildings up to four units, the committee wants the time provided by interim study to devise a way to allow these buildings to either have a single stairway with fire suppression sprinklers or to build townhouse style units with fire barriers and separate exits without sprinklers. Vote 16-0.

HB 1014, exempting certain retirees from the 28-day waiting period for part-time employment. **INEXPEDIENT TO LEGISLATE.**

Rep. Stephen Pearson for Executive Departments and Administration. This bill proposes to waive the existing 28-day waiting period that currently applies when a public employee retires and subsequently returns to work part-time in the same position. However, eliminating this waiting period would conflict with applicable federal law and Internal Revenue Service (IRS) regulations, specifically the provisions governing "fraudulent retirement." Because the proposed change would place the retirement system out of compliance with federal requirements, the legislation cannot be enacted. Vote 14-0.

HB 1060-FN, relative to the requirements for licensure as an engineer. **INEXPEDIENT TO LEGISLATE.**

Rep. Jaci Grote for Executive Departments and Administration. This bill removes the requirement of the 10 years of accumulated engineering experience under the direction of a licensed professional engineer for licensure as an engineer. This bill also removes that the education or experience required be satisfactory to the board. New Hampshire has a soft touch for licensure as an engineer as compared to other states in that there is a remote process that allows for a development of a portfolio as a means to demonstrate engineering experience. The purpose of the years of experience is to demonstrate broad and deep competence and progressive responsibility to provide a public-safety margin. Vote 15-0.

HB 1093, relative to public charter schools and the state building code and governmental land use exemptions. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jaci Grote for Executive Departments and Administration. This bill clarifies that, for purposes of the state building code compliance, charter school facilities are included in the definitions of public school buildings. The bill defines charter schools as part of the definition for “public school buildings” whether they be owned or leased. The amendment places these changes in the appropriate sections of law. Vote 12-0.

Amendment (1013h)

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

AN ACT relative to public charter schools and governmental land use exemptions.

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

1 Chartered Public Schools; Governmental Use. Amend RSA 194-B:3, I(a) to read as follows:

(a) Except as otherwise provided in law, chartered public schools shall be fully exempt from state laws and rules which otherwise apply to public or nonpublic schools, or local school boards or districts. Notwithstanding the foregoing, chartered public schools shall have all the rights and privileges of other public schools, **including treatment as governmental use under RSA 674:54.**

2 Governmental Land Uses; Chartered Public School. Amend RSA 674:54, I through II to read as follows:

I. In this section, “governmental use” means a use, construction, or development of land owned or occupied, or proposed to be owned or occupied, by the state, university system, the community college system of New Hampshire, or by a county, town, city, school district, **chartered public school**, or village district, or any of their agents, for any public purpose which is statutorily or traditionally governmental in nature.

II. The state, university system, community college system of New Hampshire, county, town, city, school district, **chartered public school**, or village district shall give written notification to the governing body and planning board, if such exists, of a municipality of any proposed governmental use of property within its jurisdiction, which constitutes a substantial change in use or a substantial new use. Written notification shall contain plans, specifications, explanations of proposed changes available at the time, a statement of the governmental nature of the use as set forth in paragraph I, and a proposed construction schedule. Such notification shall be provided at least 60 days prior to the beginning of construction. Either the governing body or planning board of the municipality may conduct a public hearing relative to the proposed governmental use. Any such hearing shall be held within 30 days after receipt of notice by the governing body or planning board. A representative of the governmental entity which provided notice shall be available to present the plans, specifications, and construction schedule, and to provide explanations. The governing body or planning board may issue nonbinding written comments relative to conformity or nonconformity of the proposal with normally applicable land use regulations to the sponsor of the governmental use within 30 days after the hearing.

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

2026-1013h

AMENDED ANALYSIS

This bill grants chartered public schools governmental-use status for land-use purposes and subjects them to the same municipal notification requirements as other governmental entities.

HB 1109, relative to notice and update requirements regarding state employee investigations. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Stephen Pearson for Executive Departments and Administration. As amended, this bill would require that any public employee who is suspended receive written notice of the specific reasons for the suspension within seven days. This provision is necessary in light of recent instances in which investigations have extended for months while employees remain on paid administrative leave. Prolonged suspensions of this nature do not serve the best interests of either taxpayers or the affected employees. Establishing a seven day notification requirement will promote timely action by human resources departments and help ensure greater transparency and accountability in the investigative process. Vote 14-0.

Amendment (0620h)

Amend the bill by replacing section 1 with the following:

1 New Subdivision; Protective Legislation; Notice of Suspension of Public Employee. Amend RSA 275 by inserting after section 83 the following new subdivision:

Notice of Suspension

275:84 Suspension Notice and Investigation Updates.

I. If any public employee is suspended with or without pay from duty, they shall receive written notice detailing the reasons for the suspension within 7 days of the suspension date. The suspended employee shall be provided with periodic updates regarding the status of the investigation every 90 days until a final decision is made.

II. This section shall apply to all public employees, unless explicitly stated otherwise in a collective bargaining agreement.

III. For the purposes of this section:

(a) "Employer" means the state of New Hampshire and any of its political subdivisions.

(b) "Public employee" or "employee" means any person employed by the state or any subdivision thereof, including, but not limited to counties, cities, towns, precincts, water districts, school districts, and school administrative units.

2026-0620h

AMENDED ANALYSIS

This bill outlines procedures for handling the suspension of certain state and local employees by providing written notice and periodic updates.

HB 1149, relative to abolishing daylight saving time. **INEXPEDIENT TO LEGISLATE.**

Rep. Jaci Grote for Executive Departments and Administration. This bill is re-occurring and provides that New Hampshire abolishes daylight savings time once Massachusetts, Vermont, Rhode Island, and Maine have all voted to do so. Many of the committee believe that we should do away with time changes, but are not in agreement between eastern standard time or daylight saving time which is atlantic standard time. The committee encourages the federal government to eliminate the time change and recognizes the federal role to set the national framework for time zones and daylight savings time. Vote 13-2.

HB 1211, relative to the scope of review of state agency interpretations. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Erica Layon for Executive Departments and Administration. This bill applies the Loper-Bright decision regarding judicial deference to New Hampshire. As amended, it asserts the need for a de novo interpretation of statutes and regulations by a state court or administrative hearing officer and resolves doubt in favor of the individual in case of a tie between a state agency and an individual. Vote 16-0.

Amendment (0906h)

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

1 New Section; Standards for Review. Amend RSA 541-A by inserting after section 24 the following new section:

541-A:24-a Standards for Review.

I. In interpreting a state statute, regulation, or other subregulatory agency document, a state court or an officer hearing an administration action shall not defer to a state agency's interpretation of the statute, regulation, or subregulatory document and shall instead interpret its meaning and effect de novo.

II. In actions brought by or against state agencies, after applying all customary tools of interpretation, the court or hearing officer shall resolve any remaining doubt as to legal meaning in favor of a reasonable interpretation that limits agency power and maximizes liberty for the individuals impacted by restrictions, fees, fines, or civil or criminal action as a result of the state statute, regulation, or other subregulatory agency document.

2 New Section; Statutory Construction. Amend RSA 21 by inserting after section 55 the following new section:

21:56 Presumption of Liberty in Administrative Law. Consistent with RSA 541-A:24-a, in actions brought by or against state agencies, after applying all customary tools of interpretation, a court or hearing officer shall resolve any remaining doubt as to legal meaning in favor of a reasonable interpretation that limits agency power and maximizes liberty for the individuals impacted by restrictions, fees, fines, or civil or criminal action as a result of the state statute, regulation or other subregulatory agency document.

3 Effective Date. This act shall take effect January 1, 2027.

2026-0906h

AMENDED ANALYSIS

This bill states that in actions brought by or against state agencies, after applying all customary tools of interpretation, the court or hearing officer shall resolve any remaining doubt as to legal meaning in favor of a reasonable interpretation that limits agency power and maximizes liberty for the individuals impacted by restrictions, fees, fines, or civil or criminal action as a result of the state statute, regulation, or other subregulatory agency document.

HB 1261, relative to the administrative procedure act. **REFER FOR INTERIM STUDY.**

Rep. Erica Layon for Executive Departments and Administration. This bill modernizes the language of the administrative procedure act. The committee was in the process of determining the appropriate language around legislative intent, and was unable to finalize wording prior to the deadline to act. An identical bill from the other body is already in possession of the committee, so an interim study for this bill does not end the advancement of this policy during this legislative session. Vote 16-0.

HB 1269, relative to qualifications to practice acupuncture. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Erica Layon for Executive Departments and Administration. This bill, as amended, revises the educational requirements for an acupuncture license to include a valid license from another state whose requirements

are substantially equivalent or exceed those in our statute RSA 328-G:9, II, adds a acupuncture detoxification specialist to the acupuncture board, revises the supervision requirements for certified acupuncture detoxification specialists and updates the name of the national acupuncture association mentioned in statute. This bill was the request of the acupuncture board. Vote 15-0.

Amendment (0795h)

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

3 Acupuncture. Amend RSA 328-G:9, II(e)(1) to read as follows:

(e)(1) Has earned ~~[a baccalaureate, registered nurse, or physician associate degree from an accredited institution, and has]~~ a current, valid license to practice acupuncture from another state whose requirements are substantially equal to or exceed the requirements of RSA 328-G:9, II; or

4 Definition of NCBAHM. RSA 328-G:2, VII is repealed and reenacted to read as follows:

VII. "NCBAHM" means the National Certification Board of Acupuncture and Herbal Medicine, including its predecessors and successors.

5 Change from NCCAOM to NCBAHM. Amend the following RSA provisions by replacing NCCAOM with NCBAHM: RSA 328-G:9, II and X.

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

2026-0795h

AMENDED ANALYSIS

This bill modifies requirements for acupuncture licensure; adds an acupuncture detoxification specialist to the acupuncture board; and updates the name of the certification commission from the NCCAOM to the NCBAHM.

HB 1286, relative to the practice of dentistry and when x-rays are required. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John Sellers for Executive Departments and Administration. This bill with amendment makes additional clarifying adjustments. As amended it allows flexibility to the patient to be treated even if the patient refuses to have an X-ray. To protect the dentist, the dentist is required to create the waiver of liability and the patient is required to sign the waiver, indicating that the patient waives the right to sue the dentist lacking an X-ray examination. Vote 14-2.

Amendment (0914h)

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

AN ACT relative to the practice of dentistry and when radiographic examinations are required.

Amend RSA 317-A:17, II-a as inserted by section 1 of the bill by replacing it with the following:

II-a. Notwithstanding RSA 317-A:17, II(j), a dentist may treat a patient who has declined to have a radiographic examination. In such cases, the dentist shall require the patient to sign a waiver of liability, indicating that the patient waives the right to sue the dentist in the event that the lack of a radiographic examination results in unforeseen injury to the patient. No dentist shall be subject to license suspension, revocation, or any other disciplinary action by the board for actions taken pursuant to this paragraph.

2026-0914h

AMENDED ANALYSIS

This bill provides that a dentist may treat a patient who declines to have a radiographic examination and the dentist in such cases shall require the patient to sign a waiver of liability.

HB 1312, relative to the authority of various boards. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Erica Layon for Executive Departments and Administration. This bill makes various minor changes to law discovered during the rulemaking process, including removing legacy language surrounding optometric pharmaceutical use. The amendment permits the executive director of the office of professional licensure and certification to permit subcommittees for specific purposes. Vote 16-0.

Amendment (0390h)

Amend the bill by replacing section 1 with the following:

1 New Paragraph; Office of Professional Licensure and Certification; Board Subcommittees. Amend RSA 310:2 by inserting after paragraph III the following new paragraph:

IV. With the approval of the executive director, any board may establish a subcommittee or subcommittees for the purpose of reviewing and making recommendations on matters which could be handled by the full board. The office shall determine the composition and duration of any subcommittee, the frequency of its meetings, other logistics, and resources used for it based upon rules adopted by the executive director pursuant to RSA 541-a. Amend the bill by inserting after section 2 the following and renumbering the original sections 3 and 4 to read as 4 and 5, respectively:

3 Office of Professional Licensure and Certification; Rulemaking Authority. Amend RSA 310:6, II to read as follows:

II. Such organizational and procedural rules necessary to administer the boards in the office, including rules governing the administration of complaints and investigations, hearings, disciplinary and non-disciplinary proceedings, manufactured housing dispute resolution, inspections, payment processing procedures, **board subcommittees**, and application procedures. For purposes of this paragraph, “manufactured housing dispute resolution” means a program for the timely resolution of disputes between manufacturers, retailers, and installers of manufactured homes, including the issuance of appropriate orders, regarding responsibility for the correction or repair of defects in manufactured homes for defects that are reported during the one-year period beginning on the date of installation.

2026-0390h
AMENDED ANALYSIS

This bill:

I. Authorizes boards under the purview of the office of professional licensure and certification to establish subcommittees, subject to rules established by the office.

II. Removes the authority of the board of registration in optometry to modify the list of approved pharmaceuticals for use by optometrists.

III. Removes the authority of the board of accountancy to establish administrative fines by rule.

HB 1340, limiting occupational regulations to those demonstrably necessary to achieve public health, safety, or welfare objectives. **INEXPEDIENT TO LEGISLATE.**

Rep. Jeremy Slottje for Executive Departments and Administration. While the committee and the prime sponsor strongly support the underlying principle of the “Right to Earn a Living,” it is not currently in a position to be implemented effectively. This legislation would mandate an immediate, massive administrative overhaul across all levels of state and local government, requiring every agency to review and justify every rule within a narrow time frame. The committee is concerned that the broad definitions and the immediate shift to a judicial challenge framework could lead to significant litigation costs for municipalities and the state before a clear regulatory standard is established. The prime sponsor and the committee agree that reform of occupational licensing is a priority for New Hampshire’s economic future; however, such reform requires a more comprehensive understanding of the current regulatory landscape. We believe this issue would be better served by future refined legislation or a formal study to ensure that the transition to a less-burdened regulatory environment is orderly and does not inadvertently compromise essential public health and safety protections. Vote 14-0.

HB 1390, designating the apple cider doughnut the official doughnut of the state of New Hampshire. **INEXPEDIENT TO LEGISLATE.**

Rep. Erica Layon for Executive Departments and Administration. The committee was impressed by the preparation and presentation from the fourth grade students who asked that this bill be introduced. It was one of the more impressive bill introductions that we have witnessed, however the committee was not convinced of the necessity to create a state doughnut. While the apple cider doughnut is undoubtedly a beloved fall treat in New Hampshire, closely tied to our abundant apple orchards, cider production, and seasonal traditions, the committee believes that official state designations should be reserved for symbols with deeper, more distinctive cultural, historical, or iconic significance that uniquely define the state on a broader scale. Vote 14-1.

HB 1407, enabling veterinary technicians to provide rabies vaccinations while indirectly supervised by a veterinarian. **OUGHT TO PASS.**

Rep. Diane Kelley for Executive Departments and Administration. This bill enables veterinary technicians to provide rabies vaccinations while indirectly supervised by a veterinarian. This bill makes clear that veterinary technicians, who are already administering other vaccines, can also administer rabies vaccines. It was clarified in committee that the definition and requirements for veterinary technicians are already in administrative rules. Vote 16-0.

HB 1438, requiring mental health caseworkers to report instances of animal abuse by their clients. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Susan DeRoy for Executive Departments and Administration. This bill provides mental health caseworkers the ability to report animal abuse instances which are currently protected as confidential information. The amendment changes “shall” to “may.” Vote 15-1.

Amendment (1024h)

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

AN ACT enabling mental health caseworkers to report instances of animal abuse by their clients.

Amend RSA 330-A:36, I as inserted by section 1 of the bill by replacing it with the following:

I. A person licensed under this chapter having knowledge of, or suspecting in good faith, that any animal has been subjected to cruelty, neglect, exploitation, or is living in hazardous conditions through information from a client that would normally be protected confidential information may report, or cause a report to be made, to a law enforcement officer or to the field services office with the New Hampshire Society for the Prevention of Cruelty to Animals.

2026-1024h
AMENDED ANALYSIS

This bill enables mental health caseworkers to report instances of animal abuse by their clients.

HB 1439-FN, relative to exceeding part-time employment hourly limits for members of the New Hampshire retirement system. **INEXPEDIENT TO LEGISLATE.**

Rep. Erica Layon for Executive Departments and Administration. This bill was introduced to remedy a large financial penalty that resulted after a retiree switched positions, lost the grandfathered part-time hour limit, and exceeded permissible hours. The committee believes that there should be flexibility in punishments from errors which occur by mistakes other than the retiree, however this bill is not the correct vehicle. The committee recommends that the New Hampshire Retirement System assess the process described in administrative rules and documented policy to differentiate between errors that are not the fault of the retiree and those errors or excess hours which present a threat to the sustainability of the state retirement system. Vote 14-0.

HB 1471, relative to changes to the state retirement system. **INEXPEDIENT TO LEGISLATE.**

Rep. Erica Layon for Executive Departments and Administration. Prior to the bill filing period, members of this committee met with the New Hampshire Retirement System to evaluate the need for clarifying legislation in the wake of the adoption of major change to the group II plan passed in conjunction with the state budget. The New Hampshire Retirement System stated that no change in law was required to implement the changes passed in 2025. For this reason, the committee finds this bill to be unnecessary. Vote 14-0.

HB 1506, creating an exception to the restricted uses of artificial intelligence by state agencies. **REFER FOR INTERIM STUDY.**

Rep. Jaci Grote for Executive Departments and Administration. This bill seeks to permit exceptions to prohibitions on use of artificial intelligence by state government which was passed into law in 2024 and is found in RSA 5-D. Current language has important protections against AI making irreversible decisions in regards to limitations on rights and freedoms of individuals, biometric identification, efforts to interpret, apply and/or enforce the laws of the state including sentencing, and management and operation of critical infrastructure. This bill was introduced in part to allow greater flexibility in addressing cyberattacks, but the broad language of the bill and a proposed amendment would permit exceptions for many other uses. The committee believes that this is important policy that should have further study as it is not yet ready for primetime. Vote 15-1.

HB 1519, relative to the term of office and mandatory retirement age for the adjutant general for department of military affairs and veterans services. **INEXPEDIENT TO LEGISLATE.**

Rep. Jaci Grote for Executive Departments and Administration. The bill aimed to change the retirement age for the adjutant general from 65 to 64 or a 6 year service cap is reached. Based on the bill, the retirement age could reach beyond 65 considering the service cap. Vote 16-0.

HB 1544, prohibiting the use of scented products in public areas of state buildings. **OUGHT TO PASS.**

Rep. Paul Dargie for Executive Departments and Administration. This bill prohibits the use of scented products in state buildings, including scented cleaning products, scented restroom products, and fragrance dispensing devices. Compliant products are readily available at no additional cost. Vote 14-1.

HB 1617, relative to enhancing business development and economic investment opportunities. **REFER FOR INTERIM STUDY.**

Rep. Erica Layon for Executive Departments and Administration. This bill was introduced to attract more business to New Hampshire. The committee finds this to be an important goal for our state, and believes that this is an important topic to study. Vote 16-0.

HB 1657, relative to the reporting and elimination of prolonged vacancies in state government. **INEXPEDIENT TO LEGISLATE.**

Rep. Erica Layon for Executive Departments and Administration. This bill was introduced to address positions that go unfilled for months or years, leaving budgeted priorities understaffed. The implementation of this policy was more challenging than anticipated, and the committee therefore found the bill inexpedient to legislate. Vote 15-0.

HB 1727, relative to the inter-agency data sharing for the purpose of distributing summer electronic benefit transfer (EBT) benefits. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Erica Layon for Executive Departments and Administration. As introduced, this bill would automatically share home addresses of students receiving free and reduced lunch with the Department of Health and

Human Services for the purposes of providing summer EBT to those students whose parents have not signed up for the program. The use of students receiving free and reduced lunch as a school funding lever has led to aggressive implementation of the program and may include families who choose not to receive government subsidies beyond public school. Sharing information without authorization is a violation of the constitutional right to privacy for these families. As amended, this bill directs enrollment forms for free and reduced lunches to give families the opportunity to opt in or opt out of sharing data with the Department of Health and Human Services for the purpose of summer EBT with a failure to opt in or out treated as an opt out in order to protect privacy. Vote 14-1.

Amendment (0847h)

Amend the bill by replacing section 1 with the following:

1 New Paragraphs; Student Privacy; Limited Data Sharing for the Purpose of Administering Summer EBT. Amend RSA 189:68 by inserting after paragraph V the following new paragraphs:

VI. To facilitate data sharing between the department of education and the department of health and human services, the department of education shall include on all forms in all formats that collect information the following question with a check box or initial line affirming or denying data sharing:

"I would like the department of education to share my address with the department of health and human services only for the purpose of my child/children receiving Summer EBT. Yes ___ No ___
The department of education shall interpret a failure to mark or initial either "yes" or "no" as a family denying data sharing."

VII. Notwithstanding RSA 189:68, I(b), the department of education shall enter into a memorandum of understanding (MOU) with the department of health and human services regarding the collection and maintenance of student addresses whose parents have opted in to data sharing pursuant to paragraph VI for the purpose of administering the Summer EBT program pursuant to RSA 161:2, XIII-c. Data collected and transmitted under this paragraph shall be confidential, be used exclusively for the administration and distribution of Summer EBT benefits, and not be used for any other purpose. The departments shall delete any data received under the MOU upon the completion of the distribution of benefits for the corresponding summer period, unless otherwise required by federal law.

HR 46, declaring the first Friday in June as a state day of remembrance for children killed by gun violence and urging the establishment of a national day of remembrance. **INEXPEDIENT TO LEGISLATE.**

Rep. Erica Layon for Executive Departments and Administration. This resolution presented numerous implementation challenges, separate from the subject matter itself. It would direct the general court to place a plaque in the State House, which is normally done as a bill and not a resolution. It also had no provision for approval of the parent before adding a child's name to this very public plaque. For these reasons, and others, the committee recommends this resolution be found inexpedient to legislate. Vote 15-0.

HB 1166, relative to the contents of the budget trailer bill. **INEXPEDIENT TO LEGISLATE.**

Rep. Dan McGuire for Finance. This bill attempts to forbid the practice of putting policy changes into HB 2, the budget trailer bill. This can't work for two reasons. First, policy bills that affect spending need to be part of HB 2 so that the budget is an integrated whole. Secondly, legislation cannot be constrained by law. HB 2 could just start with "Notwithstanding..." and be unconstrained. This policy would either have to be in the constitution or House rules to be effective. Vote 24-1.

HB 1311-FN-A, establishing a regulatory analysis fund to evaluate the economic impact of proposed rules and making an appropriation therefor. **INEXPEDIENT TO LEGISLATE.**

Rep. Carol McGuire for Finance. This bill creates a new dedicated fund to pay for economic analysis of proposed rules, and a fairly complex method to actually appropriate the money to get such an analysis. The committee does not disagree that some rules need extensive economic analysis, but believes that it is rare enough that the analysis, if needed, can be obtained on an ad-hoc basis by petitioning the Fiscal Committee for funding. There is no need to set up a dedicated fund for the purpose. Vote 25-0.

HB 1566-FN-A, making a contingent appropriation to the department of health and human services for the purpose of providing recruitment and benefit grants to child care employers. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Samuel Farrington for Finance. As originally introduced, this bill would have appropriated \$15 million in general funds to DHHS for the purpose of subsidizing child care workforce grants. In HB 2, this subsidy was to be applied with federal TANF funds. However, after requesting this with the appropriate waiver, the federal government did not respond with a clear response as to whether the TANF funds may be used for this purpose. The amended version of this bill directs DHHS to ask the federal government again, this time with more focused questions. Vote 25-0.

Amendment (0697h)

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

AN ACT directing the department of health and human services to seek clarification from the Administration for Children and Families regarding the use of TANF reserve funds and repealing the requirement that the department of health and human services' biennial budget request include funding for certain child care workforce programs.

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

1 Request for Clarification Regarding Use of TANF Reserve Funds. No later than August 1, 2026, the department of health and human services shall seek clarification from the federal Administration for Children and Families on the specific uses to which federal TANF reserve funds may be put, as well as any conditions surrounding their transfer to other funds, including the Child Care and Development Fund. The department shall specifically seek clarification regarding the ways in which TANF reserve funds may be used to support recruitment and retention of child care employees, including any alternatives to employment bonuses paid to providers. Within one month of receipt of the Administration's response, the department shall submit said response to the joint fiscal committee and the house and senate finance committees. If the Administration determines that such funds shall not be used for the purposes of this act, the department shall seek a waiver from any requirements prohibiting such use of the funds. The department shall seek such waiver within one month of the Administration's determination that TANF reserve funds shall not be used for the purposes of this act.

2 Repeal. 2025, 141:431, VI, directing the department of health and human services to include the amount necessary to fully fund certain child care workforce programs in its biennial budget request, is repealed.

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

2026-0697h

AMENDED ANALYSIS

The bill directs the department to seek clarification from the federal government regarding the use of TANF reserve funds and to request a waiver for certain uses of such funds that the federal government determines as prohibited uses. This bill also repeals the requirement that the department include funding for certain child care workforce programs in its biennial budget request.

HB 1045, relative to hunting with lights at night. **INEXPEDIENT TO LEGISLATE.**

Rep. James Spillane for Fish and Game and Marine Resources. The committee felt that this bill would unnecessarily muddy the laws around night hunting and use of light for poaching as written. Vote 14-0.

HB 1140, enabling certain disabled persons to hunt from a motor vehicle. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jonathan Smith for Fish and Game and Marine Resources. The committee recognized the bill as amended to be an important step to allow certain disabled individuals to be able to hunt from a motor vehicle with a special permit issued by the fish and game executive director. Specifically, someone who has paraplegia, has lost one or both lower extremities or has lost the use of one or both lower extremities. This is a common sense approach to allow disabled individuals to be able to enjoy the sport of hunting in a manner suitable to their disability. Vote 14-0.

Amendment (0575h)

Amend the bill by replacing section 1 with the following:

1 Disabled Persons; Hunting From Vehicle. Amend RSA 207:7-a, I to read as follows:

I. RSA 207:7 shall not apply to a disabled person who ~~[is suffering from]~~ **has** paraplegia, ~~[or who is suffering from the loss of, or the loss of the use of,]~~ **has lost one or both lower extremities, or has lost the use of one or both lower extremities**, and who has obtained a current license to hunt; provided, however, that such person must first obtain from the executive director a special permit entitling said person to hunt while using a motor vehicle, not to include boats with motor attached or aircraft. For purposes of this section, "motor vehicle" shall include off highway recreational vehicles and all terrain vehicles as defined in RSA 215-A:1, and snowmobiles as defined in RSA 215-C:1. No loaded firearm, shotgun, or rifle shall be carried or transported with a cartridge in the chamber, magazine, or clip attached to the firearm, shotgun, or rifle, while the vehicle is in motion. The executive director may issue such a permit upon application in person or upon documentary proof of such disability by a licensed hunter. Such permit shall be carried upon the person of the permittee while hunting and shall be produced for inspection upon the demand of any law enforcement officer. A \$10 administrative fee shall be charged once, upon application to the executive director for such permit.

HB 1833-FN, creating a special license for non-resident vessel operators participating in tuna tournaments. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Mike Ouellet for Fish and Game and Marine Resources. The committee felt that this would expand fishing opportunities at a reduced cost and encourage the eventual purchase of full season licenses. It would also generate economic benefits to businesses in the area through increased tournament participation. Vote 11-3.

Amendment (0700h)

Amend RSA 211:49-f, I and II as inserted by section 1 of the bill by replacing it with the following:

I. Any person who does not qualify as a resident under RSA 207:1, who takes, possesses, lands, or transports, as part of a tuna tournament, from or on the waters of this state, regardless of where the catch was taken, any tuna species by any method for the purpose of selling the same, shall first procure a valid license from the executive director to do so. A special tuna license shall be issued to a nonresident operator of the vessel who is a registered participant in a tuna tournament that is sponsored and operated by a nonprofit association that has existed for at least one year prior to the tournament. An individual shall not be issued more than one license per one eligible tuna tournament in any one calendar year. This license shall only be valid for the dates of the eligible tuna tournament, not to exceed 10 days. No other marine species may be taken, possessed, landed, or transported for the purpose of sale under this license.

II. The fee for an annual license shall be set by the executive director pursuant to RSA 206:10, I. The executive director shall establish a surcharge on each license issued under this section of not more than \$25, nor less than \$10, to be deposited in the derelict fishing gear and coastal cleanup fund established in RSA 211:77 and shall adopt rules under RSA 541-A for implementing and collecting the surcharge. Any person who satisfactorily demonstrates to the executive director that he or she is participating in a coastal cleanup program shall not be required to pay the surcharge. The executive director shall adopt rules pursuant to RSA 541-A to determine what constitutes satisfactory participation in a coastal cleanup program and to account for licensees who are exempt from the surcharge each year.

HB 1070-FN, relative to the involuntary emergency admission process. **INEXPEDIENT TO LEGISLATE.** Rep. Matt Drew for Health, Human Services and Elderly Affairs. This bill specifies that transport for involuntary emergency admission shall be performed by ambulance if ordered by law enforcement on the scene. The majority of the committee feels that while EMS teams are capable of restraining and sedating patients, they are not law enforcement and should not be required to transport non-consenting, potentially violent persons to the hospital for a mental health evaluation. Vote 18-0.

HB 1249, authorizing pharmacists to provide certain medical devices associated with prescribed medication. **OUGHT TO PASS.**

Rep. Steven Kesselring for Health, Human Services and Elderly Affairs. This bill authorizes pharmacists to provide certain medical devices associated with a patient's prescribed medication. The bill clarifies pharmacists' authority to dispense or supply devices necessary for the proper administration, delivery, or monitoring of prescribed drug therapies. The committee finds that expanding this authority promotes continuity of care, improves patient access to essential treatment-related supplies, and enhances the efficient delivery of pharmacy services while maintaining existing regulatory safeguards. Vote 18-0.

HB 1790-FN, relative to involuntary admissions for certain individuals with a substance use disorder. **REFER FOR INTERIM STUDY.**

Rep. Yury Polozov for Health, Human Services and Elderly Affairs. The committee believes this bill requires additional study. It proposes an approach that has been already tried outside of New Hampshire: many states, both Republican- and Democrat-controlled (such as Massachusetts and Florida), use a similar model of involuntary commitment for individuals with severe substance use disorders who could be dangerous due to impairment. At the same time, this approach is not universally accepted, as its benefits remain disputed. Moreover, including substance use disorder in the definition of mental illness could potentially affect other legal situations involving mental illness. Finally, the committee seeks a universal definition of mental illness and substantial impairment that applies consistently to alcohol as well as to other toxic and controlled substances. The bill as written falls short of that goal, but developing the correct wording requires additional work with subject-matter experts. Vote 18-0.

HB 1005, repealing the commission to study the historical evolution of the New Hampshire zoning enabling act. **INEXPEDIENT TO LEGISLATE.**

Rep. Dillon Dumont for Housing. The committee unanimously recommends that this bill be found Inexpedient to Legislate. The commission, established under RSA 674:23-a, plays a vital role in examining the historical development of New Hampshire's zoning enabling act, including how zoning provisions have evolved over time and their impacts on land use, development, and municipal authority. This includes reviewing aspects of zoning that may restrict housing supply, such as limitations on density, unit types, or occupancy and evaluating whether certain restrictions infringe on property rights by unduly limiting owners' ability to use their land for residential purposes. Repealing the commission would halt this important ongoing analysis at a time when New Hampshire faces persistent housing shortages and debates over balancing local control with statewide needs for more affordable and diverse housing options. The commission's work provides essential historical context and recommendations that can guide reforms to promote property rights, reduce unnecessary barriers to housing development, and ensure zoning laws align with modern economic and demographic realities. The committee sees no urgent or compelling reason to dissolve the commission, particularly given its potential to identify ways zoning may unnecessarily restrict housing or violate property rights principles. Vote 17-0.

HB 1007, relative to manufactured housing. **INEXPEDIENT TO LEGISLATE.**

Rep. Brian Cole for Housing. This bill replaces clear siting standards with a vague reasonable effort's requirement, inviting litigation and forcing municipalities to defend subjective decisions. This weakens local zoning authority and undermines a town's ability to plan development in ways that reflect infrastructure capacity, neighborhood character, and voter approved land use priorities. By requiring manufactured homes to be treated the same as single family homes, the bill disregards the differences in road access, water and sewer capacity, fire protection, and density concerns. The bill also creates unintended consequences for neighborhoods and housing markets. This could complicate enforcement, depress surrounding property values while offering no dedicated funding or guidance to municipalities tasked with oversight and compliance. Expanding housing options is important; however, this bill goes too far by stripping local discretion, creating legal ambiguity, and imposing statewide mandates that fail to account for real-world municipal constraints. Vote 17-0.

HB 1021, amending the date to provide written notice to a municipality of a taxpayer's election to be assessed under the low-income housing tax credit program. **OUGHT TO PASS.**

Rep. Dillon Dumont for Housing. This bill aligns the notification deadline for taxpayers in the low-income housing tax credit (LIHTC) program with assessment cycles and project timelines. The current timing creates unnecessary administrative burdens for applicants and municipal assessors. Adjusting the deadline reduces paperwork, prevents missed notices, and streamlines coordination—without changing program eligibility or benefits. The change supports efficient administration, eases burdens on those delivering affordable housing, and benefits local assessing offices. The committee finds the bill practical and beneficial. Vote 17-0.

HB 1026, relative to the definition of manufactured housing. **INEXPEDIENT TO LEGISLATE.**

Rep. Ellen Read for Housing. This bill would prevent a manufactured home from being qualified as an accessory dwelling unit (ADU). Even while the committee has worked hard to increase housing opportunities and options, this bill would seek to make illegal some of the most affordable housing opportunities for those who need them most, and with no other justification heard by the committee other than stigma and aesthetics. Modern manufactured homes are virtually indistinguishable from stick-built in both quality and appearance. Vote 17-0.

HB 1050, establishing the right to provide educational instruction in municipally zoned and non-zoned areas. **REFER FOR INTERIM STUDY.**

Rep. David Paige for Housing. Bringing groups of homeschooling students together to learn is an option many Granite State families choose and value. The majority of the committee believes families should not face unreasonable impediments when pursuing this option—which are referred to in this bill as “learning pods”—and appreciates the sponsor's effort to address those concerns. At the same time, the majority believes additional study and work are warranted to achieve the bill's goals while avoiding potential unintended consequences. Several elements would benefit from further clarification and elaboration, including definitions governing the ages and number of students that may constitute a learning pod. The majority believes that with additional stakeholder input and careful study, the legislature could craft a workable framework that meets the sponsor's worthy aims in a safe and prudent manner. Vote 15-2.

HB 1079, allowing accessory dwelling units to be built within or attached to certain non-conforming structures. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Allan Howland for Housing. This bill would allow structures built before July 1, 2025 that had become non-conforming due to changes in set back or lot coverage requirements to avoid needing a variance to add an accessory dwelling unit. Applicants would only need to show the planning board proof the structure was built before this date, and proof of permission to build it. Additionally for structures built after July 1, 2025, language is included that references RSA 674:39 which provides structures with a seven-year exemption from changes in setback or lot coverage requirements if the structure shows substantial completion. Finally, the bill would prevent change of use under RSA 674:19 from removing pre-existing non-conforming status. The committee felt the bill helped remove a barrier for some residents to add detached accessory dwelling units and voted unanimously to recommend Ought to Pass with Amendment. Vote 17-0.

Amendment (0823h)

Amend the bill by replacing section 2 with the following:

2 Accessory Dwelling Unit; Existing Structures. Amend RSA 674:72, XI to read as follows:

XI. A municipality shall allow accessory dwelling units to be converted from existing structures, including but not limited to detached garages, regardless of whether such structures violate current dimensional requirements for setbacks or lot coverage.

(a) For the purposes of this section, “existing structure” means a structure existing on or before July 1, 2025, including detached garages, regardless of whether such structures violate current dimensional requirements for setbacks or lot coverage. Any structure containing an accessory dwelling unit approved and built after July 1, 2025 shall receive protection from future

zoning changes in accordance with RSA 674:39, II provided the structure meets the time periods for reaching active and substantial development in RSA 674:39, I(a) and substantial completion in RSA 674:39, I.

(b) If an existing structure does not comply with current dimensional requirements for setbacks and lot coverage, a municipality may determine eligibility for placement of an accessory dwelling unit within an existing structure by requiring the applicant for the building permit to demonstrate either:

(1) The existing structure qualifies as a preexisting, nonconforming structure exempt from the currently applicable dimensional requirements for setbacks and lot coverage in accordance with RSA 674:19 or any local zoning regulation protecting non-conforming structures; or

(2) The existing structure received a prior zoning approval or determination that it was exempt from the current dimensional requirements for setbacks and lot coverage.

(c) An existing structure converted to an accessory dwelling unit, shall not constitute a change of use under RSA 674:19 or any local zoning regulations, which would cause the existing structure to lose its status as a preexisting non-conforming structure.

HB 1103, allowing municipalities to utilize community revitalization tax relief credits on a wider variety of properties and structures. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Allan Howland for Housing. This bill would allow conversions of commercial and industrial structures to residential units to qualify for community revitalization tax credits. Previously, that had been restricted to office conversions. Additionally, previously only renovation of existing units qualified for the credit. This bill would allow new construction units to also qualify. Finally, municipalities would be allowed to set the criteria for projects in housing opportunity zones to qualify for the tax credit. These changes provide municipalities more flexibility to add more housing unit, and is why the committee voted unanimously to recommend Ought to Pass with Amendment. Vote 17-0.

Amendment (0529h)

Amend RSA 79-E:4-c as inserted by section 3 of the bill by replacing it with the following:

79-E:4-c Housing Opportunity Zone. A city or town may adopt the provisions of this section by vote of its legislative body, in accordance with the procedures described in RSA 79-E:3, to establish a housing opportunity zone. To be eligible for tax relief under this section, the qualifying structure and property shall be located within the housing opportunity zone established by the municipality. ~~[No less than one-third of the housing units constructed shall be designated for households with an income of 80 percent or less of the area median income as measured by the United States Department of Housing and Urban Development, or the housing units in a qualifying structure shall be designated for households with incomes as provided in RSA 204-C:57, IV]~~ ***Municipalities may further establish criteria for the public benefits, goals, and measures that promote housing affordability for tax relief located within a designated housing opportunity zone.*** A qualifying structure under this section shall be eligible for tax assessment relief, ***beginning upon issuance of the certification of occupancy or completion of construction of new housing units***, for a period of up to ~~[10 years, beginning upon issuance of the certification of occupancy]~~ ***7 years if no workforce housing, as defined by RSA 674:58, is created, or up to 11 years, if workforce housing is created.***

Amend the bill by replacing section 5 with the following:

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

HB 1112, relative to snow removal responsibilities in residential lease agreements. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Ellen Read for Housing. This bill simply clarifies that in a lease, tenants and renters may agree to whatever division of responsibilities they like with regards to snow removal, but if their lease is silent on the matter, it shall be presumed that the landlord is responsible for all areas accessed by multiple units, and the renter is responsible for all areas that are only accessible by their unit. Due to anecdotes of confusion and conflict between landlords and tenants on this matter, the committee felt this was a commonsense and beneficial addition to law. Vote 17-0.

Amendment (0964h)

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

AN ACT relative to snow removal responsibilities in lease agreements.

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

1 New Section; Lease Provisions; Snow and Ice Removal. Amend RSA 540 by inserting after section 28 the following new section:

540:28-a Snow and Ice Removal in Tenancies.

I. The landlord and tenant may agree that either the landlord or the tenant, or any combination thereof, shall be responsible for performing snow and ice removal from, and maintaining safe access to, specific areas of the rental property.

II. Unless otherwise agreed, the responsibility shall rest with the landlord of restricted property for clearing snow and ice from, and maintaining safe access to, on-site common areas used by tenants of more than one rental unit, including but not limited to, driveways, walkways, stairs and entryways. Unless otherwise agreed, the responsibility for clearing snow and ice from, and maintaining safe access to, private areas, including but not limited to, walkways, stairs, and entryways intended for exclusive use of one rental unit, shall rest with the tenants who have such exclusive use.

III. Nothing in this section shall be construed to alter snow and ice removal responsibilities for areas owned, maintained, or governed by a condominium association, cooperative, homeowners' association, manufactured housing park, or similar entity in which there is a mixture of private and common ownership, and pursuant to recorded instruments, bylaws, park rules, or other governing documents.

2 Applicability. This act shall apply to all tenancies entered into or renewed on or after the effective date of this act.

3 Effective Date. This act shall take effect July 1, 2027.

2026-0964h
AMENDED ANALYSIS

This bill, with respect to tenancies, establishes the responsibility for the removal of snow and ice in certain scenarios.

HB 1251, relative to restricting municipal downzoning inconsistent with existing neighborhood density. **REFER FOR INTERIM STUDY.**

Rep. Brian Cole for Housing. By making permit approval ministerial and non-discretionary based solely on a private architect's certification, the bill significantly limits a municipality's zoning authority. This shift raises serious questions about home rule, separation of powers, and due process that warrant deeper legal review before advancing. The bill does not clearly define what constitutes the "surrounding neighborhood" or how density is to be measured. Delegating this determination entirely to a privately hired architect, without municipal review creates inconsistency, invites disputes, and could lead to uneven application across communities. These ambiguities should be fully vested. The other body chose not to advance this policy last year and suggest legitimate concerns remain. Simply reintroducing the bill without addressing those issues risks repeating the same outcome and expending time on a framework that may still be unworkable or legally vulnerable. Vote 17-0.

HB 1295, relative to eligibility requirements for charitable and nonprofit housing projects. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Joe Alexander for Housing. The majority of the committee believes this bill should pass with amendment number 2026-0931h. This bill as amended puts reasonable regulations on housing facilities that receive reduced assessments from municipalities. Under current law, facilities do not have to give back to their community in a substantial way. This bill, as amended, would require that these facilities receiving discounted assessments provide municipalities with annual reports of their voluntary contributions and grants so that they prove that they are reducing the government of some of its burden, and therefore the taxpayers. Vote 15-2.

Amendment (0931h)

Amend RSA 72:23-k, I(b) as inserted by section 1 of the bill by replacing it with the following:

(b) Any facility seeking an exemption under this paragraph shall meet the following eligibility requirements:

(1) Have an open enrollment policy for all services to elderly persons who seek them without regard to their ability to pay for what services they may receive upon admittance.

(2) Accept forms of payment that do not cover the full cost of services, including Medicare and Medicaid reimbursements.

(3) Donate or render gratuitously a substantial portion of its services, defined as:

(A) Having a written policy to this effect, which shall include, at a minimum, a written schedule of fees based on individual or family income and a consistently applied formula to all individuals requesting consideration of reduced fees which is, in part, based on individual or family income; and

(B) Publishing this policy on its website in an easily accessible location.

(4) Not base compensation, including benefits, of any director, officer, or employee primarily upon the financial performance of the institution.

(5) Adopt as part of its articles of incorporation or, if unincorporated, other governing legal documents, a provision that expressly prohibits the use of any surplus funds for private inurement to any person in the event of a sale or dissolution of the institution of purely public charity.

(6) Quantitatively demonstrate the facility relieves the government of some of its burden by informing municipalities or political subdivisions in writing on an annual basis of its monetary donations or voluntary service contributions to the community the majority of the facility resides

within and making this information available in a publicly accessible and easy-to-access way. These contributions shall add up to no less than 50 percent of the actual value given from the municipality under this chapter.

HB 1450, relative to the designation and control of shared facilities in rental properties. **REFER FOR INTERIM STUDY.**

Rep. Joe Alexander for Housing. The committee believes that we need to address this issue in an area of law. There is no section of law that allows actions of tenants verse tenants, especially in situations in which there's a sublease. Because this would be a huge addition to an area of law, the committee wants to spend the summer working with tenant activists and housing providers in order to work on an area of law that can address this big issue in the housing space. Vote 17-0.

HB 1517-FN, relative to certain residential property interests controlled by certain entities. **REFER FOR INTERIM STUDY.**

Rep. Joe Alexander for Housing. The Housing Committee believes that this bill has merit; however, there are issues that need to be worked on and is hoping to have the summer to flesh out ideas provided in this bill. This bill would prohibit certain religious enclaves from requiring things that municipalities do not already require and prevents a religious tribunal from acting like a court. Vote 17-0.

HB 1540, establishing uniform requirements for accessory dwelling units and providing municipalities with authority and guidance for zoning, permitting, and environmental protections. **OUGHT TO PASS WITH AMENDMENT.**

Rep. George Grant for Housing. This bill, as amended, maintains our commitment to accessory dwelling units (ADUs) by right in the 250 foot buffer zone for shoreline protection. This bill enforces municipal health ordinances to ensure the safety and adequacy of subsurface sanitary disposal systems. This bill does not infringe on any town zoning regulations or Department of Environmental Services (DES) rules or regulations concerning the 250 foot protection zone. The amendment clearly specifies that municipalities may enforce the DES standard relative to subsurface sanitary disposal systems keeping uniformity in the law across the state. Vote 17-0.

Amendment (0951h)

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

AN ACT relative to municipal health ordinances and accessory dwelling units.

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

1 Accessory Dwelling Units. Amend RSA 674:72, I to read as follows:

I. A municipality that adopts a zoning ordinance pursuant to the authority granted in this chapter shall allow accessory dwelling units in all zoning districts that permit single-family dwellings. One accessory dwelling unit, which may be either attached or detached, shall be allowed as a matter of right. The municipality shall allow one accessory dwelling unit without additional requirements for lot size, except as described by this section, setbacks, aesthetic requirements, design review requirements, frontage, space limitations, or other controls beyond what would be required for a single-family dwelling without an accessory dwelling unit. The municipality may not impose greater requirements for a septic system for a single-family home with an accessory dwelling unit than is required by the department of environmental services. ***Nothing in this section shall be interpreted to prohibit or restrict the adoption or enforcement of municipal health ordinances pursuant to RSA 147, related to the inspection, maintenance, upgrade, or replacement of subsurface sanitary disposal systems, or to ensure the safety and adequacy of subsurface sanitary disposal systems within the municipality.*** The municipality is not required to allow more than one accessory dwelling unit for any single-family dwelling. The municipality may prohibit accessory dwelling units associated with multiple single-family dwellings attached to each other, such as townhouses. The municipality may prohibit accessory dwelling units associated with rented or leased land. Subsequent condominium conveyance of any accessory dwelling unit separate from that of the principal dwelling unit shall be prohibited, notwithstanding the provisions of RSA 356-B:5, unless allowed by the municipality.

2 Effective Date. This act shall take effect July 1, 2026.

2026-0951h

AMENDED ANALYSIS

This bill clarifies that municipalities retain authority to enforce local health ordinances related to septic safety and maintenance when regulating accessory dwelling units.

HB 1588-FN, establishing special assessment districts and expands the housing infrastructure grant program to allow for municipal upgrades linked to new housing and making an appropriation therefor. **OUGHT TO PASS.** Rep. Joe Alexander for Housing. This bill authorizes municipalities to create voluntary special assessment districts to finance infrastructure improvements necessary to support new housing development. Within

these districts, infrastructure costs such as roads, water, and sewer improvements may be assessed only to properties that directly benefit from the improvements. The bill protects existing taxpayers by ensuring the cost of new infrastructure is borne by the development receiving the benefit rather than the general property tax base. It also expands the Department of Business and Economic Affairs housing infrastructure municipal grant program to support municipal upgrades tied to housing production, funded through proceeds from the sale of state land that was not otherwise appropriated. The committee unanimously voted Ought to Pass because the bill provides communities with a responsible local tool to address infrastructure barriers to housing development. Vote 17-0.

HB 1619, relative to the rights of property owners and limitations on municipal land use regulation, and repealing the workforce housing program. **REFER FOR INTERIM STUDY.**

Rep. Dillon Dumont for Housing. The right to property is one of the most fundamental personal rights protected under our state and federal constitutions. Property owners should be free to use and develop their land with minimal unnecessary government interference, and municipal regulations must be carefully limited to protect public health and safety without unduly infringing on individual liberties. This bill seeks to affirm and clarify these property rights, and impose reasonable limits on municipal land use authority. While these objectives align with strong protections for property rights and merit serious consideration, the legislation raises complex issues involving zoning authority, housing policy, municipal responsibilities, and potential statewide impacts. The committee believes the bill advances important principles but requires additional review and analysis before any final action. An Interim Study will allow the committee to thoroughly examine the proposals, assess implications, and develop any necessary amendments to better protect property rights while addressing practical concerns. Furthermore, the ongoing work of the Commission to Study the Historical Evolution of the New Hampshire Zoning Enabling Act (established under RSA 674:23-a) is particularly relevant and needed for this review. The commission's examination of how zoning laws have evolved over time, including their impacts on property rights, housing development, and municipal authority, will provide essential historical context and recommendations. These insights can directly inform the Interim Study by highlighting past legislative decisions that may have led to overreach in land use regulations, identifying opportunities to restore property owner freedoms, and suggesting balanced reforms. Incorporating the commission's findings will help ensure that any advancements from this bill are well-grounded, avoiding unintended consequences and promoting policies that truly safeguard individual rights. Vote 17-0.

HB 1654, requiring a property owner to pay all taxes or charges on their property prior to being issued certain building or occupancy permits. **INEXPEDIENT TO LEGISLATE.**

Rep. Dillon Dumont for Housing. This bill would allow municipalities to deny building permits for properties with outstanding unpaid taxes. While the intent to encourage tax compliance is understandable, the approach is counterproductive and unlikely to achieve the desired result. Denying building permits does not improve a municipality's ability to collect back taxes. In fact, it often has the opposite effect: preventing property improvements reduces or eliminates the potential increase in assessed value that would result from new construction, additions, or renovations. Improved properties generate higher property tax revenue over time, giving municipalities a stronger and more reliable basis for eventual collection through liens, tax sales, or other established remedies. Blocking development freezes or diminishes that future revenue potential while leaving the existing delinquency unresolved. Municipalities already have effective statutory tools under RSA 80 to enforce tax collection, including tax liens, interest and penalties, and tax deed processes. Vote 17-0.

HB 1713, relative to zoning conformity and redevelopment standards. **INEXPEDIENT TO LEGISLATE.**

Rep. Brian Cole for Housing. A similar bill was amended to avoid escalating political back and forth that was becoming a distraction from the broader goal. Our responsibility is to govern responsibly, not to engage in unnecessary political theater. The committee simply put the correct language into a different bill. It is more important that we pass workable legislation that delivers results, particularly funding that supports the New Hampshire Department of Transportation (NHDOT) and its road and bridge obligations. This approach prioritizes infrastructure, taxpayers and good governance over politics. Therefor this bill is no longer needed. Vote 17-0.

HB 1726-FN, directing state agencies to identify and dispose of surplus property for affordable housing development. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Brian Cole for Housing. When surplus land originally acquired with transportation funds is sold, the proceeds should return to that same fund. New Hampshire Department of Transportation (NHDOT) has significant and ongoing obligations to maintain roads, bridges, and critical infrastructure across the state. Allowing the sale proceeds to be credited back to the originating fund ensures those dollars are reinvested where they were intended, supporting road maintenance and long-term transportation needs without raising new taxes or fees. The state currently holds over 700 parcels of land on its books. Many of these parcels are no longer needed for their original public purpose. This creates a clear responsible framework for disposing of surplus property while ensuring the proceeds are properly allocated. Rather than leaving land idle and

costing taxpayers in upkeep and administrative management, these parcels can return to productive use. Many parcels can be repurposed for commercial or residential development, helping to expand the tax base, create jobs, and increase housing supply. By ensuring that the proceeds are directed back to the appropriate originating fund, this balances fiscal responsibility with economic growth unlocking land for private investment while strengthening state infrastructure accounts. This amended bill promotes fiscal discipline, supports NHDOT's critical road funding needs, and moves unused state land back into productive commercial or residential use, benefiting both taxpayers and local communities. Vote 17-0.

Amendment (0966h)

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

AN ACT relative to the sale of surplus state-owned land.

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

1 New Paragraph; Acquisition and Disposal of Real Estate. Amend RSA 4:40 by inserting after paragraph III-a the following new paragraph:

III-b. Except as otherwise provided in RSA 4:39c, RSA 228:31b, and RSA 204D, proceeds from the sale, conveyance, transfer, or lease under this section shall be credited as restricted revenue to the fund from which the property was originally purchased or that supported its acquisition.

2 Effective Date. This act shall take effect July 1, 2026.

2026-0966h

AMENDED ANALYSIS

This bill requires that proceeds from the sale or lease of surplus state-owned land be credited to the originating department's fund.

HB 1764-FN, establishing community workforce housing targets, special assessment provisions, and a revolving loan fund for workforce housing development. **INEXPEDIENT TO LEGISLATE.**

Rep. Dillon Dumont for Housing. This bill would impose a new statewide tax on property owners in any municipality deemed not to meet specified workforce housing and inclusive zoning targets. The result is a new tax levied directly on local property taxpayers solely because their community has not adopted workforce housing policies. While addressing housing shortages is a legitimate concern, this approach does nothing to actually increase housing supply or reduce development barriers. Instead, it simply adds a new layer of cost to property owners in non-compliant communities, raising taxes without delivering any corresponding benefit in the form of new units or affordability. Punitive taxation is not a solution to housing challenges; it is an added burden that makes homeownership and investment more expensive. Furthermore, the bill's coercive mechanism undermines New Hampshire's long-standing tradition of low taxes. Imposing financial penalties from Concord to force compliance erodes the live free or die attitude. New Hampshire has proudly maintained one of the lowest overall tax burdens in the nation. Introducing a new statewide property tax surcharge runs counter to this tradition and sets a dangerous precedent for future top-down mandates. For these reasons, the committee finds the bill ineffective at solving housing issues, fiscally burdensome, and at odds with the New Hampshire advantage. Vote 17-0.

HB 1064-FN, relative to liability of governmental units. **OUGHT TO PASS.**

Rep. Katelyn Kuttub for Judiciary. This bill aims to align the standards and amounts for which a local governmental unit can be held liable for negligence with those of the state under RSA 541-B. It also requires political subdivisions to indemnify employees absent wanton or reckless conduct for negligent conduct resulting in personal injury or property damage, if the action was within the scope of the employment, putting the liability onto the employer, and not the employee, just as it is for state employees. The committee heard testimony that a student at a public high school in NH sustained a severe injury while participating in a career technology education program involving work on a barn last year. The student's fall from a ladder at a height of nearly 30 feet resulted in paralysis and a traumatic brain injury. Despite the significant height involved, the teacher overseeing the program failed to ensure basic safety requirements were followed and that the necessary equipment was used for safe work performance. The current law offers such extensive limitation of liability to the school that they are unlikely to ever be held accountable. This bill is intended to address this issue, and more importantly, will promote responsible government and proactive risk mitigation in high-risk programs to prevent future tragedies from occurring. Vote 17-0.

HB 1127, relative to the uniform voidable transactions act. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Bob Lynn for Judiciary. This bill repeals New Hampshire's fraudulent conveyance act, RSA chapter 545-A, and adopts in its place the provisions of the Uniform Voidable Transactions Act (UVTA), which will become RSA chapter 545-B. The UVTA makes sensible changes to the law in this area, which is designed to protect creditors from either deliberately or constructively fraudulent conduct by debtors that impairs the creditors' contractual rights. The amendment was adopted at the request of representatives for New Hampshire's growing trust law community, and is designed to ensure that the bill does not in any way impair the validity of

allowable irrevocable trusts under New Hampshire law that contain so-called “spendthrift” provisions which shelter certain assets from creditors in some situations. The amendment reflects agreement reached between the advocates of the bill and the trust law community. Vote 17-0.

Amendment (0880h)

Amend RSA 545-B:1, XIII - XVII as inserted by section 1 of the bill by replacing it with the following:

XIII. “Qualified New Hampshire trust” means an irrevocable trust that:

(a) Expressly provides that the validity, construction, and administration of the trust are governed by the laws of this state;

(b) Includes a spendthrift provision;

(c) Has at least one trustee who is a resident of or whose place of business is in this state; and

(d) Provides that some or all of the administration of the trust is performed in this state.

XIV. “Record” means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.

XV. “Relative” means an individual related by consanguinity within the third degree as determined by the common law, a spouse, or an individual related to a spouse within the third degree as so determined, and includes an individual in an adoptive relationship within the third degree.

XVI. “Sign” means, with present intent to authenticate or adopt a record:

(a) To execute or adopt a tangible symbol; or

(b) To attach to or logically associate with the record an electronic symbol, sound, or process.

XVII. “Transfer” means every mode, direct or indirect, absolute or conditional, voluntary or involuntary, of disposing of or parting with an asset or an interest in an asset, and includes payment of money, release, lease, license, and creation of a lien or other encumbrance.

XVIII. “Transfer to a qualified New Hampshire trust” means a transfer of an asset by a debtor to a qualified New Hampshire trust.

XIX. “Valid lien” means a lien that is effective against the holder of a judicial lien subsequently obtained by legal or equitable process or proceedings.

Amend RSA 545-B:4, III as inserted by section 1 of the bill by replacing it with the following:

III. Except as provided in paragraph IV, a creditor making a claim for relief under paragraph I has the burden of proving the elements of the claim for relief by a preponderance of the evidence.

IV. A creditor making a claim for relief under subparagraph I(a) against a qualified New Hampshire trust has the burden of proving the elements of the claim for relief by clear and convincing evidence.

Amend RSA 545-B:10, II as inserted by section 1 of the bill by replacing it with the following:

II. Except as provided in paragraph III, a claim for relief in the nature of a claim for relief under this chapter is governed by the local law of the jurisdiction in which the debtor is located when the transfer is made or the obligation is incurred.

III. A claim for relief under this chapter arising out of a transfer to a qualified New Hampshire trust is governed by the law of this state if the transferee was a qualified New Hampshire trust when the transfer was made.

Amend RSA 545-B:12 and 545-B:13 as inserted by section 1 of the bill by replacing it with the following:

545-B:12 Supplementary Provisions.

I. Unless displaced by the provisions of this chapter, the principles of law and equity, including the law merchant and the law relating to principal and agent, estoppel, laches, fraud, misrepresentation, duress, coercion, mistake, insolvency, or other validating or invalidating cause, supplement its provisions.

II. The replacement of the term “fraudulent” used in former RSA chapter 545-A with the term “voidable” in this chapter is a matter of style and has no substantive effect and makes no change in meaning.

III. Although this chapter is derived, in part, from the Uniform Voidable Transactions Act as promulgated by the National Conference of Commissioners on Uniform State Laws, the Official Comments to the Uniform Voidable Transactions Act, as amended from time to time, do not have the force of law and do not reflect any legislative intent relating to, or provide any other basis for interpreting or applying, this chapter in a manner that is inconsistent with New Hampshire law, as judicially interpreted and applied, including without limitation law relating to qualified New Hampshire trusts and the elements of a claim for relief under this chapter.

545-B:13 Uniformity of Application and Construction. This chapter shall be applied and construed to effectuate its general purpose to make uniform the law with respect to the subject of this chapter among states enacting the Uniform Voidable Transactions Act, as promulgated by the National Conference of Commissioners on Uniform State Laws, but only to make uniform among states the provisions of this chapter that conform to that Act, and not to make uniform among states the non-uniform provisions of this chapter that deviate from the provisions of that Act and that deviate from and make inapplicable the Official Comments to that Act. That general purpose is in all respects subject to and does not apply to those non-uniform provisions of this chapter and does not apply to any other provisions of this chapter to the extent that the application would impair or diminish the effects of those non-uniform provisions.

Amend the bill by inserting after section 1 the following and renumbering the original sections 2-4 to read as 7-9, respectively:

2 Creditor's Claim Against a Settlor of an Irrevocable Trust. Amend the introductory paragraph of RSA 564-B:5-505A, (f) to read as follows:

(f) Notwithstanding RSA [545-A:9] **545-B:9**, a creditor or assignee of a settlor may not commence a judicial proceeding with respect to the settlor's transfer of property to an irrevocable trust that contains a spendthrift provision after the later of:

3 Creditor's Claim Against a Settlor of an Irrevocable Trust. Amend RSA 564-B:5-505A, (g) to read as follows:

(g) For purposes of subsection (f) and RSA [545-A:4] **545-B:4**, a creditor or assignee of a settlor shall prove that, with respect to the creditor or assignee, the settlor's transfer to the trust was fraudulent.

4 Creditor's Claim Against a Settlor of an Irrevocable Trust. Amend RSA 564-B:5-505A, (m)(3) to read as follows:

(3) Except as otherwise provided in this section, RSA [545-A] **545-B** or a similar law of another state having jurisdiction over a transfer of property.

5 New Hampshire Worker Adjustment and Retraining Notification Act; Liability. Amend RSA 275-F:8, VIII to read as follows:

VIII. In addition to asserting the lien as provided in subparagraph I(d), the state of New Hampshire, through the department, shall be deemed to be a creditor under RSA [545-A] **545-B** for the liability of the employer as determined under paragraph I and may assert claims pursuant to RSA [545-A:4] **545-B:4** and RSA [545-A:5] **545-B:5**, as applicable, and shall have the remedies set forth in RSA [545-A] **545-B** for such claims under RSA [545-A] **545-B** which are established by the state.

6 Attachments; Attachable Property and Exemptions; Exemptions. Amend RSA 511:2, XIX to read as follows:

XIX. Subject to the [~~Uniform Fraudulent Transfer Act, RSA 545-A~~] **uniform voidable transactions act, RSA 545-B**, any interest in a retirement plan or arrangement qualified for tax exemption purposes under present or future acts of Congress; provided, any transfer or rollover contribution between retirement plans shall not be deemed a transfer which is fraudulent as to a creditor under the [~~Uniform Fraudulent Transfer Act~~] **uniform voidable transactions act**. "Retirement plan or arrangement qualified for tax exemption purposes" shall include without limitation, trusts, custodial accounts, insurance, annuity contracts, and other properties and rights constituting a part thereof. By way of example and not by limitation, retirement plans or arrangements qualified for tax exemption purposes permitted under present acts of Congress include defined contribution plans and defined benefit plans as defined under the Internal Revenue Code (IRC), individual retirement accounts including Roth IRAs and education IRAs, individual retirement annuities, simplified employee pension plans, Keogh plans, IRC section 403(a) annuity plans, IRC section 403(b) annuities, and eligible state deferred compensation plans governed under IRC section 457. This paragraph shall be in addition to and not a limitation of any other provision of New Hampshire law which grants an exemption from attachment or execution and every other species of forced sale for the payment of debts. This paragraph shall be effective for retirement plans and arrangements in existence on, or created after January 1, 1999, but shall apply only to extensions of credit made, and debts arising, after January 1, 1999.

HB 1422, relative to the time to petition for a new trial. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Paul Berch for Judiciary. The committee agreed that this bill is a sound and measured reform that would bring New Hampshire into the mainstream of post-conviction law nationwide. Under current law, New Hampshire imposes a strict three-year deadline for filing a motion for a new trial, even when compelling new evidence of innocence emerges years later. That rigid cutoff is increasingly out of step with national practice. Most states now permit courts to consider newly discovered evidence beyond arbitrary time limits, particularly when advances in forensic science, DNA testing, or previously unavailable evidence could materially affect the verdict. This bill does not guarantee reversals or open floodgates; it simply allows a court to hear a late-filed motion when the evidence truly is new and could change the outcome. Judges would still apply rigorous standards and deny meritless claims. The committee also approved an amendment that would clarify that the appointment of counsel would only apply to public defender eligible petitioners. By creating a narrow, principled exception to the deadline, this bill strengthens confidence in the justice system, aligns New Hampshire with the majority approach across the country, and ensures that finality does not override fairness when credible evidence of innocence comes to light. Vote 17-0.

Amendment (0871h)

Amend RSA 526:4, IV as inserted by section 1 of the bill by replacing it with the following:

IV. For petitions filed under paragraph II, the court shall first determine whether the petition has made a prima facie showing under paragraph II before granting a hearing under 526:1. If upon review, it is determined that the petition does make a prima facie showing under paragraph II, the court shall then hold a hearing and, if the petitioner is indigent, appoint counsel for the petitioner, to determine whether the requirements of RSA 526:1 have been met. If upon review, it is determined that the petition does not make a prima facie showing, the court may dismiss the petition.

HB 1489, relative to interstate depositions and discovery. **OUGHT TO PASS.**

Rep. Bob Lynn for Judiciary. This bill adopts for New Hampshire the provisions of the Uniform Interstate Depositions and Discovery Act. Consistent with the laws of other states that have adopted the act, it streamlines the process for taking depositions or conducting discovery in this state in connection with litigation that is pending in another state. Instead of the old practice, in which a court had to appoint a commissioner for this purpose, this statute allows the out of state party to file the out of state subpoena with the clerk of the superior court in this state where the discovery is sought and requires the clerk to issue a NH subpoena to obtain the discovery. The person obtaining the subpoena and the person subpoenaed retain all their respective rights to enforce or challenge the subpoena, as currently exists. The bill also provides that this same procedure shall be followed for discovery sought by New Hampshire litigants from persons in foreign jurisdictions that have adopted the act. Vote 17-0.

HB 1550-FN, requiring marital masters, arbitrators, mediators, and judicial referees to be commissioned as a justice of peace as a qualification for such positions. **INEXPEDIENT TO LEGISLATE.**

Rep. Timothy Horrigan for Judiciary. This bill would require that all mediators, arbitrators, judicial referees and marital masters under contract with the Judicial Branch be commissioned as justices of the peace in order to qualify for and hold those positions in New Hampshire. The marital master program was phased out several years ago, even though one semi-retired marital master is still working for the Judicial Branch on a per diem basis. A justice of the peace certification does nothing to help the one remaining marital master, or any similar judicial employee, do his or her job more effectively. Some existing mediators, arbitrators, judicial referees and marital masters might lose their jobs if this bill became law. There is no residency requirement for judicial branch employees, but justices of the peace must be residents of New Hampshire who have been registered to vote in the state for three years. This bill would erode the separation of powers by making service as a Judicial Branch employee conditional on approval by the Secretary of State, Governor, and Executive Council, and those employees' justice of the peace appointments would expire and need to be renewed every five years. Finally, this bill would require all incumbent mediators, arbitrators and judicial referees to go through an application process and to be sworn in as justices of the peace on or before January 1, 2027. That would be only a few months after the bill gets signed. Vote 17-0.

HB 1591-FN, relative to the release of escrowed funds by the judicial branch. **INEXPEDIENT TO LEGISLATE.**

Rep. Marjorie Smith for Judiciary. The judicial branch testified that only with lawful cause does any court withhold funds in escrow. Courts move quickly to release funds held in escrow as soon as pending matters are resolved. In the case that initiated the prime sponsor's concern, the court did not receive necessary information that had been requested. Testimony referred to abandoned property held by the treasurer. However, neither abandoned property nor the treasurer are involved with funds held by the court in escrow. Vote 17-0.

HB 1611-FN, relative to the taking of private property. **INEXPEDIENT TO LEGISLATE.**

Rep. Paul Berch for Judiciary. This bill would require additional procedural requirements before the state can seize private property during a declared emergency. Neither the sponsor nor any witnesses appeared at the scheduled hearing, nor had the sponsor contacted any members of the committee. In the absence of any testimony or other information that there was a need for this legislation, given prior legislation on the same subject, the committee unanimously recommended Inexpedient to Legislate. Vote 15-0.

HR 41, instructing the house of representatives to investigate whether grounds exist to impeach Executive Councilor Karen Liot Hill. **INEXPEDIENT TO LEGISLATE.**

Rep. Paul Berch for Judiciary. The committee voted unanimously to recommend Inexpedient to Legislate on this resolution, as the sponsor informed the committee that he did not wish to proceed further with this resolution. The committee heard testimony that the behavior complained of was routine constituent services and that the Attorney General had cleared the councilor of misconduct. Vote 17-0.

HB 1097, requiring legislative approval of the amendment or permanent removal of historical markers. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Janet Wall for Legislative Administration. This legislation arose from a constituent who noticed a historic road sign was missing in Bow, NH and filed an RSA 91-A request to learn the reasons why. What was uncovered is a state agency, the Division of Historical Resources, who unilaterally undertook a comprehensive study and documentation of those markers in need of repair, rewording, or removal based on present-day assessments of current values and "political correctness." A great many communities have and will continue to object to their local markers being affected without consultation. The Oyster River Massacre and the community of Dover, NH is one example. The committee recognizes the need for the legislature, through the public hearings process, to involve itself in what are extremely important historical artifacts to our local communities. The potential for the re-writing of history should not be attempted by a single government agency in a vacuum. The unanimous belief of the committee is that the people and their elected representatives should have a voice as well. The amendment replaces the Joint Legislative Fiscal Committee with the Joint Legislative Historical Committee to act as the legislative oversight. Vote 10-0.

Amendment (0503h)

Amend the bill by replacing section 1 with the following:

1 Historical Markers; Amendment and Removal. Amend RSA 236:41 to read as follows:
236:41 Historic Preservation Office.

The state historic preservation office established under RSA 227-C shall consult with the commissioner of transportation on the marker program. Before placing any marker, the commissioner shall secure the state historic preservation office's approval of the marker, its location and its wording. The state historic preservation office shall make any investigation needed to obtain information on the event to be commemorated and on the appropriate location for the marker, including consulting historians and holding public hearings. ***Before amending or permanently removing any matter, the commissioner of the department of natural and cultural resources shall secure the approval of the joint legislative historical committee.***

HB 1332, relative to Gold Star Mother's Day. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jeanine Notter for Legislative Administration. The unanimous recommendation of the committee recognizes the strongly positive testimony heard from the NH representative to our veterans groups well known as American Legion and Veterans of Foreign Wars (VFW) as well as the Gold Star families themselves. The bill swapped the controversial Honor and Remember Flag for the federally-recognized Gold Star Flag. The amendment allows the Governor to order the Gold Star Flag to fly on state house grounds and at the NH State Veterans Cemetery in Boscawen, NH to commemorate and celebrate the Gold Star Families Day, the last Sunday of September. Additionally, the amendment seeks to follow a growing number of states throughout the country that restrict those flags to be flown on statehouse grounds and sets limits to those that are federally-recognized by Congress, executive order, or federal agency regulation. Included under that definition would be the US flag, the NH state flag, the POW/MIA flag, the military branch flags, and the Gold Star flag. Vote 10-0.

Amendment (0896h)

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

AN ACT relative to the authorized display of flags on state house grounds.

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

1 Gold Star Mother's and Family's Day. RSA 4:13-h, II is repealed and reenacted to read as follows:

II. Notwithstanding RSA 3:4-a, II, the governor may choose to honor Gold Star families by ordering the Gold Star Flag to be displayed on the grounds of the New Hampshire state house and at the New Hampshire state veterans cemetery in Boscawen on that day as described in paragraph I. The flag, if displayed, shall be flown in the most junior order of precedence. The flag shall be provided at no cost to the state of New Hampshire.

2 State Emblems, Flag, Etc.; Permitted Displays Modified. Amend RSA 3:4-a to read as follows:

3:4-a State Flag, United States Flag, POW-MIA Flag; Place of Manufacture; ***Authorized Displays at State House.***

I. Any state flag, United States flag, or POW-MIA flag purchased with state funds or displayed in a state facility shall be manufactured in the United States. This paragraph shall only apply to flags acquired after the effective date of this section.

II. Only those flags officially recognized by the United States federal government shall be flown on state house grounds. For purposes of this section, flags officially recognized by the United States federal government means only those flags that have been established by federal law, executive order, or an official agency regulation.

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

2026-0896h

AMENDED ANALYSIS

This bill limits the flags which may be displayed on state house grounds to only those flags officially recognized by the federal government by law, executive order, or an official agency regulation, with the exception of the Gold Star Flag, which the governor may authorize to display on state house grounds.

HB 1663, relative to protection of employment for members of the general court. **INEXPEDIENT TO LEGISLATE.**

Rep. Beth Richards for Legislative Administration. This frequent-flyer legislation would mandate that an employer allow an employee, who is a member of the General Court, be given time off by the employer regardless of whether an employee has accumulated, or is even entitled to, any measure of time-off. There are multiple, problematic issues with this bill. First, the bill directly interferes with the employer-employee relationship and could create negative, unintended consequences for a potential employee during the initial hiring process. Next, this would apply to employers with more than 25 employees. Why 25 and not 10, 50, or 100? It's a random number plucked from thin air with no analytical reasoning attached. In smaller companies

or companies with specialized crafts, the absence of a single employee could create adverse impacts on the entirety of the company. Additionally, there are members of the General Court who are employed by out-of-state or even out-of-country employers. Should, or can, a New Hampshire law override one of these employers? The proposed language looks more appropriate for a labor-protective provision in a union contract agreement and has no place being memorialized into our statutes. When considering running to be a legislator, we must consider the impact on many potential sacrifices. Loss of income, loss of free time, loss of time with family, and yes, how membership as a House Representative may affect our relationship with our employers. Lastly, our ethics principles of public service says: "legislators shall treat their office as a public trust, only using the powers and resources of public office to advance public interests, and not attain personal benefits or pursue any other private interest incompatible with the public good." Vote 10-0.

HB 1059, relative to the use of number plate scanning devices. **OUGHT TO PASS.**

Rep. Joseph Hamblen for Transportation. The original bill, which allowed law enforcement agencies to use scanning devices to capture vehicle license plates is a well thought out bill that includes several protections for the general public. One provision of that bill is that the use of scanning devices will no longer be allowed starting in 2027. This bill eliminates the end of use provision in 2027 while leaving all other provisions intact. Vote 15-0.

HB 1362, adding steering and suspension specifications relative to requirements for the equipment of motor vehicles. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Thomas Walsh for Transportation. The amendment replaces the original bill and simplifies the title. It establishes motor vehicle standards for tire tread depth and brake measurements. It also establishes steering and suspension standards based on manufacturers specifications. This is more or less a housekeeping bill clarifying items already in RSA 266. Vote 16-0.

Amendment (1022h)

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

AN ACT relative to motor vehicle equipment specifications.

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

1 New Section; Equipment of Vehicles; Tire Tread Depth. Amend RSA 266 by inserting after section 48 the following new section:

266:48-a Tire Tread Depth; Measurement Requirements. No person shall drive a motor vehicle upon any way unless each tire mounted thereon has a minimum tread depth of not less than 2/32 of an inch.

2 New Section; Equipment of Vehicles; Brake Performance; Brake Lining Measurements. Amend RSA 266 by inserting after section 28 the following new section:

266:28-a Brake Lining Measurement; Lining Thickness.

I. No person shall drive a motor vehicle upon any way unless the brake lining or friction material at each wheel has a minimum thickness of 2/32 of an inch.

II. Brake lining measurements shall be performed using a brake gauge, caliper, or other suitable measuring device calibrated in thirty-seconds of an inch.

(a) For brake shoes or disc brake pads with riveted linings, measurements shall be taken to the top of any rivet head.

(b) For brake shoes or disc brake pads with bonded linings, measurements shall be taken at the thinnest point of the friction material.

3 New Subdivision; Steering and Suspension. Amend RSA 266 by inserting after section 117 the following new subdivision:

Steering and Suspension

266:118 Steering and Suspension Standards.

I. No vehicle shall be operated on the ways of this state if, upon inspection, any of the following conditions are found:

(a) Steering linkage free-play exceeds the manufacturer's specifications or is:

(1) In excess of 1/4 inch for wheels 16 inches or less in diameter;

(2) In excess of 3/8 inch for wheels 17 or 18 inches in diameter; or

(3) In excess of 1/2 inch for wheels over 18 inches in diameter.

(b) Any wheel bearing that is not within the manufacturer's tolerance for looseness.

(c) Any ball joint is broken, cracked, or exceeds the manufacturer's specifications.

II. For purposes of this section, "manufacturer's specifications" means the tolerances and standards established by the original equipment manufacturer for the safe operation of the specified system or component.

4 Effective Date. This act shall take effect January 1, 2027.

2026-1022h

AMENDED ANALYSIS

This bill establishes motor vehicle standards for tire tread depth and brake lining measurements and inspection standards for vehicle steering and suspension systems.

HB 1648, providing property tax exemptions for qualifying residences. **REFER FOR INTERIM STUDY.** Rep. Susan Almy for Ways and Means. The committee finds that this bill, combined with two others coming out of the Education Funding Committee, offers an opportunity to do a full Interim Study on the complexities of our existing and proposed state and local property tax exemptions. A subcommittee came up with a list of items that must be resolved in order to achieve meaningful reform of our property tax exemption systems, and with these three bills going into Interim Study at the same time, an informal but real bipartisan coalition of the willing can work to provide the next legislature the opportunity to formalize a plan of action to be implemented in 2028. Vote 17-0.

**REGULAR CALENDAR PART I
MOTION TO LIMIT DEBATE**

Rep. Osborn moved that debate on all bills in House Calendar 10 be limited to parliamentary inquiries. Rep. Weber requested a roll call; sufficiently seconded.

YEAS 165 - NAYS 141

**YEAS - 165
BELKNAP**

Bogert, Steven	Comtois, Barbara	Freeman, Lisa	Ploszaj, Tom
Terry, Paul			

CARROLL

Avellani, Lino	Belcher, Mike	Hamblen, Joseph	MacDonald, John
Peternel, Katy	Brown, Richard	Taylor, Brian	

CHESHIRE

Murphy, Denis	Hunt, John	Karasinski, Sly	Mattson, Rita
Nalevanko, Rich	Qualey, James	Rhodes, Jennifer	

COOS

Davis, Arnold	Durkin, Sean	Korzen, Lori	Ouellet, Mike
King, Seth	Tierney, James	Tremblay, Marc	

GRAFTON

Barton, Joseph	Beaulier, Calvin	Bjelobrck, Marie Louise	Ladd, Rick
Louis, Darrell	McFarlane, Donald	Sellers, John	

HILLSBOROUGH

Alexander, Joe	Boyd, Bill	Barbour, Liz	Berry, Ross
Boehm, Ralph	Colcombe, Riché	Cole, Brian	Creighton, James
Kelley, Diane	Daniels, Gary	Drew, Matt	Dumont, Dillon
Dupont, Pierre	Erf, Keith	Fedolfi, Jim	Flanagan, Jack
Gagne, Larry	Giasson, Henry	Gorski, Ted	Gould, Linda
Kenny, Catherine	Kesselring, Steven	Kofalt, Jim	Labrie, Brian
Lascelles, Richard	Murphy, Mary	Mazur, Lisa	McLean, Mark
Miles, Julie	Mooney, Maureen	Morton, Jonathan	Noble, Kristin
Ohm, Bill	Paquette, Kathleen	Pauer, Diane	Peeples, Raymond
Post, Lisa	Proulx, Mark	Prout, Andrew	Reinfurt, Sherri
Rice, Kimberly	Schneller, John	Scully, Kevin	Sheehan, Vanessa
Sirois, Shane	Slottje, Jeremy	Suiter, John	Tenczar, Jeffrey
Mannion, Tom	Ulery, Jordan	Wherry, Robert	

MERRIMACK

Andrus, Louise	Aures, Cyril	Aylward, Deborah	McGuire, Carol
McGuire, Dan	Devoid, Ricky	Hill, Gregory	Leavitt, John
Mehegan, Peter	Moffett, Michael	Pitaro, Matthew	Plante, Raymond
Polozov, Yury	Boyd, Stephen	See, Alvin	Walsh, Thomas
Wood, Clayton			

ROCKINGHAM

Ball, Lorie	Bernardy, JD	Bryer, Scott	Mannion, Dennis
Thomas, Douglas	DeSimone, Debra	DeVito, Sayra	Donnelly, Tanya
Drago, Mike	Edwards, Jess	Foote, Charles	Guthrie, Joseph
Guzofski, James	Harb, Robert	Khan, Aboul	Miner, Laurence
Walsh, Lilli	Layon, Erica	Lynn, Bob	Pearson, Mark
McDonnell, Valerie	McGrath, Linda	McMahon, Charles	Melvin, Charles
Milz, David	Nadeau, Brian	Nelson, Jodi	Osborne, Jason
Brown, Pam	Perez, Kristine	Popovici-Muller, Daniel	Porcelli, Susan
Potucek, John	Prudhomme-O'Brien, Katherine	Roy, Terry	Pearson, Stephen

Sabourin dit Choinière, Matt
Tudor, Paul
Weyler, Kenneth

Spillane, James
Vandecasteele, Susan
Wilson, Vicki

Summers, James
Vose, Michael

Sweeney, Joe
MacDonald, Wayne

STRAFFORD

Bailey, Glenn
Farrington, Samuel
Potenza, Kelley

Burnham, Claudine
Granger, Michael
Hall, Robley

DeLemus, Susan
Harrington, Michael
Walker, David

DeRoy, Susan
Kaczynski, Thomas

SULLIVAN

Drye, Margaret
Aron, Michael

Grant, George
Rollins, Skip

Hemingway, Wayne
Spilsbury, Walter

Aron, Judy

NAYS - 141 BELKNAP

Nagel, David

CARROLL

Burroughs, Anita

Paige, David

McAleer, Chris

Woodcock, Stephen

CHESHIRE

Ames, Dick
Faulkner, Barry
O'Rorke, Terri

Berch, Paul
Jones, Philip
Parshall, Lucius

Harvey, Cathryn
Germana, Nicholas
Weber, Lucy

Fox, Dru
Newell, Jodi

GRAFTON

Almy, Susan
Fracht, David
Muirhead, Russell
Stavis, Laurel

Baldwin, Heather
Hakken-Phillips, Mary
Oppel, Thomas
Stringham, Jerry

Cormen, Thomas
Sullivan, Jared
Rockmore, Ellen
Sykes, George

Fellows, Sallie
Lucas, Janet
Spahr, Terry

HILLSBOROUGH

Murray, Aissandra
Chretien, Suzanne
Elberger, Susan
Gregg, Alicia
Hartnett, Tim
Juris, Louis
LeClerc, Daniel
MacKenzie, Mark
Petrigno, Peter
Rombeau, Catherine
Salvi, Santosh
Vail, Suzanne
Wheeler, Jonah

Bergeron, Dan
Darby, Will
Davis, Fred
Grill, Jessica
Herbert, Christopher
Kerwin, Erin
Lloyd, Christal
Manohar, Sanjeev
Preece, David
Rung, Rosemarie
Spier, Carry
Veilleux, Daniel
Wilhelm, Matthew

Budathoki, Suraj
Dargie, Paul
Foss, Lily
Grund, Stephanie
Jack, Martin
Kluger, Lee Ann
Long, Patrick
McGhee, Kat
Newman, Ray
Ryan, Linda
Staub, Kathy
Dolan, William

Chourasia, Manoj
DiSilvestro, Linda
Georges, Mary
Harriott-Gathright, Linda
Judy, Jean
Foss, Loren
Murray, Megan
Murphy, Nancy
Raymond, Heather
Newman, Sue
Telerski, Laura
Thomas, Wendy

MERRIMACK

Bricchi, Tracy
Gibbs, Merryl
Newsom, James
Soucy, Timothy

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

Ebel, Karen
Luneau, David
Schultz, Kris
Woods, Gary

Gallager, Eric
Hall, Muriel
Snodgrass, Jim

ROCKINGHAM

Cahill, Michael
Haskins, Linda
Maggiore, Jim
Meuse, David
Scherr, Buzz
Ward, Gerald

de Vries, Erica
Murray, Kate
Malloy, Dennis
Muns, Chris
Simpson, Alexis
Weinstein, Toni

Edgar, Michael
Knab, Allison
Mandelbaum, Jennifer
Raynolds, Ned
Sorensen, Carrie

Gilman, Julie
Paige, Mark
Manos, Zoe
Read, Ellen
Turer, Eric

STRAFFORD

Bixby, Peter
Horrigan, Timothy
Larochelle, John
Selig, Loren
Pearson, Wayne

Burton, Wayne
Howland, Allan
Levesque, Cassandra
Southworth, Thomas
Wade, Alice

Butler, Billie
Johnson, Erik
Smith, Marjorie
Stone, John
Wall, Janet

Howard, Heath
LaMontagne, Jessica
Schmidt, Peter
Turcotte, Len

SULLIVAN

Sullivan, Brian

Cloutier, John

Damon, Hope

Palmer, William

Motion was adopted.

REGULAR CALENDAR PART I CONT'D

HB 1376, relative to a parent's ability to raise their child in a manner consistent with the child's biological sex. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Lori Korzen for the **Majority** of Children and Family Law. This bill is recommended Ought to Pass with Amendment because it narrowly clarifies that a parent's decision to raise a child consistent with the child's biological sex cannot be treated as evidence of abuse, neglect, or unfitness. This reduces the risk that ideological disagreements over gender identity in divorces, custody disputes, or DCYF (Division for Children, Youth and Families) cases will be weaponized against otherwise fit parents. At the same time, the amendment preserves every existing tool the state has to protect children; courts and DCYF can still intervene whenever there is evidence of abuse or neglect. The bill also clarifies that the state may not deny or revoke a foster care or adoption license over issues regarding gender ideology. Vote 9-7.

Rep. Alicia Gregg for the **Minority** of Children and Family Law. The minority opposes this bill because it prevents the state from intervening to protect children experiencing severe psychological harm, including those who are suicidal and in need of mental health treatment. Section 2 creates an absolute shield that prohibits child protective services from acting even when doctors document that a child is in crisis and requires immediate intervention, as long as parents claim they are raising the child "consistent with biological sex." No other parental belief system, not even constitutionally protected religious freedom, receives this level of categorical immunity from child welfare oversight when children are demonstrably at risk. Additionally, this bill makes it nearly impossible to appropriately place LGBTQ+ youth in foster or adoptive homes by prohibiting agencies from considering whether prospective parents can meet these vulnerable children's specific needs. The committee heard no evidence that New Hampshire parents are losing custody solely for their beliefs about biological sex, yet we are creating sweeping exemptions from child protection laws that will harm children in crisis and those in state care.

Majority Amendment (0865h)

Amend the bill by replacing sections 4 and 5 with the following:

4 New Paragraphs; Assessment for Adoptions; Best Interest of the Child; Recognition of Biological Sex. Amend RSA 170-B:18 by inserting after paragraph I the following new paragraphs:

I-a. The department or a licensed child-placing agency shall not consider an adoptive or prospective adoptive parent's refusal, unwillingness, or lack of support for enabling a child to engage in gender transition, or the parent's intent to raise a child consistent with the child's biological sex, including referring to a child consistent with the child's biological sex and making related mental health or medical decisions based on the child's biological sex, as a basis for determining that such parent is disqualified from consideration as an adoptive parent or that the home is unsuitable for adoption.

I-b. Nothing in paragraph I-a shall be construed to relieve the department of its duty to make each placement consistent with the best interests of the child as otherwise required by law. Nothing in paragraph I-a shall preclude the department from taking into account the religious or moral beliefs of a particular adoptive child, considered in relation to the religious or moral beliefs of a prospective adoptive parent when determining which placement is in the best interests of the child.

5 New Paragraph; Child Placing Licensing; Prohibition Against Endangerment; Exclusion. Amend RSA 170-E:27 by inserting after paragraph II the following new paragraph:

III. For the purposes of this section:

(a) A licensee or prospective licensee's refusal, unwillingness, or lack of support for enabling a child to engage in gender transition, or belief that a child should be raised consistent with the child's biological sex, including, but not limited to, referring to a child consistent with the child's biological sex and making related mental health or medical decisions based on the child's biological sex, shall not constitute endangerment. Nor shall such refusal, unwillingness, lack of support, or belief be the basis for the department to deny any license, renewal, or other authorization required to serve as a foster parent.

(b) Nothing in subparagraph (a) shall be construed to relieve the department of its duty to make each placement consistent with the best interests of the child as otherwise required by law. Nothing in subparagraph (a) shall preclude the department from taking into account the religious or moral beliefs of a particular foster child, considered in relation to the religious or moral beliefs of a prospective foster parent when determining which placement is in the best interests of the child. Amend the bill by replacing sections 4 and 5 with the following:

4 New Paragraphs; Assessment for Adoptions; Best Interest of the Child; Recognition of Biological Sex. Amend RSA 170-B:18 by inserting after paragraph I the following new paragraphs:

I-a. The department or a licensed child-placing agency shall not consider an adoptive or prospective adoptive parent's refusal, unwillingness, or lack of support for enabling a child to engage in gender transition, or the parent's intent to raise a child consistent with the child's biological sex, including referring to a child consistent with the child's biological sex and making related mental health or medical decisions based on the child's biological sex, as a basis for determining that such parent is disqualified from consideration as an adoptive parent or that the home is unsuitable for adoption.

I-b. Nothing in paragraph I-a shall be construed to relieve the department of its duty to make each placement consistent with the best interests of the child as otherwise required by law. Nothing in paragraph I-a shall preclude the department from taking into account the religious or moral beliefs of a particular adoptive child, considered in relation to the religious or moral beliefs of a prospective adoptive parent when determining which placement is in the best interests of the child.

5 New Paragraph; Child Placing Licensing; Prohibition Against Endangerment; Exclusion. Amend RSA 170-E:27 by inserting after paragraph II the following new paragraph:

III. For the purposes of this section:

(a) A licensee or prospective licensee's refusal, unwillingness, or lack of support for enabling a child to engage in gender transition, or belief that a child should be raised consistent with the child's biological sex, including, but not limited to, referring to a child consistent with the child's biological sex and making related mental health or medical decisions based on the child's biological sex, shall not constitute endangerment. Nor shall such refusal, unwillingness, lack of support, or belief be the basis for the department to deny any license, renewal, or other authorization required to serve as a foster parent.

(b) Nothing in subparagraph (a) shall be construed to relieve the department of its duty to make each placement consistent with the best interests of the child as otherwise required by law. Nothing in subparagraph (a) shall preclude the department from taking into account the religious or moral beliefs of a particular foster child, considered in relation to the religious or moral beliefs of a prospective foster parent when determining which placement is in the best interests of the child.

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. DeSimone requested a roll call; sufficiently seconded.

YEAS 171 - NAYS 143

YEAS - 171

BELKNAP

Aldrich, Glen	Bogert, Steven	Comtois, Barbara	Freeman, Lisa
Ploszaj, Tom	Terry, Paul		

CARROLL

Avellani, Lino	Belcher, Mike	Hamblen, Joseph	MacDonald, John
Petermel, Katy	Brown, Richard		

CHESHIRE

Murphy, Denis	Hunt, John	Karasinski, Sly	Mattson, Rita
Nalevanko, Rich	Qualey, James	Rhodes, Jennifer	

COOS

Davis, Arnold	Durkin, Sean	Korzen, Lori	Ouellet, Mike
King, Seth	Tierney, James	Tremblay, Marc	

GRAFTON

Barton, Joseph	Beaulier, Calvin	Bjelobrck, Marie Louise	Ladd, Rick
Louis, Darrell	McFarlane, Donald	Sellers, John	

HILLSBOROUGH

Alexander, Joe	Boyd, Bill	Barbour, Liz	Berry, Ross
Boehm, Ralph	Colcombe, Riché	Cole, Brian	Creighton, James
Kelley, Diane	Daniels, Gary	Drew, Matt	Dumont, Dillon
Dupont, Pierre	Erf, Keith	Fedolfi, Jim	Flanagan, Jack
Gagne, Larry	Giasson, Henry	Gorski, Ted	Gould, Linda
Kenny, Catherine	Kesselring, Steven	Kofalt, Jim	Labrie, Brian
Lascelles, Richard	Murphy, Mary	Mazur, Lisa	McLean, Mark
Miles, Julie	Mooney, Maureen	Morton, Jonathan	Noble, Kristin
Ohm, Bill	Paquette, Kathleen	Pauer, Diane	Peeples, Raymond
Post, Lisa	Proulx, Mark	Prout, Andrew	Reinfurt, Sherri
Rice, Kimberly	Schneller, John	Scully, Kevin	Sheehan, Vanessa
Sirois, Shane	Slottje, Jeremy	Suiter, John	Tenczar, Jeffrey
Mannion, Tom	Ulery, Jordan	Wheeler, Jonah	Wherry, Robert

MERRIMACK

Andrus, Louise	Aures, Cyril	Aylward, Deborah	McGuire, Carol
McGuire, Dan	Devoid, Ricky	Hill, Gregory	Leavitt, John
Mehegan, Peter	Moffett, Michael	Pitaro, Matthew	Plante, Raymond
Polozov, Yury	Boyd, Stephen	Seaworth, Brian	See, Alvin
Walsh, Thomas	Wood, Clayton		

ROCKINGHAM

Ball, Lorie
 Thomas, Douglas
 Drago, Mike
 Guzofski, James
 Miner, Laurence
 Pearson, Mark
 Melvin, Charles
 Osborne, Jason
 Porcelli, Susan
 Pearson, Stephen
 Summers, James
 Verville, Kevin
 Wilson, Vicki

Bernardy, JD
 DeSimone, Debra
 Edwards, Jess
 Harb, Robert
 Walsh, Lilli
 McDonnell, Valerie
 Milz, David
 Brown, Pam
 Potucek, John
 Sabourin dit Choinière, Matt
 Sweeney, Joe
 Vose, Michael

Bryer, Scott
 DeVito, Sayra
 Foote, Charles
 Khan, Aboul
 Layon, Erica
 McGrath, Linda
 Nadeau, Brian
 Perez, Kristine
 Prudhomme-O'Brien, Katherine
 Soti, Julius
 Tudor, Paul
 MacDonald, Wayne

Mannion, Dennis
 Donnelly, Tanya
 Guthrie, Joseph
 Kuttab, Katelyn
 Lynn, Bob
 McMahon, Charles
 Nelson, Jodi
 Popovici-Muller, Daniel
 Roy, Terry
 Spillane, James
 Vandecasteele, Susan
 Weyler, Kenneth

STRAFFORD

Bailey, Glenn
 Farrington, Samuel
 Potenza, Kelley

Burnham, Claudine
 Granger, Michael
 Hall, Robley

DeLemus, Susan
 Harrington, Michael
 Turcotte, Len

DeRoy, Susan
 Kaczynski, Thomas
 Walker, David

SULLIVAN

Drye, Margaret
 Aron, Michael

Grant, George
 Rollins, Skip

Hemingway, Wayne
 Spilsbury, Walter

Aron, Judy

NAYS - 143**BELKNAP**

Nagel, David

CARROLL

Burroughs, Anita
 Woodcock, Stephen

Paige, David

McAleer, Chris

Taylor, Brian

CHESHIRE

Ames, Dick
 Faulkner, Barry
 O'Rorke, Terri

Berch, Paul
 Jones, Philip
 Parshall, Lucius

Harvey, Cathryn
 Germana, Nicholas
 Weber, Lucy

Fox, Dru
 Newell, Jodi

GRAFTON

Almy, Susan
 Fracht, David
 Muirhead, Russell
 Stavis, Laurel

Baldwin, Heather
 Hakken-Phillips, Mary
 Oppel, Thomas
 Stringham, Jerry

Cormen, Thomas
 Sullivan, Jared
 Rockmore, Ellen
 Sykes, George

Fellows, Sallie
 Lucas, Janet
 Spahr, Terry

HILLSBOROUGH

Murray, Alissandra
 Chourasia, Manoj
 DiSilvestro, Linda
 Georges, Mary
 Harriott-Gathright, Linda
 Jeudy, Jean
 Foxx, Loren
 Long, Patrick
 McGhee, Kat
 Newman, Ray
 Ryan, Linda
 Staub, Kathy
 Dolan, William

Bergeron, Dan
 Chretien, Suzanne
 Elberger, Susan
 Gregg, Alicia
 Hartnett, Tim
 Juris, Louis
 LeClerc, Daniel
 Murray, Megan
 Murphy, Nancy
 Raymond, Heather
 Newman, Sue
 Telerski, Laura
 Thomas, Wendy

Booras, Efstathia
 Darby, Will
 Davis, Fred
 Grill, Jessica
 Herbert, Christopher
 Kerwin, Erin
 Leishman, Peter
 MacKenzie, Mark
 Petrigno, Peter
 Rombeau, Catherine
 Salvi, Santosh
 Vail, Suzanne
 Wilhelm, Matthew

Budathoki, Suraj
 Dargie, Paul
 Foss, Lily
 Grund, Stephanie
 Jack, Martin
 Kluger, Lee Ann
 Lloyd, Christal
 Manohar, Sanjeev
 Preece, David
 Rung, Rosemarie
 Spier, Carry
 Veilleux, Daniel

MERRIMACK

Bricchi, Tracy
 Gibbs, Merryl
 Newsom, James
 Snodgrass, Jim

Kelly, Eileen
 Lane, Connie
 Roesener, James
 Soucy, Timothy

Ebel, Karen
 Luneau, David
 Schamberg, Thomas
 Wallner, Mary Jane

Gallager, Eric
 Hall, Muriel
 Schultz, Kris
 Woods, Gary

ROCKINGHAM

Cahill, Michael
 Haskins, Linda
 Maggiore, Jim
 Meuse, David
 Scherr, Buzz
 Ward, Gerald

de Vries, Erica
 Murray, Kate
 Malloy, Dennis
 Muns, Chris
 Simpson, Alexis
 Weinstein, Toni

Edgar, Michael
 Knab, Allison
 Mandelbaum, Jennifer
 Reynolds, Ned
 Sorensen, Carrie

Gilman, Julie
 Paige, Mark
 Manos, Zoe
 Read, Ellen
 Turer, Eric

STRAFFORD

Bixby, Peter
Horrigan, Timothy
Laroche, John
Selig, Loren
Wade, Alice

Burton, Wayne
Howland, Allan
Levesque, Cassandra
Southworth, Thomas
Wall, Janet

Butler, Billie
Johnson, Erik
Smith, Marjorie
Stone, John

Howard, Heath
LaMontagne, Jessica
Schmidt, Peter
Pearson, Wayne

SULLIVAN

Sullivan, Brian

Cloutier, John

Damon, Hope

Palmer, William

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

HB 1378, relative to parental access to a minor child's electronic medical records. **WITHOUT RECOMMENDATION**

Statement in support of Ought to Pass: Those in support of Ought to Pass on this bill believe parents deserve reasonable access to their child's electronic medical records, which is essential in managing medications, monitoring conditions, and communicating effectively with providers. Too often, parents are denied access to vital health information, leaving them unable to support their child's care or make informed medical decisions. This bill restores access through the online portal while fully respecting existing minor consent and confidentiality laws, including protections for sensitive services and for minor abuse or domestic violence situations. This bill does not erode privacy; it simply removes unnecessary barriers for responsible parents while preserving all current legal safeguards. This bill restores a fair, common sense balance between parental responsibility and the rights of the vulnerable youth, ultimately promoting better coordination, safety, and outcomes in children's health care. Rep. Lori Korzen

Statement in support of Inexpedient to Legislate: This bill seeks to ensure that parents have access to their children's physical and electronic medical records. Those in support of Inexpedient to Legislate agree that parents should have this right, and in fact, they do under both state and federal laws. Title X and HIPAA protect certain case notes from disclosure, such as the confidential statements teenagers make to a therapist, but parents must give permission for therapy and get permission before any medication are prescribed. The objection to this bill is a technical issue with the language of the bill. In section one, this bill includes online patient portals in the definition of medical records. Patient portals are not medical records. They are software programs that provide a gateway for communication with providers and contain access to things like bills, upcoming appointments, questionnaires, and prescription refill information. A patient might be able to access certain test results via a portal, but the vast majority of medical records are not available, and most providers only have a certain number of years of history available through the portal. In order to access case notes in many scans, one must request a physical or electronic copy directly from the provider. The committee received testimony from medical providers and the New Hampshire Hospital Association that whether a particular provider offers patient portal access for minors has to do with the type of software they use. Only a few software companies allow for a second login for a caregiver and they are generally more expensive, so most practices have not purchased them. In NH, Dartmouth Hospital has a patient portal accessible to caregivers, but Elliot, Saint Joseph's, and Southern New Hampshire health centers do not. Should this bill pass, it would require not only access to caregivers, but entire medical records to be available through the portal. This is a technical issue and many providers would save money by simply not offering a portal at all instead of making expensive investment in changing their software. For this reason only the recommendation is Inexpedient to Legislate on this bill. Rep. Cassandra Levesque

Rep. DeSimone moved Ought to Pass

Rep. Rice requested a roll call; sufficiently seconded.

