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HOUSE RECORD

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Concord, N.H.

Thursday, May 14, 2026

No. 13

HOUSE JOURNAL NO. 12 (Cont'd)

Thursday, May 7, 2026

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

HOUSE JOURNAL NO. 13

Thursday, May 14, 2026

The House assembled at 10:00 a.m., the hour to which it stood adjourned, and was called to order by the Speaker. Prayer was offered by House Chaplain, Reverend Kevin Twombly, Pastor at Restoration Foursquare Church in Concord.

Heavenly Father, we come before You today with gratitude for the privilege of gathering in this chamber and for the responsibilities entrusted to those who serve the people of New Hampshire. We ask for Your wisdom to guide every conversation, every decision and every action taken in this place. Grant these Representatives clarity of mind, humility of heart and courage to pursue what is right, just and good for the people they have been called to serve. In moments of disagreement, give them integrity and strength. Help them to lead not from selfish ambition, but from a sincere desire to seek the welfare of others. We pray for our state, our communities, families, schools, businesses, first responders, health-care workers and all who carry burdens that are often unseen. Bring peace where there is division, hope where there is discouragement and provision where there is need. Lord, remind us all that leadership is ultimately an act of service. May this House be marked by wisdom, respect, diligence and genuine concern for the people of this great state. We ask for Your blessing upon this session today and upon all who are gathered here. Amen.

Rep. Melissa Litchfield, member from Brentwood, led the Pledge of Allegiance.

The National Anthem was sung by Sounds of the Seacoast from Portsmouth, New Hampshire.

LEAVES OF ABSENCE

Reps. Baldwin, Bucu, England, Jeudy, Nelson, Preece and Suiter, the day, illness.

Reps. Aldrich, Richard Brown, Arnold Davis, Gilman, Gregg, Robley Hall, Haskins, Hicks, Kofalt, Peeples, Richards, Sofikitis, Tenczar, Veilleux and Weinstein, the day, important business.

Reps. Aldrich, Bogert, Comtois and DeDe-Poulin, the day, illness in the family.

INTRODUCTION OF GUESTS

Isis Gaitan, student at Milford High School and Jacob Tiney, student at Timberlane Regional High School, Pages for the day.

Kevin Southwick, guest of Rep. Lilli Walsh; Renae Claffey, guest of Rep. Darby; Chris Ager, guest of Rep. Notter, Charlene Pederson, guest of Rep. Lloyd, Jon and Helene Rasmussen, guests of Rep. Cambrils, Casey Peters, guest of Rep. Thibault, Christi Lyn, mother of Rep. Coker, Sam Kluger, guest of Rep. Kluger and fourth-grade students from Moultonborough Central School, guests of Rep. Crawford

SENATE MESSAGE

REQUESTS CONCURRENCE WITH AMENDMENTS

HB 1078-FN, creating a gold star family and gold star father license plate. (Amendment printed SJ 5/7/26)

Rep. Thomas Walsh moved that the House concur and spoke in favor.

Motion was adopted.

CONSENT CALENDAR

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

SB 567-FN, relative to the composition of the board of dental examiners, removed by Reps. Drew, Drago, Layon, Kesseling, Cole, Labrie, Paquette, Dupont, Warden and Morton.

SB 625-FN, establishing a committee to study options for family members of intentional homicide victims where the department of justice does not file charges in a case, removed by Reps. Osborne, Drew, Sweeney, Polozov, DeRoy, Kelley, Potenza, Litchfield, DeVito and Burnham.

Consent Calendar was adopted.

SB 256-FN, (New Title) establishing safety and care requirements for clinician-administered drugs. **REFER FOR INTERIM STUDY.**

Rep. Julie Miles for Commerce and Consumer Affairs. This bill requires health plans to utilize the lowest cost method of reimbursement for clinician-administered drugs, ensures coverage of such drugs when they cannot reasonably be self-administered, and prohibits certain "brown bagging" practices in which patients are required to transport medications to a clinical setting for administration. The Senate passed this legislation following a study period and extensive stakeholder engagement, reflecting a thoughtful effort to address evolving practices in the delivery and reimbursement of clinician-administered medications. Members of the House Commerce and Consumer Affairs Committee recognize that this issue is complex and rapidly changing. Some members of the committee believe the bill raises important considerations regarding patient safety, particularly in ensuring proper handling, storage, and administration of critical infusion and specialty medications. These concerns underscore the need for clear standards that prioritize patient well-being. However, the committee believes that additional time is warranted to fully evaluate the impact of this legislation on patients, providers, insurers, and emerging pharmacy distribution models. Given ongoing changes in specialty pharmacy practices and reimbursement structures, further study will allow for a more comprehensive and balanced policy approach. The committee therefore recommends Referral for Interim Study to continue stakeholder engagement and develop a more refined solution. Vote 15-0.