YEAS 175 - NAYS 149**YEAS - 175****BELKNAP**

Aldrich, Glen
Ploszaj, Tom

Bogert, Steven
Terry, Paul

Comtois, Barbara

Freeman, Lisa

CARROLL

Avellani, Lino
MacDonald, John

Belcher, Mike
Peternel, Katy

Crawford, Karel
Brown, Richard

Hamblen, Joseph
Taylor, Brian

CHESHIRE

Murphy, Denis
Nalevanko, Rich

Hunt, John
Qualey, James

Karasinski, Sly
Rhodes, Jennifer

Mattson, Rita

COOS

Davis, Arnold
King, Seth

Durkin, Sean
Tierney, James

Korzen, Lori
Tremblay, Marc

Ouellet, Mike

GRAFTON

Barton, Joseph
Ladd, Rick

Beaulier, Calvin
Louis, Darrell

Berezhny, Lex
McFarlane, Donald

Bjelobrk, Marie Louise
Sellers, John

HILLSBOROUGH

Barbour, Liz
Cole, Brian
Daniels, Gary
Erf, Keith
Georges, Mary
Herbert, Christopher
Labrie, Brian
Mazur, Lisa
Morton, Jonathan
Pauer, Diane
Prout, Andrew
Scully, Kevin
Suiter, John
Wheeler, Jonah

Berry, Ross
Corcoran, Travis
Drew, Matt
Fedolfi, Jim
Giasson, Henry
Kenny, Catherine
Lascelles, Richard
McLean, Mark
Noble, Kristin
Peeples, Raymond
Reinfurt, Sherri
Sheehan, Vanessa
Tenczar, Jeffrey
Wherry, Robert

Boehm, Ralph
Creighton, James
Dumont, Dillon
Griffin, Gerald
Gorski, Ted
Kesselring, Steven
Leishman, Peter
Miles, Julie
Ohm, Bill
Post, Lisa
Rice, Kimberly
Sirois, Shane
Mannion, Tom

Colcombe, Riché
Kelley, Diane
Dupont, Pierre
Gagne, Larry
Gould, Linda
Kofalt, Jim
Murphy, Mary
Mooney, Maureen
Paquette, Kathleen
Proulx, Mark
Schneller, John
Slottje, Jeremy
Ulery, Jordan

MERRIMACK

Andrus, Louise
McGuire, Dan
Mehegan, Peter
Polozov, Yury
Walsh, Thomas

Aures, Cyril
Devoid, Ricky
Moffett, Michael
Boyd, Stephen
Wood, Clayton

Aylward, Deborah
Hill, Gregory
Pitaro, Matthew
Seaworth, Brian

McGuire, Carol
Leavitt, John
Plante, Raymond
See, Alvin

ROCKINGHAM

Ball, Lorie
Thomas, Douglas
Drago, Mike
Guzofski, James
Miner, Laurence
Lynn, Bob
McMahon, Charles
Nelson, Jodi
Popovici-Muller, Daniel
Sabourin dit Choinière, Matt
Summers, James
Vandecasteele, Susan
Wilson, Vicki

Bernardy, JD
DeSimone, Debra
Edwards, Jess
Harb, Robert
Walsh, Lilli
Mandelbaum, Jennifer
Melvin, Charles
Osborne, Jason
Porcelli, Susan
Selby, Donald
Sweeney, Joe
Verville, Kevin

Bryer, Scott
DeVito, Sayra
Foote, Charles
Khan, Aboul
Layon, Erica
McDonnell, Valerie
Milz, David
Brown, Pam
Potucek, John
Soti, Julius
Tripp, Richard
Vose, Michael

Mannion, Dennis
Donnelly, Tanya
Guthrie, Joseph
Kuttab, Katelyn
Litchfield, Melissa
McGrath, Linda
Nadeau, Brian
Perez, Kristine
Prudhomme-O'Brien, Katherine
Spillane, James
Tudor, Paul
MacDonald, Wayne

STRAFFORD

Bailey, Glenn
Farrington, Samuel
Potenza, Kelley

Burnham, Claudine
Granger, Michael
Hall, Robley

DeLemus, Susan
Harrington, Michael
Turcotte, Len

DeRoy, Susan
Kaczynski, Thomas
Walker, David

SULLIVAN

Grant, George
Rollins, Skip

Hemingway, Wayne
Spilsbury, Walter

Aron, Judy

Aron, Michael

NAYS - 149**BELKNAP**

Nagel, David

Toner, Travis

CARROLL

Burroughs, Anita

Paige, David

McAleer, Chris

Woodcock, Stephen

CHESHIRE

Ames, Dick
Faulkner, Barry
O'Rorke, Terri

Berch, Paul
Jones, Philip
Parshall, Lucius

Harvey, Cathryn
Germana, Nicholas
Weber, Lucy

Fox, Dru
Newell, Jodi

GRAFTON

Almy, Susan
Fellows, Sallie
Lucas, Janet
Spahr, Terry

Baldwin, Heather
Fracht, David
Muirhead, Russell
Stavis, Laurel

Bolton, Bill
Hakken-Phillips, Mary
Oppel, Thomas
Stringham, Jerry

Cormen, Thomas
Sullivan, Jared
Rockmore, Ellen
Sykes, George

HILLSBOROUGH

Murray, Alissandra
Budathoki, Suraj

Boyd, Bill
Chourasia, Manoj

Bergeron, Dan
Chretien, Suzanne

Booras, Efsthathia
Darby, Will

Dargie, Paul
 Flanagan, Jack
 Grund, Stephanie
 Jeudy, Jean
 Foxx, Loren
 Murray, Megan
 Murphy, Nancy
 Raymond, Heather
 Newman, Sue
 Telerski, Laura
 Thomas, Wendy

DiSilvestro, Linda
 Foss, Lily
 Harriott-Gathright, Linda
 Juris, Louis
 LeClerc, Daniel
 MacKenzie, Mark
 Petrigno, Peter
 Rombeau, Catherine
 Salvi, Santosh
 Vail, Suzanne
 Wilhelm, Matthew

Elberger, Susan
 Gregg, Alicia
 Hartnett, Tim
 Kerwin, Erin
 Lloyd, Christal
 Manohar, Sanjeev
 Preece, David
 Rung, Rosemarie
 Spier, Carry
 Veilleux, Daniel

Davis, Fred
 Grill, Jessica
 Jack, Martin
 Kluger, Lee Ann
 Long, Patrick
 McGhee, Kat
 Newman, Ray
 Ryan, Linda
 Staub, Kathy
 Dolan, William

MERRIMACK

Bricchi, Tracy
 Gibbs, Merryl
 Newsom, James
 Snodgrass, Jim

Kelly, Eileen
 Lane, Connie
 Roesener, James
 Soucy, Timothy

Ebel, Karen
 Luneau, David
 Schamberg, Thomas
 Wallner, Mary Jane

Gallager, Eric
 Hall, Muriel
 Schultz, Kris
 Woods, Gary

ROCKINGHAM

Cahill, Michael
 Haskins, Linda
 Paige, Mark
 Manos, Zoe
 Read, Ellen
 Simpson, Alexis
 Ward, Gerald

de Vries, Erica
 Murray, Kate
 Pearson, Mark
 Meuse, David
 Roy, Terry
 Sorensen, Carrie
 Weinstein, Toni

Edgar, Michael
 Katsakiores, Phyllis
 Maggiore, Jim
 Muns, Chris
 Pearson, Stephen
 Turer, Eric
 Weyler, Kenneth

Gilman, Julie
 Knab, Allison
 Malloy, Dennis
 Reynolds, Ned
 Scherr, Buzz
 Vallone, Mark

STRAFFORD

Bixby, Peter
 Horrigan, Timothy
 Larochelle, John
 Selig, Loren
 Wade, Alice

Burton, Wayne
 Howland, Allan
 Levesque, Cassandra
 Southworth, Thomas
 Wall, Janet

Butler, Billie
 Johnson, Erik
 Smith, Marjorie
 Stone, John

Howard, Heath
 LaMontagne, Jessica
 Schmidt, Peter
 Pearson, Wayne

SULLIVAN

Sullivan, Brian
 Palmer, William

Cloutier, John

Damon, Hope

Drye, Margaret

and the motion was adopted and the bill was ordered to third reading.

HB 1565-FN, relative to the penalty for false reports of suspected abuse and neglect made to the division for children, youth, and families. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.** Rep. Lori Korzen for the **Majority** of Children and Family Law. The committee recommends an Ought to Pass motion on this bill because it strikes an essential balance between encouraging people to report suspected child abuse and neglect and deterring those who would weaponize the process for personal gain. The bill recognizes a clear and critical distinction between a report made based on reasonable suspicion and one made with intentional, malicious intent. People who, in good faith, report concerns about a child's safety, even if those concerns are ultimately unsubstantiated, are acting out of a legitimate desire to protect a child and should not be punished or discouraged from coming forward. By contrast, individuals who knowingly make false reports to harass, intimidate, or gain leverage in personal disputes cause real harm; they traumatize children and families, waste limited state resources, and undermine trust in the system for those who genuinely need help. This bill preserves and safeguards mandatory reporting and community vigilance by protecting good faith reporters, while making it clear that the state will not tolerate the intentional misuse of child protection hotlines and investigative resources. Punishing malicious actors helps ensure that investigators can focus on real risk, strengthens the integrity of our child protection system, and reassures families that they will not be frivolously dragged into invasive investigations for spite or revenge. In doing so, the bill protects vulnerable children more effectively, respects the rights of families, and promotes responsible use of government power. Vote 9-7.

Rep. Alicia Gregg for the **Minority** of Children and Family Law. The minority of the Committee on Children and Family Law recommends this bill be found Inexpedient to Legislate. While the minority does not dispute that malicious false reporting causes genuine harm to families and children, the bill as written fails to reach the bad actors it is designed to deter. Because the reporting system allows anonymous calls and the bill's language states reporters "may" rather than "shall" provide identifying information, any person intending to make a malicious false report can simply remain anonymous and face no consequence whatsoever under this statute. The bill's enforcement mechanism is therefore structurally ineffective against its primary target.

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

On a division vote, with 181 members having voted in the affirmative, and 141 in the negative, the motion 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 division vote, the House adopted the motion of Ought to Pass on **HB 1565-FN**, relative to the penalty for false reports of suspected abuse and neglect made to the division for children, youth, and families.

On a division vote, with 18 members having voted in the affirmative, and 311 in the negative, the motion failed.

REGULAR CALENDAR PART I CONT'D

HB 1643, relative to the report of a guardian ad litem. **MAJORITY: OUGHT TO PASS. MINORITY: REFER FOR INTERIM STUDY.**

Rep. Kimberly Rice for the **Majority** of Children and Family Law. This majority of the committee believes this bill simply restores the proper role of the guardian ad litem (GAL) by removing the court's ability to request that the GAL make recommendations in their written report. It does not prevent counsel from questioning the GAL or asking for their perspective in court; it merely ensures they remain an investigative arm of the bench rather than a decision-maker. A GAL is one piece of the evidentiary puzzle, not the entirety of it, and this bill reinforces that the ultimate responsibility for decisions properly rests with the judge. Vote 9-7.

Rep. Alicia Gregg for the **Minority** of Children and Family Law. The minority respectfully opposes this bill because it addresses the wrong problem. The testimony revealed that the real issues with guardians ad litem (GALs) are inadequate training requirements, insufficient oversight, a complaints process that takes years to resolve, and inconsistent qualifications among GALs, not whether they make recommendations in their reports. Removing GALs' ability to make recommendations treats the symptom rather than the disease. If guardians ad litem lack the qualifications to make recommendations about custody arrangements, as this bill implicitly suggests, then they equally lack the qualifications to conduct the investigations upon which those recommendations are based. A hairdresser requires more training hours than a GAL, yet we entrust GALs with investigating complex family dynamics, assessing child-parent bonds, and evaluating home environments in cases that will alter children's lives. The solution is not to remove one tool from judges' toolboxes, but to strengthen GAL training requirements, establish meaningful oversight, fix the broken complaints process, and ensure GALs have the qualifications their responsibilities demand. Moreover, this committee recently made GAL recommendations discretionary rather than mandatory, so judges can already choose not to request them. This bill is premature before we've seen how that recent reform works, and it removes judicial discretion we just granted. The minority recommends Refer for Interim Study and urges the legislature to instead address the systemic GAL issues raised during testimony through comprehensive reform of the GAL licensing and oversight system.

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

On a division vote, with 182 members having voted in the affirmative, and 149 in the negative, the majority committee report was adopted and the bill was ordered to third reading.

HB 1771-FN, removing prospective repeal of child care staffing ratios and the associated waiver system and requiring the department of health and human services to provide certain notice regarding availability of the waiver. **OUGHT TO PASS.**

Rep. Debra DeSimone for Children and Family Law. Last term, a Special Committee on Child Care was established to look at a variety of issues surrounding childcare. This bill came from their work. This bill only answers the fact that the special committee felt it was a very important need to be addressed. The Special Committee on Child Care's bill passed the House and Senate with a sunset date to be sure that there would not be adverse consequences to the change in staff ratios. To the date of the writing of this report zero issues have been reported. Vote 16-0.

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

On a division vote, with 331 members having voted in the affirmative, and 2 in the negative, the committee report was adopted and the bill was ordered to third reading.

HB 1285, establishing an interagency task force to determine if New Hampshire may implement an R-PACER program. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Carry Spier for the **Majority** of Commerce and Consumer Affairs. In 2025 the Governor signed into law SB 4 (Ch. 1, Laws of 2025) which replaced the energy efficiency and clean energy districts statute with a commercial property assessed clean energy and resiliency program (C-PACER). The C-PACER program allows private lenders to provide financing to qualified commercial property owners secured by a lien on the property. R-PACER programs are enabled by state legislation and administered by local municipal governments. This bill as amended would study the feasibility of establishing the same type of program, referred to as R-PACER, for residential property. The loans would fund energy efficiency, renewable energy, and seismic retrofitting projects – such as solar panels, new insulation, or heat pumps – through a special assessment on their property tax bill. Eligibility would be primarily based on the property's assessed value and equity

rather than the homeowner's personal credit score. The commission would include both legislative members and representatives of the New Hampshire Business Finance Authority, the New Hampshire Housing Finance Authority, the Department of Business and Economic Affairs and the New Hampshire Community Development Finance Authority. The study would center around determining the costs and benefits to New Hampshire residents. Vote 13-1.

Rep. Julie Miles for the **Minority** of Commerce and Consumer Affairs. While the amendment changes the bill to create a study committee, the minority remains concerned about the underlying concept and the direction it suggests for state policy. R-PACER programs allow private financing for residential improvements to be repaid through property tax assessments that attach to the home itself. In some states, these assessments can create priority liens that affect existing mortgages. Members of the minority believe that proposals which may place new financial mechanisms on private residential property deserve significant caution and careful consideration. As a legislature, we should be mindful about expanding government structures or exploring programs that could ultimately change how obligations are attached to private homes. Homeowners in New Hampshire already have access to traditional lending and private financing options without creating new government-facilitated programs or additional study bodies. For these reasons, the minority believes the legislature should not advance this proposal and therefore recommends Inexpedient to Legislate.

Majority Amendment (1009h)

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

AN ACT establishing a commission to study if New Hampshire may implement an R-PACER program.

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

1 New Subdivision; Energy Efficient and Clean Energy Districts; R-Pacer Commission. Amend RSA 53-F by inserting after section 8 the following new subdivision:

Energy Efficient and Clean Energy Districts; R-Pacer Commission

53-F:9 R-Pacer Commission.

I. There is established a commission to study if New Hampshire may implement an R-PACER program.

II. The members of the commission shall be as follows:

- (a) Two members of the house of representatives, appointed by the speaker of the house of representatives.
- (b) One member of the senate, appointed by the president of the senate.
- (c) The executive director of the New Hampshire business finance authority or designee.
- (d) The executive director/CEO of the New Hampshire housing finance authority or designee.
- (e) The commissioner of the department of business and economic affairs, or designee.
- (f) The executive director of the New Hampshire community development finance authority, or designee.

III. Legislative members of the commission shall receive mileage at the legislative rate when attending to the duties of the commission.

IV. The commission shall:

- (a) Study the costs and benefits to the citizens of New Hampshire of implementing a Residential Property Assessed Clean Energy or Resiliency ("R-PACER") program.
- (b) Review and assess "lessons learned" to date from the C-PACER program established under RSA 53-F:1 and recommend any changes to how that program is administered.
- (c) Review the experience of other states that have already implemented R-PACER programs or have passed legislation to do so in the near future, specifically with respect to the following:
 - (1) The definition of eligible "qualifying improvements."
 - (2) Recommended disclosures to and protections for consumers including but not limited to know-before-you-owe disclosures, live confirmation of terms, enhanced senior care, right of cancellation, and other protocols.
 - (3) Review and assessment of R-PACER lenders.
 - (4) Underwriting criteria.
 - (5) Contractor oversight.
 - (6) Financial disclosures from consumers, contractors, and lenders.
 - (7) Regulatory structure.
- (d) Recommend whether an R-PACER program should be implemented in New Hampshire.
- (e) Identify which state agency should be the administrator of such a program in New Hampshire; recognizing that the challenges of interfacing with residential property owners may be different than interfacing with commercial property owners.
- (f) Identify what statutory authority the recommended administrator of the R-PACER program will need to effectively administer the program with the goal of introducing such legislation no later than the fall of 2027.
- (g) Identify what additional resources the recommended administrator of the R-PACER program will need to effectively administer the program.
- (h) Propose a recommended implementation timeline.

(i) Consult with other stakeholders it deems necessary or appropriate to do so; such as the New Hampshire Municipal Association, the New Hampshire Banking Association, other New Hampshire state agencies as needed, and members of the governing house and senate standing committees.

V. The members of the study commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the first-named house member. The first meeting of the commission shall be held within 30 days of the effective date of this section. Four members of the commission shall constitute a quorum.

VI. The commission shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before October 15, 2026.

2 Repeal. RSA 53-F:9, relative to the R-Pacer commission, is repealed.

3 Effective Date.

I. Section 2 of this act shall take effect October 15, 2026.

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

2026-1009h

AMENDED ANALYSIS

This bill establishes a commission to study if New Hampshire may implement an R-PACER program.

The question being adoption of the majority committee amendment.

On a division vote, with 328 members having voted in the affirmative, and 5 in the negative, the majority committee amendment was adopted.

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

On a division vote, with 320 members having voted in the affirmative, and 12 in the negative, the majority committee report was adopted and the bill was ordered to third reading.

MOTION TO PRINT DEBATE

Rep. Heath Howard moved that the debates on **HB 1376**, relative to a parent's ability to raise their child in a manner consistent with the child's biological sex, **HB 1378**, relative to parental access to a minor child's electronic medical records, **HB 1565-FN**, relative to the penalty for false reports of suspected abuse and neglect made to the division for children, youth, and families, **HB 1643**, relative to the report of a guardian ad litem and **HB 1285**, establishing a commission to study if New Hampshire may implement an R-PACER program, be printed in the Permanent Journal.

Without objection, the Speaker ordered.

An objection was made.

On a division vote, with 117 members having voted in the affirmative, and 216 in the negative, the motion to print debates failed.

REGULAR CALENDAR PART I CONT'D

HB 1554-FN, requiring insurance carriers to provide peer-to-peer review at any stage of prior authorization and mandating disclosure of reviewer credentials. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: REFER FOR INTERIM STUDY.**

Rep. Julie Miles for the **Majority** of Commerce and Consumer Affairs. This legislation strengthens the prior authorization process by ensuring that treating physicians have timely access to a peer-to-peer review with a qualified clinical reviewer. Direct clinical discussion between physicians can clarify medical information, resolve misunderstandings, and reduce unnecessary delays in care, ultimately helping patients receive medically necessary treatment more efficiently. The committee amendment makes a technical clarification by changing language referring to the reviewing physician from "and" to "or," ensuring the qualification language is workable while maintaining appropriate clinical expertise for the reviewer. The amendment also clarifies that a peer-to-peer review may occur even after an appeal has been initiated, allowing physicians to resolve medical necessity questions through direct dialogue during the appeal process rather than relying solely on administrative review. The bill further promotes transparency by requiring disclosure of the reviewing clinician's name, licensure, and National Provider Identifier. The majority believes these provisions improve communication, strengthen accountability in utilization review, and help patients receive timely access to appropriate care. For these reasons, the committee recommends Ought to Pass with Amendment. Vote 13-2.

Rep. Carry Spier for the **Minority** of Commerce and Consumer Affairs. This bill presents a myriad of unintended consequences that may end up harming Granite Staters rather than helping them. Legislators had heard regularly from constituents for years about the time it took to reach a final conclusion on prior authorization decisions, so we passed SB 561(Ch. 172) in 2024. SB 561 was a well negotiated, finely crafted piece of legislation that had buy-in from all stakeholders and took effect January 1, 2025. The New Hampshire Insurance Department (NHID) is now initiating rulemaking to implement SB 561; the proposed rules, which

are available on the NHID website, include extensive guidance on how peer-to-peer review should occur. HB 1554 would blow up the balance that SB 561 struck, put in place a policy without stakeholder buy-in or thorough policy considerations, and gum up the process of rendering final prior authorization decisions – erecting new delays for patients and increasing their wait times for final decisions on prior authorization, rather than expediting them. HB 1554 fundamentally misunderstands how peer-to-peer reviews function - peer-to-peer review is part of the initial prior authorization process. Once an appeal has been filed, the appeal review is based on the claim file as it was when the decision was rendered and the appeal requested. A peer-to-peer review at the point of an appeal would reset the patient to the beginning of the process, essentially reopening their original prior authorization claim file, restarting their prior authorization, and moving the patient further away from a final decision. It is important to note that the sponsor of the bill did not consult with the insurance department or the carriers to determine precisely how prior authorization works, which is not typical of how Commerce operates. The insurance department provided the bulletin they issue to carriers with regards to prior authorization and peer-to-peer review, which was also ignored. For these reasons, a minority of the Commerce and Consumer Affairs Committee recommends a motion of Refer for Interim Study to resolve the issues by allowing stakeholder participation.

Majority Amendment (0805h)

Amend RSA 420-J:6, X-a(a)(2) as inserted by section 4 of the bill by replacing it with the following:

(2) Is actively practicing in the same or similar field of medicine; or

The question being adoption of the majority committee amendment.

On a division vote, with 192 members having voted in the affirmative, and 143 in the negative, the majority committee amendment was adopted.

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

On a division vote, with 244 members having voted in the affirmative, and 92 in the negative, the majority committee report was adopted and the bill was ordered to third reading.

MOTION TO REMOVE FROM THE TABLE

Rep. Roy moved that **HB 1108-FN**, relative to the offense of criminal threatening, be removed from the table. Rep. McFarlane requested a roll call; sufficiently seconded.

YEAS 177 - NAYS 158

YEAS - 177

BELKNAP

Aldrich, Glen	Bogert, Steven	Freeman, Lisa	Harvey-Bolia, Juliet
Ploszaj, Tom	Terry, Paul	Toner, Travis	

CARROLL

Avellani, Lino	Belcher, Mike	Crawford, Karel	MacDonald, John
Petermel, Katy	Brown, Richard	Taylor, Brian	

CHESHIRE

Murphy, Denis	Hunt, John	Karasinski, Sly	Mattson, Rita
Nalevanko, Rich	Qualey, James	Rhodes, Jennifer	

COOS

Davis, Arnold	Durkin, Sean	Korzen, Lori	Ouellet, Mike
King, Seth	Tierney, James	Tremblay, Marc	

GRAFTON

Barton, Joseph	Beaulier, Calvin	Berezhny, Lex	Bjelobrk, Marie Louise
Ladd, Rick	Louis, Darrell	McFarlane, Donald	Sellers, John

HILLSBOROUGH

Alexander, Joe	Ammon, Keith	Boyd, Bill	Barbour, Liz
Berry, Ross	Colcombe, Riché	Cole, Brian	Corcoran, Travis
Creighton, James	Kelley, Diane	Daniels, Gary	Drew, Matt
Dumont, Dillon	Dupont, Pierre	Erf, Keith	Fedolfi, Jim
Flanagan, Jack	Griffin, Gerald	Giasson, Henry	Gorski, Ted
Gould, Linda	Kenny, Catherine	Kesselring, Steven	Kofalt, Jim
Labrie, Brian	Lascelles, Richard	Long, Patrick	Murphy, Mary
Mazur, Lisa	McLean, Mark	Miles, Julie	Mooney, Maureen
Morton, Jonathan	Noble, Kristin	Ohm, Bill	Paquette, Kathleen
Pauer, Diane	Peeples, Raymond	Post, Lisa	Proulx, Mark
Prout, Andrew	Reinfurt, Sherri	Rice, Kimberly	Schneller, John

Scully, Kevin
Suiter, John
Wherry, Robert

Sheehan, Vanessa
Tenczar, Jeffrey

Sirois, Shane
Mannion, Tom

Slottje, Jeremy
Ulery, Jordan

MERRIMACK

Andrus, Louise
McGuire, Dan
Mehegan, Peter
Polozov, Yury
Walsh, Thomas

Aures, Cyril
Devoid, Ricky
Moffett, Michael
Boyd, Stephen
Wood, Clayton

Aylward, Deborah
Hill, Gregory
Pitaro, Matthew
Seaworth, Brian

McGuire, Carol
Leavitt, John
Plante, Raymond
See, Alvin

ROCKINGHAM

Ball, Lorie
Mannion, Dennis
Donnelly, Tanya
Guthrie, Joseph
Khan, Aboul
Layon, Erica
Mandelbaum, Jennifer
Melvin, Charles
Osborne, Jason
Potucek, John
Selby, Donald
Sweeney, Joe
Vallone, Mark
Wilson, Vicki

Bernardy, JD
Thomas, Douglas
Drago, Mike
Guzowski, James
Kuttab, Katelyn
Litchfield, Melissa
McDonnell, Valerie
Milz, David
Brown, Pam
Prudhomme-O'Brien, Katherine
Soti, Julius
Sytek, John
Vandecasteele, Susan

Bridle, Nicholas
DeSimone, Debra
Edwards, Jess
Harb, Robert
Miner, Laurence
Lynn, Bob
McGrath, Linda
Nadeau, Brian
Perez, Kristine
Roy, Terry
Spillane, James
Tripp, Richard
Verville, Kevin

Bryer, Scott
DeVito, Sayra
Foote, Charles
Katsakiores, Phyllis
Walsh, Lilli
Pearson, Mark
McMahon, Charles
Nelson, Jodi
Popovici-Muller, Daniel
Sabourin dit Choinière, Matt
Summers, James
Tudor, Paul
Weyler, Kenneth

STRAFFORD

Bailey, Glenn
Farrington, Samuel
Potenza, Kelley

Burnham, Claudine
Granger, Michael
Hall, Robley

DeLemus, Susan
Harrington, Michael
Turcotte, Len

DeRoy, Susan
Kaczynski, Thomas
Walker, David

SULLIVAN

Drye, Margaret
Spilsbury, Walter

Grant, George

Hemingway, Wayne

Rollins, Skip

NAYS - 158

BELKNAP

Coker, Matthew

Comtois, Barbara

Nagel, David

CARROLL

Burroughs, Anita
Woodcock, Stephen

Paige, David

Hamblen, Joseph

McAleer, Chris

CHESHIRE

Ames, Dick
Faulkner, Barry
Newell, Jodi

Berch, Paul
Jacobs, Samantha
O'Rourke, Terri

Harvey, Cathryn
Jones, Philip
Parshall, Lucius

Fox, Dru
Germana, Nicholas
Weber, Lucy

GRAFTON

Almy, Susan
Fellows, Sallie
Lucas, Janet
Spahr, Terry

Baldwin, Heather
Fracht, David
Muirhead, Russell
Stavis, Laurel

Bolton, Bill
Hakken-Phillips, Mary
Oppel, Thomas
Stringham, Jerry

Cormen, Thomas
Sullivan, Jared
Rockmore, Ellen
Sykes, George

HILLSBOROUGH

Murray, Aissandra
Booras, Efsthia
Darby, Will
Davis, Fred
Gregg, Alicia
Herbert, Christopher
Kerwin, Erin
LeClerc, Daniel
MacKenzie, Mark
Petrigno, Peter
Rombeau, Catherine
Salvi, Santosh
Tellez, Trinidad
Thomas, Wendy

Beauchemin, Paige
Budathoki, Suraj
Dargie, Paul
Foss, Lily
Grund, Stephanie
Jack, Martin
Kluger, Lee Ann
Leishman, Peter
Manohar, Sanjeev
Preece, David
Rung, Rosemarie
Spier, Carry
Vail, Suzanne
Wilhelm, Matthew

Bergeron, Dan
Chourasia, Manoj
DiSilvestro, Linda
Gagne, Larry
Harriott-Gathright, Linda
Judy, Jean
Foxy, Loren
Lloyd, Christal
McGhee, Kat
Newman, Ray
Ryan, Linda
Staub, Kathy
Veilleux, Daniel

Boehm, Ralph
Chretien, Suzanne
Elberger, Susan
Georges, Mary
Hartnett, Tim
Juris, Louis
Leapley, Nicole
Murray, Megan
Murphy, Nancy
Raymond, Heather
Newman, Sue
Telerski, Laura
Dolan, William

MERRIMACK

Bricchi, Tracy
Gallager, Eric
Hall, Muriel
Schultz, Kris
Woods, Gary

Caplan, Tony
Gibbs, Merryl
Newsom, James
Snodgrass, Jim

Kelly, Eileen
Lane, Connie
Roesener, James
Soucy, Timothy

Ebel, Karen
Luneau, David
Schamberg, Thomas
Wallner, Mary Jane

ROCKINGHAM

Cahill, Michael
Haskins, Linda
Maggiore, Jim
Muns, Chris
Pearson, Stephen
Turer, Eric
Weinstein, Toni

de Vries, Erica
Murray, Kate
Malloy, Dennis
Porcelli, Susan
Scherr, Buzz
Vose, Michael

Edgar, Michael
Knab, Allison
Manos, Zoe
Raynolds, Ned
Simpson, Alexis
MacDonald, Wayne

Gilman, Julie
Paige, Mark
Meuse, David
Read, Ellen
Sorensen, Carrie
Ward, Gerald

STRAFFORD

Bay, Luz
Gilmore, Gary
Johnson, Erik
Smith, Marjorie
Stone, John

Bixby, Peter
Howard, Heath
LaMontagne, Jessica
Schmidt, Peter
Pearson, Wayne

Burton, Wayne
Horrigan, Timothy
Larochelle, John
Selig, Loren
Wade, Alice

Butler, Billie
Howland, Allan
Levesque, Cassandra
Southworth, Thomas
Wall, Janet

SULLIVAN

Sullivan, Brian
Aron, Michael

Cloutier, John
Palmer, William

Damon, Hope

Aron, Judy

and the motion was adopted.

The question now being adoption of the committee report of Inexpedient to Legislate.
Rep. Roy requested a roll call; sufficiently seconded.

YEAS 151 - NAYS 186**YEAS - 151****BELKNAP**

Coker, Matthew

Nagel, David

CARROLL

Burroughs, Anita

Paige, David

McAleer, Chris

Woodcock, Stephen

CHESHIRE

Ames, Dick
Faulkner, Barry
Newell, Jodi

Berch, Paul
Jacobs, Samantha
O'Rorke, Terri

Harvey, Cathryn
Jones, Philip
Parshall, Lucius

Fox, Dru
Germana, Nicholas
Weber, Lucy

GRAFTON

Almy, Susan
Fellows, Sallie
Lucas, Janet
Spahr, Terry

Baldwin, Heather
Fracht, David
Muirhead, Russell
Stavis, Laurel

Bolton, Bill
Hakken-Phillips, Mary
Oppel, Thomas
Stringham, Jerry

Cormen, Thomas
Sullivan, Jared
Rockmore, Ellen
Sykes, George

HILLSBOROUGH

Murray, Alissandra
Chourasia, Manoj
Dargie, Paul
Foss, Lily
Harriott-Gathright, Linda
Jeudy, Jean
Foxy, Loren
Lloyd, Christal
McGhee, Kat
Newman, Ray
Ryan, Linda
Spier, Carry
Vail, Suzanne
Wheeler, Jonah

Bergeron, Dan
Chretien, Suzanne
DiSilvestro, Linda
Georges, Mary
Hartnett, Tim
Juris, Louis
Leapley, Nicole
Murray, Megan
Murphy, Nancy
Raymond, Heather
Newman, Sue
Staub, Kathy
Veilleux, Daniel
Wilhelm, Matthew

Booras, Efstathia
Daniels, Gary
Elberger, Susan
Gregg, Alicia
Herbert, Christopher
Kerwin, Erin
LeClerc, Daniel
MacKenzie, Mark
Petrigno, Peter
Rombeau, Catherine
Salvi, Santosh
Telerski, Laura
Dolan, William

Budathoki, Suraj
Darby, Will
Davis, Fred
Grund, Stephanie
Jack, Martin
Kluger, Lee Ann
Leishman, Peter
Manohar, Sanjeev
Preece, David
Rung, Rosemarie
Seibert, Christine
Tellez, Trinidad
Thomas, Wendy

MERRIMACK

Bricchi, Tracy
Gallager, Eric
Hall, Muriel
Schultz, Kris

Caplan, Tony
Gibbs, Merryl
Newsom, James
Snodgrass, Jim

Kelly, Eileen
Lane, Connie
Roesener, James
Soucy, Timothy

Ebel, Karen
Luneau, David
Schamberg, Thomas
Wallner, Mary Jane

ROCKINGHAM

Cahill, Michael
Haskins, Linda
Maggiore, Jim
Muns, Chris
Simpson, Alexis
Weinstein, Toni

de Vries, Erica
Murray, Kate
Malloy, Dennis
Raynolds, Ned
Sorensen, Carrie

Edgar, Michael
Knab, Allison
Manos, Zoe
Read, Ellen
Turer, Eric

Gilman, Julie
Paige, Mark
Meuse, David
Scherr, Buzz
Ward, Gerald

STRAFFORD

Bay, Luz
Gilmore, Gary
Howland, Allan
Levesque, Cassandra
Southworth, Thomas

Bixby, Peter
Howard, Heath
Johnson, Erik
Smith, Marjorie
Stone, John

Burton, Wayne
Harrington, Michael
LaMontagne, Jessica
Schmidt, Peter
Pearson, Wayne

Butler, Billie
Horrigan, Timothy
Larochelle, John
Selig, Loren
Wade, Alice

SULLIVAN

Sullivan, Brian

Cloutier, John

Damon, Hope

Palmer, William

NAYS - 186**BELKNAP**

Aldrich, Glen
Harvey-Bolia, Juliet

Bogert, Steven
Ploszaj, Tom

Comtois, Barbara
Terry, Paul

Freeman, Lisa
Toner, Travis

CARROLL

Avellani, Lino
MacDonald, John

Belcher, Mike
Peternel, Katy

Crawford, Karel
Brown, Richard

Hamblen, Joseph
Taylor, Brian

CHESHIRE

Murphy, Denis
Nalevanko, Rich

Hunt, John
Qualey, James

Karasinski, Sly
Rhodes, Jennifer

Mattson, Rita

COOS

Davis, Arnold
King, Seth

Durkin, Sean
Tierney, James

Korzen, Lori
Tremblay, Marc

Ouellet, Mike

GRAFTON

Barton, Joseph
Ladd, Rick

Beaulier, Calvin
Louis, Darrell

Berezhny, Lex
McFarlane, Donald

Bjelobrk, Marie Louise
Sellers, John

HILLSBOROUGH

Alexander, Joe
Beauchemin, Paige
Cole, Brian
Drew, Matt
Fedolfi, Jim
Giasson, Henry
Kesselring, Steven
Long, Patrick
Miles, Julie
Ohm, Bill
Post, Lisa
Rice, Kimberly
Sirois, Shane
Mannion, Tom

Ammon, Keith
Berry, Ross
Corcoran, Travis
Dumont, Dillon
Flanagan, Jack
Gorski, Ted
Kofalt, Jim
Murphy, Mary
Mooney, Maureen
Paquette, Kathleen
Proulx, Mark
Schneller, John
Slottje, Jeremy
Ulery, Jordan

Boyd, Bill
Boehm, Ralph
Creighton, James
Dupont, Pierre
Griffin, Gerald
Gould, Linda
Labrie, Brian
Mazur, Lisa
Morton, Jonathan
Pauer, Diane
Prout, Andrew
Scully, Kevin
Suiter, John
Wherry, Robert

Barbour, Liz
Colcombe, Riché
Kelley, Diane
Erf, Keith
Gagne, Larry
Kenny, Catherine
Lascelles, Richard
McLean, Mark
Noble, Kristin
Peeples, Raymond
Reinfurt, Sherri
Sheehan, Vanessa
Tenczar, Jeffrey

MERRIMACK

Andrus, Louise
McGuire, Dan
Mehegan, Peter
Polozov, Yury
Walsh, Thomas

Aures, Cyril
Devoid, Ricky
Moffett, Michael
Boyd, Stephen
Wood, Clayton

Aylward, Deborah
Hill, Gregory
Pitaro, Matthew
Seaworth, Brian

McGuire, Carol
Leavitt, John
Plante, Raymond
See, Alvin

ROCKINGHAM

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Mannion, Dennis
Donnelly, Tanya
Guthrie, Joseph
Khan, Aboul
Layon, Erica
Mandelbaum, Jennifer

Bernardy, JD
Thomas, Douglas
Drago, Mike
Guzofski, James
Kuttab, Katelyn
Litchfield, Melissa
McDonnell, Valerie

Bridle, Nicholas
DeSimone, Debra
Edwards, Jess
Harb, Robert
Miner, Laurence
Lynn, Bob
McGrath, Linda

Bryer, Scott
DeVito, Sayra
Foote, Charles
Katsakiores, Phyllis
Walsh, Lilli
Pearson, Mark
McMahon, Charles

Melvin, Charles
Osborne, Jason
Porcelli, Susan
Pearson, Stephen
Spillane, James
Tripp, Richard
Verville, Kevin
Wilson, Vicki

Milz, David
Brown, Pam
Potucek, John
Sabourin dit Choinière, Matt
Summers, James
Tudor, Paul
Vose, Michael

Nadeau, Brian
Perez, Kristine
Prudhomme-O'Brien, Katherine
Selby, Donald
Sweeney, Joe
Vallone, Mark
MacDonald, Wayne

Nelson, Jodi
Popovici-Muller, Daniel
Roy, Terry
Soti, Julius
Sytek, John
Vandecasteele, Susan
Weyler, Kenneth

STRAFFORD

Bailey, Glenn
Farrington, Samuel
Hall, Robley

Burnham, Claudine
Granger, Michael
Turcotte, Len

DeLemus, Susan
Kaczynski, Thomas
Walker, David

DeRoy, Susan
Potenza, Kelley

SULLIVAN

Drye, Margaret
Aron, Michael

Grant, George
Rollins, Skip

Hemingway, Wayne
Spilsbury, Walter

Aron, Judy

and the motion failed.

Rep. McFarlane moved Ought to Pass and offered floor amendment (1113h).

Floor Amendment (1113h)

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

1 Criminal Threatening; Actions in Response to Certain Threats. RSA 631:4, IV is repealed and reenacted to read as follows:

IV. A person who, in response to conduct that could reasonably be perceived by a person as likely to result in serious bodily injury, death, theft, unlawful intrusion, or refusal to leave after lawful trespass notice, displays a firearm or other lawful means of self-defense with the intent to deter such conduct, shall not be deemed to have committed a criminal act under this section. Nothing in this section shall be construed to limit the open carrying of firearms as otherwise permitted by law.

2 Effective Date. This act shall take effect January 1, 2027.

The question being adoption of floor amendment (1113h)

On a division vote, with 188 members having voted in the affirmative, and 149 in the negative, floor amendment (1113h) was adopted.

The question now being Ought to Pass with Amendment.

MOTION TO INDEFINITELY POSTPONE

Rep. Wade moved that **HB 1108-FN**, relative to the offense of criminal threatening, be Indefinitely Postponed. On a division vote, with 146 members having voted in the affirmative, and 191 in the negative, the motion failed.

The question now being Ought to Pass with Amendment.

Rep. McFarlane requested a roll call; sufficiently seconded.

YEAS 193 - NAYS 144

YEAS - 193

BELKNAP

Aldrich, Glen
Comtois, Barbara
Ploszaj, Tom

Bogert, Steven
Freeman, Lisa
Terry, Paul

Bordes, Mike
Harvey-Bolia, Juliet
Toner, Travis

Coker, Matthew
Nagel, David

CARROLL

Avellani, Lino
MacDonald, John

Belcher, Mike
Pernel, Katy

Crawford, Karel
Brown, Richard

Hamblen, Joseph
Taylor, Brian

CHESHIRE

Murphy, Denis
Nalevanko, Rich

Hunt, John
Qualey, James

Karasinski, Sly
Rhodes, Jennifer

Mattson, Rita

COOS

Davis, Arnold
King, Seth

Durkin, Sean
Tierney, James

Korzen, Lori
Tremblay, Marc

Ouellet, Mike

GRAFTON

Barton, Joseph
Ladd, Rick
Stringham, Jerry

Beaulier, Calvin
Louis, Darrell

Berezhny, Lex
McFarlane, Donald

Bjelobrk, Marie Louise
Sellers, John

HILLSBOROUGH

Alexander, Joe
Berry, Ross
Corcoran, Travis
Drew, Matt
Fedolfi, Jim
Giasson, Henry
Kesselring, Steven
Long, Patrick
Miles, Julie
Ohm, Bill
Post, Lisa
Rice, Kimberly
Sirois, Shane
Mannion, Tom
Wherry, Robert

Ammon, Keith
Boehm, Ralph
Creighton, James
Dumont, Dillon
Flanagan, Jack
Gorski, Ted
Kofalt, Jim
Murphy, Mary
Mooney, Maureen
Paquette, Kathleen
Proulx, Mark
Schneller, John
Slottje, Jeremy
Ulery, Jordan

Boyd, Bill
Colcombe, Riché
Kelley, Diane
Dupont, Pierre
Griffin, Gerald
Gould, Linda
Labrie, Brian
Mazur, Lisa
Morton, Jonathan
Pauer, Diane
Prout, Andrew
Scully, Kevin
Suiter, John
Dolan, William

Barbour, Liz
Cole, Brian
Daniels, Gary
Erf, Keith
Gagne, Larry
Kenny, Catherine
Lascelles, Richard
McLean, Mark
Noble, Kristin
Peeples, Raymond
Reinfurt, Sherri
Sheehan, Vanessa
Tenczar, Jeffrey
Wheeler, Jonah

MERRIMACK

Andrus, Louise
McGuire, Dan
Mehegan, Peter
Polozov, Yuri
Walsh, Thomas

Aures, Cyril
Devoid, Ricky
Moffett, Michael
Boyd, Stephen
Wood, Clayton

Aylward, Deborah
Hill, Gregory
Pitaro, Matthew
Seaworth, Brian

McGuire, Carol
Leavitt, John
Plante, Raymond
See, Alvin

ROCKINGHAM

Ball, Lorie
Mannion, Dennis
Donnelly, Tanya
Guthrie, Joseph
Khan, Aboul
Layon, Erica
Mandelbaum, Jennifer
Melvin, Charles
Osborne, Jason
Porcelli, Susan
Pearson, Stephen
Spillane, James
Tripp, Richard
Verville, Kevin
Wilson, Vicki

Bernardy, JD
Thomas, Douglas
Drago, Mike
Guzowski, James
Kuttab, Katelyn
Litchfield, Melissa
McDonnell, Valerie
Milz, David
Brown, Pam
Potucek, John
Sabourin dit Choinière, Matt
Summers, James
Tudor, Paul
Vose, Michael

Bridle, Nicholas
DeSimone, Debra
Edwards, Jess
Harb, Robert
Miner, Laurence
Lynn, Bob
McGrath, Linda
Nadeau, Brian
Perez, Kristine
Prudhomme-O'Brien, Katherine
Selby, Donald
Sweeney, Joe
Vallone, Mark
MacDonald, Wayne

Bryer, Scott
DeVito, Sayra
Foote, Charles
Katsakiores, Phyllis
Walsh, Lilli
Pearson, Mark
McMahon, Charles
Nelson, Jodi
Popovici-Muller, Daniel
Roy, Terry
Soti, Julius
Sytek, John
Vandecasteele, Susan
Weyler, Kenneth

STRAFFORD

Bailey, Glenn
Farrington, Samuel
Potenza, Kelley

Burnham, Claudine
Granger, Michael
Hall, Robley

DeLemus, Susan
Harrington, Michael
Turcotte, Len

DeRoy, Susan
Kaczynski, Thomas
Walker, David

SULLIVAN

Drye, Margaret
Aron, Michael

Grant, George
Rollins, Skip

Hemingway, Wayne
Spilsbury, Walter

Aron, Judy

NAYS - 144**CARROLL**

Burroughs, Anita

Paige, David

McAleer, Chris

Woodcock, Stephen

CHESHIRE

Ames, Dick
Faulkner, Barry
O'Rourke, Terri

Berch, Paul
Jones, Philip
Parshall, Lucius

Harvey, Cathryn
Germana, Nicholas
Weber, Lucy

Fox, Dru
Newell, Jodi

GRAFTON

Almy, Susan
Fellows, Sallie
Lucas, Janet
Spahr, Terry

Baldwin, Heather
Fracht, David
Muirhead, Russell
Stavis, Laurel

Bolton, Bill
Hakken-Phillips, Mary
Oppel, Thomas
Sykes, George

Cormen, Thomas
Sullivan, Jared
Rockmore, Ellen

HILLSBOROUGH

Murray, Alissandra
Budathoki, Suraj
Dargie, Paul
Foss, Lily
Harriott-Gathright, Linda
Jeudy, Jean

Beauchemin, Paige
Chourasia, Manoj
DiSilvestro, Linda
Georges, Mary
Hartnett, Tim
Juris, Louis

Bergeron, Dan
Chretien, Suzanne
Elberger, Susan
Gregg, Alicia
Herbert, Christopher
Kerwin, Erin

Booras, Efstathia
Darby, Will
Davis, Fred
Grund, Stephanie
Jack, Martin
Kluger, Lee Ann

Foxx, Loren
Lloyd, Christal
McGhee, Kat
Newman, Ray
Ryan, Linda
Spier, Carry
Vail, Suzanne

Leapley, Nicole
Murray, Megan
Murphy, Nancy
Raymond, Heather
Newman, Sue
Staub, Kathy
Veilleux, Daniel

LeClerc, Daniel
MacKenzie, Mark
Petrigno, Peter
Rombeau, Catherine
Salvi, Santosh
Telerski, Laura
Thomas, Wendy

Leishman, Peter
Manohar, Sanjeev
Preece, David
Rung, Rosemarie
Seibert, Christine
Tellez, Trinidad
Wilhelm, Matthew

MERRIMACK

Bricchi, Tracy
Gallager, Eric
Hall, Muriel
Schultz, Kris
Woods, Gary

Caplan, Tony
Gibbs, Merryl
Newsom, James
Snodgrass, Jim

Kelly, Eileen
Lane, Connie
Roesener, James
Soucy, Timothy

Ebel, Karen
Luneau, David
Schamberg, Thomas
Wallner, Mary Jane

ROCKINGHAM

Cahill, Michael
Haskins, Linda
Maggiore, Jim
Muns, Chris
Simpson, Alexis
Weinstein, Toni

de Vries, Erica
Murray, Kate
Malloy, Dennis
Raynolds, Ned
Sorensen, Carrie

Edgar, Michael
Knab, Allison
Manos, Zoe
Read, Ellen
Turer, Eric

Gilman, Julie
Paige, Mark
Meuse, David
Scherr, Buzz
Ward, Gerald

STRAFFORD

Bay, Luz
Gilmore, Gary
Johnson, Erik
Smith, Marjorie
Stone, John

Bixby, Peter
Howard, Heath
LaMontagne, Jessica
Schmidt, Peter
Pearson, Wayne

Burton, Wayne
Horriggan, Timothy
Larochelle, John
Selig, Loren
Wade, Alice

Butler, Billie
Howland, Allan
Levesque, Cassandra
Southworth, Thomas
Wall, Janet

SULLIVAN

Sullivan, Brian

Cloutier, John

Damon, Hope

Palmer, William

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

MOTION TO REMOVE FROM THE TABLE

Rep. Wendy Thomas moved that **HB 1798-FN**, relative to the coverage of diapers under the state Medicaid plan, be removed from the table.

Rep. Weber requested a roll call; sufficiently seconded.

YEAS 151 - NAYS 185

YEAS - 151

BELKNAP

Nagel, David

CARROLL

Burroughs, Anita

Paige, David

McAleer, Chris

Woodcock, Stephen

CHESHIRE

Ames, Dick
Faulkner, Barry
Newell, Jodi

Berch, Paul
Jacobs, Samantha
O'Rorke, Terri

Harvey, Cathryn
Jones, Philip
Parshall, Lucius

Fox, Dru
Germana, Nicholas
Weber, Lucy

GRAFTON

Almy, Susan
Fellows, Sallie
Lucas, Janet
Spahr, Terry

Baldwin, Heather
Fracht, David
Muirhead, Russell
Stavis, Laurel

Bolton, Bill
Hakken-Phillips, Mary
Oppel, Thomas
Stringham, Jerry

Cormen, Thomas
Sullivan, Jared
Rockmore, Ellen
Sykes, George

HILLSBOROUGH

Murray, Alissandra
Budathoki, Suraj
Dargie, Paul
Foss, Lily
Harriott-Gathright, Linda
Jeudy, Jean
Foxx, Loren
Lloyd, Christal
Manohar, Sanjeev
Preece, David
Rung, Rosemarie

Beauchemin, Paige
Chourasia, Manoj
DiSilvestro, Linda
Georges, Mary
Hartnett, Tim
Juris, Louis
Leapley, Nicole
Long, Patrick
McGhee, Kat
Newman, Ray
Ryan, Linda

Bergeron, Dan
Chretien, Suzanne
Elberger, Susan
Gregg, Alicia
Herbert, Christopher
Kerwin, Erin
LeClerc, Daniel
Murray, Megan
Murphy, Nancy
Raymond, Heather
Newman, Sue

Booras, Efstathia
Darby, Will
Davis, Fred
Grund, Stephanie
Jack, Martin
Kluger, Lee Ann
Leishman, Peter
MacKenzie, Mark
Petrigno, Peter
Rombeau, Catherine
Salvi, Santosh

Seibert, Christine
Tellez, Trinidad
Thomas, Wendy

Spier, Carry
Vail, Suzanne
Wheeler, Jonah

Staub, Kathy
Veilleux, Daniel
Wilhelm, Matthew

Telerski, Laura
Dolan, William

MERRIMACK

Bricchi, Tracy
Gallager, Eric
Hall, Muriel
Schultz, Kris
Woods, Gary

Caplan, Tony
Gibbs, Merryl
Newsom, James
Snodgrass, Jim

Kelly, Eileen
Lane, Connie
Roesener, James
Soucy, Timothy

Ebel, Karen
Luneau, David
Schamberg, Thomas
Wallner, Mary Jane

ROCKINGHAM

Cahill, Michael
Haskins, Linda
Maggiore, Jim
Meuse, David
Simpson, Alexis
Ward, Gerald

de Vries, Erica
Murray, Kate
Malloy, Dennis
Muns, Chris
Sorensen, Carrie
Weinstein, Toni

Edgar, Michael
Knab, Allison
Mandelbaum, Jennifer
Raynolds, Ned
Turer, Eric

Gilman, Julie
Paige, Mark
Manos, Zoe
Scherr, Buzz
Vallone, Mark

STRAFFORD

Bay, Luz
Gilmore, Gary
Johnson, Erik
Smith, Marjorie
Stone, John

Bixby, Peter
Howard, Heath
LaMontagne, Jessica
Schmidt, Peter
Pearson, Wayne

Burton, Wayne
Horrigan, Timothy
Larochelle, John
Selig, Loren
Wade, Alice

Butler, Billie
Howland, Allan
Levesque, Cassandra
Southworth, Thomas
Wall, Janet

SULLIVAN

Sullivan, Brian

Cloutier, John

Damon, Hope

Palmer, William

NAYS - 185

BELKNAP

Aldrich, Glen
Comtois, Barbara
Terry, Paul

Bogert, Steven
Freeman, Lisa
Toner, Travis

Bordes, Mike
Harvey-Bolia, Juliet

Coker, Matthew
Ploszaj, Tom

CARROLL

Avellani, Lino
MacDonald, John

Belcher, Mike
Paternel, Katy

Crawford, Karel
Brown, Richard

Hamblen, Joseph
Taylor, Brian

CHESHIRE

Murphy, Denis
Nalevanko, Rich

Hunt, John
Qualey, James

Karasinski, Sly
Rhodes, Jennifer

Mattson, Rita

COOS

Davis, Arnold
King, Seth

Durkin, Sean
Tierney, James

Korzen, Lori
Tremblay, Marc

Ouellet, Mike

GRAFTON

Barton, Joseph
Ladd, Rick

Beaulier, Calvin
Louis, Darrell

Berezhny, Lex
McFarlane, Donald

Bjelobrck, Marie Louise
Sellers, John

HILLSBOROUGH

Ammon, Keith
Boehm, Ralph
Creighton, James
Dumont, Dillon
Flanagan, Jack
Gorski, Ted
Kofalt, Jim
Mazur, Lisa
Morton, Jonathan
Pauer, Diane
Prout, Andrew
Scully, Kevin
Suiter, John
Wherry, Robert

Boyd, Bill
Colcombe, Riché
Kelley, Diane
Dupont, Pierre
Griffin, Gerald
Gould, Linda
Labrie, Brian
McLean, Mark
Noble, Kristin
Peeples, Raymond
Reinfurt, Sherri
Sheehan, Vanessa
Tenczar, Jeffrey

Barbour, Liz
Cole, Brian
Daniels, Gary
Erf, Keith
Gagne, Larry
Kenny, Catherine
Lascelles, Richard
Miles, Julie
Ohm, Bill
Post, Lisa
Rice, Kimberly
Sirois, Shane
Mannion, Tom

Berry, Ross
Corcoran, Travis
Drew, Matt
Fedolfi, Jim
Giasson, Henry
Kesselring, Steven
Murphy, Mary
Mooney, Maureen
Paquette, Kathleen
Proulx, Mark
Schneller, John
Slottje, Jeremy
Ulery, Jordan

MERRIMACK

Andrus, Louise
McGuire, Dan
Mehegan, Peter
Polozov, Yury
Walsh, Thomas

Aures, Cyril
Devoid, Ricky
Moffett, Michael
Boyd, Stephen
Wood, Clayton

Aylward, Deborah
Hill, Gregory
Pitaro, Matthew
Seaworth, Brian

McGuire, Carol
Leavitt, John
Plante, Raymond
See, Alvin

ROCKINGHAM

Ball, Lorie
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Donnelly, Tanya
Guthrie, Joseph
Khan, Aboul
Layon, Erica
McDonnell, Valerie
Milz, David
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Potucek, John
Sabourin dit Choinière, Matt
Summers, James
Tudor, Paul
MacDonald, Wayne

Bernardy, JD
Thomas, Douglas
Drago, Mike
Guzofski, James
Kuttab, Katelyn
Litchfield, Melissa
McGrath, Linda
Nadeau, Brian
Perez, Kristine
Prudhomme-O'Brien, Katherine
Selby, Donald
Sweeney, Joe
Vandecasteele, Susan
Weyler, Kenneth

Bridle, Nicholas
DeSimone, Debra
Edwards, Jess
Harb, Robert
Miner, Laurence
Lynn, Bob
McMahon, Charles
Nelson, Jodi
Popovici-Muller, Daniel
Roy, Terry
Soti, Julius
Sytek, John
Verville, Kevin
Wilson, Vicki

Bryer, Scott
DeVito, Sayra
Foote, Charles
Katsakiores, Phyllis
Walsh, Lilli
Pearson, Mark
Melvin, Charles
Osborne, Jason
Porcelli, Susan
Pearson, Stephen
Spillane, James
Tripp, Richard
Vose, Michael

STRAFFORD

Bailey, Glenn
Farrington, Samuel
Potenza, Kelley

Burnham, Claudine
Granger, Michael
Hall, Robley

DeLemus, Susan
Harrington, Michael
Turcotte, Len

DeRoy, Susan
Kaczynski, Thomas
Walker, David

SULLIVAN

Drye, Margaret
Aron, Michael

Grant, George
Rollins, Skip

Hemingway, Wayne
Spilsbury, Walter

Aron, Judy

and the motion failed.

REGULAR CALENDAR PART I CONT'D

HB 1239-FN, relative to the offense of loitering or prowling. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Terry Roy for the **Majority** of Criminal Justice and Public Safety. This bill provides law enforcement with a clear, enforceable tool to protect our children from known predators in specific safety zones. Currently, RSA 644:6, I requires an officer to prove that a person is loitering under circumstances that “warrant alarm for the safety of persons or property.” This is a reactive standard that often forces law enforcement to wait for a suspicious act to occur before they can intervene. This bill establishes a proactive standard by prohibiting individuals required to register as sexual offenders from loitering within “child-safety zones,” such as schools, playgrounds, and youth centers. This bill is not about criminalizing presence; it is about recognizing that certain locations carry a higher expectation of safety for minors. By defining these zones and the specific class of individuals prohibited from lingering there without a legitimate purpose, we are removing the ambiguity that currently hampers police intervention. The committee found that the safety of our children outweighs the minor inconvenience of requiring high-risk offenders to move along from areas specifically designed for youth activities. This bill is a common-sense constitutional measure that prioritizes the protection of our most vulnerable citizens over the “loitering rights” of those who have already demonstrated a danger to children and by doing so, voluntarily surrendered their full panoply of rights and chose to subject themselves to these restrictions. Vote 7-5.

Rep. Buzz Scherr for the **Minority** of Criminal Justice and Public Safety. This bill is an addition to RSA 644:6, I which criminalizes loitering and prowling. The proposal, 644:6. 1-a, is unnecessary as that which it covers is already covered in RSA 644:6 I and it is overly broad in that it prohibits attendance at church or in parks by those identified in the proposal. A much more tailored proposal would tend to the concerns of this proposal without being overly broad.

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

On a division vote, with 156 members having voted in the affirmative, and 178 in the negative, the motion failed.

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

On a division vote, with 201 members having voted in the affirmative, and 134 in the negative, the motion was adopted.

HB 1240-FN, relative to the apparent use of a deadly weapon during the offense of criminal threatening. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Terry Roy for the **Majority** of Criminal Justice and Public Safety. This bill closes a critical and dangerous loophole in our criminal threatening statutes. Currently, to elevate a criminal threatening charge to a class B felony, the state must prove the use of an actual “deadly weapon.” This has created situations where an aggressor terrorizes a victim with a highly realistic replica, an airsoft gun with the orange tip removed, or a fake explosive, but escapes the felony enhancement simply because the object was not technically capable of lethal force. This legislation, requested by our county attorneys, corrects this flaw by recognizing a fundamental truth: the psychological trauma inflicted on a victim is exactly the same whether the weapon

pointed at them is real or fake. When a criminal points what appears to be a firearm at a store clerk or a family, the victim reasonably believes they are about to die. Law enforcement responding to the scene must also treat the threat as fully lethal until proven otherwise, which creates a highly volatile and dangerous situation for everyone involved. This bill ensures that the law focuses on the intent of the aggressor and the terror of the victim, rather than the mechanical specifications of the weapon used to cause that terror. If an individual chooses to use an object that reasonably appears to be a deadly weapon to commit a crime, they should face the exact same felony consequences as if they had used the real thing. This is a necessary update to our laws that gives prosecutors the tools they need to hold violent offenders accountable and protect the citizens of New Hampshire. Vote 7-6.

Rep. Buzz Scherr for the **Minority** of Criminal Justice and Public Safety. This bill unnecessarily expands the definition of criminal threatening. It complicates the task of a police officer by requiring them, as a part of their investigation, to discern whether it was reasonable for a possible criminal threatening victim to perceive an item held by another individual as a deadly weapon. This is a particularly acute problem when the officer themselves has not seen the item alleged to have been a deadly weapon.

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

On a division vote, with 170 members having voted in the affirmative, and 162 in the negative, the majority committee report was adopted and the bill was ordered to third reading.

MOTION TO REMOVE FROM THE TABLE

Rep. Heath Howard moved that **CACR 22**, relating to the compensation of the legislature.

Providing that the present compensation per elected term for legislators is hereby abolished, be removed from the table.

On a division vote, with 100 members having voted in the affirmative, and 230 in the negative, the motion failed.

REGULAR CALENDAR PART I CONT'D

HB 1248-FN, relative to the penalties for intoxication or under the influence of drug offenses. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Kathleen Paquette for the **Majority** of Criminal Justice and Public Safety. This bill extends the look-back period for prior offenses related to intoxicated driving when determining penalties for repeat offenders. This allows courts to consider a longer history of impaired driving behavior at sentencing. The majority agreed that repeat intoxicated driving offenses should not be overlooked simply because they fall outside a shorter time window. By extending the time frame, the bill strengthens accountability, supports victims, and promotes public safety, while still preserving judicial discretion. Vote 7-6.

Rep. Buzz Scherr for the **Minority** of Criminal Justice and Public Safety. This bill needlessly increases the confusion surrounding what qualifies as a prior conviction for DWI second offense purposes by adding an offense that was not a DWI offense but only an offense for which the individual was sentenced, in part, to some form of an alcohol treatment program. It adds another layer of potentially confusing investigation for prosecutors and for courts to figure out whether the previous offense qualifies. It also makes it less likely that an individual will agree to an alcohol treatment program when confronted by the future possibility of the conviction "counting" as a prior conviction.

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

On a division vote, with 153 members having voted in the affirmative, and 179 in the negative, the motion failed.

Rep. Scherr moved Inexpedient to Legislate.

On a division vote, with 208 members having voted in the affirmative, and 131 in the negative, the motion was adopted.

(Representative Kofalt in the Chair)

HB 1279, relative to the use of physical force in defense of a person. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Terry Roy for the **Majority** of Criminal Justice and Public Safety. This bill provides much needed clarity and protection for law-abiding citizens who find themselves in the position of defending not only themselves but also third parties from a felony threat. Specifically, this bill amends RSA 627:4, II(d) to explicitly include the defense of a "third person" within the actor's vehicle, dwelling, or curtilage. Current law was found to be unintentionally narrow, creating a legal ambiguity for a homeowner or driver who uses force to protect a family member or guest rather than themselves. In New Hampshire, we believe that you shouldn't have to pause and consult a legal manual when someone is breaking into your home or car to commit a felony. This bill ensures that if a citizen is justified in using force to protect their own life, they are equally justified in using that force to protect their spouse, child, or any other third person present in their most private spaces. By broadening the scope of this statute, we are eliminating a "prosecutorial trap" that could be used against a

citizen for the act of being a “good Samaritan” in their own home or vehicle. This bill reinforces the principle that the defense of others is a noble and legally protected act, and it aligns our self-defense laws with the common-sense expectations of our constituents. Vote 7-6.

Rep. Buzz Scherr for the **Minority** of Criminal Justice and Public Safety. This bill amends the self-defense statute to account for a situation that is already covered by existing statute and case law. RSA 627:4 in other sections already allows for the use of such force in the face of unlawful force. The minority believes that this amendment to RSA 627:4 would simply ratchet up road rage incidents in dangerous and unproductive ways. The question being adoption of the majority committee report of Ought to Pass.

On a division vote, with 183 members having voted in the affirmative, and 144 in the negative, the motion was adopted and the bill was ordered to third reading.

HB 1423-FN, relative to the offense of improper influence. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Terry Roy for the **Majority** of Criminal Justice and Public Safety. This bill provides an essential and necessary update to our laws regarding public corruption and the integrity of our democratic processes. In an era of increasingly toxic political polarization, this bill expands the offense of improper influence to explicitly cover threats made against the family members of public servants, party officials, and voters. Some claim this legislation is not necessary because current laws supposedly cover these situations. While general criminal threatening statutes exist, they do not carry the specific gravity or the enhanced penalties necessary to deter calculated political extortion. Threatening a public official’s spouse or child to influence a legislative vote, a judicial ruling, or an election is not a simple “altercation,” it is a direct attack on the foundation of our republic. The law must reflect the severity of that specific intent. While those arguments are often debated in the context of drug offenses, they do not apply to the calculated, premeditated act of political intimidation. By establishing mandatory minimum sentences for these specific offenses, the legislature is sending an unequivocal message: New Hampshire will not tolerate the weaponization of fear against those who serve the public or participate in our elections. The legislature has the constitutional authority and the duty to establish strict baseline penalties for the most egregious crimes against our state institutions. Leaving such offenses strictly to judicial discretion risks inconsistent application of the law and weakens the deterrent effect. This bill ensures that the punishment is guaranteed, severe, and uniform across the state. We must protect not just our public servants, but the families who support them in their service. Most importantly, we must protect our system of representative government. Without people willing to participate, the system will fail. Vote 7-5.

Rep. Linda Harriott-Gathright for the **Minority** of Criminal Justice and Public Safety. This bill expands the offense of improper influence and is not necessary. We currently have laws that represent each listed individual and situation. It is documented with results from state agencies and DOC, ACLU and many other organizations that mandatory sentencing and mandatory penalties have never changed the outcome of one’s actions. This bill further takes away our judges’ discretion, and ability in assessing the situation firsthand. Simply stated this bill is just not needed.

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

On a division vote, with 174 members having voted in the affirmative, and 158 in the negative, the motion was adopted and the bill was ordered to third reading.

HB 1464-FN, relative to discrimination, harassment, and violence based on political affiliation or opinion. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Terry Roy for the **Majority** of Criminal Justice and Public Safety. No Granite Stater should have to choose between their livelihood, their housing, and their fundamental right to free expression. In an era where political polarization is increasingly resulting in “cancel culture,” we are seeing a dangerous trend where individuals are targeted for economic ruin. Under this bill, employers retain complete authority to hire, fire, and manage their workforce based on merit, qualifications, job performance, and professional conduct. Likewise, landlords remain entirely free to select tenants based on objective criteria such as credit scores, income verification, and rental history. What this bill prohibits is the weaponization of economic power to enforce ideological conformity. A citizen’s private, lawful political activity should not be a disqualifying factor for basic participation in the economy. In the “Live Free or Die” state, true freedom means that corporate employers and landlords should not be permitted to act as political gatekeepers. Just as we protect citizens from discrimination based on religion, we must ensure that our constituents are not denied a job or an apartment simply because someone in a position of power disagrees with the bumper sticker on their car or the candidate they support at the ballot box. We must ask ourselves, what good is the 1st Amendment, when it stops the government from suppressing our speech, but allows the government to influence society to do the work for them? Operation Choke Point is a clear example among many. The Obama administration pressured banks to suddenly close the bank accounts of firearms dealers around the country. During the 2020 election, a US House Representative retweeted the names of 44 citizens and their businesses because they donated to the Trump campaign. Yes, the government cannot jail us for our speech, that is cold comfort when they can use their followers to make us homeless. This bill protects the political conscience of the individual from corporate and economic overreach. Vote 7-5.

Rep. Buzz Scherr for the **Minority** of Criminal Justice and Public Safety. This bill makes it more difficult for employers, landlords and others to hire or rent to those they choose. The broad definition of those covered by this bill, support for, opposition to, or expression of a political party, candidate, ideology, viewpoint, or activity, is a prescription for removing most all choice in hiring or renting from employers and landlords.

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

Rep. Meuse requested a roll call; sufficiently seconded.

YEAS 136 - NAYS 199

YEAS - 136

BELKNAP

Bogert, Steven
Terry, Paul

Bordes, Mike
Toner, Travis

Freeman, Lisa

Harvey-Bolia, Juliet

CARROLL

Avellani, Lino
Peternel, Katy

Crawford, Karel
Brown, Richard

Hamblen, Joseph
Taylor, Brian

MacDonald, John

CHESHIRE

Murphy, Denis
Nalevanko, Rich

Hunt, John
Rhodes, Jennifer

Karasinski, Sly

Mattson, Rita

COOS

Davis, Arnold
Tremblay, Marc

Korzen, Lori

Ouellet, Mike

Tierney, James

GRAFTON

Ladd, Rick

Louis, Darrell

Sellers, John

Spahr, Terry

HILLSBOROUGH

Chourasia, Manoj
Creighton, James
Flanagan, Jack
Herbert, Christopher
Lascelles, Richard
Miles, Julie
Ohm, Bill
Post, Lisa
Sheehan, Vanessa
Ulery, Jordan

Colcombe, Riché
Daniels, Gary
Griffin, Gerald
Kenny, Catherine
Leishman, Peter
Mooney, Maureen
Paquette, Kathleen
Proulx, Mark
Suiter, John
Wheeler, Jonah

Cole, Brian
Dupont, Pierre
Gorski, Ted
Kesselring, Steven
Murphy, Mary
Morton, Jonathan
Pauer, Diane
Reinfurt, Sherri
Tenczar, Jeffrey
Wherry, Robert

Corcoran, Travis
Fedolfi, Jim
Gould, Linda
Labrie, Brian
McLean, Mark
Noble, Kristin
Peeples, Raymond
Rice, Kimberly
Mannion, Tom

MERRIMACK

Aures, Cyril
Devoid, Ricky
Pitaro, Matthew
Wood, Clayton

Aylward, Deborah
Hill, Gregory
Plante, Raymond

McGuire, Carol
Leavitt, John
Boyd, Stephen

McGuire, Dan
Moffett, Michael
Walsh, Thomas

ROCKINGHAM

Ball, Lorie
DeSimone, Debra
Foote, Charles
Katsakiores, Phyllis
Layon, Erica
McMahon, Charles
Nelson, Jodi
Potucek, John
Selby, Donald
Sytek, John
Vose, Michael

Bridle, Nicholas
DeVito, Sayra
Guthrie, Joseph
Khan, Aboul
Pearson, Mark
Melvin, Charles
Osborne, Jason
Prudhomme-O'Brien, Katherine
Spillane, James
Tripp, Richard
MacDonald, Wayne

Bryer, Scott
Drago, Mike
Guzofski, James
Miner, Laurence
Mandelbaum, Jennifer
Milz, David
Perez, Kristine
Roy, Terry
Summers, James
Tudor, Paul
Weyler, Kenneth

Thomas, Douglas
Edwards, Jess
Harb, Robert
Walsh, Lilli
McGrath, Linda
Nadeau, Brian
Porcelli, Susan
Pearson, Stephen
Sweeney, Joe
Vandecasteele, Susan
Wilson, Vicki

STRAFFORD

Burnham, Claudine
Potenza, Kelley

DeLemus, Susan
Hall, Robley

DeRoy, Susan
Turcotte, Len

Larochelle, John
Walker, David

SULLIVAN

Drye, Margaret

Grant, George

Hemingway, Wayne

Rollins, Skip

NAYS - 199

BELKNAP

Aldrich, Glen
Ploszaj, Tom

Coker, Matthew

Comtois, Barbara

Nagel, David

CARROLL

Belcher, Mike
Woodcock, Stephen

Burroughs, Anita

Paige, David

McAleer, Chris

CHESHIRE

Ames, Dick
Faulkner, Barry
Newell, Jodi
Weber, Lucy

Berch, Paul
Jacobs, Samantha
O'Rorke, Terri

Harvey, Cathryn
Jones, Philip
Parshall, Lucius

Fox, Dru
Germana, Nicholas
Qualey, James

COOS

Durkin, Sean

King, Seth

GRAFTON

Almy, Susan
Berezhny, Lex
Fellows, Sallie
McFarlane, Donald
Stringham, Jerry

Baldwin, Heather
Bjelobrk, Marie Louise
Fracht, David
Oppel, Thomas
Sykes, George

Barton, Joseph
Bolton, Bill
Hakken-Phillips, Mary
Rockmore, Ellen

Beaulier, Calvin
Cormen, Thomas
Lucas, Janet
Stavis, Laurel

HILLSBOROUGH

Murray, Aissandra
Beauchemin, Paige
Booras, Efstathia
Darby, Will
Dumont, Dillon
Foss, Lily
Gregg, Alicia
Jack, Martin
Kluger, Lee Ann
Lloyd, Christal
Manohar, Sanjeev
Petrigno, Peter
Raymond, Heather
Newman, Sue
Seibert, Christine
Staub, Kathy
Veilleux, Daniel

Alexander, Joe
Bergeron, Dan
Budathoki, Suraj
Dargie, Paul
Elberger, Susan
Gagne, Larry
Grund, Stephanie
Judy, Jean
Foxy, Loren
Long, Patrick
Mazur, Lisa
Preece, David
Rombeau, Catherine
Salvi, Santosh
Sirois, Shane
Telerski, Laura
Dolan, William

Boyd, Bill
Berry, Ross
Chretien, Suzanne
DiSilvestro, Linda
Erf, Keith
Georges, Mary
Harriott-Gathright, Linda
Juris, Louis
Leapley, Nicole
Murray, Megan
McGhee, Kat
Prout, Andrew
Rung, Rosemarie
Schneller, John
Slottje, Jeremy
Tellez, Trinidad
Thomas, Wendy

Barbour, Liz
Boehm, Ralph
Kelley, Diane
Drew, Matt
Davis, Fred
Giasson, Henry
Hartnett, Tim
Kerwin, Erin
LeClerc, Daniel
MacKenzie, Mark
Murphy, Nancy
Newman, Ray
Ryan, Linda
Scully, Kevin
Spier, Carry
Vail, Suzanne
Wilhelm, Matthew

MERRIMACK

Andrus, Louise
Ebel, Karen
Luneau, David
Polozov, Yuri
Seaworth, Brian
Thibault, James

Bricchi, Tracy
Gallager, Eric
Hall, Muriel
Richards, Beth
See, Alvin
Wallner, Mary Jane

Caplan, Tony
Gibbs, Merryl
Mehegan, Peter
Roesener, James
Snodgrass, Jim
Woods, Gary

Kelly, Eileen
Lane, Connie
Newsom, James
Schultz, Kris
Soucy, Timothy

ROCKINGHAM

Bernardy, JD
Donnelly, Tanya
Murray, Kate
Lynn, Bob
Manos, Zoe
Brown, Pam
Sabourin dit Choinière, Matt
Soti, Julius
Ward, Gerald

Cahill, Michael
Edgar, Michael
Knab, Allison
Paige, Mark
McDonnell, Valerie
Popovici-Muller, Daniel
Scherr, Buzz
Turer, Eric
Weinstein, Toni

Mannion, Dennis
Gilman, Julie
Kuttab, Katelyn
Maggiore, Jim
Meuse, David
Raynolds, Ned
Simpson, Alexis
Vallone, Mark

de Vries, Erica
Haskins, Linda
Litchfield, Melissa
Malloy, Dennis
Muns, Chris
Read, Ellen
Sorensen, Carrie
Verville, Kevin

STRAFFORD

Bailey, Glenn
Butler, Billie
Howard, Heath
Johnson, Erik
Smith, Marjorie
Stone, John

Bay, Luz
Farrington, Samuel
Harrington, Michael
Kaczynski, Thomas
Schmidt, Peter
Pearson, Wayne

Bixby, Peter
Gilmore, Gary
Horrigon, Timothy
LaMontagne, Jessica
Selig, Loren
Wade, Alice

Burton, Wayne
Granger, Michael
Howland, Allan
Levesque, Cassandra
Southworth, Thomas
Wall, Janet

SULLIVAN

Sullivan, Brian
Aron, Michael

Cloutier, John
Palmer, William

Damon, Hope
Spilsbury, Walter

Aron, Judy

and the motion failed.

Rep. Scherr moved Inexpedient to Legislate.

On a division vote, with 242 members having voted in the affirmative, and 97 in the negative, the motion was adopted.

MOTION TO PRINT DEBATE

Rep. Roesener moved that the debate on **HB 1464-FN**, relative to discrimination, harassment, and violence based on political affiliation or opinion, be printed in the Permanent Journal.

Without objection, the Speaker ordered.

Objection was made.

The question being to print the debate of HB 1464-FN in the permanent journal.

Rep. Damon requested a roll call; sufficiently seconded.

YEAS 222 - NAYS 115

YEAS - 222

BELKNAP

Bordes, Mike
Ploszaj, Tom

Coker, Matthew
Terry, Paul

Freeman, Lisa
Toner, Travis

Nagel, David

CARROLL

Belcher, Mike
McAleer, Chris

Burroughs, Anita
Peternel, Katy

Paige, David
Brown, Richard

Hamblen, Joseph
Woodcock, Stephen

CHESHIRE

Ames, Dick
Faulkner, Barry
Germana, Nicholas
Rhodes, Jennifer

Berch, Paul
Jacobs, Samantha
Newell, Jodi
Weber, Lucy

Harvey, Cathryn
Jones, Philip
O'Rorke, Terri

Fox, Dru
Mattson, Rita
Parshall, Lucius

COOS

Korzen, Lori

GRAFTON

Almy, Susan
Fellows, Sallie
Lucas, Janet
Rockmore, Ellen
Sykes, George

Baldwin, Heather
Fracht, David
McFarlane, Donald
Spahr, Terry

Bolton, Bill
Hakken-Phillips, Mary
Muirhead, Russell
Stavis, Laurel

Cormen, Thomas
Sullivan, Jared
Oppel, Thomas
Stringham, Jerry

HILLSBOROUGH

Murray, Alissandra
Bergeron, Dan
Chretien, Suzanne
DiSilvestro, Linda
Davis, Fred
Gould, Linda
Hartnett, Tim
Juris, Louis
Kluger, Lee Ann
Leishman, Peter
MacKenzie, Mark
Murphy, Nancy
Post, Lisa
Raymond, Heather
Ryan, Linda
Seibert, Christine
Tellez, Trinidad
Vail, Suzanne
Wheeler, Jonah

Alexander, Joe
Booras, Efstathia
Cole, Brian
Dupont, Pierre
Foss, Lily
Gregg, Alicia
Herbert, Christopher
Kenny, Catherine
Foxy, Loren
Lloyd, Christal
Manohar, Sanjeev
Noble, Kristin
Preece, David
Rice, Kimberly
Newman, Sue
Spier, Carry
Tenczar, Jeffrey
Veilleux, Daniel
Wherry, Robert

Boyd, Bill
Budathoki, Suraj
Darby, Will
Elberger, Susan
Griffin, Gerald
Grund, Stephanie
Jack, Martin
Kerwin, Erin
Leapley, Nicole
Long, Patrick
McLean, Mark
Paquette, Kathleen
Proulx, Mark
Rombeau, Catherine
Salvi, Santosh
Staub, Kathy
Mannion, Tom
Dolan, William
Wilhelm, Matthew

Beauchemin, Paige
Chourasia, Manoj
Dargie, Paul
Erf, Keith
Georges, Mary
Harriott-Gathright, Linda
Judy, Jean
Kesselring, Steven
LeClerc, Daniel
Murray, Megan
Mooney, Maureen
Petrigno, Peter
Newman, Ray
Rung, Rosemarie
Scully, Kevin
Telerski, Laura
Ulery, Jordan
Thomas, Wendy

MERRIMACK

Bricchi, Tracy
Kelly, Eileen
Lane, Connie
Plante, Raymond
Schultz, Kris
Soucy, Timothy

Caplan, Tony
Ebel, Karen
Luneau, David
Richards, Beth
Seaworth, Brian
Wallner, Mary Jane

McGuire, Dan
Gallager, Eric
Hall, Muriel
Roesener, James
See, Alvin
Woods, Gary

Devold, Ricky
Gibbs, Merry
Newsom, James
Schamberg, Thomas
Snodgrass, Jim

ROCKINGHAM

Ball, Lorie
de Vries, Erica

Bridle, Nicholas
Donnelly, Tanya

Cahill, Michael
Drago, Mike

Mannion, Dennis
Edgar, Michael

Edwards, Jess
Murray, Kate
Layon, Erica
Maggiore, Jim
McDonnell, Valerie
Muns, Chris
Brown, Pam
Read, Ellen
Sorensen, Carrie
Turer, Eric
Wilson, Vicki

Foote, Charles
Knab, Allison
Lynn, Bob
Malloy, Dennis
McGrath, Linda
Nadeau, Brian
Popovici-Muller, Daniel
Scherr, Buzz
Sweeney, Joe
Vallone, Mark

Gilman, Julie
Kuttab, Katelyn
Paige, Mark
Mandelbaum, Jennifer
McMahon, Charles
Nelson, Jodi
Porcelli, Susan
Selby, Donald
Sytek, John
Ward, Gerald

Haskins, Linda
Miner, Laurence
Pearson, Mark
Manos, Zoe
Meuse, David
Osborne, Jason
Raynolds, Ned
Simpson, Alexis
Tudor, Paul
Weinstein, Toni

STRAFFORD

Bailey, Glenn
Gilmore, Gary
Howland, Allan
Levesque, Cassandra
Selig, Loren
Wade, Alice

Bay, Luz
Howard, Heath
Johnson, Erik
Smith, Marjorie
Southworth, Thomas
Wall, Janet

Burton, Wayne
Harrington, Michael
LaMontagne, Jessica
Hall, Robley
Stone, John

Butler, Billie
Horrigan, Timothy
Larochelle, John
Schmidt, Peter
Pearson, Wayne

SULLIVAN

Sullivan, Brian
Palmer, William

Cloutier, John
Spilsbury, Walter

Damon, Hope

Hemingway, Wayne

NAYS - 115

BELKNAP

Aldrich, Glen

Bogert, Steven

Comtois, Barbara

Harvey-Bolia, Juliet

CARROLL

Avellani, Lino

Crawford, Karel

MacDonald, John

Taylor, Brian

CHESHIRE

Murphy, Denis
Qualey, James

Hunt, John

Karasinski, Sly

Nalevanko, Rich

COOS

Davis, Arnold
Tierney, James

Durkin, Sean
Tremblay, Marc

Ouellet, Mike

King, Seth

GRAFTON

Barton, Joseph
Franz, Linda

Beaulier, Calvin
Ladd, Rick

Berezhny, Lex
Louis, Darrell

Bjelobrk, Marie Louise
Sellers, John

HILLSBOROUGH

Ammon, Keith
Colcombe, Riché
Drew, Matt
Gagne, Larry
Lascelles, Richard
Morton, Jonathan
Prout, Andrew
Sirois, Shane

Barbour, Liz
Corcoran, Travis
Dumont, Dillon
Giasson, Henry
Murphy, Mary
Ohm, Bill
Reinfurt, Sherri
Slottje, Jeremy

Berry, Ross
Creighton, James
Fedolfi, Jim
Gorski, Ted
Mazur, Lisa
Pauer, Diane
Schneller, John
Suiter, John

Boehm, Ralph
Daniels, Gary
Flanagan, Jack
Labrie, Brian
Miles, Julie
Peeples, Raymond
Sheehan, Vanessa

MERRIMACK

Andrus, Louise
Hill, Gregory
Pitaro, Matthew
Thibault, James

Aures, Cyril
Leavitt, John
Polozov, Yury
Wood, Clayton

Aylward, Deborah
Mehegan, Peter
Boyd, Stephen

McGuire, Carol
Moffett, Michael
Walsh, Thomas

ROCKINGHAM

Bernardy, JD
DeVito, Sayra
Katsakiores, Phyllis
Melvin, Charles
Prudhomme-O'Brien, Katherine
Soti, Julius
Vandecasteele, Susan
Weyler, Kenneth

Bryer, Scott
Guthrie, Joseph
Khan, Aboul
Milz, David
Roy, Terry
Spillane, James
Verville, Kevin

Thomas, Douglas
Guzowski, James
Walsh, Lilli
Perez, Kristine
Pearson, Stephen
Summers, James
Vose, Michael

DeSimone, Debra
Harb, Robert
Litchfield, Melissa
Potucek, John
Sabourin dit Choinière, Matt
Tripp, Richard
MacDonald, Wayne

STRAFFORD

Burnham, Claudine
Granger, Michael
Walker, David

DeLemus, Susan
Kaczynski, Thomas

DeRoy, Susan
Potenza, Kelley

Farrington, Samuel
Turcotte, Len

SULLIVAN

Drye, Margaret
Rollins, Skip

Grant, George

Aron, Judy

Aron, Michael

and the motion was adopted.

DEBATE ON HOUSE BILL 1464

Speaker Kofalt: Representative Scherr is recognized for a Parliamentary Inquiry.

Representative Scherr: Thank you, Mr. Speaker. If I know that this bill adds to the anti-discrimination statute, political belief, ideology, viewpoint, political activity, far beyond those things that are already on the anti-discrimination law, and if I know that this bill puts businesses in a no-win situation if they employ somebody who is expressing their political beliefs and they fire that person, they can be sued under this bill. If they don't fire that person, then they can be sued for one of their employees creating a hostile work environment, and if I know all of that, would I press the red button?

Speaker Kofalt: Representative Roy is recognized for a Parliamentary Inquiry.

Representative Roy: Thank you, Mr. Speaker. Mr. Speaker, if I know that not too long ago we expanded our discrimination statutes, even if many of us didn't want to, to include transgender rights, now this amendment would protect something that's actually in the Constitution, and that would be our First Amendment rights, and if I know, Mr. Speaker, that again, it seems to be one group of people whose rights are being infringed on by being debanked, de-platformed, losing their jobs based on political opinions, would I then support—I'm sorry, there's some very rude people that won't stop talking.

Speaker Kofalt: The member will suspend. State your point of order.

Representative Weber: Mr. Speaker, if a member felt that the person giving a P.I. was ignoring the reality that many of us see, which is that these threats have been issued across the aisle, what would the remedy of that member be?

Representative Roy: Mr. Speaker, are we going to debate reality?

Speaker Kofalt: Member will suspend, please. It's really not clear what you're asking. He is giving a P.I. I have not heard anything out of order in the P.I. itself. I have heard people on both sides of the aisle shouting or murmuring when somebody is giving a long P.I. or something that they disagree with. We're going to hear a lot of things we disagree with here, and I fail to see how there's anything objectionable about what the member is saying.

Representative Weber: I thank you for your answer.

Speaker Kofalt: Member may continue.

Representative Roy: Would I then vote green?

Speaker Kofalt: The question is on the majority committee motion of Ought to Pass on House Bill 1464. This is a roll call vote. If you are in favor, you'll press the green button. If you're opposed, you'll press the red button. Voting stations are open for 30 seconds. Have all members present had an opportunity to vote? The House will attend to the state of the vote. With 136 voting in the affirmative, 199 voting in the negative, the motion fails. Representative Scherr moves ITL. A division has been requested. Members take your seats. The House will come to order. The question is on the motion of Inexpedient to Legislate on House Bill 1464. This is a division vote. If you're in favor, you press the green button. If you're opposed, you'll press the red button. Voting stations are open for 30 seconds. Have all members present had an opportunity to vote? The House will attend to the state of the vote. With 242 voting in the affirmative, 97 voting in the negative, the motion passes.

MOTION TO REMOVE FROM THE TABLE

Rep. Selig moved that **HB 1264**, increasing the requirements of the education freedom savings account oversight committee and modifying the purpose of the committee, be removed from the table.

Rep. Heath Howard requested a roll call; sufficiently seconded.

YEAS 151 - NAYS 183

**YEAS - 151
BELKNAP**

Nagel, David

CARROLL

Paige, David

McAleer, Chris

Woodcock, Stephen

CHESHIRE

Ames, Dick
Faulkner, Barry
Newell, Jodi

Berch, Paul
Jacobs, Samantha
O'Rourke, Terri

Harvey, Cathryn
Jones, Philip
Parshall, Lucius

Fox, Dru
Germana, Nicholas
Weber, Lucy

GRAFTON

Almy, Susan
 Fellows, Sallie
 Lucas, Janet
 Spahr, Terry

Baldwin, Heather
 Fracht, David
 Muirhead, Russell
 Stavis, Laurel

Bolton, Bill
 Hakken-Phillips, Mary
 Oppel, Thomas
 Stringham, Jerry

Cormen, Thomas
 Sullivan, Jared
 Rockmore, Ellen
 Sykes, George

HILLSBOROUGH

Murray, Alissandra
 Booras, Efstathia
 Darby, Will
 Davis, Fred
 Grund, Stephanie
 Jack, Martin
 Kluger, Lee Ann
 Leishman, Peter
 MacKenzie, Mark
 Preece, David
 Rung, Rosemarie
 Seibert, Christine
 Tellez, Trinidad
 Thomas, Wendy

Boyd, Bill
 Budathoki, Suraj
 Dargie, Paul
 Foss, Lily
 Harriott-Gathright, Linda
 Jeudy, Jean
 Foxx, Loren
 Lloyd, Christal
 Manohar, Sanjeev
 Newman, Ray
 Ryan, Linda
 Spier, Carry
 Vail, Suzanne
 Wheeler, Jonah

Beauchemin, Paige
 Chourasia, Manoj
 DiSilvestro, Linda
 Georges, Mary
 Hartnett, Tim
 Juris, Louis
 Leapley, Nicole
 Long, Patrick
 Murphy, Nancy
 Raymond, Heather
 Newman, Sue
 Staub, Kathy
 Veilleux, Daniel
 Wilhelm, Matthew

Bergeron, Dan
 Chretien, Suzanne
 Elberger, Susan
 Gregg, Alicia
 Herbert, Christopher
 Kerwin, Erin
 LeClerc, Daniel
 Murray, Megan
 Petrigno, Peter
 Rombeau, Catherine
 Salvi, Santosh
 Telerski, Laura
 Dolan, William

MERRIMACK

Bricchi, Tracy
 Gallagher, Eric
 Hall, Muriel
 Schamberg, Thomas
 Wallner, Mary Jane

Caplan, Tony
 Gibbs, Merryl
 Newsom, James
 Schultz, Kris
 Woods, Gary

Kelly, Eileen
 Lane, Connie
 Richards, Beth
 Snodgrass, Jim

Ebel, Karen
 Luneau, David
 Roesener, James
 Soucy, Timothy

ROCKINGHAM

Cahill, Michael
 Haskins, Linda
 Maggiore, Jim
 Meuse, David
 Scherr, Buzz
 Ward, Gerald

de Vries, Erica
 Murray, Kate
 Malloy, Dennis
 Muns, Chris
 Sorensen, Carrie
 Weinstein, Toni

Edgar, Michael
 Knab, Allison
 Mandelbaum, Jennifer
 Reynolds, Ned
 Turer, Eric

Gilman, Julie
 Paige, Mark
 Manos, Zoe
 Read, Ellen
 Vallone, Mark

STRAFFORD

Bay, Luz
 Gilmore, Gary
 Johnson, Erik
 Smith, Marjorie
 Stone, John

Bixby, Peter
 Howard, Heath
 LaMontagne, Jessica
 Schmidt, Peter
 Pearson, Wayne

Burton, Wayne
 Horrigan, Timothy
 Larochelle, John
 Selig, Loren
 Wade, Alice

Butler, Billie
 Howland, Allan
 Levesque, Cassandra
 Southworth, Thomas
 Wall, Janet

SULLIVAN

Sullivan, Brian

Cloutier, John

Damon, Hope

Palmer, William

NAYS - 183**BELKNAP**

Aldrich, Glen
 Comtois, Barbara
 Terry, Paul

Bogert, Steven
 Freeman, Lisa
 Toner, Travis

Bordes, Mike
 Harvey-Bolia, Juliet

Coker, Matthew
 Ploszaj, Tom

CARROLL

Avellani, Lino
 MacDonald, John

Belcher, Mike
 Peternel, Katy

Crawford, Karel
 Brown, Richard

Hamblen, Joseph
 Taylor, Brian

CHESHIRE

Murphy, Denis
 Nalevanko, Rich

Hunt, John
 Qualey, James

Karasinski, Sly
 Rhodes, Jennifer

Mattson, Rita

COOS

Davis, Arnold
 Tierney, James

Durkin, Sean
 Tremblay, Marc

Korzen, Lori

Ouellet, Mike

GRAFTON

Barton, Joseph
 Franz, Linda
 Sellers, John

Beaulier, Calvin
 Ladd, Rick

Berezhny, Lex
 Louis, Darrell

Bjelobrk, Marie Louise
 McFarlane, Donald

HILLSBOROUGH

Alexander, Joe
Boehm, Ralph
Creighton, James
Dumont, Dillon
Griffin, Gerald
Gould, Linda
Lascelles, Richard
Miles, Julie
Ohm, Bill
Post, Lisa
Rice, Kimberly
Sirois, Shane
Mannion, Tom

Ammon, Keith
Colcombe, Riché
Kelley, Diane
Dupont, Pierre
Gagne, Larry
Kenny, Catherine
Murphy, Mary
Mooney, Maureen
Paquette, Kathleen
Proulx, Mark
Schneller, John
Slottje, Jeremy
Ulery, Jordan

Barbour, Liz
Cole, Brian
Daniels, Gary
Fedolfi, Jim
Giasson, Henry
Kesselring, Steven
Mazur, Lisa
Morton, Jonathan
Pauer, Diane
Prout, Andrew
Scully, Kevin
Suiter, John
Wherry, Robert

Berry, Ross
Corcoran, Travis
Drew, Matt
Flanagan, Jack
Gorski, Ted
Labrie, Brian
McLean, Mark
Noble, Kristin
Peeples, Raymond
Reinfurt, Sherri
Sheehan, Vanessa
Tenczar, Jeffrey

MERRIMACK

Andrus, Louise
McGuire, Dan
Mehegan, Peter
Polozov, Yuri
Walsh, Thomas

Aures, Cyril
Devoid, Ricky
Moffett, Michael
Boyd, Stephen
Thibault, James

Aylward, Deborah
Hill, Gregory
Pitaro, Matthew
Seaworth, Brian
Wood, Clayton

McGuire, Carol
Leavitt, John
Plante, Raymond
See, Alvin

ROCKINGHAM

Ball, Lorie
Mannion, Dennis
Donnelly, Tanya
Guthrie, Joseph
Khan, Aboul
Layon, Erica
McDonnell, Valerie
Milz, David
Brown, Pam
Potucek, John
Sabourin dit Choinière, Matt
Summers, James
Tudor, Paul
MacDonald, Wayne

Bernardy, JD
Thomas, Douglas
Drago, Mike
Guzofski, James
Kuttab, Katelyn
Litchfield, Melissa
McGrath, Linda
Nadeau, Brian
Perez, Kristine
Prudhomme-O'Brien, Katherine
Selby, Donald
Sweeney, Joe
Vandecasteele, Susan
Weyler, Kenneth

Bridle, Nicholas
DeSimone, Debra
Edwards, Jess
Harb, Robert
Miner, Laurence
Lynn, Bob
McMahon, Charles
Nelson, Jodi
Popovici-Muller, Daniel
Roy, Terry
Soti, Julius
Sytek, John
Verville, Kevin
Wilson, Vicki

Bryer, Scott
DeVito, Sayra
Foote, Charles
Katsakiores, Phyllis
Walsh, Lilli
Pearson, Mark
Melvin, Charles
Osborne, Jason
Porcelli, Susan
Pearson, Stephen
Spillane, James
Tripp, Richard
Vose, Michael

STRAFFORD

Bailey, Glenn
Farrington, Samuel
Potenza, Kelley

Burnham, Claudine
Granger, Michael
Hall, Robley

DeLemus, Susan
Harrington, Michael
Turcotte, Len

DeRoy, Susan
Kaczynski, Thomas
Walker, David

SULLIVAN

Drye, Margaret
Aron, Michael

Grant, George
Spilsbury, Walter

Hemingway, Wayne

Aron, Judy

and the motion failed.

MOTION TO PRINT DEBATE

Rep. Parshall moved that the parliamentary inquiries on **HB 1264**, increasing the requirements of the education freedom savings account oversight committee and modifying the purpose of the committee, be printed in the Permanent Journal.

DEBATE ON HB 1264

Speaker Kofalt: The Chair recognizes Representative Selig for a parliamentary inquiry.

Representative Selig: Thank you Mr. Speaker. Mr. Speaker, if I know that HB 1264 would increase the requirements for the oversight committee for the EFA program, which did not meet for more than a year and has not been doing its job of monitoring the EFA program, which has blown our state budget out of the water, would I now vote yes to remove it from the table?

Speaker Kofalt: The Chair recognizes Representative Noble for a parliamentary inquiry.

Representative Noble: Thank you, Mr. Speaker. If I know that the EFA oversight committee meeting times and agenda items should stay flexible, if I know that the current chair has requested the meetings to be filmed, and if I know that the committee can already make recommendations for legislation, then would I now vote red to keep this bill on the table?

Speaker Kofalt: The question is on the motion to remove House Bill 1264 from the table. This is a roll call vote. If you're in favor, you'll press the green button. If you're opposed, you'll press the red button. Voting stations are open for 30 seconds. Have all members present had an opportunity to vote? The House will attend at the state of the vote. With 151 voting in the affirmative, 183 voting in the negative, the motion fails.

REGULAR CALENDAR PART I CONTINUED

HB 1121, defining the cost of an adequate education. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Rick Ladd for the **Majority** of Education Funding. This bill defines the specific elements used to calculate the cost of an adequate education. Certain personnel and non-personnel resources were originally and accurately determined necessary to provide students an adequate education by the Joint Legislative Oversight Committee on Costing an Adequate Education. The universal cost, now known as the base cost, is calculated upon the following personnel and non-personnel resource elements: teachers, principals, administrative assistants, guidance counselors, library/media specialists, technology coordinators, custodians, instructional materials and supplies, technology, teacher professional development, facilities operation and maintenance, and transportation. This bill, as amended, supports these resource elements. At the time the formula was initially developed, the Joint Legislative Oversight Committee considered whether other positions should be included in the universal cost/base cost. Among the positions it considered were central office, school district administration staff, school nurses, teacher aides, and food services personnel. It concluded that since the definition of the opportunity for an adequate education is school and curriculum based, the central office administrative costs do not fit within that definition. Similarly, since the definition is based on substantive curriculum areas and associated skills, a school nurse who provides health care services, rather than educational or educationally-related services is beyond the scope of the universal/base cost. The committee determined that based on the statutory definition of adequacy and the New Hampshire school approval standards which are incorporated therein, teacher aides/ paraprofessionals do not constitute part of the universal/base cost. Local school districts, through the budget development process may approve non adequacy personnel services such as school nurse, paraprofessionals, superintendent services, and more at local discretion; however, these positions are not required in accordance with the substantive content of an adequate education and RSA 189:49 that identifies these services and personnel as optional services. Local districts then have the authority, if approved by the local legislative body, to increase budget costs in support of locally decided optional needs such as: personnel and non-personnel costs, pupil teacher ratios, salary and benefits, and negotiated agreements, not the state. As amended, this bill reflects the same time-tested elements that have successfully supported New Hampshire's excellent K-12 education system over the years, while the state continues to rank solidly in the top 10 states in student achievement. Resource elements reflected in this bill accurately support the delivery of the substantive content for an adequate education. Vote 10-8.

Rep. David Luneau for the **Minority** of Education Funding. This bill defines how the state develops the cost for an adequate education. The bill as introduced and with the committee amendment fails to account for elements required by state law to ensure students receive a constitutionally adequate education. The bill and committee amendment specifically omit the costs for superintendent services and school nurses and do not update costs on a regular basis. The minority amendment includes all cost elements in state law to define an adequate education, updates the costs every two years, and includes superintendent services and school nurses. School nurses are essential to guarantee the health and safety of all students, including students with complex health needs. And every school district in the state budgets for superintendent services to establish instructional leadership, ensure compliance with special education laws, manage daily operations, and be accountable to a locally-elected school board.

Majority Amendment (0808h)

Amend the bill by replacing section 1 with the following:

1 Education; Adequate Public Education; Cost of an Adequate Education. RSA 193-E:2-b is repealed and reenacted to read as follows:

193-E:2-b Cost of an Adequate Education. The specific resource elements necessary to provide the substantive educational content for an adequate education in RSA 193-E:2-a are teachers, principals, administrative assistants, guidance counselors, library/media specialists, technology coordinators, custodians, instructional supplies, technology, professional development, facilities operations and maintenance, and transportation.

The question being adoption of the majority committee amendment.

On a division vote, with 181 members having voted in the affirmative, and 148 in the negative, the majority amendment was adopted.

The question now being adoption of the minority amendment.

Minority Amendment (0995h)

Amend RSA 193-E:2-b, I as inserted by section 1 of the bill by replacing it with the following:

I. The general court shall use the definition of the opportunity for an adequate education in RSA 193-E:2-a to determine the resources necessary to provide essential programs, considering educational needs. The general court shall make an initial determination of the necessary specific resource elements to be included in the opportunity for an adequate education. *The necessary, specific resource elements shall include,*

but not be limited to, the costs for teachers, teacher benefits, student teacher ratios, principals, administrative assistants, school counselors, library-media specialists, technology coordinators, custodians, nurse services, instructional materials, technology, professional development, facilities operation and maintenance, superintendent services and transportation. The general court shall update the cost of an adequate education at least every 2 years. The general court shall use evidence from actual costs from all approved schools to determine the cost of an adequate education.

Rep. Luneau requested a roll call; sufficiently seconded.

YEAS 149 - NAYS 187

YEAS - 149 BELKNAP

Nagel, David

CARROLL

Burroughs, Anita

Paige, David

McAleer, Chris

Woodcock, Stephen

CHESHIRE

Ames, Dick
Faulkner, Barry
O'Rorke, Terri

Berch, Paul
Jones, Philip
Parshall, Lucius

Harvey, Cathryn
Germana, Nicholas
Weber, Lucy

Fox, Dru
Newell, Jodi

GRAFTON

Almy, Susan
Fellows, Sallie
Lucas, Janet
Spahr, Terry

Baldwin, Heather
Fracht, David
Muirhead, Russell
Stavis, Laurel

Bolton, Bill
Hakken-Phillips, Mary
Oppel, Thomas
Stringham, Jerry

Cormen, Thomas
Sullivan, Jared
Rockmore, Ellen
Sykes, George

HILLSBOROUGH

Murray, Alissandra
Budathoki, Suraj
Dargie, Paul
Foss, Lily
Harriott-Gathright, Linda
Jeudy, Jean
Leapley, Nicole
Long, Patrick
McGhee, Kat
Newman, Ray
Ryan, Linda
Spier, Carry
Vail, Suzanne
Wheeler, Jonah

Beauchemin, Paige
Chourasia, Manoj
DiSilvestro, Linda
Georges, Mary
Hartnett, Tim
Juris, Louis
LeClerc, Daniel
Murray, Megan
Murphy, Nancy
Raymond, Heather
Newman, Sue
Staub, Kathy
Veilleux, Daniel
Wilhelm, Matthew

Bergeron, Dan
Chretien, Suzanne
Elberger, Susan
Gregg, Alicia
Herbert, Christopher
Kerwin, Erin
Leishman, Peter
MacKenzie, Mark
Petrigno, Peter
Rombeau, Catherine
Salvi, Santosh
Telerski, Laura
Dolan, William

Booras, Efstathia
Darby, Will
Davis, Fred
Grund, Stephanie
Jack, Martin
Kluger, Lee Ann
Lloyd, Christal
Manohar, Sanjeev
Preece, David
Rung, Rosemarie
Seibert, Christine
Tellez, Trinidad
Thomas, Wendy

MERRIMACK

Bricchi, Tracy
Gallager, Eric
Hall, Muriel
Schamberg, Thomas
Woods, Gary

Caplan, Tony
Gibbs, Merryl
Newsom, James
Schultz, Kris

Kelly, Eileen
Lane, Connie
Richards, Beth
Snodgrass, Jim

Ebel, Karen
Luneau, David
Roesener, James
Wallner, Mary Jane

ROCKINGHAM

Cahill, Michael
Haskins, Linda
Maggiore, Jim
Meuse, David
Scherr, Buzz
Ward, Gerald

de Vries, Erica
Murray, Kate
Malloy, Dennis
Muns, Chris
Sorensen, Carrie
Weinstein, Toni

Edgar, Michael
Knab, Allison
Mandelbaum, Jennifer
Raynolds, Ned
Turer, Eric

Gilman, Julie
Paige, Mark
Manos, Zoe
Read, Ellen
Vallone, Mark

STRAFFORD

Bay, Luz
Gilmore, Gary
Johnson, Erik
Smith, Marjorie
Stone, John

Bixby, Peter
Howard, Heath
LaMontagne, Jessica
Schmidt, Peter
Pearson, Wayne

Burton, Wayne
Horriggan, Timothy
Larochelle, John
Selig, Loren
Wade, Alice

Butler, Billie
Howland, Allan
Levesque, Cassandra
Southworth, Thomas
Wall, Janet

SULLIVAN

Sullivan, Brian

Cloutier, John

Damon, Hope

Palmer, William

NAYS - 187**BELKNAP**

Aldrich, Glen
Comtois, Barbara
Terry, Paul

Bogert, Steven
Freeman, Lisa
Toner, Travis

Bordes, Mike
Harvey-Bolia, Juliet

Coker, Matthew
Ploszaj, Tom

CARROLL

Avellani, Lino
MacDonald, John

Belcher, Mike
Pernel, Katy

Crawford, Karel
Brown, Richard

Hamblen, Joseph
Taylor, Brian

CHESHIRE

Murphy, Denis
Nalevanko, Rich

Hunt, John
Qualey, James

Karasinski, Sly
Rhodes, Jennifer

Mattson, Rita

COOS

Davis, Arnold
King, Seth

Durkin, Sean
Tierney, James

Korzen, Lori
Tremblay, Marc

Ouellet, Mike

GRAFTON

Barton, Joseph
Franz, Linda
Sellers, John

Beaulier, Calvin
Ladd, Rick

Berezhny, Lex
Louis, Darrell

Bjelobrk, Marie Louise
McFarlane, Donald

HILLSBOROUGH

Alexander, Joe
Berry, Ross
Corcoran, Travis
Drew, Matt
Fedolfi, Jim
Giasson, Henry
Kesselring, Steven
Mazur, Lisa
Morton, Jonathan
Pauer, Diane
Prout, Andrew
Scully, Kevin
Suiter, John
Wherry, Robert

Ammon, Keith
Boehm, Ralph
Creighton, James
Dumont, Dillon
Flanagan, Jack
Gorski, Ted
Labrie, Brian
McLean, Mark
Noble, Kristin
Peoples, Raymond
Reinfurt, Sherri
Sheehan, Vanessa
Tenczar, Jeffrey

Boyd, Bill
Colcombe, Riché
Kelley, Diane
Dupont, Pierre
Griffin, Gerald
Gould, Linda
Lascelles, Richard
Miles, Julie
Ohm, Bill
Post, Lisa
Rice, Kimberly
Sirois, Shane
Mannion, Tom

Barbour, Liz
Cole, Brian
Daniels, Gary
Erf, Keith
Gagne, Larry
Kenny, Catherine
Murphy, Mary
Mooney, Maureen
Paquette, Kathleen
Proulx, Mark
Schneller, John
Slottje, Jeremy
Ulery, Jordan

MERRIMACK

Andrus, Louise
McGuire, Dan
Mehegan, Peter
Polozov, Yury
Walsh, Thomas

Aures, Cyril
Devoid, Ricky
Moffett, Michael
Boyd, Stephen
Thibault, James

Aylward, Deborah
Hill, Gregory
Pitaro, Matthew
Seaworth, Brian
Wood, Clayton

McGuire, Carol
Leavitt, John
Plante, Raymond
See, Alvin

ROCKINGHAM

Ball, Lorie
Mannion, Dennis
Donnelly, Tanya
Guthrie, Joseph
Khan, Aboul
Layon, Erica
McDonnell, Valerie
Milz, David
Brown, Pam
Potucek, John
Sabourin dit Choinière, Matt
Summers, James
Tudor, Paul
MacDonald, Wayne

Bernardy, JD
Thomas, Douglas
Drago, Mike
Guzofski, James
Kuttab, Katelyn
Litchfield, Melissa
McGrath, Linda
Nadeau, Brian
Perez, Kristine
Prudhomme-O'Brien, Katherine
Selby, Donald
Sweeney, Joe
Vandecasteele, Susan
Weyler, Kenneth

Bridle, Nicholas
DeSimone, Debra
Edwards, Jess
Harb, Robert
Miner, Laurence
Lynn, Bob
McMahon, Charles
Nelson, Jodi
Popovici-Muller, Daniel
Roy, Terry
Soti, Julius
Sytek, John
Verville, Kevin
Wilson, Vicki

Bryer, Scott
DeVito, Sayra
Foote, Charles
Katsakiores, Phyllis
Walsh, Lilli
Pearson, Mark
Melvin, Charles
Osborne, Jason
Porcelli, Susan
Pearson, Stephen
Spillane, James
Tripp, Richard
Vose, Michael

STRAFFORD

Bailey, Glenn
Farrington, Samuel
Potenza, Kelley

Burnham, Claudine
Granger, Michael
Hall, Robley

DeLemus, Susan
Harrington, Michael
Turcotte, Len

DeRoy, Susan
Kaczynski, Thomas
Walker, David

SULLIVAN

Drye, Margaret
Aron, Michael

Grant, George
Rollins, Skip

Hemingway, Wayne
Spilsbury, Walter

Aron, Judy

and the amendment 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 187 - NAYS 152

YEAS - 187

BELKNAP

Aldrich, Glen
Comtois, Barbara
Terry, Paul

Bogert, Steven
Freeman, Lisa
Toner, Travis

Bordes, Mike
Harvey-Bolia, Juliet

Coker, Matthew
Ploszaj, Tom

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Avellani, Lino
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Hunt, John
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Mattson, Rita

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Davis, Arnold
King, Seth

Durkin, Sean
Tierney, James

Korzen, Lori
Tremblay, Marc

Ouellet, Mike

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Franz, Linda
Sellers, John

Beaulier, Calvin
Ladd, Rick

Berezhny, Lex
Louis, Darrell

Bjelobrk, Marie Louise
McFarlane, Donald

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Berry, Ross
Corcoran, Travis
Drew, Matt
Fedolfi, Jim
Giasson, Henry
Kesselring, Steven
Mazur, Lisa
Morton, Jonathan
Pauer, Diane
Prout, Andrew
Scully, Kevin
Suiter, John
Wherry, Robert

Ammon, Keith
Boehm, Ralph
Creighton, James
Dumont, Dillon
Flanagan, Jack
Gorski, Ted
Labrie, Brian
McLean, Mark
Noble, Kristin
Peoples, Raymond
Reinfurt, Sherri
Sheehan, Vanessa
Tenczar, Jeffrey

Boyd, Bill
Colcombe, Riché
Kelley, Diane
Dupont, Pierre
Griffin, Gerald
Gould, Linda
Lascelles, Richard
Miles, Julie
Ohm, Bill
Post, Lisa
Rice, Kimberly
Sirois, Shane
Mannion, Tom

Barbour, Liz
Cole, Brian
Daniels, Gary
Erf, Keith
Gagne, Larry
Kenny, Catherine
Murphy, Mary
Mooney, Maureen
Paquette, Kathleen
Proulx, Mark
Schneller, John
Slottje, Jeremy
Ulery, Jordan

MERRIMACK

Andrus, Louise
McGuire, Dan
Mehegan, Peter
Polozov, Yury
Walsh, Thomas

Aures, Cyril
Devoid, Ricky
Moffett, Michael
Boyd, Stephen
Thibault, James

Aylward, Deborah
Hill, Gregory
Pitaro, Matthew
Seaworth, Brian
Wood, Clayton

McGuire, Carol
Leavitt, John
Plante, Raymond
See, Alvin

ROCKINGHAM

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Mannion, Dennis
Donnelly, Tanya
Guthrie, Joseph
Khan, Aboul
Layon, Erica
McDonnell, Valerie
Milz, David
Brown, Pam
Potucek, John
Sabourin dit Choinière, Matt
Summers, James
Tudor, Paul
MacDonald, Wayne

Bernardy, JD
Thomas, Douglas
Drago, Mike
Guzofski, James
Kuttab, Katelyn
Litchfield, Melissa
McGrath, Linda
Nadeau, Brian
Perez, Kristine
Prudhomme-O'Brien, Katherine
Selby, Donald
Sweeney, Joe
Vandecasteele, Susan
Weyler, Kenneth

Bridle, Nicholas
DeSimone, Debra
Edwards, Jess
Harb, Robert
Miner, Laurence
Lynn, Bob
McMahon, Charles
Nelson, Jodi
Popovici-Muller, Daniel
Roy, Terry
Soti, Julius
Sytek, John
Verville, Kevin
Wilson, Vicki

Bryer, Scott
DeVito, Sayra
Foote, Charles
Katsakiores, Phyllis
Walsh, Lilli
Pearson, Mark
Melvin, Charles
Osborne, Jason
Porcelli, Susan
Pearson, Stephen
Spillane, James
Tripp, Richard
Vose, Michael

STRAFFORD

Bailey, Glenn
Farrington, Samuel
Potenza, Kelley

Burnham, Claudine
Granger, Michael
Hall, Robley

DeLemus, Susan
Harrington, Michael
Turcotte, Len

DeRoy, Susan
Kaczynski, Thomas
Walker, David

Drye, Margaret
Aron, Michael

Grant, George
Rollins, Skip

Hemingway, Wayne
Spilsbury, Walter

Aron, Judy

SULLIVAN

NAYS - 152

BELKNAP

Nagel, David

CARROLL

Burroughs, Anita

Paige, David

McAleer, Chris

Woodcock, Stephen

CHESHIRE

Ames, Dick
Faulkner, Barry
O'Rorke, Terri

Berch, Paul
Jones, Philip
Parshall, Lucius

Harvey, Cathryn
Germana, Nicholas
Weber, Lucy

Fox, Dru
Newell, Jodi

GRAFTON

Almy, Susan
Fellows, Sallie
Lucas, Janet
Spahr, Terry

Baldwin, Heather
Fracht, David
Muirhead, Russell
Stavis, Laurel

Bolton, Bill
Hakken-Phillips, Mary
Oppel, Thomas
Stringham, Jerry

Cormen, Thomas
Sullivan, Jared
Rockmore, Ellen
Sykes, George

HILLSBOROUGH

Murray, Alissandra
Budathoki, Suraj
Dargie, Paul
Foss, Lily
Harriott-Gathright, Linda
Judy, Jean
Foxx, Loren
Lloyd, Christal
Manohar, Sanjeev
Preece, David
Rung, Rosemarie
Seibert, Christine
Tellez, Trinidad
Thomas, Wendy

Beauchemin, Paige
Chourasia, Manoj
DiSilvestro, Linda
Georges, Mary
Hartnett, Tim
Juris, Louis
Leapley, Nicole
Long, Patrick
McGhee, Kat
Newman, Ray
Ryan, Linda
Spier, Carry
Vail, Suzanne
Wheeler, Jonah

Bergeron, Dan
Chretien, Suzanne
Elberger, Susan
Gregg, Alicia
Herbert, Christopher
Kerwin, Erin
LeClerc, Daniel
Murray, Megan
Murphy, Nancy
Raymond, Heather
Newman, Sue
Staub, Kathy
Veilleux, Daniel
Wilhelm, Matthew

Booras, Efsthathia
Darby, Will
Davis, Fred
Grund, Stephanie
Jack, Martin
Kluger, Lee Ann
Leishman, Peter
MacKenzie, Mark
Petrigno, Peter
Rombeau, Catherine
Salvi, Santosh
Telerski, Laura
Dolan, William

MERRIMACK

Bricchi, Tracy
Gallager, Eric
Hall, Muriel
Schamberg, Thomas
Wallner, Mary Jane

Caplan, Tony
Gibbs, Merryl
Newsom, James
Schultz, Kris
Woods, Gary

Kelly, Eileen
Lane, Connie
Richards, Beth
Snodgrass, Jim

Ebel, Karen
Luneau, David
Roesener, James
Soucy, Timothy

ROCKINGHAM

Cahill, Michael
Haskins, Linda
Maggiore, Jim
Meuse, David
Scherr, Buzz
Vallone, Mark

de Vries, Erica
Murray, Kate
Malloy, Dennis
Muns, Chris
Simpson, Alexis
Ward, Gerald

Edgar, Michael
Knab, Allison
Mandelbaum, Jennifer
Raynolds, Ned
Sorensen, Carrie
Weinstein, Toni

Gilman, Julie
Paige, Mark
Manos, Zoe
Read, Ellen
Turer, Eric

STRAFFORD

Bay, Luz
Gilmore, Gary
Johnson, Erik
Smith, Marjorie
Stone, John

Bixby, Peter
Howard, Heath
LaMontagne, Jessica
Schmidt, Peter
Pearson, Wayne

Burton, Wayne
Horriggan, Timothy
Laroche, John
Selig, Loren
Wade, Alice

Butler, Billie
Howland, Allan
Levesque, Cassandra
Southworth, Thomas
Wall, Janet

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 SPECIAL ORDER

Rep. Alissandra Murray moved that **CACR 19**, relative to the personal possession of cannabis. Providing that adults 21 years of age or older shall have the right to possess a modest amount of cannabis intended for their personal consumption, be made a Special Order.

On a division vote, with 115 members having voted in the affirmative, and 220 in the negative, the motion failed.

MOTION TO SPECIAL ORDER

Rep. Alissandra Murray moved that **HB 1061**, establishing a commission to study alternatives to incarceration for nonviolent offenders who are primary caregivers be made a Special Order to the next order of business. On a division vote, with 295 members having voted in the affirmative, and 39 in the negative, the bill was special ordered to the next order of business.

HB 1061, establishing a commission to study alternatives to incarceration for nonviolent offenders who are primary caregivers. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Terry Roy for the **Majority** of Criminal Justice and Public Safety. Justice must be blind, and sentencing must be based on the crime committed rather than the domestic status of the perpetrator. Creating a study commission to explore “care giver-specific” sentencing leniency is an affront to both the New Hampshire and United States Constitutions. Under Article 12 of the NH Bill of Rights and the 14th Amendment’s Equal Protection Clause, every citizen is entitled to equal protection under the law; a system that grants a “get out of jail free” card to a criminal simply because they have a child discriminates against every law-abiding citizen and every victim who does not share that status. This proposal creates a perverse incentive for criminal organizations to exploit care givers as “shields,” we have already seen drug trafficking operations and retail theft rings utilize girlfriends and family members to hold contraband precisely because they are viewed as “lower risk” for incarceration. If the state formally codifies care giver leniency, we are effectively providing a road map for criminals to shift the legal risk onto those they know will receive a lighter sentence, thereby increasing the victimization of the families. Justice is not a social service program; it is the mechanism by which society holds individuals accountable for their choices. A person’s status as a parent is a responsibility they should weigh before violating the law, not a mitigating factor to be used as a shield afterward. We must reject this attempt to prioritize the “trauma” of the criminal over the rights of the victim and the integrity of our constitutional order. Vote 7-6.

Rep. Alissandra Murray for the **Minority** of Criminal Justice and Public Safety. This bill does not mandate a new sentencing structure, create early release provisions, or alter existing criminal penalties. It simply establishes a commission to study alternatives to incarceration for non-violent offenders who are primary care givers. Voting to kill this bill forecloses even the opportunity to gather data, hear from experts, and examine whether current practices are producing the best outcomes for families, public safety, and taxpayer dollars. In conversations with stakeholders, they shared the work of this commission could be beneficial for causes beyond the intended scope of this bill in offering an updated and thorough assessment of our current system and what gaps need to be filled in order to better support families before they even become entangled with the carceral system. When a primary caregiver is incarcerated, children often enter foster care or rely on already-strained kinship networks. This can increase state expenditures and destabilize families, often in ways that contribute to cycles of trauma and justice system involvement. If there are evidence-based alternatives that hold individuals accountable while preserving family stability and reducing costs, we have a responsibility to examine them. A study commission is the most cautious and responsible way to approach this issue. It allows lawmakers to review data, consult with judges, law enforcement, victims’ advocates, child welfare experts, and impacted families, and make informed decisions in a future session. The Minority believes refusing to study the issue sends the message that we are unwilling to even evaluate whether our current approach is working. This bill is narrowly tailored to non-violent offenders and focused specifically on primary care givers, recognizing that incarceration has ripple effects beyond the individual serving a sentence. Public safety remains paramount. Accountability remains paramount. This bill simply asks whether there are smarter, more effective tools available in certain circumstances.

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

MOTION TO LAY ON THE TABLE

Rep. Weber moved that **HB 1061**, establishing a commission to study alternatives to incarceration for non-violent offenders who are primary caregivers, be laid on the table.

On a division vote, with 133 members having voted in the affirmative, and 201 in the negative, the motion failed.

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

MOTION TO INDEFINITELY POSTPONE

Rep. Osborne moved that **HB 1061**, establishing a commission to study alternatives to incarceration for non-violent offenders who are primary caregivers, be Indefinitely Postponed.

Rep. Heath Howard requested a roll call; sufficiently seconded.

YEAS 188 - NAYS 149

YEAS - 188

BELKNAP

Aldrich, Glen
Comtois, Barbara
Terry, Paul

Bogert, Steven
Freeman, Lisa
Toner, Travis

Bordes, Mike
Harvey-Bolia, Juliet

Coker, Matthew
Ploszaj, Tom

CARROLL

Avellani, Lino
MacDonald, John

Belcher, Mike
Peternel, Katy

Crawford, Karel
Brown, Richard

Hamblen, Joseph
Taylor, Brian

CHESHIRE

Murphy, Denis
Nalevanko, Rich

Hunt, John
Qualey, James

Karasinski, Sly
Rhodes, Jennifer

Mattson, Rita

COOS

Davis, Arnold
King, Seth

Durkin, Sean
Tierney, James

Korzen, Lori
Tremblay, Marc

Ouellet, Mike

GRAFTON

Barton, Joseph
Franz, Linda
Sellers, John

Beaulier, Calvin
Ladd, Rick

Berezhny, Lex
Louis, Darrell

Bjelobrk, Marie Louise
McFarlane, Donald

HILLSBOROUGH

Alexander, Joe
Berry, Ross
Corcoran, Travis
Drew, Matt
Fedolfi, Jim
Giasson, Henry
Kesselring, Steven
Mazur, Lisa
Morton, Jonathan
Pauer, Diane
Prout, Andrew
Schneller, John
Slottje, Jeremy
Ulery, Jordan

Ammon, Keith
Boehm, Ralph
Creighton, James
Dumont, Dillon
Flanagan, Jack
Gorski, Ted
Labrie, Brian
McLean, Mark
Noble, Kristin
Peeples, Raymond
Reinfurt, Sherri
Scully, Kevin
Suiter, John
Wherry, Robert

Boyd, Bill
Colcombe, Riché
Kelley, Diane
Dupont, Pierre
Griffin, Gerald
Gould, Linda
Lascelles, Richard
Miles, Julie
Ohm, Bill
Post, Lisa
Rice, Kimberly
Sheehan, Vanessa
Tenczar, Jeffrey

Barbour, Liz
Cole, Brian
Daniels, Gary
Erf, Keith
Gagne, Larry
Kenny, Catherine
Murphy, Mary
Mooney, Maureen
Paquette, Kathleen
Proulx, Mark
Ryan, Linda
Sirois, Shane
Mannion, Tom

MERRIMACK

Andrus, Louise
McGuire, Dan
Mehegan, Peter
Polozov, Yury
Walsh, Thomas

Aures, Cyril
Devoid, Ricky
Moffett, Michael
Boyd, Stephen
Thibault, James

Aylward, Deborah
Hill, Gregory
Pitaro, Matthew
Seaworth, Brian
Wood, Clayton

McGuire, Carol
Leavitt, John
Plante, Raymond
See, Alvin

ROCKINGHAM

Ball, Lorie
Mannion, Dennis
Donnelly, Tanya
Guthrie, Joseph
Khan, Aboul
Layon, Erica
Mandelbaum, Jennifer
Milz, David
Brown, Pam
Potucek, John
Sabourin dit Choinière, Matt
Summers, James
Tudor, Paul
MacDonald, Wayne

Bernardy, JD
Thomas, Douglas
Drago, Mike
Guzofski, James
Kuttab, Katelyn
Litchfield, Melissa
McDonnell, Valerie
Nadeau, Brian
Perez, Kristine
Prudhomme-O'Brien, Katherine
Selby, Donald
Sweeney, Joe
Vandecasteele, Susan
Weyler, Kenneth

Bridle, Nicholas
DeSimone, Debra
Edwards, Jess
Harb, Robert
Miner, Laurence
Lynn, Bob
McGrath, Linda
Nelson, Jodi
Popovici-Muller, Daniel
Roy, Terry
Soti, Julius
Sytek, John
Verville, Kevin
Wilson, Vicki

Bryer, Scott
DeVito, Sayra
Foote, Charles
Katsakiores, Phyllis
Walsh, Lilli
Pearson, Mark
Melvin, Charles
Osborne, Jason
Porcelli, Susan
Pearson, Stephen
Spillane, James
Tripp, Richard
Vose, Michael

STRAFFORD

Bailey, Glenn
Farrington, Samuel
Potenza, Kelley

Burnham, Claudine
Granger, Michael
Hall, Robley

DeLemus, Susan
Harrington, Michael
Turcotte, Len

DeRoy, Susan
Kaczynski, Thomas
Walker, David

SULLIVAN

Drye, Margaret
Aron, Michael

Grant, George
Rollins, Skip

Hemingway, Wayne
Spilsbury, Walter

Aron, Judy

NAYS - 149**BELKNAP**

Nagel, David

CARROLL

Burroughs, Anita

Paige, David

McAleer, Chris

Woodcock, Stephen

CHESHIRE

Ames, Dick
Faulkner, Barry
O'Rorke, Terri

Berch, Paul
Jones, Philip
Parshall, Lucius

Harvey, Cathryn
Germana, Nicholas
Weber, Lucy

Fox, Dru
Newell, Jodi

GRAFTON

Almy, Susan
Fellows, Sallie
Lucas, Janet
Spahr, Terry

Baldwin, Heather
Fracht, David
Muirhead, Russell
Stringham, Jerry

Bolton, Bill
Hakken-Phillips, Mary
Oppel, Thomas
Sykes, George

Cormen, Thomas
Sullivan, Jared
Rockmore, Ellen

HILLSBOROUGH

Murray, Aissandra
Budathoki, Suraj
Dargie, Paul
Foss, Lily
Harriott-Gathright, Linda
Judy, Jean
Foxx, Loren
Lloyd, Christal
Manohar, Sanjeev
Preece, David
Rung, Rosemarie
Spier, Carry
Vail, Suzanne
Wheeler, Jonah

Beauchemin, Paige
Chourasia, Manoj
DiSilvestro, Linda
Georges, Mary
Hartnett, Tim
Juris, Louis
Leapley, Nicole
Long, Patrick
McGhee, Kat
Newman, Ray
Newman, Sue
Staub, Kathy
Veilleux, Daniel
Wilhelm, Matthew

Bergeron, Dan
Chretien, Suzanne
Elberger, Susan
Gregg, Alicia
Herbert, Christopher
Kerwin, Erin
LeClerc, Daniel
Murray, Megan
Murphy, Nancy
Raymond, Heather
Salvi, Santosh
Telerski, Laura
Dolan, William

Booras, Efstathia
Darby, Will
Davis, Fred
Grund, Stephanie
Jack, Martin
Kluger, Lee Ann
Leishman, Peter
MacKenzie, Mark
Petrigno, Peter
Rombeau, Catherine
Seibert, Christine
Tellez, Trinidad
Thomas, Wendy

MERRIMACK

Bricchi, Tracy
Gallager, Eric
Hall, Muriel
Schamberg, Thomas
Wallner, Mary Jane

Caplan, Tony
Gibbs, Merryl
Newsom, James
Schultz, Kris
Woods, Gary

Kelly, Eileen
Lane, Connie
Richards, Beth
Snodgrass, Jim

Ebel, Karen
Luneau, David
Roesener, James
Soucy, Timothy

ROCKINGHAM

Cahill, Michael
Haskins, Linda
Maggiore, Jim
Meuse, David
Scherr, Buzz
Ward, Gerald

de Vries, Erica
Murray, Kate
Malloy, Dennis
Muns, Chris
Simpson, Alexis
Weinstein, Toni

Edgar, Michael
Knab, Allison
Manos, Zoe
Raynolds, Ned
Sorensen, Carrie

Gilman, Julie
Paige, Mark
McMahon, Charles
Read, Ellen
Turer, Eric

STRAFFORD

Bay, Luz
Gilmore, Gary
Johnson, Erik
Smith, Marjorie
Stone, John

Bixby, Peter
Howard, Heath
LaMontagne, Jessica
Schmidt, Peter
Pearson, Wayne

Burton, Wayne
Horrigan, Timothy
Larochelle, John
Selig, Loren
Wade, Alice

Butler, Billie
Howland, Allan
Levesque, Cassandra
Southworth, Thomas
Wall, Janet

SULLIVAN

Sullivan, Brian
motion was adopted.

Cloutier, John

Damon, Hope

Palmer, William

MOTION TO SPECIAL ORDER

Rep. Aissandra Murray moved that **HB 1142**, relative to requirements for law enforcement officers assisting in immigration enforcement, be made a Special Order to the next order of business.

The Speaker ruled the motion dilatory.

CHALLENGE TO THE RULING OF THE CHAIR

Rep. Heath Howard challenged the ruling of the Chair whereby the Chair ruled the motion to Special Order HB 1142, dilatory.

The question being shall the ruling of the Chair be upheld?

Rep. Comtois requested a roll call; sufficiently seconded.

YEAS 199 - NAYS 134**YEAS - 199****BELKNAP**

Aldrich, Glen
Comtois, Barbara
Terry, Paul

Bogert, Steven
Freeman, Lisa
Toner, Travis

Bordes, Mike
Harvey-Bolia, Juliet

Coker, Matthew
Ploszaj, Tom

CARROLL

Avellani, Lino
MacDonald, John

Belcher, Mike
Peternel, Katy

Crawford, Karel
Brown, Richard

Hamblen, Joseph
Taylor, Brian

CHESHIRE

Murphy, Denis
Nalevanko, Rich

Hunt, John
Qualey, James

Karasinski, Sly
Rhodes, Jennifer

Mattson, Rita

COOS

Davis, Arnold
King, Seth

Durkin, Sean
Tierney, James

Korzen, Lori
Tremblay, Marc

Ouellet, Mike

GRAFTON

Barton, Joseph
Franz, Linda
Sellers, John

Beaulier, Calvin
Ladd, Rick

Berezhny, Lex
Louis, Darrell

Bjelobrk, Marie Louise
McFarlane, Donald

HILLSBOROUGH

Alexander, Joe
Berry, Ross
Cole, Brian
Daniels, Gary
Fedolfi, Jim
Giasson, Henry
Juris, Louis
Lascelles, Richard
Mazur, Lisa
Morton, Jonathan
Pauer, Diane
Prout, Andrew
Scully, Kevin
Suiter, John
Wheeler, Jonah

Ammon, Keith
Boehm, Ralph
Corcoran, Travis
Dumont, Dillon
Flanagan, Jack
Gorski, Ted
Kenny, Catherine
LeClerc, Daniel
McLean, Mark
Noble, Kristin
Peeples, Raymond
Reinfurt, Sherri
Sheehan, Vanessa
Tenczar, Jeffrey
Wherry, Robert

Boyd, Bill
Booras, Efsthathia
Creighton, James
Dupont, Pierre
Griffin, Gerald
Gould, Linda
Kesselring, Steven
Leishman, Peter
Miles, Julie
Ohm, Bill
Post, Lisa
Rice, Kimberly
Sirois, Shane
Mannion, Tom

Barbour, Liz
Colcombe, Riché
Kelley, Diane
Erf, Keith
Gagne, Larry
Jack, Martin
Labrie, Brian
Murphy, Mary
Mooney, Maureen
Paquette, Kathleen
Proulx, Mark
Schneller, John
Slottje, Jeremy
Ulery, Jordan

MERRIMACK

Andrus, Louise
McGuire, Dan
Mehegan, Peter
Polozov, Yuri
Walsh, Thomas

Aures, Cyril
Devoid, Ricky
Moffett, Michael
Boyd, Stephen
Thibault, James

Aylward, Deborah
Hill, Gregory
Pitaro, Matthew
Seaworth, Brian
Wood, Clayton

McGuire, Carol
Leavitt, John
Plante, Raymond
See, Alvin

ROCKINGHAM

Ball, Lorie
Mannion, Dennis
Donnelly, Tanya
Foote, Charles
Katsakiores, Phyllis
Walsh, Lilli
Pearson, Mark
McMahon, Charles
Nelson, Jodi
Popovici-Muller, Daniel
Roy, Terry
Soti, Julius
Sytek, John
Verville, Kevin
Wilson, Vicki

Bernardy, JD
Thomas, Douglas
Drago, Mike
Guthrie, Joseph
Khan, Aboul
Layon, Erica
Mandelbaum, Jennifer
Melvin, Charles
Osborne, Jason
Porcelli, Susan
Pearson, Stephen
Spillane, James
Tripp, Richard
Vose, Michael

Bridle, Nicholas
DeSimone, Debra
Edgar, Michael
Guzofski, James
Kuttab, Katelyn
Litchfield, Melissa
McDonnell, Valerie
Milz, David
Brown, Pam
Potucek, John
Sabourin dit Choinière, Matt
Summers, James
Tudor, Paul
MacDonald, Wayne

Bryer, Scott
DeVito, Sayra
Edwards, Jess
Harb, Robert
Miner, Laurence
Lynn, Bob
McGrath, Linda
Nadeau, Brian
Perez, Kristine
Prudhomme-O'Brien, Katherine
Selby, Donald
Sweeney, Joe
Vandecasteele, Susan
Weyler, Kenneth

STRAFFORD

Bailey, Glenn
Farrington, Samuel
Laroche, John
Schmidt, Peter

Burnham, Claudine
Granger, Michael
Smith, Marjorie
Turcotte, Len

DeLemus, Susan
Harrington, Michael
Potenza, Kelley
Pearson, Wayne

DeRoy, Susan
Kaczynski, Thomas
Hall, Robley
Walker, David

SULLIVAN

Sullivan, Brian
Aron, Judy

Drye, Margaret
Aron, Michael

Grant, George
Rollins, Skip

Hemingway, Wayne
Spilsbury, Walter

**NAYS - 134
BELKNAP**

Nagel, David

CARROLL

Burroughs, Anita

Paige, David

McAleer, Chris

Woodcock, Stephen

CHESHIREAmes, Dick
Faulkner, Barry
O'Rorke, TerriBerch, Paul
Jones, Philip
Parshall, LuciusHarvey, Cathryn
Germana, Nicholas
Weber, LucyFox, Dru
Newell, Jodi**GRAFTON**Almy, Susan
Fellows, Sallie
Lucas, Janet
Spahr, TerryBaldwin, Heather
Fracht, David
Muirhead, Russell
Stavis, LaurelBolton, Bill
Hakken-Phillips, Mary
Oppel, Thomas
Stringham, JerryCormen, Thomas
Sullivan, Jared
Rockmore, Ellen
Sykes, George**HILLSBOROUGH**Murray, Alissandra
Chourasia, Manoj
Elberger, Susan
Grund, Stephanie
Judy, Jean
Leapley, Nicole
MacKenzie, Mark
Petrigno, Peter
Rombeau, Catherine
Salvi, Santosh
Telerski, Laura
Dolan, WilliamBeauchemin, Paige
Darby, Will
Foss, Lily
Harriott-Gathright, Linda
Kerwin, Erin
Lloyd, Christal
Manohar, Sanjeev
Preece, David
Rung, Rosemarie
Seibert, Christine
Tellez, Trinidad
Thomas, WendyBergeron, Dan
Dargie, Paul
Georges, Mary
Hartnett, Tim
Kluger, Lee Ann
Long, Patrick
McGhee, Kat
Newman, Ray
Ryan, Linda
Spier, Carry
Vail, Suzanne
Wilhelm, MatthewBudathoki, Suraj
DiSilvestro, Linda
Gregg, Alicia
Herbert, Christopher
Foxy, Loren
Murray, Megan
Murphy, Nancy
Raymond, Heather
Newman, Sue
Staub, Kathy
Veilleux, Daniel**MERRIMACK**Bricchi, Tracy
Gibbs, Merryl
Newsom, James
Snodgrass, JimCaplan, Tony
Lane, Connie
Richards, Beth
Soucy, TimothyKelly, Eileen
Luneau, David
Schamberg, Thomas
Wallner, Mary JaneGallager, Eric
Hall, Muriel
Schultz, Kris
Woods, Gary**ROCKINGHAM**Cahill, Michael
Murray, Kate
Malloy, Dennis
Raynolds, Ned
Sorensen, Carriede Vries, Erica
Knab, Allison
Manos, Zoe
Read, Ellen
Turer, EricGilman, Julie
Paige, Mark
Meuse, David
Scherr, Buzz
Vallone, MarkHaskins, Linda
Maggiore, Jim
Muns, Chris
Simpson, Alexis
Ward, Gerald**STRAFFORD**Bay, Luz
Gilmore, Gary
Johnson, Erik
Southworth, ThomasBixby, Peter
Howard, Heath
LaMontagne, Jessica
Stone, JohnBurton, Wayne
Horriggan, Timothy
Levesque, Cassandra
Wade, AliceButler, Billie
Howland, Allan
Selig, Loren
Wall, Janet**SULLIVAN**

Cloutier, John

Damon, Hope

Palmer, William

and the ruling of the Chair was upheld.

MOTION TO REMOVE FROM THE TABLE

Rep. Gallager moved that **HB 1786-FN**, relative to creating a state assessment on non-homestead luxury second homes to fund statewide housing development programs and address housing shortages and making appropriations therefor, be removed from the table.

Rep. Roesener requested a roll call; sufficiently seconded.

YEAS 100 - NAYS 235**YEAS - 100****CARROLL**

Burroughs, Anita

Paige, David

CHESHIREAmes, Dick
Jones, PhilipBerch, Paul
Newell, JodiHarvey, Cathryn
O'Rorke, TerriFox, Dru
Parshall, Lucius**GRAFTON**Baldwin, Heather
Fracht, David
Rockmore, EllenBolton, Bill
Sullivan, Jared
Spahr, TerryCormen, Thomas
Lucas, Janet
Stringham, JerryFellows, Sallie
Oppel, Thomas
Sykes, George

HILLSBOROUGH

Murray, Aissandra
Chourasia, Manoj
Foss, Lily
Kerwin, Erin
Lloyd, Christal
Murphy, Nancy
Raymond, Heather
Staub, Kathy
Dolan, William

Beauchemin, Paige
Darby, Will
Gregg, Alicia
Foxy, Loren
Long, Patrick
Petrigno, Peter
Salvi, Santosh
Tellez, Trinidad
Wilhelm, Matthew

Bergeron, Dan
Dargie, Paul
Grund, Stephanie
Leapley, Nicole
Manohar, Sanjeev
Preece, David
Seibert, Christine
Vail, Suzanne

Budathoki, Suraj
Elberger, Susan
Hartnett, Tim
LeClerc, Daniel
McGhee, Kat
Newman, Ray
Spier, Carry
Veilleux, Daniel

MERRIMACK

Bricchi, Tracy
Gibbs, Merryl
Roesener, James
Wallner, Mary Jane

Caplan, Tony
Luneau, David
Schamberg, Thomas
Woods, Gary

Kelly, Eileen
Hall, Muriel
Schultz, Kris

Gallager, Eric
Richards, Beth
Snodgrass, Jim

ROCKINGHAM

Cahill, Michael
Murray, Kate
Muns, Chris
Turer, Eric

de Vries, Erica
Paige, Mark
Raynolds, Ned
Vallone, Mark

Gilman, Julie
Malloy, Dennis
Read, Ellen
Ward, Gerald

Haskins, Linda
Meuse, David
Sorensen, Carrie
Weinstein, Toni

STRAFFORD

Bay, Luz
Horrigan, Timothy
Larochelle, John

Burton, Wayne
Howland, Allan
Levesque, Cassandra

Gilmore, Gary
Johnson, Erik
Stone, John

Howard, Heath
LaMontagne, Jessica
Wade, Alice

SULLIVAN

Damon, Hope

Palmer, William

NAYS - 235**BELKNAP**

Aldrich, Glen
Comtois, Barbara
Ploszaj, Tom

Bogert, Steven
Freeman, Lisa
Terry, Paul

Bordes, Mike
Harvey-Bolia, Juliet
Toner, Travis

Coker, Matthew
Nagel, David

CARROLL

Avellani, Lino
MacDonald, John
Taylor, Brian

Belcher, Mike
McAleer, Chris
Woodcock, Stephen

Crawford, Karel
Peternel, Katy

Hamblen, Joseph
Brown, Richard

CHESHIRE

Murphy, Denis
Mattson, Rita
Rhodes, Jennifer

Faulkner, Barry
Germana, Nicholas
Weber, Lucy

Hunt, John
Nalevanko, Rich

Karasinski, Sly
Qualey, James

COOS

Davis, Arnold
King, Seth

Durkin, Sean
Tierney, James

Korzen, Lori
Tremblay, Marc

Ouellet, Mike

GRAFTON

Almy, Susan
Bjelobrk, Marie Louise
Louis, Darrell
Stavis, Laurel

Barton, Joseph
Franz, Linda
McFarlane, Donald

Beaulier, Calvin
Hakken-Phillips, Mary
Muirhead, Russell

Berezhny, Lex
Ladd, Rick
Sellers, John

HILLSBOROUGH

Alexander, Joe
Berry, Ross
Cole, Brian
Daniels, Gary
Dupont, Pierre
Griffin, Gerald
Gould, Linda
Judy, Jean
Kluger, Lee Ann
Murray, Megan
McLean, Mark
Noble, Kristin
Peeples, Raymond

Ammon, Keith
Boehm, Ralph
Corcoran, Travis
DiSilvestro, Linda
Erf, Keith
Georges, Mary
Harriott-Gathright, Linda
Juris, Louis
Labrie, Brian
MacKenzie, Mark
Miles, Julie
Ohm, Bill
Post, Lisa

Boyd, Bill
Booras, Efstathia
Creighton, James
Drew, Matt
Fedolfi, Jim
Giasson, Henry
Herbert, Christopher
Kenny, Catherine
Lascelles, Richard
Murphy, Mary
Mooney, Maureen
Paquette, Kathleen
Proulx, Mark

Barbour, Liz
Colcombe, Riché
Kelley, Diane
Dumont, Dillon
Flanagan, Jack
Gorski, Ted
Jack, Martin
Kesselring, Steven
Leishman, Peter
Mazur, Lisa
Morton, Jonathan
Pauer, Diane
Prout, Andrew

Reinfurt, Sherri
Ryan, Linda
Sheehan, Vanessa
Telerski, Laura
Thomas, Wendy

Rice, Kimberly
Newman, Sue
Sirois, Shane
Tenczar, Jeffrey
Wheeler, Jonah

Rombeau, Catherine
Schneller, John
Slotte, Jeremy
Mannion, Tom
Wherry, Robert

Rung, Rosemarie
Scully, Kevin
Suiter, John
Ulery, Jordan

MERRIMACK

Andrus, Louise
McGuire, Dan
Lane, Connie
Newsom, James
Boyd, Stephen
Walsh, Thomas

Aures, Cyril
Devoid, Ricky
Leavitt, John
Pitaro, Matthew
Seaworth, Brian
Thibault, James

Aylward, Deborah
Ebel, Karen
Mehegan, Peter
Plante, Raymond
See, Alvin
Wood, Clayton

McGuire, Carol
Hill, Gregory
Moffett, Michael
Polozov, Yuri
Soucy, Timothy

ROCKINGHAM

Ball, Lorie
Mannion, Dennis
Donnelly, Tanya
Foote, Charles
Katsakiores, Phyllis
Miner, Laurence
Lynn, Bob
Manos, Zoe
Melvin, Charles
Osborne, Jason
Porcelli, Susan
Pearson, Stephen
Simpson, Alexis
Sweeney, Joe
Vandecasteele, Susan
Weyler, Kenneth

Bernardy, JD
Thomas, Douglas
Drago, Mike
Guthrie, Joseph
Khan, Aboul
Walsh, Lilli
Pearson, Mark
McDonnell, Valerie
Milz, David
Brown, Pam
Potucek, John
Sabourin dit Choinière, Matt
Soti, Julius
Sytek, John
Verville, Kevin
Wilson, Vicki

Bridle, Nicholas
DeSimone, Debra
Edgar, Michael
Guzofski, James
Knab, Allison
Layon, Erica
Maggiore, Jim
McGrath, Linda
Nadeau, Brian
Perez, Kristine
Prudhomme-O'Brien, Katherine
Scherr, Buzz
Spillane, James
Tripp, Richard
Vose, Michael

Bryer, Scott
DeVito, Sayra
Edwards, Jess
Harb, Robert
Kuttab, Katelyn
Litchfield, Melissa
Mandelbaum, Jennifer
McMahon, Charles
Nelson, Jodi
Popovici-Muller, Daniel
Roy, Terry
Selby, Donald
Summers, James
Tudor, Paul
MacDonald, Wayne

STRAFFORD

Bailey, Glenn
DeRoy, Susan
Kaczynski, Thomas
Schmidt, Peter
Pearson, Wayne

Bixby, Peter
Farrington, Samuel
Smith, Marjorie
Selig, Loren
Walker, David

Burnham, Claudine
Granger, Michael
Potenza, Kelley
Southworth, Thomas
Wall, Janet

Butler, Billie
Harrington, Michael
Hall, Robley
Turcotte, Len

SULLIVAN

Sullivan, Brian
Hemingway, Wayne
Spilsbury, Walter

Cloutier, John
Aron, Judy

Drye, Margaret
Aron, Michael

Grant, George
Rollins, Skip

and the motion failed.

The House recessed at 12:05p.m.

RECESS

The House reconvened at 1:15 p.m

(Speaker Steven Smith in the Chair)

HB 1561-FN, prohibiting nationals of the People's Republic of China from attending state institutions of higher education. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Peter Mehegan for the **Majority** of Education Funding. As presented to the committee, this bill would have prohibited any national of the People's Republic of China who is not a U.S. citizen from attending "any public or private college or university in New Hampshire that is accredited by the state." The bill defined attendance broadly to mean "the in-person or virtual enrollment as a student, participation in research, employment, or access to campus facilities beyond public events." The majority recognizes that China's National Intelligence Law, passed 2017 and reaffirmed in 2018, places all nationals of the People's Republic of China in a compromising position, whereby they are required to report to the Chinese Communist Party (CCP) any activity, at home or abroad, that the CCP might consider important to its national security. The majority was, nevertheless, concerned that the bill, as proposed, was too sweeping and therefore fashioned an amendment to narrow its scope to "a student in a master's or doctorate degree program, participation in research, or full-time employment at a public institution of higher education." Thus, it would no longer apply to undergraduate students or to any students of a private institution. The amendment made other changes, such as deleting a statement of findings and purpose, eliminating a notarized attestation requirement, and greatly moderating proposed fines. As amended to cover graduate students, researchers, and employees, the bill would limit access to sensitive research currently being conducted in the state's public colleges and universities. Vote 9-8.

Rep. Hope Damon for the **Minority** of Education Funding. The proposed legislation would prohibit nationals of the People's Republic of China from enrollment, employment, research participation, and access to campus facilities at any NH state institution of higher education. The minority believes a blanket prohibition of students from a single nation is unwarranted and almost certainly violates state and federal antidiscrimination laws. While the amendment removes the statement of purpose in the original bill, it is clear that language suggested Chinese people "pose a hostile risk to the lives and livelihoods of Granite Staters;" thus, their removal is necessary to protect national security. The minority believes the bill is in conflict with American and New Hampshire values. Further, it requires the University System to give up revenue from students who pay full tuition, to lose valuable faculty and staff, while expending resources tracking documentation – resources needed for essential functions when our reduced state funding of higher education is already extremely challenging. The sponsor could not identify any states with similar statutes. This is another attempt to single out an ethnic population and put them at grave risk. Who will be targeted next?

Majority Amendment (0797h)

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

AN ACT prohibiting nationals of the People's Republic of China from enrollment in masters and doctorate degree programs, participation in research, and full time employment at public institutions of higher education.

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

1 New Section; PRC Nationals; Admission Prohibited. Amend RSA 187-A by inserting after section 10-a the following new section:

187-A:10-b PRC Nationals; Admission Prohibited.

I. For the purposes of this section:

(a) "PRC national" means any citizen or agent of the People's Republic of China (PRC) who is not a U.S. citizen, including but not limited to those with direct and compromising ties to the PRC, such as employment by PRC state-owned enterprises, membership in the Chinese Communist Party, financial links to the PRC government, pledged allegiance to PRC leaders, or acting on orders originating from the PRC government.

(b) "Higher education institutions" means any public college or university in New Hampshire that is accredited by the state.

(c) "Prohibited activity" means enrollment as a student in a master's or doctorate degree program, participation in research, or full-time employment at a public institution of higher education.

II. All higher education institutions shall not:

(a) Permit a PRC national to participate in a prohibited activity.

(b) Enter into any partnerships, grants, or research collaborations with entities affiliated with the PRC government.

III. PRC nationals engaged in a prohibited activity shall have 90 days following the effective date of this act to voluntarily withdraw from the higher education institution which they attend, during which time they may retain their transcripts and academic credits previously attained. Refusal by the individual to withdraw within 90 days following the effective date of this act shall result in the assessment of a penalty as established in RSA 187-A:10-b, IV(b) and shall create a presumption of hostile intent, which shall result in:

(a) Mandatory expulsion from the institution of higher education.

(b) Referral to the relevant federal authorities for potential visa revocation.

(c) The institution of higher education being fined \$1,000 per week for failure to act, to be assessed by the attorney general.

IV. The attorney general shall enforce this act by assessing the following penalties for violations of RSA 187-A:10-b, II or RSA 187-A:10-b, III:

(a) For violations by higher education institutions, the attorney general may refer such violation to the state treasurer to assess whether said institution shall be deprived of any state funding. Serial violations or noncooperation by higher education institutions may result in the attorney general recommending revocation or suspension of state accreditation, in addition to any fines and losses of state funding.

(b) Violations by individuals qualifying as PRC nationals shall be a class A misdemeanor, and the attorney general may refer said individual to the Department of Homeland Security. Referral to the Department of Homeland Security may lead to deportation proceedings.

(c) Violations by any faculty or staff employed by a higher education institution shall be a class A misdemeanor.

V. Any person or organization providing actionable information to the secretary of state's office regarding a violation of RSA 187-A:10-b, II or RSA 187-A:10-b, III shall be entitled to receive 10 percent of any recovered funds, including reclaimed tuition or fines, paid from the general fund.

VI. The attorney general may adopt rules pursuant to RSA 541-A relative to the implementation of the provisions of this act.

VII. The attorney general shall issue an annual report to the legislature by no later than December 31 of each year detailing the violations addressed, including but not limited to cases of intellectual property theft or espionage.

VIII. If any provision of this section or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the section which can be given effect without the invalid provisions or applications, and to this end the provisions of this section are severable.

2 Effective Date. This act shall take effect January 1, 2027.

2026-0797h
AMENDED ANALYSIS

This bill prohibits nationals of the People's Republic of China from enrolling in masters and doctorate degree programs, participation in research, and full time employment at public institutions of higher education. The bill also establishes penalties for individuals and institutions engaging in such prohibited activities.

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. Luneau requested a roll call; sufficiently seconded.

YEAS 157 - NAYS 173

**YEAS - 157
BELKNAP**

Aldrich, Glen
Ploszaj, Tom

Bogert, Steven
Terry, Paul

Comtois, Barbara
Toner, Travis

Freeman, Lisa

CARROLL

Avellani, Lino
Peternel, Katy

Belcher, Mike
Taylor, Brian

Crawford, Karel

MacDonald, John

CHESHIRE

Murphy, Denis
Qualey, James

Karasinski, Sly

Mattson, Rita

Nalevanko, Rich

COOS

Davis, Arnold
King, Seth

Durkin, Sean
Tierney, James

Korzen, Lori
Tremblay, Marc

Ouellet, Mike

GRAFTON

Barton, Joseph
Louis, Darrell

Bjelobrk, Marie Louise
McFarlane, Donald

Franz, Linda
Sellers, John

Ladd, Rick

HILLSBOROUGH

Alexander, Joe
Boehm, Ralph
Kelley, Diane
Erf, Keith
Gagne, Larry
Kenny, Catherine
Lascelles, Richard
Ohm, Bill
Post, Lisa
Schneller, John
Slottje, Jeremy
Wherry, Robert

Ammon, Keith
Colcombe, Riché
Daniels, Gary
Fedolfi, Jim
Giasson, Henry
Kesselring, Steven
Murphy, Mary
Paquette, Kathleen
Proulx, Mark
Scully, Kevin
Suiter, John

Barbour, Liz
Corcoran, Travis
Drew, Matt
Flanagan, Jack
Gorski, Ted
Kofalt, Jim
Mazur, Lisa
Pauer, Diane
Reinfurt, Sherri
Sheehan, Vanessa
Tenczar, Jeffrey

Berry, Ross
Creighton, James
Dupont, Pierre
Griffin, Gerald
Gould, Linda
Labrie, Brian
Noble, Kristin
Peeples, Raymond
Rice, Kimberly
Sirois, Shane
Ulery, Jordan

MERRIMACK

Andrus, Louise
McGuire, Dan
Mehagan, Peter
Boyd, Stephen
Wood, Clayton

Aures, Cyril
Devoid, Ricky
Moffett, Michael
See, Alvin

Aylward, Deborah
Hill, Gregory
Pitaro, Matthew
Walsh, Thomas

McGuire, Carol
Leavitt, John
Plante, Raymond
Thibault, James

ROCKINGHAM

Ball, Lorie
Thomas, Douglas
Guthrie, Joseph
Khan, Aboul

Bernardy, JD
DeSimone, Debra
Guzowski, James
Kuttab, Katelyn

Bryer, Scott
DeVito, Sayra
Harb, Robert
Miner, Laurence

Mannion, Dennis
Drago, Mike
Katsakiores, Phyllis
Walsh, Lilli

Layon, Erica
McMahon, Charles
Osborne, Jason
Porcelli, Susan
Pearson, Stephen
Spillane, James
Tudor, Paul
MacDonald, Wayne

Pearson, Mark
Melvin, Charles
Brown, Pam
Potucek, John
Sabourin dit Choinière, Matt
Summers, James
Vandecasteele, Susan
Weyler, Kenneth

McDonnell, Valerie
Milz, David
Perez, Kristine
Prudhomme-O'Brien, Katherine
Selby, Donald
Sweeney, Joe
Verville, Kevin
Wilson, Vicki

McGrath, Linda
Nadeau, Brian
Popovici-Muller, Daniel
Roy, Terry
Soti, Julius
Tripp, Richard
Vose, Michael

STRAFFORD

Burnham, Claudine
Harrington, Michael
Turcotte, Len

DeLemus, Susan
Kaczynski, Thomas
Walker, David

DeRoy, Susan
Potenza, Kelley

Farrington, Samuel
Hall, Robley

SULLIVAN

Drye, Margaret
Aron, Michael

Grant, George
Rollins, Skip

Hemingway, Wayne

Aron, Judy

NAYS - 173 BELKNAP

Nagel, David

CARROLL

Burroughs, Anita
Brown, Richard

Paige, David
Woodcock, Stephen

Hamblen, Joseph

McAleer, Chris

CHESHIRE

Ames, Dick
Faulkner, Barry
Newell, Jodi

Berch, Paul
Jacobs, Samantha
O'Rorke, Terri

Harvey, Cathryn
Jones, Philip
Parshall, Lucius

Fox, Dru
Germana, Nicholas
Weber, Lucy

GRAFTON

Almy, Susan
Bolton, Bill
Hakken-Phillips, Mary
Oppel, Thomas
Stringham, Jerry

Baldwin, Heather
Cormen, Thomas
Sullivan, Jared
Rockmore, Ellen
Sykes, George

Beaulier, Calvin
Fellows, Sallie
Lucas, Janet
Spahr, Terry

Berezhny, Lex
Fracht, David
Muirhead, Russell
Stavis, Laurel

HILLSBOROUGH

Murray, Aissandra
Budathoki, Suraj
Dargie, Paul
Davis, Fred
Grill, Jessica
Herbert, Christopher
Kerwin, Erin
LeClerc, Daniel
Murray, Megan
McLean, Mark
Murphy, Nancy
Newman, Ray
Ryan, Linda
Spier, Carry
Mannion, Tom
Thomas, Wendy

Boyd, Bill
Chourasia, Manoj
DiSilvestro, Linda
Foss, Lily
Grund, Stephanie
Jack, Martin
Kluger, Lee Ann
Leishman, Peter
MacKenzie, Mark
Miles, Julie
Petrigno, Peter
Raymond, Heather
Newman, Sue
Staub, Kathy
Vail, Suzanne

Beauchemin, Paige
Chretien, Suzanne
Dumont, Dillon
Georges, Mary
Harriott-Gathright, Linda
Judy, Jean
Foxy, Loren
Lloyd, Christal
Manohar, Sanjeev
Mooney, Maureen
Preece, David
Rombeau, Catherine
Salvi, Santosh
Telerski, Laura
Veilleux, Daniel

Bergeron, Dan
Darby, Will
Elberger, Susan
Gregg, Alicia
Hartnett, Tim
Juris, Louis
Leapley, Nicole
Long, Patrick
McGhee, Kat
Morton, Jonathan
Prout, Andrew
Rung, Rosemarie
Seibert, Christine
Tellez, Trinidad
Dolan, William

MERRIMACK

Bricchi, Tracy
Gallager, Eric
Hall, Muriel
Schamberg, Thomas
Soucy, Timothy

Caplan, Tony
Gibbs, Merryl
Newsom, James
Schultz, Kris
Wallner, Mary Jane

Kelly, Eileen
Lane, Connie
Polozov, Yury
Seaworth, Brian
Woods, Gary

Ebel, Karen
Luneau, David
Roesener, James
Snodgrass, Jim

ROCKINGHAM

Cahill, Michael
Edwards, Jess
Murray, Kate
Maggiore, Jim
Muns, Chris
Scherr, Buzz
Turer, Eric

de Vries, Erica
Foote, Charles
Knab, Allison
Malloy, Dennis
Nelson, Jodi
Simpson, Alexis
Vallone, Mark

Donnelly, Tanya
Gilman, Julie
Litchfield, Melissa
Manos, Zoe
Raynolds, Ned
Sorensen, Carrie
Ward, Gerald

Edgar, Michael
Haskins, Linda
Lynn, Bob
Meuse, David
Read, Ellen
Sytek, John
Weinstein, Toni

STRAFFORD

Bailey, Glenn
Butler, Billie
Horrigan, Timothy
Larochelle, John
Schmidt, Peter
Pearson, Wayne

Bay, Luz
Gilmore, Gary
Howland, Allan
Levesque, Cassandra
Selig, Loren
Wade, Alice

Bixby, Peter
Granger, Michael
Johnson, Erik
Smith, Marjorie
Southworth, Thomas
Wall, Janet

Burton, Wayne
Howard, Heath
LaMontagne, Jessica
Miller, Seth
Stone, John

SULLIVAN

Sullivan, Brian
Spilsbury, Walter

Cloutier, John

Damon, Hope

Palmer, William

and the motion failed.

Rep. Damon moved Inexpedient to Legislate.

On a division vote, with 186 members having voted in the affirmative, and 145 in the negative, the motion was adopted.

MOTION TO SPECIAL ORDER

Rep. Luneau moved that **HB 1824-FN**, relative to school district financial distress, be made a Special Order to the next order of business.

Rep. Damon requested a roll call; sufficiently seconded.

YEAS 151 - NAYS 180**YEAS - 151
BELKNAP**

Nagel, David

CARROLL

Burroughs, Anita

Paige, David

McAleer, Chris

Woodcock, Stephen

CHESHIRE

Ames, Dick
Faulkner, Barry
Newell, Jodi

Berch, Paul
Jacobs, Samantha
O'Rorke, Terri

Harvey, Cathryn
Jones, Philip
Parshall, Lucius

Fox, Dru
Germana, Nicholas
Weber, Lucy

GRAFTON

Almy, Susan
Fellows, Sallie
Lucas, Janet
Spahr, Terry

Baldwin, Heather
Fracht, David
Muirhead, Russell
Stavis, Laurel

Bolton, Bill
Hakken-Phillips, Mary
Oppel, Thomas
Stringham, Jerry

Cormen, Thomas
Sullivan, Jared
Rockmore, Ellen
Sykes, George

HILLSBOROUGH

Murray, Alissandra
Chourasia, Manoj
DiSilvestro, Linda
Georges, Mary
Harriott-Gathright, Linda
Judy, Jean
Foxx, Loren
Lloyd, Christal
Manohar, Sanjeev
Preece, David
Rung, Rosemarie
Seibert, Christine
Tellez, Trinidad
Thomas, Wendy

Beauchemin, Paige
Chretien, Suzanne
Elberger, Susan
Gregg, Alicia
Hartnett, Tim
Juris, Louis
Leapley, Nicole
Long, Patrick
McGhee, Kat
Newman, Ray
Ryan, Linda
Spier, Carry
Vail, Suzanne
Wilhelm, Matthew

Bergeron, Dan
Darby, Will
Davis, Fred
Grill, Jessica
Herbert, Christopher
Kerwin, Erin
LeClerc, Daniel
Murray, Megan
Murphy, Nancy
Raymond, Heather
Newman, Sue
Staub, Kathy
Veilleux, Daniel

Budathoki, Suraj
Dargie, Paul
Foss, Lily
Grund, Stephanie
Jack, Martin
Kluger, Lee Ann
Leishman, Peter
MacKenzie, Mark
Petrigno, Peter
Rombeau, Catherine
Salvi, Santosh
Telerski, Laura
Dolan, William

MERRIMACK

Bricchi, Tracy
Gallager, Eric
Hall, Muriel
Schamberg, Thomas
Wallner, Mary Jane

Caplan, Tony
Gibbs, Merryl
Newsom, James
Schultz, Kris
Woods, Gary

Kelly, Eileen
Lane, Connie
Roesener, James
Snodgrass, Jim

Ebel, Karen
Luneau, David
Sargent, Gregory
Soucy, Timothy

ROCKINGHAM

Cahill, Michael
Haskins, Linda
Malloy, Dennis

de Vries, Erica
Murray, Kate
Manos, Zoe

Edgar, Michael
Knab, Allison
Meuse, David

Gilman, Julie
Maggiore, Jim
Muns, Chris

Raynolds, Ned
Sorensen, Carrie
Weinstein, Toni

Read, Ellen
Turer, Eric

Scherr, Buzz
Vallone, Mark

Simpson, Alexis
Ward, Gerald

STRAFFORD

Bay, Luz
Gilmore, Gary
Johnson, Erik
Smith, Marjorie
Southworth, Thomas
Wall, Janet

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

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

Butler, Billie
Howland, Allan
Levesque, Cassandra
Selig, Loren
Wade, Alice

SULLIVAN

Sullivan, Brian

Cloutier, John

Damon, Hope

Palmer, William

NAYS - 180

BELKNAP

Aldrich, Glen
Ploszaj, Tom

Bogert, Steven
Terry, Paul

Comtois, Barbara
Toner, Travis

Harvey-Bolia, Juliet

CARROLL

Avellani, Lino
MacDonald, John

Belcher, Mike
Peternel, Katy

Crawford, Karel
Brown, Richard

Hamblen, Joseph
Taylor, Brian

CHESHIRE

Murphy, Denis
Nalevanko, Rich

Hunt, John
Qualey, James

Karasinski, Sly

Mattson, Rita

COOS

Davis, Arnold
King, Seth

Durkin, Sean
Tierney, James

Korzen, Lori
Tremblay, Marc

Ouellet, Mike

GRAFTON

Barton, Joseph
Franz, Linda
Sellers, John

Beaulier, Calvin
Ladd, Rick

Berezhny, Lex
Louis, Darrell

Bjelobrk, Marie Louise
McFarlane, Donald

HILLSBOROUGH

Alexander, Joe
Boehm, Ralph
Creighton, James
Dumont, Dillon
Flanagan, Jack
Gorski, Ted
Kofalt, Jim
Mazur, Lisa
Morton, Jonathan
Pauer, Diane
Prout, Andrew
Scully, Kevin
Suiter, John
Wherry, Robert

Boyd, Bill
Colcombe, Riché
Kelley, Diane
Dupont, Pierre
Griffin, Gerald
Gould, Linda
Labrie, Brian
McLean, Mark
Noble, Kristin
Peeples, Raymond
Reinfurt, Sherri
Sheehan, Vanessa
Tenczar, Jeffrey

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Daniels, Gary
Erf, Keith
Gagne, Larry
Kenny, Catherine
Lascelles, Richard
Miles, Julie
Ohm, Bill
Post, Lisa
Rice, Kimberly
Sirois, Shane
Mannion, Tom

Berry, Ross
Corcoran, Travis
Drew, Matt
Fedolfi, Jim
Giasson, Henry
Kesselring, Steven
Murphy, Mary
Mooney, Maureen
Paquette, Kathleen
Proulx, Mark
Schneller, John
Slottje, Jeremy
Uler, Jordan

MERRIMACK

Andrus, Louise
McGuire, Dan
Mehegan, Peter
Polozov, Yury
Walsh, Thomas

Aures, Cyril
Devoid, Ricky
Moffett, Michael
Boyd, Stephen
Thibault, James

Aylward, Deborah
Hill, Gregory
Pitaro, Matthew
Seaworth, Brian
Wood, Clayton

McGuire, Carol
Leavitt, John
Plante, Raymond
See, Alvin

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Bernardy, JD
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Edwards, Jess
Harb, Robert
Miner, Laurence
Lynn, Bob
McMahon, Charles
Nelson, Jodi
Popovici-Muller, Daniel
Roy, Terry

Bryer, Scott
DeVito, Sayra
Foote, Charles
Katsakiores, Phyllis
Walsh, Lilli
Pearson, Mark
Melvin, Charles
Osborne, Jason
Porcelli, Susan
Pearson, Stephen

Mannion, Dennis
Donnelly, Tanya
Guthrie, Joseph
Khan, Aboul
Layon, Erica
McDonnell, Valerie
Milz, David
Brown, Pam
Potucek, John
Sabourin dit Choinière, Matt

Thomas, Douglas
Drago, Mike
Guzofski, James
Kuttab, Katelyn
Litchfield, Melissa
McGrath, Linda
Nadeau, Brian
Perez, Kristine
Prudhomme-O'Brien, Katherine
Selby, Donald

Soti, Julius
Sytek, John
Verville, Kevin
Wilson, Vicki

Spillane, James
Tripp, Richard
Vose, Michael

Summers, James
Tudor, Paul
MacDonald, Wayne

Sweeney, Joe
Vandecasteele, Susan
Weyler, Kenneth

STRAFFORD

Bailey, Glenn
Granger, Michael
Hall, Robley

Burnham, Claudine
Harrington, Michael
Turcotte, Len

DeRoy, Susan
Kaczynski, Thomas
Walker, David

Farrington, Samuel
Potenza, Kelley

SULLIVAN

Drye, Margaret
Aron, Michael

Grant, George
Rollins, Skip

Hemingway, Wayne
Spilsbury, Walter

Aron, Judy

and the motion failed

REGULAR CALENDAR PART I CONT'D

HB 1807-FN, relative to information on tax rates and tax impact information on warrant articles. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Riché Colcombe for the **Majority** of Education Funding. The majority of the committee finds that this bill, as amended, makes meaningful improvements to the “Mandatory Report to Voters.” The amendment consolidates three related financial indicators into one graph. By moving away from separate charts for average cost per pupil, average teacher pay, and administrator totals, voters can now visualize the relationship between these key metrics in a single view. The amendment also reduces the required posting size from 18” x 24” to standard 8.5” x 11” paper. The prior requirement imposed significant and unnecessary printing costs on school districts, especially smaller ones with limited budgets. Standard letter-size printing is widely available and far less expensive, lowering the cost of compliance while preserving the transparency the law intends to provide. Finally, this bill addresses a critical transparency loophole regarding the operating budget warrant. Some districts currently omit information required by RSA 671:20 from the warrant, delaying disclosure until the ballot is printed. This deprives voters of essential information during deliberative sessions and public hearings. This bill, as amended, mandates that this information also be printed directly in the annual warrant, ensuring voters are fully informed before they arrive at the polls. Vote 10-8.

Rep. Tracy Bricchi for the **Minority** of Education Funding. The bill and the amendment make changes to the operations of public schools. Under current law recently enacted, reports on school district financial indicators must be printed on 18 x 24 inch paper. The bill as amended changes that requirement to use the more common 8-1/2 x 11 inch paper, and calls for margins to be no more than one inch. While these changes may result in savings to school districts, the minority believes that Granite Staters are more concerned with the lack of state funding for public schools. The minority believes voters would be better served by a report that shows the amount of school funding that comes from the state, the amount of school funding coming from property taxes, and the amount of state business taxes paid by the largest corporations.

Majority Amendment (1004h)

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

AN ACT relative to mandatory reports to voters.

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

1 Education; Students First Act; Mandatory Report to Voters. Amend RSA 189:76, I-V to read as follows:

I. Before any meeting at which any school district adopts a school budget, whether or not the district has adopted the provisions of RSA 194-C:9-b, a mandatory report to voters ~~[must]~~ **shall** be posted in at least 3 appropriate places, 2 of which ~~[must]~~ **shall** be places of business or other public locations, and one of which ~~[shall]~~ **may** be the local newspaper ~~[or, if a local newspaper is not available, the district's website]~~. **The report shall be posted to the school district website, if one exists.** The report ~~[must]~~ **shall** be posted at least 7 days, excluding Sundays and legal holidays, prior to the ~~[meeting]~~ **scheduled date of the first budget hearing held pursuant to RSA 32:5, I.**

II. The report shall display the name of the school district, be prominently titled “Mandatory Report to Voters on School Expenses,” and shall contain ~~[3 line graphs]~~ **one graph with 3 financial indicators**, and one table. When posted in public locations, the report shall be displayed on 2 pages which are each **at least [18] 8.5 inches wide and [24] 11 inches tall. The graphs and table shall fill each page, leaving margins no greater than one inch.**

III. The first line ~~[graph]~~ **indicator** shall be titled “Average Cost Per Pupil” and shall display the district’s annual cost-per-pupil over the previous 10 years. The second line ~~[graph]~~ **indicator** shall be titled “Average Teacher Salary” and shall display the district’s yearly average teacher salary over the previous 10 years. A good faith effort shall be made to adjust each annual statistic for inflation using the U.S. Bureau of Labor Statistics Inflation Calculator or ~~[an]~~ **equivalent, publicly available** resource. Each yearly statistic shall be

clearly labeled, **and the base year used for the inflation adjustment shall be explicitly identified**. In each **line** graph, the upper and lower boundaries of the **dual** y-axis ~~[must]~~ **shall** be capped at the nearest thousand dollars.

IV. The third line **indicator** graph shall be titled “Administrator Salaries” and shall display annual totals of all salaries paid to administrators employed or contracted by the district and corresponding school administrative unit over the previous 10 years. Administrators serving multiple districts may have annotation showing how their salary is apportioned among the multiple districts. A good faith effort shall be made to adjust each annual statistic for inflation using the U.S. Bureau of Labor Statistics Inflation Calculator or ~~[an]~~ equivalent, **publicly available** resource. Each yearly total shall be clearly labeled, **and the base year used for the inflation adjustment shall be explicitly identified**. The upper and lower boundaries of the **dual** y-axis ~~[must]~~ **shall** be capped at the nearest hundred thousand dollars.

IV-a. If the district has fewer than 10 years of historical data, all available years shall be used for the required graphs in paragraphs III and IV.

V. The table shall be titled “Top Administrator Salaries” and shall list the titles and current salaries of the ~~[4]~~ **10** highest-paid administrators employed or contracted by the district or corresponding school administrative unit. If less than ~~[4]~~ **10** administrators are so employed, all administrators shall be so listed.

2 New Section; Education; School Meetings; Annual Warrant Information. Amend RSA 197 by inserting after section 1-g the following new section:

197:1-h Annual Warrant Information. In the annual warrant, the information in RSA 671:20, II (a)-(c) shall be printed immediately below the article number and title, and preceding the question of adopting a school budget.

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

2026-1004h AMENDED ANALYSIS

This bill makes changes to the form and content of the mandatory report to voters distributed before any meeting at which any school district adopts a school budget

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. Luneau offered floor amendment (1110h)

Floor Amendment (1110h)

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

AN ACT relative to mandatory reports to voters.

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

1 Education; Students First Act; Mandatory Report to Voters. Amend RSA 189:76, I-V to read as follows:

I. Before any meeting at which any school district adopts a school budget, whether or not the district has adopted the provisions of RSA 194-C:9-b, a mandatory report to voters ~~[must]~~ **shall** be posted in at least 3 appropriate places, 2 of which ~~[must]~~ **shall** be places of business or other public locations, and one of which ~~[shall]~~ **may** be the local newspaper ~~[or, if a local newspaper is not available, the district's website]~~. **The report shall be posted to the school district website, if one exists.** The report ~~[must]~~ **shall** be posted at least 7 days, excluding Sundays and legal holidays, prior to the ~~[meeting]~~ **scheduled date of the first budget hearing held pursuant to RSA 32:5, I.**

II. The report shall display the name of the school district, be prominently titled “Mandatory Report to Voters on School Expenses,” and shall contain ~~[3 line graphs]~~ **one graph with 3 financial indicators, one graph illustrating revenues used to fund the school district budget and education freedom accounts,** and one table. When posted in public locations, the report shall be displayed on ~~[2]~~ **3** pages which are each **at least** ~~[18]~~ **8.5** inches wide and ~~[24]~~ **11** inches tall. **The graphs and table shall fill each page, leaving margins no greater than one inch.**

III. The first line ~~[graph]~~ **indicator** shall be titled “Average Cost Per Pupil” and shall display the district’s annual cost-per-pupil over the previous 10 years. The second line ~~[graph]~~ **indicator** shall be titled “Average Teacher Salary” and shall display the district’s yearly average teacher salary over the previous 10 years. A good faith effort shall be made to adjust each annual statistic for inflation using the U.S. Bureau of Labor Statistics Inflation Calculator or ~~[an]~~ equivalent, **publicly available** resource. Each yearly statistic shall be clearly labeled, **and the base year used for the inflation adjustment shall be explicitly identified**. In each **line** graph, the upper and lower boundaries of the **dual** y-axis ~~[must]~~ **shall** be capped at the nearest thousand dollars.

IV. The third line **indicator** graph shall be titled “Administrator Salaries” and shall display annual totals of all salaries paid to administrators employed or contracted by the district and corresponding school administrative unit over the previous 10 years. Administrators serving multiple districts may have annotation showing how their salary is apportioned among the multiple districts. A good faith effort shall be made to adjust each annual statistic for inflation using the U.S. Bureau of Labor Statistics Inflation Calculator or

[an] equivalent, **publicly available** resource. Each yearly total shall be clearly labeled, **and the base year used for the inflation adjustment shall be explicitly identified**. The upper and lower boundaries of the **dual** y-axis [must] **shall** be capped at the nearest hundred thousand dollars. **The graph illustrating revenues used to fund the school district budget shall indicate the amount funded by the state, the amount funded by local property taxes, and the amount to fund all education freedom accounts statewide, for each of the previous 10 years. The y-axis for state and local school district budget funding shall range from zero to budget rounded up to the nearest million dollars. The y-axis for education freedom account spending shall range from zero to the prior year total rounded up to the nearest million dollars.**

IV-a. If the district has fewer than 10 years of historical data, all available years shall be used for the required graphs in paragraphs III and IV.

V. The table shall be titled "Top Administrator Salaries" and shall list the titles and current salaries of the [4] **10** highest-paid administrators employed or contracted by the district or corresponding school administrative unit. If less than [4] **10** administrators are so employed, all administrators shall be so listed.

2 New Section; Education; School Meetings; Annual Warrant Information. Amend RSA 197 by inserting after section 1-g the following new section:

197:1-h Annual Warrant Information. In the annual warrant, the information in RSA 671:20, II (a)-(c) shall be printed immediately below the article number and title, and preceding the question of adopting a school budget.

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

2026-1110h

AMENDED ANALYSIS

This bill makes changes to the form and content of the mandatory report to voters distributed before any meeting at which any school district adopts a school budget.

The question being adoption of floor amendment (1110h).

Rep. Luneau and requested a roll call; sufficiently seconded.

YEAS 153 - NAYS 181

YEAS - 153

BELKNAP

Nagel, David

CARROLL

Burroughs, Anita
Woodcock, Stephen

Paige, David

McAleer, Chris

Peternel, Katy

CHESHIRE

Ames, Dick
Faulkner, Barry
Newell, Jodi

Berch, Paul
Jacobs, Samantha
O'Rourke, Terri

Harvey, Cathryn
Jones, Philip
Parshall, Lucius

Fox, Dru
Germana, Nicholas
Weber, Lucy

GRAFTON

Almy, Susan
Fellows, Sallie
Lucas, Janet
Spahr, Terry

Baldwin, Heather
Fracht, David
Muirhead, Russell
Stavis, Laurel

Bolton, Bill
Hakken-Phillips, Mary
Oppel, Thomas
Stringham, Jerry

Cormen, Thomas
Sullivan, Jared
Rockmore, Ellen
Sykes, George

HILLSBOROUGH

Murray, Alissandra
Chourasia, Manoj
Dargie, Paul
Foss, Lily
Grund, Stephanie
Jack, Martin
Kluger, Lee Ann
Leishman, Peter
MacKenzie, Mark
Noble, Kristin
Raymond, Heather
Newman, Sue
Staub, Kathy
Veilleux, Daniel

Beauchemin, Paige
Chretien, Suzanne
DiSilvestro, Linda
Georges, Mary
Harriott-Gathright, Linda
Judy, Jean
Foxy, Loren
Lloyd, Christal
Manohar, Sanjeev
Petrigno, Peter
Rombeau, Catherine
Salvi, Santosh
Telerski, Laura
Dolan, William

Bergeron, Dan
Daniels, Gary
Elberger, Susan
Gregg, Alicia
Hartnett, Tim
Juris, Louis
Leapley, Nicole
Long, Patrick
McGhee, Kat
Preece, David
Rung, Rosemarie
Seibert, Christine
Tellez, Trinidad
Thomas, Wendy

Budathoki, Suraj
Darby, Will
Davis, Fred
Grill, Jessica
Herbert, Christopher
Kerwin, Erin
LeClerc, Daniel
Murray, Megan
Murphy, Nancy
Newman, Ray
Ryan, Linda
Spier, Carry
Vail, Suzanne
Wilhelm, Matthew

MERRIMACK

Bricchi, Tracy
Gibbs, Merry

Caplan, Tony
Lane, Connie

Kelly, Eileen
Luneau, David

Gallager, Eric
Hall, Muriel

Newsom, James
Schultz, Kris
Woods, Gary

Roesener, James
Snodgrass, Jim

Sargent, Gregory
Soucy, Timothy

Schamberg, Thomas
Wallner, Mary Jane

ROCKINGHAM

Cahill, Michael
Haskins, Linda
Malloy, Dennis
Raynolds, Ned
Sorensen, Carrie
Weinstein, Toni

de Vries, Erica
Murray, Kate
Manos, Zoe
Read, Ellen
Turer, Eric

Edgar, Michael
Knab, Allison
Meuse, David
Scherr, Buzz
Vallone, Mark

Gilman, Julie
Maggiore, Jim
Muns, Chris
Simpson, Alexis
Ward, Gerald

STRAFFORD

Bay, Luz
Gilmore, Gary
Johnson, Erik
Smith, Marjorie
Southworth, Thomas
Wall, Janet

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

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

Butler, Billie
Howland, Allan
Levesque, Cassandra
Selig, Loren
Wade, Alice

SULLIVAN

Sullivan, Brian

Cloutier, John

Damon, Hope

Palmer, William

NAYS - 181

BELKNAP

Aldrich, Glen
Harvey-Bolia, Juliet

Bogert, Steven
Ploszaj, Tom

Comtois, Barbara
Terry, Paul

Freeman, Lisa
Toner, Travis

CARROLL

Avellani, Lino
MacDonald, John

Belcher, Mike
Brown, Richard

Crawford, Karel
Taylor, Brian

Hamblen, Joseph

CHESHIRE

Murphy, Denis
Nalevanko, Rich

Hunt, John
Qualey, James

Karasinski, Sly

Mattson, Rita

COOS

Davis, Arnold
King, Seth

Durkin, Sean
Tierney, James

Korzen, Lori
Tremblay, Marc

Ouellet, Mike

GRAFTON

Barton, Joseph
Franz, Linda
Sellers, John

Beaulier, Calvin
Ladd, Rick

Berezhny, Lex
Louis, Darrell

Bjelobrk, Marie Louise
McFarlane, Donald

HILLSBOROUGH

Alexander, Joe
Berry, Ross
Corcoran, Travis
Dumont, Dillon
Flanagan, Jack
Gorski, Ted
Kofalt, Jim
Mazur, Lisa
Morton, Jonathan
Peeples, Raymond
Reinfurt, Sherri
Sheehan, Vanessa
Tenczar, Jeffrey

Ammon, Keith
Boehm, Ralph
Creighton, James
Dupont, Pierre
Griffin, Gerald
Gould, Linda
Labrie, Brian
McLean, Mark
Ohm, Bill
Post, Lisa
Rice, Kimberly
Sirois, Shane
Mannion, Tom

Boyd, Bill
Colcombe, Riché
Kelley, Diane
Erf, Keith
Gagne, Larry
Kenny, Catherine
Lascelles, Richard
Miles, Julie
Paquette, Kathleen
Proulx, Mark
Schneller, John
Slottje, Jeremy
Ulery, Jordan

Barbour, Liz
Cole, Brian
Drew, Matt
Fedolfi, Jim
Giasson, Henry
Kesselring, Steven
Murphy, Mary
Mooney, Maureen
Pauer, Diane
Prout, Andrew
Scully, Kevin
Suiter, John
Wherry, Robert

MERRIMACK

Andrus, Louise
McGuire, Dan
Mehegan, Peter
Polozov, Yuri
Walsh, Thomas

Aures, Cyril
Devold, Ricky
Moffett, Michael
Boyd, Stephen
Thibault, James

Aylward, Deborah
Hill, Gregory
Pitaro, Matthew
Seaworth, Brian
Wood, Clayton

McGuire, Carol
Leavitt, John
Plante, Raymond
See, Alvin

ROCKINGHAM

Ball, Lorie
Thomas, Douglas
Drago, Mike
Guzofski, James

Bernardy, JD
DeSimone, Debra
Edwards, Jess
Harb, Robert

Bryer, Scott
DeVito, Sayra
Foote, Charles
Katsakiores, Phyllis

Mannion, Dennis
Donnelly, Tanya
Guthrie, Joseph
Khan, Aboul

Kuttab, Katelyn
Litchfield, Melissa
McGrath, Linda
Nadeau, Brian
Perez, Kristine
Prudhomme-O'Brien, Katherine
Selby, Donald
Sweeney, Joe
Vandecasteele, Susan
Weyler, Kenneth

Miner, Laurence
Lynn, Bob
McMahon, Charles
Nelson, Jodi
Popovici-Muller, Daniel
Roy, Terry
Soti, Julius
Sytek, John
Verville, Kevin
Wilson, Vicki

Walsh, Lilli
Pearson, Mark
Melvin, Charles
Osborne, Jason
Porcelli, Susan
Pearson, Stephen
Spillane, James
Tripp, Richard
Vose, Michael

Layon, Erica
McDonnell, Valerie
Milz, David
Brown, Pam
Potucek, John
Sabourin dit Choinière, Matt
Summers, James
Tudor, Paul
MacDonald, Wayne

STRAFFORD

Bailey, Glenn
Farrington, Samuel
Potenza, Kelley

Burnham, Claudine
Granger, Michael
Hall, Robley

DeLemus, Susan
Harrington, Michael
Turcotte, Len

DeRoy, Susan
Kaczynski, Thomas
Walker, David

SULLIVAN

Drye, Margaret
Aron, Michael

Grant, George
Rollins, Skip

Hemingway, Wayne
Spilsbury, Walter

Aron, Judy

and the floor amendment failed.

Reps. Noble and Peternel voted yea and intended to vote Nay.

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 185 - NAYS 150

YEAS - 185

BELKNAP

Aldrich, Glen
Harvey-Bolia, Juliet

Bogert, Steven
Ploszaj, Tom

Comtois, Barbara
Terry, Paul

Freeman, Lisa
Toner, Travis

CARROLL

Avellani, Lino
Hamblen, Joseph
Taylor, Brian

Belcher, Mike
MacDonald, John

Crawford, Karel
Peternel, Katy

Paige, David
Brown, Richard

CHESHIRE

Murphy, Denis
Nalevanko, Rich

Hunt, John
Qualey, James

Karasinski, Sly

Mattson, Rita

COOS

Davis, Arnold
King, Seth

Durkin, Sean
Tierney, James

Korzen, Lori
Tremblay, Marc

Ouellet, Mike

GRAFTON

Barton, Joseph
Franz, Linda
Sellers, John

Beaulier, Calvin
Ladd, Rick

Berezhny, Lex
Louis, Darrell

Bjelobrck, Marie Louise
McFarlane, Donald

HILLSBOROUGH

Alexander, Joe
Berry, Ross
Corcoran, Travis
Drew, Matt
Fedolfi, Jim
Giasson, Henry
Kesselring, Steven
Murphy, Mary
Mooney, Maureen
Paquette, Kathleen
Proulx, Mark
Schneller, John
Slottje, Jeremy
Ulery, Jordan

Ammon, Keith
Boehm, Ralph
Creighton, James
Dumont, Dillon
Flanagan, Jack
Gorski, Ted
Kofalt, Jim
Mazur, Lisa
Morton, Jonathan
Pauer, Diane
Prout, Andrew
Scully, Kevin
Suiter, John
Wherry, Robert

Boyd, Bill
Colcombe, Riché
Kelley, Diane
Dupont, Pierre
Griffin, Gerald
Gould, Linda
Labrie, Brian
McLean, Mark
Noble, Kristin
Peeples, Raymond
Reinfurt, Sherri
Sheehan, Vanessa
Tenczar, Jeffrey

Barbour, Liz
Cole, Brian
Daniels, Gary
Erf, Keith
Gagne, Larry
Kenny, Catherine
Lascelles, Richard
Miles, Julie
Ohm, Bill
Post, Lisa
Rice, Kimberly
Sirois, Shane
Mannion, Tom

MERRIMACK

Andrus, Louise
McGuire, Dan
Mehegan, Peter
Polozov, Yuri
Walsh, Thomas

Aures, Cyril
Devoid, Ricky
Moffett, Michael
Boyd, Stephen
Thibault, James

Aylward, Deborah
Hill, Gregory
Pitaro, Matthew
Seaworth, Brian
Wood, Clayton

McGuire, Carol
Leavitt, John
Plante, Raymond
See, Alvin

ROCKINGHAM

Ball, Lorie
 Thomas, Douglas
 Drago, Mike
 Guzofski, James
 Kuttub, Katelyn
 Litchfield, Melissa
 McGrath, Linda
 Nadeau, Brian
 Perez, Kristine
 Prudhomme-O'Brien, Katherine
 Selby, Donald
 Sweeney, Joe
 Vandecasteele, Susan
 Weyler, Kenneth

Bernardy, JD
 DeSimone, Debra
 Edwards, Jess
 Harb, Robert
 Miner, Laurence
 Lynn, Bob
 McMahon, Charles
 Nelson, Jodi
 Popovici-Muller, Daniel
 Roy, Terry
 Soti, Julius
 Sytek, John
 Verville, Kevin
 Wilson, Vicki

Bryer, Scott
 DeVito, Sayra
 Foote, Charles
 Katsakiores, Phyllis
 Walsh, Lilli
 Pearson, Mark
 Melvin, Charles
 Osborne, Jason
 Porcelli, Susan
 Pearson, Stephen
 Spillane, James
 Tripp, Richard
 Vose, Michael

Mannion, Dennis
 Donnelly, Tanya
 Guthrie, Joseph
 Khan, Aboul
 Layon, Erica
 McDonnell, Valerie
 Milz, David
 Brown, Pam
 Potucek, John
 Sabourin dit Choinière, Matt
 Summers, James
 Tudor, Paul
 MacDonald, Wayne

STRAFFORD

Bailey, Glenn
 Farrington, Samuel
 Potenza, Kelley

Burnham, Claudine
 Granger, Michael
 Hall, Robley

DeLemus, Susan
 Harrington, Michael
 Turcotte, Len

DeRoy, Susan
 Kaczynski, Thomas
 Walker, David

SULLIVAN

Drye, Margaret
 Aron, Michael

Grant, George
 Rollins, Skip

Hemingway, Wayne
 Spilsbury, Walter

Aron, Judy

**NAYS - 150
BELKNAP**

Nagel, David

CARROLL

Burroughs, Anita

McAleer, Chris

Woodcock, Stephen

CHESHIRE

Ames, Dick
 Faulkner, Barry
 Newell, Jodi

Berch, Paul
 Jacobs, Samantha
 O'Rourke, Terri

Harvey, Cathryn
 Jones, Philip
 Parshall, Lucius

Fox, Dru
 Germana, Nicholas
 Weber, Lucy

GRAFTON

Almy, Susan
 Fellows, Sallie
 Lucas, Janet
 Spahr, Terry

Baldwin, Heather
 Fracht, David
 Muirhead, Russell
 Stavis, Laurel

Bolton, Bill
 Hakken-Phillips, Mary
 Oppel, Thomas
 Stringham, Jerry

Cormen, Thomas
 Sullivan, Jared
 Rockmore, Ellen
 Sykes, George

HILLSBOROUGH

Murray, Alissandra
 Chourasia, Manoj
 DiSilvestro, Linda
 Georges, Mary
 Harriott-Gathright, Linda
 Jeudy, Jean
 Foxx, Loren
 Lloyd, Christal
 Manohar, Sanjeev
 Preece, David
 Rung, Rosemarie
 Seibert, Christine
 Tellez, Trinidad
 Thomas, Wendy

Beauchemin, Paige
 Chretien, Suzanne
 Elberger, Susan
 Gregg, Alicia
 Hartnett, Tim
 Juris, Louis
 Leapley, Nicole
 Long, Patrick
 McGhee, Kat
 Newman, Ray
 Ryan, Linda
 Spier, Carry
 Vail, Suzanne
 Wilhelm, Matthew

Bergeron, Dan
 Darby, Will
 Davis, Fred
 Grill, Jessica
 Herbert, Christopher
 Kerwin, Erin
 LeClerc, Daniel
 Murray, Megan
 Murphy, Nancy
 Raymond, Heather
 Newman, Sue
 Staub, Kathy
 Veilleux, Daniel

Budathoki, Suraj
 Dargie, Paul
 Foss, Lily
 Grund, Stephanie
 Jack, Martin
 Kluger, Lee Ann
 Leishman, Peter
 MacKenzie, Mark
 Petrigno, Peter
 Rombeau, Catherine
 Salvi, Santosh
 Telerski, Laura
 Dolan, William

MERRIMACK

Bricchi, Tracy
 Gallagher, Eric
 Hall, Muriel
 Schamberg, Thomas
 Wallner, Mary Jane

Caplan, Tony
 Gibbs, Merryl
 Newsom, James
 Schultz, Kris
 Woods, Gary

Kelly, Eileen
 Lane, Connie
 Roesener, James
 Snodgrass, Jim

Ebel, Karen
 Luneau, David
 Sargent, Gregory
 Soucy, Timothy

ROCKINGHAM

Cahill, Michael
 Haskins, Linda
 Malloy, Dennis

de Vries, Erica
 Murray, Kate
 Manos, Zoe

Edgar, Michael
 Knab, Allison
 Meuse, David

Gilman, Julie
 Maggiore, Jim
 Muns, Chris

Raynolds, Ned
Sorensen, Carrie
Weinstein, Toni

Read, Ellen
Turer, Eric

Scherr, Buzz
Vallone, Mark

Simpson, Alexis
Ward, Gerald

STRAFFORD

Bay, Luz
Gilmore, Gary
Johnson, Erik
Smith, Marjorie
Southworth, Thomas
Wall, Janet

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

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

Butler, Billie
Howland, Allan
Levesque, Cassandra
Selig, Loren
Wade, Alice

SULLIVAN

Sullivan, Brian

Cloutier, John

Damon, Hope

Palmer, William

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

CACR 24, relating to the right to educate children. Providing that parents and guardians have a right to direct the education of their children. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Valerie McDonnell for the **Majority** of Education Policy and Administration. In 2025, the legislature adopted HB 10, the Parental Bill of Rights. Similarly, the majority urges the legislature to affirm the inherent natural rights of parents via this CACR. By amending the New Hampshire Constitution, we voice unequivocally that, “[a]ll parents and legal guardians, being the primary educators of their children, have the right to direct the education of their children, and this right shall not be infringed.” Vote 10-8.

Rep. Megan Murray for the **Minority** of Education Policy and Administration. Enshrining an absolute statement regarding parental rights takes away from the nuanced conversation parents naturally have with their children as they age and grow and begin to make choices around their own development, desires, and decisions. It is worth noting that even in a public school education model, parental rights already exist today, as there is always a constant conversation between schools, the district, the student, educators, and parents in shaping the direction of a child’s learning. Also, under the NH Constitution, it is clearly stated in Part 1, Art. 3 that when a person enters society, “they surrender up some of their natural rights to that society, in order to ensure the protection of others. . .” Public education is a public good, worthy of protection in society. Additionally, Part 2, Art. 83 of the NH Constitution has been continually interpreted that there remains a constitutional responsibility to fund public education adequately. When families enter a public education model, there is still an ability for a parent to direct that a pupil abstain from certain aspects of an academic program. That said, there are facets of a public education model that remain a fixed constant for the benefit of all. Enshrining parental rights in absolute terms without well-defined terms or considerations for the nuanced relationships between parents, students, and education models, a near constant conflict would ensue due to the unbalanced nature of the conversation.

The question being adoption of the majority committee amendment.

On a division vote, with 184 members having voted in the affirmative, and 149 in the negative, the majority committee amendment was adopted.

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

Rep. Giasson requested a roll call; sufficiently seconded.

YEAS 181 - NAYS 156

YEAS - 181

BELKNAP

Aldrich, Glen
Harvey-Bolia, Juliet

Bogert, Steven
Ploszaj, Tom

Comtois, Barbara
Terry, Paul

Freeman, Lisa
Toner, Travis

CARROLL

Avellani, Lino
Peternel, Katy

Belcher, Mike
Brown, Richard

Crawford, Karel

MacDonald, John

CHESHIRE

Murphy, Denis
Nalevanko, Rich

Hunt, John
Qualey, James

Karasinski, Sly

Mattson, Rita

COOS

Davis, Arnold
King, Seth

Durkin, Sean
Tierney, James

Korzen, Lori
Tremblay, Marc

Ouellet, Mike

GRAFTON

Barton, Joseph
Franz, Linda
Sellers, John

Beaulier, Calvin
Ladd, Rick

Berezhny, Lex
Louis, Darrell

Bjelobrk, Marie Louise
McFarlane, Donald

HILLSBOROUGH

Alexander, Joe
Berry, Ross
Corcoran, Travis
Drew, Matt
Fedolfi, Jim
Giasson, Henry
Kesselring, Steven
Murphy, Mary
Mooney, Maureen
Paquette, Kathleen
Proulx, Mark
Schneller, John
Slottje, Jeremy
Ulery, Jordan

Ammon, Keith
Boehm, Ralph
Creighton, James
Dumont, Dillon
Flanagan, Jack
Gorski, Ted
Kofalt, Jim
Mazur, Lisa
Morton, Jonathan
Pauer, Diane
Prout, Andrew
Scully, Kevin
Suiter, John
Wherry, Robert

Boyd, Bill
Colcombe, Riché
Kelley, Diane
Dupont, Pierre
Griffin, Gerald
Gould, Linda
Labrie, Brian
McLean, Mark
Noble, Kristin
Peeples, Raymond
Reinfurt, Sherri
Sheehan, Vanessa
Tenczar, Jeffrey

Barbour, Liz
Cole, Brian
Daniels, Gary
Erf, Keith
Gagne, Larry
Kenny, Catherine
Lascelles, Richard
Miles, Julie
Ohm, Bill
Post, Lisa
Rice, Kimberly
Sirois, Shane
Mannion, Tom

MERRIMACK

Andrus, Louise
McGuire, Dan
Mehegan, Peter
Polozov, Yury
Walsh, Thomas

Aures, Cyril
Devoid, Ricky
Moffett, Michael
Boyd, Stephen
Thibault, James

Aylward, Deborah
Hill, Gregory
Pitaro, Matthew
Seaworth, Brian
Wood, Clayton

McGuire, Carol
Leavitt, John
Plante, Raymond
See, Alvin

ROCKINGHAM

Ball, Lorie
Thomas, Douglas
Drago, Mike
Guzowski, James
Kuttab, Katelyn
Litchfield, Melissa
McGrath, Linda
Nelson, Jodi
Popovici-Muller, Daniel
Roy, Terry
Soti, Julius
Sytek, John
Verville, Kevin
Wilson, Vicki

Bernardy, JD
DeSimone, Debra
Edwards, Jess
Harb, Robert
Miner, Laurence
Lynn, Bob
McMahon, Charles
Osborne, Jason
Porcelli, Susan
Pearson, Stephen
Spillane, James
Tripp, Richard
Vose, Michael

Bryer, Scott
DeVito, Sayra
Foote, Charles
Katsakiores, Phyllis
Walsh, Lilli
Pearson, Mark
Melvin, Charles
Brown, Pam
Potucek, John
Sabourin dit Choinière, Matt
Summers, James
Tudor, Paul
MacDonald, Wayne

Mannion, Dennis
Donnelly, Tanya
Guthrie, Joseph
Khan, Aboul
Layon, Erica
McDonnell, Valerie
Nadeau, Brian
Perez, Kristine
Prudhomme-O'Brien, Katherine
Selby, Donald
Sweeney, Joe
Vandecasteele, Susan
Weyler, Kenneth

STRAFFORD

Bailey, Glenn
Farrington, Samuel
Potenza, Kelley

Burnham, Claudine
Granger, Michael
Hall, Robley

DeLemus, Susan
Harrington, Michael
Turcotte, Len

DeRoy, Susan
Kaczynski, Thomas
Walker, David

SULLIVAN

Drye, Margaret
Aron, Michael

Grant, George
Rollins, Skip

Hemingway, Wayne
Spilsbury, Walter

Aron, Judy

NAYS - 156**BELKNAP**

Nagel, David

CARROLL

Burroughs, Anita
Taylor, Brian

Paige, David
Woodcock, Stephen

Hamblen, Joseph

McAleer, Chris

CHESHIRE

Ames, Dick
Faulkner, Barry
Newell, Jodi

Berch, Paul
Jacobs, Samantha
O'Rorke, Terri

Harvey, Cathryn
Jones, Philip
Parshall, Lucius

Fox, Dru
Germana, Nicholas
Weber, Lucy

GRAFTON

Almy, Susan
Fellows, Sallie
Lucas, Janet
Spahr, Terry

Baldwin, Heather
Fracht, David
Muirhead, Russell
Stavis, Laurel

Bolton, Bill
Hakken-Phillips, Mary
Oppel, Thomas
Stringham, Jerry

Cormen, Thomas
Sullivan, Jared
Rockmore, Ellen
Sykes, George

HILLSBOROUGH

Murray, Aissandra
Chourasia, Manoj
DiSilvestro, Linda

Beauchemin, Paige
Chretien, Suzanne
Elberger, Susan

Bergeron, Dan
Darby, Will
Davis, Fred

Budathoki, Suraj
Dargie, Paul
Foss, Lily

Georges, Mary
 Harriott-Gathright, Linda
 Jeudy, Jean
 Foxx, Loren
 Lloyd, Christal
 Manohar, Sanjeev
 Preece, David
 Rung, Rosemarie
 Seibert, Christine
 Tellez, Trinidad
 Thomas, Wendy

Gregg, Alicia
 Hartnett, Tim
 Juris, Louis
 Leapley, Nicole
 Long, Patrick
 McGhee, Kat
 Newman, Ray
 Ryan, Linda
 Spier, Carry
 Vail, Suzanne
 Wilhelm, Matthew

Grill, Jessica
 Herbert, Christopher
 Kerwin, Erin
 LeClerc, Daniel
 Murray, Megan
 Murphy, Nancy
 Raymond, Heather
 Newman, Sue
 Staub, Kathy
 Veilleux, Daniel

Grund, Stephanie
 Jack, Martin
 Kluger, Lee Ann
 Leishman, Peter
 MacKenzie, Mark
 Petrigno, Peter
 Rombeau, Catherine
 Salvi, Santosh
 Telerski, Laura
 Dolan, William

MERRIMACK

Bricchi, Tracy
 Gallagher, Eric
 Hall, Muriel
 Schamberg, Thomas
 Wallner, Mary Jane

Caplan, Tony
 Gibbs, Merryl
 Newsom, James
 Schultz, Kris
 Woods, Gary

Kelly, Eileen
 Lane, Connie
 Roesener, James
 Snodgrass, Jim

Ebel, Karen
 Luneau, David
 Sargent, Gregory
 Soucy, Timothy

ROCKINGHAM

Bridle, Nicholas
 Gilman, Julie
 Maggiore, Jim
 Meuse, David
 Read, Ellen
 Turer, Eric

Cahill, Michael
 Haskins, Linda
 Malloy, Dennis
 Milz, David
 Scherr, Buzz
 Vallone, Mark

de Vries, Erica
 Murray, Kate
 Mandelbaum, Jennifer
 Muns, Chris
 Simpson, Alexis
 Ward, Gerald

Edgar, Michael
 Knab, Allison
 Manos, Zoe
 Reynolds, Ned
 Sorensen, Carrie
 Weinstein, Toni

STRAFFORD

Bay, Luz
 Gilmore, Gary
 Johnson, Erik
 Smith, Marjorie
 Southworth, Thomas
 Wall, Janet

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

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

Butler, Billie
 Howland, Allan
 Levesque, Cassandra
 Selig, Loren
 Wade, Alice

SULLIVAN

Sullivan, Brian

Cloutier, John

Damon, Hope

Palmer, William

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

HB 1132, prohibiting the display of certain flags in public schools and public charter schools and establishing penalties for the display of prohibited flags. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Lisa Freeman for the **Majority** of Education Policy and Administration. This bill limits flag displays in public schools to the United States of America flag, New Hampshire state flag, and the POW/MIA flag. There is an exemption for flags and banners used for instruction, flags and banners representing the school, flags representing a branch of the US military, and any city or town flag in New Hampshire. The bill also contains a remedy for violations of the policy. Displaying political or ideological flags can imply official endorsement of a particular viewpoint. It risks the appearance of taking sides on divisive issues, which undermines impartiality. Public schools should be neutral and welcoming for all students. Vote 10-8.

Rep. Loren Selig for the **Minority** of Education Policy and Administration. The minority of the committee believes that the passage of this bill would be in direct conflict with the First Amendment and freedom of speech and should be found Inexpedient to Legislate. Specifically, under this bill, schools would be prohibited from displaying any flags beyond a narrow list, which risks suppressing cultural expression and undermining inclusive school environments by penalizing harmless displays that reflect student identities or history. This legislation shifts focus from education to punitive enforcement, forcing administrators to police symbolic expression instead of promoting respectful dialogue. Rather than codifying what symbols are acceptable, the legislature should trust educators and communities to nurture respectful, diverse school cultures without harmful mandates.

Majority Amendment (0767h)

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

AN ACT prohibiting the display of certain flags and banners in public schools and public charter schools and establishing penalties for the display of prohibited flags and banners.

Amend the bill by replacing section 1 with the following:

1 New Section; Display of Flags and Banners Prohibited. Amend RSA 189 by inserting after section 17-b the following new section:

189:17-c Display of Flags and Banners Prohibited. All public schools and public charter schools shall be prohibited from displaying any flag or banner inside or outside of school buildings other than the flag of the United States of America, the New Hampshire state flag, and the POW/MIA flag.

I. Flags and banners exempt from this section shall include:

(a) Flags and banners used for instruction in foreign languages, world geography, math, language arts, and United States history classes.

(b) Flags and banners officially representing the school, including those used at school sponsored sports and events;

(c) Flags representing a branch of the United States military.

(d) An official city or town flag of a city or town located in the state of New Hampshire.

II. Any violation of this section shall result in a formal complaint being issued to the school superintendent, who within 5 days of receipt of the complaint shall determine the complaint's validity. If the superintendent finds the complaint constitutes a violation of this section, the superintendent shall order the immediate removal of the prohibited flag from school premises, unless such flag was already removed, as well as issue the following penalties:

(a) For a first violation of this section, a warning shall be issued to the perpetrator of the offense.

(b) For a second violation of this section, the superintendent and local school board or governing body of a public charter school shall determine and issue a disciplinary action against the perpetrator of the offense.

(c) For a third violation and any additional violation of this section, the superintendent shall report the violation to the state board of education, which shall have the authority to issue penalties in accordance with 21-N:11, VI.

2026-0767h

AMENDED ANALYSIS

This bill prohibits the display of certain flags and banners in public schools and public charter schools and establishes penalties for the display of prohibited flags and banners. This bill also authorizes the state board of education to issue monetary penalties for a third or subsequent violation of the act.

The question being adoption of the majority committee amendment.

On a division vote, with 184 members having voted in the affirmative, and 150 in the negative, the majority committee amendment was adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Horrigan offered floor amendment (1095h).

Floor Amendment (1095h)

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

AN ACT relative to the display of flags in schools and compliance with the federal flag code.

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

1 Display of Flags. Amend RSA 189:17 to read as follows:

189:17 Flags; Penalty. [The] ***Each local*** school board ***and each governing body of a public charter school or a public academy*** shall supply a United States and a New Hampshire state flag; the flags shall be made not less than 5 feet in length ***and 31 inches in width***, with a flagstaff and appliances for displaying the same, for every [~~schoolhouse in the district~~] ***school building*** in which a public school, ***public charter school, or public academy*** is taught, at the expense of the district ***or governing body of a public charter school***. They shall prescribe rules and regulations for the proper custody, care and display of these flags, ***including compliance with RSA 3-E:2***; the regulations shall require that wherever possible, the United States flag and the New Hampshire state flag shall be displayed on separate staffs of equal height. When the flags are displayed on the same staff, the United States flag shall be displayed above the New Hampshire flag. The regulations shall further require that such flags shall be displayed prominently outside of the [~~schoolhouse~~] ***school building***. When they are otherwise displayed, the flags shall be placed conspicuously in the principal room of assembly of the [~~schoolhouse~~] ***school building***. The governing board of every private school shall supply a United States flag, such flag to be made not less than 5 feet in length ***and 31 inches in width***, with a flagstaff and appliances for displaying same. They shall make provisions similar to those required in the public schools for the display of said flag. Any members of a school board or the governing board who shall refuse or neglect to comply with the provisions of this section shall be guilty of a violation. ***Nothing in this section shall prohibit the display of any other flags or banners on the premises of any public school, public charter school, public academy, or private school.***

(a) For the purposes of this section, “private school” shall not include a recipient of an education freedom account under RSA 194-F that is not an elementary or secondary school located in the state.

(b) Schools may opt out of the applicability of this chapter for religious or political beliefs of the school community if approved by the local school board or governing body of a school.

2 Local School Board; Flags; Donations Permitted. Amend RSA 189:17-a, III to read as follows:

III. The local school board shall have the authority to accept the donation of flags and appliances, **as well as monetary donations for the purposes of acquiring flags and appliances**, and to determine the location of the flags in the classrooms.

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

2026-1095h

AMENDED ANALYSIS

This bill adds requirements for the display of flags in schools and adds public charter schools as well as public academies to the statute. This bill also permits certain private schools to opt out of said requirements and authorizes local school boards to accept monetary donations for the purpose of acquiring flags and related appliances.

The question being adoption of floor amendment (1095h).

Floor amendment (1095h) failed.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.
Rep. Horrigan offered floor amendment (1133h)

Floor Amendment (1133h)

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

AN ACT prohibiting the display of certain flags and banners in public schools and public charter schools.

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

1 New Section; Display of Flags and Banners Prohibited. Amend RSA 189 by inserting after section 17-b the following new section:

189:17-c Display of Flags and Banners Prohibited.

I. All public schools and public charter schools shall be prohibited from displaying any flag or banner inside or outside of school buildings other than the flag of the United States of America, the New Hampshire state flag, and the POW/MIA flag, notwithstanding paragraphs II and III of this section.