SB 444-FN, prohibiting the use of animal testing when other comparable methods are available. **REFER FOR INTERIM STUDY.**

Rep. Susan Porcelli for Commerce and Consumer Affairs. The committee reviewed this bill seeking to prohibit the use of animal testing when other methods are available and found several issues related to scope of the problem, current practice, and definitions. The committee proposed an amendment to require testing facilities to submit annual reports to the Governor's Commission on the Humane Treatment of Animals to gather data related to the use and methods of animal testing. While the committee is generally in favor of limiting animal testing when other, more effective methods are available, several flaws remain related to definitions and scope. Given the concerns raised during the subcommittee work session, the committee recommends this bill be Referred for Interim Study. Vote 13-2.

SB 480-FN, limiting certain prior authorization requirements for physical therapy, occupational therapy, and similar rehabilitative services. **INEXPEDIENT TO LEGISLATE.**

Rep. Dick Thackston for Commerce and Consumer Affairs. This bill seeks to expand coverage under certain circumstances without prior approval by insurers. The committee determined that the proposed expansion of coverage was not sufficiently beneficial for the costs to be in the best interest of the public at this time. Vote 15-0.

SB 487, allowing credit union members to pay members of the board of directors for their services as a board member. **OUGHT TO PASS.**

Rep. Chris McAleer for Commerce and Consumer Affairs. At the request of the Cooperative Credit Union Association (the Association) this bill would allow NH credit unions to pay their board of directors a stipend for their services on the board. This is entirely voluntary on the part of each credit union. The Association believes this would allow the credit union to attract and retain skilled board members in an increasingly complex and competitive financial services industry. Currently 16 other states allow this practice. Vote 15-0.

SB 496, relative to supervision and registration requirements for associates of broker-dealers. **OUGHT TO PASS.**

Rep. Chris McAleer for Commerce and Consumer Affairs. This bill would allow a broker-dealer or an investor advisory firm to delegate a private residence as a supervisory office without having to register it as a branch office. Currently 43 other states have adopted this rule pursuant to the Financial Industry Regulatory Authority (FINRA) June 2024 ruling 3110-19. As a supervisory office this would allow a person or persons to oversee other agents or brokers from this location but not engage in other activities associated with a branch office such as trading and holding money or securities. Vote 15-0.

SB 524, (New Title) enabling on-premises licensees to deliver liquor to customers who order a meal for home delivery and establishing a commission to develop a regulatory framework for tincture products containing alcohol. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John Potucek for Commerce and Consumer Affairs. This bill underwent substantial revision during the 2026 legislative session. The bill was initially introduced to expand the restaurant delivery license by allowing onpremises licensees to deliver liquor with meals. This concept was ultimately enacted through HB 529 and signed into law on March 27, 2026. Prior to reaching the House, SB 524 was amended in the Senate to establish a commission to develop a regulatory framework on alcoholbased tinctures. Upon reaching the House, all prior language was removed and replaced with a comprehensive package of tobacco-related regulatory changes, including adjustments to certain license types that sell tobacco products; productseizure authority for illegal tobacco products; new reporting requirements for tobacco retailers, manufacturers and wholesalers; and penalties for persons under 21 years of age who violate NH tobacco laws. In its final form, SB 524 also clarifies that nonbeverage alcoholic preparations, such as tinctures, are exempt from regulation under Title XIII. In short, this bill creates a fine for a person under 21 years of age who violates the laws relative to use of tobacco products, e-cigarettes, devices, e-liquids, or alternative nicotine products, changes what types of products businesses with different types of liquor licenses are able to sell, requires holders of the retail tobacco licenses, tobacco products manufacturers, and tobacco products wholesalers to report inventory, loss, purchases and sales to the liquor commission, and subjects licensees found in possession of selling or delivering illegal, untaxed, or contraband tobacco products to an administrative fine equal to the amount of state tobacco tax that would have been due had the tobacco products been lawfully purchased and taxed. Vote 15-0.

Amendment (1579h)

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

AN ACT relative to the sale of tobacco products, e-cigarettes, devices, e-liquids, or alternative nicotine products and relative to the licensure and sale of certain liquor products.