II. Flags and banners exempt from this section shall include:

(a) Flags and banners used for instruction in foreign languages, world geography, math, language arts, and United States history classes.

(b) Flags and banners officially representing the school, including those used at school sponsored sports and events.

(c) Flags representing a branch of the United States military.

(d) National flags of the home countries of foreign exchange students actively attending the school.

(e) The national flag of Canada at any recreational facility used as a hockey rink or basketball court where such facility is owned by the public school district or public charter school.

(f) Official state flags of any other state where students actively attending the school are domiciled, including, but not limited to, where a public school district or public charter school accepts tuition from a student domiciled outside of New Hampshire.

(g) An official city or town flag of a city or town located in the state of New Hampshire.

(h) Any other flag or banner approved by the public school board or public charter school board of trustees.

III. All schools located in interstate school districts shall display inside or outside of school buildings the official state flags of the other states that are within such interstate school district.

2 Effective Date. This act shall take effect September 1, 2026.

2026-1133h

AMENDED ANALYSIS

This bill prohibits the display of certain flags and banners in public schools and public charter schools, with certain exceptions. This bill also requires the display of official state flags of other states in interstate school districts.

The question being adoption of floor amendment (1133h).

Floor amendment (1133h) failed.

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

YEAS 182 - NAYS 156**YEAS - 182
BELKNAP**Aldrich, Glen
Harvey-Bolia, JulietBogert, Steven
Ploszaj, TomComtois, Barbara
Terry, PaulFreeman, Lisa
Toner, Travis**CARROLL**Avellani, Lino
MacDonald, JohnBelcher, Mike
Peternel, KatyCrawford, Karel
Brown, Richard

Hamblen, Joseph

CHESHIREBerch, Paul
Mattson, RitaMurphy, Denis
Nalevanko, RichHunt, John
Qualey, James

Karasinski, Sly

COOSDavis, Arnold
King, SethDurkin, Sean
Tierney, JamesKorzen, Lori
Tremblay, Marc

Ouellet, Mike

GRAFTONBarton, Joseph
Franz, Linda
Sellers, JohnBeaulier, Calvin
Ladd, RickBerezhny, Lex
Louis, DarrellBjelobrk, Marie Louise
McFarlane, Donald**HILLSBOROUGH**Alexander, Joe
Boehm, Ralph
Creighton, James
Dumont, Dillon
Flanagan, Jack
Gorski, Ted
Kofalt, Jim
Mazur, Lisa
Morton, Jonathan
Pauer, Diane
Prout, Andrew
Scully, Kevin
Suiter, John
Wherry, RobertAmmon, Keith
Colcombe, Riché
Kelley, Diane
Dupont, Pierre
Griffin, Gerald
Gould, Linda
Labrie, Brian
McLean, Mark
Noble, Kristin
Peeples, Raymond
Reinfurt, Sherri
Sheehan, Vanessa
Tenczar, JeffreyBarbour, Liz
Cole, Brian
Daniels, Gary
Erf, Keith
Gagne, Larry
Kenny, Catherine
Lascelles, Richard
Miles, Julie
Ohm, Bill
Post, Lisa
Rice, Kimberly
Sirois, Shane
Mannion, TomBerry, Ross
Corcoran, Travis
Drew, Matt
Fedolfi, Jim
Giasson, Henry
Kesselring, Steven
Murphy, Mary
Mooney, Maureen
Paquette, Kathleen
Proulx, Mark
Schneller, John
Slottje, Jeremy
Ulery, Jordan**MERRIMACK**Andrus, Louise
McGuire, Dan
Mehegan, Peter
Polozov, Yuri
Walsh, ThomasAures, Cyril
Devoid, Ricky
Moffett, Michael
Boyd, Stephen
Thibault, JamesAylward, Deborah
Hill, Gregory
Pitaro, Matthew
Seaworth, Brian
Wood, ClaytonMcGuire, Carol
Leavitt, John
Plante, Raymond
See, Alvin**ROCKINGHAM**Ball, Lorie
Thomas, Douglas
Drago, Mike
Guzowski, James
Kuttab, Katelyn
Litchfield, Melissa
McGrath, Linda
Nadeau, Brian
Popovici-Muller, Daniel
Roy, Terry
Soti, Julius
Sytek, John
Verville, Kevin
Wilson, VickiBernardy, JD
DeSimone, Debra
Edwards, Jess
Harb, Robert
Miner, Laurence
Lynn, Bob
McMahon, Charles
Osborne, Jason
Porcelli, Susan
Pearson, Stephen
Spillane, James
Tripp, Richard
Vose, MichaelBryer, Scott
DeVito, Sayra
Foote, Charles
Katsakiores, Phyllis
Walsh, Lilli
Pearson, Mark
Melvin, Charles
Brown, Pam
Potucek, John
Sabourin dit Choinière, Matt
Summers, James
Tudor, Paul
MacDonald, WayneMannion, Dennis
Donnelly, Tanya
Guthrie, Joseph
Khan, Aboul
Layon, Erica
McDonnell, Valerie
Milz, David
Perez, Kristine
Prudhomme-O'Brien, Katherine
Selby, Donald
Sweeney, Joe
Vandecasteele, Susan
Weyler, Kenneth**STRAFFORD**Bailey, Glenn
Farrington, Samuel
Potenza, KelleyBurnham, Claudine
Granger, Michael
Hall, RobleyDeLemus, Susan
Harrington, Michael
Turcotte, LenDeRoy, Susan
Kaczynski, Thomas
Walker, David**SULLIVAN**Drye, Margaret
Aron, MichaelGrant, George
Rollins, SkipHemingway, Wayne
Spilsbury, Walter

Aron, Judy

NAYS - 156 BELKNAP

Bordes, Mike Coker, Matthew Nagel, David

CARROLL

Burroughs, Anita Paige, David McAleer, Chris Taylor, Brian
Woodcock, Stephen

CHESHIRE

Ames, Dick Harvey, Cathryn Fox, Dru Faulkner, Barry
Jacobs, Samantha Jones, Philip Germana, Nicholas Newell, Jodi
O'Rorke, Terri Parshall, Lucius Weber, Lucy

GRAFTON

Almy, Susan Baldwin, Heather Bolton, Bill Corman, Thomas
Fellows, Sallie Fracht, David Hakken-Phillips, Mary Sullivan, Jared
Lucas, Janet Muirhead, Russell Oppel, Thomas Rockmore, Ellen
Spahr, Terry Stavis, Laurel Stringham, Jerry Sykes, George

HILLSBOROUGH

Murray, Aissandra Boyd, Bill Beauchemin, Paige Bergeron, Dan
Budathoki, Suraj Chourasia, Manoj Chretien, Suzanne Darby, Will
Dargie, Paul DiSilvestro, Linda Elberger, Susan Davis, Fred
Foss, Lily Georges, Mary Grill, Jessica Grund, Stephanie
Harriott-Gathright, Linda Hartnett, Tim Herbert, Christopher Jack, Martin
Judy, Jean Juris, Louis Kerwin, Erin Kluger, Lee Ann
Foss, Loren Leapley, Nicole LeClerc, Daniel Leishman, Peter
Lloyd, Christal Long, Patrick Murray, Megan MacKenzie, Mark
Manohar, Sanjeev McGhee, Kat Murphy, Nancy Petrigno, Peter
Preece, David Newman, Ray Raymond, Heather Rombau, Catherine
Rung, Rosemarie Ryan, Linda Newman, Sue Salvi, Santosh
Seibert, Christine Spier, Carry Staub, Kathy Telerski, Laura
Tellez, Trinidad Vail, Suzanne Veilleux, Daniel Dolan, William
Thomas, Wendy Wilhelm, Matthew

MERRIMACK

Bricchi, Tracy Caplan, Tony Kelly, Eileen Ebel, Karen
Gallager, Eric Gibbs, Merryl Lane, Connie Luneau, David
Hall, Muriel Newsom, James Roesener, James Sargent, Gregory
Schamberg, Thomas Schultz, Kris Snodgrass, Jim Soucy, Timothy
Wallner, Mary Jane Woods, Gary

ROCKINGHAM

Bridle, Nicholas Cahill, Michael de Vries, Erica Edgar, Michael
Gilman, Julie Haskins, Linda Murray, Kate Knab, Allison
Maggiore, Jim Malloy, Dennis Mandelbaum, Jennifer Manos, Zoe
Meuse, David Muns, Chris Nelson, Jodi Reynolds, Ned
Read, Ellen Scherr, Buzz Simpson, Alexis Sorensen, Carrie
Turer, Eric Vallone, Mark Ward, Gerald Weinstein, Toni

STRAFFORD

Bay, Luz Bixby, Peter Burton, Wayne Butler, Billie
Gilmore, Gary Howard, Heath Horrigan, Timothy Howland, Allan
Johnson, Erik LaMontagne, Jessica Laroche, John Levesque, Cassandra
Smith, Marjorie Miller, Seth Schmidt, Peter Selig, Loren
Southworth, Thomas Stone, John Pearson, Wayne Wade, Alice
Wall, Janet

SULLIVAN

Sullivan, Brian Cloutier, John Damon, Hope Palmer, William

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

HB 1155, relative to the home education advisory council. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Katy Peternel for the **Majority** of Education Policy and Administration. As amended, this bill repeals the Home Education Advisory Council. This council was instituted in the 1990 home education statute. Over the last 35 years, it has served its purpose but has become unnecessary as home education has become more prevalent and is well understood by both the public and other education pathways. In recent years, the council has become mired in controversy and now requires two department staff to oversee the contentious bimonthly

or monthly meetings. The majority believes this is an abuse of taxpayer resources. The majority believes that past concerns which have been addressed on the council can be managed with home education organizations reaching out to the department for clarification of concerns in local districts, or to the legislature in the event that future legislation is necessary. Vote 10-8.

Rep. Muriel Hall for the **Minority** of Education Policy and Administration. The minority believes that repealing the Home Education Advisory Council (HEAC), the existing state-level support mechanism for home education, silences the voices of the home education community. The testimony we heard favored ways in which this bill could be amended to be made more effective, but no one testified to eliminate the council altogether. Dissension within a committee is normal and can be a productive means of producing compromise leading to beneficial results for all home-schooled students. HEAC has existed for 30 years, with representatives from home education organizations, legislators, and representatives from related educational fields. The council is valuable and beneficial in conveying trends and current issues to its home education community as well as to the Commissioner of Education.

Majority Amendment (0878h)

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

AN ACT repealing the home education advisory council.

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

1 Home Education; Rulemaking. Amend RSA 193-A:3 to read as follows:

193-A:3 Rulemaking. The state board of education shall adopt rules, pursuant to RSA 541-A, relative to administering the home education program. ~~[The state board of education shall, in addition to the provisions of RSA 541-A, submit any notice of proposed rulemaking under RSA 541-A:6 and any final proposed rule under RSA 541-A:12 to the home education advisory council established in RSA 193-A:10 for review and comment.]~~

2 Repeal. RSA 193-A:10, relative to the home education advisory council, is repealed.

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

2026-0878h AMENDED ANALYSIS

This bill repeals the home education advisory council.

The question being adoption of the majority committee amendment.

Rep. Telerski requested a roll call; sufficiently seconded.

YEAS 183 - NAYS 151

YEAS - 183

BELKNAP

Aldrich, Glen
Freeman, Lisa
Toner, Travis

Bogert, Steven
Harvey-Bolia, Juliet

Bordes, Mike
Ploszaj, Tom

Comtois, Barbara
Terry, Paul

CARROLL

Avellani, Lino
Peternel, Katy

Belcher, Mike
Brown, Richard

Hamblen, Joseph
Taylor, Brian

MacDonald, John

CHESHIRE

Murphy, Denis
Nalevanko, Rich

Hunt, John
Qualey, James

Karasinski, Sly

Mattson, Rita

COOS

Davis, Arnold
King, Seth

Durkin, Sean
Tierney, James

Korzen, Lori
Tremblay, Marc

Ouellet, Mike

GRAFTON

Barton, Joseph
Franz, Linda
Sellers, John

Beaulier, Calvin
Ladd, Rick

Berezhny, Lex
Louis, Darrell

Bjelobrk, Marie Louise
McFarlane, Donald

HILLSBOROUGH

Alexander, Joe
Boehm, Ralph
Creighton, James
Dumont, Dillon
Flanagan, Jack
Gorski, Ted
Kofalt, Jim

Ammon, Keith
Colcombe, Riché
Kelley, Diane
Dupont, Pierre
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Gould, Linda
Labrie, Brian

Barbour, Liz
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Daniels, Gary
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Mazur, Lisa
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Pauer, Diane
Prout, Andrew
Scully, Kevin
Suiter, John
Wherry, Robert

McLean, Mark
Noble, Kristin
Peeples, Raymond
Reinfurt, Sherri
Sheehan, Vanessa
Tenczar, Jeffrey

Miles, Julie
Ohm, Bill
Post, Lisa
Rice, Kimberly
Sirois, Shane
Mannion, Tom

Mooney, Maureen
Paquette, Kathleen
Proulx, Mark
Schneller, John
Slottje, Jeremy
Ulery, Jordan

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Devoid, Ricky
Moffett, Michael
Boyd, Stephen
Thibault, James

Aylward, Deborah
Hill, Gregory
Pitaro, Matthew
Seaworth, Brian
Wood, Clayton

McGuire, Carol
Leavitt, John
Plante, Raymond
See, Alvin

McGuire, Dan
Mehegan, Peter
Polozov, Yuri
Walsh, Thomas

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Layon, Erica
McDonnell, Valerie
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Potucek, John
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Perez, Kristine
Prudhomme-O'Brien, Katherine
Selby, Donald
Sweeney, Joe
Vandecasteele, Susan
Weyler, Kenneth

Bridle, Nicholas
DeSimone, Debra
Edwards, Jess
Harb, Robert
Miner, Laurence
Lynn, Bob
McMahon, Charles
Nelson, Jodi
Popovici-Muller, Daniel
Roy, Terry
Soti, Julius
Sytek, John
Verville, Kevin
Wilson, Vicki

Bryer, Scott
DeVito, Sayra
Foote, Charles
Katsakiores, Phyllis
Walsh, Lilli
Pearson, Mark
Melvin, Charles
Osborne, Jason
Porcelli, Susan
Pearson, Stephen
Spillane, James
Tripp, Richard
Vose, Michael

STRAFFORD

Bailey, Glenn
Farrington, Samuel
Potenza, Kelley

Burnham, Claudine
Granger, Michael
Hall, Robley

DeLemus, Susan
Harrington, Michael
Turcotte, Len

DeRoy, Susan
Kaczynski, Thomas
Walker, David

SULLIVAN

Drye, Margaret
Aron, Michael

Grant, George
Rollins, Skip

Hemingway, Wayne
Spilsbury, Walter

Aron, Judy

NAYS - 151 BELKNAP

Coker, Matthew

Nagel, David

CARROLL

Burroughs, Anita
Woodcock, Stephen

Crawford, Karel

Paige, David

McAleer, Chris

CHESHIRE

Ames, Dick
Faulkner, Barry
Newell, Jodi

Berch, Paul
Jacobs, Samantha
O'Rorke, Terri

Harvey, Cathryn
Jones, Philip
Parshall, Lucius

Fox, Dru
Germana, Nicholas
Weber, Lucy

GRAFTON

Almy, Susan
Fellows, Sallie
Lucas, Janet
Spahr, Terry

Baldwin, Heather
Fracht, David
Muirhead, Russell
Stavis, Laurel

Bolton, Bill
Hakken-Phillips, Mary
Oppel, Thomas
Stringham, Jerry

Cormen, Thomas
Sullivan, Jared
Rockmore, Ellen
Sykes, George

HILLSBOROUGH

Murray, Alissandra
Budathoki, Suraj
Dargie, Paul
Foss, Lily
Grund, Stephanie
Jeudy, Jean
Foxx, Loren
Lloyd, Christal
Manohar, Sanjeev
Preece, David
Rung, Rosemarie

Boyd, Bill
Chourasia, Manoj
DiSilvestro, Linda
Georges, Mary
Harriott-Gathright, Linda
Juris, Louis
Leapley, Nicole
Long, Patrick
McGhee, Kat
Newman, Ray
Ryan, Linda

Beauchemin, Paige
Chretien, Suzanne
Elberger, Susan
Gregg, Alicia
Hartnett, Tim
Kerwin, Erin
LeClerc, Daniel
Murray, Megan
Murphy, Nancy
Raymond, Heather
Newman, Sue

Bergeron, Dan
Darby, Will
Davis, Fred
Grill, Jessica
Jack, Martin
Kluger, Lee Ann
Leishman, Peter
MacKenzie, Mark
Petrigno, Peter
Rombeau, Catherine
Salvi, Santosh

Seibert, Christine
Tellez, Trinidad
Thomas, Wendy

Spier, Carry
Vail, Suzanne

Staub, Kathy
Veilleux, Daniel

Telerski, Laura
Dolan, William

MERRIMACK

Andrus, Louise
Ebel, Karen
Luneau, David
Sargent, Gregory
Soucy, Timothy

Bricchi, Tracy
Gallager, Eric
Hall, Muriel
Schamberg, Thomas
Wallner, Mary Jane

Caplan, Tony
Gibbs, Merryl
Newsom, James
Schultz, Kris
Woods, Gary

Kelly, Eileen
Lane, Connie
Roesener, James
Snodgrass, Jim

ROCKINGHAM

Cahill, Michael
Haskins, Linda
Malloy, Dennis
Muns, Chris
Simpson, Alexis
Ward, Gerald

de Vries, Erica
Murray, Kate
Mandelbaum, Jennifer
Raynolds, Ned
Sorensen, Carrie
Weinstein, Toni

Edgar, Michael
Knab, Allison
Manos, Zoe
Read, Ellen
Turer, Eric

Gilman, Julie
Maggiore, Jim
Meuse, David
Scherr, Buzz
Vallone, Mark

STRAFFORD

Bay, Luz
Horrigan, Timothy
Laroche, John
Schmidt, Peter
Pearson, Wayne

Bixby, Peter
Howland, Allan
Levesque, Cassandra
Selig, Loren
Wall, Janet

Burton, Wayne
Johnson, Erik
Smith, Marjorie
Southworth, Thomas

Howard, Heath
LaMontagne, Jessica
Miller, Seth
Stone, John

SULLIVAN

Sullivan, Brian

Cloutier, John

Damon, Hope

Palmer, William

majority committee amendment was adopted.

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

YEAS 180 - NAYS 156

YEAS - 180

BELKNAP

Aldrich, Glen
Freeman, Lisa
Toner, Travis

Bogert, Steven
Harvey-Bolia, Juliet

Bordes, Mike
Ploszaj, Tom

Comtois, Barbara
Terry, Paul

CARROLL

Avellani, Lino
Pernel, Katy

Belcher, Mike
Brown, Richard

Hamblen, Joseph

MacDonald, John

CHESHIRE

Murphy, Denis
Nalevanko, Rich

Hunt, John
Qualey, James

Karasinski, Sly

Mattson, Rita

COOS

Davis, Arnold
King, Seth

Durkin, Sean
Tierney, James

Korzen, Lori
Tremblay, Marc

Ouellet, Mike

GRAFTON

Barton, Joseph
Franz, Linda
Sellers, John

Beaulier, Calvin
Ladd, Rick

Berezhny, Lex
Louis, Darrell

Bjelobrk, Marie Louise
McFarlane, Donald

HILLSBOROUGH

Alexander, Joe
Boehm, Ralph
Creighton, James
Dumont, Dillon
Flanagan, Jack
Gorski, Ted
Kofalt, Jim
Mazur, Lisa
Morton, Jonathan
Pauer, Diane
Prout, Andrew
Scully, Kevin
Tenczar, Jeffrey

Ammon, Keith
Colcombe, Riché
Kelley, Diane
Dupont, Pierre
Griffin, Gerald
Gould, Linda
Labrie, Brian
McLean, Mark
Noble, Kristin
Peoples, Raymond
Reinfurt, Sherri
Sheehan, Vanessa
Mannion, Tom

Barbour, Liz
Cole, Brian
Daniels, Gary
Erf, Keith
Gagne, Larry
Kenny, Catherine
Lascelles, Richard
Miles, Julie
Ohm, Bill
Post, Lisa
Rice, Kimberly
Sirois, Shane
Ulery, Jordan

Berry, Ross
Corcoran, Travis
Drew, Matt
Fedolfi, Jim
Giasson, Henry
Kesselring, Steven
Murphy, Mary
Mooney, Maureen
Paquette, Kathleen
Proulx, Mark
Schneller, John
Slottje, Jeremy
Wherry, Robert

MERRIMACK

Aures, Cyril
Devoid, Ricky
Moffett, Michael
Boyd, Stephen
Thibault, James

Aylward, Deborah
Hill, Gregory
Pitaro, Matthew
Seaworth, Brian
Wood, Clayton

McGuire, Carol
Leavitt, John
Plante, Raymond
See, Alvin

McGuire, Dan
Mehegan, Peter
Polozov, Yuri
Walsh, Thomas

ROCKINGHAM

Ball, Lorie
Mannion, Dennis
Donnelly, Tanya
Guthrie, Joseph
Khan, Aboul
Layon, Erica
McDonnell, Valerie
Milz, David
Brown, Pam
Potucek, John
Sabourin dit Choinière, Matt
Summers, James
Tudor, Paul
Weyler, Kenneth

Bernardy, JD
Thomas, Douglas
Drago, Mike
Guzowski, James
Kuttab, Katelyn
Litchfield, Melissa
McGrath, Linda
Nadeau, Brian
Perez, Kristine
Prudhomme-O'Brien, Katherine
Selby, Donald
Sweeney, Joe
Verville, Kevin
Wilson, Vicki

Bridle, Nicholas
DeSimone, Debra
Edwards, Jess
Harb, Robert
Miner, Laurence
Lynn, Bob
McMahon, Charles
Nelson, Jodi
Popovici-Muller, Daniel
Roy, Terry
Soti, Julius
Sytek, John
Vose, Michael

Bryer, Scott
DeVito, Sayra
Foote, Charles
Katsakiores, Phyllis
Walsh, Lilli
Pearson, Mark
Melvin, Charles
Osborne, Jason
Porcelli, Susan
Pearson, Stephen
Spillane, James
Tripp, Richard
MacDonald, Wayne

STRAFFORD

Bailey, Glenn
Farrington, Samuel
Potenza, Kelley

Burnham, Claudine
Granger, Michael
Hall, Robley

DeLemus, Susan
Harrington, Michael
Turcotte, Len

DeRoy, Susan
Kaczynski, Thomas
Walker, David

SULLIVAN

Drye, Margaret
Aron, Michael

Grant, George
Rollins, Skip

Hemingway, Wayne
Spilsbury, Walter

Aron, Judy

NAYS - 156**BELKNAP**

Coker, Matthew

Nagel, David

CARROLL

Burroughs, Anita
Taylor, Brian

Crawford, Karel
Woodcock, Stephen

Paige, David

McAleer, Chris

CHESHIRE

Ames, Dick
Faulkner, Barry
Newell, Jodi

Berch, Paul
Jacobs, Samantha
O'Rorke, Terri

Harvey, Cathryn
Jones, Philip
Parshall, Lucius

Fox, Dru
Germana, Nicholas
Weber, Lucy

GRAFTON

Almy, Susan
Fellows, Sallie
Lucas, Janet
Spahr, Terry

Baldwin, Heather
Fracht, David
Muirhead, Russell
Stavis, Laurel

Bolton, Bill
Hakken-Phillips, Mary
Oppel, Thomas
Stringham, Jerry

Cormen, Thomas
Sullivan, Jared
Rockmore, Ellen
Sykes, George

HILLSBOROUGH

Murray, Alissandra
Budathoki, Suraj
Dargie, Paul
Foss, Lily
Grund, Stephanie
Jack, Martin
Kluger, Lee Ann
Leishman, Peter
MacKenzie, Mark
Petrigno, Peter
Rombeau, Catherine
Salvi, Santosh
Telerski, Laura
Dolan, William

Boyd, Bill
Chourasia, Manoj
DiSilvestro, Linda
Georges, Mary
Harriott-Gathright, Linda
Judy, Jean
Foxy, Loren
Lloyd, Christal
Manohar, Sanjeev
Preece, David
Rung, Rosemarie
Seibert, Christine
Tellez, Trinidad
Thomas, Wendy

Beauchemin, Paige
Chretien, Suzanne
Elberger, Susan
Gregg, Alicia
Hartnett, Tim
Juris, Louis
Leapley, Nicole
Long, Patrick
McGhee, Kat
Newman, Ray
Ryan, Linda
Spier, Carry
Vail, Suzanne
Wheeler, Jonah

Bergeron, Dan
Darby, Will
Davis, Fred
Grill, Jessica
Herbert, Christopher
Kerwin, Erin
LeClerc, Daniel
Murray, Megan
Murphy, Nancy
Raymond, Heather
Newman, Sue
Staub, Kathy
Veilleux, Daniel
Wilhelm, Matthew

MERRIMACK

Andrus, Louise
Ebel, Karen

Bricchi, Tracy
Gallager, Eric

Caplan, Tony
Gibbs, Merry

Kelly, Eileen
Lane, Connie

Luneau, David
Sargent, Gregory
Soucy, Timothy

Hall, Muriel
Schamberg, Thomas
Wallner, Mary Jane

Newsom, James
Schultz, Kris
Woods, Gary

Roesener, James
Snodgrass, Jim

ROCKINGHAM

Cahill, Michael
Haskins, Linda
Malloy, Dennis
Muns, Chris
Simpson, Alexis
Vandecasteele, Susan

de Vries, Erica
Murray, Kate
Mandelbaum, Jennifer
Raynolds, Ned
Sorensen, Carrie
Ward, Gerald

Edgar, Michael
Knab, Allison
Manos, Zoe
Read, Ellen
Turer, Eric
Weinstein, Toni

Gilman, Julie
Maggiore, Jim
Meuse, David
Scherr, Buzz
Vallone, Mark

STRAFFORD

Bay, Luz
Howard, Heath
LaMontagne, Jessica
Miller, Seth
Pearson, Wayne

Bixby, Peter
Horrigan, Timothy
Laroche, John
Schmidt, Peter
Wall, Janet

Burton, Wayne
Howland, Allan
Levesque, Cassandra
Selig, Loren

Gilmore, Gary
Johnson, Erik
Smith, Marjorie
Southworth, Thomas

SULLIVAN

Sullivan, Brian

Cloutier, John

Damon, Hope

Palmer, William

majority committee report was adopted and the bill was ordered to third reading.
Rep. Butler did not vote and wished to be recorded against.

HB 1268, modifying definitions and requirements relative to home education programs. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Kristin Noble for the **Majority** of Education Policy and Administration. This bill as amended fundamentally reforms New Hampshire's home education framework under RSA 193-A by replacing outdated regulatory structures with a streamlined, parent-centered approach. It affirms the natural right of parents to direct their child's education, regardless of the child's ability, disability, or needs. Current law imposes moderate requirements that many families view as intrusive and unnecessary for successful home education. The bill shifts to a low-regulation model, placing New Hampshire among the freest states for homeschooling by eliminating burdensome requirements such as mandatory notifications, record-keeping, portfolios, annual evaluations, and state oversight for non-publicly funded home education programs. Provisions addressing privacy, data exclusion, warrant requirements for inspections and liability for bad-faith reports, protect home educating families from unwarranted government intrusion or discrimination. This bill as amended removes education as a factor in child neglect definitions and welfare assessments under RSA 169-C, focusing investigations on genuine evidence of abuse or neglect rather than educational method. The bill also clarifies distinctions between independent home education and publicly funded homeschooling in the Education Freedom Account pathway, while preserving access to public programs. The majority of the committee supports the bill as amended because it advances core principles of parental rights, educational freedom, and limited government intervention in family decisions. Vote 10-8.

Rep. Megan Murray for the **Minority** of Education Policy and Administration. The minority of the committee holds the position that this bill makes broad sweeping changes not only to certain programs under which the Education Freedom Accounts and Home Educated learning pathways seek access to resources, it becomes clear that public districts end up sharing the cost of those. Additionally, throughout the bill, there are a myriad of definitions that have been changed that fundamentally stand in direct opposition to the ability to have consistency and clarity for the Department of Education, risking potential federal and state legal liability as a result of such changes. Even changing the definition of the word "child" has negative consequences to education and certainly other departments, federal, and state law. "Child" is defined elsewhere in statute as: any person who has not reached his eighteenth birthday. This change alone may eliminate and prevent access to programs and services families are entitled to seek access to. There are changes that charge superintendents with working with home educated families to meet their goals, but in the same paragraph, set out a series of limitations that could create conflict in how a superintendent could interact with home education families. Additionally, there are serious conflicts within the bill that could limit the state's ability to comply with the Individuals with Disabilities Education Act (IDEA) and its understanding of a child's needs, because notification becomes optional, thus limiting the ability for the child find program to successfully work, comply and identify children who may require services. Furthermore, in creating an optional waiver, it would become next to impossible for districts to plan to set aside an appropriate amount of funding, set budgets, seek federal or state grants around disability services creating an unfunded mandate in that respect. It already takes districts approximately 18 months in arrears to receive funding reimbursement for special education service costs. Such a change would disenfranchise students needing those services while putting millions of dollars, compliance, and access to services at risk as a result. The tax burden at the local level would undoubtedly rise as a result of a loss of vital funding. For these reasons and many more the minority of the committee recommends this bill Inexpedient to Legislate, as we believe that it creates financial and structural harm to education and special education frameworks and services.

Majority Amendment (0887h)

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

AN ACT modifying the structure and administration of home education programs.

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

2 Access to Public School Programs by Nonpublic, Public Chartered School, Education Freedom Account or Home Educated Pupils; Home Schools Cross-Reference Added. Amend RSA 193:1-c, to read as follows:

193:1-c Access to Public School Programs by Nonpublic, Public Chartered [Schools] ***School, Education Freedom Account***, or Home Educated Pupils.

I. Nonpublic, public chartered school, ***education freedom account***, or home educated pupils shall have access to curricular courses and cocurricular programs offered by the school district in which the pupil resides, ***including the statewide assessment and preliminary scholastic aptitude test (PSAT)***. The local school board shall adopt a policy regulating participation in curricular courses and cocurricular programs, provided that such policy shall not be more restrictive for non-public, public chartered school, ***education freedom account***, or home educated pupils than the policy governing the school district's resident pupils. In this section, "cocurricular" shall include those activities which are designed to supplement and enrich regular academic programs of study, provide opportunities for social development, and encourage participation in clubs, athletics, performing groups, and service to school and community. For purposes of allowing access as described in this section, a "home educated pupil" includes any pupil who is a "child with a disability" under RSA 186-C:2, I, until such time as such pupil has acquired a high school diploma or reached age 21 inclusive; but shall not include any other pupil who has graduated from a high school level program of home education, or its equivalent, or has attained the age of 21.

II. Nothing in this section shall be construed to require a parent to establish a home education program which exceeds the requirements of RSA 193:1 ***or RSA 193-A***.

3 Home Education; Definitions and Administration of Program Modified. RSA 193-A:1-5 is repealed and reenacted to read as follows:

193-A:1 Definitions.

I. "Certificate of completion" means an optional document signed by the parent of a home educated child certifying that the child has completed a home education program.

II. "Child" means a child or children at least 6 years of age and under 18 years of age who is a resident of New Hampshire.

III. "Optional declaration of home education" means an optional written statement that the student is home educated and meets the New Hampshire compulsory attendance requirements, signed by a parent which identifies a home educated student by name, date of birth, and current address.

IV. "Home educated student" means a student receiving an education provided, coordinated, or directed by a parent for his or her own child. This definition shall not include a student participating in the education freedom account program established in RSA 194-F.

V. "Parent" means a parent, guardian, or person having legal custody of a child.

VI. "Resident district" means the school district in which the child resides.

193-A:2 Program Established; Purpose. The general court recognizes that the right of a parent to direct the education of their child is a natural right. A parent may elect to educate his or her own child at home in accordance with this chapter.

193-A:3 Optional Declaration of Home Education. A declaration of home education shall not be required, except to obtain access to public school programs pursuant to RSA 193:1-c or upon withdrawal from a public school.

193-A:4 Parental Right to Home Education; Independence of Home Education, Program Schedule, Privacy, and Termination of Program.

I. A parent shall have the right to establish a home education program for his or her own child, regardless of ability, disability, developmental status, or educational needs.

II. The resident district superintendent shall work with parents upon request in meeting the goals of their home education program. No superintendent, school board, school principal, other school district official, local official, or state official shall propose, adopt, or enforce any policy or procedure governing home educated students except for policies related to the courses and programs described in RSA 193:1-c, including participation in the statewide assessment or PSAT.

III. Dates and hours of instruction shall not be required to coincide with the resident district calendar. The academic term of a home education program shall not be required to coincide with the resident district academic year. Notwithstanding any other law to the contrary, the hours and days set for employment or other activities for students shall not apply to home educated students.

IV. Except in the circumstance where a student is included in the resident district's average daily membership in attendance or ADMA pursuant to RSA 198:38 or by participating in the statewide assessment, the home educated child shall not:

(a) Have their data tracked through the statewide longitudinal data system (SLDS) as defined by RSA 189:65; or

(b) Have their student information collected pursuant to RSA 193-E:5.

V. Participation in a home education program pursuant to this chapter shall be presumed as education required by law. Therefore in proceedings under RSA 169-C the state shall not:

(a) Use such participation as evidence of, or as a basis for finding, failure to provide education as required by law;

(b) Consider such participation in a home education program as a negative factor in assessing the adequacy of meeting a child's education needs; and

(c) Use the lack of notice, records, evaluations, or assessments in a home education program operated consistent with this chapter as a failure to provide education as required by law.

VI. No agent of the department of health and human services, division of children, youth and families, or any law enforcement officer shall enter or inspect the home of a family engaged in home education without a warrant issued by a court upon probable cause, or genuine exigent circumstances as defined by law. Threats of a child removal or placement in foster care shall not be used to coerce consent to entry or to share records. An anonymous report, standing alone, shall not constitute probable cause.

VII. Any school district official, employee, or agent, or any other person who knowingly makes a report to the division of children, youth and families or to law enforcement regarding a home educating family that is motivated primarily by the family's participation in home education, and not by a good-faith belief based on specific, articulable facts that a child is being abused or neglected as defined in RSA 169-C:3, shall be personally liable for damages of not less than \$1,000 per violation, including reasonable attorney's fees, to the aggrieved family.

VIII. Any information submitted to any state agency, school district, or government entity regarding a home education program shall be confidential and shall not be disclosed to any other state agency, federal agency, or third party without the written consent of the parent. Such disclosure by a government employee acting in an official capacity, shall constitute a violation of RSA 91-A:8, IV.

IX. A home education program is terminated when a home educated student is enrolled full time in a public school, a public charter school, a nonpublic school, or the education freedom account program established in RSA 194-F.

193-A:5 Optional Certificate of Completion. A parent may certify the completion of a home education program pursuant to this chapter.

I. A certificate of completion may include the following information:

(a) Name and date of birth of the child;

(b) Names of the parents;

(c) Date of completion of the home education program; and

(d) Signature of the parent.

II. If a parent submits the certificate of completion to the commissioner of the department of education, within 30 days of receipt the commissioner shall issue a certificate of completion which shall include the home education student has completed a home education program in the state of New Hampshire pursuant to RSA 193-A.

4 Education Freedom Accounts; Home Education Notification Requirement Removed. Amend RSA 194-F:2, IX to read as follows:

IX. A home education program pursuant to ~~[RSA 193-A:5]~~ **RSA 193-A** is terminated upon the commencement of a student's participation in ~~[an]~~ **the** EFA program. ~~[A parent shall provide notification pursuant to RSA 193-A:5 when a student starts participating in an EFA program.]~~ **If the student is accessing programs pursuant to 193:1-c, a parent shall notify the resident district that the student is now participating in the EFA program.**

5 Costs of Capital Outlay and Operation; Cross-Reference to Exception Removed. Amend RSA 195:7, II to read as follows:

II. Home education pupils who do not receive services from the cooperative school district ~~[, except an evaluation pursuant to RSA 193-A:6, II,]~~ shall not be included in the average daily membership relative to apportionment formulas.

6 Procedure for Formation of Cooperative School District; Cross-Reference to Exception Removed. Amend RSA 195:18, III(e)-(g) to read as follows:

(e) The method of apportioning the operating expenses of the cooperative school district among the several preexisting districts and the time and manner of payment of such shares. Home education pupils who do not receive services from the cooperative school district ~~[, except an evaluation pursuant to RSA 193-A:6, H]~~ shall not be included in the average daily membership relative to apportionment formulas.

(f) The indebtedness of any preexisting district which the cooperative school district is to assume.

(g) The method of apportioning the capital expenses of the cooperative school district among the several preexisting districts, which need not be the same as the method for apportioning operating expenses, and the time and manner of payment of such shares. Capital expenses shall include the costs of acquiring

land and buildings for school purposes, including property owned by a preexisting district; the construction, furnishing and equipping of school buildings and facilities; and the payment of the principal and interest of any indebtedness which is incurred to pay for the same or which is assumed by the cooperative school district. Home education pupils who do not receive services from the cooperative school district [~~except an evaluation pursuant to RSA 193-A:6, II,~~] shall not be included in the average daily membership relative to apportionment formulas.

7 Child Protection Act; Definitions; Neglected Child; Education Reference Removed. Amend RSA 169-C:3, XIX(b) to read as follows:

(b) Who is without proper parental care or control, subsistence, [~~education as required by law,~~] or other care or control necessary for the child's physical, mental, or emotional health, when it is established that the child's health has suffered or is likely to suffer serious impairment; and the deprivation is not due primarily to the lack of financial means of the parents, guardian, or custodian; or

8 Custody for Parent Not Charged with Abuse or Neglect; Education Removed for Assessment of Child Welfare. Amend RSA 169-C:19-e, I-a(a)-(d) to read as follows:

(a) The unique physical, mental, emotional, [~~educational,~~] developmental as defined in RSA 171-A:2, and medical needs of the child and whether or not the parent is adequately prepared to address those needs;

(b) The parent's existing and historical relationship with that child;

(c) The parent's untreated mental health or substance use issues;

(d) The parent's provision of care to other children in their household, including addressing [~~education needs,~~] medical care[;] and mental and behavioral health care;

9 Department of Education; Rulemaking; Cross-Reference Added. Amend RSA 21-N:9, II(g) to read as follows:

(g) Home study, **as authorized by RSA 193:1, I (c).**

10 Agency Directive; Repeal of Administrative Rules. Immediately upon passage of this act, the state board of education shall undertake and complete expedited repeal of rules Ed 315, as described in RSA 541-A:19-a.

11 Repeal. The following are repealed:

I. RSA 193-A:6, relative to the record keeping and evaluation of home education programs.

II. RSA 193-A:11, relative to the authority of school district officials in governance of home education programs.

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

2026-0887h

AMENDED ANALYSIS

This bill:

I. Replaces the current framework for home education programs in New Hampshire by modifying the definitions, administration, and requirements of such programs.

II. Establishes a parental right to home education for his or her own child, and a right to maintain privacy in information related to the administration of their home education program.

III. Establishes personal liability for any person who knowingly makes a report that alleges abuse or neglect predominantly on the basis that a child is home educated, and authorizes a right of private of action for such aggrieved families.

IV. Removes cross-references to both the previous framework for home education programs and considerations of education in the assessment of child neglect.

V. Directs the state board of education to repeal certain administrative rules relative to the prior framework.

The question being adoption of the majority committee amendment.

Rep. Weber requested a roll call; sufficiently seconded.

YEAS 178 - NAYS 160

YEAS - 178

BELKNAP

Aldrich, Glen
Harvey-Bolia, Juliet

Bogert, Steven
Ploszaj, Tom

Comtois, Barbara
Terry, Paul

Freeman, Lisa
Toner, Travis

CARROLL

Avellani, Lino
Peternel, Katy

Belcher, Mike
Brown, Richard

Hamblen, Joseph
Taylor, Brian

MacDonald, John

CHESHIRE

Murphy, Denis
Nalevanko, Rich

Hunt, John
Qualey, James

Karasinski, Sly

Mattson, Rita

COOS

Davis, Arnold
King, Seth

Durkin, Sean
Tierney, James

Korzen, Lori
Tremblay, Marc

Ouellet, Mike

GRAFTON

Barton, Joseph
Franz, Linda
Sellers, John

Beaulier, Calvin
Ladd, Rick

Berezhny, Lex
Louis, Darrell

Bjelobrck, Marie Louise
McFarlane, Donald

HILLSBOROUGH

Ammon, Keith
Colcombe, Riché
Kelley, Diane
Dupont, Pierre
Gagne, Larry
Kenny, Catherine
Lascelles, Richard
Miles, Julie
Ohm, Bill
Post, Lisa
Rice, Kimberly
Sirois, Shane
Ulery, Jordan

Barbour, Liz
Cole, Brian
Daniels, Gary
Erf, Keith
Giasson, Henry
Kesselring, Steven
Murphy, Mary
Mooney, Maureen
Paquette, Kathleen
Proulx, Mark
Schneller, John
Slottje, Jeremy
Wherry, Robert

Berry, Ross
Corcoran, Travis
Drew, Matt
Fedolfi, Jim
Gorski, Ted
Kofalt, Jim
Mazur, Lisa
Morton, Jonathan
Pauer, Diane
Prout, Andrew
Scully, Kevin
Tenczar, Jeffrey

Boehm, Ralph
Creighton, James
Dumont, Dillon
Griffin, Gerald
Gould, Linda
Labrie, Brian
McLean, Mark
Noble, Kristin
Peeples, Raymond
Reinfurt, Sherri
Sheehan, Vanessa
Mannion, Tom

MERRIMACK

Andrus, Louise
McGuire, Dan
Mehegan, Peter
Polozov, Yuri
Walsh, Thomas

Aures, Cyril
Devoid, Ricky
Moffett, Michael
Boyd, Stephen
Thibault, James

Aylward, Deborah
Hill, Gregory
Pitaro, Matthew
Seaworth, Brian
Wood, Clayton

McGuire, Carol
Leavitt, John
Plante, Raymond
See, Alvin

ROCKINGHAM

Ball, Lorie
Mannion, Dennis
Donnelly, Tanya
Guzofski, James
Kuttab, Katelyn
Litchfield, Melissa
McGrath, Linda
Nadeau, Brian
Perez, Kristine
Prudhomme-O'Brien, Katherine
Selby, Donald
Sweeney, Joe
Verville, Kevin
Wilson, Vicki

Bernardy, JD
Thomas, Douglas
Drago, Mike
Harb, Robert
Miner, Laurence
Lynn, Bob
McMahon, Charles
Nelson, Jodi
Popovici-Muller, Daniel
Roy, Terry
Soti, Julius
Tripp, Richard
Vose, Michael

Bridle, Nicholas
DeSimone, Debra
Edwards, Jess
Katsakiores, Phyllis
Walsh, Lilli
Pearson, Mark
Melvin, Charles
Osborne, Jason
Porcelli, Susan
Pearson, Stephen
Spillane, James
Tudor, Paul
MacDonald, Wayne

Bryer, Scott
DeVito, Sayra
Foote, Charles
Khan, Aboul
Layon, Erica
McDonnell, Valerie
Milz, David
Brown, Pam
Potucek, John
Sabourin dit Choinière, Matt
Summers, James
Vandecasteele, Susan
Weyler, Kenneth

STRAFFORD

Bailey, Glenn
Farrington, Samuel
Potenza, Kelley

Burnham, Claudine
Granger, Michael
Hall, Robley

DeLemus, Susan
Harrington, Michael
Turcotte, Len

DeRoy, Susan
Kaczynski, Thomas
Walker, David

SULLIVAN

Drye, Margaret
Aron, Michael

Grant, George
Rollins, Skip

Hemingway, Wayne
Spilsbury, Walter

Aron, Judy

NAYS - 160**BELKNAP**

Nagel, David

CARROLL

Paige, David

McAleer, Chris

CHESHIRE

Ames, Dick
Faulkner, Barry
Newell, Jodi

Berch, Paul
Jacobs, Samantha
O'Rorke, Terri

Harvey, Cathryn
Jones, Philip
Parshall, Lucius

Fox, Dru
Germana, Nicholas
Weber, Lucy

GRAFTON

Almy, Susan
Fellows, Sallie
Lucas, Janet
Spahr, Terry

Baldwin, Heather
Fracht, David
Muirhead, Russell
Stavis, Laurel

Bolton, Bill
Hakken-Phillips, Mary
Oppel, Thomas
Stringham, Jerry

Cormen, Thomas
Sullivan, Jared
Rockmore, Ellen
Sykes, George

HILLSBOROUGH

Murray, Aissandra
 Budathoki, Suraj
 Dargie, Paul
 Flanagan, Jack
 Grill, Jessica
 Herbert, Christopher
 Kerwin, Erin
 LeClerc, Daniel
 Murray, Megan
 Murphy, Nancy
 Raymond, Heather
 Newman, Sue
 Staub, Kathy
 Veilleux, Daniel
 Wilhelm, Matthew

Boyd, Bill
 Chourasia, Manoj
 DiSilvestro, Linda
 Foss, Lily
 Grund, Stephanie
 Jack, Martin
 Kluger, Lee Ann
 Leishman, Peter
 MacKenzie, Mark
 Petrigno, Peter
 Rombeau, Catherine
 Salvi, Santosh
 Telerski, Laura
 Dolan, William

Beauchemin, Paige
 Chretien, Suzanne
 Elberger, Susan
 Georges, Mary
 Harriott-Gathright, Linda
 Judy, Jean
 Foxx, Loren
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 Mandelbaum, Jennifer
 Reynolds, Ned
 Sorensen, Carrie
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 Manos, Zoe
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Butler, Billie
 Howland, Allan
 Levesque, Cassandra
 Selig, Loren
 Wade, Alice

SULLIVAN

Sullivan, Brian

Cloutier, John

Damon, Hope

Palmer, William

majority committee amendment was adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.
 Rep. Noble offered floor amendment (1098h).

Floor Amendment (1098h)

Amend RSA 193-A:4, III as inserted by section 3 of the bill by replacing it with the following:

III. Dates and hours of instruction shall not be required to coincide with the resident district calendar. The academic term of a home education program shall not be required to coincide with the resident district academic year.

Amend the bill by replacing all after section 6 with the following:

7 Child Protection Act; Definitions; Neglected Child; Home Education Program Participation Exempted.
 Amend RSA 169-C:3, XIX to read as follows:

XIX. "Neglected child" means a child:

(a) Who has been abandoned by his or her parents, guardian, or custodian; or

(b) Who is without proper parental care or control, subsistence, education as required by law, or other care or control necessary for the child's physical, mental, or emotional health, when it is established that the child's health has suffered or is likely to suffer serious impairment; and the deprivation is not due primarily to the lack of financial means of the parents, guardian, or custodian; or

(c) Whose parents, guardian or custodian are unable to discharge their responsibilities to and for the child because of incarceration, hospitalization or other physical or mental incapacity;

Provided, that no child who is, in good faith, under treatment solely by spiritual means through prayer in accordance with the tenets and practices of a recognized church or religious denomination by a duly accredited practitioner thereof shall, for that reason alone, be considered to be a neglected child under this chapter. ***A child participating in a home education program under RSA 193-A or an education program funded through an education freedom account under RSA 194-F shall not be considered a neglected child under this chapter solely on the basis of such participation.***

8 Department of Education; Rulemaking; Cross-Reference Added. Amend RSA 21-N:9, II(g) to read as follows:

(g) Home study, ***as authorized by RSA 193:1, I (c).***

9 Agency Directive; Repeal of Administrative Rules. Immediately upon passage of this act, the state board of education shall undertake and complete expedited repeal of rules Ed 315, as described in RSA 541-A:19-a.

10 Repeal. The following are repealed:

I. RSA 193-A:6, relative to the record keeping and evaluation of home education programs.

II. RSA 193-A:10, relative to the home education advisory council.

III. RSA 193-A:11, relative to the authority of school district officials in governance of home education programs.

11 Effective Date. This act shall take effect July 1, 2026.

The question being adoption of floor amendment (1098h)

Rep. Weber requested a roll call; sufficiently seconded.

YEAS 181 - NAYS 158

YEAS - 181

BELKNAP

Aldrich, Glen
Freeman, Lisa
Toner, Travis

Bogert, Steven
Harvey-Bolia, Juliet

Bordes, Mike
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Comtois, Barbara
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Ulery, Jordan

Ammon, Keith
Colcombe, Riché
Kelley, Diane
Dupont, Pierre
Gagne, Larry
Kenny, Catherine
Lascelles, Richard
Miles, Julie
Ohm, Bill
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Schneller, John
Slottje, Jeremy
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Barbour, Liz
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Aylward, Deborah
Hill, Gregory
Pitaro, Matthew
Seaworth, Brian
Wood, Clayton

McGuire, Carol
Leavitt, John
Plante, Raymond
See, Alvin

ROCKINGHAM

Ball, Lorie
Mannion, Dennis
Donnelly, Tanya
Guthrie, Joseph
Khan, Aboul
Layon, Erica
McDonnell, Valerie

Bernardy, JD
Thomas, Douglas
Drago, Mike
Guzowski, James
Kuttab, Katelyn
Litchfield, Melissa
McGrath, Linda

Bridle, Nicholas
DeSimone, Debra
Edwards, Jess
Harb, Robert
Miner, Laurence
Lynn, Bob
McMahon, Charles

Bryer, Scott
DeVito, Sayra
Foote, Charles
Katsakiores, Phyllis
Walsh, Lilli
Pearson, Mark
Melvin, Charles

Milz, David
Brown, Pam
Potucek, John
Sabourin dit Choinière, Matt
Summers, James
Tudor, Paul
MacDonald, Wayne

Nadeau, Brian
Perez, Kristine
Prudhomme-O'Brien, Katherine
Selby, Donald
Sweeney, Joe
Vandecasteele, Susan
Weyler, Kenneth

Nelson, Jodi
Popovici-Muller, Daniel
Roy, Terry
Soti, Julius
Sytek, John
Verville, Kevin
Wilson, Vicki

Osborne, Jason
Porcelli, Susan
Pearson, Stephen
Spillane, James
Tripp, Richard
Vose, Michael

STRAFFORD

Burnham, Claudine
Granger, Michael
Hall, Robley

DeLemus, Susan
Harrington, Michael
Turcotte, Len

DeRoy, Susan
Kaczynski, Thomas
Walker, David

SULLIVAN

Drye, Margaret
Aron, Michael

Grant, George
Rollins, Skip

Hemingway, Wayne
Spilsbury, Walter

Aron, Judy

NAYS - 158 BELKNAP

Coker, Matthew

Nagel, David

CARROLL

Burroughs, Anita
Woodcock, Stephen

Crawford, Karel

Paige, David

McAleer, Chris

CHESHIRE

Ames, Dick
Faulkner, Barry
Newell, Jodi

Berch, Paul
Jacobs, Samantha
O'Rorke, Terri

Harvey, Cathryn
Jones, Philip
Parshall, Lucius

Fox, Dru
Germana, Nicholas
Weber, Lucy

GRAFTON

Almy, Susan
Fellows, Sallie
Lucas, Janet
Spahr, Terry

Baldwin, Heather
Fracht, David
Muirhead, Russell
Stavis, Laurel

Bolton, Bill
Hakken-Phillips, Mary
Oppel, Thomas
Stringham, Jerry

Cormen, Thomas
Sullivan, Jared
Rockmore, Ellen
Sykes, George

HILLSBOROUGH

Murray, Aissandra
Budathoki, Suraj
Dargie, Paul
Flanagan, Jack
Grill, Jessica
Herbert, Christopher
Kerwin, Erin
LeClerc, Daniel
Murray, Megan
Murphy, Nancy
Newman, Ray
Ryan, Linda
Spier, Carry
Vail, Suzanne
Wheeler, Jonah

Boyd, Bill
Chourasia, Manoj
DiSilvestro, Linda
Foss, Lily
Grund, Stephanie
Jack, Martin
Kluger, Lee Ann
Leishman, Peter
MacKenzie, Mark
Petrigno, Peter
Raymond, Heather
Newman, Sue
Staub, Kathy
Veilleux, Daniel
Wilhelm, Matthew

Beauchemin, Paige
Chretien, Suzanne
Elberger, Susan
Georges, Mary
Harriott-Gathright, Linda
Judy, Jean
Foxy, Loren
Lloyd, Christal
Manohar, Sanjeev
Preece, David
Rombeau, Catherine
Salvi, Santosh
Telerski, Laura
Dolan, William

Bergeron, Dan
Darby, Will
Davis, Fred
Gregg, Alicia
Hartnett, Tim
Juris, Louis
Leapley, Nicole
Long, Patrick
McGhee, Kat
Proulx, Mark
Rung, Rosemarie
Seibert, Christine
Tellez, Trinidad
Thomas, Wendy

MERRIMACK

Bricchi, Tracy
Gallager, Eric
Hall, Muriel
Schamberg, Thomas
Wallner, Mary Jane

Caplan, Tony
Gibbs, Merry
Newsom, James
Schultz, Kris
Woods, Gary

Kelly, Eileen
Lane, Connie
Roesener, James
Snodgrass, Jim

Ebel, Karen
Luneau, David
Sargent, Gregory
Soucy, Timothy

ROCKINGHAM

Cahill, Michael
Haskins, Linda
Malloy, Dennis
Muns, Chris
Simpson, Alexis
Ward, Gerald

de Vries, Erica
Murray, Kate
Mandelbaum, Jennifer
Raynolds, Ned
Sorensen, Carrie
Weinstein, Toni

Edgar, Michael
Knab, Allison
Manos, Zoe
Read, Ellen
Turer, Eric

Gilman, Julie
Maggiore, Jim
Meuse, David
Scherr, Buzz
Vallone, Mark

STRAFFORD

Bay, Luz
Gilmore, Gary

Bixby, Peter
Howard, Heath

Burton, Wayne
Horrigan, Timothy

Butler, Billie
Howland, Allan

Johnson, Erik
Smith, Marjorie
Southworth, Thomas
Wall, Janet

LaMontagne, Jessica
Miller, Seth
Stone, John

Larochelle, John
Schmidt, Peter
Pearson, Wayne

Levesque, Cassandra
Selig, Loren
Wade, Alice

SULLIVAN

Sullivan, Brian

Cloutier, John

Damon, Hope

Palmer, William

floor amendment (1098h) was adopted.

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

YEAS 174 - NAYS 166

YEAS - 174

BELKNAP

Aldrich, Glen
Harvey-Bolia, Juliet

Bogert, Steven
Ploszaj, Tom

Comtois, Barbara
Terry, Paul

Freeman, Lisa
Toner, Travis

CARROLL

Avellani, Lino
Peternel, Katy

Belcher, Mike
Brown, Richard

Hamblen, Joseph

MacDonald, John

CHESHIRE

Murphy, Denis
Nalevanko, Rich

Hunt, John
Qualey, James

Karasinski, Sly

Mattson, Rita

COOS

Davis, Arnold
King, Seth

Durkin, Sean
Tierney, James

Korzen, Lori
Tremblay, Marc

Ouellet, Mike

GRAFTON

Barton, Joseph
Franz, Linda
Sellers, John

Beaulier, Calvin
Ladd, Rick

Berezhny, Lex
Louis, Darrell

Bjelobrk, Marie Louise
McFarlane, Donald

HILLSBOROUGH

Alexander, Joe
Boehm, Ralph
Creighton, James
Dumont, Dillon
Griffin, Gerald
Gould, Linda
Labrie, Brian
McLean, Mark
Noble, Kristin
Post, Lisa
Schneller, John
Slottje, Jeremy
Ulery, Jordan

Ammon, Keith
Colcombe, Riché
Kelley, Diane
Dupont, Pierre
Gagne, Larry
Kenny, Catherine
Lascelles, Richard
Miles, Julie
Ohm, Bill
Prout, Andrew
Scully, Kevin
Suiter, John
Wherry, Robert

Barbour, Liz
Cole, Brian
Daniels, Gary
Erf, Keith
Giasson, Henry
Kesselring, Steven
Murphy, Mary
Mooney, Maureen
Pauer, Diane
Reinfurt, Sherri
Sheehan, Vanessa
Tenczar, Jeffrey

Berry, Ross
Corcoran, Travis
Drew, Matt
Fedolfi, Jim
Gorski, Ted
Kofalt, Jim
Mazur, Lisa
Morton, Jonathan
Peeples, Raymond
Rice, Kimberly
Sirois, Shane
Mannion, Tom

MERRIMACK

Andrus, Louise
McGuire, Dan
Mehegan, Peter
Polozov, Yuri
Walsh, Thomas

Aures, Cyril
Devoid, Ricky
Moffett, Michael
Boyd, Stephen
Thibault, James

Aylward, Deborah
Hill, Gregory
Pitaro, Matthew
Seaworth, Brian
Wood, Clayton

McGuire, Carol
Leavitt, John
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Osborne, Jason
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Pearson, Mark
Melvin, Charles
Brown, Pam
Prudhomme-O'Brien, Katherine
Selby, Donald
Sweeney, Joe
Verville, Kevin
Wilson, Vicki

Bryer, Scott
DeVito, Sayra
Foote, Charles
Khan, Aboul
Layon, Erica
McDonnell, Valerie
Nadeau, Brian
Perez, Kristine
Roy, Terry
Soti, Julius
Tripp, Richard
Vose, Michael

Mannion, Dennis
Donnelly, Tanya
Guzofski, James
Kuttab, Katelyn
Litchfield, Melissa
McGrath, Linda
Nelson, Jodi
Popovici-Muller, Daniel
Pearson, Stephen
Spillane, James
Tudor, Paul
MacDonald, Wayne

STRAFFORD

Bailey, Glenn
Farrington, Samuel
Potenza, Kelley

Burnham, Claudine
Granger, Michael
Hall, Robley

DeLemus, Susan
Harrington, Michael
Turcotte, Len

DeRoy, Susan
Kaczynski, Thomas
Walker, David

SULLIVAN

Drye, Margaret
Aron, Michael

Grant, George
Rollins, Skip

Hemingway, Wayne
Spilsbury, Walter

Aron, Judy

NAYS - 166**BELKNAP**

Bordes, Mike

Coker, Matthew

Nagel, David

CARROLL

Burroughs, Anita
Taylor, Brian

Crawford, Karel
Woodcock, Stephen

Paige, David

McAleer, Chris

CHESHIRE

Ames, Dick
Faulkner, Barry
Newell, Jodi

Berch, Paul
Jacobs, Samantha
O'Rorke, Terri

Harvey, Cathryn
Jones, Philip
Parshall, Lucius

Fox, Dru
Germana, Nicholas
Weber, Lucy

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Lucas, Janet
Spahr, Terry

Baldwin, Heather
Fracht, David
Muirhead, Russell
Stavis, Laurel

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Cormen, Thomas
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Murphy, Nancy
Proulx, Mark
Rung, Rosemarie
Seibert, Christine
Tellez, Trinidad
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Foss, Lily
Grund, Stephanie
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Leishman, Peter
MacKenzie, Mark
Paquette, Kathleen
Newman, Ray
Ryan, Linda
Spier, Carry
Vail, Suzanne
Wheeler, Jonah

Beauchemin, Paige
Chretien, Suzanne
Elberger, Susan
Georges, Mary
Harriott-Gathright, Linda
Judy, Jean
Foxy, Loren
Lloyd, Christal
Manohar, Sanjeev
Petrigno, Peter
Raymond, Heather
Newman, Sue
Staub, Kathy
Veilleux, Daniel
Wilhelm, Matthew

Bergeron, Dan
Darby, Will
Davis, Fred
Gregg, Alicia
Hartnett, Tim
Juris, Louis
Leapley, Nicole
Long, Patrick
McGhee, Kat
Preece, David
Rombeau, Catherine
Salvi, Santosh
Telerski, Laura
Dolan, William

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Gallager, Eric
Hall, Muriel
Schamberg, Thomas
Wallner, Mary Jane

Caplan, Tony
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Schultz, Kris
Woods, Gary

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Roesener, James
Snodgrass, Jim

Ebel, Karen
Luneau, David
Sargent, Gregory
Soucy, Timothy

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Manos, Zoe
Porcelli, Susan
Simpson, Alexis
Vallone, Mark

Cahill, Michael
Guthrie, Joseph
Maggiore, Jim
Meuse, David
Raynolds, Ned
Sorensen, Carrie
Ward, Gerald

de Vries, Erica
Haskins, Linda
Malloy, Dennis
Milz, David
Read, Ellen
Sytek, John
Weinstein, Toni

Edgar, Michael
Murray, Kate
Mandelbaum, Jennifer
Muns, Chris
Scherr, Buzz
Turer, Eric

STRAFFORD

Bay, Luz
Gilmore, Gary
Johnson, Erik
Smith, Marjorie
Southworth, Thomas
Wall, Janet

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

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

Butler, Billie
Howland, Allan
Levesque, Cassandra
Selig, Loren
Wade, Alice

SULLIVAN

Sullivan, Brian

Cloutier, John

Damon, Hope

Palmer, William

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

HB 1358, establishing a commission to study transitioning all public schools to public charter schools and relative to the method for converting to a charter school. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Katy Peternel for the **Majority** of Education Policy and Administration. As amended, this bill establishes a study commission on the transition of all public schools to public charter schools. The commission would consist of three representatives, one senator, the Commissioner of the Department of Education, and one representative of traditional and public charter schools. The purpose of the commission would be to: 1) study potential benefits of restructuring public schools to a charter model, 2) examine funding models and the effect on local property taxes while increasing state level support, 3) consider how a transition could increase local control, 4) assess impacts on student achievement, teacher recruitment and retention, and 5) identify any statutory changes required for implementation. The commission would take effect upon passage and sunset on November 1, 2026. Vote 10-8.

Rep. Megan Murray for the **Minority** of Education Policy and Administration. The minority of the committee feels that while charter schools are considered public schools, they function drastically different than public schools in their relationship to the state, what statutes they are held to, and how public charters form and function within a community. There are drastic differences in the amount of public taxpayer oversight and accountability to public charters, and they also have an ability to be selective about the cohort of students they accept into their learning community. As amended, the minority believes the bill still includes a grossly inadequate amount of public school stakeholders and does not seek solutions to truly pressing needs around addressing adequate funding in public education.

Majority Amendment (0924h)

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

AN ACT establishing a commission to study transitioning all public schools to public charter schools.

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

1 New Section; Education; Chartered Public Schools; Transitioning Public Schools to Charter Schools Commission. Amend RSA 194-B by inserting after section 21 the following new section:

194-B:21-a Transitioning Public Schools to Charter Schools Commission.

I. There is established a commission to study the feasibility and potential impact of transitioning all public schools in New Hampshire to operate as public charter schools and whether such a transition could relieve local property taxpayers, restore local control, and ensure that state education dollars are used more efficiently to benefit students and families.

II. The members of the commission shall be as follows:

(a) Three members of the house of representatives, appointed by the speaker of the house of representatives.

(b) One member of the senate, appointed by the president of the senate.

(c) The commissioner of the department of education, or designee.

(d) One representative of a public charter school, appointed by the commissioner of the department of education.

(e) One representative of a traditional public school district, appointed by the commissioner of the department of education.

III. Legislative members of the commission shall receive mileage at the legislative rate when attending to the duties of the commission.

IV. The commission shall:

(a) Study the potential benefits of restructuring all public schools in New Hampshire as public charter schools or other independent schools.

(b) Examine funding models that would reduce reliance on local property taxes while increasing state level funding support.

(c) Consider how a transition to charter-based governance could increase local district flexibility, innovation, and autonomy.

(d) Assess potential impacts on student achievement, teacher recruitment and retention, accountability, and community engagement.

(e) Identify any statutory changes that may be required to effectuate such a transition.

V. The members of the study commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the first-named house member. The first meeting of the commission shall be held within 45 days of the effective date of this section. Four members of the commission shall constitute a quorum.

VI. The commission shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2026.

2 Repeal. RSA 194-B:21-a, relative to the commission to study transitioning public schools to public charter schools, is repealed.

3 Effective Date.

I. Section 2 of this act shall take effect November 1, 2026.

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

2026-0924h

AMENDED ANALYSIS

This bill establishes a commission to study transitioning all public schools to public charter schools.

The question now 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. Sweeney requested a roll call; sufficiently seconded.

YEAS 169 - NAYS 163

YEAS - 169

BELKNAP

Aldrich, Glen
Freeman, Lisa
Toner, Travis

Bogert, Steven
Harvey-Bolia, Juliet

Bordes, Mike
Ploszaj, Tom

Comtois, Barbara
Terry, Paul

CARROLL

Avellani, Lino
MacDonald, John

Belcher, Mike
Peternel, Katy

Crawford, Karel

Hamblen, Joseph

CHESHIRE

Murphy, Denis
Nalevanko, Rich

Hunt, John
Qualey, James

Karasinski, Sly

Mattson, Rita

COOS

Davis, Arnold
King, Seth

Durkin, Sean
Tierney, James

Korzen, Lori
Tremblay, Marc

Ouellet, Mike

GRAFTON

Barton, Joseph
Franz, Linda
Sellers, John

Beaulier, Calvin
Ladd, Rick

Berezhny, Lex
Louis, Darrell

Bjelobrk, Marie Louise
McFarlane, Donald

HILLSBOROUGH

Ammon, Keith
Boehm, Ralph
Creighton, James
Dumont, Dillon
Flanagan, Jack
Gorski, Ted
Labrie, Brian
Miles, Julie
Ohm, Bill
Post, Lisa
Schneller, John
Suiter, John
Wherry, Robert

Boyd, Bill
Colcombe, Riché
Kelley, Diane
Dupont, Pierre
Griffin, Gerald
Kenny, Catherine
Murphy, Mary
Mooney, Maureen
Paquette, Kathleen
Proulx, Mark
Sheehan, Vanessa
Tenczar, Jeffrey

Barbour, Liz
Cole, Brian
Daniels, Gary
Erf, Keith
Gagne, Larry
Kesselring, Steven
Mazur, Lisa
Morton, Jonathan
Pauer, Diane
Prout, Andrew
Sirois, Shane
Mannion, Tom

Berry, Ross
Corcoran, Travis
Drew, Matt
Fedolfi, Jim
Giasson, Henry
Kofalt, Jim
McLean, Mark
Noble, Kristin
Peebles, Raymond
Reinfurt, Sherri
Slottje, Jeremy
Ulery, Jordan

MERRIMACK

Aures, Cyril
Devoid, Ricky
Moffett, Michael
Boyd, Stephen
Wood, Clayton

Aylward, Deborah
Hill, Gregory
Pitaro, Matthew
Seaworth, Brian

McGuire, Carol
Leavitt, John
Plante, Raymond
See, Alvin

McGuire, Dan
Mehegan, Peter
Polozov, Yury
Thibault, James

ROCKINGHAM

Ball, Lorie
DeSimone, Debra
Edwards, Jess
Khan, Aboul
Layon, Erica
McGrath, Linda

Bernardy, JD
DeVito, Sayra
Guzofski, James
Kuttab, Katelyn
Lynn, Bob
McMahon, Charles

Mannion, Dennis
Donnelly, Tanya
Harb, Robert
Miner, Laurence
Pearson, Mark
Nadeau, Brian

Thomas, Douglas
Drago, Mike
Katsakiores, Phyllis
Walsh, Lilli
McDonnell, Valerie
Nelson, Jodi

Osborne, Jason
Potucek, John
Sabourin dit Choinière, Matt
Summers, James
Tudor, Paul
MacDonald, Wayne

Brown, Pam
Prudhomme-O'Brien, Katherine
Selby, Donald
Sweeney, Joe
Vallone, Mark
Weyler, Kenneth

Popovici-Muller, Daniel
Roy, Terry
Soti, Julius
Sytek, John
Verville, Kevin
Wilson, Vicki

Porcelli, Susan
Pearson, Stephen
Spillane, James
Tripp, Richard
Vose, Michael

STRAFFORD

Bailey, Glenn
Farrington, Samuel
Potenza, Kelley

Burnham, Claudine
Granger, Michael
Hall, Robley

DeLemus, Susan
Harrington, Michael
Turcotte, Len

DeRoy, Susan
Kaczynski, Thomas
Walker, David

SULLIVAN

Drye, Margaret
Aron, Michael

Grant, George
Rollins, Skip

Hemingway, Wayne
Spilsbury, Walter

Aron, Judy

NAYS - 163

BELKNAP

St. Clair, Charlie

CARROLL

Burroughs, Anita
Taylor, Brian

Paige, David
Woodcock, Stephen

McAleer, Chris

Brown, Richard

CHESHIRE

Ames, Dick
Faulkner, Barry
Newell, Jodi

Berch, Paul
Jacobs, Samantha
O'Rorke, Terri

Harvey, Cathryn
Jones, Philip
Parshall, Lucius

Fox, Dru
Germana, Nicholas
Weber, Lucy

GRAFTON

Almy, Susan
Fellows, Sallie
Lucas, Janet
Spahr, Terry

Baldwin, Heather
Fracht, David
Muirhead, Russell
Stavis, Laurel

Bolton, Bill
Hakken-Phillips, Mary
Oppel, Thomas
Stringham, Jerry

Cormen, Thomas
Sullivan, Jared
Rockmore, Ellen
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HILLSBOROUGH

Beauchemin, Paige
Chretien, Suzanne
Elberger, Susan
Gould, Linda
Harriott-Gathright, Linda
Judy, Jean
Fox, Loren
Leishman, Peter
MacKenzie, Mark
Petrigno, Peter
Rombeau, Catherine
Salvi, Santosh
Telerski, Laura
Dolan, William

Bergeron, Dan
Darby, Will
Davis, Fred
Gregg, Alicia
Hartnett, Tim
Juris, Louis
Lascelles, Richard
Lloyd, Christal
Manohar, Sanjeev
Preece, David
Rung, Rosemarie
Seibert, Christine
Tellez, Trinidad
Thomas, Wendy

Budathoki, Suraj
Dargie, Paul
Foss, Lily
Grill, Jessica
Herbert, Christopher
Kerwin, Erin
Leapley, Nicole
Long, Patrick
McGhee, Kat
Newman, Ray
Ryan, Linda
Spier, Carry
Vail, Suzanne
Wheeler, Jonah

Chourasia, Manoj
DiSilvestro, Linda
Georges, Mary
Grund, Stephanie
Jack, Martin
Kluger, Lee Ann
LeClerc, Daniel
Murray, Megan
Murphy, Nancy
Raymond, Heather
Newman, Sue
Staub, Kathy
Veilleux, Daniel
Wilhelm, Matthew

MERRIMACK

Andrus, Louise
Ebel, Karen
Luneau, David
Sargent, Gregory
Soucy, Timothy

Bricchi, Tracy
Gallager, Eric
Hall, Muriel
Schamberg, Thomas
Wallner, Mary Jane

Caplan, Tony
Gibbs, Merryl
Newsom, James
Schultz, Kris
Woods, Gary

Kelly, Eileen
Lane, Connie
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Snodgrass, Jim

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Malloy, Dennis
Meuse, David
Raynolds, Ned
Sorensen, Carrie

Bryer, Scott
Foote, Charles
Murray, Kate
Mandelbaum, Jennifer
Milz, David
Read, Ellen
Turer, Eric

Cahill, Michael
Gilman, Julie
Knab, Allison
Manos, Zoe
Muns, Chris
Scherr, Buzz
Ward, Gerald

de Vries, Erica
Guthrie, Joseph
Maggiore, Jim
Melvin, Charles
Perez, Kristine
Simpson, Alexis
Weinstein, Toni

STRAFFORD

Bay, Luz
Gilmore, Gary
Johnson, Erik

Bixby, Peter
Howard, Heath
LaMontagne, Jessica

Burton, Wayne
Horrigan, Timothy
Laroche, John

Butler, Billie
Howland, Allan
Levesque, Cassandra

Smith, Marjorie
Southworth, Thomas
Wall, Janet

Miller, Seth
Stone, John

Schmidt, Peter
Pearson, Wayne

Selig, Loren
Wade, Alice

SULLIVAN

Sullivan, Brian

Cloutier, John

Damon, Hope

Palmer, William

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

HB 1374, relative to the procedures for withdrawal from a cooperative school district. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Melissa Litchfield for the **Majority** of Education Policy and Administration. This bill amends RSA 195 to clarify the procedure for withdrawal from a cooperative school district. Under current law, even if a majority of voters in a withdrawing district support departure, the broader cooperative district may effectively block that decision. This bill places the decision with the voters of the withdrawing district, requiring approval by a 3/5 supermajority of those present and voting. The legislation retains important protections. The State Board of Education must approve the withdrawal plan prior to submission to voters, and the plan must address the equitable distribution of property and the assumption of liabilities. By maintaining a supermajority threshold and state board oversight, the bill ensures that withdrawal occurs only where there is strong local consensus and a sound financial plan. This bill strengthens local control while preserving accountability and statutory clarity. Vote 10-8.

Rep. Loren Selig for the **Minority** of Education Policy and Administration. The minority of the committee believes that this bill should be voted Inexpedient to Legislate. Specifically, this bill would make it easier for a single town to unilaterally exit a cooperative school district, potentially destabilizing regional education planning and undermining the shared resources that help many small communities provide quality programs. Rather than strengthening local control, this bill could encourage fragmentation, increase administrative costs, and weaken academic offerings by disrupting collaborative budgeting and staffing agreements. Additionally, the sponsor could not address issues such as how a cooperative school district's assets or debts would be resolved. The legislature should prioritize policies that sustain equitable, efficient educational opportunities across districts instead of incentivizing divisive exits.

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

On a division vote, with 179 members having voted in the affirmative, and 149 in the negative, the motion was adopted and the bill was ordered to third reading.

HB 1529, repealing the reading recovery training program. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Kristin Noble for the **Majority** of Education Policy and Administration. This bill repeals the Reading Recovery Training Program that the Department of Education has not used in many years. As part of an ongoing effort to improve literacy for NH students, the department has moved on to a new program to train teachers that is aligned to the science of reading. Vote 9-8.

Rep. Stephen Woodcock for the **Minority** of Education Policy and Administration. The Department of Education has been tasked by RSA 186:70 to provide training to local school districts for the specific program, titled Reading Recovery. Over the past several years, the state has not provided any training to local schools in Reading Recovery. This program is just one of the many tools in a reading specialist's toolbox to assist students in grade 1 that are in most need of reading assistance. Reading Recovery is one of many tools that reading specialists use, however the state is not fulfilling their responsibility of training. It seems foolish to repeal a program that is targeted at the most needy of young readers. Reading is the foundation for all other subjects. The minority believes the repeal of this DOE responsibility is just the continuation of the state downshifting their fiscal responsibilities to local cities and towns.

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

The motion was adopted and the bill was ordered to third reading.

HB 1817-FN, permitting all students the choice to attend the school district in which they reside. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Valerie McDonnell for the **Majority** of Education Policy and Administration. This bill safeguards every student's access to curricular and cocurricular programs at their resident school district, including the SAT, PSAT, and statewide assessment. As indicators of college readiness and qualifiers for merit scholarships, these tests are valued by the majority. To do so, the bill lists the four categories of education that satisfy compulsory attendance under RSA 193 (public schools, non-public schools, home education programs, and Education Freedom Account programs). Finally, the bill affirms the majority's sentiment that students should have equality of opportunity regardless of their education pathway. Vote 10-8.

Rep. Muriel Hall for the **Minority** of Education Policy and Administration. Under RSA 193:1-c, school districts permit nonpublic, homeschooled, and charter school students to participate in classes and co-curricular programs in their local public schools. In the case of homeschooled students, the state provides adequacy funding

to districts on a per-course basis. This bill, as amended, would significantly expand this statute by allowing students who receive Education Freedom Account (EFA) vouchers to access public school classes, including career and technical education (CTE) programs, and co-curricular activities. The Department of Education has made clear that current law does not allow the state to reimburse districts for EFA students who have chosen to leave the public school system and receive public funds specifically to cover their educational expenses. This bill would allow EFA students to compete with enrolled public school students for limited seats in high-demand CTE programs, some of which cost up to \$15,000 per student. Districts would be required to absorb these costs without reimbursement, effectively subsidizing students who are already receiving state funds for their education. The minority believes that is not equitable, nor is it fiscally responsible. It creates a clear case of double-dipping and shifts financial burdens onto local taxpayers. This bill places an unfunded mandate on local schools and undermines fairness for the public school students they are obligated to serve.

Majority Amendment (0911h)

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

AN ACT relative to access to curricular courses and cocurricular programs within school districts.

Amend RSA 193:1-c as inserted by section 1 of the bill by replacing it with the following:

193:1-c Access to Public School Programs by Nonpublic, Public Chartered [Schools] ***School, Education Freedom Account***, or Home Educated Pupils.

I. Nonpublic, public chartered school, ***education freedom account***, or home educated pupils shall have access to curricular courses and cocurricular programs offered by the school district in which the pupil resides, ***including the statewide assessment and preliminary scholastic aptitude test (PSAT)***. The local school board shall adopt a policy regulating participation in curricular courses and cocurricular programs [~~provided that such~~]. ***Such*** policy shall not be more restrictive for non-public, public chartered school, ***education freedom account***, or home educated pupils than the policy governing the school district's resident pupils. In this section, "cocurricular" shall include those activities which are designed to supplement and enrich regular academic programs of study, provide opportunities for social development, and encourage participation in clubs, athletics, performing groups, and service to school and community. For purposes of allowing access as described in this section, a "home educated pupil" includes any pupil who is a "child with a disability" under RSA 186-C:2, I, until such time as such pupil has acquired a high school diploma or reached age 21 inclusive; but shall not include any other pupil who has graduated from a high school level program of home education, or its equivalent, or has attained the age of 21.

II. Nothing in this section shall be construed to require a parent to establish a home education program which exceeds the requirements of RSA 193:1 ***or RSA 193-A***.

2026-0911h

AMENDED ANALYSIS

This bill expands access to curricular courses and cocurricular programs within school districts for education freedom account students.

The question being adoption of the majority committee amendment.

On a division vote, with 177 members having voted in the affirmative, and 150 in the negative, the amendment was adopted.

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

Rep. Weber requested a roll call; sufficiently seconded.

YEAS 179 - NAYS 156

YEAS - 179

BELKNAP

Aldrich, Glen
Freeman, Lisa
Toner, Travis

Bogert, Steven
Harvey-Bolia, Juliet

Bordes, Mike
Ploszaj, Tom

Comtois, Barbara
Terry, Paul

CARROLL

Avellani, Lino
Peternel, Katy

Belcher, Mike
Brown, Richard

Hamblen, Joseph

MacDonald, John

CHESHIRE

Murphy, Denis
Nalevanko, Rich

Hunt, John
Qualey, James

Karasinski, Sly

Mattson, Rita

COOS

Davis, Arnold
King, Seth

Durkin, Sean
Tierney, James

Korzen, Lori
Tremblay, Marc

Ouellet, Mike

GRAFTON

Barton, Joseph
Franz, Linda
Sellers, John

Beaulier, Calvin
Ladd, Rick

Berezhny, Lex
Louis, Darrell

Bjelobrk, Marie Louise
McFarlane, Donald

HILLSBOROUGH

Alexander, Joe
Boehm, Ralph
Creighton, James
Dumont, Dillon
Flanagan, Jack
Gorski, Ted
Kofalt, Jim
Mazur, Lisa
Morton, Jonathan
Pauer, Diane
Prout, Andrew
Scully, Kevin
Suiter, John
Wherry, Robert

Ammon, Keith
Colcombe, Riché
Kelley, Diane
Dupont, Pierre
Griffin, Gerald
Gould, Linda
Labrie, Brian
McLean, Mark
Noble, Kristin
Peeples, Raymond
Reinfurt, Sherri
Sheehan, Vanessa
Tenczar, Jeffrey

Barbour, Liz
Cole, Brian
Daniels, Gary
Erf, Keith
Gagne, Larry
Kenny, Catherine
Lascelles, Richard
Miles, Julie
Ohm, Bill
Post, Lisa
Rice, Kimberly
Sirois, Shane
Mannion, Tom

Berry, Ross
Corcoran, Travis
Drew, Matt
Fedolfi, Jim
Giasson, Henry
Kesselring, Steven
Murphy, Mary
Mooney, Maureen
Paquette, Kathleen
Proulx, Mark
Schneller, John
Slottje, Jeremy
Ulery, Jordan

MERRIMACK

Andrus, Louise
McGuire, Dan
Mehegan, Peter
Polozov, Yury
Walsh, Thomas

Aures, Cyril
Devoid, Ricky
Moffett, Michael
Boyd, Stephen
Thibault, James

Aylward, Deborah
Hill, Gregory
Pitaro, Matthew
Seaworth, Brian
Wood, Clayton

McGuire, Carol
Leavitt, John
Plante, Raymond
See, Alvin

ROCKINGHAM

Ball, Lorie
Mannion, Dennis
Donnelly, Tanya
Guzofski, James
Kuttab, Katelyn
Litchfield, Melissa
McGrath, Linda
Nelson, Jodi
Popovici-Muller, Daniel
Pearson, Stephen
Spillane, James
Tudor, Paul
MacDonald, Wayne

Bernardy, JD
Thomas, Douglas
Drago, Mike
Harb, Robert
Miner, Laurence
Lynn, Bob
McMahon, Charles
Osborne, Jason
Potucek, John
Sabourin dit Choinière, Matt
Summers, James
Vandecasteele, Susan
Weyler, Kenneth

Bridle, Nicholas
DeSimone, Debra
Edwards, Jess
Katsakiores, Phyllis
Walsh, Lilli
Pearson, Mark
Melvin, Charles
Brown, Pam
Prudhomme-O'Brien, Katherine
Selby, Donald
Sytek, John
Verville, Kevin
Wilson, Vicki

Bryer, Scott
DeVito, Sayra
Foote, Charles
Khan, Aboul
Layon, Erica
McDonnell, Valerie
Nadeau, Brian
Perez, Kristine
Roy, Terry
Soti, Julius
Tripp, Richard
Vose, Michael

STRAFFORD

Bailey, Glenn
Farrington, Samuel
Potenza, Kelley

Burnham, Claudine
Granger, Michael
Hall, Robley

DeLemus, Susan
Harrington, Michael
Turcotte, Len

DeRoy, Susan
Kaczynski, Thomas
Walker, David

SULLIVAN

Drye, Margaret
Aron, Michael

Grant, George
Rollins, Skip

Hemingway, Wayne
Spilsbury, Walter

Aron, Judy

NAYS - 156**BELKNAP**

Nagel, David

St. Clair, Charlie

CARROLL

Burroughs, Anita
Taylor, Brian

Crawford, Karel
Woodcock, Stephen

Paige, David

McAleer, Chris

CHESHIRE

Ames, Dick
Faulkner, Barry
Newell, Jodi

Berch, Paul
Jacobs, Samantha
O'Rorke, Terri

Harvey, Cathryn
Jones, Philip
Parshall, Lucius

Fox, Dru
Germana, Nicholas
Weber, Lucy

GRAFTON

Almy, Susan
Fellows, Sallie
Lucas, Janet
Spahr, Terry

Baldwin, Heather
Fracht, David
Muirhead, Russell
Stavis, Laurel

Bolton, Bill
Hakken-Phillips, Mary
Oppel, Thomas
Stringham, Jerry

Cormen, Thomas
Sullivan, Jared
Rockmore, Ellen
Sykes, George

HILLSBOROUGH

Murray, Aissandra	Boyd, Bill	Beauchemin, Paige	Budathoki, Suraj
Chourasia, Manoj	Chretien, Suzanne	Darby, Will	Dargie, Paul
DiSilvestro, Linda	Elberger, Susan	Davis, Fred	Foss, Lily
Georges, Mary	Gregg, Alicia	Grill, Jessica	Grund, Stephanie
Harriott-Gathright, Linda	Hartnett, Tim	Herbert, Christopher	Jack, Martin
Judy, Jean	Juris, Louis	Kerwin, Erin	Kluger, Lee Ann
Foxx, Loren	Leapley, Nicole	LeClerc, Daniel	Leishman, Peter
Lloyd, Christal	Long, Patrick	Murray, Megan	MacKenzie, Mark
Manohar, Sanjeev	McGhee, Kat	Murphy, Nancy	Petrigno, Peter
Preece, David	Newman, Ray	Raymond, Heather	Rombeau, Catherine
Rung, Rosemarie	Ryan, Linda	Newman, Sue	Salvi, Santosh
Seibert, Christine	Spier, Carry	Staub, Kathy	Telerski, Laura
Tellez, Trinidad	Vail, Suzanne	Veilleux, Daniel	Dolan, William
Thomas, Wendy	Wheeler, Jonah	Wilhelm, Matthew	

MERRIMACK

Bricchi, Tracy	Caplan, Tony	Kelly, Eileen	Ebel, Karen
Gibbs, Merryl	Lane, Connie	Luneau, David	Hall, Muriel
Newsom, James	Roesener, James	Sargent, Gregory	Schamberg, Thomas
Schultz, Kris	Snodgrass, Jim	Soucy, Timothy	Wallner, Mary Jane
Woods, Gary			

ROCKINGHAM

Cahill, Michael	de Vries, Erica	Edgar, Michael	Gilman, Julie
Guthrie, Joseph	Haskins, Linda	Murray, Kate	Knab, Allison
Maggiore, Jim	Malloy, Dennis	Mandelbaum, Jennifer	Manos, Zoe
Meuse, David	Milz, David	Muns, Chris	Porcelli, Susan
Raynolds, Ned	Scherr, Buzz	Simpson, Alexis	Sorensen, Carrie
Turer, Eric	Vallone, Mark	Ward, Gerald	Weinstein, Toni

STRAFFORD

Bay, Luz	Bixby, Peter	Burton, Wayne	Gilmore, Gary
Howard, Heath	Horrigan, Timothy	Howland, Allan	Johnson, Erik
LaMontagne, Jessica	Larochelle, John	Levesque, Cassandra	Smith, Marjorie
Miller, Seth	Schmidt, Peter	Selig, Loren	Southworth, Thomas
Stone, John	Pearson, Wayne	Wade, Alice	Wall, Janet

SULLIVAN

Sullivan, Brian	Cloutier, John	Damon, Hope	Palmer, William
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majority committee report was adopted and the bill was ordered to third reading.

HB 1828-FN, requiring the department of education to establish an auditing process relative to teacher preparation programs at the post-secondary educational level. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Kristin Noble for the **Majority** of Education Policy and Administration. This bill would direct the Department of Education to audit teacher preparation programs for literacy at the post-secondary education level. The audit would ensure that the preparation programs are using coursework in evidence-based strategies for effective literacy instruction that is aligned to the science of reading. The audit will also ensure that clinical preparation for reading teachers is aligned to evidence-based literacy instruction strategies and using instructional materials aligned to the science of reading. The audit results shall be posted on the Department of Education's website. Reading scores across the state continue to be dismal and we must investigate the root cause in order to improve literacy for NH students. Vote 10-8.

Rep. Loren Selig for the **Minority** of Education Policy and Administration. The minority of the committee believes that this bill should be voted Inexpedient to Legislate. This bill imposes a top-down auditing process focused narrowly on "science of reading" methodologies, risking a one-size-fits-all approach that could stifle teacher preparation diversity and innovation. The language of the bill does not specify in the mandatory reading instruction training is for all teachers regardless of content area or age level or for only those engaged in teaching reading skills. Terms such as "evidence-based" and "effective instruction" were not defined. Mandating curriculum outcomes and punitive audits from the state could burden colleges and universities with costly compliance requirements without clear evidence it will improve overall literacy outcomes. Additionally, even in executive session, the prime sponsor acknowledged that the bill needed significant changes but did not provide an amendment to do so.

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

Rep. Noble offered floor amendment (1109h).

Floor Amendment (1109h)

Amend RSA 189:58-a, I(a) as inserted by section 1 of the bill by replacing it with the following:

(a) Ensure that all applicable educators complete coursework in evidence-based strategies for effective literacy instruction aligned to the science of reading, which includes phonics, phonemic awareness, fluency, comprehension, and vocabulary teacher development, and is part of a structured literacy program; and

The question being adoption of floor amendment (1109h).

Floor amendment (1109h) was adopted.

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

On a division vote, with 185 members having voted in the affirmative, and 149 in the negative, the majority committee report was adopted and the bill was ordered to third reading.

HB 1836-FN, relative to the input-based accountability system requirements and enforcement. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Katy Peternel for the **Majority** of Education Policy and Administration. As amended, this bill adds an enforcement mechanism to the required report for the input-based accountability system by withholding state aid until the required biannual report is filed. The school shall demonstrate that it provides the opportunity for an adequate education under RSA 193-E:2-a by meeting the requirements in RSA 193-E:3-b. This withholding of funds mirrors the enforcement mechanism in RSA 198:4-f, III. Vote 10-8.

Rep. Lee Ann Kluger for the **Minority** of Education Policy and Administration. This bill, as amended, withholds state aid from a public school or district that does not submit input-based reports on time. This creates the valid concern that poorer schools in our state could be gravely affected by the holding back of state aid. It is important to mention that the majority of school districts are in compliance with the deadlines as set by the department. Since all state aid would be withheld, it could affect the students that this aid is meant to help. The minority recognizes the importance of input-based accountability but not with parameters that could influence student success.

Majority Amendment (0648h)

Amend RSA 193-E:3-b, I(d) as inserted by section 1 of the bill by replacing it with the following:

(d) The input-based school accountability system shall be completed by January 15 of every even numbered year. The school principal and school district superintendent shall certify in writing that the responses submitted are accurate. The commissioner, or designee, shall review the input-based school accountability system responses to each school's self-assessment required under this section and shall verify that the responses comply with the standards under subparagraph (a). ***The commissioner shall notify the governing body of the school district, city, or chartered public school that all state aid to education shall be withheld until such time as the input-based school accountability system report is submitted to the department in accordance with this subparagraph.***

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.

On a division vote, with 184 members having voted in the affirmative, and 149 in the negative, the majority committee report was adopted and the bill was ordered to third reading.

CACR 21, relating to voting eligibility.

Providing that only legal residents who are at least 18 years of age or older who reside in the place they claim as domicile shall be eligible voters. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Robert Wherry for the **Majority** of Election Law. The amended Constitutional Amendment Concurrent Resolution focuses solely on requiring US citizenship as a qualification for voting. Non-US citizens are already prohibited from voting in federal elections, but concerns have been raised nationwide about non-citizen voting in state and local elections. At least nine states have approved ballot measures prohibiting non-citizen voting. Placing this requirement in the New Hampshire Constitution would more firmly ensure that only US citizens may vote in all New Hampshire elections. Vote 10-5.

Rep. Connie Lane for the **Minority** of Election Law. The minority opposes this Constitutional Amendment Concurrent Resolution because it is unnecessary. RSA 654:7 already requires that you must be a US citizen in order to be a registered voter in NH. Recent laws have been enacted requiring new registrants to prove their citizenship with documentation. No evidence was presented showing that the existing statute is unclear, unenforceable, or constitutionally deficient. Similarly, no evidence was presented that any non-citizens have held office in NH. Proponents claimed that other states have allowed non-citizens the right to vote in state or federal elections, and we must adopt this provision to insure that does not happen here. That is simply not true. No state allows non-citizens to vote in state elections, and federal law prohibits them from voting in

federal elections. There are several common reasons for adopting a constitutional amendment, and this Constitutional Amendment Concurrent Resolution does not meet any of them. It does not guarantee fundamental rights and liberties, such as the freedom of speech, the right to vote for former slaves or women, or equal protection under the law for all citizens. It does not modify the structure or workings of government, clarify an ambiguity, override a supreme court decision, or respond to a major historical event or social change – all of which are reasons used in the past to justify constitutional amendments. For these reasons, the minority recommends a motion for Inexpedient to Legislate.

Majority Amendment (0455h)

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

RELATING TO: voting eligibility.

PROVIDING THAT: only United States citizens who are at least 18 years of age or older who reside in the place they claim as domicile shall be eligible voters.

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

I. That article 11 of the first part of the constitution be amended to read as follows:

[Art.] 11. [Elections and Elective Franchises.] All elections are to be free, and every inhabitant of the state **who is a United States citizen** of 18 years of age and upwards shall have an equal right to vote in any election. Every person shall be considered an inhabitant for the purposes of voting in the town, ward, or unincorporated place where he **or she** has his **or her** domicile. No person shall have the right to vote under the constitution of this state who has been convicted of treason, bribery or any willful violation of the election laws of this state or of the United States; but the supreme court may, on notice to the attorney general, restore the privilege to vote to any person who may have forfeited it by conviction of such offenses. The general court shall provide by law for voting by qualified voters who at the time of the biennial or state elections, or of the primary elections therefor, or of city elections, or of town elections by official ballot, are absent from the city or town of which they are inhabitants, or who by reason of physical disability are unable to vote in person, in the choice of any officer or officers to be elected or upon any question submitted at such election. Voting registration and polling places shall be easily accessible to all persons including disabled and elderly persons who are otherwise qualified to vote in the choice of any officer or officers to be elected or upon any question submitted at such election. The right to vote shall not be denied to any person because of the nonpayment of any tax. Every inhabitant of the state, having the proper qualifications, has an equal right to be elected into office.

II. That the above amendment proposed to the constitution be submitted to the qualified voters of the state at the state general election to be held in November, 2026.

III. That the selectmen of all towns, cities, wards and places in the state are directed to insert in their warrants for the said 2026 election an article to the following effect: To decide whether the amendments of the constitution proposed by the 2026 session of the general court shall be approved.

IV. That the wording of the question put to the qualified voters shall be:

“Are you in favor of amending article 11 of the first part of the constitution to read as follows:

[Art.] 11. [Elections and Elective Franchises.] All elections are to be free, and every inhabitant of the state who is a United States citizen of 18 years of age and upwards shall have an equal right to vote in any election. Every person shall be considered an inhabitant for the purposes of voting in the town, ward, or unincorporated place where he or she has his or her domicile. No person shall have the right to vote under the constitution of this state who has been convicted of treason, bribery or any willful violation of the election laws of this state or of the United States; but the supreme court may, on notice to the attorney general, restore the privilege to vote to any person who may have forfeited it by conviction of such offenses. The general court shall provide by law for voting by qualified voters who at the time of the biennial or state elections, or of the primary elections therefor, or of city elections, or of town elections by official ballot, are absent from the city or town of which they are inhabitants, or who by reason of physical disability are unable to vote in person, in the choice of any officer or officers to be elected or upon any question submitted at such election. Voting registration and polling places shall be easily accessible to all persons including disabled and elderly persons who are otherwise qualified to vote in the choice of any officer or officers to be elected or upon any question submitted at such election. The right to vote shall not be denied to any person because of the nonpayment of any tax. Every inhabitant of the state, having the proper qualifications, has an equal right to be elected into office.”

V. That the secretary of state shall print the question to be submitted on a separate ballot with other constitutional questions or on the official ballot. The ballot containing the question shall include 2 ovals next to the question allowing the voter to vote “Yes” or “No.” If no oval is marked, the ballot shall not be counted on the question. The outside of the ballot shall be the same as the regular official ballot except that the words “Questions Relating to Constitutional Amendments proposed by the 2026 General Court” shall be printed in bold type at the top of the ballot.

VI. That if the proposed amendment is approved by 2/3 of those voting on the amendment, it becomes effective when the governor proclaims its adoption.

VII. Voters' Guide.

AT THE PRESENT TIME, the constitution guarantees the right of all inhabitants of the state who are 18 years or older to vote in the place in which they are domiciled.

IF THE AMENDMENT IS ADOPTED, the constitution will guarantees the right of all inhabitants of the state who are United States citizens and are 18 years or older to vote in the place in which they are domiciled.

2026-0455h

AMENDED ANALYSIS

This constitutional amendment concurrent resolution would amend the constitution to recognize the right of all United States citizens who are 18 years or older to vote in the place they claim as domicile, so long as they actually reside in the place they claim as domicile.

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. Berry requested a roll call; sufficiently seconded.

YEAS 184 - NAYS 146**YEAS - 184****BELKNAP**

Aldrich, Glen
Comtois, Barbara
Terry, Paul

Bogert, Steven
Freeman, Lisa
Toner, Travis

Bordes, Mike
Harvey-Bolia, Juliet

Coker, Matthew
Ploszaj, Tom

CARROLL

Avellani, Lino
MacDonald, John

Belcher, Mike
Peternel, Katy

Crawford, Karel
Brown, Richard

Hamblen, Joseph
Taylor, Brian

CHESHIRE

Murphy, Denis
Nalevanko, Rich

Hunt, John
Qualey, James

Karasinski, Sly

Mattson, Rita

COOS

Davis, Arnold
King, Seth

Durkin, Sean
Tremblay, Marc

Korzen, Lori

Ouellet, Mike

GRAFTON

Barton, Joseph
Franz, Linda

Beaulier, Calvin
Louis, Darrell

Berezhny, Lex
McFarlane, Donald

Bjelobrk, Marie Louise
Sellers, John

HILLSBOROUGH

Alexander, Joe
Berry, Ross
Corcoran, Travis
Drew, Matt
Fedolfi, Jim
Giasson, Henry
Kesselring, Steven
Murphy, Mary
Mooney, Maureen
Paquette, Kathleen
Proulx, Mark
Schneller, John
Slottje, Jeremy
Ulery, Jordan

Ammon, Keith
Boehm, Ralph
Creighton, James
Dumont, Dillon
Flanagan, Jack
Gorski, Ted
Kofalt, Jim
Mazur, Lisa
Morton, Jonathan
Pauer, Diane
Prout, Andrew
Scully, Kevin
Suiter, John
Wheeler, Jonah

Boyd, Bill
Colcombe, Riché
Kelley, Diane
Dupont, Pierre
Griffin, Gerald
Gould, Linda
Labrie, Brian
McLean, Mark
Noble, Kristin
Peeples, Raymond
Reinfurt, Sherri
Sheehan, Vanessa
Tenczar, Jeffrey
Wherry, Robert

Barbour, Liz
Cole, Brian
Daniels, Gary
Erf, Keith
Gagne, Larry
Kenny, Catherine
Lascelles, Richard
Miles, Julie
Ohm, Bill
Post, Lisa
Rice, Kimberly
Sirois, Shane
Mannion, Tom

MERRIMACK

Andrus, Louise
Devoid, Ricky
Pitaro, Matthew
Seaworth, Brian
Wood, Clayton

Aylward, Deborah
Hill, Gregory
Plante, Raymond
See, Alvin

McGuire, Carol
Mehegan, Peter
Polozov, Yury
Walsh, Thomas

McGuire, Dan
Moffett, Michael
Boyd, Stephen
Thibault, James

ROCKINGHAM

Ball, Lorie
Mannion, Dennis
Donnelly, Tanya
Guthrie, Joseph
Khan, Aboul

Bernardy, JD
Thomas, Douglas
Drago, Mike
Guzofski, James
Kuttab, Katelyn

Bridle, Nicholas
DeSimone, Debra
Edwards, Jess
Harb, Robert
Miner, Laurence

Bryer, Scott
DeVito, Sayra
Foote, Charles
Katsakiores, Phyllis
Walsh, Lilli

Layon, Erica
Mandelbaum, Jennifer
Melvin, Charles
Osborne, Jason
Porcelli, Susan
Sabourin dit Choinière, Matt
Summers, James
Tudor, Paul
MacDonald, Wayne

Litchfield, Melissa
McDonnell, Valerie
Milz, David
Brown, Pam
Potucek, John
Selby, Donald
Sweeney, Joe
Vandecasteele, Susan
Weyler, Kenneth

Lynn, Bob
McGrath, Linda
Nadeau, Brian
Perez, Kristine
Prudhomme-O'Brien, Katherine
Soti, Julius
Sytek, John
Verville, Kevin
Wilson, Vicki

Pearson, Mark
McMahon, Charles
Nelson, Jodi
Popovici-Muller, Daniel
Pearson, Stephen
Spillane, James
Tripp, Richard
Vose, Michael

Bailey, Glenn
Farrington, Samuel
Potenza, Kelley

Burnham, Claudine
Granger, Michael
Hall, Robley

DeLemus, Susan
Harrington, Michael
Turcotte, Len

DeRoy, Susan
Kaczynski, Thomas
Walker, David

Drye, Margaret
Aron, Michael

Grant, George
Rollins, Skip

Hemingway, Wayne
Spilsbury, Walter

Aron, Judy

STRAFFORD

SULLIVAN

NAYS - 146 BELKNAP

Nagel, David

St. Clair, Charlie

Burroughs, Anita

Paige, David

CARROLL

McAleer, Chris

Woodcock, Stephen

Ames, Dick
Faulkner, Barry
Newell, Jodi

Berch, Paul
Jacobs, Samantha
O'Rorke, Terri

Harvey, Cathryn
Jones, Philip
Parshall, Lucius

Fox, Dru
Germana, Nicholas
Weber, Lucy

Almy, Susan
Hakken-Phillips, Mary
Rockmore, Ellen
Sykes, George

Bolton, Bill
Lucas, Janet
Spahr, Terry

Cormen, Thomas
Muirhead, Russell
Stavis, Laurel

Fellows, Sallie
Oppel, Thomas
Stringham, Jerry

GRAFTON

HILLSBOROUGH

Murray, Aissandra
Chourasia, Manoj
DiSilvestro, Linda
Georges, Mary
Harriott-Gathright, Linda
Juris, Louis
Leapley, Nicole
Long, Patrick
McGhee, Kat
Newman, Ray
Ryan, Linda
Spier, Carry
Vail, Suzanne
Wilhelm, Matthew

Beauchemin, Paige
Chretien, Suzanne
Elberger, Susan
Gregg, Alicia
Hartnett, Tim
Kerwin, Erin
LeClerc, Daniel
Murray, Megan
Murphy, Nancy
Raymond, Heather
Newman, Sue
Staub, Kathy
Veilleux, Daniel

Bergeron, Dan
Darby, Will
Davis, Fred
Grill, Jessica
Herbert, Christopher
Kluger, Lee Ann
Leishman, Peter
MacKenzie, Mark
Petrigno, Peter
Rombeau, Catherine
Salvi, Santosh
Telerski, Laura
Dolan, William

Budathoki, Suraj
Dargie, Paul
Foss, Lily
Grund, Stephanie
Jack, Martin
Foxy, Loren
Lloyd, Christal
Manohar, Sanjeev
Preece, David
Rung, Rosemarie
Seibert, Christine
Tellez, Trinidad
Thomas, Wendy

Bricchi, Tracy
Gallager, Eric
Hall, Muriel
Sargent, Gregory
Soucy, Timothy

Caplan, Tony
Gibbs, Merry
Newsom, James
Schamberg, Thomas
Wallner, Mary Jane

Kelly, Eileen
Lane, Connie
Richards, Beth
Schultz, Kris
Woods, Gary

Ebel, Karen
Luneau, David
Roesener, James
Snodgrass, Jim

MERRIMACK

ROCKINGHAM

Cahill, Michael
Haskins, Linda
Manos, Zoe
Read, Ellen
Turer, Eric

de Vries, Erica
Knab, Allison
Meuse, David
Scherr, Buzz
Ward, Gerald

Edgar, Michael
Maggiore, Jim
Muns, Chris
Simpson, Alexis
Weinstein, Toni

Gilman, Julie
Malloy, Dennis
Raynolds, Ned
Sorensen, Carrie

Bay, Luz
Gilmore, Gary
Johnson, Erik
Miller, Seth
Stone, John

Bixby, Peter
Howard, Heath
LaMontagne, Jessica
Schmidt, Peter
Pearson, Wayne

Burton, Wayne
Horrigan, Timothy
Larochelle, John
Selig, Loren
Wade, Alice

Butler, Billie
Howland, Allan
Levesque, Cassandra
Southworth, Thomas
Wall, Janet

STRAFFORD

SULLIVAN

Sullivan, Brian

Cloutier, John

Damon, Hope

Palmer, William

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

MOTION TO REMOVE FROM THE TABLE

Rep. Wade moved that **HB 1814-FN**, establishing a 10-year strategic housing and infrastructure plan be removed from the table.

On a division vote, with 123 members having voted in the affirmative, and 207 in the negative, the motion failed.

REGULAR CALENDAR PART I CONT'D

HB 590, relative to cooperative school district school board elections. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Ross Berry for the **Majority** of Election Law. This bill was recommitted to the committee at the request of the minority after originally appearing on the Consent Calendar. The legislation prohibits school districts from establishing voting systems in which voters from one town are able to determine the representative for another town. The majority of the committee has significant concerns about the one-person, one-vote implications of such arrangements and believes these systems raise serious constitutional questions that are likely to be challenged in court. At its core, the majority believes each town should select its own representative to the school board rather than allowing larger neighboring communities to effectively dictate who represents them. Vote 9-8. Rep. Connie Lane for the **Minority** of Election Law. This bill, as amended, will change the method of selection and terms of members of cooperative school boards. This bill was recommitted to the Election Law Committee because the amendment to the bill never had a public hearing and was produced at the last minute during the last executive session of 2025. As has become an increasingly common scenario within our legislature, no public hearing was held in 2026 nor were any explanations given about the intent and need for the bill. No multi-district school board members or superintendents gave testimony or provided any public input. No one spoke in support of the bill. The minority feels that it is irresponsible to pass a bill without a public hearing and a meaningful opportunity to vet the bill, so thinks that the bill should be voted Inexpedient to Legislate.

Majority Amendment (1066h)

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

1 Composition of Cooperative School Boards. RSA 195:19-a is repealed and reenacted to read as follows:

195:19-a Composition of Cooperative School Boards.

The method of selection and terms of members of cooperative school boards shall be as provided in the bylaws or articles of agreement of the cooperative school district, as the case may be; provided, however, that such bylaws and articles of agreement shall be limited to the following requirements:

I. The members of the cooperative school board shall be elected by the voters of their pre-existing district and shall be residents of such pre-existing district. Each pre-existing district shall be entitled to elect at least one board member. Apportionment shall provide flexibility to the cooperative school district in meeting requirements of the one-man one-vote doctrine for a pre-existing district or pre-existing districts to support as nearly as possible the pre-existing board representation based upon population and pursuant to RSA 195.

II. The state board of education may approve other methods of selection of cooperative school board members, so long as such other method is compatible with proportional representation according to the one-man one-vote principle.

III. The terms of the members of the cooperative school board shall be as provided in the bylaws or articles of agreement provided that in no case shall such terms exceed 3 years.

IV. Whenever the bylaws or articles of agreement provide for the election of cooperative school board members pursuant to this chapter, said election shall be with the use of the non-partisan ballot system under RSA 669.

V. The number of members and composition of cooperative school boards shall be in accordance with this section by July 1, 2026. Members whose terms expire prior to this date shall be elected pursuant to this section.

2 Reapportionment; Cooperative School District. Amend RSA 195:19-b to read as follows:

195:19-b Reapportionment. Any cooperative school district organized under any of the provisions of RSA 195 or pursuant to any special act may at any regular or special meeting vote to change the number, composition, method of selection, and terms of office of members on the board of the district, provided that in no event shall the board exceed 15 members nor terms exceed 3 years[; and may change the apportionment of the board in relation to the pre-existing school districts]. ***Apportionment of members of the cooperative school board shall be reviewed and reapportioned, if necessary, based upon the latest federal decennial census and pursuant to RSA 195:19-a.***

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

2026-1066h
AMENDED ANALYSIS

This bill requires cooperative school boards to elect representatives from pre-existing districts only from voters within the district.

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.
On a division vote, with 181 members having voted in the affirmative, and 149 in the negative, the majority committee report was adopted and the bill was ordered to third reading.

HB 686-FN, requiring a voter to provide identification when requesting an absentee ballot. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Ross Berry for the **Majority** of Election Law. As amended this bill only focuses on the prohibition of political surveys conducted by government employees while operating in their official capacity. This bill prohibits government-issued or government-run surveys on political matters directed at candidates for public office. The majority believes it is highly inappropriate for government employees, while acting in their official capacity and on taxpayer time, to survey candidates in ways that could influence an election. Nothing in this bill prevents public employees from engaging in political advocacy or conducting surveys on their own time or through private organizations, including labor unions. The bill simply draws a clear line between government functions and political activity. The majority firmly holds that government institutions must remain neutral and agnostic in elections. When government entities appear to engage in political activity, it risks undermining public confidence both in the institutions themselves and in the integrity of the electoral process. Vote 9-8.

Rep. Russell Muirhead for the **Minority** of Election Law. This bill would make it illegal for any public body to conduct any survey about any matter that might be “reasonably anticipated to be submitted to voters.” This overly broad language carries a raft of unintended consequences. We anticipate that it will in practice mean that no public body can conduct a survey about anything, since any topic of public concern might be reasonably expected to be directly or indirectly submitted to voters at some point in the future. For instance, the bill would likely forbid any public board from surveying its own members in a straw poll fashion about any topic. To take a different example, the bill would forbid any town bicycle-pedestrian committee from surveying residents about their interest in bike racks or bicycle lanes in particular areas of town. Another consequence is that civic virtue-building exercises such as mock elections in high schools during presidential election years would be illegal, notwithstanding the anonymity with which student mock votes are cast and collected. In executive session, the prime sponsor explained that the bill originates in a lamentable experience concerning a survey done by employees of a town library. Given the contrast between the very narrow purpose of the bill and the wide array of unintended consequences, the minority believes that this bill should be opposed.

Majority Amendment (1972h)

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

AN ACT prohibiting certain public entities from conducting or sponsoring political surveys, polls, or questionnaires in their official capacities.

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

1 Electioneering by Public Employees. RSA 659:44-a is repealed and reenacted to read as follows:

659:44-a Electioneering by Public Employees.

I. No public employee, as defined in RSA 273-A:1, IX, shall electioneer while in the performance of his or her official duties.

II. No public employee shall use government property or equipment, including, but not limited to, telephones, facsimile machines, vehicles, and computers, for electioneering.

III. For the purposes of this section, “electioneer” means to act in any way specifically designed to influence the vote of a voter on any question or office.

IV. No public body or public employee while acting in an official capacity, shall conduct or sponsor any survey, poll, or questionnaire concerning candidates, political parties, ballot measures, or policies reasonably anticipated to be submitted to voters. For the purposes of this paragraph, “public employees” means the persons described in RSA 273-A:1, IX(b), (c), and (d). This paragraph shall not apply to bona fide academic research conducted independently by an institution of higher education.

V. Any person who violates this section shall be guilty of a misdemeanor.

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

2026-0972h
AMENDED ANALYSIS

This bill prohibits certain public entities from conducting or sponsoring political surveys, polls, or questionnaires in their official capacities. This bill also exempts from such prohibition any surveys, polls, or questionnaires conducted by institutions of higher education.

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.
On a division vote, with 178 members having voted in the affirmative, and 152 in the negative, the majority committee report was adopted and the bill was ordered to third reading.

HB 1062, authorizing the secretary of state to conduct random audits of the citizenship qualification of registered voters. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Ross Berry for the **Majority** of Election Law. For decades in New Hampshire, the only thing necessary for a person to attest to their citizenship when registering to vote was a signature on a piece of paper. While that system relied heavily on trust, the majority of the committee believes that modern election administration should include reasonable verification mechanisms to ensure the integrity of the voter checklist. This bill authorizes the Secretary of State to conduct random audits of the citizenship qualifications of registered voters who previously relied on a qualified voter affidavit as proof of citizenship. The audits may use available governmental and private databases to confirm citizenship status. When citizenship is confirmed, that verification is recorded in the statewide voter registration database and the voter will not be subject to future audits. If information is uncovered that indicates a potential non-citizen may be on the voter checklist, the matter is referred to the Attorney General for review and any appropriate action. The majority of the committee believes this approach is a reasonable and measured safeguard. Random audits are a common compliance tool used throughout government to verify eligibility and ensure that systems that relied on affidavits are functioning properly. The bill does not presume wrongdoing, does not remove anyone from the checklist through the audit process itself, and does not burden voters with new requirements. Instead, it provides a mechanism to verify the integrity of the system after the fact. The majority believes that even if instances of non-citizen voting are rare, maintaining public confidence in elections requires that the state have the ability to verify eligibility when questions arise. Allowing periodic audits helps ensure that the voter rolls remain accurate and that the system based on affidavits is operating as intended. Vote 9-7.

Rep. James Newsom for the **Minority** of Election Law. Even if you disagree with the Heritage Foundation's research telling us that almost zero non-citizens vote in all the land but instead, you believe that our voter rolls are inundated with non-citizens that need catching, too many holes, what-ifs, and unknowns remain in this bill for it to become law. It allows the Secretary of State to use any private database to confirm citizenship – without limit, without disclosure, without reporting. This bill inadequately explains how to handle the audit results. The bill says what to do if citizenship is confirmed, and if citizenship is questioned. But what if the public and private databases have no answer? The process should allow these individuals to specifically maintain their presumption of innocence. The minority believes the bill lacks necessary transparency by failing to require any disclosure of the results of the audits. Surely the purpose of these audits is to improve voter confidence in elections, or alternatively to prove to the minority that our elections are the hot mess as some claim, then certainly the results of the audit need to be published and disseminated far and wide. Of course, there is the ever-present election law issue of whether certain populations, namely women and minorities, will be over-burdened by this process.

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

On a division vote, with 181 members having voted in the affirmative, and 152 in the negative, the majority committee report was adopted and the bill was ordered to third reading.

HB 1125, enabling school districts to adopt partisan school district elections. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Robert Wherry for the **Majority** of Election Law. This enabling legislation allows school districts to determine whether they wish to hold partisan school elections. For many voters, a nonpartisan ballot provides no assistance during an election. Voters do not recognize (m)any of the candidate names, and there is little information on where the candidates stand on the issues. School board elections are an important form of local accountability and oversight. When citizens are unhappy with the district, the ballot box enables voters to express their dissatisfaction. Having nonpartisan elections, however, weakens accountability and oversight because voters do not know which party is in control. The voters cannot determine who to elect to replace those officials who were acting against their interests. Voters need the partisan information to select those candidates that support their interests. In a partisan election, voters can rely on the party labels to help guide their choices, even if they do not know much about candidates. Partisan ballots, though imperfect, enable more informed voting than asking citizens to do extensive background research on every candidate seeking office. Voter turn-out is often lacking in these local school elections due to this lack of information. Enabling partisan school elections will likely help voter turn-out. Accordingly, the majority of the Election Law Committee voted to recommend the bill Ought To Pass. Vote 8-7.

Rep. James Newsom for the **Minority** of Election Law. Many bills have been said to be a solution in search of a problem and this is another one. This bill is nearly identical to last year's HB 356 (2025) that was vetoed

because it will create unnecessary division. This problem remains as this year's version still seeks to enable school district elections to become partisan elections. The committee heard zero testimony in support of it. We heard no constituents asking for this change. Towns and cities already have this partisan option for local elections, and only one city has chosen this way. Arguments in favor include that this bill acknowledges the reality that these elections are already partisan, or that it will be easier for a voter to decide who to vote for based on party affiliation rather than the person behind the name. These arguments ignore the importance of community unity and the need for less vitriol at local levels. As for the potential argument that voter turnout will increase, that is pure speculation with no actual proof other than absolute conjecture. With no known constituent interest in this bill, and a whopping 2.5% support in online testimony, the minority recommends Inexpedient to Legislate on this bill.

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

On a division vote, with 168 members having voted in the affirmative, and 156 in the negative, the majority committee report was adopted and the bill was ordered to third reading.

HB 1272, providing that each candidate's party affiliation be printed on the town or school district ballot. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Robert Wherry for the **Majority** of Election Law. The purpose of this bill is to enable towns and/or school districts to vote to allow the candidates' party affiliation to be displayed on the ballot for local elections. The bill also enables a town and/or a school district to rescind this provision if desired. This bill as amended provides an additional enabling mechanism, such that even if a town and/or school district decides to adopt the provision, each candidate may still choose whether to have the party affiliation placed by their name on the ballot. In the general election, many voters rely on the candidate's party affiliation to help them make their selections. To these voters, a nonpartisan ballot is of no help in the selection process. In contrast, partisan ballots facilitate more informed voting than asking the voters to do extensive background research on every candidate seeking office. Studies have found that nonpartisan races create three problems in terms of lower voter turnout, a lack of accountability and a lack of transparency. Regarding a lower voter turnout, it is the absence of knowledge about the candidates' party affiliation that leads to a substantially lower voter turnout. Regarding a lack of accountability, it is the nonpartisan elections that undermine accountability because voters don't know which party is in power and can't identify who to elect and who to reject in accordance with their interests. Regarding a lack of transparency, towns and school districts inevitably operate within political ideologies. It turns out that the so-called apolitical nonpartisan elections, are merely a means to conceal the true political ideologies. By providing enabling legislation to allow towns and/or school districts to choose whether to allow the candidates' party affiliation to be displayed on the ballot for local elections, steps can be taken to address these issues with nonpartisan races. Vote 9-7.

Rep. Connie Lane for the **Minority** of Election Law. This bill, as amended, provides a mechanism for a candidate's party affiliation to be printed on town or school district ballots. The town or school district must first adopt a provision allowing a candidate the choice to show their party affiliation on a ballot. After such adoption, when a candidate files for office, they may notify the town clerk that no party affiliation shall appear after their name on the ballot. In short, this bill is an attempt to resurrect HB 356 (2025), which was vetoed by Governor Ayotte, saying: "Local schools are run properly and in a nonpartisan manner. Additionally, there is no need to fix a system that is not broken. Making these local elections into partisan fights will create unnecessary division between Grantie Staters." Supporters of this bill ignore the importance of community unity and the need for less vitriol at local levels. The minority agrees with the Governor and with the 98% of online supporters who opposed this bill (296 oppose/2 support) and recommends that this bill be voted Inexpedient to Legislate.

Majority Amendment (0974h)

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

AN ACT providing an option for each candidate's party affiliations to be printed on the town or school district ballot.

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

1 New Section; Party Affiliation on the Official Ballot; Ballot Systems; Town Elections. Amend RSA 669 by inserting after section 13 the following new section:

669:13-a Party Affiliation on the Official Ballot.

I. Any town that has adopted an official ballot system under RSA 669:12 or RSA 669:13 may vote to include on the official ballot each candidate's party affiliation after the candidate's name, unless waived by the candidate, under an article in the warrant for any town meeting. The town clerk shall cause to be printed on the official ballot the question, "Shall the official ballot contain the party affiliation of each candidate, appearing after each candidate's name, pursuant to RSA 669:13-a, I?", which question shall be followed by boxes in which the voter may indicate "Yes" or "No". If the majority of the qualified voters present and voting at such meeting shall answer said question in the affirmative, the party affiliation of candidates shall be included

on future official ballots, until rescinded or until the unofficial ballot system is adopted. The party affiliation shall be the candidate's party affiliation listed on the town's voter checklist at the time the candidate declares candidacy and shall be denoted on the ballot after the candidate's name using the first 3 letters of the name of the party in parentheses or "(UND)" if candidate has no declared party. When filing for office, a candidate may notify the town clerk that no party affiliation shall appear after their name on the official ballot.

II. Any town that has adopted the provisions of RSA 669:13-a, I may vote to rescind these provisions under an article in the warrant for any town meeting. The town clerk shall cause to be printed on the official ballot the question, "Shall the official ballot no longer contain the party affiliation of each candidate, pursuant to RSA 669:13-a, II?", which question shall be followed by boxes in which the voter may indicate "Yes" or "No". If the majority of the qualified voters present and voting at such meeting shall answer said question in the affirmative, the party affiliation of candidates shall no longer be included on future official ballots. The provisions of RSA 669:13-a, I shall also be rescinded if the town adopts the unofficial ballot system.

2 New Paragraphs; Preparation of Ballots; By School District Clerk. Amend RSA 671:20 by inserting after paragraph II the following new paragraphs:

III. Any school district may vote to include on the official ballot each candidate's party affiliation after the candidate's name, unless waived by the candidate, under an article in the warrant for any town meeting. The school district clerk shall cause to be printed on the official ballot the question, "Shall the official ballot contain the party affiliation of each candidate, appearing after each candidate's name, pursuant to RSA 671:20, III?", which question shall be followed by boxes in which the voter may indicate "Yes" or "No". If the majority of the qualified voters present and voting at such meeting shall answer said question in the affirmative, the party affiliation of candidates shall be included on future official ballots, until rescinded pursuant to RSA 671:20, IV. The party affiliation shall be the candidate's party affiliation listed on the town's voter checklist, where the candidate is registered to vote, at the time the candidate declares candidacy and shall be denoted on the ballot after the candidate's name using the first 3 letters of the name of the party in parentheses or "(UND)" if candidate has no declared party. When filing for office, a candidate may notify the school district clerk that no party affiliation shall appear after their name on the official ballot.

IV. Any school district that has adopted the provisions of RSA 671:20, III may vote to rescind these provisions under an article in the warrant for any school district meeting. The school district clerk shall cause to be printed on the official ballot the question, "Shall the official ballot no longer contain the party affiliation of each candidate, pursuant to RSA 671:20, III?", which question shall be followed by boxes in which the voter may indicate "Yes" or "No". If the majority of the qualified voters present and voting at such meeting shall answer said question in the affirmative, the party affiliation of candidates shall no longer be included on future official ballots.

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

2026-0947h

AMENDED ANALYSIS

This bill provides an option for each candidate's party affiliation to be printed on the town or school district ballot.

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.
On a division vote, with 171 members having voted in the affirmative, and 156 in the negative, the majority committee report was adopted and the bill was ordered to third reading.

HB 1300, changing the state's congressional districts. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Ross Berry for the **Majority** of Election Law. This bill ensures that voters are given a clear and straightforward opportunity to decide whether to adopt a local tax effort cap on the portion of property taxes raised for their school district and a fixed cap on central office administrative spending. The question would appear on the ballot during the November general election, allowing voters to decide whether these limits should apply for the following two fiscal years. The majority believes that voters deserve the ability to make this decision free from procedural games or barriers that prevent the question from reaching the ballot. If the voters support a tax cap, they can enact it. If they do not support it, they can reject it. This bill simply guarantees that the public has the opportunity to decide the matter directly. The committee notes that the November general election typically has four to five times the turnout of a typical school district meeting or election, making it far more reflective of the true will of the community. Importantly, the same threshold required to adopt a tax cap at a school district meeting, a 3/5 majority, still applies under this bill. The proposal does not lower the bar for adoption; it simply ensures that the decision is made by a much larger portion of the electorate. The committee also heard concerns about the accessibility of current school district deliberative processes. In some communities, meetings can stretch eight hours or longer, with extended presentations and detailed

budget discussions that make participation difficult for working families and many ordinary voters. The majority believes that placing the question before voters during the November election provides a fairer and more accessible opportunity for participation. The majority also emphasizes that this is a tax effort cap, not a spending cap. School districts may still receive funding from other sources, including state aid, grants, or other revenues. The bill only limits the growth of property taxes raised locally, which remain the primary driver of the property tax burden facing many New Hampshire residents. Finally, the bill applies only to school district spending and school administrative unit central office administrative budgets. School spending represents the largest driver of local property taxes in New Hampshire, and voters deserve a regular opportunity to weigh in on whether limits should be placed on that growth. The majority firmly believes that giving voters a voice on this issue strengthens local control and public accountability. The majority of the committee does not fear the will of the people and believes taxpayers should be trusted to make informed decisions about the costs imposed upon them. Vote 9-8.

Rep. James Newsom for the **Minority** of Election Law. This bill, as amended, will mandate towns hold a tax cap vote for schools during the November general elections. Simply stated, it is far from ready for passage and contains more problems than can be listed in a simple minority report, but major concerns arise from having a town or ward election forcing a budget cap on a school district, which is a separate entity. Adding a tax cap in November, in the middle of budgets being developed, will create chaos and uncertainty for schools and budget committees. Additionally, the bill separates the law for those towns that have adopted the official ballot system from those towns that have not. In November, there is no official ballot system. November are state elections without any SB 2 issues whatsoever. Furthermore, the voting mechanisms in this bill do not account for the multi-state pacts of several school districts. Just like a town cannot tax cap a school district, NH cannot force Vermont to vote as it relates to the Hanover School District. Next up, is this amendment is non-germane to the bill that was referred to the committee. There was a hearing on a different non-germane amendment that was never discussed, exec'd, or considered in any way by the committee, but not for this amendment that was described by its sponsor as "substantially changed." House Rule 46(b) may have been broken. Additionally, this bill is wholly unnecessary as there are other statutes already in place to implement a tax cap. Additionally, this bill calls for votes to be certified by the secretary of the school administrative unit (SAU). This office does not exist and usurps the power of the moderator. Financially, this bill may not do what it intends to do. The bill caps revenues raised by taxation meaning that if the current administration is successful in overturning the education funding cases and this body decides to not fund which is a safe assumption based on the efforts to overturn decades of established precedent, then massive revenues would be lost or huge increases to local property taxes would be incurred. Also on the financial side, there are adjustments for attendance which will adjust taxation on per pupil rates, but actual costs are incurred on marginal rates. This will irresponsibly disproportionately reduce revenue when compared to costs. The committee heard testimony that this bill would be an unconstitutional referendum. Whether it is or it is not, the way we will learn is by spending another \$1.5 million in unbudgeted legal costs for the state. In addition to the subject matter problems identified above, the procedural aspects were less than adequate. During the January hearing on the other non-germane amendment, the chair indicated that the committee would hold an additional hearing and we would have a work-session on this bill. Neither occurred, and instead, the majority's non-germane amendment was circulated at the 11th hour and was adopted without a hearing. This body has recently rejected tax cap bills and should continue that position with the proper vote of Inexpedient to Legislate.

Majority Amendment (0980h)

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

AN ACT establishing a biennial school district local tax cap question and related limitations on central office administrative expenses in school districts.

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

1 New Section; Municipal Budget Law; Preparation of Budgets; Biennial School District Local Tax Cap and School Administrative Fixed Cap on Central Office Administrative Budgets. Amend RSA 32 by inserting after section 5-h the following new section:

32:5-i Biennial School District Local Tax Cap and School Administrative Fixed Cap on Central Office Administrative Budgets.

I. Every town and ward in a city shall conduct a vote on a local tax cap question for their school district and fixed cap on the school administrative unit central office administrative budget in even numbered years at the state general election held in November. The question shall appear on the ballot by operation of law and shall not require a warrant article, citizen petition, or separate local legislative approval.

II. In municipalities that have adopted an official ballot system, the town or city clerk shall cause the question to appear on a separate official ballot.

III. In towns that have not adopted an official ballot system, the town clerk shall cause the question to be printed on separate local ballots. Such ballots shall be distributed to voters at the polling place during the state general election and shall be cast, collected, and counted under the supervision of the moderator in a manner consistent with ballot voting procedures.

IV. Nothing in this section shall prohibit a municipality, school board, or school administrative unit board from holding a public hearing on the question for the local tax cap and for the school administrative fixed cap on central office administrative budgets. The question on the separate official ballot or local ballot shall not be included on the official statewide ballot administered by the secretary of state. Such ballots shall be distributed to voters at the polling place during the state general election and shall be cast, collected, and counted under the supervision of the moderator in a manner consistent with local ballot voting procedures.

V.(a) The school district local tax cap and school administrative unit fixed cap question on the ballot for towns and wards with an annual school district meeting shall read:

“Shall the [name of municipality] adopt the provisions of RSA 32:5-i to implement a local tax cap for the next two fiscal years on the portion of property taxes raised for the [name(s) of school district(s)] and a fixed cap on the central office administrative budget of the supporting school administrative unit? If adopted, the school district governing body (or budget committee) of each school district shall not submit a recommended budget that increases the amount to be raised by local taxes (this year’s base), that is higher than the prior fiscal year’s actual amount of local taxes raised (last year’s base), adjusted for inflation using the CPI-U Northeast Region and the change in attendance, in accordance with RSA 32:5-b, I-b, except that costs for bonded capital projects are excluded from both year’s bases, and further that the central office administrative budget of the supporting school administrative unit shall not exceed the school administrative unit fixed cap, which is 6 percent of the sum of the total school district appropriation amounts, except costs of bonded capital projects, in the school districts comprising the SAU in accordance with RSA 32:5-i? The local tax cap on a school district may be overridden pursuant to RSA 32:5-b, III. The school administrative unit fixed cap may be pursuant to RSA 32:5-i, and applies only to administrative operations of the SAU central office and does not affect classroom instruction, school-based services, or other municipal expenditures. Adoption of each cap requires an affirmative 3/5 majority vote.”

(b) The school district local tax cap and school administrative unit fixed cap question on the ballot for municipalities without an annual school district meeting shall read:

“Shall the [name of municipality] adopt the provisions of RSA 32:5-i to implement a local tax cap for the next two fiscal years on the portion of property taxes raised for the [name(s) of school district(s)] and a fixed cap on the central office administrative budget of the supporting school administrative unit? If adopted, the school district governing body (or budget committee) of each school district shall not submit a recommended budget that increases the amount to be raised by local taxes (this year’s base), that is higher than the prior fiscal year’s actual amount of local taxes raised (last year’s base), adjusted for inflation using the CPI-U Northeast Region and the change in attendance, in accordance with RSA 32:5-i, with costs for bonded capital projects are excluded from both year’s bases, and further that the central office administrative budget of the supporting school administrative unit shall not exceed the school administrative unit fixed cap, which is 6 percent of the sum of the total school district appropriation amounts, except costs of bonded capital projects, in the school districts comprising the SAU in accordance with RSA 32:5-i? The local tax cap on a school district, or school administrative unit fixed cap, or both may be overridden pursuant to RSA 32:5-i. The fixed cap applies only to administrative operations of the SAU central office and does not affect classroom instruction, school-based services, or other municipal expenditures. Adoption of these caps requires an affirmative 3/5 majority vote.”

VI.(a) The moderator of each municipality or ward in the school district shall report the results on the question to the secretary of the school administrative unit board for the school district. If a 3/5 majority of the voters voting in the municipalities and wards served by the school district approve the question, then the local tax cap for the school district under RSA 32:5-b, I-b, exempting bonded capital costs pursuant to paragraph XVI, shall be binding and apply for the ensuing 2 fiscal years. If the local tax cap question is rejected in a school district, the local tax cap limitation shall not apply for the next 2 fiscal years, but the question shall appear again on the separate official ballot or local ballot during the next even-numbered year’s November general election.

(b) The moderator of each municipality or ward in the school administrative unit shall report the results on the question to the secretary of the school administrative unit board served by the municipality or ward. If a 3/5 majority of the voters voting in the municipalities and wards served by the school administrative unit approve the question, then the SAU fixed cap question for the SAU central office administrative budget shall be binding and apply for the ensuing 2 fiscal years. If the fixed cap question is rejected in a school administrative unit, the limitation shall not apply for the next 2 fiscal years, but the question shall appear again on the separate official ballot or local ballot during the next even-numbered year’s November general election.

(c) The secretary of the school administrative unit board shall certify the results of the votes to the department of revenue administration. Preservation of ballots shall be pursuant to RSA 33-A:3-a, XXXVII.

VII.(a) Any 10 registered voters from any municipality served by a school district, before the expiration of 7 days from the date of the general election, may apply in writing to the school district clerk for a recount of the ballots for the question on a school district local tax cap under this section. The secretary shall schedule a recount, to be conducted by the school board, not earlier than 5 days nor later than 10 days after the date the secretary receives the petition. The applicants for such a recount shall pay to the school clerk a fee of \$10 for conducting the recount.

(b) Any 10 registered voters from any municipality served by a school administrative unit, before the expiration of 7 days from the date of the general election, may apply in writing to the secretary of the school administrative unit for a recount of the ballots for the question on a school administrative unit fixed cap under this section. The secretary shall schedule a recount, to be conducted by the school administrative unit, not earlier than 5 days nor later than 10 days after the date the secretary receives the petition. The applicants for such a recount shall pay to the secretary of the school administrative unit board a fee of \$10 for conducting the recount.

VIII. This paragraph shall apply only to municipalities that have approved the local tax cap question for the school district for the biennium under this section.

(a) In the towns and wards served by a school district with an annual meeting, the school district shall comply with the provisions of RSA 32:5-b, using the method in accordance with RSA 32:5-b, I-b, using attendance and using the inflation index Consumer Price Index for All Urban Consumers (CPI-U), Northeast Region, published by the U.S. Bureau of Labor Statistics, except that bonded capital costs pursuant to paragraph XVI shall be exempted and not counted in any base defined in RSA 32:5-b, I-b(2).

(b) In the municipalities served by a school district without an annual meeting, the local tax cap, limiting the base amount to be raised by property taxes to last year's base, shall be adjusted to account for inflation and change in attendance, according to the following formula:

This year's base = (Last year's base) x (1 + CPI-U) x (This year's attendance / Last year's attendance).

(1) "Attendance" shall mean the average daily membership in residence (ADMR) of the school district, pursuant to RSA 198:38, I-a. "This year's attendance" shall be the annual ADMR reported to the department of education as of October 1 preceding the date of the budget hearing held pursuant to RSA 32:5, I. "Last year's attendance" shall be the annual ADMR reported to the department of education as of October 1 of the year prior to the annual ADMR reported for "This year's attendance."

(2) "Base amount" or "base" shall mean the local taxes raised for the year. "This year's base" shall be the "base" proposed at the annual budget hearing held pursuant to RSA 32:5, I. "Last year's base" shall be the "base" of the year prior to the "base" reported for "This year's base." Bonded capital costs pursuant to paragraph XVI shall be exempted and not counted in any base. If the local taxes raised for the prior year were reduced by any fund balance brought forward from previous years, the amount of such reduction shall be added back and included in "Last year's base."

(3) The increase for inflation, or CPI-U in the formula above, shall be the annual percentage change in the Consumer Price Index for All Urban Consumers (CPI-U), Northeast Region, published by the U.S. Bureau of Labor Statistics, as of October 1, preceding the date of the hearing held pursuant to RSA 32:5, I.

(4) The legislative body may override the local tax cap on the school district budget by a supermajority vote defined in their charter pursuant to RSA 49-C:33, I(d) or RSA 49-D:3, I(e).

IX. In the municipalities and wards served by a school administrative unit where the school administrative unit fixed cap question under this section is approved by the voters for the biennium, the fixed cap for school administrative unit central office administrative budgets shall be 6 percent of the sum of the total school district appropriation amounts, except costs of bonded capital projects pursuant to paragraph XVI, in the school districts comprising the SAU. "School administrative unit central office administrative budgets" means expenditures for the general management and administration of a school administrative unit. These expenditures include superintendent services; assistant or deputy superintendent services; business administration; human resources; finance; payroll; purchasing; districtlevel information technology administration; legal services; public relations; and other nonschoolbased administrative functions, regardless of physical location or building assignment. The term also includes districtlevel curriculum directors, directors of instruction, or similarly titled positions who are not employed under a collective bargaining agreement or who do not provide direct classroom instruction for more than 50 percent of their work time, as well as any personnel reported to the department of education as employed by the central office. The term does not include schoolbased administrative staff; classroom instruction; instructional support services; special education services; transportation; food services; or facilities operations and maintenance.

X. The provisions of this paragraph shall apply only to districts without an annual meeting that have adopted the school administrative unit fixed cap under this section. The legislative body, pursuant to RSA 194-C:9, shall adopt a school administrative unit budget that is not in excess of the school administrative unit fixed cap pursuant to paragraph IX, except that the legislative body may override the fixed cap on the school administrative unit budget by a supermajority vote defined in their charter pursuant to RSA 49-C:33, I(d) or RSA 49-D:3, I(e).

XI. No municipal tax rate shall be set that causes a taxing authority to exceed its certified limits under this section. Any tax rate set in violation of this section shall be void.

(a) For a school district that has adopted the school district local tax cap or a school administrative unit that has adopted the school administrative unit fixed cap under this section, the governing body shall forward, at a time and in a form prescribed by the department of revenue administration, documentation demonstrating compliance with the adopted caps. Such documentation shall include:

(1) The computation of the school district local tax cap or school administrative unit fixed cap for the applicable year;

(2) Proposed appropriations by the governing body and budget committee and estimated revenues going into the annual meeting, showing the estimated amount of property taxes to be raised for the school district budget or school administrative unit central office administrative budgets, or both;

(3) Appropriations voted by the annual or special meeting of the legislative body; and

(4) The count of any ballot votes taken to override the school district local tax cap or school administrative unit fixed cap.

(b) Upon review of documentation submitted under subparagraph (a), if the commissioner of the department of revenue administration determines that the certified school district budget results in estimated taxes exceeding the adopted school administrative unit fixed cap and that no valid override vote was obtained as provided in this section, the commissioner shall reduce the appropriation of the certified budget by the amount that the certified budget exceeds the cap.

(c) Upon review of documentation submitted under subparagraph (a), if the commissioner of the department of revenue administration determines that the certified school administrative unit central office administrative budget results in estimated taxes exceeding the adopted school administrative unit fixed cap and that no valid override vote was obtained as provided in this section, the commissioner shall reduce the appropriation of the certified budget by the amount that the certified budget exceeds the cap.

(d) The department of revenue administration shall not approve any tax rate that exceeds the certified limit and shall withhold rate approval until the municipality demonstrates compliance either by showing the certified budget is within the certified cap or by showing a valid override vote in accordance with RSA 40:13 or applicable annual meeting procedures.

(e) Nothing in this section shall prohibit the department of revenue administration from requiring additional information, documentation, or schedules reasonably necessary to determine compliance with the adopted local tax cap or fixed cap under this section.

XII. If approved by the voters, the school district local tax cap or the school administrative unit fixed cap, or both, shall apply beginning with the fiscal 2028 school district total budget or school administrative unit budget, as applicable, for the following 2 fiscal years.

XIII. Any taxpayer in a member school district or school district of the school administrative unit, as applicable, shall have standing to enforce this section in superior court.

XIV. Nothing in this section may be construed to repeal, supersede, or diminish any property tax limitation that is more restrictive under existing law, a municipal charter, or a local ordinance. When more than one property tax limitation, tax cap, local tax cap, or budget cap applies, each applicable limitation must be fully satisfied.

XV. This section shall operate solely as a local tax cap limitation on the estimated amount of local taxes to be raised for the fiscal year attributable to the school district or a fixed cap on the school administrative unit central office administrative budget, as applicable.

XVI.(a) Bonded capital costs shall include principal or interest on bonds or notes only if the bonded indebtedness is issued solely for the acquisition, construction, or major structural renovation of real property, reported pursuant to RSA 198:4-a. No exclusion shall apply to bonded indebtedness issued for:

(1) Operating expenses;

(2) Salaries or benefits;

(3) Vehicles or rolling stock;

(4) Equipment with a useful life of less than 10 years;

(5) Technology, furnishings, or instructional materials; or

(6) Any purpose other than real property.

(b) The department of revenue administration shall certify annually the portion of debt service that qualifies for exclusion.

(c) No exclusion shall apply unless certified by the department.

2 Effective Date. This act shall take effect November 1, 2026.

2026-0980h

AMENDED ANALYSIS

This bill:

I. Establishes a biennial school district local tax cap question.

II. Establishes limitations on central office administrative expenses in school districts. Amend the title of the bill by replacing it with the following:

The question being adoption of the majority committee amendment.

MOTION TO LAY ON THE TABLE

Rep. Perez moved that **HB 1300**, establishing a biennial school district local tax cap question and related limitations on central office administrative expenses in school districts, be laid on the table.

Rep. Berry requested a roll call; sufficiently seconded.

YEAS 158 - NAYS 179**YEAS - 158
BELKNAP**

Nagel, David

St. Clair, Charlie

Burroughs, Anita
Woodcock, Stephen

Paige, David

CARROLL

McAleer, Chris

Taylor, Brian

CHESHIREAmes, Dick
Jacobs, Samantha
O'Rourke, TerriBerch, Paul
Jones, Philip
Parshall, LuciusHarvey, Cathryn
Germana, Nicholas
Weber, LucyFaulkner, Barry
Newell, Jodi**GRAFTON**Almy, Susan
Fellows, Sallie
Lucas, Janet
Spahr, TerryBaldwin, Heather
Fracht, David
Muirhead, Russell
Stavis, LaurelBolton, Bill
Hakken-Phillips, Mary
Oppel, Thomas
Stringham, JerryCormen, Thomas
Sullivan, Jared
Rockmore, Ellen
Sykes, George**HILLSBOROUGH**Murray, Aissandra
Chourasia, Manoj
Dargie, Paul
Foss, Lily
Grund, Stephanie
Jack, Martin
Kluger, Lee Ann
Leishman, Peter
MacKenzie, Mark
Petrigno, Peter
Rombeau, Catherine
Salvi, Santosh
Telerski, Laura
Dolan, WilliamBeauchemin, Paige
Chretien, Suzanne
DiSilvestro, Linda
Georges, Mary
Harriott-Gathright, Linda
Judy, Jean
Foxy, Loren
Lloyd, Christal
Manohar, Sanjeev
Preece, David
Rung, Rosemarie
Seibert, Christine
Tellez, Trinidad
Thomas, WendyBergeron, Dan
Creighton, James
Elberger, Susan
Gregg, Alicia
Hartnett, Tim
Juris, Louis
Leapley, Nicole
Long, Patrick
McGhee, Kat
Newman, Ray
Ryan, Linda
Spier, Carry
Vail, Suzanne
Wheeler, JonahBudathoki, Suraj
Darby, Will
Davis, Fred
Grill, Jessica
Herbert, Christopher
Kerwin, Erin
LeClerc, Daniel
Murray, Megan
Murphy, Nancy
Raymond, Heather
Newman, Sue
Staub, Kathy
Veilleux, Daniel
Wilhelm, Matthew**MERRIMACK**Bricchi, Tracy
Gallager, Eric
Hall, Muriel
Sargent, Gregory
Soucy, TimothyCaplan, Tony
Gibbs, Merryl
Newsom, James
Schamberg, Thomas
Wallner, Mary JaneKelly, Eileen
Lane, Connie
Richards, Beth
Schultz, Kris
Woods, GaryEbel, Karen
Luneau, David
Roesener, James
Snodgrass, Jim**ROCKINGHAM**Cahill, Michael
Guthrie, Joseph
Maggiore, Jim
Meuse, David
Read, Ellen
Turer, Ericde Vries, Erica
Haskins, Linda
Malloy, Dennis
Muns, Chris
Simpson, Alexis
Vallone, MarkEdgar, Michael
Murray, Kate
Mandelbaum, Jennifer
Perez, Kristine
Sorensen, Carrie
Ward, GeraldGilman, Julie
Knab, Allison
Manos, Zoe
Raynolds, Ned
Sytek, John
Weinstein, Toni**STRAFFORD**Bay, Luz
Gilmore, Gary
Johnson, Erik
Smith, Marjorie
Southworth, Thomas
Wall, JanetBixby, Peter
Howard, Heath
LaMontagne, Jessica
Miller, Seth
Stone, JohnBurton, Wayne
Horriggan, Timothy
Larochelle, John
Schmidt, Peter
Pearson, WayneButler, Billie
Howland, Allan
Levesque, Cassandra
Selig, Loren
Wade, Alice**SULLIVAN**

Sullivan, Brian

Cloutier, John

Damon, Hope

Palmer, William

NAYS - 179**BELKNAP**Aldrich, Glen
Comtois, Barbara
Terry, PaulBogert, Steven
Freeman, Lisa
Toner, TravisBordes, Mike
Harvey-Bolia, JulietCoker, Matthew
Ploszaj, Tom**CARROLL**Avellani, Lino
Peternel, KatyBelcher, Mike
Brown, Richard

Hamblen, Joseph

MacDonald, John

CHESHIRE

Murphy, Denis
Nalevanko, Rich

Hunt, John
Qualey, James

Karasinski, Sly

Mattson, Rita

COOS

Davis, Arnold
King, Seth

Durkin, Sean
Tierney, James

Korzen, Lori
Tremblay, Marc

Ouellet, Mike

GRAFTON

Barton, Joseph
Franz, Linda
Sellers, John

Beaulier, Calvin
Ladd, Rick

Berezhny, Lex
Louis, Darrell

Bjelobrk, Marie Louise
McFarlane, Donald

HILLSBOROUGH

Alexander, Joe
Berry, Ross
Corcoran, Travis
Dumont, Dillon
Flanagan, Jack
Gorski, Ted
Kofalt, Jim
Mazur, Lisa
Morton, Jonathan
Pauer, Diane
Prout, Andrew
Scully, Kevin
Suiter, John
Wherry, Robert

Ammon, Keith
Boehm, Ralph
Kelley, Diane
Dupont, Pierre
Griffin, Gerald
Gould, Linda
Labrie, Brian
McLean, Mark
Noble, Kristin
Peebles, Raymond
Reinfurt, Sherri
Sheehan, Vanessa
Tenczar, Jeffrey

Boyd, Bill
Colcombe, Riché
Daniels, Gary
Erf, Keith
Gagne, Larry
Kenny, Catherine
Lascelles, Richard
Miles, Julie
Ohm, Bill
Post, Lisa
Rice, Kimberly
Sirois, Shane
Mannion, Tom

Barbour, Liz
Cole, Brian
Drew, Matt
Fedolfi, Jim
Giasson, Henry
Kesselring, Steven
Murphy, Mary
Mooney, Maureen
Paquette, Kathleen
Proulx, Mark
Schneller, John
Slottje, Jeremy
Ulery, Jordan

MERRIMACK

Andrus, Louise
McGuire, Dan
Mehegan, Peter
Polozov, Yuri
Walsh, Thomas

Aures, Cyril
Devoid, Ricky
Moffett, Michael
Boyd, Stephen
Thibault, James

Aylward, Deborah
Hill, Gregory
Pitaro, Matthew
Seaworth, Brian
Wood, Clayton

McGuire, Carol
Leavitt, John
Plante, Raymond
See, Alvin

ROCKINGHAM

Ball, Lorie
Mannion, Dennis
Donnelly, Tanya
Guzofski, James
Kuttab, Katelyn
Litchfield, Melissa
McGrath, Linda
Nadeau, Brian
Popovici-Muller, Daniel
Roy, Terry
Spillane, James
Tudor, Paul
MacDonald, Wayne

Bernardy, JD
Thomas, Douglas
Drago, Mike
Harb, Robert
Miner, Laurence
Lynn, Bob
McMahon, Charles
Nelson, Jodi
Porcelli, Susan
Pearson, Stephen
Summers, James
Vandecasteele, Susan
Weyler, Kenneth

Bridle, Nicholas
DeSimone, Debra
Edwards, Jess
Katsakiores, Phyllis
Walsh, Lilli
Pearson, Mark
Melvin, Charles
Osborne, Jason
Potucek, John
Sabourin dit Choinière, Matt
Sweeney, Joe
Verville, Kevin
Wilson, Vicki

Bryer, Scott
DeVito, Sayra
Foote, Charles
Khan, Aboul
Layon, Erica
McDonnell, Valerie
Milz, David
Brown, Pam
Prudhomme-O'Brien, Katherine
Selby, Donald
Tripp, Richard
Vose, Michael

STRAFFORD

Bailey, Glenn
Farrington, Samuel
Potenza, Kelley

Burnham, Claudine
Granger, Michael
Turcotte, Len

DeLemus, Susan
Harrington, Michael
Walker, David

DeRoy, Susan
Kaczynski, Thomas

SULLIVAN

Drye, Margaret
Aron, Michael

Grant, George
Rollins, Skip

Hemingway, Wayne
Spilsbury, Walter

Aron, Judy

and the motion failed.

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. Berry offered floor amendment (1117h).

Floor Amendment (1117h)

Amend RSA 32:5-i, V as inserted by section 1 of the bill by replacing it with the following:

V.(a) The school district local tax cap and school administrative unit fixed cap question on the ballot for towns and wards with an annual school district meeting shall read:

“Shall the [name of municipality] adopt the provisions of RSA 32:5-i to establish, for the next 2 fiscal years, a local tax cap on the portion of property taxes raised for the [name(s) of school district(s)] and a fixed cap on the central office administrative budget of the supporting school administrative unit (SAU)? If adopted, the amount raised by local school district taxes shall not exceed the prior fiscal year’s amount, adjusted for inflation using the CPI-U Northeast Region and the percentage increase in the municipality’s taxable property value attributable to new construction. Costs for bonded capital projects shall be excluded. In addition, the SAU central office administrative budget shall not exceed 6 percent of the combined appropriations of the school districts comprising the SAU, excluding bonded capital costs. These caps may be overridden as provided in RSA 32:5-i and adoption requires a three-fifths (3/5) majority vote.”

(b) The school district local tax cap and school administrative unit fixed cap question on the ballot for municipalities without an annual school district meeting shall read:

“Shall the [name of municipality] adopt the provisions of RSA 32:5-i to establish, for the next 2 fiscal years, a local tax cap on the portion of property taxes raised for the [name(s) of school district(s)] and a fixed cap on the central office administrative budget of the supporting school administrative unit (SAU)? If adopted, the amount raised by local school district taxes shall not exceed the prior fiscal year’s amount, adjusted for inflation using the CPI-U Northeast Region and the percentage increase in the municipality’s taxable property value attributable to new construction. Costs for bonded capital projects shall be excluded. In addition, the SAU central office administrative budget shall not exceed 6 percent of the combined appropriations of the school districts comprising the SAU, excluding bonded capital costs. These caps may be overridden as provided in RSA 32:5-i and adoption requires a three-fifths (3/5) majority vote.”

Amend RSA 32:5-i, VIII as inserted by section 1 of the bill by replacing it with the following:

VIII.(a) The maximum allowable levy shall equal:

Prior fiscal year property tax levy $\times$ (1 + inflation + net new taxable property growth).

(b) “Inflation” means the Consumer Price Index for All Urban Consumers (CPI-U), Northeast Region.

(c)(1) “Net new taxable property growth” means the increase in assessed valuation attributable to:

- (A) New construction;
- (B) Physical expansion or improvement of structures;
- (C) Subdivision or redevelopment of land;
- (D) Conversion from exempt to taxable status; or
- (E) Any physical change that increases taxable market value.

(2) “Net new taxable property growth” shall not include:

- (A) Market appreciation;
- (B) Revaluation or reassessment; or
- (C) Changes in assessment methodology.

(d) The department of revenue administration shall certify annually the net new taxable property growth for each taxing jurisdiction.

The question being adoption of floor amendment (1117h).

Rep. Berry requested a roll call; sufficiently seconded.

YEAS 182 - NAYS 155

YEAS - 182

BELKNAP

Aldrich, Glen
Comtois, Barbara
Terry, Paul

Bogert, Steven
Freeman, Lisa
Toner, Travis

Bordes, Mike
Harvey-Bolia, Juliet

Coker, Matthew
Ploszaj, Tom

CARROLL

Avellani, Lino
Peternel, Katy

Belcher, Mike
Brown, Richard

Hamblen, Joseph
Taylor, Brian

MacDonald, John

CHESHIRE

Murphy, Denis
Nalevanko, Rich

Hunt, John
Qualey, James

Karasinski, Sly

Mattson, Rita

COOS

Davis, Arnold
King, Seth

Durkin, Sean
Tierney, James

Korzen, Lori
Tremblay, Marc

Ouellet, Mike

GRAFTON

Barton, Joseph
Franz, Linda
Sellers, John

Beaulier, Calvin
Ladd, Rick

Berezhny, Lex
Louis, Darrell

Bjelobrck, Marie Louise
McFarlane, Donald

HILLSBOROUGH

Alexander, Joe
Boehm, Ralph
Creighton, James
Dumont, Dillon
Flanagan, Jack
Gorski, Ted
Kofalt, Jim
Mazur, Lisa
Morton, Jonathan
Pauer, Diane
Prout, Andrew
Sheehan, Vanessa
Tenczar, Jeffrey

Boyd, Bill
Colcombe, Riché
Kelley, Diane
Dupont, Pierre
Griffin, Gerald
Gould, Linda
Labrie, Brian
McLean, Mark
Noble, Kristin
Peeples, Raymond
Reinfurt, Sherri
Sirois, Shane
Mannion, Tom

Barbour, Liz
Cole, Brian
Daniels, Gary
Erf, Keith
Gagne, Larry
Kenny, Catherine
Lascelles, Richard
Miles, Julie
Ohm, Bill
Post, Lisa
Schneller, John
Slottje, Jeremy
Ulery, Jordan

Berry, Ross
Corcoran, Travis
Drew, Matt
Fedolfi, Jim
Giasson, Henry
Kesselring, Steven
Murphy, Mary
Mooney, Maureen
Paquette, Kathleen
Proulx, Mark
Scully, Kevin
Suiter, John
Wherry, Robert

MERRIMACK

Andrus, Louise
McGuire, Dan
Mehegan, Peter
Polozov, Yuri
Walsh, Thomas

Aures, Cyril
Devoid, Ricky
Moffett, Michael
Boyd, Stephen
Thibault, James

Aylward, Deborah
Hill, Gregory
Pitaro, Matthew
Seaworth, Brian
Wood, Clayton

McGuire, Carol
Leavitt, John
Plante, Raymond
See, Alvin

ROCKINGHAM

Ball, Lorie
Mannion, Dennis
Donnelly, Tanya
Guzofski, James
Kuttab, Katelyn
Litchfield, Melissa
McDonnell, Valerie
Milz, David
Brown, Pam
Prudhomme-O'Brien, Katherine
Selby, Donald
Sweeney, Joe
Vandecasteele, Susan
Weyler, Kenneth

Bernardy, JD
Thomas, Douglas
Drago, Mike
Harb, Robert
Miner, Laurence
Lynn, Bob
McGrath, Linda
Nadeau, Brian
Popovici-Muller, Daniel
Roy, Terry
Soti, Julius
Sytek, John
Verville, Kevin
Wilson, Vicki

Bridle, Nicholas
DeSimone, Debra
Edwards, Jess
Katsakiores, Phyllis
Walsh, Lilli
Pearson, Mark
McMahon, Charles
Nelson, Jodi
Porcelli, Susan
Pearson, Stephen
Spillane, James
Tripp, Richard
Vose, Michael

Bryer, Scott
DeVito, Sayra
Foote, Charles
Khan, Aboul
Layon, Erica
Mandelbaum, Jennifer
Melvin, Charles
Osborne, Jason
Potucek, John
Sabourin dit Choinière, Matt
Summers, James
Tudor, Paul
MacDonald, Wayne

STRAFFORD

Bailey, Glenn
Farrington, Samuel
Potenza, Kelley

Burnham, Claudine
Granger, Michael
Turcotte, Len

DeLemus, Susan
Harrington, Michael
Walker, David

DeRoy, Susan
Kaczynski, Thomas

SULLIVAN

Drye, Margaret
Aron, Michael

Grant, George
Rollins, Skip

Hemingway, Wayne
Spilsbury, Walter

Aron, Judy

NAYS - 155**BELKNAP**

Nagel, David

St. Clair, Charlie

CARROLL

Burroughs, Anita

Paige, David

McAleer, Chris

Woodcock, Stephen

CHESHIRE

Ames, Dick
Faulkner, Barry
Newell, Jodi

Berch, Paul
Jacobs, Samantha
O'Rorke, Terri

Harvey, Cathryn
Jones, Philip
Parshall, Lucius

Fox, Dru
Germana, Nicholas
Weber, Lucy

GRAFTON

Almy, Susan
Fracht, David
Muirhead, Russell
Stavis, Laurel

Bolton, Bill
Hakken-Phillips, Mary
Oppel, Thomas
Stringham, Jerry

Cormen, Thomas
Sullivan, Jared
Rockmore, Ellen
Sykes, George

Fellows, Sallie
Lucas, Janet
Spahr, Terry

HILLSBOROUGH

Murray, Aissandra
Budathoki, Suraj
Dargie, Paul
Foss, Lily

Ammon, Keith
Chourasia, Manoj
DiSilvestro, Linda
Georges, Mary

Beauchemin, Paige
Chretien, Suzanne
Elberger, Susan
Gregg, Alicia

Bergeron, Dan
Darby, Will
Davis, Fred
Grill, Jessica

Grund, Stephanie
Jack, Martin
Kluger, Lee Ann
Leishman, Peter
MacKenzie, Mark
Petrigno, Peter
Rombeau, Catherine
Salvi, Santosh
Telerski, Laura
Dolan, William

Harriott-Gathright, Linda
Jeudy, Jean
Foxx, Loren
Lloyd, Christal
Manohar, Sanjeev
Preece, David
Rung, Rosemarie
Seibert, Christine
Tellez, Trinidad
Thomas, Wendy

Hartnett, Tim
Juris, Louis
Leapley, Nicole
Long, Patrick
McGhee, Kat
Newman, Ray
Ryan, Linda
Spier, Carry
Vail, Suzanne
Wheeler, Jonah

Herbert, Christopher
Kerwin, Erin
LeClerc, Daniel
Murray, Megan
Murphy, Nancy
Raymond, Heather
Newman, Sue
Staub, Kathy
Veilleux, Daniel
Wilhelm, Matthew

MERRIMACK

Bricchi, Tracy
Gallager, Eric
Hall, Muriel
Sargent, Gregory
Soucy, Timothy

Caplan, Tony
Gibbs, Merryl
Newsom, James
Schamberg, Thomas
Wallner, Mary Jane

Kelly, Eileen
Lane, Connie
Richards, Beth
Schultz, Kris
Woods, Gary

Ebel, Karen
Luneau, David
Roesener, James
Snodgrass, Jim

ROCKINGHAM

Cahill, Michael
Guthrie, Joseph
Maggiore, Jim
Muns, Chris
Simpson, Alexis
Ward, Gerald

de Vries, Erica
Haskins, Linda
Malloy, Dennis
Perez, Kristine
Sorensen, Carrie
Weinstein, Toni

Edgar, Michael
Murray, Kate
Manos, Zoe
Raynolds, Ned
Turer, Eric

Gilman, Julie
Knab, Allison
Meuse, David
Read, Ellen
Vallone, Mark

STRAFFORD

Bay, Luz
Gilmore, Gary
Johnson, Erik
Smith, Marjorie
Southworth, Thomas
Wall, Janet

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

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

Butler, Billie
Howland, Allan
Levesque, Cassandra
Selig, Loren
Wade, Alice

SULLIVAN

Sullivan, Brian

Cloutier, John

Damon, Hope

Palmer, William

and floor amendment (1117h) was adopted.

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

YEAS 177 - NAYS 160

YEAS - 177

BELKNAP

Aldrich, Glen
Freeman, Lisa
Toner, Travis

Bogert, Steven
Harvey-Bolia, Juliet

Coker, Matthew
Ploszaj, Tom

Comtois, Barbara
Terry, Paul

CARROLL

Avellani, Lino
Peternel, Katy

Belcher, Mike
Brown, Richard

Hamblen, Joseph

MacDonald, John

CHESHIRE

Murphy, Denis
Nalevanko, Rich

Hunt, John
Qualey, James

Karasinski, Sly

Mattson, Rita

COOS

Davis, Arnold
King, Seth

Durkin, Sean
Tierney, James

Korzen, Lori
Tremblay, Marc

Ouellet, Mike

GRAFTON

Barton, Joseph
Franz, Linda
Sellers, John

Beaulier, Calvin
Ladd, Rick

Berezhny, Lex
Louis, Darrell

Bjelobrk, Marie Louise
McFarlane, Donald

HILLSBOROUGH

Alexander, Joe
Berry, Ross
Corcoran, Travis
Drew, Matt

Ammon, Keith
Boehm, Ralph
Creighton, James
Dumont, Dillon

Boyd, Bill
Colcombe, Riché
Kelley, Diane
Dupont, Pierre

Barbour, Liz
Cole, Brian
Daniels, Gary
Erf, Keith

Fedolfi, Jim
 Giasson, Henry
 Kesselring, Steven
 Murphy, Mary
 Mooney, Maureen
 Paquette, Kathleen
 Proulx, Mark
 Scully, Kevin
 Suiter, John
 Wherry, Robert

Flanagan, Jack
 Gorski, Ted
 Kofalt, Jim
 Mazur, Lisa
 Morton, Jonathan
 Pauer, Diane
 Prout, Andrew
 Sheehan, Vanessa
 Tenczar, Jeffrey

Griffin, Gerald
 Gould, Linda
 Labrie, Brian
 McLean, Mark
 Noble, Kristin
 Peeples, Raymond
 Reinfurt, Sherri
 Sirois, Shane
 Mannion, Tom

Gagne, Larry
 Kenny, Catherine
 Lascelles, Richard
 Miles, Julie
 Ohm, Bill
 Post, Lisa
 Schneller, John
 Slottje, Jeremy
 Ulery, Jordan

MERRIMACK

Andrus, Louise
 McGuire, Dan
 Moffett, Michael
 Boyd, Stephen
 Thibault, James

Aures, Cyril
 Devoid, Ricky
 Pitaro, Matthew
 Seaworth, Brian
 Wood, Clayton

Aylward, Deborah
 Hill, Gregory
 Plante, Raymond
 See, Alvin

McGuire, Carol
 Leavitt, John
 Polozov, Yury
 Walsh, Thomas

ROCKINGHAM

Ball, Lorie
 Mannion, Dennis
 Donnelly, Tanya
 Guzowski, James
 Kuttub, Katelyn
 Litchfield, Melissa
 McGrath, Linda
 Nelson, Jodi
 Porcelli, Susan
 Pearson, Stephen
 Spillane, James
 Tudor, Paul
 MacDonald, Wayne

Bernardy, JD
 Thomas, Douglas
 Drago, Mike
 Harb, Robert
 Miner, Laurence
 Lynn, Bob
 McMahon, Charles
 Osborne, Jason
 Potucek, John
 Sabourin dit Choinière, Matt
 Summers, James
 Vandecasteele, Susan
 Weyler, Kenneth

Bridle, Nicholas
 DeSimone, Debra
 Edwards, Jess
 Katsakiores, Phyllis
 Walsh, Lilli
 Pearson, Mark
 Melvin, Charles
 Brown, Pam
 Prudhomme-O'Brien, Katherine
 Selby, Donald
 Sweeney, Joe
 Verville, Kevin
 Wilson, Vicki

Bryer, Scott
 DeVito, Sayra
 Foote, Charles
 Khan, Aboul
 Layon, Erica
 McDonnell, Valerie
 Nadeau, Brian
 Popovici-Muller, Daniel
 Roy, Terry
 Soti, Julius
 Tripp, Richard
 Vose, Michael

STRAFFORD

Bailey, Glenn
 Farrington, Samuel
 Potenza, Kelley

Burnham, Claudine
 Granger, Michael
 Turcotte, Len

DeLemus, Susan
 Harrington, Michael
 Walker, David

DeRoy, Susan
 Kaczynski, Thomas

SULLIVAN

Drye, Margaret
 Aron, Michael

Grant, George
 Rollins, Skip

Hemingway, Wayne
 Spilsbury, Walter

Aron, Judy

NAYS - 160 BELKNAP

Bordes, Mike

Nagel, David

St. Clair, Charlie

CARROLL

Burroughs, Anita
 Woodcock, Stephen

Paige, David

McAleer, Chris

Taylor, Brian

CHESHIRE

Ames, Dick
 Faulkner, Barry
 Newell, Jodi

Berch, Paul
 Jacobs, Samantha
 O'Rourke, Terri

Harvey, Cathryn
 Jones, Philip
 Parshall, Lucius

Fox, Dru
 Germana, Nicholas
 Weber, Lucy

GRAFTON

Almy, Susan
 Fellows, Sallie
 Lucas, Janet
 Spahr, Terry

Baldwin, Heather
 Fracht, David
 Muirhead, Russell
 Stavis, Laurel

Bolton, Bill
 Hakken-Phillips, Mary
 Oppel, Thomas
 Stringham, Jerry

Cormen, Thomas
 Sullivan, Jared
 Rockmore, Ellen
 Sykes, George

HILLSBOROUGH

Murray, Alissandra
 Chourasia, Manoj
 DiSilvestro, Linda
 Georges, Mary
 Harriott-Gathright, Linda
 Judy, Jean
 Foxx, Loren
 Lloyd, Christal
 Manohar, Sanjeev

Beauchemin, Paige
 Chretien, Suzanne
 Elberger, Susan
 Gregg, Alicia
 Hartnett, Tim
 Juris, Louis
 Leapley, Nicole
 Long, Patrick
 McGhee, Kat

Bergeron, Dan
 Darby, Will
 Davis, Fred
 Grill, Jessica
 Herbert, Christopher
 Kerwin, Erin
 LeClerc, Daniel
 Murray, Megan
 Murphy, Nancy

Budathoki, Suraj
 Dargie, Paul
 Foss, Lily
 Grund, Stephanie
 Jack, Martin
 Kluger, Lee Ann
 Leishman, Peter
 MacKenzie, Mark
 Petrigno, Peter

Preece, David
Rung, Rosemarie
Seibert, Christine
Tellez, Trinidad
Thomas, Wendy

Newman, Ray
Ryan, Linda
Spier, Carry
Vail, Suzanne
Wheeler, Jonah

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Staub, Kathy
Veilleux, Daniel
Wilhelm, Matthew

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Mehegan, Peter
Sargent, Gregory
Soucy, Timothy

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Schamberg, Thomas
Wallner, Mary Jane

Ebel, Karen
Luneau, David
Richards, Beth
Schultz, Kris
Woods, Gary

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Sytek, John
Weinstein, Toni

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Murray, Kate
Mandelbaum, Jennifer
Muns, Chris
Scherr, Buzz
Turer, Eric

Gilman, Julie
Knab, Allison
Manos, Zoe
Perez, Kristine
Simpson, Alexis
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Maggiore, Jim
Meuse, David
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Miller, Seth
Stone, John

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

Butler, Billie
Howland, Allan
Levesque, Cassandra
Selig, Loren
Wade, Alice

SULLIVAN

Sullivan, Brian

Cloutier, John

Palmer, William

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

(Representative Kofalt in the Chair)

HB 1306, relative to the counting of absentee ballots. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Claudine Burnham for the **Majority** of Election Law. This bill establishes a standardized reporting form for election moderators to account for absentee ballots across several categories. Far from being unnecessary, this form is the culmination of four years of work aimed at ensuring that every ballot is fully accounted for and reconciled. The majority of the committee believes that consistent and transparent accounting procedures strengthen the integrity of the election process and improve public confidence in the administration of absentee ballots. While some of the underlying information may already exist in various places, this bill simply consolidates and standardizes the reporting so that moderators, clerks, and the public can clearly understand how absentee ballots were processed. Vote 13-4.

Rep. Russell Muirhead for the **Minority** of Election Law. This bill would create a new form that election moderators would be required to complete pertaining to the number of absentee ballots that fall in a variety of different categories. The bill is unnecessary because the information it requires is already being collected and reported. It creates more complications for already over-burdened moderators and does not solve any identifiable problem. For these reasons, the minority opposes this bill.

Majority Amendment (0635h)

Amend the bill by replacing section 1 with the following:

1 New Section; Absentee Ballot Certificate. Amend RSA 657 by inserting after section 23 the following new section:

657:23-a Absentee Ballot Certificate.

I. The secretary of state shall prepare and distribute to each town or ward clerk 3 copies of the absentee ballot certificate. When the absentee ballots are counted, the moderator and clerk shall certify on the certificate the total number of absentee ballots received, as well as all counts required under paragraph II. One copy shall be retained by the moderator for his or her records; one copy shall be retained by the clerk for his or her records; and one copy shall be forwarded by the clerk to the secretary of state within 48 hours of the close of elections.

II. Absentee ballots shall be counted for the following:

- (a) Total absentee ballots received by the clerk.
- (b) Total number of absentee ballots mailed/and delivered by the clerk.
- (c) Total number of absentee ballots spoiled before the opening of the polls.

- (d) Total number of absentee ballots emailed to UOCAVA voters.
- (e) Total number of absentee ballots remaining before the opening of the polls.
- (f) Total number of absentee ballots not returned by the voter.
- (g) Total number of absentee ballots issued on election day.
- (h) Total number of absentee ballots cast on election day.
- (i) Total number of absentee ballots rejected on election day.
- (j) Total number of absentee ballots used as official election day ballots.
- (k) Total number of absentee ballots remaining at the close of polls.

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.

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

MOTION TO PRINT REMARKS

Rep. Read moved that the remarks made by Rep. Wheeler during Unanimous Consent on the session day of March 5, 2026 be printed in the Permanent Journal.

Without objection, the Speaker ordered.

REMARKS

Rep. Wheeler: Mr. Speaker, it's easy when you're in the middle of a House session or in a committee vote and you're in the throes of the arena to get caught in the whole machinations of it; get excited by the process. But Mr. Speaker, this is a serious job, and it is supposed to be done by serious people. If you think I'm talking about you, I am. Because folks, when I walk around this building and I speak to the staff, I speak to the janitors, I speak to the people who have been here for a long time, including some of the most austere members of any legislature in this nation's history who have been here since longer than I have been alive. I hear the same things; complaints about the fact this legislature no longer legislates. Complaints about the fact that nobody can trust anybody else. The backstabbing, the political gamesmanship, it has atrophied this body to the point where we aren't able to do our jobs effectively. What do I mean by that? Do I mean we aren't able to get through the calendar and pass all of the pieces of legislation in a term? No, I don't mean that. We've been able to do that for the last few terms and I believe we'll be able to do it again. I mean taking the legislation which has been proposed by the people who have been elected by the one and a half million citizens of this state and processing that legislation in a careful and deliberate way. Mr. Speaker, I want to use the example of the House Environment and Agriculture Committee to speak to exactly what I mean when I say legislating. The chair of that committee does her due diligence to ensure that every piece of legislation that is heard before that committee not only gets its public hearing where every member of the public can come before us and tell us why or why not we should pass this bill, but every bill in that committee is processed through a work session where every member of the committee has a say on what happens of the bill, whether you agree with the majority or not. Everyone is there to listen to what you have said and everyone is there to deliberate on the amendments which you have proposed. That isn't the case in every committee and Mr. Speaker, I'm not going to listen to my friends who I sit at with lunch, complain, complain, complain about the fact this legislature no longer works anymore. I'm not going to allow people who have been in this body for a long time to leave it just because they no longer feel like something can get done here without speaking up against it. So I don't imagine that all of this gamesmanship and all of these different little bits and pieces which is atrophying the legislature will change based off of the speech of a 23-year-old kid, but I do know that if all of us stand in honor of the building in which we work, then I believe this legislature can work again. I fully believe that. This state is an incredible one and regardless of who takes the majority next year, I hope that this body will choose to return itself to a place where we can operate as legislators working in tandem with one another for the betterment of the people who elected us to this body. Mr. Speaker, I have the pleasure of getting to watch Virginia Drew do all of the fourth-grade tours and everything like that and let me end by mentioning what she does every time with the fourth graders. She brings them to the seats right here in about the third row and she says to them, all right, we'll do a mock vote. Usually it's about school start times or something like that and she'll ask them to raise their hands. Kids, do you support making school start a little later? They'll do their little vote and then they'll give their little debates and at the end of the vote she tells who won and who didn't and after that she asks them, well, you had friends that voted differently than you folks. Do you think that you can still be their friend? Every time, without hesitation, the fourth graders say yes. I don't need to agree with my friend 100 percent of the time to be their friend, but I'm still their friend. I think we could learn something from the fourth graders and so I end by saying this; are you better than a fourth grader? Thank you, Mr. Speaker.

HB 1396, relative to vacancies in state offices. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Ross Berry for the **Majority** of Election Law. Vacancies in the New Hampshire House of Representatives are currently filled through special elections, a process that can leave seats vacant for up to six months while an election is scheduled and conducted. During that time, constituents are left without representation in the House, including during critical periods such as bill filing, committee assignments, and early legislative work. Even when a special election is eventually held, the successful candidate often arrives after these key deadlines and is unable to fully participate in the legislative process for the remainder of the session. The committee also noted that special elections frequently experience extremely low turnout, meaning the results are often not representative of the broader community. While the majority recognizes and respects the importance of elections, the majority of the committee believes the current system places too much emphasis on process at the expense of effective representation and timely performance. This bill, as amended, changes the method of filling a vacancy in the House of Representatives from a special election to an appointment by the Governor with the consent of the Executive Council. If the vacancy was created by a member elected as part of a political party, that party is responsible for nominating a replacement. The Governor must appoint that nominee unless the individual fails to meet the constitutional eligibility requirements for the office. This structure preserves the partisan choice made by voters in the prior election while preventing the use of a temporary “spoiler” appointment. Under this system, a vacancy could be filled within approximately 21 days rather than the many months currently required to conduct a special election. The committee also noted that political parties already nominate candidates to fill vacancies on the ballot before a general election, and that appointment processes are commonly used at the local level to fill municipal vacancies. The majority believes it is better for a district to have an actively serving representative than to remain unrepresented for extended periods of time. Vote 9-8.

Rep. Connie Lane for the **Minority** of Election Law. This bill, as amended, eliminates special elections for state representatives, while maintaining them for executive council and state senate vacancies. Rather than allow the constituents of the vacant seat vote for a new state representative, the Governor must appoint the replacement selected by the party to which the vacated representative belonged when elected, unless a statutory or constitutional conflict exists regarding the appointee. The stated reason for this change is that it takes too long under current law to hold a special election and it is expensive for municipalities to hold one. Rather than attempt to shorten the timeline for special elections or otherwise address the financial concerns, the majority has decided to do away with them altogether. The committee did not hear from any towns or cities asking for the financial relief advanced by supporters of this bill. In fact, the online results were overwhelmingly against this bill – 86 opposed it and only 2 supported it. For these reasons, the minority recommends that this bill be found Inexpedient to Legislate.

Majority Amendment (0984h)

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

1 Vacancies Among Public Officers. Amend RSA 661:8 to read as follows:

661:8 Executive Councilor; State Senator[; State Representative].

I. If a vacancy occurs in the office of executive councilor or state senator, it shall be filled as provided in Part II, Articles 34 and 62 of the state constitution.

II. ~~[If a vacancy occurs in the office of state representative from a single town or ward district, the vacancy may be filled following the provisions of RSA 655:81 and RSA 655:82 in the same manner as a state general election is held. In a multi-town or multi-ward district, a vacancy in the office of state representative shall be filled following the provisions of RSA 655:81 and RSA 655:82 by a special election if the selectmen of any town or the city for any ward in said district so request of the governor or council.]~~

III. Notwithstanding the provisions of paragraph II, if a vacancy occurs in the office of state representative in a district comprised of a city ward or wards, a request to hold the primary and special elections on the same dates as the city's biennial primary and regular elections may be submitted to the governor and council by the governing body of the city. If so requested, the governor and council shall declare the vacancy not less than 56 days prior to the date of the city's primary election. The filing period shall start on the Monday following the date on which the governor and council declare that there shall be a special election and shall end at 5:00 p.m. on the Friday of that week. The provisions of RSA 655:81, III, VI, VII, VIII, IX, X, and XI shall apply to elections held pursuant to this paragraph.

IV.] Within 21 days after proof of a vacancy or a request that a vacancy be filled, the governor, in the case of an executive council vacancy, or the governor and council, in the case of [any other] **a senate** vacancy, shall declare that there shall be a special election which shall be held as provided in RSA 655:81 and 82 or as provided in RSA 661:8, III.

[V.] **III.** No special election shall be held after March 15 of the second year of the biennium, as determined by RSA 655:81, I.

2 New Section; Vacancies Among Public Officers. Amend RSA 661 by inserting after section 8 the following new section:

661:8-a State Representative.

Within 21 days after the speaker of the house declares a vacancy exists, the governor with the consent of the council shall appoint a replacement subject to the following:

I. The candidate shall be:

(a) Qualified as provided in RSA 655:8; and

(b) If the vacancy was from a person who was registered in a political party when elected, the replacement shall be registered in the same party as of the date of the previous state general election; or

(c) If the vacancy was from a person who was registered as undeclared or of a minor party affiliation when elected, the replacement shall be registered as undeclared as of the date of the previous state general election.

II. Any vacancies occurring after May 10 of the second year of the biennium shall not be filled;

III. Where a party is indicated in paragraph I(b) above, that party shall nominate a candidate to fill the vacancy. The governor and council shall approve this candidate unless a statutory or constitutional conflict is deemed to exist.

3 Nomination for Special Elections. Amend RSA 655:81 to read as follows:

655:81 Nomination of U.S. Representative, Executive Councilor, **and** State Senator [~~and Representative to the General Court~~].

The nomination of candidates for the U.S. House of Representatives or for the executive council or for the state senate [~~or for representative to the general court~~] for special elections shall be accomplished through the holding of special election primaries. The filing of candidates for such primaries and all other matters connected with such primaries shall be the same as for primaries before a state general election except that:

I. The special election shall be held on a Tuesday not less than 110 nor more than 124 days following the day that the governor and council declare that there shall be a special election; [~~provided, however, that if one or more municipalities where a special election for state representative will be held have a regularly-scheduled election occurring between 80 and 180 days following the day that the governor and council declare that there shall be a special election, the governor and council shall set the date of the election to coincide with the regularly-scheduled election if a majority of the towns or wards, as represented by the city, jointly request that day; if towns or wards, as represented by the city, request that the special election coincide with regularly-scheduled elections occurring on different dates, the election shall be held on a Tuesday not less than 110 nor more than 124 days following the day that the governor and council declare that there shall be a special election;~~] and

II. The filing period shall start on the Monday following the date on which the governor and council declare that there shall be a special election and shall end at 5:00 p.m. on the Friday of that week; and

III. [~~Under RSA 655:15, the official with whom state representative candidates shall file shall be the secretary of state, except that a state representative candidate may file with the appropriate town or city clerk under RSA 655:15 or with the secretary of state during the Monday and Tuesday only of the filing period in towns and cities in which the clerk's office is open on one or both of those days, in which case the town or city clerk shall forward each declaration of candidacy to the secretary of state on the same day on which the declaration is filed; and~~

IV.] The primary shall be held 49 days prior to the special election; and

[V.] **IV.** Supplementary primary petitions may be filed as needed no later than 5:00 p.m. on the last day of the filing period; and

[VI.] **V.** The deadline for filing nomination papers shall be no later than 5:00 p.m. on the day set for the primary; and

[VII.] **VI.** The notice of the primary in RSA 655:11 shall be prepared by the secretary of state and distributed to the town and city clerks as soon as practicable after the setting of the date for the special election; and

[VIII.] **VII.** Under RSA 655:12, clerks shall post notices of special election primaries as soon as possible after they are received; and

[IX.] **VIII.** The names of all candidates for a party nomination at a special election primary shall be printed in alphabetical order on the ballot according to the alphabetization procedure established in RSA 656:5-a; and

[X.] **IX.** The publication of the result provided in RSA 659:89 shall not be required; and

[XI.] **X.** The deadline for any candidate to request a recount pursuant to RSA 660:7 shall be 5:00 p.m. on the day after the election. A candidate having requested a recount pursuant to this paragraph may, no later than 5:00 p.m. on the Monday after the primary election, withdraw the request and receive a refund of any fees paid.

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

2026-0984h

AMENDED ANALYSIS

This bill allows a vacancy in a state representative seat to be filled by appointment rather than special election. The question being adoption of the majority committee amendment.

MOTION TO LAY ON THE TABLE

Rep. Berry moved that **HB 1396**, relative to vacancies in state offices, be laid on the table. Motion was adopted.

HB 1418, setting a minimum affirmative vote for new or expanded spending for SB 2 towns. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Ross Berry for the **Majority** of Election Law. This legislation applies only to towns, cities, and school districts that use the SB 2 official ballot system and would not apply to communities operating under traditional town or school district meetings or cities. New Hampshire's property taxes are primarily determined at the local level through town and school district elections where voters approve or reject spending articles and budgets. In many SB 2 communities, turnout for these votes is extremely low, often around 15 percent of registered voters and in some cases even lower. As a result, significant spending decisions that directly impact property tax bills are frequently determined by a small fraction of the electorate and not representative of the communities as a whole. This bill addresses that imbalance by requiring that any new or increased spending receive both a majority of votes cast and affirmative support from at least 15 percent of registered voters. The committee believes this ensures that decisions to increase taxes or expand spending reflect meaningful support from the broader electorate rather than a small minority of voters. Vote 9-8.

Rep. James Newsom for the **Minority** of Election Law. This bill is a wolf in sheep's clothing. It was advertised as a get out the vote bill, but is nothing more than a prohibition of new spending by towns and a blatant attack on the more than 300-year history of town meetings. During testimony, we heard an estimate of 15% turn out at SB 2 meetings. This bill requires 15% yes votes and still be a majority of the vote. This means that only a near unanimous vote with above-average voter turnout will see increased spending – that could very well be out of the control of the legislative body, such as increased health insurance or simple inflation. Based on the testimony and the bill, there is a very large, almost a certainty, that many SB 2 towns and districts will never again be able to pass increased spending or they will have years of no increases resulting in major issues followed by a single year of huge increases based on the extreme needs and deferred costs. With the reality that this bill will prohibit new spending, this bill will not allow towns and schools to maintain their assets or the quality of life we hold so dear in this great state as our town infrastructure crumbles with the inability to raise revenues. This bill is an irresponsible budget management system that will result in far more harm than good. Inexpedient to Legislate is the fiscal and sensible motion.

Majority Amendment (0971h)

Amend the bill by replacing sections 1 and 2 with the following:

1 New Section; Town Elections; Official Ballot Budget Threshold. Amend RSA 669 by inserting after section 25 the following new section:

669:25-a Official Ballot Warrant Articles; Minimum Voter Participation. In any town that has adopted the official ballot referendum form of meeting pursuant to RSA 40:13, no warrant article proposing the adoption of the town's operating budget or of any other appropriation shall pass unless at least 15 percent of the registered voters of the town cast a "Yes" vote on the question and a majority of those voting vote "Yes."

2 New Section; School District Elections; Official Ballot Budget Threshold. Amend RSA 671 by inserting after section 33 the following new section:

671:34 Official Ballot Warrant Articles; Minimum Voter Participation. In any school district that has adopted the official ballot referendum form of meeting pursuant to RSA 40:13, no warrant article proposing the adoption of the school district's operating budget or of any other appropriation shall pass unless at least 15 percent of the registered voters of the school district cast a "Yes" vote on the question and a majority of those voting vote "Yes."

The question being adoption of the majority committee amendment.

MOTION TO LAY ON THE TABLE

Rep. Berry moved that **HB 1418**, setting a minimum affirmative vote for new or expanded spending for SB 2 towns, be laid on the table.

Motion was adopted.

HB 1601-FN, requiring the secretary of state to create a voter education program that includes information on recent changes to voting laws. **OUGHT TO PASS.**

Rep. Ross Berry for Election Law. This bill directs the Secretary of State to use available federal funds under the Help America Vote Act (HAVA) to inform voters about recent changes to New Hampshire election law. Over the past several years, the legislature has enacted a number of reforms intended to strengthen the integrity and administration of elections in the state. The committee believes it is important that voters be clearly informed of these changes so they understand what will be required when they arrive at the polls. In particular, recent changes clarify identification requirements and the documentation necessary to demonstrate citizenship when registering to vote. Because HAVA funds are specifically intended to support election

administration and voter education, the committee believes it is appropriate to use those federal resources to communicate these changes to the public. Doing so ensures that voters receive accurate information while avoiding additional cost to state taxpayers. Vote 15-0.

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

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

HB 1604-FN, requiring suitable public facilities such as schools and town halls be made available as polling places upon request by local election officials. **OUGHT TO PASS WITH AMENDMENT.**

Rep. James Guzofski for Election Law. This bill clarifies and addresses an unintended oversight found in RSA 658:9, which requires selectmen and ward officers to designate and provide polling places for elections but does not clearly require that suitable town- or city-owned public facilities comply when requested. As a result, towns can be legally required to hold an election while lacking clear authority to use the only suitable public facility available. The amendment was adopted to further clarify which town- or city-owned public facilities are subject to this requirement. This bill corrects that oversight by ensuring that qualifying public facilities that meet existing size and accessibility requirements are made available for elections, allowing municipalities to carry out their legal obligation to hold elections without seeking special exemptions. The committee found this to be a simple clarification that supports election administration while preserving local control and normal operations. For these reasons, the committee recommends that the bill be found Ought to Pass with Amendment. Vote 15-0.

Amendment (0676h)

Amend RSA 658:9-b, I as inserted by section 1 of the bill by replacing it with the following:

I. Upon request by the selectmen of a town or the ward officers of a city ward, any town-, city-, or school-owned or -operated facility within the town or ward, including any public schools, town halls, fire stations, or other municipal, school district, or charter school property, that is of sufficient size and accessibility to meet the requirements of RSA 658:9, shall be made available for use as a polling place for all elections, including state, federal, and municipal elections.

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 and the bill was ordered to third reading.

HB 1275, relative to the effects of per- and polyfluoroalkyl substances on agriculture. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Nicholas Germana for the **Majority** of Environment and Agriculture. As amended, this bill establishes civil immunity for farmers whose farmland has been contaminated by per- and polyfluoroalkyl substances (PFAS/PFOA) from the application of sludge or biosolids. The bill also requires the New Hampshire Department of Environmental Services to develop rules to ensure that sludge and biosolids applied to agricultural soils do not exceed the maximum concentration of specific chemicals defined in rules. Further, this bill requires the testing of agricultural soils prior to application of sludge or biosolids to ensure that PFAS/PFOA concentration does not exceed defined limits. Finally, the bill allows for possible financial support for testing from the Drinking Water and Groundwater Trust Fund, at the discretion of the fund's advisory commission. The majority of the committee agrees that it is an important first step toward identifying and addressing PFAS/PFOA contamination on agricultural land in the state. Vote 12-1.

Rep. Linda Haskins for the **Minority** of Environment and Agriculture. This bill is not the right path for PFAS remediation in New Hampshire. First, the civil liability provision is sweeping and not meaningfully limited. We need a narrow protection for farmers who were unknowingly harmed. Second, the amendment ties biosolids to existing groundwater quality standards, many of which have been assailed as not fully health-protective, especially for cumulative and long-term exposure. Third, the proposal allows transfers from the Drinking Water and Groundwater Trust Fund, effectively compromising a fund that communities across the state rely on for drinking water remediation. Agriculture PFAS remediation deserves its own dedicated, sustainable funding stream. Finally, the minority of the committee felt that the amendment to this bill was advanced absent meaningful conversations with many of the state's PFAS remediation advocacy groups, impacted families, and environmental health experts. For an issue this vital to public health, we should build policy collaboratively, working with communities who have been leading this fight for years. New Hampshire needs comprehensive, science-based, and victim centered PFAS policy. This bill as amended does not meet that standard.

Majority Amendment (0925h)

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

1 New Subdivision; PFAS in Agriculture. Amend RSA 431 by inserting after section 36 the following new subdivision:

PFAS in Agriculture

431:37 Per- and Polyfluorinatedalkyl Substances; Civil Immunity. Any person engaged in the practice of farming shall be immune from suit and civil liability for any damages resulting from claims based on harms caused by per and poly fluorinated alkyl substances present in soil, water, or agricultural products as a result of standard agricultural practices, including the land application of sludge or biosolids.

2 Water Pollution and Waste Disposal; Land Application of Sludge. Amend RSA 485-A:5-d to read as follows:
485-A:5-d Land Application of Sludge.

I. Sludge or biosolids which are to be land applied in New Hampshire shall not exceed the maximum concentrations for specific chemical contaminants contained in the rules of the department, or the rules or regulations of the state in which the sludge was generated, whichever are more stringent.

II. By June 30, 2027, the department shall initiate rulemaking under RSA 541-A to develop concentration-based standards for PFAS in biosolids at land-application sites. Such standards shall be set for those PFAS compounds for which an ambient groundwater quality standard has been established under RSA 485-C. Such rulemaking shall include requirements for PFAS soil testing at land-application sites. Land application shall not occur if biosolid or soil PFAS concentrations exceed the applicable standards. Funds to assist with agricultural soil testing may be available from the agricultural PFAS relief fund under RSA 485-H:7.

3 Per- and Polyfluorinatedalkyl Substances Fund and Programs; Drinking Water and Groundwater Trust Fund Exception. Amend RSA 485-H:7 to read as follows:

485-H:7 Drinking Water and Groundwater Trust Fund Exception. Notwithstanding any law to the contrary, any funds deposited into the drinking water and groundwater trust fund established in RSA 6-D:1 as a result of this chapter may be transferred to the department to be used for funding PFAS remediation projects, including those at wastewater treatment facilities, **and the testing of agricultural soil**, at the discretion of the drinking water and groundwater trust fund's advisory commission.

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

2026-0925h

AMENDED ANALYSIS

This bill grants immunity from civil liability to farmers for damages resulting from claims based on harms caused by certain per and poly fluorinated alkyl substances present in soil, water, or agricultural products. This bill also requires the department of environmental services to develop concentration-based standards for PFAS in biosolids at land-application sites.

The question being adoption of the majority committee amendment.

On a division vote, with 293 members having voted in the affirmative, and 12 in the negative, the majority committee amendment was adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Germana offered floor amendment (1079h).

Floor Amendment (1079h)

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

1 New Subdivision; PFAS in Agriculture. Amend RSA 431 by inserting after section 36 the following new subdivision:

PFAS in Agriculture

431:37 Per- and Polyfluorinatedalkyl Substances; Civil Immunity. Any person engaged in the practice of farming shall be immune from suit and civil liability for any damages resulting from claims based on harms caused by per and poly fluorinated alkyl substances present in soil, water, or agricultural products as a result of standard agricultural practices, including the land application of sludge or biosolids.

2 Water Pollution and Waste Disposal; Land Application of Sludge. Amend RSA 485-A:5-d to read as follows:

485-A:5-d Land Application of Sludge.

I. Sludge or biosolids which are to be land applied in New Hampshire shall not exceed the maximum concentrations for specific chemical contaminants contained in the rules of the department, or the rules or regulations of the state in which the sludge was generated, whichever are more stringent.

II. By June 30, 2027, the department shall initiate rulemaking under RSA 541-A to develop concentration-based standards for PFAS in biosolids at land-application sites. Such standards shall be set for those PFAS compounds for which an ambient groundwater quality standard has been established under RSA 485-C. Such rulemaking shall include requirements for PFAS soil testing at land-application sites. Beginning January 1, 2028, land application shall not occur if biosolid or soil PFAS concentrations exceed the applicable standards.

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

2026-1079h
AMENDED ANALYSIS

This bill grants immunity from civil liability to farmers for damages resulting from claims based on harms caused by certain per and poly fluorinated alkyl substances present in soil, water, or agricultural products. This bill also requires the department of environmental services to develop concentration-based standards for PFAS in biosolids at land-application sites.

On a division vote, with 307 members having voted in the affirmative, and 11 in the negative, floor amendment (1079h) was adopted.

Rep. Vail did not vote and wished to be recorded in favor.

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

Rep. Wendy Thomas offered floor amendment (1118h).

Floor Amendment (1118h)

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

1 New Subdivision; PFAS in Agriculture. Amend RSA 431 by inserting after section 36 the following new subdivision:

PFAS in Agriculture

431:37 Per- and Polyfluorinatedalkyl Substances; Civil Immunity. Subject to a moratorium of the land application of sludge or biosolids, any person engaged in the practice of farming shall be immune from suit and civil liability for any damages resulting from claims based on harms caused by per and poly fluorinated alkyl substances present in soil, water, or agricultural products as a result of standard agricultural practices, including the land application of sludge or biosolids for a period of 5 years from the effective date of this section. Individuals or entities that shall not be immune include but are not limited to: (i) those engaged in the production or distribution of PFAS-containing materials, including but not limited to sludge or biosolids; (ii) those engaged in the production, distribution or disposal of industrial waste; and (iii) those engaged in the operation of incinerators.

431:38 Agricultural Per- and Polyfluorinatedalkyl Substances (PFAS) Relief Fund.

I. There shall be established and set up a separate fund to be known as the agricultural PFAS relief fund, which shall be used exclusively to assist farmers in New Hampshire who have suffered losses or incurred costs resulting from the actual or suspected presence of PFAS in soil, water, or agricultural products as a result of standard agricultural practices, including the land application of sludge or biosolids.

II. The agricultural PFAS relief fund shall be credited with money from:

(a) Amounts recovered in connection with litigation, settlements, fines, or other actions against the manufacturers of PFAS and PFAS containing products;

(b) Amounts recovered in connection with claims arising from the sources of PFAS contamination on farmland from the land application of sludge or biosolids, products derived from sludge or biosolids, and other agricultural products that contain PFAS;

(c) Gifts, grants, and donations from public or private sources;

(d) Federal reimbursements and grants-in-aid; and

(e) Any interest earned from the fund.

III. The department of agriculture, markets, and food shall establish rules under RSA 541-A to direct the expenditure of moneys from the agricultural PFAS relief fund for the following purposes:

(a) Testing of soil, water, or agricultural products for PFAS;

(b) Water filtration systems to reduce the presence of PFAS in drinking water;

(c) Costs incurred from adapting management and business practices as a result of the disallowance of use of products containing PFAS or the disruption of business caused by the presence of PFAS;

(d) Development and implementation of educational resources for farmers to adapt to management changes resulting from the presence of PFAS;

(e) Testing and other physical and mental health needs of farm owners and personnel resulting from exposure to PFAS;

(f) Remediation practices and needed infrastructure for the reduction or elimination of PFAS; and

(g) Any other purposes the department determines are a prudent use of the funds.

IV. Money from the fund shall not be distributed to an entity that:

(a) Operate, or previously have operated, a solid waste management facility as defined by RSA 149-M:4, IX; or

(b) Hold, or previously held, a permit under RSA 485-A:4, XVI-d, to transport or process sludge or biosolids.

V. Priority shall be given to applicants based on the following criteria:

(a) The number of times and total volume of sludge historically applied to the site;

(b) The current land use, with priority given to sites used for agricultural purposes; and

(c) Any other criteria determined by the department of agriculture markets and food.

2 Water Pollution and Waste Disposal; Land Application of Sludge. Amend RSA 485-A:5-d to read as follows:
485-A:5-d Land Application of Sludge.

I. Sludge or biosolids which are to be land applied in New Hampshire shall not exceed the maximum concentrations for specific chemical contaminants contained in the rules of the department, or the rules or regulations of the state in which the sludge was generated, whichever are more stringent.

II. *By June 30, 2027, the department shall initiate rulemaking under RSA 541-A to develop concentration-based standards for PFAS in biosolids at land-application sites. Such standards shall consider the uptake of PFAS in crops and forage that is consumed by humans and animals. Such standards shall be set for those PFAS compounds for which an ambient groundwater quality standard has been established under RSA 485-C. Such rulemaking shall include requirements for PFAS soil testing at land-application sites. Land application shall not occur if biosolid or soil PFAS concentrations exceed the applicable standards. Funds to assist with agricultural soil testing may be available from the agricultural PFAS relief fund under RSA 431:38.*

III. *The land application of sludge, biosolids, or any other product or material that is derived from or contains sludge or biosolids, shall be prohibited until the concentration-based standards for PFAS in biosolids are established and enforced in the rules promulgated under RSA 485-A:5-d, II.*

3 Per- and Polyfluorinatedalkyl Substances Fund and Programs; Drinking Water and Groundwater Trust Fund Exception. Amend RSA 485-H:7 to read as follows:

485-H:7 Drinking Water and Groundwater Trust Fund Exception. Notwithstanding any law to the contrary, any funds deposited into the drinking water and groundwater trust fund established in RSA 6-D:1 as a result of this chapter may be transferred to the department to be used for funding PFAS remediation projects, including those at wastewater treatment facilities, **and the testing of agricultural soil**, at the discretion of the drinking water and groundwater trust fund's advisory commission.

4 New Subparagraph; Agricultural PFAS Relief Fund. Amend RSA 6:12, I(b) by inserting after subparagraph (410) the following new subparagraph:

(411) Moneys deposited into the agricultural PFAS relief fund established in RSA 431:38.

5 New Paragraph; Definitions; Per- and Polyfluoroalkyl Substances. Amend RSA 485-A:2 by inserting after paragraph XXIV the following new paragraph:

XXV. "Per- and polyfluoroalkyl substances" means any member of the class of manufactured fluorinated chemicals containing at least one fully fluorinated carbon atom.

6 Moratorium. The land application of sludge or biosolids on land used for agricultural purposes shall be prohibited for a period of 5 years from the effective date of this section.

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

2026-1118h AMENDED ANALYSIS

This bill:

I. Grants immunity from civil liability to farmers for damages resulting from claims based on harms caused by certain per and poly fluorinated alkyl substances present in soil, water, or agricultural products.

II. Requires the department of environmental services to develop concentration-based standards for PFAS in biosolids at land-application sites.

III. Creates the agricultural PFAS remediation fund in order to assist farmers in New Hampshire who have suffered losses or incurred costs resulting from the actual or suspected presence of PFAS in soil, water, or agricultural products as a result of standard agricultural practices, including the land application of sludge or biosolids.

IV. Imposes a 5 year moratorium on the spreading and application of sludge and biosolids for agricultural use. On a division vote, with 53 members having voted in the affirmative, and 267 in the negative, floor amendment (1118h) failed.

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

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

HB 1616-FN, prohibiting state agencies and political subdivisions from advertising or expending funds to advertise vaccines in the state of New Hampshire. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Susan DeRoy for the **Majority** of Executive Departments and Administration. This bill prohibits any state agency or political subdivision from using public funds to advertise or otherwise promote vaccines. The majority believes that state and local taxpayers should not be subsidizing the promotion of private industry, as pharmaceutical companies generate billions in dollars of sales on vaccines. The amendment clearly separates promotion from education, and relies upon the well-established distinction between promotion and education in the pharmaceutical world. Vote 9-7.

Rep. Jaci Grote for the **Minority** of Executive Departments and Administration. This bill prohibits state agencies and political subdivisions from expending funds to advertise vaccines in the State of New Hampshire. The minority felt that, although the amendment attempted to do so, the distinction between promotion from education in vaccinerelated public communications was unclear; the two have different legal, ethical, and policy implications, especially when the government is limiting what can be said. Education aims to give balanced, evidencebased information on risks, benefits, and alternatives so people can make their own decisions, and courts generally view this as a core public health function consistent with respecting autonomy. Promotion is designed to drive uptake or persuade toward a particular choice, and when done by the state it can look more like advocacy or pressure than neutral information, raising concerns about government overreach or propaganda. Blurring the line between the two can invite First Amendment challenges, on both free speech and compelled speech theories, because publichealth agencies, schools, or clinicians might be chilled from even discussing vaccines if they fear that any positive statement will be treated as prohibited “promotion.” Clear protection for education allows health departments, schools, and clinicians to correct misinformation and answer questions, even in jurisdictions that want to limit active “campaigning,” which is crucial for maintaining vaccine confidence and countering rumors. If “education” is not clearly carved out, restrictions on “promotion” can reduce transparency, fuel suspicion that information is being hidden, and paradoxically strengthen antivaccine narratives that the government cannot be trusted. In practice, publichealth frameworks often treat education as: balanced presentation of risks and benefits, explanation of disease burden, and disclosure of uncertainties; promotion is: slogans, endorsements, incentives, or messaging whose primary aim is uptake, not understanding. Writing that distinction into statutes, regulations, or agency guidance helps frontline officials know what is allowed, e.g, fact sheets, Q&A sessions, school modules about how vaccines work, and what is restricted, e.g, “get the shot or you’re selfish” campaigns, making policies more predictable and less likely to be struck down or misused.

The question being adoption of the majority committee amendment.

MOTION TO LAY ON THE TABLE

Rep. Layon moved that **HB 1616-FN**, prohibiting state agencies and political subdivisions from advertising or expending funds to advertise vaccines in the state of New Hampshire, be laid on the table.

On a division vote, with 293 members having voted in the affirmative, and 18 in the negative, the motion was adopted.

MOTION TO REMOVE FROM THE TABLE

Rep. Heath Howard moved that **HB 1317**, relative to patient privacy protections, be removed from the table. On a division vote, with 130 members having voted in the affirmative, and 186 in the negative, the motion failed.

REGULAR CALENDAR PART I CONT'D

HB 1675, establishing a commission to investigate the New Hampshire Coalition Against Sexual and Domestic Violence and requiring funding only be provided for the direct services materially benefitting survivors of sexual and domestic assault. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Erica Layon for the **Majority** of Executive Departments and Administration. As amended, this bill provides greater transparency for the domestic violence grant program coordinator selected by the Commissioner of the Department of Health and Human Services and the grantees of the victim assistance fund administered by the Department of Justice. Specifically, it makes the domestic violence grant program coordinator and direct service grantees subject to the requirements and exemptions of RSA 91-A and requires a report from the Department of Health and Human Services and the Department of Justice regarding the programs funded through the domestic violence grant program and victim assistance program, respectively. The underlying bill which creates a legislative commission to investigate the New Hampshire Coalition Against Domestic and Sexual Violence, to restrict funding, and the removal coalition seats in various boards and commissions is entirely replaced by the amendment. Vote 9-7.

Rep. Jaci Grote for the **Minority** of Executive Departments and Administration. The original bill formed a commission to investigate the New Hampshire Domestic Violence Coalition with respect to possible wrongdoing regarding fraud and abuse of federal grant funds, unlawful discrimination of male victims, improper influence on the courts, among others accusatory language. As amended, it now considers an alternative proposal to amend NH’s domestic violence statute, RSA 173-B, to explicitly make the grant program coordinator, the direct service grantees, and subcontractors subject to 91-A as a “public body.” This significant change in statute affects all organizations that address domestic violence. The minority believes that this fundamental shift away from longstanding privacy protection for victims places victims’ confidentiality and safety at significant risk. Domestic violence programs exist to provide confidential, lifesaving services.

Majority Amendment (0946h)

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

AN ACT relative to the administration of grant programs to support certain victims of crime.

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

1 Protection of Persons from Domestic Violence; Grant Program Established. Amend RSA 173-B:16 to read as follows:

173-B:16 Grant Program Established. A grant program is established within the department for the allocation of grant money to New Hampshire programs which provide aid and assistance to victims of domestic violence. The grant program shall be funded by the fund established under RSA 173-B:15. ***The grant program coordinator, direct service grantees, and their subcontractors, in the furtherance of the domestic violence grant program, shall be subject to the requirements and exemptions of RSA 91-A as a public body established in 2000 pursuant to this chapter.***

2 New Paragraph; Protection of Persons from Domestic Violence; Duties of the Commissioner. Amend RSA 173-B:17 by inserting after paragraph IV the following new paragraph:

V. Provide an annual report of all programs pursuant to this fund to the chairmen and ranking minority members of the house and senate executive departments and administration committees, the executive council, the speaker of the house, the senate president, and the governor. The report shall include:

- (a) Terms and conditions of state grants and federal awards, and how these were met or unmet.
- (b) Oversight, monitoring, subrecipient management, and performance evaluation of subcontractors and service providers receiving pass-through funds.
- (c) Procedures and controls for disbursing funds to subcontractors and service providers, including verification of allowable costs and activities.
- (d) Identification, recovery, and reporting of ineligible, improper, or misused expenditures of state or federal funds.

- (e) Public reporting of grant activities, expenditures, outcomes, and use of funds.

- (f) Demographics of individuals served, service outcomes, effectiveness in achieving program goals related to domestic and sexual violence prevention, intervention, and support services, and any performance metrics required by granting agencies.

3 New Paragraph; Department of Justice; Administration of Fund. Amend RSA 21-M:8-i by inserting after paragraph V the following new paragraph:

VI. The attorney general shall provide an annual report of all programs pursuant to this fund to the chairmen and ranking minority members of the house and senate executive departments and administration committees, the executive council, the speaker of the house, the senate president, and the governor. The report shall include:

- (a) Terms and conditions of state grants and federal awards, and how these were met or unmet.
- (b) Oversight, monitoring, subrecipient management, and performance evaluation of subcontractors and service providers receiving pass-through funds.
- (c) Procedures and controls for disbursing funds to subcontractors and service providers, including verification of allowable costs and activities.
- (d) Identification, recovery, and reporting of ineligible, improper, or misused expenditures of state or federal funds.

- (e) Public reporting of grant activities, expenditures, outcomes, and use of funds.

- (f) Demographics of individuals served, service outcomes, effectiveness in achieving program goals related to domestic and sexual violence prevention, intervention, and support services, and any performance metrics required by granting agencies.

4 Effective Date. This act shall take effect 30 days after its passage.

2026-0946h
AMENDED ANALYSIS

This bill:

- I. Subjects certain entities that participate in a domestic violence grant program to RSA 91-A.
- II. Requires annual reports on the victims' assistance fund program.

The question being adoption of the majority committee amendment.

MOTION TO LAY ON THE TABLE

Rep. de Vries moved that **HB 1675**, establishing a commission to investigate the New Hampshire Coalition Against Sexual and Domestic Violence and requiring funding only be provided for the direct services materially benefitting survivors of sexual and domestic assault, be laid on the table.

On a division vote, with 168 members having voted in the affirmative, and 156 in the negative, the motion was adopted.

MOTION TO SPECIAL ORDER

Rep. Heath Howard moved that **HB 1609-FN**, limiting the use of state, county, and municipal funds and property for construction and operation of certain immigrant detention facilities be made a Special Order to the next order of business.

Speaker Kofalt ruled the motion dilatory.

CHALLENGE TO THE RULING OF THE CHAIR

Rep. Heath Howard challenged the ruling of the Chair whereby the Chair ruled the motion to Special Order HB 1142, dilatory.

The question being shall the ruling of the Chair be upheld?

Rep. Belcher requested a roll call; sufficiently seconded.

YEAS 223 - NAYS 96**YEAS - 223****BELKNAP**

Aldrich, Glen
Freeman, Lisa
Terry, Paul

Bogert, Steven
Harvey-Bolia, Juliet
Toner, Travis

Coker, Matthew
Ploszaj, Tom

Comtois, Barbara
St. Clair, Charlie

CARROLL

Avellani, Lino
MacDonald, John
Taylor, Brian

Belcher, Mike
McAleer, Chris

Burroughs, Anita
Peternel, Katy

Hamblen, Joseph
Brown, Richard

CHESHIRE

Berch, Paul
Jones, Philip
Qualey, James

Murphy, Denis
Karasinski, Sly
Weber, Lucy

Faulkner, Barry
Mattson, Rita

Hunt, John
Nalevanko, Rich

COOS

Davis, Arnold
King, Seth

Durkin, Sean
Tierney, James

Korzen, Lori
Tremblay, Marc

Ouellet, Mike

GRAFTON

Almy, Susan
Bjelobrk, Marie Louise
McFarlane, Donald
Stavis, Laurel

Barton, Joseph
Franz, Linda
Rockmore, Ellen

Beaulier, Calvin
Ladd, Rick
Sellers, John

Berezhny, Lex
Louis, Darrell
Spahr, Terry

HILLSBOROUGH

Alexander, Joe
Berry, Ross
Cole, Brian
Daniels, Gary
Dumont, Dillon
Griffin, Gerald
Gould, Linda
Judy, Jean
Labrie, Brian
Mazur, Lisa
Morton, Jonathan
Pauer, Diane
Proulx, Mark
Newman, Sue
Sheehan, Vanessa
Suiter, John
Ulery, Jordan

Ammon, Keith
Boehm, Ralph
Corcoran, Travis
Dargie, Paul
Dupont, Pierre
Gagne, Larry
Grund, Stephanie
Juris, Louis
Lascelles, Richard
McLean, Mark
Noble, Kristin
Peeples, Raymond
Prout, Andrew
Salvi, Santosh
Sirois, Shane
Tenczar, Jeffrey
Wheeler, Jonah

Boyd, Bill
Chourasia, Manoj
Creighton, James
DiSilvestro, Linda
Erf, Keith
Giasson, Henry
Herbert, Christopher
Kenny, Catherine
Leishman, Peter
Miles, Julie
Ohm, Bill
Post, Lisa
Reinfurt, Sherri
Schneller, John
Slottje, Jeremy
Mannion, Tim
Wherry, Robert

Barbour, Liz
Colcombe, Riché
Kelley, Diane
Drew, Matt
Flanagan, Jack
Gorski, Ted
Jack, Martin
Kesselring, Steven
Murphy, Mary
Mooney, Maureen
Paquette, Kathleen
Preece, David
Rice, Kimberly
Scully, Kevin
Spier, Carry
Mannion, Tom

MERRIMACK

Andrus, Louise
McGuire, Dan
Leavitt, John
Plante, Raymond
See, Alvin
Wood, Clayton

Aures, Cyril
Devoid, Ricky
Mehegan, Peter
Polozov, Yury
Soucy, Timothy

Aylward, Deborah
Ebel, Karen
Moffett, Michael
Richards, Beth
Walsh, Thomas

McGuire, Carol
Gibbs, Merry
Newsom, James
Boyd, Stephen
Thibault, James

ROCKINGHAM

Ball, Lorie
Mannion, Dennis

Bernardy, JD
Thomas, Douglas

Bridle, Nicholas
DeSimone, Debra

Bryer, Scott
Drago, Mike

Edgar, Michael
Guthrie, Joseph
Katsakiores, Phyllis
Miner, Laurence
Lynn, Bob
McDonnell, Valerie
Milz, David
Brown, Pam
Potucek, John
Roy, Terry
Soti, Julius
Sytek, John
Vose, Michael

Edwards, Jess
Guzofski, James
Khan, Aboul
Walsh, Lilli
Pearson, Mark
McGrath, Linda
Nadeau, Brian
Perez, Kristine
Prudhomme-O'Brien, Katherine
Pearson, Stephen
Spillane, James
Tripp, Richard
MacDonald, Wayne

Foote, Charles
Harb, Robert
Knab, Allison
Layon, Erica
Maggiore, Jim
McMahon, Charles
Nelson, Jodi
Popovici-Muller, Daniel
Raynolds, Ned
Sabourin dit Choinière, Matt
Summers, James
Tudor, Paul
Weyler, Kenneth

Gilman, Julie
Murray, Kate
Kuttab, Katelyn
Litchfield, Melissa
Mandelbaum, Jennifer
Melvin, Charles
Osborne, Jason
Porcelli, Susan
Read, Ellen
Selby, Donald
Sweeney, Joe
Verville, Kevin
Wilson, Vicki

STRAFFORD

Bailey, Glenn
DeRoy, Susan
Harrington, Michael
Potenza, Kelley
Walker, David

Bixby, Peter
Farrington, Samuel
Kaczynski, Thomas
Southworth, Thomas
Wall, Janet

Burnham, Claudine
Gilmore, Gary
Larochelle, John
Turcotte, Len

DeLemus, Susan
Granger, Michael
Smith, Marjorie
Pearson, Wayne

Cloutier, John
Aron, Judy

Drye, Margaret
Aron, Michael

Grant, George
Rollins, Skip

Hemingway, Wayne
Spilsbury, Walter

SULLIVAN

NAYS - 96 CARROLL

Paige, David

Woodcock, Stephen

CHESHIRE

Ames, Dick
O'Rorke, Terri

Harvey, Cathryn
Parshall, Lucius

Germana, Nicholas

Newell, Jodi

GRAFTON

Baldwin, Heather
Hakken-Phillips, Mary
Oppel, Thomas

Cormen, Thomas
Sullivan, Jared
Stringham, Jerry

Fellows, Sallie
Lucas, Janet
Sykes, George

Fracht, David
Muirhead, Russell

HILLSBOROUGH

Murray, Aissandra
Chretien, Suzanne
Grill, Jessica
Kluger, Lee Ann
Lloyd, Christal
Manohar, Sanjeev
Newman, Ray
Ryan, Linda
Tellez, Trinidad
Wilhelm, Matthew

Beauchemin, Paige
Darby, Will
Harriott-Gathright, Linda
Foxy, Loren
Long, Patrick
McGhee, Kat
Raymond, Heather
Seibert, Christine
Vail, Suzanne

Bergeron, Dan
Elberger, Susan
Hartnett, Tim
Leapley, Nicole
Murray, Megan
Murphy, Nancy
Rombeau, Catherine
Staub, Kathy
Veilleux, Daniel

Budathoki, Suraj
Foss, Lily
Kerwin, Erin
LeClerc, Daniel
MacKenzie, Mark
Petrigno, Peter
Rung, Rosemarie
Telerski, Laura
Dolan, William

MERRIMACK

Bricchi, Tracy
Lane, Connie
Schamberg, Thomas
Woods, Gary

Caplan, Tony
Luneau, David
Schultz, Kris

Kelly, Eileen
Hall, Muriel
Snodgrass, Jim

Gallager, Eric
Roesener, James
Wallner, Mary Jane

ROCKINGHAM

Cahill, Michael
Meuse, David
Sorensen, Carrie
Weinstein, Toni

de Vries, Erica
Muns, Chris
Turer, Eric

Haskins, Linda
Scherr, Buzz
Vallone, Mark

Manos, Zoe
Simpson, Alexis
Ward, Gerald

STRAFFORD

Bay, Luz
Horrigan, Timothy
Schmidt, Peter

Burton, Wayne
Howland, Allan
Stone, John

Butler, Billie
LaMontagne, Jessica
Wade, Alice

Howard, Heath
Miller, Seth

SULLIVAN

Sullivan, Brian

Damon, Hope

Palmer, William

and the ruling was upheld.

MOTION TO SPECIAL ORDER

Rep. Beauchemin moved that **HB 1609-FN**, limiting the use of state, county, and municipal funds and property for construction and operation of certain immigrant detention facilities. be made a Special Order to the next order of business.

On a division vote, with 130 members having voted in the affirmative, and 190 in the negative, the motion failed.

REGULAR CALENDAR PART I CONT'D

HB 1788-FN, holding state contracts with DEI provisions to be void as a matter of law and establishing a right of action for taxpayers where public entities or state agencies engage with contracts with DEI provisions. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Erica Layon for the **Majority** of Executive Departments and Administration. This bill builds upon the anti-DEI policy passed in the budget last year, with a focus on government contracts and in public schools. It clarifies the definitions for DEI, ensuring that protections for disabled people are not impacted and respecting the independence of non-school-sponsored student groups. The amendment clarifies that the right of private action is for citizens, as concern was raised in committee that some people are not taxpayers. The majority believes this is a pure good-governance bill to ensure that people are treated as individuals first. Vote 9-7.

Rep. Jaci Grote for the **Minority** of Executive Departments and Administration. This bill voids, as a matter of law, state contracts with DEI provisions. The minority of the committee disagrees with this bill as it creates legal risk, financial disruption, and practical governance problems that go far beyond any disagreement over DEI policy itself. Declaring a whole category of contract clauses void gives agencies a basis, or perceived obligation, to terminate or renegotiate large numbers of contracts, which can delay projects, raise costs, and trigger breach-of-contract disputes. Where contractors relied on DEI-related requirements, for example, outreach, training, or reporting obligations, as part of pricing and staffing, ripping out those provisions midstream can destabilize performance and invite claims for equitable adjustments or damages. Lastly, state capacity can be impaired if key vendors, universities, hospitals, tech firms, construction companies, decide the contracting environment is too volatile or politically risky and take their business elsewhere. In addition, this bill establishes a right to action for taxpayers where the public entities or state agencies engage with contracts with DEI provisions. The minority of the committee felt that establishing a private "right of action" for taxpayers to sue over state or local contracts that contain DEI provisions raises several practical, legal, and policy concerns. Contracting decisions are normally entrusted to the executive branch and, at the local level, to school boards, municipalities, or agency heads; a broad right of action lets individual taxpayers secondguess those routine decisions in court. A state rule that automatically voids "DEI provisions" and invites taxpayer suits can put agencies in a bind between state restrictions and federal expectations or funding conditions, increasing false claims and grant compliance risk.

Majority Amendment (0453h)

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

AN ACT holding state contracts with DEI provisions to be void as a matter of law and establishing a right of action for citizens where public entities or state agencies engage with contracts with DEI provisions.

Amend RSA 21-I:114, III as inserted by section 2 of the bill by replacing it with the following:

III. Any citizen shall be entitled to bring a cause of action against any public entity, state agency, or political subdivision that has violated any part of this subdivision. Any citizen that can demonstrate such public entity, state agency, or political subdivision has violated any provision of this subdivision shall be entitled to declaratory relief, injunctive relief, and reasonable attorney's fees in any action brought against such district or administrative unit.

Amend RSA 186:77, V and VI as inserted by section 4 of the bill by replacing it with the following:

V. Citizens residing within a school district or school administrative unit shall be entitled to bring causes of action against any public school, school district, or school administrative unit that has violated any part of this subdivision. Any citizen that can demonstrate such school, school district, or school administrative unit has violated any provision of this subdivision shall be entitled to declaratory relief, injunctive relief, and reasonable attorney's fees in any action brought against such district or administrative unit.

VI. The department of education shall be required to conduct good-faith investigations of a facially credible report of violations of this subdivision by any citizen residing within the school district or school administrative unit. Any citizen that can demonstrate that the department has engaged in a sustained pattern of categorically declining to investigate credible reports of violations of this subdivision shall be empowered to bring a cause of action against the department in superior court, and shall be entitled to declaratory relief, injunctive relief, and reasonable attorney's fees, regardless of whether the citizen has brought any action against the department under paragraphs IV or V.

2026-0453h
AMENDED ANALYSIS

This bill:

I. Requires courts to find that contracts that include DEI-related provisions are void as a matter of law.

II. Allows citizens to sue public entities or state agencies for engaging in, or failing to investigate allegations of, contracts with DEI-related provisions.

The question being adoption of the majority committee amendment.

On a division vote, with 324 members having voted in the affirmative, and 1 in the negative, the majority committee amendment was adopted.

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

On a division vote, with 179 members having voted in the affirmative, and 148 in the negative, the majority committee report was adopted and the bill was ordered to third reading.

HB 661-FN, relative to the department of health and human services management of social security payments, supplemental security income payments, and veterans benefits for children in foster care. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: REFER FOR INTERIM STUDY.**

Rep. Maureen Mooney for the **Majority** of Finance. Of the approximately 1,500 children currently in New Hampshire's foster care system, approximately 250 of them receive federal Social Security or veterans' benefits. Currently, those federal benefits are used to cover the cost of their care. HB 661-FN, as amended, would start the process of requiring the Department of Health and Human Services' Division of Children, Youth, and Families (DCYF) to hold these federal benefits in separate interest-bearing accounts that can be withdrawn once a child ages out of foster care. This way, the money can go toward supporting their independence by enabling them to pay for housing, transportation and other living expenses when out of foster care. By means of some background, this bill came to Finance as the second committee after passing the House on the Consent Calendar in March, 2025. The bill was retained in April, 2025 with a "refer for interim study" committee recommendation last fall, and then it was voted "to recommit" back to Finance on a voice vote in January, 2026. Between the time the bill was recommended "refer for interim study" and now, two directives from the federal government occurred - 1.) on November 13, 2025, President Donald J. Trump issued an Executive Order called *Fostering the Future for American Children and Families* to "develop a strategy to reallocate funds returned by States from Federal programs designed to assist individuals transitioning out of foster care so that such returned funds are used to promote educational success, occupational advancement, and financial literacy and self-sufficiency for individuals transitioning out of foster care;" and 2.) on December 8, 2025, Alex J. Adams, Assistant Secretary of the federal Administration for Children and Families (ACF) sent letters to 39 governors, including New Hampshire's governor, urging action to stop state welfare agencies from diverting foster youth's Social Security benefits to reimburse government costs. As amended, HB 661-FN first addresses the issue of representative payee appointments for foster children, prioritizing suitable kin or others invested in the child (effective date July 1, 2027). It requires the NH Department of Health and Human Services to establish ABLE (Adult Based Life Experiences Program) or other appropriate savings accounts to hold federal benefits of children for whom the department serves as representative payee (effective July 1, 2028), directs the NH Department of Health and Human Services to seek all available federal resources to fund the new procedure, and ensures the new requirements only apply to children in DCYF's custody on or after July 1, 2027 in order to protect DCYF from possible claims by those whose benefits were used to cover their cost of care. The approximate cost of HB 661-FN as amended is \$280,000 from state general funds in order to hire a consultant for the complex process to begin. It should also be noted that the policy underlying this bill has been under consideration since the 2024 legislative session. HB 1598, introduced in 2024, was amended to require the NH Department of Health and Human Services to prepare a report detailing what transitioning to a child-centered method of conserving foster children's benefits would entail, including policies, procedures, and related budget impact. To date, approximately 12 other states have enacted similar policies. Vote 13-12. Rep. Kenneth Weyler for the **Minority** of Finance. The need for this legislation was a ruling by executive order that federal payments to Foster Children, such as Social Security, must be used and saved for that child. New Hampshire was using such funds for the care of the foster child. Funds not needed for the care were placed in an account for the child's special needs. But when the account exceeded \$2,000, money was sent back to the feds. The executive order requires us to change the way we operated with these funds. Last session we attempted to pass Interim Study for this bill, but those who favored passing the bill re-referred it back to the Finance Committee. We believe they thought we were trying to kill it. To simply put all the survivor pensions coming to our state foster care in a child's personal account would put us at a loss of about \$3 million dollars. There are many other states dealing with the same challenge, and they have tried many fixes. The present bill authorizes \$280,000 to hire a consultant to pick the best method for our state. If we pass Interim Study, we will have a deadline to propose a bill in November that will both comply with the order and allow some of the money for the care by the state. The minor-

ity is already working on research to contact organizations like ALEC and NSG to see what they have recommended to other states, and to study the laws that other states have passed that enables the state to use a portion of the federal pension for the care of the child by the state. Interim Study, will save the state the consulting money of \$280,000, and may deliver a better product for our foster care system.

Majority Amendment (0821h)

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

1 New Section; Dependent Children; Federal Benefits. Amend RSA 126-A by inserting after section 6 the following new section:

126-A:6-a Dependent Children; Eligibility For and Appointment of Representative Payee to Manage Federal Benefits.

I. For all children in the care of the department, the department shall determine whether each child is receiving benefits administered by the Social Security Administration or the Veterans Administration within 60 days after the child enters the department's care. If the department determines that a child is not receiving benefits but may be eligible for federal benefits, the department shall apply for the benefits on behalf of the child.

II. If a child is already receiving benefits before entering the department's care with an appointed representative payee in place, the department shall not seek to change the payee appointment unless the current payee has been deemed unsuitable or other circumstances warranting a payee change are met in accordance with the federal regulations for naming a successor payee. If there is no payee or if the department applies for benefits on behalf of the child, the department shall identify, in consultation with the child and the child's representative, a representative payee in accordance with 20 C.F.R. sections 404.2021 and 416.621 and encourage the identified individual to apply to the Social Security Administration to be appointed as the child's representative payee. The department shall apply to become the representative payee only if no other suitable candidate is available.

2 New Paragraphs; Use and Management of Federal Benefits. Amend RSA 126-A:6-a by inserting after paragraph II the following new paragraphs:

III. If the department is determined by the court to serve as the representative payee, the department:

(a) Shall not use the child's federal benefits, other benefits, savings, or assets to pay for or to reimburse the department or this state for any of the costs of the child's care.

(b) May use the child's federal benefits for the child's unmet needs beyond what the department is obligated or required to pay.

(c) Shall establish an appropriate account to use and conserve the child's benefits in the child's best interest for current unmet needs and future needs in a manner consistent with federal and state asset and resource limits. The account may include any of the following:

(1) A special needs trust.

(2) A pooled special needs trust.

(3) An Achieving a Better Life Experience (ABLE) savings account, established pursuant to RSA 195-K and section 529A of the Internal Revenue Code.

(4) Any other trust account determined not to interfere with social security or asset limitations for any other benefit program.

(d) Shall provide an annual accounting as to the use, application, or conservation of the child's federal benefits to the child, the child's representative, and the child's parents or guardians.

IV. The department shall notify the child, the child's parents, unless parental rights have been terminated, the child's guardian, the child's current placement, the child's court appointed special advocate or guardian ad litem, and the child's attorney of any application or decision related to a child's federal benefits. In providing notice of any denial of benefits, the department shall explain that there is a right to appeal, the process for filing an appeal, and the names and contact information of organizations that might be available to provide pro bono or reduced fee legal assistance.

V. The department shall annually review cases of children in the department's care to determine whether a child may have become eligible for benefits after the department's initial assessment.

VI. Notwithstanding any other law, on termination of the department's responsibility for the child, the department shall release any moneys remaining to the child's credit pursuant to the requirements of the funding source or, in the absence of any requirements, shall release the remaining moneys to:

(a) The child, if the child is at least 18 years of age or is emancipated; or

(b) The person who is responsible for the child if the child is a minor and not emancipated.

VII. For purposes of this section, a "child in the care of the department" means the department has custody or guardianship over the child or the child in a court-ordered placement or other out-of-home placement under the supervision of the department.

3 ABLE Accounts. The department of health and human services shall develop and complete the processes and procedures for establishing ABLE accounts for children in its custody for whom it serves as representative payee no later than June 30, 2027. The department may utilize federal Title IV-E funds it secures pursuant to the 2025, 141:310 for this purpose.

4 Policies and Procedures Regarding Federal Benefits for Dependent Children. The department of health and human services shall develop the necessary policies and procedures, establish process workflows, and conduct necessary staff training to facilitate implementation of this act on or before June 30, 2028. To assist in completing the tasks required to begin implementation of these requirements, the department may hire a consultant with knowledge of other states' efforts to develop necessary policies and procedures to manage federal benefits for children in state custody.

5 Executive Order. In accordance with the federal executive order entitled "Fostering the Future for American Children and Families" dated November 13, 2025, the department of health and human services shall seek all available federal resources to fund the provisions of this act.

6 Applicability. RSA 126-A:6-a, as inserted by section 1 of this act and amended by section 2 of this act, shall apply only to children in the care of the department of health and human services on or after July 1, 2027.

7 Effective Date.

I. Section 1 of this act shall take effect July 1, 2027.

II. Section 2 of this act shall take effect July 1, 2028.

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

2026-0821h AMENDED ANALYSIS

This bill establishes requirements for the management of federal benefits received by dependent children in the custody of the department of health and human services. This bill provides for appointment of a representative payee, which may be the department if no other suitable candidate is available. This bill also directs the department to adopt procedures regarding establishment of ABLE accounts for dependent children for whom the department is representative payee.

The question being adoption of the majority committee amendment.

On a division vote, with 321 members having voted in the affirmative, and 4 in the negative, the majority committee report was adopted.

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

On a division vote, with 309 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.

HB 1042, raising the unified contingent credit limit. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Joe Sweeney for the **Majority** of Finance. The bipartisan majority of the House Finance Committee found HB 1042 Ought to Pass with Amendment, increasing the unified contingent credit limit to \$400 million. Testimony from the Executive Director of the Business Finance Authority (BFA) and the State Treasurer confirmed that the bill does not appropriate funds or authorize new state debt but simply updates the existing contingent credit limit so the BFA can continue operating effectively. The BFA has operated for more than 30 years without the state ever paying on a guarantee, maintains loss rates under 1 percent, is fully self-funded, and requires collateral, reserves, board approval, and final approval by the Governor and Executive Council for every transaction. The treasurer further testified that there is no negative impact on the state's bond rating, and even under a modeled worst-case scenario the state's debt service ratio remains well below rating agency warning thresholds. Vote 16-9.

Rep. Chris Muns for the **Minority** of Finance. The minority believes that the legislature should use every tool at its disposal to sustain and encourage economic development in our state. While that includes trying to attract new businesses to our state it also includes building the units needed to house the employees of those businesses, the water, wastewater treatment and energy infrastructure needed to support that housing and the childcare centers and schools to care for and educate the children of those employees. The committee heard testimony from the State Treasurer that with the existing loan guarantees already in place, the state is currently at about 65% of Affordable Debt Limit set in statute in RSA 6-C:2. Before agreeing to double – from \$200 million to \$400 million - state guarantees that are mainly intended to be used to attract new businesses to our state, the minority believes the legislature should first consider what other pressing state priorities can or should be supported through programs leveraging the full faith and credit of the state. There is no doubt a need to support continued business investment in our state, but there are other pressing priorities as well that should not be overlooked in our rush to ensure that we can attract one or two large new businesses to our state.

Majority Amendment (0859h)

Amend the bill by replacing section 1 with the following:

1 Public Safety and Welfare; Business Finance Authority; Unified Contingent Credit Limit. Amend RSA 162-A:22 to read as follows:

162-A:22 Unified Contingent Credit Limit. The total amount of state guarantees in force under RSA 162-A:7-a, RSA 162-A:8, RSA 162-A:10, III, RSA 162-A:13, RSA 162-A:13-a, RSA 162-A:17, and RSA 162-I:9-b shall not exceed in the aggregate at any time \$50,000,000 plus interest, provided that such amount shall be increased to \$80,000,000 plus interest on January 1, 1993, to \$95,000,000 plus interest on January 1, 1994, and to \$115,000,000 plus interest on May 1, 2015, [and] to \$200,000,000 plus interest on June 1, 2023, **and to \$400,000,000 plus interest on June 1, 2026.**

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.

On a division vote, with 175 members having voted in the affirmative, and 141 in the negative, the majority committee report was adopted and the bill was ordered to third reading.

HB 1515-FN, repealing the child care grant program administered by the department of health and human services. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.** Rep. Rich Nalevanko for the **Majority** of Finance. As originally submitted, this bill would have repealed the directive to DHHS to operate the child care grant program implemented in HB 2. This program is authorized to be funded using federal (TANF) dollars. At this time, it is unclear whether the federal government will allow the use of such funds for this purpose. Until this is resolved, a full repeal is premature. As amended, the bill would leave the child care grant program intact but remove the requirement for DHHS to request "full funding" in their next biennial appropriation process. While the decision to fund, or not, this program in future budgets will ultimately rest with the legislature, the majority of the Finance Committee finds it inappropriate to circumvent the department's internal process by requiring this action. Vote 14-11.

Rep. Mary Jane Wallner for the **Minority** of Finance. The amended bill repeals a section of the 2025 House Bill 2 that requires the Department of Health and Human Services to include funding for the childcare workforce program in its biennial budget. In a recent report done by the New Hampshire Fiscal Policy Institute when talking about New Hampshire's childcare shortage they cited that between 2017 and 2024, the license capacity among childcare providers dropped nearly 13% and in addition, many childcare programs operate below their licensed capacity due to lack of staff. The childcare workforce program is an important initiative to expand childcare capacity and increase the number of people working in the childcare field.

Majority Amendment (0690h)

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

AN ACT repealing the requirement that the department of health and human services' biennial budget request include funding for certain child care workforce programs.

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

1 Repeal. 2025, 141:431, VI, directing the department of health and human services to include the amount necessary to fully fund certain child care workforce programs in its biennial budget request, is repealed.

2 Effective Date. This act shall take effect July 1, 2026.

2026-0690h

AMENDED ANALYSIS

This bill repeals the requirement that the department of health and human services include funding for certain child care workforce programs in its biennial budget request.

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. Bricchi requested a roll call; sufficiently seconded.

YEAS 170 - NAYS 153

YEAS - 170

BELKNAP

Aldrich, Glen
Harvey-Bolia, Juliet

Bogert, Steven
Ploszaj, Tom

Comtois, Barbara
Terry, Paul

Freeman, Lisa
Toner, Travis

CARROLL

Avellani, Lino
Peternel, Katy

Belcher, Mike
Brown, Richard

Hamblen, Joseph
Taylor, Brian

MacDonald, John

CHESHIRE

Hunt, John
Qualey, James

Karasinski, Sly

Mattson, Rita

Nalevanko, Rich

COOS

Davis, Arnold
King, Seth

Durkin, Sean
Tierney, James

Korzen, Lori
Tremblay, Marc

Ouellet, Mike

GRAFTON

Barton, Joseph
Franz, Linda

Beaulier, Calvin
Ladd, Rick

Berezhny, Lex
Louis, Darrell

Bjelobrk, Marie Louise
McFarlane, Donald

HILLSBOROUGH

Alexander, Joe
Boehm, Ralph
Creighton, James
Dumont, Dillon
Griffin, Gerald
Gould, Linda
Lascelles, Richard
Mooney, Maureen
Paquette, Kathleen
Proulx, Mark
Schneller, John
Slottje, Jeremy
Wherry, Robert

Ammon, Keith
Colcombe, Rich  
Kelley, Diane
Dupont, Pierre
Gagne, Larry
Kenny, Catherine
Murphy, Mary
Morton, Jonathan
Pauer, Diane
Prout, Andrew
Scully, Kevin
Tenczar, Jeffrey

Boyd, Bill
Cole, Brian
Daniels, Gary
Erf, Keith
Giasson, Henry
Kesselring, Steven
Mazur, Lisa
Noble, Kristin
Peeples, Raymond
Reinfurt, Sherri
Sheehan, Vanessa
Mannion, Tim

Barbour, Liz
Corcoran, Travis
Drew, Matt
Flanagan, Jack
Gorski, Ted
Labrie, Brian
McLean, Mark
Ohm, Bill
Post, Lisa
Rice, Kimberly
Sirois, Shane
Mannion, Tom

MERRIMACK

Andrus, Louise
McGuire, Dan
Mehegan, Peter
Polozov, Yury
Thibault, James

Aures, Cyril
Devoid, Ricky
Moffett, Michael
Boyd, Stephen
Wood, Clayton

Aylward, Deborah
Hill, Gregory
Pitaro, Matthew
See, Alvin

McGuire, Carol
Leavitt, John
Plante, Raymond
Walsh, Thomas

ROCKINGHAM

Ball, Lorie
Mannion, Dennis
Drago, Mike
Guzofski, James
Kuttab, Katelyn
Litchfield, Melissa
McMahon, Charles
Osborne, Jason
Potucek, John
Selby, Donald
Sweeney, Joe
Vandecasteele, Susan
Weyler, Kenneth

Bernardy, JD
Thomas, Douglas
Edwards, Jess
Harb, Robert
Miner, Laurence
Lynn, Bob
Melvin, Charles
Brown, Pam
Prudhomme-O'Brien, Katherine
Soti, Julius
Sytek, John
Verville, Kevin
Wilson, Vicki

Bridle, Nicholas
DeSimone, Debra
Foote, Charles
Katsakiores, Phyllis
Walsh, Lilli
McDonnell, Valerie
Milz, David
Perez, Kristine
Pearson, Stephen
Spillane, James
Tripp, Richard
Vose, Michael

Bryer, Scott
Donnelly, Tanya
Guthrie, Joseph
Khan, Aboul
Layon, Erica
McGrath, Linda
Nadeau, Brian
Popovici-Muller, Daniel
Sabourin dit Choini  re, Matt
Summers, James
Tudor, Paul
MacDonald, Wayne

STRAFFORD

Bailey, Glenn
Farrington, Samuel
Potenza, Kelley

Burnham, Claudine
Granger, Michael
Turcotte, Len

DeLemus, Susan
Harrington, Michael
Walker, David

DeRoy, Susan
Kaczynski, Thomas

SULLIVAN

Drye, Margaret
Aron, Michael

Grant, George
Rollins, Skip

Hemingway, Wayne
Spilsbury, Walter

Aron, Judy

NAYS - 153**BELKNAP**

Coker, Matthew

Nagel, David

St. Clair, Charlie

CARROLL

Burroughs, Anita

Paige, David

McAleer, Chris

Woodcock, Stephen

CHESHIRE

Ames, Dick
Murphy, Denis
Newell, Jodi

Berch, Paul
Faulkner, Barry
O'Rorke, Terri

Harvey, Cathryn
Jones, Philip
Parshall, Lucius

Fox, Dru
Germana, Nicholas
Weber, Lucy

GRAFTON

Almy, Susan
Fellows, Sallie
Lucas, Janet
Spahr, Terry

Baldwin, Heather
Fracht, David
Muirhead, Russell
Stavis, Laurel

Bolton, Bill
Hakken-Phillips, Mary
Oppel, Thomas
Stringham, Jerry

Cormen, Thomas
Sullivan, Jared
Rockmore, Ellen
Sykes, George

HILLSBOROUGH

Murray, Aissandra
Chourasia, Manoj
DiSilvestro, Linda
Georges, Mary
Harriott-Gathright, Linda
Juris, Louis
Leapley, Nicole
Long, Patrick
McGhee, Kat
Preece, David
Rung, Rosemarie
Seibert, Christine
Tellez, Trinidad
Thomas, Wendy

Beauchemin, Paige
Chretien, Suzanne
Elberger, Susan
Gregg, Alicia
Hartnett, Tim
Kerwin, Erin
LeClerc, Daniel
Murray, Megan
Miles, Julie
Newman, Ray
Ryan, Linda
Spier, Carry
Vail, Suzanne
Wilhelm, Matthew

Bergeron, Dan
Darby, Will
Davis, Fred
Grill, Jessica
Herbert, Christopher
Kluger, Lee Ann
Leishman, Peter
MacKenzie, Mark
Murphy, Nancy
Raymond, Heather
Newman, Sue
Staub, Kathy
Veilleux, Daniel

Budathoki, Suraj
Dargie, Paul
Foss, Lily
Grund, Stephanie
Jack, Martin
Foss, Loren
Lloyd, Christal
Manohar, Sanjeev
Petrigno, Peter
Rombeau, Catherine
Salvi, Santosh
Telerski, Laura
Dolan, William

MERRIMACK

Bricchi, Tracy
Gallager, Eric
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Sargent, Gregory
Soucy, Timothy

Caplan, Tony
Gibbs, Merryl
Newsom, James
Schamberg, Thomas
Wallner, Mary Jane

Kelly, Eileen
Lane, Connie
Richards, Beth
Schultz, Kris
Woods, Gary

Ebel, Karen
Luneau, David
Roesener, James
Snodgrass, Jim

ROCKINGHAM

Cahill, Michael
Haskins, Linda
Mandelbaum, Jennifer
Nelson, Jodi
Sorensen, Carrie
Weinstein, Toni

de Vries, Erica
Murray, Kate
Manos, Zoe
Read, Ellen
Turer, Eric

Edgar, Michael
Knab, Allison
Meuse, David
Scherr, Buzz
Vallone, Mark

Gilman, Julie
Malloy, Dennis
Muns, Chris
Simpson, Alexis
Ward, Gerald

STRAFFORD

Bay, Luz
Gilmore, Gary
Johnson, Erik
Miller, Seth
Stone, John

Bixby, Peter
Howard, Heath
LaMontagne, Jessica
Schmidt, Peter
Pearson, Wayne

Burton, Wayne
Horriggan, Timothy
Larochelle, John
Selig, Loren
Wade, Alice

Butler, Billie
Howland, Allan
Smith, Marjorie
Southworth, Thomas
Wall, Janet

SULLIVAN

Sullivan, Brian

Cloutier, John

Damon, Hope

Palmer, William

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

Rep. Berry declared a conflict of interest and did not participate in the vote.

HB 1569-FN, repealing the directive that the state sell the Anna Philbrook Center for Children property in Concord. **OUGHT TO PASS.**

Rep. Kenneth Weyler for Finance. While we were working on the budget a year ago, we were making cuts to the DHHS budget. They suddenly asked to have \$5 million dollars added to their revenue, by saying that they would sell the Philbrick building. A few days ago, a number of us toured the Philbrick building. It has two wings. One is a 15-bed transitional living facility, the other is the administrative offices for the New Hampshire Hospital, housing over 40 personnel. The building looked in reasonable condition. Experience has shown that putting an amount of money in a budget has proven to be a delaying tactic. For 10 years we carried \$10 million in budgets for selling the Laconia Hospital. We have also had some delays on selling the YDC property. The addition to the New Hampshire Hospital is about a year behind. This is cited to show that the committee does not believe that any thing has been done about a sale of the Philbrook building. It would involve a very complex subdivision of some of the hundred plus acre property. We also know from some recent moves that the cost of moving can easily be a million dollars, and we saw no plan for where the two functions would move to next. For all these reasons, we believe the sale was a delaying tactic for budget cuts, and we should cancel the proposal. Vote 25-0.

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

Committee report was adopted and the bill was ordered to third reading.

CACR 15, relating to the right to hunt, fish, and harvest game and fish. Providing that citizens of New Hampshire shall have the constitutional right to hunt, fish, and harvest game and fish, subject to restrictions existing in law. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Sayra DeVito for the **Majority** of Fish and Game and Marine Resources. This constitutional amendment affirms the right of the people of New Hampshire to hunt and fish, recognizing these activities as longstanding traditions that support our state's heritage, food sourcing, and wildlife conservation. This amendment does

not change the current rulemaking process for establishing or modifying regulations or methods of take. It also helps ensure uninterrupted license sales, which provide the vast majority of funding for New Hampshire Fish and Game's wildlife management and conservation efforts. Vote 8-6.

Rep. Cathryn Harvey for the **Minority** of Fish and Game and Marine Resources. This is a resolution that would place the right to hunt, fish, and harvest game in the New Hampshire Constitution. The minority believes that this is not a necessary amendment. All citizens of New Hampshire have the right to hunt, fish, and trap provided that they hold the correct license and have had this right long before we became a state. The concern is that any unintentional consequences that may occur because of this amendment can only be "fixed" by another constitutional amendment. Maine has had to enter into expensive litigation in an attempt to correct such constitutional problems. This amendment does nothing to encourage the sale of hunting, fishing and trapping licenses or to provide additional funding for the Fish and Game department. Twenty five states including our neighbors of Maine, Connecticut, New York, Rhode Island and Massachusetts do not have this amendment and their Fish and Wildlife departments are doing well without it. The minority is also concerned that this amendment will be used as an excuse for hunters, fishermen, and trappers who violate the law. While the argument may be lost in court, taxpayers will ultimately pay the cost of such litigation. The minority believes this amendment is not needed and a dangerous and perhaps costly attempt to provide funding for the Fish and Game Department.

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

Rep. Harvey requested a roll call; sufficiently seconded.

YEAS 199 - NAYS 128

YEAS - 199

BELKNAP

Aldrich, Glen
Freeman, Lisa
Terry, Paul

Bogert, Steven
Harvey-Bolia, Juliet
Toner, Travis

Coker, Matthew
Ploszaj, Tom

Comtois, Barbara
St. Clair, Charlie

CARROLL

Avellani, Lino
Peternel, Katy

Belcher, Mike
Brown, Richard

Hamblen, Joseph
Taylor, Brian

MacDonald, John

CHESHIRE

Murphy, Denis
Nalevanko, Rich

Hunt, John
Parshall, Lucius

Karasinski, Sly
Qualey, James

Mattson, Rita

COOS

Davis, Arnold
King, Seth

Durkin, Sean
Tierney, James

Korzen, Lori
Tremblay, Marc

Ouellet, Mike

GRAFTON

Barton, Joseph
Franz, Linda
Sellers, John

Beaulier, Calvin
Sullivan, Jared
Spahr, Terry

Berezhny, Lex
Louis, Darrell

Bjelobrck, Marie Louise
McFarlane, Donald

HILLSBOROUGH

Alexander, Joe
Berry, Ross
Cole, Brian
Darby, Will
Dupont, Pierre
Griffin, Gerald
Gorski, Ted
Jeudy, Jean
LeClerc, Daniel
Mazur, Lisa
Morton, Jonathan
Pauer, Diane
Prout, Andrew
Salvi, Santosh
Sirois, Shane
Mannion, Tim

Ammon, Keith
Boehm, Ralph
Corcoran, Travis
DiSilvestro, Linda
Erf, Keith
Gagne, Larry
Gould, Linda
Kenny, Catherine
Leishman, Peter
McLean, Mark
Noble, Kristin
Peebles, Raymond
Reinfurt, Sherri
Schneller, John
Slottje, Jeremy
Mannion, Tom

Boyd, Bill
Chourasia, Manoj
Creighton, James
Drew, Matt
Davis, Fred
Georges, Mary
Grill, Jessica
Kesselring, Steven
MacKenzie, Mark
Miles, Julie
Ohm, Bill
Post, Lisa
Rice, Kimberly
Scully, Kevin
Suiter, John
Ulery, Jordan

Barbour, Liz
Colcombe, Riché
Daniels, Gary
Dumont, Dillon
Flanagan, Jack
Giasson, Henry
Herbert, Christopher
Lascelles, Richard
Murphy, Mary
Mooney, Maureen
Paquette, Kathleen
Proulx, Mark
Ryan, Linda
Sheehan, Vanessa
Tenczar, Jeffrey
Wherry, Robert

MERRIMACK

Andrus, Louise
McGuire, Dan
Mehegan, Peter
Polozov, Yuri
Soucy, Timothy

Aures, Cyril
Devoid, Ricky
Moffett, Michael
Boyd, Stephen
Walsh, Thomas

Aylward, Deborah
Hill, Gregory
Pitaro, Matthew
Schamberg, Thomas
Thibault, James

McGuire, Carol
Leavitt, John
Plante, Raymond
See, Alvin
Wood, Clayton

ROCKINGHAM

Ball, Lorie
Mannion, Dennis
Drago, Mike
Guzofski, James
Knab, Allison
Layon, Erica
Maggiore, Jim
McMahon, Charles
Osborne, Jason
Porcelli, Susan
Sabourin dit Choinière, Matt
Summers, James
Tudor, Paul
Vose, Michael

Bernardy, JD
Thomas, Douglas
Dunn, Ron
Harb, Robert
Kuttab, Katelyn
Litchfield, Melissa
Mandelbaum, Jennifer
Melvin, Charles
Brown, Pam
Potucek, John
Selby, Donald
Sweeney, Joe
Vallone, Mark
MacDonald, Wayne

Bridle, Nicholas
DeSimone, Debra
Edwards, Jess
Katsakiores, Phyllis
Miner, Laurence
Lynn, Bob
McDonnell, Valerie
Milz, David
Perez, Kristine
Prudhomme-O'Brien, Katherine
Soti, Julius
Sytek, John
Vandecasteele, Susan
Weyler, Kenneth

Bryer, Scott
Donnelly, Tanya
Foote, Charles
Khan, Aboul
Walsh, Lilli
Pearson, Mark
McGrath, Linda
Nadeau, Brian
Popovici-Muller, Daniel
Pearson, Stephen
Spillane, James
Tripp, Richard
Verville, Kevin

STRAFFORD

Bailey, Glenn
Farrington, Samuel
Larochelle, John
Walker, David

Burnham, Claudine
Granger, Michael
Potenza, Kelley

DeLemus, Susan
Harrington, Michael
Hall, Robley

DeRoy, Susan
Kaczynski, Thomas
Turcotte, Len

SULLIVAN

Drye, Margaret
Rollins, Skip

Grant, George
Spilsbury, Walter

Aron, Judy

Aron, Michael

**NAYS - 128
BELKNAP**

Nagel, David

CARROLL

Burroughs, Anita

Paige, David

McAleer, Chris

Woodcock, Stephen

CHESHIRE

Ames, Dick
Faulkner, Barry
O'Rorke, Terri

Berch, Paul
Jacobs, Samantha
Weber, Lucy

Harvey, Cathryn
Jones, Philip

Fox, Dru
Germana, Nicholas

GRAFTON

Almy, Susan
Fellows, Sallie
Muirhead, Russell
Stringham, Jerry

Baldwin, Heather
Fracht, David
Oppel, Thomas
Sykes, George

Bolton, Bill
Hakken-Phillips, Mary
Rockmore, Ellen

Cormen, Thomas
Lucas, Janet
Stavis, Laurel

HILLSBOROUGH

Murray, Alissandra
Chretien, Suzanne
Foss, Lily
Hartnett, Tim
Foxy, Loren
Murray, Megan
Petrigno, Peter
Rombeau, Catherine
Spier, Carry
Vail, Suzanne
Wilhelm, Matthew

Beauchemin, Paige
Kelley, Diane
Gregg, Alicia
Jack, Martin
Leapley, Nicole
Manohar, Sanjeev
Preece, David
Rung, Rosemarie
Staub, Kathy
Veilleux, Daniel

Bergeron, Dan
Dargie, Paul
Grund, Stephanie
Juris, Louis
Lloyd, Christal
McGhee, Kat
Newman, Ray
Newman, Sue
Telerski, Laura
Dolan, William

Budathoki, Suraj
Elberger, Susan
Harriott-Gathright, Linda
Kluger, Lee Ann
Long, Patrick
Murphy, Nancy
Raymond, Heather
Seibert, Christine
Tellez, Trinidad
Thomas, Wendy

MERRIMACK

Bricchi, Tracy
Gallager, Eric
Hall, Muriel
Sargent, Gregory
Woods, Gary

Caplan, Tony
Gibbs, Merryl
Newsom, James
Schultz, Kris

Kelly, Eileen
Lane, Connie
Richards, Beth
Snodgrass, Jim

Ebel, Karen
Luneau, David
Roesener, James
Wallner, Mary Jane

ROCKINGHAM

Cahill, Michael
Murray, Kate
Muns, Chris
Simpson, Alexis
Weinstein, Toni

de Vries, Erica
Malloy, Dennis
Raynolds, Ned
Sorensen, Carrie

Edgar, Michael
Manos, Zoe
Read, Ellen
Turer, Eric

Gilman, Julie
Meuse, David
Scherr, Buzz
Ward, Gerald

STRAFFORD

Bay, Luz
 Gilmore, Gary
 Johnson, Erik
 Miller, Seth
 Stone, John

Bixby, Peter
 Howard, Heath
 LaMontagne, Jessica
 Schmidt, Peter
 Pearson, Wayne

Burton, Wayne
 Horrigan, Timothy
 Levesque, Cassandra
 Selig, Loren
 Wade, Alice

Butler, Billie
 Howland, Allan
 Smith, Marjorie
 Southworth, Thomas
 Wall, Janet

SULLIVAN

Sullivan, Brian

Cloutier, John

Damon, Hope

Palmer, William

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

MOTION TO SPECIAL ORDER

Rep. Telerski moved that **HB 1760-FN-A**, repealing the directive that the department of health and human services seek a waiver to establish pharmacy copayment and premium requirements under the state Medicaid plan and making an appropriation therefor, be made a Special Order to the next order of business.

On a division vote, with 148 members having voted in the affirmative, and 181 in the negative, the motion failed.

REGULAR CALENDAR PART I CONT'D

HB 1022, relative to religious exemption from immunization requirements. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Matt Drew for the **Majority** of Health, Human Services and Elderly Affairs. This bill and the accompanying amendment specify the language for the statement claiming the religious exemption from the state vaccine mandates. This seeks to return a similar process to the older method of claiming the exemption, which simply required a notarized statement rather than requiring a form. Vote 10-8.

Rep. Janet Lucas for the **Minority** of Health, Human Services and Elderly Affairs. This bill mandates the abandonment of the form currently in use to report religious exemption from childhood immunizations. The current form is easy to locate on the DHHS website, supports accurate record-keeping and ensures rapid retrieval of that information when needed during an emergency. The replacement of a uniform method of documenting religious exemption from immunizations with random pieces of paper virtually guarantees information will be incomplete, illegible or lost entirely, making it difficult or impossible for school nurses to fulfill their duties. This would certainly be unacceptable record-keeping in standard medical practice. Clearly, the parents of unvaccinated children deserve timely notification of a disease outbreak that threatens their children's health and lives. Parents of immunocompromised children depend on accurate record-keeping by others to be able to keep their children in school. Creating disorder in immunization records puts individuals on chemotherapy for cancer, organ transplant patients on immunosuppressive drugs and the elderly with waning immunity at risk during an infectious disease outbreak among young relatives and friends in schools. It is fundamentally wrong to sacrifice someone's health for someone else's convenience. Personal liberty must come with personal responsibility. In the absence of responsibility, chaos and harm prevail. For these reasons, the minority of the committee recommends Inexpedient to Legislate.

Majority Amendment (0814h)

Amend RSA 141-C:20-c, II as inserted by section 1 of the bill by replacing it with the following:

II. A parent or legal guardian objects to immunization because of religious beliefs. The parent or legal guardian shall sign a form stating that the child has not been immunized because of religious beliefs. ***The form for a religious exemption shall simply state:***

"I, [insert parent or legal guardian's name], hereby attest that I sincerely hold religious beliefs and/or engage in religious practices or observances that dictate the refusal to accept the required vaccinations for [insert child's name], born [insert child's date of birth]. [Insert parent or legal guardian's signature and date.]"

The question being adoption of the majority committee amendment.

On a division vote, with 319 members having voted in the affirmative, and 0 in the negative, the majority committee amendment was adopted.

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

Rep. Giasson requested a roll call; sufficiently seconded.

YEAS 179 - NAYS 150

YEAS - 179**BELKNAP**

Aldrich, Glen
 Harvey-Bolia, Juliet

Bogert, Steven
 Ploszaj, Tom

Comtois, Barbara
 Terry, Paul

Freeman, Lisa
 Toner, Travis

CARROLL

Avellani, Lino
Peternel, Katy

Belcher, Mike
Brown, Richard

Hamblen, Joseph
Taylor, Brian

MacDonald, John

CHESHIRE

Murphy, Denis
Nalevanko, Rich

Hunt, John
Qualey, James

Karasinski, Sly

Mattson, Rita

COOS

Davis, Arnold
King, Seth

Durkin, Sean
Tierney, James

Korzen, Lori
Tremblay, Marc

Ouellet, Mike

GRAFTON

Barton, Joseph
Franz, Linda
Sellers, John

Beaulier, Calvin
Ladd, Rick

Berezhny, Lex
Louis, Darrell

Bjelobrk, Marie Louise
McFarlane, Donald

HILLSBOROUGH

Alexander, Joe
Berry, Ross
Corcoran, Travis
Drew, Matt
Flanagan, Jack
Gorski, Ted
Labrie, Brian
McLean, Mark
Noble, Kristin
Peeples, Raymond
Reinfurt, Sherri
Sheehan, Vanessa
Tenczar, Jeffrey
Wherry, Robert

Ammon, Keith
Boehm, Ralph
Creighton, James
Dumont, Dillon
Griffin, Gerald
Gould, Linda
Lascelles, Richard
Miles, Julie
Ohm, Bill
Post, Lisa
Rice, Kimberly
Sirois, Shane
Mannion, Tim

Boyd, Bill
Colcombe, Riché
Kelley, Diane
Dupont, Pierre
Gagne, Larry
Kenny, Catherine
Murphy, Mary
Mooney, Maureen
Paquette, Kathleen
Proulx, Mark
Schneller, John
Slottje, Jeremy
Mannion, Tom

Barbour, Liz
Cole, Brian
Daniels, Gary
Erf, Keith
Giasson, Henry
Kesselring, Steven
Mazur, Lisa
Morton, Jonathan
Pauer, Diane
Prout, Andrew
Scully, Kevin
Suiter, John
Ulery, Jordan

MERRIMACK

Andrus, Louise
Devoid, Ricky
Mehegan, Peter
Polozov, Yuri
Thibault, James

Aylward, Deborah
Gonzalez, Ernesto
Moffett, Michael
Boyd, Stephen
Wood, Clayton

McGuire, Carol
Hill, Gregory
Pitaro, Matthew
See, Alvin

McGuire, Dan
Leavitt, John
Plante, Raymond
Walsh, Thomas

ROCKINGHAM

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Mannion, Dennis
Drago, Mike
Guzofski, James
Kuttab, Katelyn
Litchfield, Melissa
McGrath, Linda
Nadeau, Brian
Perez, Kristine
Prudhomme-O'Brien, Katherine
Soti, Julius
Sytek, John
Verville, Kevin
Wilson, Vicki

Bernardy, JD
Thomas, Douglas
Dunn, Ron
Harb, Robert
Miner, Laurence
Lynn, Bob
McMahon, Charles
Nelson, Jodi
Popovici-Muller, Daniel
Pearson, Stephen
Spillane, James
Tripp, Richard
Vose, Michael

Bridle, Nicholas
DeSimone, Debra
Edwards, Jess
Katsakiores, Phyllis
Walsh, Lilli
Pearson, Mark
Melvin, Charles
Osborne, Jason
Porcelli, Susan
Sabourin dit Choinière, Matt
Summers, James
Tudor, Paul
MacDonald, Wayne

Bryer, Scott
Donnelly, Tanya
Foote, Charles
Khan, Aboul
Layon, Erica
McDonnell, Valerie
Milz, David
Brown, Pam
Potucek, John
Selby, Donald
Sweeney, Joe
Vandecasteele, Susan
Weyler, Kenneth

STRAFFORD

Bailey, Glenn
Farrington, Samuel
Hall, Robley

Burnham, Claudine
Granger, Michael
Turcotte, Len

DeLemus, Susan
Harrington, Michael
Walker, David

DeRoy, Susan
Kaczynski, Thomas

SULLIVAN

Drye, Margaret
Rollins, Skip

Grant, George
Smith, Steven

Aron, Judy
Spilsbury, Walter

Aron, Michael

NAYS - 150**BELKNAP**

Coker, Matthew

Nagel, David

St. Clair, Charlie

CARROLL

Burroughs, Anita

Paige, David

McAleer, Chris

Woodcock, Stephen

CHESHIRE

Ames, Dick
Faulkner, Barry
Newell, Jodi

Berch, Paul
Jacobs, Samantha
O'Rorke, Terri

Harvey, Cathryn
Jones, Philip
Parshall, Lucius

Fox, Dru
Germana, Nicholas
Weber, Lucy

GRAFTON

Almy, Susan
Fellows, Sallie
Lucas, Janet
Spahr, Terry

Baldwin, Heather
Fracht, David
Muirhead, Russell
Stavis, Laurel

Bolton, Bill
Hakken-Phillips, Mary
Oppel, Thomas
Stringham, Jerry

Cormen, Thomas
Sullivan, Jared
Rockmore, Ellen
Sykes, George

HILLSBOROUGH

Murray, Alissandra
Chourasia, Manoj
DiSilvestro, Linda
Georges, Mary
Harriott-Gathright, Linda
Judy, Jean
Leapley, Nicole
Long, Patrick
Murphy, Nancy
Raymond, Heather
Newman, Sue
Staub, Kathy
Dolan, William

Beauchemin, Paige
Chretien, Suzanne
Elberger, Susan
Gregg, Alicia
Hartnett, Tim
Juris, Louis
LeClerc, Daniel
Murray, Megan
Petrigno, Peter
Rombeau, Catherine
Salvi, Santosh
Tellez, Trinidad
Thomas, Wendy

Bergeron, Dan
Darby, Will
Davis, Fred
Grill, Jessica
Herbert, Christopher
Kerwin, Erin
Leishman, Peter
Manohar, Sanjeev
Preece, David
Rung, Rosemarie
Seibert, Christine
Vail, Suzanne
Wilhelm, Matthew

Budathoki, Suraj
Dargie, Paul
Foss, Lily
Grund, Stephanie
Jack, Martin
Kluger, Lee Ann
Lloyd, Christal
McGhee, Kat
Newman, Ray
Ryan, Linda
Spier, Carry
Veilleux, Daniel

MERRIMACK

Bricchi, Tracy
Gallager, Eric
Hall, Muriel
Sargent, Gregory
Soucy, Timothy

Caplan, Tony
Gibbs, Merryl
Newsom, James
Schamberg, Thomas
Wallner, Mary Jane

Kelly, Eileen
Lane, Connie
Richards, Beth
Schultz, Kris
Woods, Gary

Ebel, Karen
Luneau, David
Roesener, James
Snodgrass, Jim

ROCKINGHAM

Cahill, Michael
Murray, Kate
Mandelbaum, Jennifer
Raynolds, Ned
Sorensen, Carrie
Weinstein, Toni

de Vries, Erica
Knab, Allison
Manos, Zoe
Read, Ellen
Turer, Eric

Edgar, Michael
Maggiore, Jim
Meuse, David
Scherr, Buzz
Vallone, Mark

Haskins, Linda
Malloy, Dennis
Muns, Chris
Simpson, Alexis
Ward, Gerald

STRAFFORD

Bay, Luz
Gilmore, Gary
Johnson, Erik
Miller, Seth
Stone, John

Bixby, Peter
Howard, Heath
LaMontagne, Jessica
Schmidt, Peter
Pearson, Wayne

Burton, Wayne
Horriggan, Timothy
Larochele, John
Selig, Loren
Wade, Alice

Butler, Billie
Howland, Allan
Levesque, Cassandra
Southworth, Thomas
Wall, Janet

SULLIVAN

Sullivan, Brian

Cloutier, John

Damon, Hope

Palmer, William

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

(Representative Steven Smith in the Chair)

HB 1071, repealing immunity afforded health care facilities when following directives adopted in response to the COVID-19 state of emergency. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Steven Kesselring for the **Majority** of Health, Human Services and Elderly Affairs. This bill, as amended, repeals the statutory immunity granted to health care facilities for actions taken in compliance with COVID-19 emergency directives. The immunity was enacted during the state of emergency to address unprecedented conditions and ensure continuity of care. With the emergency concluded, the bill restores the standard civil liability framework applicable to health care facilities. The majority finds that the extraordinary protections adopted during the emergency are no longer necessary and that existing law provides the appropriate standard for accountability. Vote 10-8.

Rep. Gary Woods for the **Minority** of Health, Human Services and Elderly Affairs. The statute which this bill seeks to repeal limits the liability of health care institutions and their employees, agents and volunteers for carrying out emergency management functions to comply with executive orders, agency orders and federal orders from the CDC and others in response to the COVID-19 pandemic. The limitation specifically applies only to actions taken in compliance with an emergency order or rule, actions which the institutions were

under government order to take at the time. To repeal the protection for the good faith efforts to comply with emergency orders would work a retroactive injustice on the very caregivers who were on the front lines of the battle against the pandemic. To any who speculate that this statute should be repealed in case of some new emergency in the future, a repeal is unnecessary. RSA 21-P:42-a specifically applies only to those actions taken in response to the COVID-19 pandemic. The statute specifically states that “[t]his section shall not apply to actions performed after such an emergency order or rule is no longer in effect.”

Majority Amendment (1006h)

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

1 Statement of Intent. RSA 21-P:42-a, relative to immunity granted to health care facilities following rules or orders issued during the COVID-19 state of emergency, shall be repealed upon the passage of this act. Any person or entity that complied with any rules or orders issued pursuant to RSA 21-P:42-a shall be entitled to immunity from prosecution as a result of the repeal of RSA 21-P:42-a.

2 Repeal. RSA 21-P:42-a, relative to immunity granted to health care facilities following rules or orders issued during the COVID-19 state of emergency, is repealed.

3 Applicability. The repeal of RSA 21-P:42-a shall apply only to actions or omissions that occur after the effective date of this section, and this repeal shall not be construed to remove the immunity from liability for any person or entity that was entitled to such immunity prior to the effective date of this act.

4 Effective Date. This act shall take effect upon its passage. Amend the bill by replacing all after the enacting clause with the following:

1 Statement of Intent. RSA 21-P:42-a, relative to immunity granted to health care facilities following rules or orders issued during the COVID-19 state of emergency, shall be repealed upon the passage of this act. Any person or entity that complied with any rules or orders issued pursuant to RSA 21-P:42-a shall be entitled to immunity from prosecution as a result of the repeal of RSA 21-P:42-a.

2 Repeal. RSA 21-P:42-a, relative to immunity granted to health care facilities following rules or orders issued during the COVID-19 state of emergency, is repealed.

3 Applicability. The repeal of RSA 21-P:42-a shall apply only to actions or omissions that occur after the effective date of this section, and this repeal shall not be construed to remove the immunity from liability for any person or entity that was entitled to such immunity prior to the effective date of this act.

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

MOTION TO LAY ON THE TABLE

Rep. Beauchemin moved that **HB 1071**, repealing immunity afforded health care facilities when following directives adopted in response to the COVID-19 state of emergency, be laid on the table.

On a division vote, with 148 members having voted in the affirmative, and 171 in the negative, the motion failed.

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

On a division vote, with 183 members having voted in the affirmative, and 146 in the negative, the majority committee report was adopted and the bill was ordered to third reading.

HB 1117-FN, relative to the right of licensed health care providers to freely communicate with patients, colleagues, and the public about medical information, emerging therapies, and treatment options. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Linda McGrath for the **Majority** of Health, Human Services and Elderly Affairs. Public health authorities and consensus are not infallible — history shows major failures often stem from powerful commercial interests driven by massive profits, examples include tobacco, thalidomide, high-dose estrogen and the food pyramid, rather than by doctors exercising independent judgment. The COVID-19 pandemic followed a similar pattern, why was open scientific debate and physician clinical judgment viewed as such severe threats that doctors had their medical licenses taken away? Could it be because federal law mandated that Emergency Use Authorization for COVID vaccines could only be granted if there were no alternative treatments, creating strong incentives for suppression of Ivermectin and Hydroxychloroquine? This reflects a broader systemic problem: enormous profit-driven incentives flowing through agencies, media, organizations, and policymakers reinforcing “approved” treatments while silencing independent voices in the name of consensus. True science and medicine advance through questioning, debate, challenging assumptions, and allowing doctors to apply evolving evidence and clinical judgment to individual patients via informed consent and shared decision-making. The policy choice is clear: trust science by protecting inquiry and debate, or constrain it to safeguard entrenched power and profit and institutional and financial interests. Protecting medical providers’ free speech safeguards patients and preserves medicine’s integrity. Vote 10-8.

Rep. Gary Woods for the **Minority** of Health, Human Services and Elderly Affairs. It is the minority's opinion that this bill is well intentioned, but unnecessary because the issues raised are already covered both in New Hampshire statute and the rules covering the practice of medicine by the New Hampshire Board of Medicine. Specifically, rights and responsibilities of physicians concerning communicating about and exploring innovative therapies are outlined in Chapter 329:1-c on the patient-physician relationship. Rulemaking is delegated to the Board of Medicine through Chapter 329:9, and the issues raised by this bill are covered in the New Hampshire Administrative Code of Medicine 501.02(h) where it is stated: "A licensee shall adhere to the Code of Medical Ethics: Current Opinions with Annotations (June 2016 Edition) as adopted by the American Medical Association." The issues raised by this bill are covered throughout this code, but most specifically in: (1) Chapter One: Patient-Physician Relationships; (2) Chapter 2: Consent, Communication, and Decision Making; (3) Chapter 7: Research and Innovation; (4) Chapter 9: Professional Self-Regulation; and (5) Chapter 11: Financing and Delivery of Health Care. Should these rights and responsibilities be violated by licensing boards, employers, or insurers, opportunities for appeal already exist. Therefore, it is the recommendation of the minority this bill be found inexpedient to legislate.

Majority Amendment (1026h)

Amend RSA 332-O:2, I(a) as inserted by section 3 of the bill by replacing it with the following:

(a) Communicating with a patient, another health care provider, or the public about emerging medical research, experimental treatments, innovative therapies, or off-label uses of FDA-approved medications, provided the communication is made in good faith and not knowingly false or misleading.

Amend RSA 332-O:4 as inserted by section 3 of the bill by replacing it with the following:

332-O:4 Enforcement and Remedies.

I. A health care provider who alleges a violation of this chapter may bring a civil action in the superior court against any person or entity responsible for the violation. The provider may seek declaratory judgment, reinstatement to professional position or licensure status if applicable, compensatory damages, punitive damages where appropriate, costs, reasonable attorney's fees, and any other relief the court deems just and proper.

II. In any action under this section, the court shall recognize the protections afforded by the First Amendment to the United States Constitution and shall evaluate any restriction on the provider's speech or professional communication under the applicable level of constitutional scrutiny. The court shall also consider that medical and scientific knowledge is continually evolving and that good faith discussions of emerging research, innovative therapies, or treatment options consistent with this chapter are protected.

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.

On a division vote, with 176 members having voted in the affirmative, and 145 in the negative, the majority committee report was adopted and the bill was ordered to third reading.

HB 1219, relative to immunization requirements in foster family homes. MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Linda McGrath for the **Majority** of Health, Human Services and Elderly Affairs. This is a narrowly focused bill to ensure that immunization requirements for foster families do not exceed those already established in New Hampshire law. Currently, there is a New Hampshire administrative rule that imposes immunization requirements on foster family homes that exceed those established in statute. This bill does not eliminate immunization requirements or create new exemptions. It simply provides clarity and consistency, preventing foster families from being held to a higher standard than the general public. We have a shortage of foster families and foster homes in New Hampshire. Families are leaving the system, and others who might otherwise step forward are choosing not to foster again because they are being told they — or their children — must take vaccines that are not required under New Hampshire law but in our rule making. This should be occurring at a time when we should be removing unnecessary obstacles for families willing to open their homes. Vote 10-8.

Rep. Gary Woods for the **Minority** of Health, Human Services and Elderly Affairs. This bill identifies that the only required immunizations for children in a foster home and the parents in that home are those identified in current New Hampshire statute. Federal regulations, by contrast, require all those immunizations recommended by the state Department of Health and Human Services. In addition, a flu shot is currently required of those licensed to provide care to a child under the age of one year. In this way, the bill conflicts with federal foster care requirements. Additionally, children in the foster program frequently reside with more than one family before a permanent arrangement is found. Similarly, parents may house a number of children for a short interval before embarking on a permanent arrangement. This family dynamic exposes both children and parents to increased risks if unvaccinated. Therefore, the minority feels the absence of vaccination is substandard medical practice and coupled with the potential loss of substantial federal funds this bill should be Inexpedient to Legislate.

The question now being adoption of the majority committee report of Ought to Pass.
Rep. Mazur offered floor amendment (1094h).

Floor Amendment (1094h)

Amend the bill by replacing section 1 with the following:

1 Immunization Requirements for Foster Family Homes. Amend RSA 170-E:27-b to read as follows:

170-E:27-b Immunization Requirements for Foster Family Homes. There shall be no vaccination or immunization requirements required of any children residing in a foster home that exceed vaccination or immunization requirements under RSA 141-C:20-a, either in type of vaccination, [or] quantity of doses, ***or exemptions.*** ***There shall be no vaccination or immunization requirements required of any adult residing in a foster home that exceed vaccination or immunization requirements under RSA 141-C:20-a, either in type of vaccination, quantity of doses, or exemptions.***

2026-1094h

AMENDED ANALYSIS

This bill provides that vaccination requirements for adults residing in foster homes shall not exceed the vaccination requirements of RSA 141-C:20-a, either in type of vaccination, quality of doses, or authorization for exemption. Amend the bill by replacing section 1 with the following:

1 Immunization Requirements for Foster Family Homes. Amend RSA 170-E:27-b to read as follows:

170-E:27-b Immunization Requirements for Foster Family Homes. There shall be no vaccination or immunization requirements required of any children residing in a foster home that exceed vaccination or immunization requirements under RSA 141-C:20-a, either in type of vaccination, [or] quantity of doses, ***or exemptions.*** ***There shall be no vaccination or immunization requirements required of any adult residing in a foster home that exceed vaccination or immunization requirements under RSA 141-C:20-a, either in type of vaccination, quantity of doses, or exemptions.***

2026-1094h

AMENDED ANALYSIS

This bill provides that vaccination requirements for adults residing in foster homes shall not exceed the vaccination requirements of RSA 141-C:20-a, either in type of vaccination, quality of doses, or authorization for exemption.

The question being adoption of floor amendment (1094h).

Floor amendment (1094h) was adopted.

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

YEAS 180 - NAYS 145

YEAS - 180

BELKNAP

Aldrich, Glen
Harvey-Bolia, Juliet

Bogert, Steven
Ploszaj, Tom

Comtois, Barbara
Terry, Paul

Freeman, Lisa
Toner, Travis

CARROLL

Avellani, Lino
MacDonald, John

Belcher, Mike
Peternel, Katy

Paige, David
Brown, Richard

Hamblen, Joseph
Taylor, Brian

CHESHIRE

Murphy, Denis
Nalevanko, Rich

Hunt, John
Qualey, James

Karasinski, Sly

Mattson, Rita

COOS

Davis, Arnold
King, Seth

Durkin, Sean
Tierney, James

Korzen, Lori
Tremblay, Marc

Ouellet, Mike

GRAFTON

Barton, Joseph
Franz, Linda
Sellers, John

Beaulier, Calvin
Ladd, Rick

Berezhny, Lex
Louis, Darrell

Bjelobrk, Marie Louise
McFarlane, Donald

HILLSBOROUGH

Alexander, Joe
Boehm, Ralph
Creighton, James
Dumont, Dillon

Ammon, Keith
Colcombe, Riché
Kelley, Diane
Dupont, Pierre

Barbour, Liz
Cole, Brian
Daniels, Gary
Erf, Keith

Berry, Ross
Corcoran, Travis
Drew, Matt
Flanagan, Jack

Griffin, Gerald
Gould, Linda
Labrie, Brian
McLean, Mark
Noble, Kristin
Peeples, Raymond
Reinfurt, Sherri
Sheehan, Vanessa
Tenczar, Jeffrey
Wheeler, Jonah

Gagne, Larry
Kenny, Catherine
Lascelles, Richard
Miles, Julie
Ohm, Bill
Post, Lisa
Rice, Kimberly
Sirois, Shane
Mannion, Tim
Wherry, Robert

Giasson, Henry
Kesselring, Steven
Murphy, Mary
Mooney, Maureen
Paquette, Kathleen
Proulx, Mark
Schneller, John
Slottje, Jeremy
Mannion, Tom

Gorski, Ted
Kofalt, Jim
Mazur, Lisa
Morton, Jonathan
Pauer, Diane
Prout, Andrew
Scully, Kevin
Suiter, John
Ulery, Jordan

MERRIMACK

Andrus, Louise
Devoid, Ricky
Mehegan, Peter
Polozov, Yury
Thibault, James

Aures, Cyril
Gonzalez, Ernesto
Moffett, Michael
Boyd, Stephen
Wood, Clayton

McGuire, Carol
Hill, Gregory
Pitaro, Matthew
See, Alvin

McGuire, Dan
Leavitt, John
Plante, Raymond
Walsh, Thomas

ROCKINGHAM

Ball, Lorie
Mannion, Dennis
Dunn, Ron
Harb, Robert
Miner, Laurence
Love, David
McGrath, Linda
Nadeau, Brian
Popovici-Muller, Daniel
Pearson, Stephen
Spillane, James
Tripp, Richard
Vose, Michael

Bernardy, JD
Thomas, Douglas
Edwards, Jess
Katsakiores, Phyllis
Walsh, Lilli
Lynn, Bob
McMahon, Charles
Nelson, Jodi
Porcelli, Susan
Sabourin dit Choinière, Matt
Summers, James
Tudor, Paul
MacDonald, Wayne

Bridle, Nicholas
DeSimone, Debra
Foote, Charles
Khan, Aboul
Layon, Erica
Pearson, Mark
Melvin, Charles
Osborne, Jason
Potucek, John
Selby, Donald
Sweeney, Joe
Vandecasteele, Susan
Weyler, Kenneth

Bryer, Scott
Donnelly, Tanya
Guzowski, James
Kuttab, Katelyn
Litchfield, Melissa
McDonnell, Valerie
Milz, David
Brown, Pam
Prudhomme-O'Brien, Katherine
Soti, Julius
Sytek, John
Verville, Kevin
Wilson, Vicki

STRAFFORD

Bailey, Glenn
Farrington, Samuel
Potenza, Kelley

Burnham, Claudine
Granger, Michael
Hall, Robley

DeLemus, Susan
Harrington, Michael
Turcotte, Len

DeRoy, Susan
Kaczynski, Thomas
Walker, David

SULLIVAN

Drye, Margaret
Rollins, Skip

Grant, George
Spilsbury, Walter

Aron, Judy

Aron, Michael

NAYS - 145 BELKNAP

Coker, Matthew

Nagel, David

St. Clair, Charlie

CARROLL

Burroughs, Anita

McAleer, Chris

Woodcock, Stephen

CHESHIRE

Ames, Dick
Faulkner, Barry
Newell, Jodi

Berch, Paul
Jacobs, Samantha
O'Rourke, Terri

Harvey, Cathryn
Jones, Philip
Weber, Lucy

Fox, Dru
Germana, Nicholas

GRAFTON

Almy, Susan
Fellows, Sallie
Lucas, Janet
Spahr, Terry

Baldwin, Heather
Fracht, David
Muirhead, Russell
Stavis, Laurel

Bolton, Bill
Hakken-Phillips, Mary
Oppel, Thomas
Stringham, Jerry

Cormen, Thomas
Sullivan, Jared
Rockmore, Ellen
Sykes, George

HILLSBOROUGH

Murray, Aissandra
Budathoki, Suraj
Dargie, Paul
Georges, Mary
Hartnett, Tim
Kerwin, Erin
LeClerc, Daniel
Murray, Megan
Murphy, Nancy
Raymond, Heather

Boyd, Bill
Chourasia, Manoj
DiSilvestro, Linda
Gregg, Alicia
Jack, Martin
Kluger, Lee Ann
Leishman, Peter
MacKenzie, Mark
Petrigno, Peter
Rombeau, Catherine

Beauchemin, Paige
Chretien, Suzanne
Elberger, Susan
Grund, Stephanie
Judy, Jean
Foxy, Loren
Lloyd, Christal
Manohar, Sanjeev
Preece, David
Rung, Rosemarie

Bergeron, Dan
Darby, Will
Foss, Lily
Harriott-Gathright, Linda
Juris, Louis
Leapley, Nicole
Long, Patrick
McGhee, Kat
Newman, Ray
Ryan, Linda

Newman, Sue
 Staub, Kathy
 Veilleux, Daniel

Salvi, Santosh
 Telerski, Laura
 Dolan, William

Seibert, Christine
 Tellez, Trinidad
 Thomas, Wendy

Spier, Carry
 Vail, Suzanne
 Wilhelm, Matthew

MERRIMACK

Bricchi, Tracy
 Gallagher, Eric
 Hall, Muriel
 Sargent, Gregory
 Soucy, Timothy

Caplan, Tony
 Gibbs, Merryl
 Newsom, James
 Schamberg, Thomas
 Woods, Gary

Kelly, Eileen
 Lane, Connie
 Richards, Beth
 Schultz, Kris

Ebel, Karen
 Luneau, David
 Roesener, James
 Snodgrass, Jim

ROCKINGHAM

Cahill, Michael
 Murray, Kate
 Manos, Zoe
 Scherr, Buzz
 Vallone, Mark

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

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

Haskins, Linda
 Mandelbaum, Jennifer
 Reynolds, Ned
 Turer, Eric

STRAFFORD

Bay, Luz
 Gilmore, Gary
 Johnson, Erik
 Miller, Seth
 Stone, John

Bixby, Peter
 Howard, Heath
 LaMontagne, Jessica
 Schmidt, Peter
 Pearson, Wayne

Burton, Wayne
 Horrigan, Timothy
 Larochelle, John
 Selig, Loren
 Wade, Alice

Butler, Billie
 Howland, Allan
 Levesque, Cassandra
 Southworth, Thomas
 Wall, Janet

SULLIVAN

Cloutier, John

Damon, Hope

Palmer, William

and the majority committee report was adopted and the bill was ordered to third reading.
 Rep. David Paige voted yea and intended to vote nay.

HB 1335, requiring health care providers to disclose to patients indirect financial incentives received by the provider. **MAJORITY: OUGHT TO PASS. MINORITY: REFER FOR INTERIM STUDY.**

Rep. Linda McGrath for the **Majority** of Health, Human Services and Elderly Affairs. This bill requires a physician who receives compensation exceeding \$5,000 or more as the result of a preferential promotion to disclose this information to the patient prior to prescribing any treatment associated with the source of the promotion. Doctors without a potential bias due to financial incentives have nothing to report, and those with compensation under the threshold have nothing to report. Patients have a right to medical transparency through proper informed consent practices. Vote 10-8.

Rep. Gary Woods for the **Minority** of Health, Human Services and Elderly Affairs. This bill seeks to make transparent the potential financial incentives behind treatments physicians may recommend for patients. The standard by which physicians are measured is already outlined in current New Hampshire Administrative Code of Medicine 501.02(h): "A licensee shall adhere to the Code of Medical Ethics: Current Opinions with annotations....as adopted by the American Medical Association." This code is both expansive and robust. Although being unnecessary for physicians, the minority offers that any such bill should consider all providers in the healthcare arena as some are accepting such benefits outside the purview of the AMA Code of Medical Ethics. Therefore, the minority recommends Interim Study.

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

Rep. Nagel offered floor amendment (1120h).

Floor Amendment (1120h)

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

1 New Subdivision; Public Health; Disclosure of Preferential Promotions Received by Health Care Providers; When Required. Amend RSA 125 by inserting after section 25-c the following new subdivision:

Disclosure of Preferential Promotions Received by Health Care Providers

125:25-d Definitions. In this subdivision:

(a) "Preferential promotion" means any financial arrangement, incentive, or compensation provided by a manufacturer, distributor, or third party that is intended to influence the recommendation, prescription, or use of a specific drug, device, treatment, or service.

(b) "Compensation" includes payments, honoraria, travel, lodging, meals, gifts, or any other transfer of value.

(c) "Reasonable costs" means expenses directly related to attendance at a medical conference, including registration fees, travel, lodging, and meals, not exceeding \$5,000 in aggregate per event.

(d) "Informed consent" means the process by which a patient voluntarily confirms their willingness to undergo a particular medical intervention, after having been informed of all relevant facts, risks, benefits, and alternatives.

(e) "Health care provider" includes physicians licensed under RSA 329, podiatrists licensed under RSA 315, chiropractors licensed under RSA 316-A, dentists licensed under RSA 317-A, nurse practitioners licensed under RSA 326-B, optometrists licensed under RSA 327, physical therapists licensed under RSA 328-A, physician associates licensed under RSA 328-D, naturopathic health care practitioners licensed under RSA 328-E, acupuncturists licensed under RSA 328-G, and pharmacists licensed under RSA 318.

125:25-e Disclosure Requirement.

I. Any health care provider who receives compensation exceeding \$5,000 in aggregate within a calendar year from a single source as the result of a preferential promotion shall disclose this financial relationship to any patient prior to recommending, prescribing, or administering a product or service associated with that source.

II. The disclosure shall be made in writing and included as part of the informed consent process and shall include:

- (a) The name of the entity providing the compensation.
- (b) The nature and amount of compensation received.
- (c) A statement that the compensation may present a potential conflict of interest.
- (d) An affirmation that the recommendation is based on the practitioner's independent clinical judgment.

2 Effective Date. This act shall take effect January 1, 2027.

2026-1120h
AMENDED ANALYSIS

This bill requires a health care provider who receives compensation exceeding \$5,000 or more as the result of a preferential promotion to disclose this information to the patient prior to prescribing any treatment associated with the source of the promotion.

The question being adoption of floor amendment (1120h).

On a division vote, with 146 members having voted in the affirmative, and 170 in the negative, floor amendment (1120h) failed.

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

On a division vote, with 183 members having voted in the affirmative, and 147 in the negative, the majority committee report was adopted and the bill was ordered to third reading.

HB 1337, repealing the New Hampshire council on autism spectrum disorders. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Jim Kofalt for the **Majority** of Health, Human Services and Elderly Affairs. The committee heard from multiple members of the community, including families of people with autism, stating concerns that the council has been ineffective, that it has been largely dormant for the past few years, that it operates with limited transparency, and that it has overstepped its statutory authority. Vote 10-8.

Rep. Gary Woods for the **Minority** of Health, Human Services and Elderly Affairs. This bill seeks to terminate a commission that seemed dormant. However, materials provided to the committee showed otherwise: minutes of several recent meetings, a 2025 Annual report, a variety of financial statements, and the product of their Blue Envelope Program (HB 140, Ch. 17, Laws of 2025) which was signed by Governor Ayotte on May 14, 2025 and became effective on July 13, 2025. Part of their activity has been to recognize the deficiencies in the commission and take steps to outline solutions (HB 634, 2025). For these reasons, this commission deserves our support to continue its work for those in need and plans for improvement by voting this bill Inexpedient to Legislate.

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

MOTION TO LAY ON THE TABLE

Rep. Stringham moved that **HB 1337**, repealing the New Hampshire council on autism spectrum disorders, be laid on the table.

On a division vote, with 159 members having voted in the affirmative, and 168 in the negative, the motion failed.

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

Rep. Osborne requested a roll call; sufficiently seconded.

YEAS 178 - NAYS 155

**YEAS - 178
BELKNAP**

Aldrich, Glen
Harvey-Bolia, Juliet

Bogert, Steven
Ploszaj, Tom

Comtois, Barbara
Terry, Paul

Freeman, Lisa
Toner, Travis

CARROLL

Avellani, Lino
Peternel, Katy

Belcher, Mike
Brown, Richard

Hamblen, Joseph
Taylor, Brian

MacDonald, John

CHESHIRE

Murphy, Denis
Nalevanko, Rich

Hunt, John
Qualey, James

Karasinski, Sly

Mattson, Rita

COOS

Davis, Arnold
King, Seth

Durkin, Sean
Tierney, James

Korzen, Lori
Tremblay, Marc

Ouellet, Mike

GRAFTON

Beaulier, Calvin
Ladd, Rick

Berezhny, Lex
Louis, Darrell

Bjelobrk, Marie Louise
McFarlane, Donald

Franz, Linda
Sellers, John

HILLSBOROUGH

Alexander, Joe
Berry, Ross
Corcoran, Travis
Drew, Matt
Flanagan, Jack
Giasson, Henry
Kenny, Catherine
Lascelles, Richard
Miles, Julie
Ohm, Bill
Post, Lisa
Rice, Kimberly
Sirois, Shane
Mannion, Tim

Ammon, Keith
Boehm, Ralph
Creighton, James
Dumont, Dillon
Griffin, Gerald
Gorski, Ted
Kesselring, Steven
Murphy, Mary
Mooney, Maureen
Paquette, Kathleen
Proulx, Mark
Schneller, John
Slottje, Jeremy
Mannion, Tom

Boyd, Bill
Colcombe, Riché
Kelley, Diane
Dupont, Pierre
Gagne, Larry
Gould, Linda
Kofalt, Jim
Mazur, Lisa
Morton, Jonathan
Pauer, Diane
Prout, Andrew
Scully, Kevin
Suiter, John
Ulery, Jordan

Barbour, Liz
Cole, Brian
Daniels, Gary
Erf, Keith
Georges, Mary
Herbert, Christopher
Labrie, Brian
McLean, Mark
Noble, Kristin
Peeples, Raymond
Reinfurt, Sherri
Sheehan, Vanessa
Tenczar, Jeffrey
Wherry, Robert

MERRIMACK

Andrus, Louise
McGuire, Dan
Leavitt, John
Plante, Raymond
Walsh, Thomas

Aures, Cyril
Devoid, Ricky
Mehegan, Peter
Polozov, Yury
Thibault, James

Aylward, Deborah
Gonzalez, Ernesto
Moffett, Michael
Boyd, Stephen
Wood, Clayton

McGuire, Carol
Hill, Gregory
Pitaro, Matthew
See, Alvin

ROCKINGHAM

Ball, Lorie
Mannion, Dennis
Dunn, Ron
Harb, Robert
Miner, Laurence
Love, David
Melvin, Charles
Osborne, Jason
Potucek, John
Selby, Donald
Sweeney, Joe
Vandecasteele, Susan
Weyler, Kenneth

Bernardy, JD
Thomas, Douglas
Edwards, Jess
Katsakiores, Phyllis
Walsh, Lilli
Lynn, Bob
Milz, David
Brown, Pam
Prudhomme-O'Brien, Katherine
Soti, Julius
Sytek, John
Verville, Kevin
Wilson, Vicki

Bridle, Nicholas
DeSimone, Debra
Foote, Charles
Khan, Aboul
Layon, Erica
McGrath, Linda
Nadeau, Brian
Popovici-Muller, Daniel
Pearson, Stephen
Spillane, James
Tripp, Richard
Vose, Michael

Bryer, Scott
Donnelly, Tanya
Guzofski, James
Kuttab, Katelyn
Litchfield, Melissa
McMahon, Charles
Nelson, Jodi
Porcelli, Susan
Sabourin dit Choinière, Matt
Summers, James
Tudor, Paul
MacDonald, Wayne

STRAFFORD

Bailey, Glenn
Farrington, Samuel
Potenza, Kelley

Burnham, Claudine
Granger, Michael
Hall, Robley

DeLemus, Susan
Harrington, Michael
Turcotte, Len

DeRoy, Susan
Kaczynski, Thomas
Walker, David

SULLIVAN

Grant, George
Spilsbury, Walter

Aron, Judy

Aron, Michael

Rollins, Skip

NAYS - 155**BELKNAP**

Coker, Matthew

Nagel, David

St. Clair, Charlie

CARROLL

Burroughs, Anita

Paige, David

McAleer, Chris

Woodcock, Stephen

CHESHIRE

Ames, Dick
Faulkner, Barry
Newell, Jodi

Berch, Paul
Jacobs, Samantha
O'Rorke, Terri

Harvey, Cathryn
Jones, Philip
Parshall, Lucius

Fox, Dru
Germana, Nicholas
Weber, Lucy

GRAFTON

Almy, Susan	Baldwin, Heather	Barton, Joseph	Bolton, Bill
Cormen, Thomas	Fellows, Sallie	Fracht, David	Hakken-Phillips, Mary
Sullivan, Jared	Lucas, Janet	Muirhead, Russell	Oppel, Thomas
Rockmore, Ellen	Spahr, Terry	Stavis, Laurel	Stringham, Jerry
Sykes, George			

HILLSBOROUGH

Beauchemin, Paige	Bergeron, Dan	Budathoki, Suraj	Chourasia, Manoj
Chretien, Suzanne	Darby, Will	Dargie, Paul	DiSilvestro, Linda
Elberger, Susan	Davis, Fred	Foss, Lily	Gregg, Alicia
Grund, Stephanie	Harriott-Gathright, Linda	Hartnett, Tim	Jack, Martin
Jeady, Jean	Kerwin, Erin	Kluger, Lee Ann	Fox, Loren
Leapley, Nicole	LeClerc, Daniel	Leishman, Peter	Lloyd, Christal
Long, Patrick	Murray, Megan	MacKenzie, Mark	Manohar, Sanjeev
McGhee, Kat	Murphy, Nancy	Petrigno, Peter	Preece, David
Newman, Ray	Raymond, Heather	Rombeau, Catherine	Rung, Rosemarie
Ryan, Linda	Newman, Sue	Salvi, Santosh	Seibert, Christine
Spier, Carry	Staub, Kathy	Telerski, Laura	Tellez, Trinidad
Vail, Suzanne	Veilleux, Daniel	Dolan, William	Thomas, Wendy
Wheeler, Jonah	Wilhelm, Matthew		

MERRIMACK

Bricchi, Tracy	Caplan, Tony	Kelly, Eileen	Ebel, Karen
Gallagher, Eric	Gibbs, Merryl	Lane, Connie	Luneau, David
Hall, Muriel	Newsom, James	Richards, Beth	Roesener, James
Sargent, Gregory	Schamberg, Thomas	Schultz, Kris	Snodgrass, Jim
Soucy, Timothy	Wallner, Mary Jane	Woods, Gary	

ROCKINGHAM

Cahill, Michael	de Vries, Erica	Edgar, Michael	Gilman, Julie
Haskins, Linda	Knab, Allison	Paige, Mark	Pearson, Mark
Maggiore, Jim	Malloy, Dennis	Mandelbaum, Jennifer	Manos, Zoe
McDonnell, Valerie	Meuse, David	Muns, Chris	Raynolds, Ned
Read, Ellen	Scherr, Buzz	Simpson, Alexis	Sorensen, Carrie
Turer, Eric	Vallone, Mark	Ward, Gerald	Weinstein, Toni

STRAFFORD

Bay, Luz	Bixby, Peter	Burton, Wayne	Butler, Billie
Gilmore, Gary	Howard, Heath	Horriggan, Timothy	Howland, Allan
Johnson, Erik	LaMontagne, Jessica	Larochelle, John	Levesque, Cassandra
Smith, Marjorie	Miller, Seth	Schmidt, Peter	Selig, Loren
Southworth, Thomas	Stone, John	Pearson, Wayne	Wade, Alice
Wall, Janet			

SULLIVAN

Sullivan, Brian	Cloutier, John	Damon, Hope	Drye, Margaret
Palmer, William			

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

HB 1449, limiting times vaccine clinics may operate at schools and requiring parents or legal guardians to be present with their child during the administration of vaccinations at such a clinic. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Linda McGrath for the **Majority** of Health, Human Services and Elderly Affairs. New Hampshire has seen at least two documented cases where children received vaccines at a school clinic against their parents' explicit wishes, risking potential medical reactions without immediate parental oversight or consent. To safeguard every child, this bill mandates parental presence, aligning with standard medical practice: No child receives treatment at a hospital, doctor's office, or pharmacy based solely on a dropped-off consent form — direct parental involvement ensures informed consent and time for family decision making, for instance the higher risk of myocarditis in teenage boys with the COVID shot, and family support if there is an immediate adverse reaction. Opponents cite convenience but parents' main job is keep their children safe and there are a myriad of convenient places and times for childhood vaccinations. Also, if parents need to be present then these clinics can focus on all members of the family getting their vaccine together! Additionally, this bill protects students' primary educational mission: At school vaccine clinics, children are pulled from class for about 30 minutes, adding to teachers' already heavy burdens with classroom requirements and instructional time. The majority thinks we should prioritize educators focusing on teaching rather than managing medical interruptions. The amendment fixes a typographical error. Vote 10-8.

Rep. Janet Lucas for the **Minority** of Health, Human Services and Elderly Affairs. This bill, by limiting times vaccine clinics may operate in schools and requiring the presence of a parent or legal guardian during the immunization process, increases barriers to their children's care for parents and legal guardians who have full time jobs, live in rural areas, have children who are preschool-aged and younger, and/or do not have reliable transportation. These challenges are some of the reasons vaccination programs during regular school hours were developed, especially for families in rural areas where the distance between work and school can be much greater than in urban areas. Requiring school vaccination programs to be held after hours would add to the same burdens as well as increase the cost of providing that service. The committee heard testimony from one parent who objects to the school vaccination clinic because it takes 30 minutes of learning time away; yet she admitted to keeping her child home from school for an entire day when vaccinations were offered. Although these clinics ensure that vaccinations are given with explicitly required written parental consent, the committee did hear testimony that two New Hampshire public school students out of tens of thousands were vaccinated without their parents' consent. That is being addressed as a best practice matter and isn't a good reason to deprive thousands of New Hampshire families the opportunity to protect their children from potentially life-threatening diseases. As the committee heard from the New Hampshire Chapter of the American Academy of Pediatrics, "[l]imiting vaccine access at school clinics creates unnecessary barriers to health care, disproportionately impacts families in rural and underserved communities and undermines the state's commitment to public health and personal freedom." For these reasons, the committee minority recommends this bill be found Inexpedient to Legislate.

Majority Amendment (0989h)

Amend RSA 200:27-b, III as inserted by section 1 of the bill by replacing it with the following:

III. Nothing in this section shall affect the duties of school nurses as described in RSA 200:38, I(a).

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. Weber requested a roll call; sufficiently seconded.

YEAS 172 - NAYS 154

YEAS - 172

BELKNAP

Aldrich, Glen
Harvey-Bolia, Juliet

Bogert, Steven
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Tremblay, Marc

Ouellet, Mike

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Franz, Linda
Sellers, John

Beaulier, Calvin
Ladd, Rick

Berezhny, Lex
Louis, Darrell

Bjelobrk, Marie Louise
McFarlane, Donald

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Ammon, Keith
Cole, Brian
Daniels, Gary
Erf, Keith
Giasson, Henry
Kesselring, Steven
Murphy, Mary
Mooney, Maureen
Paquette, Kathleen
Proulx, Mark
Schneller, John
Slottje, Jeremy
Mannion, Tom

Barbour, Liz
Corcoran, Travis
Drew, Matt
Flanagan, Jack
Gorski, Ted
Kofalt, Jim
Mazur, Lisa
Morton, Jonathan
Pauer, Diane
Prout, Andrew
Scully, Kevin
Suiter, John
Ulery, Jordan

Boehm, Ralph
Creighton, James
Dumont, Dillon
Griffin, Gerald
Gould, Linda
Labrie, Brian
McLean, Mark
Noble, Kristin
Peeples, Raymond
Reinfurt, Sherri
Sheehan, Vanessa
Tenczar, Jeffrey
Wherry, Robert

Colcombe, Riché
Kelley, Diane
Dupont, Pierre
Gagne, Larry
Kenny, Catherine
Lascelles, Richard
Miles, Julie
Ohm, Bill
Post, Lisa
Rice, Kimberly
Sirois, Shane
Mannion, Tim

MERRIMACK

Andrus, Louise
McGuire, Dan
Leavitt, John
Plante, Raymond
Walsh, Thomas

Aures, Cyril
Devoid, Ricky
Mehegan, Peter
Polozov, Yury
Thibault, James

Aylward, Deborah
Gonzalez, Ernesto
Moffett, Michael
Boyd, Stephen
Wood, Clayton

McGuire, Carol
Hill, Gregory
Pitaro, Matthew
See, Alvin

ROCKINGHAM

Ball, Lorie
Thomas, Douglas
Foote, Charles
Khan, Aboul
Layon, Erica
Pearson, Mark
Melvin, Charles
Osborne, Jason
Potucek, John
Selby, Donald
Sweeney, Joe
Verville, Kevin
Wilson, Vicki

Bernardy, JD
DeSimone, Debra
Guzofski, James
Kuttab, Katelyn
Litchfield, Melissa
McDonnell, Valerie
Milz, David
Brown, Pam
Prudhomme-O'Brien, Katherine
Soti, Julius
Tripp, Richard
Vose, Michael

Bryer, Scott
Dunn, Ron
Harb, Robert
Miner, Laurence
Love, David
McGrath, Linda
Nadeau, Brian
Popovici-Muller, Daniel
Pearson, Stephen
Spillane, James
Tudor, Paul
MacDonald, Wayne

Mannion, Dennis
Edwards, Jess
Katsakiores, Phyllis
Walsh, Lilli
Lynn, Bob
McMahon, Charles
Nelson, Jodi
Porcelli, Susan
Sabourin dit Choinière, Matt
Summers, James
Vandecasteele, Susan
Weyler, Kenneth

STRAFFORD

Bailey, Glenn
Farrington, Samuel
Potenza, Kelley

Burnham, Claudine
Granger, Michael
Hall, Robley

DeLemus, Susan
Harrington, Michael
Turcotte, Len

DeRoy, Susan
Kaczynski, Thomas
Walker, David

SULLIVAN

Drye, Margaret
Rollins, Skip

Grant, George
Spilsbury, Walter

Aron, Judy

Aron, Michael

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Coker, Matthew

Nagel, David

St. Clair, Charlie

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Burroughs, Anita
Woodcock, Stephen

Paige, David

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Jacobs, Samantha
O'Rorke, Terri

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Jones, Philip
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Telerski, Laura
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Herbert, Christopher
Kerwin, Erin
Leishman, Peter
MacKenzie, Mark
Petrigno, Peter
Rombeau, Catherine
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Tellez, Trinidad
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Bergeron, Dan
Darby, Will
Davis, Fred
Grund, Stephanie
Jack, Martin
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Wall, Janet

SULLIVAN

Sullivan, Brian

Cloutier, John

Damon, Hope

Palmer, William

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

HB 1562-FN, relative to licensing requirements for health care facilities that operate on a membership-based business model. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Lisa Mazur for the **Majority** of Health, Human Services and Elderly Affairs. The majority finds that this bill, as amended, promotes innovation and expands access to health care services by allowing membership-based and direct-pay facilities to operate under a regulatory structure better suited to their care models, while maintaining essential patient protections and transparency requirements. The amendment removes nursing homes and rehabilitation facilities from its scope, ensuring that traditional long-term care settings remain subject to existing regulatory and payment requirements. This change, along with clarifying language confirming that the direct-pay model does not apply to those facilities, addressed concerns raised by county representatives and resulted in their support of the legislation. The amendment also adds a sunset provision. The bill will take effect in January 2027 and will repeal in January 2032 unless further legislative action is taken. This provision allows the legislature to evaluate the real-world impact of these care models and ensures appropriate oversight moving forward. Vote 10-8.

Rep. Gary Woods for the **Minority** of Health, Human Services and Elderly Affairs. This bill creates an exception to the requirement that medical institutions must care for all patients, regardless of ability to pay. The bill aims to expand certain needed medical services. However, it does so only for those patients who are able to pay the full costs of their care directly without reimbursement from insurance or other third-party payers. Without some patients who are able to pay the full cost of care in their mix, some institutions who take all patients, regardless of ability to pay, will risk financial insolvency, which will ultimately result in less overall care available, rather than more. This means fewer services will be available to those not able to engage with the direct pay model.

Majority Amendment (0415h)

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

1 Patients' Bill of Rights; Definitions; Direct Payment and Membership-Based Facilities. Amend RSA 151:19, II to read as follows:

II. "Facility" means any hospital, building, residence, or other place or part thereof, licensed under the provisions of RSA 151:2. For the purposes of RSA 151:21, RSA 151:25, and RSA 151:26, "facility" shall not include home health care providers, or private homes where home care services are provided. ***For the purposes of RSA 151:21, "facility" shall not include direct payment and membership-based facilities.***

2 Patients' Bill of Rights; Definitions; Direct Payment and Membership-Based Facilities. Amend RSA 151:19, VI to read as follows:

VI. "Patients' rights" or "rights" means those rights established under RSA 151:21, [or] RSA 151:21-b, ***or RSA 151:21-c***, as applicable.

3 Residential Care and Health Facility Licensing; Policies Required. Amend RSA 151:2-f to read as follows:
151:2-f Policies Required for Health Facilities and Special Health Care Service Licenses.

I. Every facility licensed under RSA 151:2, I(a) or (d) and every person holding a special health care service license under RSA 151:2-e shall:

[I-] ***(a)*** Adopt and enforce a written policy to assure that the facility provides its services to all persons who require the services the facility provides regardless of the source of payment for the services provided to any person;

[II-] ***(b)*** Adopt, publicize, and apply an assistance plan for persons who are uninsured or who do not have the financial resources to pay for the facility's services due to financial hardship;

[HH:] (c) Provide data to the commissioner of the department of health and human services regarding the volume, cost and outcomes of services provided in the facility; and

[IV:] (d) Pay fees under RSA 151:2-e, III to the commissioner of the department to cover the costs of administering the licensing of special health care services, the administration of the quality and patient safety requirements of this section, and the collection and analysis of the data collected under this section.

II. Subparagraph I(a) shall not apply to any facilities that operate on a membership-based business model or exclusively provide services to persons who make direct payment for services, and are not nursing homes, skilled nursing facilities, intermediate care facilities, or rehabilitation facilities, including rehabilitation hospitals and facilities offering comprehensive rehabilitation services. For the purposes of this paragraph, a direct payment is one that is paid directly by the patient and is not reimbursed or otherwise paid by a third party.

4 New Section; Residential Care and Health Facility Licensing; Patients' Bill of Rights for Direct Payment and Membership-Based Facilities. Amend RSA 151 by inserting after section 21-b the following new section:

151:21-c Patients' Bill of Rights for Direct Payment and Membership-Based Facilities. The policy describing the rights and responsibilities of each patient admitted to a facility that operates on a membership-based business model or exclusively provides services to persons who make direct payment for services as defined in RSA 151:2-f, II, except those admitted by a home health care provider, shall include, as a minimum, the following:

I. The patient shall be treated with consideration, respect, and full recognition of the patient's dignity and individuality, including privacy in treatment and personal care and including being informed of the name, licensure status, and staff position of all those with whom the patient has contact, pursuant to RSA 151:3-b.

II. The patient shall be fully informed of the patient's rights and responsibilities and of all procedures governing patient conduct and responsibilities. This information shall be provided orally and in writing before or at admission, except for emergency admissions. Receipt of the information shall be acknowledged by the patient in writing. When a patient lacks the capacity to make informed judgments the signing shall be by the person legally responsible for the patient.

III. The patient shall be fully informed in writing in language that the patient can understand, before or at the time of admission and as necessary during the patient's stay, of the facility's basic per diem rate and of those services included and not included in the basic per diem rate.

IV. The patient shall be fully informed by a health care provider of his or her medical condition, health care needs, and diagnostic test results, including the manner by which such results will be provided and the expected time interval between testing and receiving results, unless medically inadvisable and so documented in the medical record, and shall be given the opportunity to participate in the planning of his or her total care and medical treatment, to refuse treatment, and to be involved in experimental research upon the patient's written consent only. For the purposes of this paragraph, "health care provider" means any person, corporation, facility, or institution either licensed by this state or otherwise lawfully providing health care services, including, but not limited to, a physician, hospital or other health care facility, dentist, nurse, optometrist, podiatrist, physical therapist, or psychologist, and any officer, employee, or agent of such provider acting in the course and scope of employment or agency related to or supportive of health care services.

V. The patient shall be transferred or discharged after appropriate discharge planning only for medical reasons, for the patient's welfare or that of other patients, if the facility ceases to operate, or for nonpayment for the patient's stay.

VI. The patient shall be encouraged and assisted throughout the patient's stay to exercise the patient's rights as a patient and citizen. The patient may voice grievances and recommend changes in policies and services to facility staff or outside representatives free from restraint, interference, coercion, discrimination, or reprisal.

VII. The patient shall be permitted to manage the patient's personal financial affairs. If the patient authorizes the facility in writing to assist in this management and the facility so consents, the assistance shall be carried out in accordance with the patient's rights under this subdivision and in conformance with state law and rules.

VIII. The patient shall be free from emotional, psychological, sexual, and physical abuse, and from exploitation, neglect, corporal punishment, and involuntary seclusion.

IX. The patient shall be free from chemical and physical restraints except when they are authorized in writing by a physician for a specific and limited time necessary to protect the patient or others from injury. In an emergency, restraints may be authorized by the designated professional staff member in order to protect the patient or others from injury. The staff member shall promptly report such action to the physician and document the same in the medical records.

X. The patient shall be ensured confidential treatment of all information contained in the patient's personal and clinical record, including that stored in an automatic data bank, and the patient's written consent shall be required for the release of information to anyone not otherwise authorized by law to receive it. Medical information contained in the medical records at any facility licensed under this chapter shall be deemed

to be the property of the patient. The patient shall be entitled to a copy of such records upon request. The charge for the copying of a patient's medical records shall not exceed \$15 for the first 30 pages or \$.50 per page, whichever is greater; provided, that copies of filmed records such as radiograms, x-rays, and sonograms shall be copied at a reasonable cost.

XI. The patient shall not be required to perform services for the facility. Where appropriate for therapeutic or diversional purposes and agreed to by the patient, such services may be included in a plan of care and treatment.

XII. The patient shall be free to communicate with, associate with, and meet privately with anyone, including family and resident groups, unless to do so would infringe upon the rights of other patients. The patient may send and receive unopened personal mail. The patient has the right to have regular access to the unmonitored use of a telephone.

XIII. The patient shall be free to participate in activities of any social, religious, and community groups, unless to do so would infringe upon the rights of other patients.

XIV. The patient shall be free to retain and use personal clothing and possessions as space permits, provided it does not infringe on the rights of other patients.

XV. The patient shall be entitled to privacy for visits and, if married, to share a room with his or her spouse if both are patients in the same facility and where both patients consent, unless it is medically contraindicated and so documented by a physician. The patient has the right to reside and receive services in the facility with reasonable accommodation of individual needs and preferences, including choice of room and roommate, except when the health and safety of the individual or other patients would be endangered.

XVI. The patient shall not be denied appropriate care on the basis of age, sex, gender identity, sexual orientation, race, color, marital status, familial status, disability, religion, national origin, source of income, or profession.

XVII. The patient shall be entitled to be treated by the patient's physician of choice, subject to reasonable rules and regulations of the facility regarding the facility's credentialing process.

XVIII. The patient shall be entitled to have the patient's parents, if a minor, or spouse, or next of kin, unmarried partner, or a personal representative chosen by the patient, if an adult, visit the facility, without restriction, if the patient is considered terminally ill by the physician responsible for the patient's care.

XIX. The patient shall be entitled to receive representatives of approved organizations as provided in RSA 151:28.

5 Department of Health and Human Services; Legislative Reporting Requirement. The commissioner of the department of health and human services shall conduct a study to examine the impact of direct pay models on the health care system of New Hampshire, with special attention given to the impact of implementation of the direct primary care law, RSA 329:1-e and 2019, 330 (HB 508). The department shall provide the results of the study to the speaker of the house of representatives, the senate president, the house clerk, and the senate clerk, on or before June 30, 2027.

6 Patients' Bill of Rights; Definitions; Direct Payment and Membership-Based Facilities. Amend RSA 151:19, II to read as follows:

II. "Facility" means any hospital, building, residence, or other place or part thereof, licensed under the provisions of RSA 151:2. For the purposes of RSA 151:21, RSA 151:25, and RSA 151:26, "facility" shall not include home health care providers, or private homes where home care services are provided. ~~[For the purposes of RSA 151:21, "facility" shall not include direct payment and membership-based facilities.]~~

7 Patients' Bill of Rights; Definitions; Direct Payment and Membership-Based Facilities. Amend RSA 151:19, VI to read as follows:

VI. "Patients' rights" or "rights" means those rights established under RSA 151:21 ~~or~~ RSA 151:21-b, ~~[or RSA 151:21-c;]~~ as applicable.

8 Residential Care and Health Facility Licensing; Policies Required RSA 151:2-f is repealed and reenacted to read as follows:

151:2-f Policies Required for Health Facilities and Special Health Care Service Licenses. Every facility licensed under RSA 151:2, I(a) or (d) and every person holding a special health care service license under RSA 151:2-e shall:

I. Adopt and enforce a written policy to assure that the facility provides its services to all persons who require the services the facility provides regardless of the source of payment for the services provided to any person;

II. Adopt, publicize, and apply an assistance plan for persons who are uninsured or who do not have the financial resources to pay for the facility's services due to financial hardship;

III. Provide data to the commissioner of the department of health and human services regarding the volume, cost and outcomes of services provided in the facility; and

IV. Pay fees under RSA 151:2-e, III to the commissioner of the department to cover the costs of administering the licensing of special health care services, the administration of the quality and patient safety requirements of this section, and the collection and analysis of the data collected under this section

9 Repeal. RSA 151:21-c, relative to the patients' bill of rights for direct payment and membership-based facilities, is repealed.

10 Applicability. Sections 6-9 of this act shall take effect on January 1, 2032 if no new facilities are licensed pursuant to RSA 151 between January 1, 2027 and January 1, 2032. If new facilities are licensed between January 1, 2027 and January 1, 2032, sections 6-9 of this act shall not take effect.

11 Effective Date.

I. Sections 6 - 9 of this act shall take effect as provided in section 10 of this act.

II. The remainder of this act shall take effect January 1, 2027.

2026-0415h

AMENDED ANALYSIS

This bill exempts direct-pay health care facilities from certain licensing requirements and policies in RSA 151:2-f. The bill also establishes a patient's bill of right for direct-pay facilities and directs the department of health and human services to study direct-pay models.

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.

On a division vote, with 181 members having voted in the affirmative, and 149 in the negative, the majority committee report was adopted and the bill was ordered to third reading.

The House recessed at 5:56 p.m.

RECESS

The House reconvened at 6:30 p.m.

(Speaker Steven Smith in the Chair)

HB 1706-FN, repealing the refugee resettlement program in the department of health and human services and prohibiting expenditure of state funds on refugee resettlement. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Matt Drew for the **Majority** of Health, Human Services and Elderly Affairs. This bill repeals the Office of Refugee Resettlement and bars the Department of Health and Human Services (DHHS) from participating in the federal refugee resettlement programs. Like many immigration programs, this program has morphed from temporary help for specific groups of refugees into a massive bureaucratic pipeline run by well-paid non-governmental organizations (NGOs) that seek to import as many people as possible into our state and provide them with state benefits. The apparent function of this DHHS office is to use federal funds to coordinate NGOs, who then use federal funds to lobby the governments for more federal funds, state funds, and benefits. The majority of the committee finds that the state should not be participating in this program and recommends ought to pass. Vote 10-8.

Rep. Trinidad Tellez for the **Minority** of Health, Human Services and Elderly Affairs. This bill terminates the New Hampshire State Refugee Program which currently resides in the Department of Health and Human Services (DHHS). The NH State Refugee Program is 100% federally funded through the US Department of Health and Human Services (US DHHS), Administration for Children and Families, Office of Refugee Resettlement (ORR) and no state funds are expended. A refugee is a person who has fled his or her home country and cannot return based upon a "well-founded fear of persecution" due to race, religion, nationality, political opinion, or membership in a social group. The US has been accepting refugees as a humanitarian effort since after World War II, with the bipartisan Refugee Act of 1980 establishing the federal Office of Refugee Resettlement (ORR) to help refugees integrate into their new communities. A 2024 US DHHS study found "overwhelming positive fiscal impact stemming from the presence of refugees and asylees in the US." A 2023 American Immigration Council report reveals "refugees pay billions of dollars in taxes annually and demonstrate a remarkable entrepreneurial spirit, with high rates of business ownership, citizenship attainment, and homeownership;" refugees are "drivers of economic growth and social progress...revitalizing cities and towns across the nation." Refugees are resettled in the US via a network of local resettlement agencies through direct contracts with the US Department of State. The NH State Refugee Program is an important complement that leverages its position within DHHS to improve efficiencies with other departmental programs, and provides federal pass-through money from ORR to support already-settled refugees in NH be successful in attaining economic self-sufficiency and successful integration as soon as possible following arrival. The services funded through the State Refugee Program help people learn English, get jobs, help children succeed in school, help elders, and more. Additionally, the State Refugee Program does not have to reside in state government – and it can readily be established outside of state government, should this bill pass. However, by doing away with

the State Refugee Program at DHHS, we will lose the efficiencies of programmatic coordination within DHHS, as well as forfeit an important funding stream that provides essential supports through local non-governmental organizations for services that lead to self-sufficiency such as English for Speakers of Other Languages and employment-related services.

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

MOTION TO INDEFINITELY POSTPONE

Rep. Wendy Thomas moved that **HB 1706-FN**, repealing the refugee resettlement program in the department of health and human services and prohibiting expenditure of state funds on refugee resettlement, be Indefinitely Postponed.

Rep. Sweeney requested a roll call; sufficiently seconded.

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Post, Lisa
Rice, Kimberly
Sirois, Shane
Mannion, Tom

Boyd, Bill
Colcombe, Riché
Kelley, Diane
Dupont, Pierre
Gagne, Larry
Kenny, Catherine
Lascelles, Richard
Mooney, Maureen
Paquette, Kathleen
Proulx, Mark
Schneller, John
Slottje, Jeremy
Ulery, Jordan

Barbour, Liz
Cole, Brian
Daniels, Gary
Erf, Keith
Giasson, Henry
Kesselring, Steven
Murphy, Mary
Morton, Jonathan
Pauer, Diane
Prout, Andrew
Scully, Kevin
Tenczar, Jeffrey
Wherry, Robert

MERRIMACK

Aures, Cyril
Devoid, Ricky
Mehegan, Peter
Polozov, Yury
Thibault, James

Aylward, Deborah
Gonzalez, Ernesto
Moffett, Michael
Boyd, Stephen
Wood, Clayton

McGuire, Carol
Hill, Gregory
Pitaro, Matthew
See, Alvin

McGuire, Dan
Leavitt, John
Plante, Raymond
Walsh, Thomas

ROCKINGHAM

Ball, Lorie
DeSimone, Debra
Edwards, Jess
Khan, Aboul
Layon, Erica
McDonnell, Valerie
Nadeau, Brian
Popovici-Muller, Daniel
Pearson, Stephen
Spillane, James
Tudor, Paul
Vose, Michael

Bernardy, JD
DeVito, Sayra
Guzowski, James
Kuttab, Katelyn
Litchfield, Melissa
McGrath, Linda
Nelson, Jodi
Porcelli, Susan
Sabourin dit Choinière, Matt
Summers, James
Vallone, Mark
Weyler, Kenneth

Bryer, Scott
Donnelly, Tanya
Harb, Robert
Miner, Laurence
Love, David
McMahon, Charles
Osborne, Jason
Potucek, John
Selby, Donald
Sweeney, Joe
Vandecasteele, Susan
Wilson, Vicki

Thomas, Douglas
Dunn, Ron
Katsakiores, Phyllis
Walsh, Lilli
Lynn, Bob
Milz, David
Brown, Pam
Prudhomme-O'Brien, Katherine
Soti, Julius
Tripp, Richard
Verville, Kevin

STRAFFORD

Bailey, Glenn
Farrington, Samuel
Potenza, Kelley

Burnham, Claudine
Granger, Michael
Hall, Robley

DeLemus, Susan
Harrington, Michael
Turcotte, Len

DeRoy, Susan
Kaczynski, Thomas
Walker, David

SULLIVAN

Drye, Margaret
Rollins, Skip

Grant, George
Spilsbury, Walter

Aron, Judy

Aron, Michael

and thee motion failed.

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

MOTION TO LAY ON THE TABLE

Rep. Germana moved that **HB 1706-FN**, repealing the refugee resettlement program in the department of health and human services and prohibiting expenditure of state funds on refugee resettlement, be laid on the table.

Rep. Weber requested a roll call; sufficiently seconded.

YEAS 161 - NAYS 170**YEAS - 161****BELKNAP**

Coker, Matthew

Nagel, David

St. Clair, Charlie

CARROLL

Burroughs, Anita

Paige, David

Woodcock, Stephen

CHESHIRE

Ames, Dick
Faulkner, Barry
Newell, Jodi

Berch, Paul
Jacobs, Samantha
O'Rorke, Terri

Harvey, Cathryn
Jones, Philip
Parshall, Lucius

Fox, Dru
Germana, Nicholas
Weber, Lucy

GRAFTON

Almy, Susan
Fellows, Sallie
Lucas, Janet
Spahr, Terry

Baldwin, Heather
Fracht, David
Muirhead, Russell
Stavis, Laurel

Bolton, Bill
Hakken-Phillips, Mary
Oppel, Thomas
Stringham, Jerry

Cormen, Thomas
Sullivan, Jared
Rockmore, Ellen
Sykes, George

HILLSBOROUGH

Murray, Aissandra
Budathoki, Suraj
Darby, Will
Davis, Fred
Grill, Jessica
Herbert, Christopher
Kerwin, Erin
LeClerc, Daniel
Murray, Megan
McLean, Mark
Newman, Ray
Rung, Rosemarie
Seibert, Christine
Tellez, Trinidad
Thomas, Wendy

Boyd, Bill
Chourasia, Manoj
Dargie, Paul
Foss, Lily
Grund, Stephanie
Jack, Martin
Kluger, Lee Ann
Leishman, Peter
MacKenzie, Mark
Murphy, Nancy
Raymond, Heather
Ryan, Linda
Spier, Carry
Vail, Suzanne
Wheeler, Jonah

Beauchemin, Paige
Chretien, Suzanne
DiSilvestro, Linda
Georges, Mary
Harriott-Gathright, Linda
Judy, Jean
Foxy, Loren
Lloyd, Christal
Manohar, Sanjeev
Petrigno, Peter
Rice, Kimberly
Newman, Sue
Staub, Kathy
Veilleux, Daniel
Wilhelm, Matthew

Bergeron, Dan
Cornell, Patricia
Elberger, Susan
Gregg, Alicia
Hartnett, Tim
Juris, Louis
Leapley, Nicole
Long, Patrick
McGhee, Kat
Preece, David
Rombeau, Catherine
Salvi, Santosh
Telerski, Laura
Dolan, William

MERRIMACK

Bricchi, Tracy
Gallager, Eric
Hall, Muriel
Sargent, Gregory
Soucy, Timothy

Caplan, Tony
Gibbs, Merryl
Newsom, James
Schamberg, Thomas
Wallner, Mary Jane

Kelly, Eileen
Lane, Connie
Richards, Beth
Schultz, Kris
Woods, Gary

Ebel, Karen
Luneau, David
Roesener, James
Snodgrass, Jim

ROCKINGHAM

Bridle, Nicholas
Foote, Charles
Knab, Allison
Malloy, Dennis
Muns, Chris
Scherr, Buzz
Ward, Gerald

Cahill, Michael
Gilman, Julie
Paige, Mark
Mandelbaum, Jennifer
Nelson, Jodi
Sorensen, Carrie
Weinstein, Toni

de Vries, Erica
Haskins, Linda
Pearson, Mark
Manos, Zoe
Raynolds, Ned
Sytek, John

Edgar, Michael
Murray, Kate
Maggiore, Jim
Meuse, David
Read, Ellen
Turer, Eric

STRAFFORD

Bay, Luz
Horrigan, Timothy

Bixby, Peter
Howland, Allan

Burton, Wayne
Johnson, Erik

Gilmore, Gary
LaMontagne, Jessica

Larochelle, John
Schmidt, Peter
Pearson, Wayne

Levesque, Cassandra
Selig, Loren
Wade, Alice

Smith, Marjorie
Southworth, Thomas
Wall, Janet

Miller, Seth
Stone, John

SULLIVAN

Sullivan, Brian

Cloutier, John

Damon, Hope

Palmer, William

NAYS - 170

BELKNAP

Aldrich, Glen
Harvey-Bolia, Juliet

Bogert, Steven
Ploszaj, Tom

Comtois, Barbara
Toner, Travis

Freeman, Lisa

CARROLL

Avellani, Lino
Peternel, Katy

Belcher, Mike
Brown, Richard

Hamblen, Joseph
Taylor, Brian

MacDonald, John

CHESHIRE

Murphy, Denis
Nalevanko, Rich

Hunt, John
Qualey, James

Karasinski, Sly

Mattson, Rita

COOS

Davis, Arnold
King, Seth

Durkin, Sean
Tierney, James

Korzen, Lori
Tremblay, Marc

Ouellet, Mike

GRAFTON

Barton, Joseph
Franz, Linda
Sellers, John

Beaulier, Calvin
Ladd, Rick

Berezhny, Lex
Louis, Darrell

Bjelobrk, Marie Louise
McFarlane, Donald

HILLSBOROUGH

Alexander, Joe
Boehm, Ralph
Creighton, James
Dumont, Dillon
Griffin, Gerald
Gould, Linda
Labrie, Brian
Miles, Julie
Ohm, Bill
Post, Lisa
Schneller, John
Slottje, Jeremy
Mannion, Tom

Ammon, Keith
Colcombe, Rich  
Kelley, Diane
Dupont, Pierre
Gagne, Larry
Kenny, Catherine
Lascelles, Richard
Mooney, Maureen
Paquette, Kathleen
Proulx, Mark
Scully, Kevin
Suiter, John
Ulery, Jordan

Barbour, Liz
Cole, Brian
Daniels, Gary
Erf, Keith
Giasson, Henry
Kesselring, Steven
Murphy, Mary
Morton, Jonathan
Pauer, Diane
Prout, Andrew
Sheehan, Vanessa
Tenczar, Jeffrey
Wherry, Robert

Berry, Ross
Corcoran, Travis
Drew, Matt
Flanagan, Jack
Gorski, Ted
Kofalt, Jim
Mazur, Lisa
Noble, Kristin
Peeples, Raymond
Reinfurt, Sherri
Sirois, Shane
Mannion, Tim

MERRIMACK

Aures, Cyril
Devoid, Ricky
Mehegan, Peter
Polozov, Yury
Thibault, James

Aylward, Deborah
Gonzalez, Ernesto
Moffett, Michael
Boyd, Stephen
Wood, Clayton

McGuire, Carol
Hill, Gregory
Pitaro, Matthew
See, Alvin

McGuire, Dan
Leavitt, John
Plante, Raymond
Walsh, Thomas

ROCKINGHAM

Ball, Lorie
Thomas, Douglas
Dunn, Ron
Katsakiores, Phyllis
Walsh, Lilli
Lynn, Bob
Milz, David
Popovici-Muller, Daniel
Pearson, Stephen
Spillane, James
Tudor, Paul
Vose, Michael

Bernardy, JD
DeSimone, Debra
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Khan, Aboul
Layon, Erica
McDonnell, Valerie
Nadeau, Brian
Porcelli, Susan
Sabourin dit Choini  re, Matt
Summers, James
Vallone, Mark
Weyler, Kenneth

Bryer, Scott
DeVito, Sayra
Guzowski, James
Kuttab, Katelyn
Litchfield, Melissa
McGrath, Linda
Osborne, Jason
Potucek, John
Selby, Donald
Sweeney, Joe
Vandecasteele, Susan
Wilson, Vicki

Mannion, Dennis
Donnelly, Tanya
Harb, Robert
Miner, Laurence
Love, David
McMahon, Charles
Brown, Pam
Prudhomme-O'Brien, Katherine
Soti, Julius
Tripp, Richard
Verville, Kevin

STRAFFORD

Bailey, Glenn
Farrington, Samuel
Potenza, Kelley

Burnham, Claudine
Granger, Michael
Hall, Robley

DeLemus, Susan
Harrington, Michael
Turcotte, Len

DeRoy, Susan
Kaczynski, Thomas
Walker, David

SULLIVAN

Drye, Margaret
Rollins, Skip

Grant, George
Spilsbury, Walter

Aron, Judy

Aron, Michael

and the motion failed.

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

YEAS 170 - NAYS 164**YEAS - 170****BELKNAP**

Aldrich, Glen
Harvey-Bolia, Juliet

Bogert, Steven
Ploszaj, Tom

Comtois, Barbara
Toner, Travis

Freeman, Lisa

CARROLL

Avellani, Lino
Peternel, Katy

Belcher, Mike
Brown, Richard

Hamblen, Joseph
Taylor, Brian

MacDonald, John

CHESHIRE

Murphy, Denis
Nalevanko, Rich

Hunt, John
Qualey, James

Karasinski, Sly

Mattson, Rita

COOS

Davis, Arnold
King, Seth

Durkin, Sean
Tierney, James

Korzen, Lori
Tremblay, Marc

Ouellet, Mike

GRAFTON

Barton, Joseph
Franz, Linda
Sellers, John

Beaulier, Calvin
Ladd, Rick

Berezhny, Lex
Louis, Darrell

Bjelobrk, Marie Louise
McFarlane, Donald

HILLSBOROUGH

Alexander, Joe
Boehm, Ralph
Creighton, James
Dumont, Dillon
Griffin, Gerald
Gould, Linda
Labrie, Brian
Miles, Julie
Ohm, Bill
Post, Lisa
Schneller, John
Slottje, Jeremy
Mannion, Tom

Ammon, Keith
Colcombe, Riché
Kelley, Diane
Dupont, Pierre
Gagne, Larry
Kenny, Catherine
Lascelles, Richard
Mooney, Maureen
Paquette, Kathleen
Proulx, Mark
Scully, Kevin
Suiter, John
Ulery, Jordan

Barbour, Liz
Cole, Brian
Daniels, Gary
Erf, Keith
Giasson, Henry
Kesselring, Steven
Murphy, Mary
Morton, Jonathan
Pauer, Diane
Prout, Andrew
Sheehan, Vanessa
Tenczar, Jeffrey
Wherry, Robert

Berry, Ross
Corcoran, Travis
Drew, Matt
Flanagan, Jack
Gorski, Ted
Kofalt, Jim
Mazur, Lisa
Noble, Kristin
Peeples, Raymond
Reinfurt, Sherri
Sirois, Shane
Mannion, Tim

MERRIMACK

Aures, Cyril
Devoid, Ricky
Mehegan, Peter
Polozov, Yuri
Thibault, James

Aylward, Deborah
Gonzalez, Ernesto
Moffett, Michael
Boyd, Stephen
Wood, Clayton

McGuire, Carol
Hill, Gregory
Pitaro, Matthew
See, Alvin

McGuire, Dan
Leavitt, John
Plante, Raymond
Walsh, Thomas

ROCKINGHAM

Ball, Lorie
Thomas, Douglas
Dunn, Ron
Harb, Robert
Miner, Laurence
Love, David
McMahon, Charles
Brown, Pam
Prudhomme-O'Brien, Katherine
Soti, Julius
Tripp, Richard
Vose, Michael

Bernardy, JD
DeSimone, Debra
Edwards, Jess
Katsakiores, Phyllis
Walsh, Lilli
Lynn, Bob
Milz, David
Popovici-Muller, Daniel
Pearson, Stephen
Spillane, James
Tudor, Paul
Weyler, Kenneth

Bryer, Scott
DeVito, Sayra
Foote, Charles
Khan, Aboul
Layon, Erica
McDonnell, Valerie
Nadeau, Brian
Porcelli, Susan
Sabourin dit Choinière, Matt
Summers, James
Vandecasteele, Susan
Wilson, Vicki

Mannion, Dennis
Donnelly, Tanya
Guzofski, James
Kuttab, Katelyn
Litchfield, Melissa
McGrath, Linda
Osborne, Jason
Potucek, John
Selby, Donald
Sweeney, Joe
Verville, Kevin

STRAFFORD

Bailey, Glenn
Farrington, Samuel
Potenza, Kelley

Burnham, Claudine
Granger, Michael
Hall, Robley

DeLemus, Susan
Harrington, Michael
Turcotte, Len

DeRoy, Susan
Kaczynski, Thomas
Walker, David

SULLIVAN

Drye, Margaret
Rollins, Skip

Grant, George
Spilsbury, Walter

Aron, Judy

Aron, Michael

NAYS - 164**BELKNAP**

Coker, Matthew

Nagel, David

St. Clair, Charlie

CARROLL

Burroughs, Anita

Paige, David

Woodcock, Stephen

CHESHIRE

Ames, Dick
Faulkner, Barry
Newell, Jodi

Berch, Paul
Jacobs, Samantha
O'Rorke, Terri

Harvey, Cathryn
Jones, Philip
Parshall, Lucius

Fox, Dru
Germana, Nicholas
Weber, Lucy

GRAFTON

Almy, Susan
Fellows, Sallie
Lucas, Janet
Spahr, Terry

Baldwin, Heather
Fracht, David
Muirhead, Russell
Stavis, Laurel

Bolton, Bill
Hakken-Phillips, Mary
Oppel, Thomas
Stringham, Jerry

Cormen, Thomas
Sullivan, Jared
Rockmore, Ellen
Sykes, George

HILLSBOROUGH

Murray, Aissandra
Budathoki, Suraj
Darby, Will
Davis, Fred
Grill, Jessica
Herbert, Christopher
Kerwin, Erin
LeClerc, Daniel
Murray, Megan
McLean, Mark
Newman, Ray
Rung, Rosemarie
Seibert, Christine
Tellez, Trinidad
Thomas, Wendy

Boyd, Bill
Chourasia, Manoj
Dargie, Paul
Foss, Lily
Grund, Stephanie
Jack, Martin
Kluger, Lee Ann
Leishman, Peter
MacKenzie, Mark
Murphy, Nancy
Raymond, Heather
Ryan, Linda
Spier, Carry
Vail, Suzanne
Wheeler, Jonah

Beauchemin, Paige
Chretien, Suzanne
DiSilvestro, Linda
Georges, Mary
Harriott-Gathright, Linda
Judy, Jean
Foxy, Loren
Lloyd, Christal
Manohar, Sanjeev
Petrigno, Peter
Rice, Kimberly
Newman, Sue
Staub, Kathy
Veilleux, Daniel
Wilhelm, Matthew

Bergeron, Dan
Cornell, Patricia
Elberger, Susan
Gregg, Alicia
Hartnett, Tim
Juris, Louis
Leapley, Nicole
Long, Patrick
McGhee, Kat
Preece, David
Rombeau, Catherine
Salvi, Santosh
Telerski, Laura
Dolan, William

MERRIMACK

Bricchi, Tracy
Gallager, Eric
Hall, Muriel
Sargent, Gregory
Soucy, Timothy

Caplan, Tony
Gibbs, Merryl
Newsom, James
Schamberg, Thomas
Wallner, Mary Jane

Kelly, Eileen
Lane, Connie
Richards, Beth
Schultz, Kris
Woods, Gary

Ebel, Karen
Luneau, David
Roesener, James
Snodgrass, Jim

ROCKINGHAM

Bridle, Nicholas
Gilman, Julie
Paige, Mark
Mandelbaum, Jennifer
Nelson, Jodi
Simpson, Alexis
Vallone, Mark

Cahill, Michael
Haskins, Linda
Pearson, Mark
Manos, Zoe
Raynolds, Ned
Sorensen, Carrie
Ward, Gerald

de Vries, Erica
Murray, Kate
Maggiore, Jim
Meuse, David
Read, Ellen
Sytek, John
Weinstein, Toni

Edgar, Michael
Knab, Allison
Malloy, Dennis
Muns, Chris
Scherr, Buzz
Turer, Eric

STRAFFORD

Bay, Luz
Gilmore, Gary
Johnson, Erik
Smith, Marjorie
Southworth, Thomas
Wall, Janet

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

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

Butler, Billie
Howland, Allan
Levesque, Cassandra
Selig, Loren
Wade, Alice

SULLIVAN

Sullivan, Brian

Cloutier, John

Damon, Hope

Palmer, William

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

HB 1734-FN, authorizing the establishment of experimental treatment centers. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Steven Kesselring for the **Majority** of Health, Human Services and Elderly Affairs. This bill builds on the work of the legislature last year when we passed right to try. This bill provides the framework to turn

that policy into real, structured change. As one member of the committee stated, it is about time to do this in medicine. The legislation authorizes the Department of Health and Human Services to approve experimental treatment centers that may provide investigational drugs, biologics, or devices that have completed phase I clinical trials and demonstrated initial safety. Treatments must remain under active investigation or have a documented safety record through a qualified medical institution, ensuring both access and appropriate oversight. The need for this framework is clear. Following passage of right to try, numerous organizations testified they would relocate or expand to New Hampshire if a defined pathway for treatment centers were established. Vote 10-8.

Rep. Janet Lucas for the **Minority** of Health, Human Services and Elderly Affairs. Members of the minority are deeply sympathetic to all those who are hoping for a miracle cure for such dreaded diseases as Parkinson's or Alzheimer's Dementia. However, the minority believes that the creation of so-called experimental treatment centers presents significant unexplored risks and would require much more oversight and scientific rigor than provided for by this bill. We heard in committee that the "Live Free or Die" state has attracted the attention of medical entrepreneurs who would offer developing treatments avoiding standard clinical guidelines through a haven in New Hampshire and make those treatments available to people who are desperately ill and willing to pay. Departure from the current standard research protocols is certainly a cheaper way to explore the potential of a new drug, but it comes with exponentially higher risk to the patient. Indeed, one of the proponents of the bill testified that he wanted New Hampshire to become "the wild, wild west of risk-taking." Whether or not these experimental treatments would be made available to those who are unable to pay will be entirely up to the companies and their investors. Requiring payment from research subjects is an ethical line that cannot be crossed. Charging for experimental treatment raises serious concerns about exploitation of vulnerable patients, particularly the terminally or chronically ill, due to issues like therapeutic misconception (overestimating the benefits/understanding risks) and undue influence from financial desperation, potentially compromising informed consent and fairness. Additionally, there is a concern that this bill sets up a "pay to play" system that favors the wealthy, distorts research priorities, and pressures patients into continuing ineffective treatments. While the goals of providing hope and more therapeutic chances for people diagnosed with terminal and qualifying severe illness are laudable and consistent with the right to try act passed last year, the above concerns must be addressed for this bill to reach that goal safely and ethically for everyone.

Majority Amendment (0666h)

Amend RSA 126-ZZ:3 as inserted by section 2 of the bill by inserting after paragraph IV the following new paragraph:

V. Nothing in this chapter shall prohibit an experimental treatment center from conducting clinical research protocols. Clinical research protocols may be approved by an institutional review board (IRB) meeting pursuant to 45 C.F.R. Part 46 or by a scientific review board established under this chapter. Research protocols may employ any study design, participant stratification, outcome measurement, or monitoring approach consistent with the protocol's scientific and ethical justification. Clinical research conducted under this section shall maintain all study records, including protocols, consent forms, case reports, and safety data, for not less than 3 years and shall make such records available to state or federal regulatory authorities upon reasonable request or where disclosure is required by law or regulation. Sites conducting research under this chapter consent to inspection by state or federal regulatory authorities, at reasonable times and upon reasonable request, as necessary to verify compliance with applicable requirements.

Amend RSA 126-ZZ:5, IV as inserted by section 2 of the bill by replacing it with the following:

IV. Authorized providers may administer experimental treatments to eligible patients pursuant to RSA 126-ZZ:2, II if reviewed and approved by a scientific review board established under this chapter. The scientific review board shall determine the appropriate quality standards, documentation requirements, and clinical oversight for each treatment protocol, which may include quality frameworks and documentation standards recognized by international regulatory authorities. The scientific review board shall include not fewer than 3 members with appropriate expertise and shall include at least one licensed physician and at least one member with experience in clinical outcomes research. Providers may share scientific review boards or board members with other authorized facilities or with academic institutions.

Amend RSA 126-ZZ:6, I as inserted by section 2 of the bill by replacing it with the following:

I. Authorized experimental treatment centers may manufacture drugs, biologics, or devices on-site or through contracted facilities, provided the center's scientific review board approves the manufacturing protocol and determines it meets quality standards equivalent to recognized pharmaceutical manufacturing frameworks for patient safety. The scientific review board shall determine the appropriate quality framework for manufacturing and compounding under this chapter for purposes of clinical use in experimental treatment centers.

Amend RSA 126-ZZ:6 as inserted by section 2 of the bill by inserting after paragraph IV the following new paragraph:

V. Nothing in this section shall be construed to alter the jurisdiction or authority of the board of pharmacy under RSA 318.

The question being adoption of the majority committee amendment.

On a division vote, with 181 members having voted in the affirmative, and 151 in the negative, the majority committee amendment was adopted.

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

On a division vote, with 182 members having voted in the affirmative, and 152 in the negative, the majority committee report was adopted and the bill was ordered to third reading.

MOTION TO PRINT DEBATE

Rep. Harriott-Gathright moved that the debate on **HB 1706-FN**, repealing the refugee resettlement program in the department of health and human services and prohibiting expenditure of state funds on refugee resettlement, be printed in the Permanent Journal.

Without objection, the Speaker ordered.

DEBATE HB 1706

Representative Tellez: Thank you, Mr. Speaker. Mr. Speaker, if I know that the New Hampshire state refugee program at DHHS is 100% federally funded and no state funds have ever been expended on the state refugee program, if I know that the New Hampshire State Refugee Program does not resettle refugees in New Hampshire, rather it provides federal pass-through money to support already settled refugees in New Hampshire be successful in attaining economic self-sufficiency at the earliest date possible, if I know that refugees have a significant positive fiscal impact producing net contributions to the economy and are more likely to become entrepreneurs fueling economic growth, and if I know that if this bill passes, the New Hampshire State Refugee Program will still continue to exist in New Hampshire, outside of state government, but without the current efficiencies of being at DHHS, and -

Speaker Steven Smith: the member was recognized for a parliamentary inquiry; you're supposed to ask me something at the end.

Representative Tellez: and with the loss of valuable federal funding stream that provides vital employment-related services that promote economic self-sufficiency, then would I now press green to indefinitely postpone?

Speaker Steven Smith: The question is whether to indefinitely postpone House Bill 1706, it's 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. 158 in the affirmative, 169 in the negative. The motion fails. For what reason does a member rise?

Representative Germana: To make a motion.

Speaker Steven Smith: Ok.

Representative Germana: Mr. Speaker, I move to table House Bill 1706.

Speaker Steven Smith: Representative Germana moves to table House Bill 1706, who asked for the roll call? Representative Sweeney asked for a roll call, which is already sufficiently seconded, this will be another roll call vote. There we go. The motion is to table House Bill 1706, 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. 161 in the affirmative, 170 the negative, the motion fails. Now, on to the main motion of Ought to Pass. Representative Weber requests a roll call, now don't you go anywhere, you. That is sufficiently seconded, this will be a roll call vote, members take your seats. All righty. The question is a committee report of Ought to Pass on House Bill 1706, Representative Tellez is recognized for a parliamentary inquiry.

Representative Tellez: Thank you, Mr. Speaker. If I know that this 100% federally funded program will not cease to exist and we will just lose federal funding in passing this, then would I now press the red button?

Speaker Steven Smith: Representative Drew is recognized for parliamentary inquiry.

Representative Drew: Thank you, Mr. Speaker. Mr. Speaker, if I know that the federal refugee program has become a profitable political pipeline of people propped up by a permanent parasitical pyramid of well-paid private partners.

Speaker Steven Smith: The House will be in order.

Representative Drew: And if I know that the state office coordinates these federally funded NGOs who then turn around and lobby for more funding and benefits, and if I know that we cannot repeal a federal program, but we can stop the state from helping them work against our own citizens, then would I press the green button and vote yes for OTP?

Speaker Steven Smith: The question is a majority committee report of Ought to Pass on House Bill 1706. This is a roll call vote. If you're in favor, press the green button, if 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. 170 in the affirmative, 164 in the negative, the committee report is adopted.

HB 1735-FN, permitting treatment of certain severe illness under the right to try act. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Steven Kesselring for the **Majority** of Health, Human Services and Elderly Affairs. This bill amends and clarifies the right to try statute enacted last year to ensure the law is implemented as the legislature originally intended. During review and early application of the statute, it became apparent that certain provisions required additional specificity to eliminate ambiguity for patients, providers, and treatment developers. This bill provides that necessary clarification. The legislation also expands the scope of eligible conditions to include certain severe and debilitating illnesses. This adjustment reflects the realities of emerging medical treatments, particularly in the field of regenerative medicine, including therapies involving bone restoration and cartilage growth. Under the prior statutory language, some of these treatments faced impractical limitations that did not align with the nature of systemic or structural conditions. Vote 10-8.

Rep. Janet Lucas for the **Minority** of Health, Human Services and Elderly Affairs. Last year, the legislature enacted RSA 126-Z, the right to try act, which allowed terminally ill patients for whom conventional treatments had been unsuccessful to try experimental treatments under certain strictly controlled circumstances. This bill extends the right to try to patients with chronic and debilitating illnesses as well. However, this bill goes significantly further than that. First, instead of simply adding chronically ill patients to the definition of “eligible patients,” the bill strikes the definition of “eligible patients” entirely. In doing so, this bill removes all the patient protections currently in statute, including provisions 1) that the patient has already tried or is not a candidate for FDA treatment options, 2) that the patient is unable to participate in an approved clinical trial involving the investigational drug, biological or device, 3) that the patient has given written informed consent, and 4) that the physician providing access to the treatment may not be compensated directly by the manufacturer for providing access to therapy. It appears that very ill and possibly desperate patients will be able to access these most experimental of treatments without ever trying more conventional treatments first. It seems that the physician prescribing these most experimental of treatments may be paid not only by the patient, but by the manufacturer as well. This bill crosses the same ethical line as HB 1734 (2026): charging for experimental treatments by a physician and/or manufacturer raises significant ethical concerns, including the potential for exploiting vulnerable patients, compromising informed consent, and creating inequitable access to health care. While some argue that allowing patients to pay for research facilitates the development of new treatments, ethical guidelines generally emphasize that such charges are suspect, particularly if the treatment is not proven safe and effective. While an argument can be made that “pay to play” is an exercise of personal liberty, ethical consensus generally holds that charging fees for unproven therapies is morally suspect and highly prone to exploitation. When “pay to play” is unaffordable, right to try becomes right to beg. Finally, the existing law has very broad provisions exempting the physician, the facility, and the manufacturer from liability for the treatment, and from discipline by their respective regulating boards.

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

Rep. Kesselring offered floor amendment (0850h).

Floor Amendment (0850h)

Amend RSA 126-Z:1, I-b as inserted by section 1 of the bill by replacing it with the following:

[I-e.] **I-b.** “Individualized investigational treatment” means drugs, biologics, or devices unique to and produced exclusively for use for an individual patient, based on their own genetic profile, including but not limited to individualized gene therapy antisense oligonucleotides (ASO), individualized neoantigen vaccines, and any other individualized treatment.

The question being adoption of floor amendment (0850h)

Floor amendment (0850h) was adopted.

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

Rep. Telerski requested a roll call; sufficiently seconded.

YEAS 181 - NAYS 151

YEAS - 181

BELKNAP

Aldrich, Glen
Freeman, Lisa

Bogert, Steven
Harvey-Bolia, Juliet

Coker, Matthew
Ploszaj, Tom

Comtois, Barbara
Toner, Travis

CARROLL

Avellani, Lino
Peternel, Katy

Belcher, Mike
Brown, Richard

Hamblen, Joseph
Taylor, Brian

MacDonald, John

CHESHIRE

Murphy, Denis
Nalevanko, Rich

Hunt, John
Qualey, James

Karasinski, Sly

Mattson, Rita

COOS

Davis, Arnold
King, Seth

Durkin, Sean
Tierney, James

Korzen, Lori
Tremblay, Marc

Ouellet, Mike

GRAFTON

Barton, Joseph
Franz, Linda
Sellers, John

Beaulier, Calvin
Ladd, Rick

Berezhny, Lex
Louis, Darrell

Bjelobrk, Marie Louise
McFarlane, Donald

HILLSBOROUGH

Ammon, Keith
Boehm, Ralph
Creighton, James
Dumont, Dillon
Griffin, Gerald
Gould, Linda
Labrie, Brian
Mazur, Lisa
Morton, Jonathan
Pauer, Diane
Prout, Andrew
Scully, Kevin
Suiter, John
Ulery, Jordan

Boyd, Bill
Colcombe, Riché
Kelley, Diane
Dupont, Pierre
Gagne, Larry
Kenny, Catherine
Lascelles, Richard
McLean, Mark
Noble, Kristin
Peeples, Raymond
Reinfurt, Sherri
Sheehan, Vanessa
Tenczar, Jeffrey
Wheeler, Jonah

Barbour, Liz
Cole, Brian
Daniels, Gary
Erf, Keith
Giasson, Henry
Kesselring, Steven
Long, Patrick
Miles, Julie
Ohm, Bill
Post, Lisa
Rice, Kimberly
Sirois, Shane
Mannion, Tim
Wherry, Robert

Berry, Ross
Corcoran, Travis
Drew, Matt
Flanagan, Jack
Gorski, Ted
Kofalt, Jim
Murphy, Mary
Mooney, Maureen
Paquette, Kathleen
Proulx, Mark
Schneller, John
Slottje, Jeremy
Mannion, Tom

MERRIMACK

Aures, Cyril
Devoid, Ricky
Mehegan, Peter
Polozov, Yury
Thibault, James

Aylward, Deborah
Gonzalez, Ernesto
Moffett, Michael
Boyd, Stephen
Wood, Clayton

McGuire, Carol
Hill, Gregory
Pitaro, Matthew
See, Alvin

McGuire, Dan
Leavitt, John
Plante, Raymond
Walsh, Thomas

ROCKINGHAM

Ball, Lorie
Mannion, Dennis
Donnelly, Tanya
Guzowski, James
Kuttab, Katelyn
Litchfield, Melissa
Mandelbaum, Jennifer
Milz, David
Brown, Pam
Prudhomme-O'Brien, Katherine
Soti, Julius
Sytek, John
Verville, Kevin
Wilson, Vicki

Bernardy, JD
Thomas, Douglas
Dunn, Ron
Harb, Robert
Miner, Laurence
Love, David
McDonnell, Valerie
Nadeau, Brian
Popovici-Muller, Daniel
Pearson, Stephen
Spillane, James
Tripp, Richard
Vose, Michael

Bridle, Nicholas
DeSimone, Debra
Edwards, Jess
Katsakiores, Phyllis
Walsh, Lilli
Lynn, Bob
McGrath, Linda
Nelson, Jodi
Porcelli, Susan
Sabourin dit Choinière, Matt
Summers, James
Tudor, Paul
MacDonald, Wayne

Bryer, Scott
DeVito, Sayra
Foote, Charles
Khan, Aboul
Layon, Erica
Pearson, Mark
McMahon, Charles
Osborne, Jason
Potucek, John
Selby, Donald
Sweeney, Joe
Vandecasteele, Susan
Weyler, Kenneth

STRAFFORD

Bailey, Glenn
Farrington, Samuel
Potenza, Kelley

Burnham, Claudine
Granger, Michael
Hall, Robley

DeLemus, Susan
Harrington, Michael
Turcotte, Len

DeRoy, Susan
Kaczynski, Thomas
Walker, David

SULLIVAN

Drye, Margaret
Rollins, Skip

Grant, George
Spilsbury, Walter

Aron, Judy

Aron, Michael

**NAYS - 151
BELKNAP**

Nagel, David

St. Clair, Charlie

CARROLL

Burroughs, Anita

Paige, David

Woodcock, Stephen

CHESHIRE

Ames, Dick
Jacobs, Samantha
O'Rorke, Terri

Berch, Paul
Jones, Philip
Parshall, Lucius

Fox, Dru
Germana, Nicholas
Weber, Lucy

Faulkner, Barry
Newell, Jodi

GRAFTON

Almy, Susan
 Fellows, Sallie
 Lucas, Janet
 Spahr, Terry

Baldwin, Heather
 Fracht, David
 Muirhead, Russell
 Stavis, Laurel

Bolton, Bill
 Hakken-Phillips, Mary
 Oppel, Thomas
 Stringham, Jerry

Cormen, Thomas
 Sullivan, Jared
 Rockmore, Ellen
 Sykes, George

HILLSBOROUGH

Murray, Alissandra
 Chourasia, Manoj
 Dargie, Paul
 Foss, Lily
 Grund, Stephanie
 Jack, Martin
 Kluger, Lee Ann
 Leishman, Peter
 Manohar, Sanjeev
 Preece, David
 Rung, Rosemarie
 Seibert, Christine
 Tellez, Trinidad
 Thomas, Wendy

Beauchemin, Paige
 Chretien, Suzanne
 DiSilvestro, Linda
 Georges, Mary
 Harriott-Gathright, Linda
 Jeudy, Jean
 Foxx, Loren
 Lloyd, Christal
 McGhee, Kat
 Newman, Ray
 Ryan, Linda
 Spier, Carry
 Vail, Suzanne
 Wilhelm, Matthew

Bergeron, Dan
 Cornell, Patricia
 Elberger, Susan
 Gregg, Alicia
 Hartnett, Tim
 Juris, Louis
 Leapley, Nicole
 Murray, Megan
 Murphy, Nancy
 Raymond, Heather
 Newman, Sue
 Staub, Kathy
 Veilleux, Daniel

Budathoki, Suraj
 Darby, Will
 Davis, Fred
 Grill, Jessica
 Herbert, Christopher
 Kerwin, Erin
 LeClerc, Daniel
 MacKenzie, Mark
 Petrigno, Peter
 Rombeau, Catherine
 Salvi, Santosh
 Telerski, Laura
 Dolan, William

MERRIMACK

Bricchi, Tracy
 Gallagher, Eric
 Hall, Muriel
 Sargent, Gregory
 Soucy, Timothy

Caplan, Tony
 Gibbs, Meryll
 Newsom, James
 Schamberg, Thomas
 Wallner, Mary Jane

Kelly, Eileen
 Lane, Connie
 Richards, Beth
 Schultz, Kris
 Woods, Gary

Ebel, Karen
 Luneau, David
 Roesener, James
 Snodgrass, Jim

ROCKINGHAM

Cahill, Michael
 Haskins, Linda
 Maggiore, Jim
 Muns, Chris
 Simpson, Alexis
 Ward, Gerald

de Vries, Erica
 Murray, Kate
 Malloy, Dennis
 Reynolds, Ned
 Sorensen, Carrie
 Weinstein, Toni

Edgar, Michael
 Knab, Allison
 Manos, Zoe
 Read, Ellen
 Turer, Eric

Gilman, Julie
 Paige, Mark
 Meuse, David
 Scherr, Buzz
 Vallone, Mark

STRAFFORD

Bay, Luz
 Gilmore, Gary
 Johnson, Erik
 Smith, Marjorie
 Stone, John

Bixby, Peter
 Howard, Heath
 LaMontagne, Jessica
 Schmidt, Peter
 Pearson, Wayne

Burton, Wayne
 Horrigan, Timothy
 Larochelle, John
 Selig, Loren
 Wade, Alice

Butler, Billie
 Howland, Allan
 Levesque, Cassandra
 Southworth, Thomas
 Wall, Janet

SULLIVAN

Sullivan, Brian

Cloutier, John

Damon, Hope

Palmer, William

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

HB 1772-FN-A, relative to the state's participation in a multistate consortium to conduct clinical trials using ibogaine as an investigational new drug for the treatment of substance use disorder and other neurological or mental health conditions, and making an appropriation therefor. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: REFER FOR INTERIM STUDY.**

Rep. Matt Drew for the **Majority** of Health, Human Services and Elderly Affairs. Ibogaine is a schedule I psychoactive indole alkaloid derived from plants such as Tabernanthe iboga, characterized by hallucinogenic and oneirogenic effects. It is currently under investigation for treatment of substance abuse and psychological trauma. As amended, this bill simply permits Ibogaine to be prescribed in New Hampshire for investigational use only. Vote 10-8.

Rep. Tim Hartnett for the **Minority** of Health, Human Services and Elderly Affairs. It is the opinion of the minority that this bill should be Referred for Interim Study. It is unclear if the language in the amendment that it may be prescribed "for investigational use only" is a term of art or simply a phrase representing a broader nonspecific intent. Ibogaine is a Federal Drug Administration Schedule One substance. This means it is legally deemed to have a high potential for abuse; has no currently accepted medical use; and a lack of accepted safety standards for use under medical supervision. Ibogaine lacks a mature and conclusive scientific and research foundation. Clarification of the term "for investigational use only" is essential for the protection of patients and research subjects, and to ensure the research meets ethical legal and scientific standards. And ultimately to make sure that Ibogaine is not prescribed ineffectively or dangerously under the guise of "investigational use."

Majority Amendment (0365h)

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

AN ACT relative to prescribing ibogaine for investigational use only.

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

1 New Section; Ibogaine; Prescription for Investigational Use. Amend RSA 329 by inserting after section RSA 329:1-h the following new section:

329:1-i Ibogaine; Prescription for Investigational Use Only. Notwithstanding any provision of law to the contrary, physicians and other health care providers licensed to prescribe drugs in this state may prescribe ibogaine for investigational use only.

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

2026-0365h

AMENDED ANALYSIS

This bill permits health care providers to proscribe ibogaine for investigational use only.

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.

On a division vote, with 176 members having voted in the affirmative, and 156 in the negative, the majority committee report was adopted and the bill was ordered to third reading.

HB 1773-FN, relative to food and drink purchased under SNAP, the Supplemental Nutritional Assistance Program. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Steven Kesselring for the **Majority** of Health, Human Services and Elderly Affairs. This bill relates to food and drink purchased under SNAP, the Supplemental Nutrition Assistance Program. The bill modifies provisions governing the eligibility or regulation of certain candy and beverage purchases made with SNAP benefits. The amendment adjusts the definitions of “sweetened drink” and “candy” and incorporates language from similar legislation in the state of Oklahoma. The majority finds that the bill provides additional guidance and structure on allowable program purchases and may improve nutritional outcomes while maintaining access to essential food assistance benefits. Vote 10-8.

Rep. Jessica LaMontagne for the **Minority** of Health, Human Services and Elderly Affairs. Although a nutritional safeguard to the Supplemental Nutritional Assistance Program (SNAP) sounds like a reasonable idea, the amount of work required to prohibit certain sweetened drinks and candy for NH SNAP recipients will cost the state at least \$2.5 million to implement over the next few years. Currently NH neither codes the Electronic Benefit Transfer (EBT) cards nor monitors food choices. Restrictions on only certain grocery items will add expense and frustration to businesses and will likely lead some vendors to opt-out of the SNAP program. These will be more likely to be small stores that participants who lack reliable transportation may rely upon. One unfunded mandate in this bill is to establish “education and outreach programs to help SNAP recipients make healthy food choices.” The federal government has already eliminated any SNAP nutrition education funds so developing such a broad program will fall on the NH Department of Health and Human Services which is already operating with budget cuts and under a hiring freeze. Food purchases using SNAP are not widely different from food purchases not using SNAP so these restrictions are not likely to have a significant impact on overall food choices, only on participants’ total food budget. Another unfunded mandate is to undertake an evaluation plan of nutrition and health outcomes of the SNAP purchasing restrictions. Such an evaluation would be enormously expensive to undertake and nearly impossible to achieve given the myriad of factors that contribute to the nutritional and health status of any population. The whole premise is misleading as SNAP is primarily a financial assistance program. Federal changes to the SNAP program as a result of H.R. 1 (2025) (Pub. Law 119-21) are already coming our way in the next couple of years, transferring much of the cost onto the states. We don’t need to waste state funds to further muddle how we will deal with fewer resources that serve the most economically vulnerable in the state.

Majority Amendment (1019h)

Amend RSA 167:17-e, VI as inserted by section 1 of the bill by replacing it with the following:

VI. In this section:

(a) “Sweetened drink” means any nonalcoholic beverage that contains natural or artificial sweeteners, including soda, pop, cola, energy drinks, sports drinks, and flavored water, but excluding beverages that contain milk or milk substitutes, soy, rice, or similar dairy alternative ingredients, or that contain more than 50 percent, by volume, of fruit or vegetable juice. “Sweetened drink” shall not include coffee or unsweetened tea, 100 percent fruit or vegetable juice, or beverages containing more than 50 percent juice by volume, milk, milk substitutes, dairy-based drinks, or similar beverages.

(b) “Candy” means any solid, semi-solid, or molded preparation of sugar, sweeteners (natural or artificial), or chocolate, with or without added ingredients such as flavorings, fruit, nuts, or flour, that is commonly marketed, advertised, or recognized as candy, chocolate bar, chewing gum, or similar confectionery. “Candy” shall not include baked goods, cakes, cookies, muffins, brownies, pastries, bread, or similar products primarily identified and sold as bakery or bread products, regardless of sweetener content.

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. Weber requested a roll call; sufficiently seconded.

YEAS 161 - NAYS 173

YEAS - 161 BELKNAP

Aldrich, Glen
Harvey-Bolia, Juliet

Bogert, Steven
Ploszaj, Tom

Comtois, Barbara
Toner, Travis

Freeman, Lisa

CARROLL

Avellani, Lino
Brown, Richard

Belcher, Mike

Hamblen, Joseph

Peternel, Katy

CHESHIRE

Hunt, John
Qualey, James

Karasinski, Sly

Mattson, Rita

Nalevanko, Rich

COOS

Davis, Arnold
Tierney, James

Durkin, Sean
Tremblay, Marc

Ouellet, Mike

King, Seth

GRAFTON

Barton, Joseph
Sullivan, Jared
Spahr, Terry

Beaulier, Calvin
Ladd, Rick

Bjelobrck, Marie Louise
Louis, Darrell

Franz, Linda
McFarlane, Donald

HILLSBOROUGH

Alexander, Joe
Chourasia, Manoj
Creighton, James
Dumont, Dillon
Griffin, Gerald
Gould, Linda
Kofalt, Jim
Mazur, Lisa
Ohm, Bill
Post, Lisa
Scully, Kevin
Suiter, John
Ulery, Jordan

Barbour, Liz
Colcombe, Riché
Kelley, Diane
Dupont, Pierre
Gagne, Larry
Herbert, Christopher
Labrie, Brian
McLean, Mark
Paquette, Kathleen
Prout, Andrew
Sheehan, Vanessa
Tenczar, Jeffrey
Wherry, Robert

Berry, Ross
Cole, Brian
Daniels, Gary
Erf, Keith
Giasson, Henry
Kenny, Catherine
Lascelles, Richard
Morton, Jonathan
Pauer, Diane
Reinfurt, Sherri
Sirois, Shane
Mannion, Tim

Boehm, Ralph
Corcoran, Travis
Drew, Matt
Flanagan, Jack
Gorski, Ted
Kesselring, Steven
Murphy, Mary
Noble, Kristin
Peebles, Raymond
Rice, Kimberly
Slottje, Jeremy
Mannion, Tom

MERRIMACK

Aures, Cyril
Devoid, Ricky
Mehegan, Peter
Polozov, Yury
Thibault, James

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

Caplan, Tony
Hill, Gregory
Pitaro, Matthew
Schamberg, Thomas

McGuire, Dan
Leavitt, John
Plante, Raymond
See, Alvin

ROCKINGHAM

Ball, Lorie
DeSimone, Debra
Foote, Charles
Khan, Aboul
Layon, Erica
Mandelbaum, Jennifer
Nelson, Jodi
Porcelli, Susan
Sabourin dit Choinière, Matt
Summers, James
Verville, Kevin

Bernardy, JD
DeVito, Sayra
Guzowski, James
Kuttab, Katelyn
Love, David
McDonnell, Valerie
Osborne, Jason
Potucek, John
Selby, Donald
Sweeney, Joe
MacDonald, Wayne

Mannion, Dennis
Dunn, Ron
Harb, Robert
Miner, Laurence
Lynn, Bob
McGrath, Linda
Brown, Pam
Prudhomme-O'Brien, Katherine
Soti, Julius
Tripp, Richard
Weyler, Kenneth

Thomas, Douglas
Edwards, Jess
Katsakiores, Phyllis
Walsh, Lilli
Pearson, Mark
Nadeau, Brian
Popovici-Muller, Daniel
Pearson, Stephen
Spillane, James
Tudor, Paul
Wilson, Vicki

STRAFFORD

Bailey, Glenn
Farrington, Samuel
Potenza, Kelley

Burnham, Claudine
Granger, Michael
Turcotte, Len

DeLemus, Susan
Harrington, Michael
Walker, David

DeRoy, Susan
Kaczynski, Thomas

SULLIVAN

Drye, Margaret
Rollins, Skip

Grant, George
Spillsbury, Walter

Aron, Judy

Aron, Michael

NAYS - 173**BELKNAP**

Coker, Matthew

Nagel, David

St. Clair, Charlie

CARROLL

Burroughs, Anita
Woodcock, Stephen

Paige, David

MacDonald, John

Taylor, Brian

CHESHIRE

Ames, Dick
Murphy, Denis
Germana, Nicholas
Weber, Lucy

Berch, Paul
Faulkner, Barry
Newell, Jodi

Harvey, Cathryn
Jacobs, Samantha
O'Rorke, Terri

Fox, Dru
Jones, Philip
Parshall, Lucius

COOS

Korzen, Lori

GRAFTON

Almy, Susan
Cormen, Thomas
Lucas, Janet
Sellers, John

Baldwin, Heather
Fellows, Sallie
Muirhead, Russell
Stavis, Laurel

Berezhny, Lex
Fracht, David
Oppel, Thomas
Stringham, Jerry

Bolton, Bill
Hakken-Phillips, Mary
Rockmore, Ellen
Sykes, George

HILLSBOROUGH

Murray, Aissandra
Bergeron, Dan
Darby, Will
Davis, Fred
Grill, Jessica
Jack, Martin
Kluger, Lee Ann
Leishman, Peter
MacKenzie, Mark
Mooney, Maureen
Proulx, Mark
Rung, Rosemarie
Schneller, John
Telerski, Laura
Dolan, William

Ammon, Keith
Budathoki, Suraj
Dargie, Paul
Foss, Lily
Grund, Stephanie
Judy, Jean
Foxy, Loren
Lloyd, Christal
Manohar, Sanjeev
Murphy, Nancy
Newman, Ray
Ryan, Linda
Seibert, Christine
Tellez, Trinidad
Thomas, Wendy

Boyd, Bill
Chretien, Suzanne
DiSilvestro, Linda
Georges, Mary
Harriott-Gathright, Linda
Juris, Louis
Leapley, Nicole
Long, Patrick
McGhee, Kat
Petrigno, Peter
Raymond, Heather
Newman, Sue
Spier, Carry
Vail, Suzanne
Wheeler, Jonah

Beauchemin, Paige
Cornell, Patricia
Elberger, Susan
Gregg, Alicia
Hartnett, Tim
Kerwin, Erin
LeClerc, Daniel
Murray, Megan
Miles, Julie
Preece, David
Rombeau, Catherine
Salvi, Santosh
Staub, Kathy
Veilleux, Daniel
Wilhelm, Matthew

MERRIMACK

Aylward, Deborah
Gallager, Eric
Hall, Muriel
Sargent, Gregory
Wallner, Mary Jane

Bricchi, Tracy
Gibbs, Merryl
Newsom, James
Schultz, Kris
Woods, Gary

Kelly, Eileen
Lane, Connie
Richards, Beth
Snodgrass, Jim

Ebel, Karen
Luneau, David
Roesener, James
Soucy, Timothy

ROCKINGHAM

Bridle, Nicholas
Donnelly, Tanya
Murray, Kate
Maggiore, Jim
Meuse, David
Read, Ellen
Sytek, John
Vose, Michael

Bryer, Scott
Edgar, Michael
Knab, Allison
Malloy, Dennis
Milz, David
Scherr, Buzz
Turer, Eric
Ward, Gerald

Cahill, Michael
Gilman, Julie
Litchfield, Melissa
Manos, Zoe
Muns, Chris
Simpson, Alexis
Vallone, Mark
Weinstein, Toni

de Vries, Erica
Haskins, Linda
Paige, Mark
McMahon, Charles
Raynolds, Ned
Sorensen, Carrie
Vandecasteele, Susan

STRAFFORD

Bay, Luz
Gilmore, Gary
Johnson, Erik

Bixby, Peter
Howard, Heath
LaMontagne, Jessica

Burton, Wayne
Horriggan, Timothy
Larochelle, John

Butler, Billie
Howland, Allan
Levesque, Cassandra

Smith, Marjorie
Selig, Loren
Wade, Alice

Miller, Seth
Southworth, Thomas
Wall, Janet

Hall, Robley
Stone, John

Schmidt, Peter
Pearson, Wayne

SULLIVAN

Sullivan, Brian

Cloutier, John

Damon, Hope

Palmer, William

and the majority committee report failed.

Rep. LaMontagne moved Inexpedient to Legislate.

Motion was adopted.

HB 1797-FN, relative to eligibility for public assistance, including the New Hampshire employment program, family assistance program, and SNAP. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Jim Kofalt for the **Majority** of Health, Human Services and Elderly Affairs. As amended, this bill strengthens verification processes for the Supplemental Nutritional Assistance Program (SNAP program), ensuring that taxpayer-funded benefits are not provided to illegal aliens or to wealthy individuals who don't need public assistance. Vote 10-8.

Rep. Jessica LaMontagne for the **Minority** of Health, Human Services and Elderly Affairs. This fiscally irresponsible bill as amended by the committee will worsen the state budget and make the Department of Health and Human Services (DHHS) less efficient. The bill increases costs and prevents more NH residents from getting the help they need. Benefits will be cut. Food insecurity will increase. Unnecessary work will be created for DHHS that is already understaffed and under a hiring freeze. DHHS will no longer be able to use categorical eligibility for SNAP. Categorical eligibility means that if an applicant has already qualified for Temporary Assistance for Needy Families (TANF) or Medicaid, they are already verified for SNAP because the criteria are the same. Changing this policy makes the department invest twice the time for initial verification. More onerous is the requirement that the state develop new data-matching agreements with the following state agencies: the Lottery and Gaming Commission, the Secretary of State, the Division of Vital Records, the Department of Employment Security and the Department of Corrections. All this as well as data from federal agencies (the Social Security Administration and HUD) must be reviewed for all participants for any changes in their income or household membership on a monthly basis. These requirements are going to increase administrative costs by several millions of dollars and are not likely to result in significant changes in eligibility determination. For nearly all participants, their financial circumstances are not going to vary widely from month to month. It will result in many participants, or their caregivers, being unable to keep up with the tedious paperwork requirements. The bill also requires monthly review with Systematic Alien Verification for Entitlements (SAVE) to verify citizenship or immigration status, even for participants who have already verified citizenship once. All the cost of this extra bureaucracy will be put on the state, but we won't see a corresponding reduction in direct benefit expenses paid out because SNAP benefits are paid directly to the vendors by the federal government. Changes to the SNAP program are already coming as H.R.1 (2025) (Pub. Law 119-21) will increase the state share of administrative costs from 50% to 75% next year. In addition, states will have to pay for SNAP benefits directly if the payment error rate does not meet certain targets. This threat was used as a justification for this bill, however the department testified that the new eligibility rules, data sharing, and processing requirements might increase the error rate. The department has already done a good job at reducing the error rate in recent years to be close to the target rate. The minority believe we should let the department continue to do their work through their existing staff training and systems development, rather than impose these extreme unfunded mandates.

Majority Amendment (1027h)

Amend the bill by replacing section 1 with the following:

1 New Section; SNAP Benefit Eligibility Criteria and Verification Procedures. Amend RSA 167 by inserting after section 17-d the following new section:

167:17-e SNAP Benefit Eligibility Criteria and Verification Procedures.

I. The department of health and human services shall not seek any waiver of work requirements for able-bodied adults without dependents under 7 U.S.C. section 2015(o)(4), nor shall the department adopt any discretionary exemptions from the work requirement under 7 U.S.C. section 2015(o)(6)(E) without prior legislative approval.

II. Unless expressly required by federal law, the department of health and human services shall not:

(a) Grant categorical eligibility under 7 U.S.C. section 2014(a) or 7 C.F.R. section 273.2(j)(2)(ii) for any noncash, in-kind or other benefit.

(b) Apply gross income standards for SNAP higher than the standards specified in 7 U.S.C. section 2014(c).

(c) Apply asset standards for SNAP higher than the standards specified in 7 U.S.C. section 2014(g).

III. The department of health and human services shall enter into a data-matching agreement with the lottery and gaming commission to identify households with lottery or gambling winnings of \$3,000 or more and, to the extent permissible under federal law, treat this data as verified upon receipt. To the extent that the data may not be verified upon receipt, department shall make such referrals as may be necessary to identify households with winnings equal to or greater than the resource limit for elderly or disabled households as defined in 7 CFR 273.8(b).

IV. The department of health and human services shall enter into a data-sharing agreement with the secretary of state, division of vital records, to receive and review, on a monthly basis, information relative to individuals in households enrolled in SNAP that indicate a change in circumstances that may affect eligibility for SNAP.

V. The department shall enter into a data-sharing agreement with the department of employment security to receive and review, on at least a quarterly basis, information relative to individuals in households enrolled in SNAP that indicate a change in circumstances that may affect eligibility for SNAP, including but not limited to changes in employment or wages.

VI. The department shall enter into a data-sharing agreement with the department of corrections to receive and review, on at least a monthly basis, information relative to individuals in households enrolled in SNAP who indicated a change in circumstance that may affect eligibility, such as incarceration.

VII. The department shall enter into a data-sharing agreement with the department of employment security to receive and review, on at least a semi-monthly basis, information relative to individuals in households enrolled in SNAP who indicated a change in circumstance that may affect eligibility for SNAP, including but not limited to potential changes in employment, income, or assets.

VIII. The department shall review, on at least a monthly basis, earned income information, death register information, incarceration records, supplemental security income information, beneficiary records, earnings information, and pension information maintained by the United States Social Security administration to assess changes in circumstances for individuals in households enrolled in SNAP that indicates a changes may affect eligibility for SNAP.

IX. The department shall review, on at least a monthly basis, income and employment information maintained in the national directory of new hires database and child support enforcement data maintained by the United States Department of Health and Human Services to assess changes in circumstances for individuals in households enrolled in SNAP that indicate a changes that may affect eligibility for SNAP.

X. The department shall review, on at least a monthly basis, payment and earnings information maintained by the United States Department of Housing and Urban Development to assess changes in circumstances for individuals in households enrolled in SNAP that indicate a change in circumstances that may affect eligibility for SNAP.

XI. The department shall review, on at least a monthly basis, national fleeing felon information maintained by the United States Federal Bureau of Investigation to assess changes in circumstances for individuals in households enrolled in SNAP that indicate a change that may affect eligibility for SNAP.

XII. The department shall assign households with zero net income, households with an able-bodied adult without dependent member, or other households with circumstances that are deemed unstable by the department to eligibility certification periods of no greater than 4 months but generally no less than 3 months, as allowed pursuant to 7 CFR 273.10(f)(3)(ii).

XIII. The department shall utilize on at least a monthly basis the Systematic Alien Verification for Entitlements online service or any other federal database used to determine citizenship or immigration status to verify that an individual that is enrolled in or applying for SNAP benefits is a United States citizen or alien that is eligible for food stamps pursuant to 7 U.S.C. section 2015(f).

XIV. The department shall verify citizenship or qualified alien status pursuant to 7 U.S.C. section 2015(f) upon enrollment and during eligibility recertification with acceptable forms of proof of citizenship or qualified alien status including birth or hospital records, voter registration cards, U.S. passports, and United States Customs and Immigration Service documentation to verify citizenship or naturalization such as the Systematic Alien Verification for Entitlements online service.

XV. The department shall prohibit any individual from receiving SNAP benefits unless they are a citizen or a qualified alien eligible for SNAP pursuant to 7 U.S.C. section 2015(f) and refer the individual to the United States Customs and Immigration Services if it is determined by the department that an individual applying, receiving, or recertifying their eligibility for SNAP benefits in New Hampshire is an illegal alien.

2026-1027h
AMENDED ANALYSIS

This bill:

I. Strengthens work requirements for SNAP eligibility.

II. Directs the department of health and human services to enter into data-sharing agreements with other state agencies to verify SNAP benefit eligibility.

III. Directs the department to verify eligibility of enrollees that make exclusively out-of-state purchases.

IV. Prohibits the department from using their discretion to set more lenient standards for SNAP eligibility or exemptions than those outlined in federal law.

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. Weber requested a roll call; sufficiently seconded.

YEAS 172 - NAYS 161

YEAS - 172

BELKNAP

Aldrich, Glen
Freeman, Lisa

Bogert, Steven
Harvey-Bolia, Juliet

Coker, Matthew
Ploszaj, Tom

Comtois, Barbara
Toner, Travis

CARROLL

Avellani, Lino
Peternel, Katy

Belcher, Mike
Brown, Richard

Hamblen, Joseph
Taylor, Brian

MacDonald, John

CHESHIRE

Hunt, John
Qualey, James

Karasinski, Sly

Mattson, Rita

Nalevanko, Rich

COOS

Davis, Arnold
King, Seth

Durkin, Sean
Tierney, James

Korzen, Lori
Tremblay, Marc

Ouellet, Mike

GRAFTON

Barton, Joseph
Franz, Linda
Sellers, John

Beaulier, Calvin
Ladd, Rick

Berezhny, Lex
Louis, Darrell

Bjelobrk, Marie Louise
McFarlane, Donald

HILLSBOROUGH

Alexander, Joe
Berry, Ross
Corcoran, Travis
Drew, Matt
Griffin, Gerald
Gould, Linda
Labrie, Brian
McLean, Mark
Ohm, Bill
Post, Lisa
Schneller, John
Slottje, Jeremy
Mannion, Tom

Ammon, Keith
Boehm, Ralph
Creighton, James
Dumont, Dillon
Gagne, Larry
Kenny, Catherine
Lascelles, Richard
Mooney, Maureen
Paquette, Kathleen
Prout, Andrew
Scully, Kevin
Suiter, John
Ulery, Jordan

Boyd, Bill
Colcombe, Riché
Kelley, Diane
Dupont, Pierre
Giasson, Henry
Kesselring, Steven
Murphy, Mary
Morton, Jonathan
Pauer, Diane
Reinfurt, Sherri
Sheehan, Vanessa
Tenczar, Jeffrey
Wherry, Robert

Barbour, Liz
Cole, Brian
Daniels, Gary
Erf, Keith
Gorski, Ted
Kofalt, Jim
Mazur, Lisa
Noble, Kristin
Peeples, Raymond
Rice, Kimberly
Sirois, Shane
Mannion, Tim

MERRIMACK

Aures, Cyril
Devoid, Ricky
Mehegan, Peter
Polozov, Yury
Thibault, James

Aylward, Deborah
Gonzalez, Ernesto
Moffett, Michael
Boyd, Stephen
Wood, Clayton

McGuire, Carol
Hill, Gregory
Pitaro, Matthew
See, Alvin

McGuire, Dan
Leavitt, John
Plante, Raymond
Walsh, Thomas

ROCKINGHAM

Ball, Lorie
Thomas, Douglas
Edwards, Jess
Katsakiores, Phyllis
Walsh, Lilli
Lynn, Bob
McMahon, Charles
Brown, Pam
Prudhomme-O'Brien, Katherine
Soti, Julius
Sytek, John
Verville, Kevin
Wilson, Vicki

Bernardy, JD
DeSimone, Debra
Foote, Charles
Khan, Aboul
Layon, Erica
Pearson, Mark
Nadeau, Brian
Popovici-Muller, Daniel
Pearson, Stephen
Spillane, James
Tripp, Richard
Vose, Michael

Bryer, Scott
DeVito, Sayra
Guzofski, James
Kuttat, Katelyn
Litchfield, Melissa
McDonnell, Valerie
Nelson, Jodi
Porcelli, Susan
Sabourin dit Choinière, Matt
Summers, James
Tudor, Paul
MacDonald, Wayne

Mannion, Dennis
Dunn, Ron
Harb, Robert
Miner, Laurence
Love, David
McGrath, Linda
Osborne, Jason
Potucek, John
Selby, Donald
Sweeney, Joe
Vandecasteele, Susan
Weyler, Kenneth

STRAFFORD

Bailey, Glenn
Farrington, Samuel
Potenza, Kelley

Burnham, Claudine
Granger, Michael
Hall, Robley

DeLemus, Susan
Harrington, Michael
Turcotte, Len

DeRoy, Susan
Kaczynski, Thomas
Walker, David

SULLIVAN

Drye, Margaret
Rollins, Skip

Grant, George
Spilsbury, Walter

Aron, Judy

Aron, Michael

**NAYS - 161
BELKNAP**

Nagel, David

St. Clair, Charlie

CARROLL

Burroughs, Anita

Paige, David

Woodcock, Stephen

CHESHIRE

Ames, Dick
Murphy, Denis
Germana, Nicholas
Weber, Lucy

Berch, Paul
Faulkner, Barry
Newell, Jodi

Harvey, Cathryn
Jacobs, Samantha
O'Rorke, Terri

Fox, Dru
Jones, Philip
Parshall, Lucius

GRAFTON

Almy, Susan
Fellows, Sallie
Lucas, Janet
Spahr, Terry

Baldwin, Heather
Fracht, David
Muirhead, Russell
Stavis, Laurel

Bolton, Bill
Hakken-Phillips, Mary
Oppel, Thomas
Stringham, Jerry

Cormen, Thomas
Sullivan, Jared
Rockmore, Ellen
Sykes, George

HILLSBOROUGH

Murray, Alissandra
Chourasia, Manoj
Dargie, Paul
Foss, Lily
Grund, Stephanie
Jack, Martin
Kluger, Lee Ann
Leishman, Peter
MacKenzie, Mark
Murphy, Nancy
Newman, Ray
Ryan, Linda
Sofikitis, Catherine
Tellez, Trinidad
Wheeler, Jonah

Beauchemin, Paige
Chretien, Suzanne
DiSilvestro, Linda
Georges, Mary
Harriott-Gathright, Linda
Jeudy, Jean
Foxy, Loren
Lloyd, Christal
Manohar, Sanjeev
Petrigno, Peter
Raymond, Heather
Newman, Sue
Spier, Carry
Vail, Suzanne
Wilhelm, Matthew

Bergeron, Dan
Cornell, Patricia
Elberger, Susan
Gregg, Alicia
Hartnett, Tim
Juris, Louis
Leapley, Nicole
Long, Patrick
McGhee, Kat
Preece, David
Rombeau, Catherine
Salvi, Santosh
Staub, Kathy
Veilleux, Daniel

Budathoki, Suraj
Darby, Will
Davis, Fred
Grill, Jessica
Herbert, Christopher
Kerwin, Erin
LeClerc, Daniel
Murray, Megan
Miles, Julie
Proulx, Mark
Rung, Rosemarie
Seibert, Christine
Telerski, Laura
Dolan, William

MERRIMACK

Bricchi, Tracy
Gallager, Eric
Hall, Muriel
Sargent, Gregory
Soucy, Timothy

Caplan, Tony
Gibbs, Merryl
Newsom, James
Schamberg, Thomas
Wallner, Mary Jane

Kelly, Eileen
Lane, Connie
Richards, Beth
Schultz, Kris
Woods, Gary

Ebel, Karen
Luneau, David
Roesener, James
Snodgrass, Jim

ROCKINGHAM

Bridle, Nicholas
Edgar, Michael
Knab, Allison
Mandelbaum, Jennifer
Muns, Chris
Simpson, Alexis
Ward, Gerald

Cahill, Michael
Gilman, Julie
Paige, Mark
Manos, Zoe
Raynolds, Ned
Sorensen, Carrie
Weinstein, Toni

de Vries, Erica
Haskins, Linda
Maggiore, Jim
Meuse, David
Read, Ellen
Turer, Eric

Donnelly, Tanya
Murray, Kate
Malloy, Dennis
Milz, David
Scherr, Buzz
Vallone, Mark

STRAFFORD

Bay, Luz
Gilmore, Gary
Johnson, Erik
Miller, Seth
Stone, John

Bixby, Peter
Howard, Heath
LaMontagne, Jessica
Schmidt, Peter
Pearson, Wayne

Burton, Wayne
Horriggan, Timothy
Larochelle, John
Selig, Loren
Wade, Alice

Butler, Billie
Howland, Allan
Smith, Marjorie
Southworth, Thomas
Wall, Janet

SULLIVAN

Sullivan, Brian

Cloutier, John

Damon, Hope

Palmer, William

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

HB 1336-FN, allowing exceptions to the cap on residential security deposits for applicants not meeting standard approval criteria. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Joe Alexander for the **Majority** of Housing. The majority of the committee believes that this bill with amendment number 2026-0763h should be found Ought to Pass with Amendment. This bill was filed with the intent of finding alternate ways to give tenants the ability to acquire housing. This bill as amended would allow for a conditional deposit over and beyond a security deposit in specific situations in which the housing provider deemed that this tenant is at risk due to low credit or low rental history or a number of other clearly defined parameters. This bill is a careful compromise between New Hampshire Legal Assistance and the New Hampshire property owners association, and reflects weeks of negotiations between these two groups. This bill is intended for those that do not already have housing and are either on the streets or living somewhere else that is not ideal for them. This bill if enacted would hopefully alleviate a homeless crisis by allowing housing providers the opportunity to take a risk with a perspective, tenant by giving them safeguards. Vote 9-8. Rep. Erin Kerwin for the **Minority** of Housing. The minority of the committee is concerned that this bill as amended will create confusion, uneven compliance, and unintended consequences in an already strained rental market. The bill introduces additional complexity into security deposit arrangements and relies heavily on tenants fully understanding alternative financial structures at a time when they are under significant pressure to secure housing. In a competitive market, tenants often lack the bargaining power to question or negotiate terms, and public policy should not depend on renters navigating complicated arrangements in order to protect themselves. The minority is also concerned about compliance. The bill contains no meaningful enforcement mechanism to ensure consistent application, leaving tenants responsible for identifying and challenging violations. In practice, this is unlikely to provide reliable or equitable protection. Finally, testimony made clear that charitable organizations providing security deposit assistance operate with limited, one-time funds. Altering deposit structures could deplete those resources more quickly, reducing the number of households that can be served. At a time of persistent housing instability, policies that risk helping fewer families should not move forward. The minority recommends that this bill be found Inexpedient to Legislate.

Majority Amendment (0763h)

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

AN ACT relative to regulated conditional deposits.

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

1 New Subdivision; Regulated Conditional Deposits. Amend RSA 540-A by inserting after section 8 the following new subdivision:

Regulated Conditional Deposits

540-A:9 Regulated Conditional Deposits.

I. A regulated conditional deposit shall be treated as part of the security deposit for purposes of RSA 540-A:6 through RSA 540-A:8, except as otherwise specifically provided. Landlords may accept payment of a regulated conditional deposit in installments.

II. An applicant may offer, and a landlord may accept or suggest, a regulated conditional deposit if an applicant fails to meet the landlord's approval criteria, provided that the unmet criteria were disclosed prior to, or concurrently with, the submission of the rental application and payment of any application fees, and further provided that at least one of the following is true:

(a) The applicant's credit score fails to meet the landlord's requirements, and the landlord's minimum credit score requirement does not exceed 650.

(b) The applicant's combined verifiable household gross income from lawful sources, for any size household exceeds 350 percent of the federal poverty guidelines for a household size of 2 as reported annually by the United States Department of Health and Human Services and fails to meet the landlord's requirements, provided the landlord's minimum gross income requirement does not exceed 3 times the monthly rent.

(c) The applicant fails to meet the landlord's requirements regarding prior eviction proceedings, excluding cases dismissed without judgment against the tenant and excluding cases where the tenant provides a verifiable decision from the court that clearly states the basis for the eviction was for one of the following reasons:

(1) Lead abatement pursuant to RSA 540:2, II(f);

(2) Expiration of the lease pursuant to RSA 540:2, II(i); or

(3) Other good cause pursuant to RSA 540:2, II(e), where the other good cause was the landlord's intent to renovate the unit, to remove the unit from the rental market, or to transfer or sell the property absent tenants; the landlord's intent to lease the unit to relatives; the tenant's refusal to agree to a rent increase; or other reasons that are clearly not due to the fault of the tenant.

(d) The applicant fails to meet the landlord's requirements regarding outstanding unpaid judgments issued within 7 years of the tenant's application, unless the tenant verifiably demonstrates that he or she is in compliance with all orders or agreements for periodic payments on the judgments, and has maintained such compliance for the earlier of the preceding 12 months or until the judgments were paid in full.

(e) The prospective landlord was unable to verify the present landlord reference and the most recent prior landlord reference.

III. Nothing in this section shall be construed to:

(a) Compel a landlord to accept a regulated conditional deposit as a compensating factor;
 (b) Compel a landlord to approve an applicant who fails to meet their approval criteria; or
 (c) Limit a landlord's ability to set approval criteria at their discretion; provided, however, that a landlord may not accept a regulated conditional deposit on the basis of an approval criterion that is more restrictive than established under RSA 540-A:9, II. If no condition set forth under RSA 540-A:9, II applies, then the limits set forth under RSA 540-A:6, I shall apply.

IV. Prior to accepting a regulated conditional deposit, a landlord shall provide written notice to the applicant specifying the grounds for the regulated conditional deposit, informing the applicant of their right to request a re-screening under RSA 540-A:9, VI and disclosing any fees for re-screening.

V. The use of the following notice language, in at least 12-point type, provided prior to accepting a regulated conditional deposit, shall satisfy the notice requirements of RSA 540-A:9, IV:

USE OF REGULATED CONDITIONAL DEPOSIT

Regulated Conditional Deposit Definition:

RSA 540-A:5, V. "Regulated conditional deposit" means an amount accepted by a landlord pursuant to RSA 540-A:9, up to an additional one month's rent in excess of the limit set forth in RSA 540-A:6, I(a).

Regulated Conditional Deposit Notice:

The applicant does not meet one or more of the following application criteria from RSA 540-A:9, I. Indicate which one or more apply:

___(a) The applicant's credit score fails to meet the landlord's requirements, and the landlord's minimum credit score requirement does not exceed 650.

___(b) The applicant's combined verifiable household gross income from lawful sources, for any size household exceeds 350 percent of the federal poverty guidelines for a household size of 2 as reported annually by the United States Department of Health and Human Services and fails to meet the landlord's requirements provided the landlord's minimum gross income requirement does not exceed 3 times the monthly rent.

___(c) The applicant fails to meet the landlord's requirements regarding prior eviction proceedings, excluding cases dismissed without judgment against the tenant, and excluding cases where the tenant provides a verifiable decision from the court that clearly states the basis for the eviction was for one of the following reasons:

(1) Lead abatement pursuant to RSA 540:2, II(f);

(2) Expiration of the lease pursuant to RSA 540:2, II(i); or

(3) Other good cause pursuant to RSA 540:2, II(e), where the other good cause was the landlord's intent to renovate the unit, to remove the unit from the rental market, or to transfer or sell the property absent tenants; landlord's intent to lease the unit to relatives; tenant's refusal to agree to a rent increase; or other reason which is clearly not due to fault of the tenant.

___(d) The applicant fails to meet the landlord's requirements regarding outstanding unpaid judgments issued within 7 years of the tenant's application, unless the tenant verifiably demonstrates that he or she is in compliance with all orders or agreements for periodic payments on the judgments and has maintained such compliance for the earlier of the preceding 12 months or until the judgments were paid in full.

___(e) The prospective landlord was unable to verify present landlord reference and most recent prior landlord reference.

Regulated Conditional Deposit Re-Screening:

RSA 540-A:9, VI. A tenant who provided a regulated conditional deposit and who has not been in material breach of the lease, including nonpayment or late payments of monies owed, may submit a written request for re-screening at their own expense no more than once every 6 months in the case of RSA 540-A:9, I(a)-(d), and no more than once in any 12-month period in the case of RSA 540-A:9, I(e). If a tenant establishes that they meet the landlord's standard rental criteria, the landlord shall issue a refund of any regulated conditional deposit or apply any regulated conditional deposit to the tenant's future rental obligations within 30 days of the tenant's complete submission for re-screening.

The cost of re-screening is \$ _____.

Landlord has provided the regulated conditional deposit notices above.

Tenant acknowledges receipt of the regulated conditional deposit notices above.

Tenant Signature: _____ Date: _____

Landlord Signature: _____ Date: _____

VI. A tenant who provided a regulated conditional deposit and who has not been in material breach of the lease, including nonpayment or late payments of monies owed, may submit a written request for re-screening at their own expense no more than once every 6 months in the case of RSA 540-A:9, I(a)-(d), and no more than once in any 12-month period in the case of RSA 540-A:9, I(e). If a tenant establishes that they meet the landlord's standard rental criteria, the landlord shall issue a refund of any regulated conditional deposit or apply any regulated conditional deposit to the tenant's future rental obligations within 30 days of the tenant's complete submission for re-screening.

VII. The administrative office of the courts shall add to the aggregate data it reports the number of writs of possession issued monthly and annually in this state and the grounds upon which the writs of possession were issued.

2 New Subparagraph; Prohibited Practices and Security Deposits; Security Deposits; Remedies. Amend RSA 540-A:8, I by inserting after subparagraph (b) the following new subparagraph:

(c) Any landlord who does not comply with RSA 540-A:9 shall be deemed to have violated RSA 358-A:10, I.

3 Prohibited Practices and Security Deposits; Security Deposits; Procedure. Amend RSA 540-A:6, I(a) to read as follows:

I.(a) [A] ***Except as provided for in RSA 540-A:9, (a), a*** landlord shall not demand or receive any security deposit in an amount or value in excess of one month's rent [~~or \$100, whichever is greater~~]. Nothing in this section shall prohibit a landlord from entering into a written lease that requires the quarterly or less frequent payment of rent; provided, however, that the security deposit received in addition to the initial rent payment may not exceed the equivalent of one month's rent.

4 Prohibited Practices and Security Deposits; Security Deposits; Return of Security Deposit. Amend RSA 540-A:7, I to read as follows:

I.(a) Except as provided in RSA 540-A:6, IV(c) ***and RSA 540-A:7, I(a)***, a landlord shall return a security deposit to a tenant and pay the interest due, if any, within 30 days from the termination of the tenancy. If there are any damages to the premises, excluding reasonable wear and tear, the landlord may deduct the costs of repair from the security deposit. The landlord shall provide the tenant with a written, itemized list of any damages for which the landlord claims the tenant is liable, which shall indicate with particularity the nature of any repair necessary to correct any damage and satisfactory evidence that repair necessary to correct these damages has been or will be completed. Satisfactory evidence may include, but not be limited to, receipts for purchased repair materials and labor estimates, bills or invoices indicating the actual or estimated cost thereof.

(b) Any third-party payment on behalf of the tenant shall be disclosed to the landlord on or prior to receipt of such payment. If any portion of a security deposit was paid by a third party on behalf of the tenant, the landlord may return any refundable portion of such contribution to the third party in accordance with its written instructions, provided a copy of such instructions was delivered to the tenant in writing, including by electronic communications, prior to the tenant's acceptance of such contribution. Absent any agreement to the contrary, the landlord shall make any deductions first from tenant-paid funds and second from any known third-party funds. The landlord shall furnish an itemized statement of any deductions from third-party funds within 30 days of a written request by the third party. A landlord who, in good faith, apportions third-party funds in compliance with this section shall be discharged of liability related to such apportionment.

5 Prohibited Practices and Security Deposits; Security Deposits; Definitions. Amend RSA 540-A:5, II to read as follows:

II. "Security deposit" means all funds in excess of the monthly rent which are transferred from the tenant to the landlord for any purpose. ***A security deposit shall not include an advance payment of rent and shall not be required to be held in escrow, trust, or reserve. A landlord may accept an advance rent payment when such rent is applied to uninterrupted, consecutive rental periods, beginning with the first rental period that has not yet been paid.***

6 New Paragraph; Prohibited Practices and Security Deposits; Security Deposits; Definitions. Amend RSA 540-A:5 by inserting after paragraph IV the following new paragraph:

V. "Regulated conditional deposit" means an amount accepted by a landlord pursuant to RSA 540-A:9, up to an additional one month's rent in excess of the limit set forth in RSA 540-A:6, I(a).

7 Effective Date. This act shall take effect January 1, 2027.

2026-0763h

AMENDED ANALYSIS

This bill allows for the use of regulated conditional deposits by landlords and tenants and clarifies that advance rental payments need not be held in escrow, a trust, or a reserve account.

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.

MOTION TO LAY ON THE TABLE

Rep. David Paige moved that **HB 1336-FN**, relative to regulated conditional deposits, be laid on the table.

Rep. Sweeney requested a roll call; sufficiently seconded.

YEAS 157 - NAYS 177**YEAS - 157
BELKNAP**

Nagel, David

St. Clair, Charlie

Burroughs, Anita

Paige, David

Ames, Dick
Faulkner, Barry
Newell, JodiBerch, Paul
Jacobs, Samantha
O'Rorke, TerriAlmy, Susan
Fellows, Sallie
Lucas, Janet
Spahr, TerryBaldwin, Heather
Fracht, David
Muirhead, Russell
Stavis, LaurelMurray, Aissandra
Chourasia, Manoj
Dargie, Paul
Davis, Fred
Grill, Jessica
Herbert, Christopher
Kerwin, Erin
LeClerc, Daniel
MacKenzie, Mark
Petrigno, Peter
Rombeau, Catherine
Salvi, Santosh
Staub, Kathy
Veilleux, Daniel
Wilhelm, MatthewBeauchemin, Paige
Chretien, Suzanne
DiSilvestro, Linda
Foss, Lily
Grund, Stephanie
Jack, Martin
Kluger, Lee Ann
Leishman, Peter
Manohar, Sanjeev
Preece, David
Rung, Rosemarie
Seibert, Christine
Telerski, Laura
Dolan, WilliamBricchi, Tracy
Gallager, Eric
Hall, Muriel
Sargent, Gregory
Soucy, TimothyCaplan, Tony
Gibbs, Merryl
Newsom, James
Schamberg, Thomas
Wallner, Mary JaneCahill, Michael
Haskins, Linda
Maggiore, Jim
Muns, Chris
Read, Ellen
Turer, Ericde Vries, Erica
Murray, Kate
Malloy, Dennis
Popovici-Muller, Daniel
Scherr, Buzz
Vallone, MarkBay, Luz
Gilmore, Gary
Johnson, Erik
Smith, Marjorie
Southworth, Thomas
Wall, JanetBixby, Peter
Howard, Heath
LaMontagne, Jessica
Miller, Seth
Stone, John

Sullivan, Brian

Cloutier, John

Aldrich, Glen
Freeman, LisaBogert, Steven
Harvey-Bolia, JulietAvellani, Lino
Peternel, KatyBelcher, Mike
Brown, Richard**CARROLL**

Woodcock, Stephen

CHESHIREHarvey, Cathryn
Jones, Philip
Parshall, LuciusFox, Dru
Germana, Nicholas
Weber, Lucy**GRAFTON**Bolton, Bill
Hakken-Phillips, Mary
Oppel, Thomas
Sykes, GeorgeCormen, Thomas
Sullivan, Jared
Rockmore, Ellen**HILLSBOROUGH**Bergeron, Dan
Cornell, Patricia
Elberger, Susan
Georges, Mary
Harriott-Gathright, Linda
Judy, Jean
Foxy, Loren
Lloyd, Christal
McGhee, Kat
Newman, Ray
Ryan, Linda
Sofikitis, Catherine
Tellez, Trinidad
Thomas, WendyBudathoki, Suraj
Darby, Will
Erf, Keith
Gregg, Alicia
Hartnett, Tim
Juris, Louis
Leapley, Nicole
Long, Patrick
Murphy, Nancy
Raymond, Heather
Newman, Sue
Spier, Carry
Vail, Suzanne
Wheeler, Jonah**MERRIMACK**Kelly, Eileen
Lane, Connie
Richards, Beth
Schultz, Kris
Woods, GaryEbel, Karen
Luneau, David
Roesener, James
Snodgrass, Jim**ROCKINGHAM**Edgar, Michael
Knab, Allison
Manos, Zoe
Porcelli, Susan
Simpson, Alexis
Ward, GeraldGilman, Julie
Paige, Mark
Meuse, David
Raynolds, Ned
Sorensen, Carrie
Weinstein, Toni**STRAFFORD**Burton, Wayne
Horrigan, Timothy
Larochelle, John
Schmidt, Peter
Pearson, WayneButler, Billie
Howland, Allan
Levesque, Cassandra
Selig, Loren
Wade, Alice**SULLIVAN**

Damon, Hope

Palmer, William

**NAYS - 177
BELKNAP**Coker, Matthew
Ploszaj, TomComtois, Barbara
Toner, Travis**CARROLL**Hamblen, Joseph
Taylor, Brian

MacDonald, John

CHESHIRE

Murphy, Denis
Nalevanko, Rich

Hunt, John
Qualey, James

Karasinski, Sly

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Davis, Arnold
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Ulery, Jordan

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Harrington, Michael
Turcotte, Len

DeRoy, Susan
Kaczynski, Thomas
Walker, David

SULLIVAN

Drye, Margaret
Rollins, Skip

Grant, George
Spilsbury, Walter

Aron, Judy

Aron, Michael

and the motion failed.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.
Rep. Alexander offered floor amendment (1100h).

Floor Amendment (1100h)

Amend the bill by replacing sections 1-5 with the following:

1 New Subdivision; Regulated Conditional Deposits. Amend RSA 540-A by inserting after section 8 the following new subdivision:

Regulated Conditional Deposits

540-A:9 Regulated Conditional Deposits.

I. A regulated conditional deposit shall be treated as part of the security deposit for purposes of RSA 540-A:6 through RSA 540-A:8, except as otherwise specifically provided. Landlords may accept payment of a regulated conditional deposit in installments.

II. An applicant may offer, and a landlord may accept or suggest, a regulated conditional deposit if an applicant fails to meet the landlord's approval criteria, provided that the unmet criteria were disclosed prior to, or concurrently with, the submission of the rental application and payment of any application fees, and further provided that at least one of the following is true:

(a) The applicant's credit score fails to meet the landlord's requirements, and the landlord's minimum credit score requirement does not exceed 650.

(b) The applicant's combined verifiable household gross income from lawful sources, for any size household exceeds 350 percent of the federal poverty guidelines for a household size of 2 as reported annually by the United States Department of Health and Human Services and fails to meet the landlord's requirements, provided the landlord's minimum gross income requirement does not exceed 3 times the monthly rent.

(c) The applicant fails to meet the landlord's requirements regarding prior eviction proceedings, excluding cases dismissed without judgment against the applicant and excluding cases where the applicant provides a verifiable decision from the court that clearly states the basis for the eviction was for one of the following reasons:

(1) Lead abatement pursuant to RSA 540:2, II(f);

(2) Expiration of the lease pursuant to RSA 540:2, II(i); or

(3) Other good cause pursuant to RSA 540:2, II(e), where the other good cause was the landlord's intent to renovate the unit, to remove the unit from the rental market, or to transfer or sell the property absent tenants; the landlord's intent to lease the unit to relatives; the applicant's refusal to agree to a rent increase during a prior tenancy; or other reasons that are clearly not due to the fault of the applicant.

(d) The applicant fails to meet the landlord's requirements regarding outstanding unpaid judgments issued within 7 years of the application, unless the applicant verifiably demonstrates that he or she is in compliance with all orders or agreements for periodic payments on the judgments, and has maintained such compliance for the earlier of the preceding 12 months or until the judgments were paid in full.

(e) The prospective landlord was unable to verify the present landlord reference and the most recent prior landlord reference.

III. Nothing in this section shall be construed to:

(a) Compel a landlord to accept a regulated conditional deposit;

(b) Compel a landlord to approve an applicant who fails to meet their approval criteria; or

(c) Limit a landlord's ability to set approval criteria at their discretion; provided, however, that a landlord may not accept a regulated conditional deposit on the basis of an approval criterion that is more restrictive than established under RSA 540-A:9, II. If no condition set forth under RSA 540-A:9, II applies, then the limits set forth under RSA 540-A:6, I shall apply.

IV. Prior to accepting a regulated conditional deposit, a landlord shall provide written notice to the applicant specifying the reasons for requiring the regulated conditional deposit, informing the applicant of their right to request a re-screening under RSA 540-A:9, VI and disclosing any fees for re-screening.

V. The use of the following notice language, in at least 12-point type, provided prior to accepting a regulated conditional deposit, shall satisfy the notice requirements of RSA 540-A:9, IV:

USE OF REGULATED CONDITIONAL DEPOSIT

Regulated Conditional Deposit Definition:

RSA 540-A:5, V. "Regulated conditional deposit" means an amount accepted by a landlord pursuant to RSA 540-A:9, up to an additional one month's rent in excess of the limit set forth in RSA 540-A:6, I(a).

Regulated Conditional Deposit Notice:

The applicant does not meet one or more of the following application criteria from RSA 540-A:9, II. Indicate which one or more apply:

__ (a) The applicant's credit score fails to meet the landlord's requirements, and the landlord's minimum credit score requirement does not exceed 650.

__ (b) The applicant's combined verifiable household gross income from lawful sources, for any size household exceeds 350 percent of the federal poverty guidelines for a household size of 2 as reported annually by the United States Department of Health and Human Services and fails to meet the landlord's requirements provided the landlord's minimum gross income requirement does not exceed 3 times the monthly rent.

__ (c) The applicant fails to meet the landlord's requirements regarding prior eviction proceedings, excluding cases dismissed without judgment against the applicant, and excluding cases where the applicant provides a verifiable decision from the court that clearly states the basis for the eviction was for one of the following reasons:

(1) Lead abatement pursuant to RSA 540:2, II(f);

(2) Expiration of the lease pursuant to RSA 540:2, II(i); or

(3) Other good cause pursuant to RSA 540:2, II(e), where the other good cause was the landlord's intent to renovate the unit, to remove the unit from the rental market, or to transfer or sell the property absent tenants; landlord's intent to lease the unit to relatives; the applicant's refusal to agree to a rent increase during a prior tenancy; or other reasons that are clearly not due to fault of the applicant.

__ (d) The applicant fails to meet the landlord's requirements regarding outstanding unpaid judgments issued within 7 years of the application, unless the applicant verifiably demonstrates that he or she is in compliance with all orders or agreements for periodic payments on the judgments and has maintained such compliance for the earlier of the preceding 12 months or until the judgments were paid in full.

__ (e) The prospective landlord was unable to verify present landlord reference and most recent prior landlord reference.

Regulated Conditional Deposit Re-Screening:

RSA 540-A:9, VI. A tenant who provided a regulated conditional deposit and who has not been in material breach of the lease, including, but not limited to, nonpayment or late payments of monies owed, may submit a written request for re-screening at their own expense no more than once every 6 months in the case of RSA 540-A:9, II(a)-(d), and no more than once in any 12-month period in the case of RSA 540-A:9, II(e). If a tenant establishes that they meet the landlord's standard rental criteria, the landlord shall, at its option, issue a refund of any regulated conditional deposit or apply any regulated conditional deposit to the tenant's future rental obligations within 30 days of the tenant's complete submission for re-screening.

The cost of re-screening is \$_____.

Landlord has provided the regulated conditional deposit notices above.

Tenant acknowledges receipt of the regulated conditional deposit notices above.

Tenant Signature: _____ Date: _____

Landlord Signature: _____ Date: _____

VI. A tenant who provided a regulated conditional deposit and who has not been in material breach of the lease, including, but not limited to, nonpayment or late payments of monies owed, may submit a written request for re-screening at their own expense no more than once every 6 months in the case of RSA 540-A:9, II(a)-(d), and no more than once in any 12-month period in the case of RSA 540-A:9, II(e). If a tenant establishes that they meet the landlord's standard rental criteria, the landlord shall, at its option, issue a refund of any regulated conditional deposit or apply any regulated conditional deposit to the tenant's future rental obligations within 30 days of the tenant's complete submission for re-screening.

VII. The administrative office of the courts shall, on a quarterly basis, report for each circuit court:

(a) The number of writs of summons filed in possessory actions;

(b) The number of notices of default and the number of notices of judgments issued in favor of the landlord, each broken out by the grounds for eviction set forth in RSA 540:2, II; and

(c) The number of writs of possession issued in possessory actions.

2 New Subparagraph; Prohibited Practices and Security Deposits; Security Deposits; Remedies. Amend RSA 540-A:8, I by inserting after subparagraph (b) the following new subparagraph:

(c) Any landlord who does not comply with RSA 540-A:9 shall be deemed to have violated RSA 358-A:2 and be subject solely to the remedies set forth in RSA 358-A:10, I.

3 Prohibited Practices and Security Deposits; Security Deposits; Procedure. Amend RSA 540-A:6, I(a) to read as follows:

I.(a) [A] ***Except as provided for in RSA 540-A:9 and RSA 540-A:5, V, a*** landlord shall not demand or receive any security deposit in an amount or value in excess of one month's rent [~~or \$100, whichever is greater~~]. Nothing in this section shall prohibit a landlord from entering into a written lease that requires the quarterly or less frequent payment of rent; provided, however, that the security deposit received in addition to the initial rent payment may not exceed the equivalent of one month's rent.

4 Prohibited Practices and Security Deposits; Security Deposits; Return of Security Deposit. Amend RSA 540-A:7, I to read as follows:

I.(a) Except as provided in RSA 540-A:6, IV(c) ***and RSA 540-A:7, I(b)***, a landlord shall return a security deposit to a tenant and pay the interest due, if any, within 30 days from the termination of the tenancy. If there are any damages to the premises, excluding reasonable wear and tear, the landlord may deduct the costs of repair from the security deposit. The landlord shall provide the tenant with a written, itemized list of any damages for which the landlord claims the tenant is liable, which shall indicate with particularity the nature of any repair necessary to correct any damage and satisfactory evidence that repair necessary to correct these damages has been or will be completed. Satisfactory evidence may include, but not be limited to, receipts for purchased repair materials and labor estimates, bills or invoices indicating the actual or estimated cost thereof.

(b) If any portion of a security deposit was paid by a third party on behalf of the tenant, the landlord may return any refundable portion of such contribution to the third party in accordance with the third party's written instructions, provided a copy of such instructions was delivered to the tenant in writing or by electronic communication prior to the commencement of the tenancy. Absent any agreement to the contrary, the landlord shall make any deductions first from tenant-paid funds and second from any known third-party funds. The landlord shall furnish an itemized statement of any deductions from third-party funds within 30 days of a written request by the third party. A landlord who, in good faith, apportions third-party funds in compliance with this section shall be discharged of liability related to such apportionment.

5 Prohibited Practices and Security Deposits; Security Deposits; Definitions. Amend RSA 540-A:5, II to read as follows:

II. "Security deposit" means all funds in excess of the monthly rent which are transferred from the tenant to the landlord for any purpose. ***An advance payment of rent is not a security deposit and shall not be required to be held in escrow, trust, or reserve. A landlord may accept advance rent payments provided that such payments are applied to uninterrupted, consecutive rental periods, beginning with the first rental period that has not yet been paid.***

2026-1100h
AMENDED ANALYSIS

This bill allows for the use of regulated conditional deposits by landlords and tenants and clarifies that advance rental payments need not be held in escrow, a trust, or a reserve account.

The question being adoption of floor amendment (1100h)

Floor amendment (1100h) was adopted.

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

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

HB 1709-FN, relative to prohibiting the rental of residential property to individuals unlawfully present in the United States. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Calvin Beaulier for the **Majority** of Housing. As amended, this bill makes it an offense for convicted alien felons who have re-entered the country illegally to occupy or rent property in New Hampshire. Authority for state or local law enforcement to independently enforce immigration law against illegal alien felons has been granted to states under 8 U.S.C. 1252c, and does not require participation in the 287(g) program, nor does it violate federal preemption of immigration enforcement. The only requirement is authorization in state law to arrest illegal alien felons, and this bill provides one such authorization. The state will not need to independently investigate immigration status, which remains a federal prerogative, but can verify if an individual is an illegal alien felon through the Department of Homeland Security, which federal law directs to cooperate with state enforcement of 8 U.S.C. 1252c. This law also directs a sheriff serving a writ of possession as part of the eviction process to arrest an illegal alien felon should it be possible and safe to do so. Immigration and Customs Enforcement officials are often not aware of the location of illegal alien felons; by tying enforcement to the service of writs of possession, this bill provides a real opportunity to assist federal officials in locating and deporting these dangerous individuals. This bill applies only to illegal alien felons, and does not apply to individuals with other types of immigration status for which the federal government has preempted enforcement. This bill is needed to make it abundantly clear that illegal alien felons are not welcome in New Hampshire. One housing unit occupied by an illegal alien felon is one less home available to the people of New Hampshire. Vote 9-8.

Rep. Allan Howland for the **Minority** of Housing. This bill would make being an illegal alien with a felony conviction grounds for eviction. Individuals that meet this requirement are already classified as a risk to the public and are subject to immediate detention and deportation. For this reason, the minority of the committee felt that this bill was unnecessary and recommend Inexpedient to Legislate.

Majority Amendment (0943h)

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

AN ACT prohibiting certain unlawfully present felons from occupying or renting real property.

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

1 New Section; Prohibited Occupancy or Tenancy of Real Property by Certain Illegal Aliens. Amend RSA 540 by inserting after section 30 the following new section:

540:31 Prohibited Occupancy or Tenancy of Real Property by Certain Illegal Aliens.

I. An individual commits an offense if such individual is an occupant or tenant of real property who:

(a) Is an alien illegally present in the United States;

(b) Has previously been convicted of a felony in the United States and deported or left the United States after such conviction; and

(c) The status of such individual is confirmed by the Department of Homeland Security pursuant to 8 United States Code, section 1252c.

II. Any individual who violates paragraph I shall be guilty of a class A misdemeanor.

III. A sheriff shall, to the extent possible and their ability to safely do so, arrest any individual discovered during service of the writ of possession under RSA 540:14 to be in violation of paragraph I or otherwise subject to arrest under 8 United States Code, section 1252c.

IV. If any provision of this section or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the section which can be given effect without the invalid provision or application, and to this end the provisions of this section are declared to be severable.

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

2026-0943h
AMENDED ANALYSIS

This bill prohibits certain unlawfully present aliens with prior felony convictions from occupying or renting real property and authorizes sheriffs to arrest such individuals during service of a writ of possession.

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. Read moved that **HB 1709-FN**, prohibiting certain unlawfully present felons from occupying or renting real property, be laid on the table.
Rep. Giasson requested a roll call; sufficiently seconded.

Bay, Luz	Bixby, Peter	Burton, Wayne	Butler, Billie
Gilmore, Gary	Horrigan, Timothy	Howland, Allan	Johnson, Erik

LaMontagne, Jessica
Miller, Seth
Stone, John

Larochelle, John
Schmidt, Peter
Pearson, Wayne

Levesque, Cassandra
Selig, Loren
Wade, Alice

Smith, Marjorie
Southworth, Thomas
Wall, Janet

SULLIVAN

Sullivan, Brian

Cloutier, John

Damon, Hope

Palmer, William

NAYS - 181

BELKNAP

Aldrich, Glen
Freeman, Lisa

Bogert, Steven
Harvey-Bolia, Juliet

Coker, Matthew
Ploszaj, Tom

Comtois, Barbara
Toner, Travis

CARROLL

Avellani, Lino
Peternel, Katy

Belcher, Mike
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Kesselring, Steven
MacKenzie, Mark
Miles, Julie
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Gallager, Eric
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Pearson, Stephen
Spillane, James
Tripp, Richard
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Murray, Kate
Miner, Laurence
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Osborne, Jason
Potucek, John
Selby, Donald
Sweeney, Joe
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Turcotte, Len

SULLIVAN

Drye, Margaret
Rollins, Skip

Grant, George
Spilsbury, Walter

Aron, Judy

Aron, Michael

and the motion failed.

Rep. Litchfield voted Yea and intended to vote Nay.

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

YEAS 181 - NAYS 154**YEAS - 181****BELKNAP**

Aldrich, Glen
Freeman, Lisa

Bogert, Steven
Harvey-Bolia, Juliet

Coker, Matthew
Ploszaj, Tom

Comtois, Barbara
Toner, Travis

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Peternel, Katy

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Ulery, Jordan

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Spillane, James
Tripp, Richard
Verville, Kevin
Wilson, Vicki

Bridle, Nicholas
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Edwards, Jess
Katsakiores, Phyllis
Walsh, Lilli
Lynn, Bob
McGrath, Linda
Nelson, Jodi
Porcelli, Susan
Sabourin dit Choinière, Matt
Summers, James
Tudor, Paul
Vose, Michael

Bryer, Scott
DeVito, Sayra
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Layon, Erica
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Osborne, Jason
Potucek, John
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DeLemus, Susan
Harrington, Michael
Turcotte, Len

DeRoy, Susan
Kaczynski, Thomas
Walker, David

SULLIVAN

Drye, Margaret
Rollins, Skip

Grant, George
Spilsbury, Walter

Aron, Judy

Aron, Michael

NAYS - 154**BELKNAP**

Nagel, David

St. Clair, Charlie

CARROLL

Burroughs, Anita

Paige, David

Woodcock, Stephen

CHESHIRE

Ames, Dick
Faulkner, Barry
Newell, Jodi

Berch, Paul
Jacobs, Samantha
O'Rorke, Terri

Harvey, Cathryn
Jones, Philip
Parshall, Lucius

Fox, Dru
Germana, Nicholas
Weber, Lucy

GRAFTON

Almy, Susan
Fellows, Sallie
Lucas, Janet
Spahr, Terry

Baldwin, Heather
Fracht, David
Muirhead, Russell
Stavis, Laurel

Bolton, Bill
Hakken-Phillips, Mary
Oppel, Thomas
Stringham, Jerry

Cormen, Thomas
Sullivan, Jared
Rockmore, Ellen
Sykes, George

HILLSBOROUGH

Murray, Alissandra
Chourasia, Manoj
Dargie, Paul
Foss, Lily
Grund, Stephanie
Jack, Martin
Kluger, Lee Ann
Leishman, Peter
MacKenzie, Mark
Petrigno, Peter
Rombeau, Catherine
Salvi, Santosh
Staub, Kathy
Veilleux, Daniel
Wilhelm, Matthew

Beauchemin, Paige
Chretien, Suzanne
DiSilvestro, Linda
Georges, Mary
Harriott-Gathright, Linda
Judy, Jean
Foxy, Loren
Lloyd, Christal
Manohar, Sanjeev
Preece, David
Rung, Rosemarie
Seibert, Christine
Telerski, Laura
Dolan, William

Bergeron, Dan
Cornell, Patricia
Elberger, Susan
Gregg, Alicia
Hartnett, Tim
Juris, Louis
Leapley, Nicole
Long, Patrick
McGhee, Kat
Newman, Ray
Ryan, Linda
Sofikitis, Catherine
Tellez, Trinidad
Thomas, Wendy

Budathoki, Suraj
Darby, Will
Davis, Fred
Grill, Jessica
Herbert, Christopher
Kerwin, Erin
LeClerc, Daniel
Murray, Megan
Murphy, Nancy
Raymond, Heather
Newman, Sue
Spier, Carry
Vail, Suzanne
Wheeler, Jonah

MERRIMACK

Bricchi, Tracy
Gallager, Eric
Hall, Muriel
Sargent, Gregory
Soucy, Timothy

Caplan, Tony
Gibbs, Merryl
Newsom, James
Schamberg, Thomas
Wallner, Mary Jane

Kelly, Eileen
Lane, Connie
Richards, Beth
Schultz, Kris
Woods, Gary

Ebel, Karen
Luneau, David
Roesener, James
Snodgrass, Jim

ROCKINGHAM

Cahill, Michael
Haskins, Linda
Maggiore, Jim
Muns, Chris
Simpson, Alexis
Weinstein, Toni

de Vries, Erica
Murray, Kate
Malloy, Dennis
Raynolds, Ned
Sorensen, Carrie

Edgar, Michael
Knab, Allison
Manos, Zoe
Read, Ellen
Turer, Eric

Gilman, Julie
Paige, Mark
Meuse, David
Scherr, Buzz
Ward, Gerald

STRAFFORD

Bay, Luz
Gilmore, Gary
LaMontagne, Jessica
Miller, Seth
Stone, John

Bixby, Peter
Howard, Heath
Larochelle, John
Schmidt, Peter
Pearson, Wayne

Burton, Wayne
Horriggan, Timothy
Levesque, Cassandra
Selig, Loren
Wade, Alice

Butler, Billie
Johnson, Erik
Smith, Marjorie
Southworth, Thomas
Wall, Janet

SULLIVAN

Sullivan, Brian

Cloutier, John

Damon, Hope

Palmer, William

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

(Representative Kofalt in the Chair)
MOTION TO REMOVE FROM THE TABLE

Rep. Newell moved that **HB 1067-FN**, relative to the mental health courts be removed from the table. On a division vote, with 145 members having voted in the affirmative, and 179 in the negative, the motion failed.

MOTION TO SPECIAL ORDER

Rep. Alexander moved that **HB 1681**, relative to the definition, inspection, and local approval of tiny houses and yurts as innovative housing structures, be made a Special Order to the next order of business. On a division vote, with 299 members having voted in the affirmative, and 28 in the negative, the motion was adopted.

BILL REMOVED FROM CONSENT CALENDAR

HB 1681, relative to the definition, inspection, and local approval of tiny houses and yurts as innovative housing structures. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Michael Aron for Housing. This bill establishes standards for innovative housing structures such as tiny houses, tiny houses on wheels, and yurts, and allows their use as single-family or accessory dwellings. It sets inspection and permitting requirements, authorizing municipal property tax assessments, and regulates transport. The committee worked with the State Fire Marshal, the New Hampshire Building Officials Association, tiny house and yurt builders, and the Department of Environmental Services to ensure that definitions, building code references, and safety standards conform to other state statutes without causing conflicts. By requiring adherence to the state building code, it ensures that people cannot just build an innovative housing structure from pallets and think that is safe or adequate. Vote 17-0.

Amendment (0998h)

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

1 New Subdivision; Innovative Housing Structures. Amend RSA 674 by inserting after section 80 the following new subdivision:

Innovative Housing Structures

674:81 Definitions.

I. As used in this subdivision:

(a) "Dwelling site" means the property where the innovative housing structure is or will be located when used as a dwelling unit.

(b) "Innovative housing structure" or "IHS" means a unique single residential unit such as a tiny house, tiny house on wheels, or a yurt.

(c) "Off-site construction" means, for the purposes of this subdivision, any tiny house of closed construction, which is made or assembled in manufacturing facilities off the building site, for installation, or assembly and installation, on the building site. This definition shall not be construed to include any structure labeled in accordance with the Federal Manufactured Housing Construction and Safety Standards Act of 1974, nor shall it include any recreational vehicle or park trailer as defined in American National Standards Institute A119.2, Standard for Recreational Vehicles, or American National Standards Institute A119.5, Standard for Park Trailers, or any building type not subject to the requirements of nationally recognized model building codes.

(d) "Tiny house" means a detached building used or intended to be used for human habitation, providing permanent provisions for living, sleeping, eating, cooking and sanitation that:

- (1) Is 600 square feet or less in floor area, excluding lofts;
- (2) Complies with the tiny home provisions of the state building code; and
- (3) Is constructed on a stable ground surface or foundation.

(e) "Tiny house on wheels" or "THOW" means a tiny house built on a trailer chassis without motive power. A THOW shall not be considered a camp trailer or recreational vehicle when constructed for human habitation.

(e) "Yurt" means, for the purposes of this subdivision, a style of tiny house that is a round or similar shape and is a freestanding structure modeled after traditional nomadic dwellings, constructed with contemporary materials and engineering for use as a permanent or long-term residence.

674:82 Location and Use.

I. A municipality may permit an innovative housing structure to be placed or erected on an individual house lot where single-family dwellings are allowed, or to be used as an accessory dwelling unit pursuant to RSA 674:72, subject to all applicable land use requirements.

II. Innovative housing structures shall be treated as single-family dwellings or accessory dwelling units for zoning purposes and shall meet all applicable state laws and regulations regarding drinking water supply and wastewater treatment and disposal.

674:83 Property Tax Assessment.

I. A municipality may assess and collect property tax for an innovative housing structure that:

- (a) Is affixed to the property, including by way of utility connection;
- (b) Is in a state of completeness or permanency;
- (c) Has been located on the property for more than 180 days.

II. If an innovative housing structure is removed from the property, the property owner shall notify the municipality for reassessment purposes.

674:84 Transportation of Mobile Structures.

I. If an innovative housing structure is permanently built on a flatbed trailer chassis for transportation to the dwelling site, and the trailer conforms to all vehicle trailer requirements for roadworthiness, the builder may use:

- (a) A dealer plate; or
- (b) A temporary trailer plate issued by the department of motor vehicles.

II. Such plates may be used to move the structure from the building site to the dwelling site or, if sold, from one dwelling site to another.

2 New Section; New Hampshire Building Code; Innovative Housing Structure Construction Document. Amend RSA 155-A by inserting after section 3-c the following new section:

155-A:3-d Innovative Housing Structure Construction Document Reviews and Inspections.

I. An innovative housing structure, as defined in RSA 674:81, constructed on the dwelling site shall comply with the state building code.

II. Where the innovative housing structure is off-site construction, construction document review and inspection of the manufactured elements shall comply with either:

- (a) Construction document review and inspection requirements of the state building code; or
- (b) Modular buildings pursuant to RSA 205-C.

III. If an innovative housing structure is off-site construction, construction document review and inspections may be performed by:

(a) The appointed building official in the New Hampshire municipality where the off-site construction facility is located, provided that the building official is certified as a residential building inspector by the International Code Council;

(b) Another approved agency in accordance with the state building code building site; or

(c) The state fire marshal or designee through the Modular Building program.

IV. The off-site construction approval issued under this subdivision for the manufactured elements, if conforming to state building code, shall be accepted by the local building official at the dwelling site for purposes of issuing a certificate of occupancy.

V. A municipality at the dwelling site may review submittal documents and inspection for compliance with the New Hampshire state building code for project elements other than manufactured elements.

3 New Paragraph; Sewage Disposal Systems; Rulemaking. Amend RSA 485-A:41 by inserting after paragraph V the following new paragraph:

VI. Adopt rules, pursuant to 541-A, regarding wastewater treatment and disposal for innovative housing structures as defined in 674:81.

4 New Paragraph; Modular Building Standards; Rulemaking. Amend RSA 205-C:4 by inserting after paragraph VII the following new paragraph:

VIII. Application of ICC/MBI Standard 1200 and ICC/MBI Standard 1205.

5 Amend RSA 205-C:1, XI to read as follows:

XI. "Modular building" means any building of closed construction, which is made or assembled in manufacturing facilities off the building site, for installation, or assembly and installation, on the building site. This definition shall not be construed to include any structure labeled in accordance with the Federal Manufactured Housing Construction and Safety Standards Act of 1974, nor shall it include single-wide structures under 750 square feet, provided that they are not for ~~residential or~~ classroom use, ***nor shall it include an innovative housing structure pursuant to RSA 674:81 unless the modular program is chosen by the applicant***, nor shall it include any recreational vehicle or park trailer as defined in American National Standards Institute A119.2, Standard for Recreational Vehicles, or A119.5, Standard for Park Trailers, or any building type not subject to the requirements of nationally recognized model building codes.

6 Building Code Review Board; State Building Code. The New Hampshire state building code review board shall amend the state building code to reflect section 1 through 5 of this act.

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

2026-0998h

AMENDED ANALYSIS

This bill establishes standards for innovative housing structures, including tiny houses, tiny houses on wheels, and yurts, authorizes their use as singlefamily or accessory dwellings, sets construction, inspection,

and offsite manufacturing requirements, provides for municipal property tax assessment, regulates transportation, and directs related rulemaking under the state building code and wastewater and modular building statutes.

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.
On a division vote, with 231 members having voted in the affirmative, and 99 in the negative, the committee report was adopted and the bill was ordered to third reading.

CACR 9, relating to the retirement age for judges. Providing that the mandatory judicial retirement age shall be increased from 70 to 75. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**
Rep. Bob Lynn for the **Majority** of Judiciary. This proposed constitutional amendment would increase the mandatory retirement ages for judges from 70 to 75. The age 70 age limit for judges has been part of the constitution since shortly after its adoption in 1784. At that time, life expectancy was significantly lower than 70, whereas today life expectancy for both men and women extends significantly past 70. Indeed, many members of the legislature serve with distinction well beyond age 70. The proposed amendment has bipartisan support; and the majority of the committee believes the change makes sense in order to prolong the valuable services provided to the state by members of the judiciary who remain fully capable of performing their duties to age 75. The majority also notes that in 2024, a similar amendment received broad public support, but fell just shy of the 2/3 majority needed for adoption. Vote 10-8.

Rep. Joe Alexander for the **Minority** of Judiciary. This resolution is not needed. In 2024 this same exact question was put to the voters and ultimately failed to clear the necessary 2/3 threshold to be enshrined in our state constitution. The judicial retirement age is currently 70 years old and the sponsor admitted there is no shortage of qualified professional lawyers in New Hampshire that are under the age of 70 that could serve as judges. The minority believes the age of 70 is sufficient and because there is no professional shortage there is no need to make this adjustment at this time.

The question being adoption of the majority committee report of Ought to Pass.
On a division vote, with 136 members having voted in the affirmative, and 185 in the negative, the motion of Ought to Pass failed lacking the necessary three-fifths vote.

Rep. Luneau declared a conflict of interest and did not participate in the vote.

HB 1115, adding a definition of citizen of New Hampshire. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Donald McFarlane for the **Majority** of Judiciary. The majority of the Judiciary Committee finds that this bill is a narrow, clarifying measure grounded in settled constitutional doctrine. The bill establishes a uniform statutory definition of “Citizen of New Hampshire” as a citizen of the United States who is domiciled in this state. This reflects black-letter law under Article IV and the Fourteenth Amendment, which make clear that state citizenship is derivative of national citizenship and domicile. The bill does not create new rights, remove existing rights, or alter voter eligibility or access to services: it simply ensures that when the legislature uses the word “citizen,” it does so with constitutional precision and consistency across the RSA. The committee further notes that undefined terms invite inconsistent interpretation by agencies and courts. By codifying the objective and longstanding legal standard of U.S. citizenship plus domicile, the bill restores clarity and prevents ad hoc expansion or dilution of the term. To the extent the minority suggests that the Fourteenth Amendment may require New Hampshire to allow persons who are not domiciled in New Hampshire to vote in this state, there is no support for this proposition. See *Wit v. Berman*, 306 F.3d 1256, 1261 (2d, Cir 2002) (“The domicile test for determining where citizens may vote dominates the election laws of most states.”). The accompanying amendment to RSA 110-B:81 ensures that clarification of citizenship does not unintentionally affect eligibility for the New Hampshire Medal of Honor, preserving recognition for those lawfully serving and domiciled in this state at the time of qualifying service. The committee is satisfied that this amendment meets with the approval of the New Hampshire Adjutant General. Vote 10-8.

Rep. Timothy Horrigan for the **Minority** of Judiciary. This bill seeks to add a formal definition of “citizen of New Hampshire” to all applicable statutes in New Hampshire. The first problem with this bill is the fact that New Hampshire is not an independent country with the power to grant citizenship. New Hampshire is just one of 50 states which make up a federal republic whose constitution states, according to the 14th Amendment: “All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside.” The bill uses a definition tied to domicile rather than residence. By elevating “domicile” — a technical legal concept that turns on intent to remain — into a formal statutory threshold, the bill invites heightened scrutiny of students, military personnel, newly arrived residents, and others whose living situations are not permanent or traditional. The 14th Amendment goes on to state: “No State shall make or enforce any law which shall abridge the privileges or immunities of citizens

of the United States[.]” This means that New Hampshire cannot discriminate against US Citizens who are residents of New Hampshire but domiciled elsewhere (or perhaps merely eligible to be domiciled elsewhere). While this bill is presented as a simple definitional clarification, defining a “Citizen of New Hampshire” as a US citizen domiciled in the state would likely create practical barriers for eligible voters. The formal definition also provides a clearer statutory basis for third-party voter challenges, potentially resulting in more hearings, disputes, and delays at the polls. This would shift the burden and risk onto lawful voters, increasing confusion, administrative friction, and the likelihood that eligible citizens — particularly those without ready access to documentation — may be deterred from participating in local and state elections. Aside from the voter-suppression issue, this bill would also create myriad legal difficulties for US citizens from other states who are merely visiting our state and/or doing business here. Finally, this bill is unnecessary and violates the constitutional principle that all within New Hampshire’s jurisdiction are entitled to equal protection of the laws.

Majority Amendment (0190h)

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

AN ACT adding a definition of citizen of New Hampshire and expanding the number of persons eligible for the New Hampshire medal of honor.

Amend the bill by inserting after section 1 the following and renumbering the original section 2 to read as 3:
2 Department of Military Affairs and Veterans Services; New Hampshire Medal of Honor. Amend the introductory paragraph of RSA 110-B:81, I to read as follows:

I. There is established a New Hampshire medal of honor, which may be awarded on behalf of the people of the state of New Hampshire to any New Hampshire citizen, *or any person lawfully serving under federal or state authority in the armed forces of the United States or the New Hampshire national guard who was a legal resident of New Hampshire at the time of the qualifying service*, who has given his or her life while in military service to protect and preserve the rights and freedoms of the people of New Hampshire on or after November 4, 1979, and while:

2026-0190h AMENDED ANALYSIS

This bill codifies a definition for “citizen of New Hampshire” to be applied throughout state statute and expands the number of persons eligible for the New Hampshire medal of honor.

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.
On a division vote, with 170 members having voted in the affirmative, and 157 in the negative, the majority committee report was adopted and the bill was ordered to third reading.

HB 1299, permitting classification of individuals based on biological sex under certain limited circumstances and establishing that certain biological sex distinctions do not qualify as discrimination. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Katelyn Kuttub for the **Majority** of Judiciary. This bill acknowledges New Hampshire’s fundamental commitment to treating all individuals without discrimination and with equal respect and dignity. It also acknowledges the importance of recognizing biological sex in certain circumstances for the physical safety and privacy rights of individuals, particularly in situations involving minors, although not limited to. The preservation of sex-based classifications in athletics is aimed at upholding the integrity of female sports and ensuring safe and fair competition. The three very limited circumstances where the consideration of biological sex is necessary to protect privacy and physical safety are (1) multiple user bathrooms and locker rooms, (2) athletic/sporting events where an advantage to biological males is recognized, and (3) facilities where an individual is committed involuntarily. However, the bill does not mandate classification based on biological sex; it simply allows for it if deemed necessary by the institution in question. As amended, the bill requires any state or local subdivision implementing its provisions with respect to bathrooms to provide at least one single occupancy bathroom in the same building, available for use by all persons regardless of gender. Vote 10-7.

Rep. Catherine Rombeau for the **Minority** of Judiciary. This bill would create exceptions to the sexual or gender identity protections under New Hampshire’s RSA 354-A:1, titled the “Law Against Discrimination.” It would allow “classification of persons based on biological sex” in three circumstances, including restrooms/locker rooms, sports participation, and correctional facilities. Nearly identical language has been vetoed three separate times, by two separate governors, under HB 396 in 2024, HB 148 in 2025, and SB 268 in 2026. Those veto statements cited a range of concerns, including questions of the need for such legislation, its vague language, the impracticality of implementation, and the potential to create an “exclusionary environment” for some citizens. The current bill remains equally vague in its language and dangerous in its construction. The

bill further raises significant privacy concerns regarding what an individual might be compelled to do or to provide in order to demonstrate their “biological sex.” Additionally, the bill does not prescribe how a person is to be treated in each of the three circumstances outlined, once their “biological sex” is ascertained. This would permit different treatment of the same individual by different entities in the same scenario at the same time. While the majority amendment would permit classification of bathrooms by “biological sex” only where a single-occupancy bathroom is also provided, it does not consider the sufficiency of such provision vis-à-vis the size of the facility/organization – *i.e.*, only one single-occupancy bathroom for 500 or more people in the building – or the privacy impact of waiting in line for such bathroom. The amendment also does not remedy any of the remaining definitional or enforceability deficiencies of the bill, particularly with regard to locker rooms and correctional facilities. Rather than offering some form of needed protection, the bill would endorse discrimination based on perception of physical appearances, endanger vulnerable populations, and likely lead to the very situations that it seeks to prevent.

Majority Amendment (0854h)

Amend RSA 354-A:1, II as inserted by section 1 of the bill by replacing it with the following:

II. The general court also finds that, notwithstanding New Hampshire’s fundamental commitment to treat all persons without discrimination and with equal dignity and respect, which commitment the legislature fully accepts and strongly endorses, there are certain limited circumstances in which classification of persons based on biological sex is proper because such classification serves the compelling state interests of protecting the privacy rights and physical safety of such persons and others. The legislature finds that permitting classification of persons based upon biological sex serves this compelling state interest in the 3 circumstances described in RSA 354-A:25-a.

Amend the bill by replacing section 2 with the following:

2 New Sections; Law Against Discrimination; Classification of Persons Based Upon Biological Sex. Amend RSA 354-A by adding after section 25 the following new sections:

354-A:25-a Classification of Persons Based Upon Biological Sex. Notwithstanding RSA 354-A:2, XIV-e or any other provision of this chapter or any other law or regulation, it shall not constitute unlawful discrimination based on sexual or gender identity for any person or organization, public or private, to classify based on biological sex with respect to the following matters:

I. In the construction, maintenance, operation, and use of lavatory facilities or locker rooms designed for usage by multiple persons at the same time, even if such facilities have individual urinals, stalls, or similar apparatus.

II. In athletic or sporting events or competitions in a sport or similar activity in which physical strength, speed, or endurance is generally recognized to give an advantage to biological males.

III. In the operation, maintenance, and use of facilities designed for usage as prisons, houses of correction, juvenile detention or commitment centers, mental health hospitals or treatment centers and like facilities to which persons may be committed involuntarily.

354-A:25-b Provision of Alternative Facilities. No instrumentality of state or local government or subdivision thereof, including public schools and public institutions of higher education, shall implement the provisions of RSA 354-A:25-a, I with respect to lavatory facilities unless such instrumentality or subdivision thereof provides in the same building to which the statute is applied at least one single occupancy bathroom available for use by all persons without regard to gender or sexual identity.

2026-0854h

AMENDED ANALYSIS

This bill:

I. Permits classification of individuals based on biological sex in lavatory facilities and locker rooms, sporting competitions, and detention facilities.

II. Establishes that such forms of separation based on biological sex do not qualify as discrimination.

III. Requires instrumentalities of state or local government that classify lavatory facilities based on biological sex also provide a single occupancy bathroom which may be used by all regardless of biological sex or gender identity.

The question being adoption of the majority committee amendment.

MOTION TO INDEFINITELY POSTPONE

Rep. Foss moved that **HB 1299**, permitting classification of individuals based on biological sex under certain limited circumstances and establishing that certain biological sex distinctions do not qualify as discrimination, be Indefinitely Postponed.

Rep. Sweeney requested a roll call; sufficiently seconded.

YEAS 156 - NAYS 171**YEAS - 156
BELKNAP**

Nagel, David

St. Clair, Charlie

Burroughs, Anita

Paige, David

Ames, Dick
Faulkner, Barry
O'Rorke, TerriBerch, Paul
Jones, Philip
Parshall, LuciusAlmy, Susan
Fellows, Sallie
Lucas, Janet
Spahr, TerryBaldwin, Heather
Fracht, David
Muirhead, Russell
Stavis, LaurelMurray, Alistandra
Chourasia, Manoj
Dargie, Paul
Foss, Lily
Grund, Stephanie
Jack, Martin
Kluger, Lee Ann
Leishman, Peter
MacKenzie, Mark
Petrigno, Peter
Rombeau, Catherine
Salvi, Santosh
Staub, Kathy
Veilleux, DanielBeauchemin, Paige
Chretien, Suzanne
DiSilvestro, Linda
Georges, Mary
Harriott-Gathright, Linda
Judy, Jean
Foxy, Loren
Lloyd, Christal
Manohar, Sanjeev
Preece, David
Rung, Rosemarie
Seibert, Christine
Telerski, Laura
Dolan, WilliamBricchi, Tracy
Gallager, Eric
Hall, Muriel
Sargent, Gregory
Soucy, TimothyCaplan, Tony
Gibbs, Merryl
Newsom, James
Schamberg, Thomas
Wallner, Mary JaneBridle, Nicholas
Gilman, Julie
Paige, Mark
Manos, Zoe
Read, Ellen
Turer, EricCahill, Michael
Haskins, Linda
Maggiore, Jim
Meuse, David
Scherr, Buzz
Ward, GeraldBay, Luz
Gilmore, Gary
Johnson, Erik
Smith, Marjorie
Southworth, Thomas
Wall, JanetBixby, Peter
Howard, Heath
LaMontagne, Jessica
Miller, Seth
Stone, John

Sullivan, Brian

Cloutier, John

Aldrich, Glen
Freeman, LisaBogert, Steven
Harvey-Bolia, JulietAvellani, Lino
Peternel, KatyBelcher, Mike
Brown, Richard**CARROLL**

Taylor, Brian

Woodcock, Stephen

CHESHIREHarvey, Cathryn
Germana, Nicholas
Weber, LucyFox, Dru
Newell, Jodi**GRAFTON**Bolton, Bill
Hakken-Phillips, Mary
Oppel, Thomas
Stringham, JerryCormen, Thomas
Sullivan, Jared
Rockmore, Ellen
Sykes, George**HILLSBOROUGH**Bergeron, Dan
Cornell, Patricia
Elberger, Susan
Gregg, Alicia
Hartnett, Tim
Juris, Louis
Leapley, Nicole
Long, Patrick
McGhee, Kat
Newman, Ray
Ryan, Linda
Sofikitis, Catherine
Tellez, Trinidad
Thomas, WendyBudathoki, Suraj
Darby, Will
Davis, Fred
Grill, Jessica
Herbert, Christopher
Kerwin, Erin
LeClerc, Daniel
Murray, Megan
Murphy, Nancy
Raymond, Heather
Newman, Sue
Spier, Carry
Vail, Suzanne
Wilhelm, Matthew**MERRIMACK**Kelly, Eileen
Lane, Connie
Richards, Beth
Schultz, Kris
Woods, GaryEbel, Karen
Luneau, David
Roesener, James
Snodgrass, Jim**ROCKINGHAM**de Vries, Erica
Murray, Kate
Malloy, Dennis
Muns, Chris
Simpson, Alexis
Weinstein, ToniEdgar, Michael
Knab, Allison
Mandelbaum, Jennifer
Raynolds, Ned
Sorensen, Carrie**STRAFFORD**Burton, Wayne
Horriggan, Timothy
Larochelle, John
Schmidt, Peter
Pearson, WayneButler, Billie
Howland, Allan
Levesque, Cassandra
Selig, Loren
Wade, Alice**SULLIVAN**

Damon, Hope

Palmer, William

**NAYS - 171
BELKNAP**Coker, Matthew
Ploszaj, TomComtois, Barbara
Toner, Travis**CARROLL**

Hamblen, Joseph

MacDonald, John

CHESHIRE

Murphy, Denis
Nalevanko, Rich

Hunt, John
Qualey, James

Karasinski, Sly

Mattson, Rita

COOS

Davis, Arnold
King, Seth

Durkin, Sean
Tierney, James

Korzen, Lori
Tremblay, Marc

Ouellet, Mike

GRAFTON

Barton, Joseph
Franz, Linda
Sellers, John

Beaulier, Calvin
Ladd, Rick

Berezhny, Lex
Louis, Darrell

Bjelobrk, Marie Louise
McFarlane, Donald

HILLSBOROUGH

Alexander, Joe
Berry, Ross
Kelley, Diane
Dupont, Pierre
Gagne, Larry
Kenny, Catherine
Murphy, Mary
Mooney, Maureen
Paquette, Kathleen
Proulx, Mark
Schneller, John
Slottje, Jeremy
Mannion, Tom

Ammon, Keith
Boehm, Ralph
Daniels, Gary
Erf, Keith
Giasson, Henry
Kesselring, Steven
Mazur, Lisa
Morton, Jonathan
Pauer, Diane
Prout, Andrew
Scully, Kevin
Suiter, John
Ulery, Jordan

Boyd, Bill
Cole, Brian
Drew, Matt
Flanagan, Jack
Gorski, Ted
Labrie, Brian
McLean, Mark
Noble, Kristin
Peeples, Raymond
Reinfurt, Sherri
Sheehan, Vanessa
Tenczar, Jeffrey
Wheeler, Jonah

Barbour, Liz
Creighton, James
Dumont, Dillon
Griffin, Gerald
Gould, Linda
Lascelles, Richard
Miles, Julie
Ohm, Bill
Post, Lisa
Rice, Kimberly
Sirois, Shane
Mannion, Tim
Wherry, Robert

MERRIMACK

Aures, Cyril
Devoid, Ricky
Mehegan, Peter
Polozov, Yury
Thibault, James

Aylward, Deborah
Gonzalez, Ernesto
Moffett, Michael
Boyd, Stephen
Wood, Clayton

McGuire, Carol
Hill, Gregory
Pitaro, Matthew
See, Alvin

McGuire, Dan
Leavitt, John
Plante, Raymond
Walsh, Thomas

ROCKINGHAM

Ball, Lorie
Thomas, Douglas
Edwards, Jess
Kuttab, Katelyn
Litchfield, Melissa
McDonnell, Valerie
Nadeau, Brian
Popovici-Muller, Daniel
Pearson, Stephen
Spillane, James
Tripp, Richard
MacDonald, Wayne

Bernardy, JD
DeSimone, Debra
Guzofski, James
Miner, Laurence
Love, David
McGrath, Linda
Nelson, Jodi
Porcelli, Susan
Sabourin dit Choinière, Matt
Summers, James
Tudor, Paul
Weyler, Kenneth

Bryer, Scott
DeVito, Sayra
Harb, Robert
Walsh, Lilli
Lynn, Bob
McMahon, Charles
Osborne, Jason
Potucek, John
Selby, Donald
Sweeney, Joe
Verville, Kevin
Wilson, Vicki

Mannion, Dennis
Donnelly, Tanya
Katsakiores, Phyllis
Layon, Erica
Pearson, Mark
Milz, David
Brown, Pam
Prudhomme-O'Brien, Katherine
Soti, Julius
Sytek, John
Vose, Michael

STRAFFORD

Bailey, Glenn
Farrington, Samuel
Potenza, Kelley

Burnham, Claudine
Granger, Michael
Hall, Robley

DeLemus, Susan
Harrington, Michael
Turcotte, Len

DeRoy, Susan
Kaczynski, Thomas
Walker, David

SULLIVAN

Drye, Margaret
Rollins, Skip

Grant, George
Spilsbury, Walter

Aron, Judy

Aron, Michael

and the motion failed.

The question now being adoption of the majority committee amendment.
Rep. Wade requested a roll call; sufficiently seconded.

YEAS 176 - NAYS 156**YEAS - 176****BELKNAP**

Aldrich, Glen
Freeman, Lisa

Bogert, Steven
Harvey-Bolia, Juliet

Coker, Matthew
Ploszaj, Tom

Comtois, Barbara
Toner, Travis

CARROLL

Avellani, Lino
Peternel, Katy

Belcher, Mike
Brown, Richard

Hamblen, Joseph
Taylor, Brian

MacDonald, John

CHESHIRE

Murphy, Denis
Nalevanko, Rich

Hunt, John
Qualey, James

Karasinski, Sly

Mattson, Rita

COOS

Davis, Arnold
King, Seth

Durkin, Sean
Tierney, James

Korzen, Lori
Tremblay, Marc

Ouellet, Mike

GRAFTON

Barton, Joseph
Franz, Linda
Sellers, John

Beaulier, Calvin
Ladd, Rick

Berezhny, Lex
Louis, Darrell

Bjelobrk, Marie Louise
McFarlane, Donald

HILLSBOROUGH

Alexander, Joe
Berry, Ross
Creighton, James
Dumont, Dillon
Griffin, Gerald
Gould, Linda
Lascelles, Richard
Miles, Julie
Ohm, Bill
Post, Lisa
Rice, Kimberly
Sirois, Shane
Mannion, Tim
Wherry, Robert

Ammon, Keith
Boehm, Ralph
Kelley, Diane
Dupont, Pierre
Gagne, Larry
Kenny, Catherine
Murphy, Mary
Mooney, Maureen
Paquette, Kathleen
Proulx, Mark
Schneller, John
Slottje, Jeremy
Mannion, Tom

Boyd, Bill
Colcombe, Riché
Daniels, Gary
Erf, Keith
Giasson, Henry
Kesselring, Steven
Mazur, Lisa
Morton, Jonathan
Pauer, Diane
Prout, Andrew
Scully, Kevin
Suiter, John
Ulery, Jordan

Barbour, Liz
Cole, Brian
Drew, Matt
Flanagan, Jack
Gorski, Ted
Labrie, Brian
McLean, Mark
Noble, Kristin
Peeples, Raymond
Reinfurt, Sherri
Sheehan, Vanessa
Tenczar, Jeffrey
Wheeler, Jonah

MERRIMACK

Aures, Cyril
Devoid, Ricky
Mehegan, Peter
Polozov, Yuri
Thibault, James

Aylward, Deborah
Gonzalez, Ernesto
Moffett, Michael
Boyd, Stephen
Wood, Clayton

McGuire, Carol
Hill, Gregory
Pitaro, Matthew
See, Alvin

McGuire, Dan
Leavitt, John
Plante, Raymond
Walsh, Thomas

ROCKINGHAM

Ball, Lorie
Thomas, Douglas
Dunn, Ron
Harb, Robert
Miner, Laurence
Love, David
McGrath, Linda
Nelson, Jodi
Porcelli, Susan
Sabourin dit Choinière, Matt
Summers, James
Tudor, Paul
Weyler, Kenneth

Bernardy, JD
DeSimone, Debra
Edwards, Jess
Katsakiores, Phyllis
Walsh, Lilli
Lynn, Bob
McMahon, Charles
Osborne, Jason
Potucek, John
Selby, Donald
Sweeney, Joe
Verville, Kevin
Wilson, Vicki

Bryer, Scott
DeVito, Sayra
Foote, Charles
Khan, Aboul
Layon, Erica
Pearson, Mark
Milz, David
Brown, Pam
Prudhomme-O'Brien, Katherine
Soti, Julius
Sytek, John
Vose, Michael

Mannion, Dennis
Donnelly, Tanya
Guzofski, James
Kuttab, Katelyn
Litchfield, Melissa
McDonnell, Valerie
Nadeau, Brian
Popovici-Muller, Daniel
Pearson, Stephen
Spillane, James
Tripp, Richard
MacDonald, Wayne

STRAFFORD

Bailey, Glenn
Farrington, Samuel
Potenza, Kelley

Burnham, Claudine
Granger, Michael
Hall, Robley

DeLemus, Susan
Harrington, Michael
Turcotte, Len

DeRoy, Susan
Kaczynski, Thomas
Walker, David

SULLIVAN

Drye, Margaret
Rollins, Skip

Grant, George
Spilsbury, Walter

Aron, Judy

Aron, Michael

**NAYS - 156
BELKNAP**

Nagel, David

St. Clair, Charlie

CARROLL

Burroughs, Anita

Paige, David

Woodcock, Stephen

CHESHIRE

Ames, Dick
Faulkner, Barry
O'Rorke, Terri

Berch, Paul
Jones, Philip
Parshall, Lucius

Harvey, Cathryn
Germana, Nicholas
Weber, Lucy

Fox, Dru
Newell, Jodi

GRAFTON

Almy, Susan
 Fellows, Sallie
 Lucas, Janet
 Spahr, Terry

Baldwin, Heather
 Fracht, David
 Muirhead, Russell
 Stavis, Laurel

Bolton, Bill
 Hakken-Phillips, Mary
 Oppel, Thomas
 Stringham, Jerry

Cormen, Thomas
 Sullivan, Jared
 Rockmore, Ellen
 Sykes, George

HILLSBOROUGH

Murray, Alissandra
 Chourasia, Manoj
 Dargie, Paul
 Foss, Lily
 Grund, Stephanie
 Jack, Martin
 Kluger, Lee Ann
 Leishman, Peter
 MacKenzie, Mark
 Petrigno, Peter
 Rombeau, Catherine
 Salvi, Santosh
 Staub, Kathy
 Veilleux, Daniel

Beauchemin, Paige
 Chretien, Suzanne
 DiSilvestro, Linda
 Georges, Mary
 Harriott-Gathright, Linda
 Judy, Jean
 Foxx, Loren
 Lloyd, Christal
 Manohar, Sanjeev
 Preece, David
 Rung, Rosemarie
 Seibert, Christine
 Teterski, Laura
 Dolan, William

Bergeron, Dan
 Cornell, Patricia
 Elberger, Susan
 Gregg, Alicia
 Hartnett, Tim
 Juris, Louis
 Leapey, Nicole
 Long, Patrick
 McGhee, Kat
 Newman, Ray
 Ryan, Linda
 Sofikitis, Catherine
 Tellez, Trinidad
 Thomas, Wendy

Budathoki, Suraj
 Darby, Will
 Davis, Fred
 Grill, Jessica
 Herbert, Christopher
 Kerwin, Erin
 LeClerc, Daniel
 Murray, Megan
 Murphy, Nancy
 Raymond, Heather
 Newman, Sue
 Spier, Carry
 Vail, Suzanne
 Wilhelm, Matthew

MERRIMACK

Bricchi, Tracy
 Gallagher, Eric
 Hall, Muriel
 Sargent, Gregory
 Soucy, Timothy

Caplan, Tony
 Gibbs, Merryl
 Newsom, James
 Schamberg, Thomas
 Wallner, Mary Jane

Kelly, Eileen
 Lane, Connie
 Richards, Beth
 Schultz, Kris
 Woods, Gary

Ebel, Karen
 Luneau, David
 Roesener, James
 Snodgrass, Jim

ROCKINGHAM

Bridle, Nicholas
 Gilman, Julie
 Paige, Mark
 Manos, Zoe
 Read, Ellen
 Turer, Eric

Cahill, Michael
 Haskins, Linda
 Maggiore, Jim
 Meuse, David
 Scherr, Buzz
 Vandecasteele, Susan

de Vries, Erica
 Murray, Kate
 Malloy, Dennis
 Muns, Chris
 Simpson, Alexis
 Ward, Gerald

Edgar, Michael
 Knab, Allison
 Mandelbaum, Jennifer
 Reynolds, Ned
 Sorensen, Carrie
 Weinstein, Toni

STRAFFORD

Bay, Luz
 Gilmore, Gary
 Johnson, Erik
 Smith, Marjorie
 Southworth, Thomas
 Wall, Janet

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

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

Butler, Billie
 Howland, Allan
 Levesque, Cassandra
 Selig, Loren
 Wade, Alice

SULLIVAN

Sullivan, Brian

Cloutier, John

Damon, Hope

Palmer, William

and the majority committee amendment was adopted.

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

YEAS 176 - NAYS 155**YEAS - 176****BELKNAP**

Aldrich, Glen
 Freeman, Lisa

Bogert, Steven
 Harvey-Bolia, Juliet

Coker, Matthew
 Ploszaj, Tom

Comtois, Barbara
 Toner, Travis

CARROLL

Avellani, Lino
 Peternel, Katy

Belcher, Mike
 Brown, Richard

Hamblen, Joseph
 Taylor, Brian

MacDonald, John

CHESHIRE

Murphy, Denis
 Nalevanko, Rich

Hunt, John
 Qualey, James

Karasinski, Sly

Mattson, Rita

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Davis, Arnold
 King, Seth

Durkin, Sean
 Tierney, James

Korzen, Lori
 Tremblay, Marc

Ouellet, Mike

GRAFTON

Barton, Joseph
Franz, Linda
Sellers, John

Beaulier, Calvin
Ladd, Rick

Berezhny, Lex
Louis, Darrell

Bjelobrck, Marie Louise
McFarlane, Donald

HILLSBOROUGH

Alexander, Joe
Berry, Ross
Creighton, James
Dumont, Dillon
Griffin, Gerald
Gould, Linda
Lascelles, Richard
Miles, Julie
Ohm, Bill
Post, Lisa
Rice, Kimberly
Sirois, Shane
Mannion, Tim
Wherry, Robert

Ammon, Keith
Boehm, Ralph
Kelley, Diane
Dupont, Pierre
Gagne, Larry
Kenny, Catherine
Murphy, Mary
Mooney, Maureen
Paquette, Kathleen
Proulx, Mark
Schneller, John
Slottje, Jeremy
Mannion, Tom

Boyd, Bill
Colcombe, Riché
Daniels, Gary
Erf, Keith
Giasson, Henry
Kesselring, Steven
Mazur, Lisa
Morton, Jonathan
Pauer, Diane
Prout, Andrew
Scully, Kevin
Suiter, John
Ulery, Jordan

Barbour, Liz
Cole, Brian
Drew, Matt
Flanagan, Jack
Gorski, Ted
Labrie, Brian
McLean, Mark
Noble, Kristin
Peeples, Raymond
Reinfurt, Sherri
Sheehan, Vanessa
Tenczar, Jeffrey
Wheeler, Jonah

MERRIMACK

Aures, Cyril
Devoid, Ricky
Mehegan, Peter
Polozov, Yury
Thibault, James

Aylward, Deborah
Gonzalez, Ernesto
Moffett, Michael
Boyd, Stephen
Wood, Clayton

McGuire, Carol
Hill, Gregory
Pitaro, Matthew
See, Alvin

McGuire, Dan
Leavitt, John
Plante, Raymond
Walsh, Thomas

ROCKINGHAM

Ball, Lorie
Thomas, Douglas
Dunn, Ron
Harb, Robert
Miner, Laurence
Love, David
McGrath, Linda
Nelson, Jodi
Porcelli, Susan
Sabourin dit Choinière, Matt
Summers, James
Tudor, Paul
Weyler, Kenneth

Bernardy, JD
DeSimone, Debra
Edwards, Jess
Katsakiores, Phyllis
Walsh, Lilli
Lynn, Bob
McMahon, Charles
Osborne, Jason
Potucek, John
Selby, Donald
Sweeney, Joe
Verville, Kevin
Wilson, Vicki

Bryer, Scott
DeVito, Sayra
Foote, Charles
Khan, Aboul
Layon, Erica
Pearson, Mark
Milz, David
Brown, Pam
Prudhomme-O'Brien, Katherine
Soti, Julius
Sytek, John
Vose, Michael

Mannion, Dennis
Donnelly, Tanya
Guzofski, James
Kuttab, Katelyn
Litchfield, Melissa
McDonnell, Valerie
Nadeau, Brian
Popovici-Muller, Daniel
Pearson, Stephen
Spillane, James
Tripp, Richard
MacDonald, Wayne

SULLIVAN

Drye, Margaret
Rollins, Skip

Grant, George
Spilsbury, Walter

Aron, Judy

Aron, Michael

**NAYS - 155
BELKNAP**

Nagel, David

St. Clair, Charlie

CARROLL

Burroughs, Anita

Paige, David

Woodcock, Stephen

CHESHIRE

Ames, Dick
Faulkner, Barry
O'Rourke, Terri

Berch, Paul
Jones, Philip
Parshall, Lucius

Harvey, Cathryn
Germana, Nicholas
Weber, Lucy

Fox, Dru
Newell, Jodi

GRAFTON

Almy, Susan
Fellows, Sallie
Lucas, Janet
Spahr, Terry

Baldwin, Heather
Fracht, David
Muirhead, Russell
Stavis, Laurel

Bolton, Bill
Hakken-Phillips, Mary
Oppel, Thomas
Stringham, Jerry

Cormen, Thomas
Sullivan, Jared
Rockmore, Ellen
Sykes, George

HILLSBOROUGH

Murray, Aissandra
Chourasia, Manoj
Dargie, Paul
Foss, Lily

Beauchemin, Paige
Chretien, Suzanne
DiSilvestro, Linda
Georges, Mary

Bergeron, Dan
Cornell, Patricia
Elberger, Susan
Gregg, Alicia

Budathoki, Suraj
Darby, Will
Davis, Fred
Grill, Jessica

Grund, Stephanie
Jack, Martin
Kluger, Lee Ann
Leishman, Peter
MacKenzie, Mark
Petrigno, Peter
Rombeau, Catherine
Salvi, Santosh
Telerski, Laura
Dolan, William

Harriott-Gathright, Linda
Jeudy, Jean
Foxy, Loren
Lloyd, Christal
Manohar, Sanjeev
Preece, David
Rung, Rosemarie
Sofikitis, Catherine
Tellez, Trinidad
Thomas, Wendy

Hartnett, Tim
Juris, Louis
Leapley, Nicole
Long, Patrick
McGhee, Kat
Newman, Ray
Ryan, Linda
Spier, Carry
Vail, Suzanne
Wilhelm, Matthew

Herbert, Christopher
Kerwin, Erin
LeClerc, Daniel
Murray, Megan
Murphy, Nancy
Raymond, Heather
Newman, Sue
Staub, Kathy
Veilleux, Daniel

MERRIMACK

Bricchi, Tracy
Gallager, Eric
Hall, Muriel
Sargent, Gregory
Soucy, Timothy

Caplan, Tony
Gibbs, Merryl
Newsom, James
Schamberg, Thomas
Wallner, Mary Jane

Kelly, Eileen
Lane, Connie
Richards, Beth
Schultz, Kris
Woods, Gary

Ebel, Karen
Luneau, David
Roesener, James
Snodgrass, Jim

ROCKINGHAM

Bridle, Nicholas
Gilman, Julie
Paige, Mark
Manos, Zoe
Read, Ellen
Turer, Eric

Cahill, Michael
Haskins, Linda
Maggiore, Jim
Meuse, David
Scherr, Buzz
Vandecasteele, Susan

de Vries, Erica
Murray, Kate
Malloy, Dennis
Muns, Chris
Simpson, Alexis
Ward, Gerald

Edgar, Michael
Knab, Allison
Mandelbaum, Jennifer
Raynolds, Ned
Sorensen, Carrie
Weinstein, Toni

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Johnson, Erik
Smith, Marjorie
Southworth, Thomas
Wall, Janet

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

Burton, Wayne
Horriggan, Timothy
Larochelle, John
Schmidt, Peter
Pearson, Wayne

Butler, Billie
Howland, Allan
Levesque, Cassandra
Selig, Loren
Wade, Alice

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 PRINT DEBATE

Rep. Germana moved that the debate on **HB 1299**, permitting classification of individuals based on biological sex under certain limited circumstances and establishing that certain biological sex distinctions do not qualify as discrimination be printed in the Permanent Journal.

Without objection, the Speaker ordered.

DEBATE ON HB 1299

Speaker Kofalt: For what reason does the member rise?

Representative Foss: To make a motion, Mr. Speaker.

Speaker Kofalt: State your motion.

Representative Foss: I move to lay HB 1299, or indefinitely postpone, please.

Speaker Kofalt: The motion is in order. The question is indefinite postponement on House Bill 1299.

Representative Foss: I would like a division, please.

Speaker Kofalt: A division has been requested. Members take your seats. Representative Sweeney has requested a roll call vote. Is that sufficiently seconded? It is sufficiently seconded. This will be a roll call vote. The House will come to order. The Chair recognizes Representative Foss for a parliamentary inquiry.

Representative Foss: Thank you, Mr. Speaker. Mr. Speaker, if I know that our constituents did not put us here to vote incessantly on duplicative legislation to solve a problem that does not exist, if I know that there is established legal precedent that separate, but equal facilities are not equal, and if I know that the state does not have the money to enter into any lawsuits as a result of such inequality, would I then press the green button to indefinitely postpone this unnecessary legislation?

Speaker Kofalt: Chair recognizes Representative Kuttab for a parliamentary inquiry.

Representative Kuttab: Thank you, Mr. Speaker. If I know that this legislation is not duplicative, and if I know that biological women belong in the restroom labeled women, and that biological men belong in the bathroom or locker room named labeled men, and if I further know that this bill provides for a single-use restroom for anybody who is unsure which they belong in, and finally, if I respect a woman's longstanding right to privacy and dignity, then would I now press the red button? Thank you, Mr. Speaker.

Speaker Kofalt: The question is on the motion of indefinite postponement for House Bill 1299. This is a roll call vote. If you're in favor, you'll press the green button. If you're opposed, you'll press the red button. Voting

stations are open for 30 seconds. Have all members present had an opportunity to vote? The House will attend to the state of the vote. With 156 voting in the affirmative, 171 voting in the negative, the motion fails. The question is on the amendment. The amendment is (0854h), printed in House Record 10, pages 161 to 162. Are you ready for the question? A division has been requested. This will be a division vote. Members, take your seats. Representative Wade has requested a roll call vote. Is that sufficiently seconded? That is sufficiently seconded. This will be a roll call vote. The House will come to order. The Chair recognizes Representative Roesener for a parliamentary inquiry.

Representative Roesener: Thank you, Mr. Speaker. If I know that laws that restrict people's rights must be grounded in evidence and necessity, and if I know that this amendment applies the constitutional standard of a compelling state interest and that this bill does not meet that standard, and therefore we should not be passing it, and finally, Mr. Speaker, if I know that offering separate single occupancy facilities does not solve civil rights concerns, especially when those facilities may be far away or inconvenient, and especially considering anyone who wants additional privacy can already choose to use those single occupancy facilities without legislating away anybody else's access, then would I urge this body to press the red button to vote no on this amendment. Thank you.

Speaker Kofalt: The Chair recognizes Representative Kuttub for a parliamentary inquiry.

Representative Kuttub: Thank you, Mr. Speaker. Mr. Speaker, if I know that all this amendment does is provide for a single-use stall bathroom for anybody who is unsure of which restroom they may belong in, then would I now press the green button? Thank you.

Speaker Kofalt: The question is on the adoption of the majority amendment on House Bill 1299. This is a roll call vote. If you're in favor, you'll press the green button. If you're opposed, you'll press the red button. Voting stations are open for 30 seconds. Have all members present had an opportunity to vote? The House will attend to the state of the vote. With 176 voting in the affirmative, 156 voting in the negative, the amendment is adopted. We are on to the main motion of majority motion Ought to Pass with amendment. Representative Weber has requested a roll call vote. Is that sufficiently seconded? It is sufficiently seconded. This will be a roll call vote. Members, take your seats. The House will come to order. The chair recognizes Representative Roesener for a parliamentary inquiry.

Representative Roesener: Thank you, Mr. Speaker. If I know that banning transgender people from public places in the areas in which it has been passed has never been shown to reduce any amount of violence, and if I know that this law claiming to protect privacy and safety would instead invite public policing of people's bodies based on appearance and therefore does not safeguard anybody's safety or privacy, and if I know that multiple bills like this have been described by governors in their vetoes as overly broad and impractical to enforce and that they seek to solve a problem that has not presented itself, finally, Mr. Speaker, while I may not know it, I highly suspect that the majority of ladies do not agree that I belong in the women's bathroom, then would I press the red button and vote no on this bill that is both unnecessary and unfair? Thank you.

Speaker Kofalt: The question is on the majority motion of Ought to Pass with Amendment on House Bill 1299. This is a roll call vote. If you're in favor, you will press the green button. If you're opposed, you'll press the red button. Voting stations are open for 30 seconds. Have all members present had an opportunity to vote? The House will attend to the state of the vote. With 176 voting in the affirmative, 155 voting in the negative, the motion is adopted.

HB 1313-FN, repealing buffer zones for reproductive health care facilities. MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Kevin Scully for the **Majority** of Judiciary. The majority believes that the current free speech ban in the vicinity of health care facilities providing abortion services is unconstitutional. A similar law in MA was struck down by the US Supreme Court (McCullen v. Coakley) as unconstitutional. Although this law has never been enforced in NH, its very existence has a chilling effect on free speech and is an affront to American culture and values, particularly in Live Free or Die NH. The current law also provides special rights to a type of private business that the state provides to no other private business, violating the concept of equal treatment under the law. The majority believes that protecting and encouraging the right of free speech actually reduces the possibility of people resorting to violence; if mouths are taped shut, people will seek other means of expression. Vote 10-8.

Rep. Marjorie Smith for the **Minority** of Judiciary. New Hampshire's law addressing buffer zones has been in effect since 2014. Unlike the Massachusetts law that was struck down by the Supreme Court, the New Hampshire law allows for a discretionary buffer that restricts a health center to create a patient safety zone as the facts and circumstances dictate. In 2022, Governor Sununu vetoed this same legislation, saying, that concerning the law, "we know of no instance where an individual or group has been harmed..." The New Hampshire law balances the competing constitutional rights of patient privacy and public safety. In the dozen years since the New Hampshire law went into effect, violence and harassment directed at abortion providers has increased exponentially. Providers work with police and local governments as they all hope that the violence that has occurred in other states does not occur here.

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

On a division vote, with 158 members having voted in the affirmative, and 170 in the negative, the motion failed.

Rep. Marjorie Smith moved Inexpedient to Legislate.

Rep. Granger requested a roll call; sufficiently seconded.

YEAS 171 - NAYS 163

YEAS - 171

BELKNAP

Coker, Matthew

Nagel, David

St. Clair, Charlie

CARROLL

Burroughs, Anita

Paige, David

Taylor, Brian

Woodcock, Stephen

CHESHIRE

Ames, Dick
Faulkner, Barry
Germana, Nicholas
Weber, Lucy

Berch, Paul
Hunt, John
Newell, Jodi

Harvey, Cathryn
Jacobs, Samantha
O'Rorke, Terri

Fox, Dru
Jones, Philip
Parshall, Lucius

GRAFTON

Almy, Susan
Fellows, Sallie
Lucas, Janet
Spahr, Terry

Baldwin, Heather
Fracht, David
Muirhead, Russell
Stavis, Laurel

Bolton, Bill
Hakken-Phillips, Mary
Oppel, Thomas
Stringham, Jerry

Cormen, Thomas
Sullivan, Jared
Rockmore, Ellen
Sykes, George

HILLSBOROUGH

Murray, Aissandra
Chourasia, Manoj
Dargie, Paul
Flanagan, Jack
Grill, Jessica
Herbert, Christopher
Kerwin, Erin
LeClerc, Daniel
Murray, Megan
Miles, Julie
Preece, David
Raymond, Heather
Newman, Sue
Spier, Carry
Vail, Suzanne
Wheeler, Jonah

Boyd, Bill
Chretien, Suzanne
DiSilvestro, Linda
Foss, Lily
Grund, Stephanie
Jack, Martin
Kluger, Lee Ann
Leishman, Peter
MacKenzie, Mark
Murphy, Nancy
Proulx, Mark
Rombeau, Catherine
Salvi, Santosh
Staub, Kathy
Veilleux, Daniel
Wilhelm, Matthew

Beauchemin, Paige
Cornell, Patricia
Elberger, Susan
Georges, Mary
Harriott-Gathright, Linda
Judy, Jean
Fox, Loren
Lloyd, Christal
Manohar, Sanjeev
Paquette, Kathleen
Prout, Andrew
Rung, Rosemarie
Seibert, Christine
Telerski, Laura
Dolan, William

Bergeron, Dan
Darby, Will
Davis, Fred
Gregg, Alicia
Hartnett, Tim
Juris, Louis
Leapley, Nicole
Long, Patrick
McGhee, Kat
Petrigno, Peter
Newman, Ray
Ryan, Linda
Sofikitis, Catherine
Tellez, Trinidad
Thomas, Wendy

MERRIMACK

Bricchi, Tracy
Gallager, Eric
Hall, Muriel
Sargent, Gregory
Soucy, Timothy

Caplan, Tony
Gibbs, Meryl
Newsom, James
Schamberg, Thomas
Wallner, Mary Jane

Kelly, Eileen
Lane, Connie
Richards, Beth
Schultz, Kris
Woods, Gary

Ebel, Karen
Luneau, David
Roesener, James
Snodgrass, Jim

ROCKINGHAM

Ball, Lorie
Donnelly, Tanya
Murray, Kate
Maggiore, Jim
Meuse, David
Read, Ellen
Turer, Eric
Weinstein, Toni

Bridle, Nicholas
Edgar, Michael
Knab, Allison
Malloy, Dennis
Muns, Chris
Scherr, Buzz
Vallone, Mark

Cahill, Michael
Gilman, Julie
Walsh, Lilli
Mandelbaum, Jennifer
Porcelli, Susan
Simpson, Alexis
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Manos, Zoe
Raynolds, Ned
Sorensen, Carrie
Ward, Gerald

STRAFFORD

Bay, Luz
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Johnson, Erik
Smith, Marjorie
Southworth, Thomas
Wall, Janet

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

Burton, Wayne
Horriggan, Timothy
Larochelle, John
Schmidt, Peter
Pearson, Wayne

Butler, Billie
Howland, Allan
Levesque, Cassandra
Selig, Loren
Wade, Alice

SULLIVAN

Sullivan, Brian

Cloutier, John

Damon, Hope

Palmer, William

NAYS - 163**BELKNAP**Aldrich, Glen
Harvey-Bolia, JulietBogert, Steven
Ploszaj, TomComtois, Barbara
Toner, Travis

Freeman, Lisa

CARROLLAvellani, Lino
Peternel, KatyBelcher, Mike
Brown, Richard

Hamblen, Joseph

MacDonald, John

CHESHIREMurphy, Denis
Qualey, James

Karasinski, Sly

Mattson, Rita

Nalevanko, Rich

COOSDavis, Arnold
King, SethDurkin, Sean
Tierney, JamesKorzen, Lori
Tremblay, Marc

Ouellet, Mike

GRAFTONBarton, Joseph
Franz, Linda
Sellers, JohnBeaulier, Calvin
Ladd, RickBerezhny, Lex
Louis, DarrellBjelobrk, Marie Louise
McFarlane, Donald**HILLSBOROUGH**Alexander, Joe
Boehm, Ralph
Creighton, James
Dumont, Dillon
Gagne, Larry
Kenny, Catherine
Murphy, Mary
Morton, Jonathan
Peeples, Raymond
Schneller, John
Slottje, Jeremy
Mannion, TomAmmon, Keith
Colcombe, Riché
Kelley, Diane
Dupont, Pierre
Giasson, Henry
Kesselring, Steven
Mazur, Lisa
Noble, Kristin
Post, Lisa
Scully, Kevin
Suiter, John
Ulery, JordanBarbour, Liz
Cole, Brian
Daniels, Gary
Erf, Keith
Gorski, Ted
Labrie, Brian
McLean, Mark
Ohm, Bill
Reinfurt, Sherri
Sheehan, Vanessa
Tenczar, Jeffrey
Wherry, RobertBerry, Ross
Corcoran, Travis
Drew, Matt
Griffin, Gerald
Gould, Linda
Lascelles, Richard
Mooney, Maureen
Pauer, Diane
Rice, Kimberly
Sirois, Shane
Mannion, Tim**MERRIMACK**Aures, Cyril
Devoid, Ricky
Moffett, Michael
Boyd, Stephen
Wood, ClaytonAylward, Deborah
Gonzalez, Ernesto
Pitaro, Matthew
See, AlvinMcGuire, Carol
Leavitt, John
Plante, Raymond
Walsh, ThomasMcGuire, Dan
Mehegan, Peter
Polozov, Yury
Thibault, James**ROCKINGHAM**Bernardy, JD
DeSimone, Debra
Foote, Charles
Khan, Aboul
Litchfield, Melissa
McDonnell, Valerie
Nadeau, Brian
Popovici-Muller, Daniel
Sabourin dit Choinière, Matt
Summers, James
Tudor, Paul
Weyler, KennethBryer, Scott
DeVito, Sayra
Guzofski, James
Kuttab, Katelyn
Love, David
McGrath, Linda
Nelson, Jodi
Potucek, John
Selby, Donald
Sweeney, Joe
Verville, Kevin
Wilson, VickiMannion, Dennis
Dunn, Ron
Harb, Robert
Miner, Laurence
Lynn, Bob
McMahon, Charles
Osborne, Jason
Prudhomme-O'Brien, Katherine
Soti, Julius
Sytek, John
Vose, MichaelThomas, Douglas
Edwards, Jess
Katsakiores, Phyllis
Layon, Erica
Pearson, Mark
Milz, David
Brown, Pam
Pearson, Stephen
Spillane, James
Tripp, Richard
MacDonald, Wayne**STRAFFORD**Bailey, Glenn
Farrington, Samuel
Potenza, KelleyBurnham, Claudine
Granger, Michael
Hall, RobleyDeLemus, Susan
Harrington, Michael
Turcotte, LenDeRoy, Susan
Kaczynski, Thomas
Walker, David**SULLIVAN**Drye, Margaret
Rollins, SkipGrant, George
Smith, StevenAron, Judy
Spilsbury, Walter

Aron, Michael

and the motion of Inexpedient to Legislate was adopted.

(Representative Steven Smith in the Chair)**MOTION TO SPECIAL ORDER**

Rep. Brian Sullivan moved that **HB 1704-FN**, permitting public employees to bargain individually with public employers without any intervention. be made a Special Order to the next order of business.

Rep. Sweeney requested a roll call; sufficiently seconded.

YEAS 167 - NAYS 164**YEAS - 167****BELKNAP**

Coker, Matthew

Nagel, David

St. Clair, Charlie

CARROLL

Burroughs, Anita

Paige, David

Woodcock, Stephen

CHESHIREAmes, Dick
Faulkner, Barry
Newell, JodiBerch, Paul
Jacobs, Samantha
O'Rorke, TerriHarvey, Cathryn
Jones, Philip
Parshall, LuciusFox, Dru
Germana, Nicholas
Weber, Lucy**GRAFTON**Almy, Susan
Fellows, Sallie
Sullivan, Jared
Rockmore, Ellen
Sykes, GeorgeBaldwin, Heather
Fracht, David
Lucas, Janet
Spahr, TerryBolton, Bill
Franz, Linda
Muirhead, Russell
Stavis, LaurelCormen, Thomas
Hakken-Phillips, Mary
Oppel, Thomas
Stringham, Jerry**HILLSBOROUGH**Murray, Aissandra
Budathoki, Suraj
Darby, Will
Davis, Fred
Grill, Jessica
Herbert, Christopher
Kerwin, Erin
LeClerc, Daniel
Murray, Megan
Murphy, Nancy
Newman, Ray
Ryan, Linda
Sofikitis, Catherine
Tellez, Trinidad
Thomas, WendyBoyd, Bill
Chourasia, Manoj
Dargie, Paul
Foss, Lily
Grund, Stephanie
Jack, Martin
Kluger, Lee Ann
Leishman, Peter
MacKenzie, Mark
Petrigno, Peter
Raymond, Heather
Newman, Sue
Spier, Carry
Vail, Suzanne
Wheeler, JonahBeauchemin, Paige
Chretien, Suzanne
DiSilvestro, Linda
Georges, Mary
Harriott-Gathright, Linda
Judy, Jean
Foxy, Loren
Lloyd, Christal
Manohar, Sanjeev
Preece, David
Rombeau, Catherine
Salvi, Santosh
Staub, Kathy
Veilleux, Daniel
Wilhelm, MatthewBergeron, Dan
Cornell, Patricia
Elberger, Susan
Gregg, Alicia
Hartnett, Tim
Juris, Louis
Leapley, Nicole
Long, Patrick
McGhee, Kat
Proulx, Mark
Rung, Rosemarie
Seibert, Christine
Telerski, Laura
Dolan, William**MERRIMACK**Bricchi, Tracy
Gallager, Eric
Hall, Muriel
Sargent, Gregory
Soucy, TimothyCaplan, Tony
Gibbs, Merryl
Newsom, James
Schamberg, Thomas
Wallner, Mary JaneKelly, Eileen
Lane, Connie
Richards, Beth
Schultz, Kris
Woods, GaryEbel, Karen
Luneau, David
Roesener, James
Snodgrass, Jim**ROCKINGHAM**Bridle, Nicholas
de Vries, Erica
Murray, Kate
Pearson, Mark
Meuse, David
Pearson, Stephen
Turer, Eric
Weinstein, ToniBryer, Scott
Edgar, Michael
Khan, Aboul
Maggiore, Jim
Muns, Chris
Scherr, Buzz
Vallone, MarkCahill, Michael
Gilman, Julie
Knab, Allison
Malloy, Dennis
Raynolds, Ned
Simpson, Alexis
Vandecasteele, SusanMannion, Dennis
Haskins, Linda
Paige, Mark
Manos, Zoe
Read, Ellen
Sorensen, Carrie
Ward, Gerald**STRAFFORD**Bay, Luz
Gilmore, Gary
Johnson, Erik
Smith, Marjorie
Southworth, Thomas
Wall, JanetBixby, Peter
Howard, Heath
LaMontagne, Jessica
Miller, Seth
Stone, JohnBurton, Wayne
Horriggan, Timothy
Larochele, John
Schmidt, Peter
Pearson, WayneButler, Billie
Howland, Allan
Levesque, Cassandra
Selig, Peter
Wade, Alice**SULLIVAN**

Sullivan, Brian

Cloutier, John

Damon, Hope

Palmer, William

NAYS - 164**BELKNAP**

Aldrich, Glen
Harvey-Bolia, Juliet

Bogert, Steven
Ploszaj, Tom

Comtois, Barbara
Toner, Travis

Freeman, Lisa

CARROLL

Avellani, Lino
Peternel, Katy

Belcher, Mike
Brown, Richard

Hamblen, Joseph
Taylor, Brian

MacDonald, John

CHESHIRE

Murphy, Denis
Nalevanko, Rich

Hunt, John
Qualey, James

Karasinski, Sly

Mattson, Rita

COOS

Davis, Arnold
King, Seth

Durkin, Sean
Tierney, James

Korzen, Lori
Tremblay, Marc

Ouellet, Mike

GRAFTON

Barton, Joseph
Ladd, Rick

Beaulier, Calvin
Louis, Darrell

Berezhny, Lex
McFarlane, Donald

Bjelobrk, Marie Louise
Sellers, John

HILLSBOROUGH

Alexander, Joe
Boehm, Ralph
Creighton, James
Dumont, Dillon
Griffin, Gerald
Gould, Linda
Labrie, Brian
McLean, Mark
Noble, Kristin
Peeples, Raymond
Schneller, John
Slottje, Jeremy
Mannion, Tom

Ammon, Keith
Colcombe, Riché
Kelley, Diane
Dupont, Pierre
Gagne, Larry
Kenny, Catherine
Lascelles, Richard
Miles, Julie
Ohm, Bill
Post, Lisa
Scully, Kevin
Suiter, John
Ulery, Jordan

Barbour, Liz
Cole, Brian
Daniels, Gary
Erf, Keith
Giasson, Henry
Kesselring, Steven
Murphy, Mary
Mooney, Maureen
Paquette, Kathleen
Prout, Andrew
Sheehan, Vanessa
Tenczar, Jeffrey
Wherry, Robert

Berry, Ross
Corcoran, Travis
Drew, Matt
Flanagan, Jack
Gorski, Ted
Kofalt, Jim
Mazur, Lisa
Morton, Jonathan
Pauer, Diane
Reinfurt, Sherri
Sirois, Shane
Mannion, Tim

MERRIMACK

Aures, Cyril
Devoid, Ricky
Mehegan, Peter
Polozov, Yury
Wood, Clayton

Aylward, Deborah
Gonzalez, Ernesto
Moffett, Michael
Boyd, Stephen

McGuire, Carol
Hill, Gregory
Pitaro, Matthew
See, Alvin

McGuire, Dan
Leavitt, John
Plante, Raymond
Thibault, James

ROCKINGHAM

Ball, Lorie
DeVito, Sayra
Guzofski, James
Miner, Laurence
Love, David
McGrath, Linda
Nelson, Jodi
Potucek, John
Soti, Julius
Sytek, John
Vose, Michael

Bernardy, JD
Donnelly, Tanya
Harb, Robert
Walsh, Lilli
Lynn, Bob
McMahon, Charles
Brown, Pam
Prudhomme-O'Brien, Katherine
Spillane, James
Tripp, Richard
MacDonald, Wayne

Thomas, Douglas
Dunn, Ron
Katsakiores, Phyllis
Layon, Erica
Mandelbaum, Jennifer
Milz, David
Popovici-Muller, Daniel
Sabourin dit Choinière, Matt
Summers, James
Tudor, Paul
Weyler, Kenneth

DeSimone, Debra
Edwards, Jess
Kuttab, Katelyn
Litchfield, Melissa
McDonnell, Valerie
Nadeau, Brian
Porcelli, Susan
Selby, Donald
Sweeney, Joe
Verville, Kevin
Wilson, Vicki

STRAFFORD

Bailey, Glenn
Farrington, Samuel
Hall, Robley

Burnham, Claudine
Granger, Michael
Turcotte, Len

DeLemus, Susan
Harrington, Michael
Walker, David

DeRoy, Susan
Kaczynski, Thomas

SULLIVAN

Drye, Margaret
Rollins, Skip

Grant, George
Spilsbury, Walter

Aron, Judy

Aron, Michael

And the motion was adopted.

SPECIAL ORDER

HB 1704-FN, permitting public employees to bargain individually with public employers without any intervention. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Mark Warden for the **Majority** of Labor, Industrial and Rehabilitative Services. This bill presents a forward-thinking solution to the modern recruitment crisis facing our public sector. This legislation empowers

public employees by granting them the voluntary right to negotiate their employment terms independently, providing a flexible alternative to the traditional “one-size-fits-all” collective bargaining agreement. By introducing this merit-based option, the bill directly addresses the talent attrition witnessed in essential agencies like the Department of Transportation, where rigid pay scales have historically made it impossible to compete with lucrative private-sector offers for specialized experts, such as snow plow operators. This is a complimentary option to organized labor. It is a pro-choice framework that leaves existing unions entirely untouched for those who prefer collective representation, while simultaneously allowing the state to recruit and retain high-impact “key employees” through market-competitive packages. By allowing public agencies to be as agile as their private-sector counterparts, we ensure that critical infrastructure projects are led by the best minds available without relying on expensive outside consultants. To ensure the continued stability of our essential safety services, this legislation specifically exempts firefighters, law enforcement, corrections officers, and emergency medical service personnel, focusing instead on modernizing the broader technical and professional workforce to ensure a more efficient, competitive, and robust state government. Vote 11-9. Rep. Brian Sullivan for the **Minority** of Labor, Industrial and Rehabilitative Services. The minority of the Labor, Industrial and Rehabilitations committee believe that this bill is an unnecessary and unworkable change to public sector bargaining law. Under current law, once certified, the union representing a bargaining unit has exclusive representation rights for all employees in the bargaining unit. This bill leaves the union bargaining unit in place, but allows individual employees to leave the bargaining unit and negotiate individually with the employer. This would force employers to bargain with the union and then also negotiate with any and all individual employees who demand it. This is an additional administrative burden that no public sector employer testified in favor of. This bill would also expose employers to substantial legal liability. The potential for claims of illegal discrimination pose a serious risk to employers. The bill specifically prevents employers from linking independently negotiated agreements with the wages or conditions of employment in a collective bargaining agreement. This effectively requires the employer to treat employees in the same position differently almost assuring that discrimination claims will be raised. The bill criminalizes routine labor relations activities. Some of these activities are forms of protected free speech under the First Amendment. These activities would be classified as class A misdemeanors punishable by fines and jail time. For these reasons the minority of the committee oppose the Ought to Pass recommendation and would support an Inexpedient to Legislate motion instead.

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

MOTION TO LAY ON THE TABLE

Rep. Creighton moved that **HB 1704-FN**, permitting public employees to bargain individually with public employers without any intervention, be laid on the table.

On a division vote, with 164 members having voted in the affirmative, and 171 in the negative, the motion failed.

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

Rep. Labrie offered floor amendment (0699h).

Floor Amendment (0699h)

Amend the bill by replacing section 3 with the following:

3 New Section; Public Employee Choice Act. Amend RSA 273 by inserting after section 11 the following new section:

273-A:11-a Public Employee Independent Bargaining.

I. For the purposes of this section:

(a) “Independent bargaining” shall mean negotiating with a public employer regarding wages, hours, grievance adjustments, or other employment terms without intervention of an employee organization or exclusive bargaining representative;

(1) “Independent bargaining” does not confer greater or lesser rights than employees in units with exclusive representation;

(2) “Independent bargaining” does not impose greater or lesser duties on employers than those owed to employees in units with exclusive representation;

(b) “Employee organization” shall mean any association, organization, or committee advocating for employees concerning wages, labor disputes, hours, or conditions of work;

(c) “Public employee” shall mean any person employed by the state of New Hampshire or a political subdivision, public school, authority, commission, board, or other public service entity;

(d) “Public employer” shall mean any state or local government, agency, instrumentality, school board, or other public entity employing one or more persons;

(e) “Collective bargaining” shall mean the mutual obligation of employer and certified exclusive bargaining representative to negotiate in good faith regarding wages, hours, and employment terms; and

(f) “Exclusive bargaining representative” shall mean any employee organization certified by the public employment labor relations board under RSA 273-A to represent employees in a bargaining unit.

II. For the purposes of this section, the following categories of public employees are exempt from independent bargaining rights:

(a) Law enforcement officers as defined in RSA 106-L:2;

(b) Firefighters;

(1) Firefighters shall include employees that:

(A) Have the authority and responsibility to engage in the prevention, control, or extinguishment of fires, and who perform activities that are required for and directly concerned with the prevention, control, or extinguishment of fires, including incidental non-firefighting functions;

(B) As a job requirement are fully certified as a firefighter by the New Hampshire fire standards and training commission; and

(C) As a job requirement meets all physical, mental, educational, and other qualifications for continuing certification as a firefighter that may be established by the certifying authority;

(2) Firefighters shall not include any persons employed auxiliary, intermittent, special, part-time, volunteer, call, or reserve firefighters;

(c) Emergency medical service personnel as defined in RSA 153-A:2, VI, with the exception of employees or members serving a private organization;

(d) State and county corrections officers that:

(1) Are responsible for the physical custody and security of inmates at a state or county correctional facility;

(2) Are authorized by law to use force to prevent escapes from such facility;

(3) As a job requirement are fully certified as a corrections officer by the New Hampshire police standards and training council; and

(4) As a job requirement meets all the physical, mental, educational, and other qualifications for continuing certification as a corrections officer that may be established by the certifying authority; and

(e) Any other category of employee for which federal law requires exclusive representation to preserve eligibility for federal funding.

III. Independent bargaining rights established under this paragraph shall not apply to exempt employees as defined in paragraph II. Employees in these exempt categories remain subject to exclusive representation under RSA 273-A. Independent bargaining rights established under this paragraph shall include:

(a) The right of employees to bargain independently;

(b) That no agreement between an employee organization and a public employer, nor any policy, may require employees who opt for independent bargaining to be represented by a union;

(c) That no collective bargaining agreement may limit an employee's ability to negotiate or adjust grievances directly;

(d) That only one exclusive bargaining representative may be certified per bargaining unit; and

(e) That no agreement may link wages or conditions of independent employees to unionized employees.

IV. If any provision of this section or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this section which can be given effect without the invalid provisions or applications, and to this end the provisions of this section are severable.

2026-0699h AMENDED ANALYSIS

This bill provides certain public employees with independent bargaining rights and authorizes said employees to engage in independent bargaining with employers free of any interference.

The question being adoption of floor amendment (0699h).

Rep. Sweeney requested a roll call; sufficiently seconded.

YEAS 165 - NAYS 171

YEAS - 165

BELKNAP

Aldrich, Glen
Harvey-Bolia, Juliet

Bogert, Steven
Ploszaj, Tom

Comtois, Barbara
Toner, Travis

Freeman, Lisa

CARROLL

Avellani, Lino
Peternel, Katy

Belcher, Mike
Brown, Richard

Hamblen, Joseph
Taylor, Brian

MacDonald, John

CHESHIRE

Murphy, Denis
Nalevanko, Rich

Hunt, John
Qualey, James

Karasinski, Sly

Mattson, Rita

COOS

Davis, Arnold
King, Seth

Durkin, Sean
Tierney, James

Korzen, Lori
Tremblay, Marc

Ouellet, Mike

GRAFTON

Barton, Joseph
Franz, Linda
Sellers, John

Beaulier, Calvin
Ladd, Rick

Berezhny, Lex
Louis, Darrell

Bjelobrk, Marie Louise
McFarlane, Donald

HILLSBOROUGH

Alexander, Joe
Boehm, Ralph
Creighton, James
Dumont, Dillon
Griffin, Gerald
Gould, Linda
Labrie, Brian
McLean, Mark
Noble, Kristin
Peeples, Raymond
Schneller, John
Slottje, Jeremy
Mannion, Tom

Ammon, Keith
Colcombe, Riché
Kelley, Diane
Dupont, Pierre
Gagne, Larry
Kenny, Catherine
Lascelles, Richard
Miles, Julie
Ohm, Bill
Post, Lisa
Scully, Kevin
Suiter, John
Ulery, Jordan

Barbour, Liz
Cole, Brian
Daniels, Gary
Erf, Keith
Giasson, Henry
Kesseling, Steven
Murphy, Mary
Mooney, Maureen
Paquette, Kathleen
Prout, Andrew
Sheehan, Vanessa
Tenczar, Jeffrey
Wherry, Robert

Berry, Ross
Corcoran, Travis
Drew, Matt
Flanagan, Jack
Gorski, Ted
Kofalt, Jim
Mazur, Lisa
Morton, Jonathan
Pauer, Diane
Reinfurt, Sherri
Sirois, Shane
Mannion, Tim

MERRIMACK

Aures, Cyril
Devoid, Ricky
Mehegan, Peter
Polozov, Yury
Thibault, James

Aylward, Deborah
Gonzalez, Ernesto
Moffett, Michael
Boyd, Stephen
Wood, Clayton

McGuire, Carol
Hill, Gregory
Pitaro, Matthew
See, Alvin

McGuire, Dan
Leavitt, John
Plante, Raymond
Walsh, Thomas

ROCKINGHAM

Ball, Lorie
DeVito, Sayra
Guzofski, James
Miner, Laurence
Love, David
McMahon, Charles
Brown, Pam
Prudhomme-O'Brien, Katherine
Spillane, James
Tripp, Richard
Weyler, Kenneth

Bernardy, JD
Donnelly, Tanya
Harb, Robert
Walsh, Lilli
Lynn, Bob
Milz, David
Popovici-Muller, Daniel
Sabourin dit Choinière, Matt
Summers, James
Tudor, Paul
Wilson, Vicki

Thomas, Douglas
Dunn, Ron
Katsakiores, Phyllis
Layon, Erica
McDonnell, Valerie
Nadeau, Brian
Porcelli, Susan
Selby, Donald
Sweeney, Joe
Verville, Kevin

DeSimone, Debra
Edwards, Jess
Kuttab, Katelyn
Litchfield, Melissa
McGrath, Linda
Osborne, Jason
Potucek, John
Soti, Julius
Sytek, John
MacDonald, Wayne

STRAFFORD

Bailey, Glenn
Farrington, Samuel
Potenza, Kelley

Burnham, Claudine
Granger, Michael
Hall, Robley

DeLemus, Susan
Harrington, Michael
Turcotte, Len

DeRoy, Susan
Kaczynski, Thomas
Walker, David

SULLIVAN

Drye, Margaret
Rollins, Skip

Grant, George
Spilsbury, Walter

Aron, Judy

Aron, Michael

NAYS - 171**BELKNAP**

Bordes, Mike

Coker, Matthew

Nagel, David

St. Clair, Charlie

CARROLL

Burroughs, Anita

Paige, David

Woodcock, Stephen

CHESHIRE

Ames, Dick
Faulkner, Barry
Newell, Jodi

Berch, Paul
Jacobs, Samantha
O'Rorke, Terri

Harvey, Cathryn
Jones, Philip
Parshall, Lucius

Fox, Dru
Germana, Nicholas
Weber, Lucy

GRAFTON

Almy, Susan
Fellows, Sallie
Lucas, Janet
Spahr, Terry

Baldwin, Heather
Fracht, David
Muirhead, Russell
Stavis, Laurel

Bolton, Bill
Hakken-Phillips, Mary
Oppel, Thomas
Stringham, Jerry

Cormen, Thomas
Sullivan, Jared
Rockmore, Ellen
Sykes, George

HILLSBOROUGH

Murray, Aissandra
 Budathoki, Suraj
 Darby, Will
 Davis, Fred
 Grill, Jessica
 Herbert, Christopher
 Kerwin, Erin
 LeClerc, Daniel
 Murray, Megan
 Murphy, Nancy
 Newman, Ray
 Ryan, Linda
 Sofikitis, Catherine
 Tellez, Trinidad
 Thomas, Wendy

Boyd, Bill
 Chourasia, Manoj
 Dargie, Paul
 Foss, Lily
 Grund, Stephanie
 Jack, Martin
 Kluger, Lee Ann
 Leishman, Peter
 MacKenzie, Mark
 Petrigno, Peter
 Raymond, Heather
 Newman, Sue
 Spier, Carry
 Vail, Suzanne
 Wheeler, Jonah

Beauchemin, Paige
 Chretien, Suzanne
 DiSilvestro, Linda
 Georges, Mary
 Harriott-Gathright, Linda
 Judy, Jean
 Fogg, Loren
 Lloyd, Christal
 Manohar, Sanjeev
 Preece, David
 Rombeau, Catherine
 Salvi, Santosh
 Staub, Kathy
 Veilleux, Daniel
 Wilhelm, Matthew

Bergeron, Dan
 Cornell, Patricia
 Elberger, Susan
 Gregg, Alicia
 Hartnett, Tim
 Juris, Louis
 Leapley, Nicole
 Long, Patrick
 McGhee, Kat
 Proulx, Mark
 Rung, Rosemarie
 Seibert, Christine
 Telerski, Laura
 Dolan, William

MERRIMACK

Bricchi, Tracy
 Gallager, Eric
 Hall, Muriel
 Sargent, Gregory
 Soucy, Timothy

Caplan, Tony
 Gibbs, Merryl
 Newsom, James
 Schamberg, Thomas
 Wallner, Mary Jane

Kelly, Eileen
 Lane, Connie
 Richards, Beth
 Schultz, Kris
 Woods, Gary

Ebel, Karen
 Luneau, David
 Roesener, James
 Snodgrass, Jim

ROCKINGHAM

Bridle, Nicholas
 de Vries, Erica
 Haskins, Linda
 Paige, Mark
 Mandelbaum, Jennifer
 Nelson, Jodi
 Scherr, Buzz
 Vallone, Mark
 Weinstein, Toni

Bryer, Scott
 Edgar, Michael
 Murray, Kate
 Pearson, Mark
 Manos, Zoe
 Reynolds, Ned
 Simpson, Alexis
 Vandecasteele, Susan

Cahill, Michael
 Foote, Charles
 Khan, Aboul
 Maggiore, Jim
 Meuse, David
 Read, Ellen
 Sorensen, Carrie
 Vose, Michael

Mannion, Dennis
 Gilman, Julie
 Knab, Allison
 Malloy, Dennis
 Muns, Chris
 Pearson, Stephen
 Turer, Eric
 Ward, Gerald

STRAFFORD

Bay, Luz
 Gilmore, Gary
 Johnson, Erik
 Smith, Marjorie
 Southworth, Thomas
 Wall, Janet

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

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

Butler, Billie
 Howland, Allan
 Levesque, Cassandra
 Selig, Loren
 Wade, Alice

SULLIVAN

Sullivan, Brian

Cloutier, John

Damon, Hope

Palmer, William

and floor amendment (0699h) failed.

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

MOTION TO INDEFINITELY POSTPONE

Rep. Brian Sullivan moved that **HB 1704-FN**, permitting public employees to bargain individually with public employers without any intervention, be Indefinitely Postponed.

Rep. Sweeney requested a roll call; sufficiently seconded.

YEAS 177 - NAYS 159**YEAS - 177****BELKNAP**

Bordes, Mike

Coker, Matthew

Nagel, David

St. Clair, Charlie

CARROLL

Burroughs, Anita

Paige, David

Taylor, Brian

Woodcock, Stephen

CHESHIRE

Ames, Dick
 Murphy, Denis
 Germana, Nicholas
 Weber, Lucy

Berch, Paul
 Faulkner, Barry
 Newell, Jodi

Harvey, Cathryn
 Jacobs, Samantha
 O'Rourke, Terri

Fox, Dru
 Jones, Philip
 Parshall, Lucius

GRAFTON

Almy, Susan
 Fellows, Sallie
 Lucas, Janet
 Spahr, Terry

Baldwin, Heather
 Fracht, David
 Muirhead, Russell
 Stavis, Laurel

Bolton, Bill
 Hakken-Phillips, Mary
 Oppel, Thomas
 Stringham, Jerry

Cormen, Thomas
 Sullivan, Jared
 Rockmore, Ellen
 Sykes, George

HILLSBOROUGH

Murray, Alissandra
 Boehm, Ralph
 Cornell, Patricia
 Elberger, Susan
 Gregg, Alicia
 Hartnett, Tim
 Juris, Louis
 Leapley, Nicole
 Long, Patrick
 McGhee, Kat
 Preece, David
 Rombeau, Catherine
 Salvi, Santosh
 Staub, Kathy
 Veilleux, Daniel
 Wilhelm, Matthew

Boyd, Bill
 Budathoki, Suraj
 Darby, Will
 Davis, Fred
 Grill, Jessica
 Herbert, Christopher
 Kerwin, Erin
 LeClerc, Daniel
 Murray, Megan
 Miles, Julie
 Proulx, Mark
 Rung, Rosemarie
 Seibert, Christine
 Teterski, Laura
 Dolan, William

Beauchemin, Paige
 Chourasia, Manoj
 Dargie, Paul
 Foss, Lily
 Grund, Stephanie
 Jack, Martin
 Kluger, Lee Ann
 Leishman, Peter
 MacKenzie, Mark
 Murphy, Nancy
 Newman, Ray
 Ryan, Linda
 Sofikitis, Catherine
 Tellez, Trinidad
 Thomas, Wendy

Bergeron, Dan
 Chretien, Suzanne
 DiSilvestro, Linda
 Georges, Mary
 Harriott-Gathright, Linda
 Jeudy, Jean
 Foxx, Loren
 Lloyd, Christal
 Manohar, Sanjeev
 Petrigno, Peter
 Raymond, Heather
 Newman, Sue
 Spier, Carry
 Vail, Suzanne
 Wheeler, Jonah

MERRIMACK

Bricchi, Tracy
 Gallager, Eric
 Hall, Muriel
 Sargent, Gregory
 Soucy, Timothy

Caplan, Tony
 Gibbs, Merryl
 Newsom, James
 Schamberg, Thomas
 Wallner, Mary Jane

Kelly, Eileen
 Lane, Connie
 Richards, Beth
 Schultz, Kris
 Woods, Gary

Ebel, Karen
 Luneau, David
 Roesener, James
 Snodgrass, Jim

ROCKINGHAM

Bridle, Nicholas
 de Vries, Erica
 Haskins, Linda
 Paige, Mark
 Mandelbaum, Jennifer
 Nelson, Jodi
 Pearson, Stephen
 Turer, Eric
 Ward, Gerald

Bryer, Scott
 Edgar, Michael
 Murray, Kate
 Pearson, Mark
 Manos, Zoe
 Porcelli, Susan
 Scherr, Buzz
 Vallone, Mark
 Weinstein, Toni

Cahill, Michael
 Foote, Charles
 Khan, Aboul
 Maggiore, Jim
 Meuse, David
 Reynolds, Ned
 Simpson, Alexis
 Vandecasteele, Susan

Mannion, Dennis
 Gilman, Julie
 Knab, Allison
 Malloy, Dennis
 Muns, Chris
 Read, Ellen
 Sorensen, Carrie
 Vose, Michael

STRAFFORD

Bay, Luz
 Gilmore, Gary
 Johnson, Erik
 Smith, Marjorie
 Southworth, Thomas
 Wall, Janet

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

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

Butler, Billie
 Howland, Allan
 Levesque, Cassandra
 Selig, Loren
 Wade, Alice

SULLIVAN

Sullivan, Brian
 Spilsbury, Walter

Cloutier, John

Damon, Hope

Palmer, William

NAYS - 159**BELKNAP**

Aldrich, Glen
 Harvey-Bolia, Juliet

Bogert, Steven
 Ploszaj, Tom

Comtois, Barbara
 Toner, Travis

Freeman, Lisa

CARROLL

Avellani, Lino
 Peternel, Katy

Belcher, Mike
 Brown, Richard

Hamblen, Joseph

MacDonald, John

CHESHIRE

Hunt, John
 Qualey, James

Karasinski, Sly

Mattson, Rita

Nalevanko, Rich

COOS

Davis, Arnold
 King, Seth

Durkin, Sean
 Tierney, James

Korzen, Lori
 Tremblay, Marc

Ouellet, Mike

GRAFTON

Barton, Joseph
Franz, Linda
Sellers, John

Beaulier, Calvin
Ladd, Rick

Berezhny, Lex
Louis, Darrell

Bjelobrk, Marie Louise
McFarlane, Donald

HILLSBOROUGH

Alexander, Joe
Colcombe, Riché
Kelley, Diane
Dupont, Pierre
Gagne, Larry
Kenny, Catherine
Lascelles, Richard
Mooney, Maureen
Paquette, Kathleen
Prout, Andrew
Sheehan, Vanessa
Tenczar, Jeffrey
Wherry, Robert

Ammon, Keith
Cole, Brian
Daniels, Gary
Erf, Keith
Giasson, Henry
Kesselring, Steven
Murphy, Mary
Morton, Jonathan
Pauer, Diane
Reinfurt, Sherri
Sirois, Shane
Mannion, Tim

Barbour, Liz
Corcoran, Travis
Drew, Matt
Flanagan, Jack
Gorski, Ted
Kofalt, Jim
Mazur, Lisa
Noble, Kristin
Peeples, Raymond
Schneller, John
Slottje, Jeremy
Mannion, Tom

Berry, Ross
Creighton, James
Dumont, Dillon
Griffin, Gerald
Gould, Linda
Labrie, Brian
McLean, Mark
Ohm, Bill
Post, Lisa
Scully, Kevin
Suiter, John
Ulery, Jordan

MERRIMACK

Aures, Cyril
Devoid, Ricky
Mehegan, Peter
Polozov, Yuri
Thibault, James

Aylward, Deborah
Gonzalez, Ernesto
Moffett, Michael
Boyd, Stephen
Wood, Clayton

McGuire, Carol
Hill, Gregory
Pitaro, Matthew
See, Alvin

McGuire, Dan
Leavitt, John
Plante, Raymond
Walsh, Thomas

ROCKINGHAM

Ball, Lorie
DeVito, Sayra
Guzofski, James
Miner, Laurence
Love, David
McMahon, Charles
Brown, Pam
Sabourin dit Choinière, Matt
Summers, James
Tudor, Paul
Wilson, Vicki

Bernardy, JD
Donnelly, Tanya
Harb, Robert
Walsh, Lilli
Lynn, Bob
Milz, David
Popovici-Muller, Daniel
Selby, Donald
Sweeney, Joe
Verville, Kevin

Thomas, Douglas
Dunn, Ron
Katsakiores, Phyllis
Layon, Erica
McDonnell, Valerie
Nadeau, Brian
Potucek, John
Soti, Julius
Sytek, John
MacDonald, Wayne

DeSimone, Debra
Edwards, Jess
Kuttab, Katelyn
Litchfield, Melissa
McGrath, Linda
Osborne, Jason
Prudhomme-O'Brien, Katherine
Spillane, James
Tripp, Richard
Weyler, Kenneth

STRAFFORD

Bailey, Glenn
Farrington, Samuel
Potenza, Kelley

Burnham, Claudine
Granger, Michael
Hall, Robley

DeLemus, Susan
Harrington, Michael
Turcotte, Len

DeRoy, Susan
Kaczynski, Thomas
Walker, David

SULLIVAN

Drye, Margaret
Rollins, Skip

Grant, George

Aron, Judy

Aron, Michael

and the motion was adopted.

Rep. Spilsbury voted yea and intended to vote nay.

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, Thursday, March 12, 2026 at 9:00 a.m.

Motion was adopted.

LATE SESSION**Third Reading and Final Passage**

HB 1039, relative to the contents of parenting plans.

HB 1206, clarifying the equity jurisdiction of the judicial branch family division.

HB 1215, relative to supporting the preferred method of communication of an individual with a communication disability.

HB 1073, clarifying when the secretary of state shall complete the registry of New Hampshire decentralized autonomous organizations.

HB 1124, relative to the right to compute.

HB 1207-FN, relative to certain laws applicable to state chartered banks, credit unions, trust companies, and other consumer credit entities subject to the authority of the banking department.

HB 1262-FN, relative to home heating oil and propane contracts and sales.

HB 1406, relative to health carrier recordkeeping requirements in utilization review, including specifications regarding the use of artificial intelligence.

HB 1491, relative to pooled risk management programs.

HB 1502, governing special bank and credit union deposits.

HB 1630-FN, prohibiting the sale of nitrous oxide and certain inhalants for recreational purposes.

HB 1765-FN, enabling wine and beverage manufacturers to offer tastings of and sell products of certain New Hampshire wine and beverage manufacturers.

HB 1100-FN, establishing an exception to the prohibition against interception and disclosure of telecommunication or oral communications.

HB 1173, relative to post-secondary education opportunities for inmates.

HB 1216, relative to informed consent for law enforcement searches of houses or other property.

HB 1522-FN, relative to amending and adding definitions related to the protection of persons from domestic violence.

HB 1537-LOCAL, relative to the use of high resolution cameras to identify school bus stop light violators.

HB 1637, relative to the scheduling of hearings on certain motions to modify or revoke bail.

HB 1805-FN, relative to physical fitness performance requirements for certified law enforcement officers.

HB 1816-FN, relative to the intervention of the department of education into a school or school district during a financial emergency.

HB 1774-FN, relative to qualifying scholarship granting organizations and federal workforce Pell grants.

HB 1234, identifying certain school district offices as incompatible for purposes of school district elections.

HB 1247, requiring the secretary of state to create, post on the secretary of state's website, and otherwise distribute notice of proposed constitutional amendments.

HB 1266, allowing election moderators access to the area designated for counting votes during the performance of their duties.

HB 1298, relative to the disposal of electronic ballot counting device external memory devices.

HB 1325, enabling supervisors of the checklist to correct the checklist on any day of the week.

HB 1388, relative to the form of ballot for amendments to the constitution.

HB 1667-FN, establishing the first-in-the-nation security task force to coordinate planning for presidential campaign events.

HB 1695, preventing any guide or explanation regarding the effect of a proposed constitutional amendment from appearing on the ballot.

HB 1189-FN, establishing a solid waste site evaluation committee.

HB 1253, exempting dogs guarding livestock or crops from nuisance dog statutes when engaged in such work.

HB 1478-FN, requiring the department of environmental services to revise the rules for proposed new landfills.

HB 1620, requiring the removal of residential heating oil underground after 12 consecutive months of non-use except in certain circumstances.

HB 1766-FN, relative to cruelty to livestock.

HB 1093, relative to public charter schools and governmental land use exemptions.

HB 1109, relative to notice and update requirements regarding state employee investigations.

HB 1211, relative to the scope of review of state agency interpretations.

HB 1269, relative to qualifications to practice acupuncture.

HB 1286, relative to the practice of dentistry and when radiographic examinations are required.

HB 1312, relative to the authority of various boards.

HB 1407, enabling veterinary technicians to provide rabies vaccinations while indirectly supervised by a veterinarian.

HB 1438, enabling mental health caseworkers to report instances of animal abuse by their clients.

HB 1544, prohibiting the use of scented products in public areas of state buildings.

HB 1727, relative to the inter-agency data sharing for the purpose of distributing summer electronic benefit transfer (EBT) benefits.

HB 1566-FN-A, directing the department of health and human services to seek clarification from the Administration for Children and Families regarding the use of TANF reserve funds and repealing the requirement that the department of health and human services' biennial budget request include funding for certain child care workforce programs.

HB 1140, enabling certain disabled persons to hunt from a motor vehicle.

HB 1833-FN, creating a special license for non-resident vessel operators participating in tuna tournaments.

HB 1249, authorizing pharmacists to provide certain medical devices associated with prescribed medication.

HB 1021, amending the date to provide written notice to a municipality of a taxpayer's election to be assessed under the low-income housing tax credit program.

HB 1079, allowing accessory dwelling units to be built within or attached to certain non-conforming structures.

HB 1103, allowing municipalities to utilize community revitalization tax relief credits on a wider variety of properties and structures.

HB 1112, relative to snow removal responsibilities in lease agreements.

HB 1295, relative to eligibility requirements for charitable and nonprofit housing projects.

HB 1540, relative to municipal health ordinances and accessory dwelling units.

HB 1588-FN, establishing special assessment districts and expands the housing infrastructure grant program to allow for municipal upgrades linked to new housing and making an appropriation therefor.

HB 1726-FN, relative to the sale of surplus state-owned land.

HB 1064-FN, relative to liability of governmental units.

HB 1127, relative to the uniform voidable transactions act.

HB 1422, relative to the time to petition for a new trial.

HB 1489, relative to interstate depositions and discovery.

HB 1097, requiring legislative approval of the amendment or permanent removal of historical markers.

HB 1332, relative to the authorized display of flags on state house grounds.

HB 1059, relative to the use of number plate scanning devices.

HB 1362, relative to motor vehicle equipment specifications.

HB 1376, relative to a parent's ability to raise their child in a manner consistent with the child's biological sex.

HB 1378, relative to parental access to a minor child's electronic medical records.

HB 1565-FN, relative to the penalty for false reports of suspected abuse and neglect made to the division for children, youth, and families.

HB 1643, relative to the report of a guardian ad litem.

HB 1771-FN, removing prospective repeal of child care staffing ratios and the associated waiver system and requiring the department of health and human services to provide certain notice regarding availability of the waiver.

HB 1285, establishing a commission to study if New Hampshire may implement an R-PACER program.

HB 1554-FN, requiring insurance carriers to provide peer-to-peer review at any stage of prior authorization and mandating disclosure of reviewer credentials.

HB 1108-FN, relative to the offense of criminal threatening.

HB 1240-FN, relative to the apparent use of a deadly weapon during the offense of criminal threatening.

HB 1279, relative to the use of physical force in defense of a person.

HB 1423-FN, relative to the offense of improper influence.

HB 1121, defining the cost of an adequate education.

HB 1807-FN, relative to mandatory reports to voters.

HB 1132, prohibiting the display of certain flags and banners in public schools and public charter schools and establishing penalties for the display of prohibited flags and banners.

HB 1155, repealing the home education advisory council.

HB 1268, modifying the structure and administration of home education programs.

HB 1358, establishing a commission to study transitioning all public schools to public charter schools.

HB 1374, relative to the procedures for withdrawal from a cooperative school district.

HB 1529, repealing the reading recovery training program.

HB 1817-FN, relative to access to curricular courses and cocurricular programs within school districts.

HB 1828-FN, requiring the department of education to establish an auditing process relative to teacher preparation programs at the post-secondary educational level.

HB 1836-FN, relative to the input-based accountability system requirements and enforcement.

HB 590, relative to cooperative school district school board elections.

HB 686-FN, prohibiting certain public entities from conducting or sponsoring political surveys, polls, or questionnaires in their official capacities.

HB 1062, authorizing the secretary of state to conduct random audits of the citizenship qualification of registered voters.

HB 1125, enabling school districts to adopt partisan school district elections.

HB 1272, providing an option for each candidate's party affiliations to be printed on the town or school district ballot.

HB 1300, establishing a biennial school district local tax cap question and related limitations on central office administrative expenses in school districts.

HB 1306, relative to the counting of absentee ballots.

HB 1601-FN, requiring the secretary of state to create a voter education program that includes information on recent changes to voting laws.

HB 1604-FN, requiring suitable public facilities such as schools and town halls be made available as polling places upon request by local election officials.

HB 1275, relative to the effects of per- and polyfluoroalkyl substances on agriculture.

HB 1788-FN, holding state contracts with DEI provisions to be void as a matter of law and establishing a right of action for citizens where public entities or state agencies engage with contracts with DEI provisions.

HB 661-FN, relative to the department of health and human services management of social security payments, supplemental security income payments, and veterans benefits for children in foster care.

HB 1042, raising the unified contingent credit limit.

HB 1515-FN, repealing the requirement that the department of health and human services' biennial budget request include funding for certain child care workforce programs.

HB 1569-FN, repealing the directive that the state sell the Anna Philbrook Center for Children property in Concord.

HB 1022, relative to religious exemption from immunization requirements.

HB 1071, repealing immunity afforded health care facilities when following directives adopted in response to the COVID-19 state of emergency.

HB 1117-FN, relative to the right of licensed health care providers to freely communicate with patients, colleagues, and the public about medical information, emerging therapies, and treatment options.

HB 1219, relative to immunization requirements in foster family homes.

HB 1335, requiring health care providers to disclose to patients indirect financial incentives received by the provider.

HB 1337, repealing the New Hampshire council on autism spectrum disorders.

HB 1449, limiting times vaccine clinics may operate at schools and requiring parents or legal guardians to be present with their child during the administration of vaccinations at such a clinic.

HB 1562-FN, relative to licensing requirements for health care facilities that operate on a membership-based business model.

HB 1706-FN, repealing the refugee resettlement program in the department of health and human services and prohibiting expenditure of state funds on refugee resettlement.

HB 1734-FN, authorizing the establishment of experimental treatment centers.

HB 1735-FN, permitting treatment of certain severe illness under the right to try act.

HB 1772-FN-A, relative to prescribing ibogaine for investigational use only.

HB 1797-FN, relative to eligibility for public assistance, including the New Hampshire employment program, family assistance program, and SNAP.

HB 1336-FN, relative to regulated conditional deposits.

HB 1709-FN, prohibiting certain unlawfully present felons from occupying or renting real property.

HB 1681, relative to the definition, inspection, and local approval of tiny houses and yurts as innovative housing structures.

HB 1115, adding a definition of citizen of New Hampshire and expanding the number of persons eligible for the New Hampshire medal of honor.

HB 1299, permitting classification of individuals based on biological sex under certain limited circumstances and establishing that certain biological sex distinctions do not qualify as discrimination.

RECESS MOTION

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

Motion was adopted.

The House recessed at 8:46 p.m.

RECESS