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

1 Liquor Licenses and Fees; Combination Licenses. Amend RSA 178:18, I-III to read as follows:

I. Off-premises licenses shall be issued only for grocery and drug stores. Such licenses shall authorize the licensees to sell fortified wine, table wine, beverages, and specialty beverages for consumption only off the premises designated in the licenses and not to other licensees for resale. Such sale shall be made only in the immediate container in which the beverage, specialty beverage, wine, or fortified wine was received by the off-premises combination licensee; except that in the case of the holder of a wholesale distributor license, beverages and specialty beverages may be sold only in such barrels, bottles, or other containers as the commission may by rule prescribe. ~~[Off-premises licenses may also authorize the licensee to sell tobacco products or e-cigarettes.]~~ There shall be no restriction on the number of combination licenses held by any person. The license shall authorize the licensee to transport and deliver beverages, specialty beverages, ~~[tobacco products, e-cigarettes,]~~ and table or fortified wines ordered from and sold by the licensee in vehicles operated under the licensee's control or an employee's control.

II. All sales of ~~[tobacco, e-cigarettes,]~~ beverages, fortified wines, and table wine shall be recorded on cash registers. No additional registers shall be added during the remainder of the year without prior approval of the commission. No rebate shall be allowed for cash registers discontinued during the license year.

~~[III. The commission may suspend the tobacco, e-cigarettes, or alcohol sales portion of the license separately under the provisions of RSA 179:57; any revocation shall revoke the entire license.]~~

2 Liquor Licenses and Fees; Retail Wine License. Amend RSA 178:19, I-IV to read as follows:

I. A retail wine license may be issued by the commission to any person operating a retail outlet in this state which shall allow the licensee to sell ~~[tobacco products, e-cigarettes,]~~ fortified wines~~;~~ and table wines directly to individuals at retail on the premises for consumption off the premises; provided, however, that persons holding any license authorizing the sale of liquor or wine by the glass under this chapter shall sell the wines authorized pursuant to this section in a separate area of the premises from the areas licensed for on-premises consumption. A separate license shall be required with respect to each place of business of an applicant. The license shall authorize the licensee to transport and deliver fortified and table wines ordered from and sold by the commission and sold by the licensee in vehicles operated under the licensee's control or an employee's control.

II. All sales of wine~~;~~ ~~[tobacco products, and e-cigarettes]~~ shall be recorded on cash registers. No additional registers shall be added during the remainder of the year without prior approval of the commission. No rebate shall be allowed for cash registers discontinued during the license year.

III. On-premises licensees licensed under this chapter shall maintain separate rooms for storage, shelving, display~~;~~ ~~and sale of tobacco products, e-cigarettes,]~~ and fortified and table wine for consumption off the premises. Such rooms shall be equipped with at least one cash register which shall be capable of separately registering wine sales, and such rooms shall have an attendant at all times while open for business. Wine purchased for resale by virtue of the retail wine license shall be purchased on separate invoices from that wine intended for consumption in the dining room or lounge, and separate sales records shall be maintained for this purpose.

~~[IV. The commission may suspend the tobacco, e-cigarette, or alcohol sales portion of the license separately under the provisions of RSA 179:57; any revocation shall revoke the entire license.]~~

3 Liquor Licenses and Fees; Beer Specialty License. Amend RSA 178:19-d, I-VI to read as follows:

I. A beer specialty license may be issued by the commission to any person operating a retail outlet in this state the primary business of which is the sale of beer as defined in RSA 175:1. A beer specialty license shall allow the licensee to sell beverage[;] **and** wine[; tobacco, and e-cigarettes] products directly to individuals at retail on the premises for consumption off the premises; beer may be sold in such barrels, bottles, or other containers as the commission may by rule prescribe.

II. Beer specialty licensees shall maintain an inventory of 500 or more selection of beer labels.

III. Beer specialty licensees shall maintain an inventory of food and nonalcoholic beverages which are readily available to the public, the wholesale value of which shall not be less than \$1,000.

IV. The commission may establish restrictions on the number of beer specialty licenses held by any person.

V. All sales of beer[; tobacco products, and e-cigarettes] shall be recorded on cash registers. No additional registers shall be added during the remainder of the year without prior approval of the commission. No rebate shall be allowed for cash registers discontinued during the license year.

~~[VI. The commission may suspend the tobacco, e-cigarette, or alcohol sales portion of the license separately under the provisions of RSA 179:57.]~~

4 New Subparagraph; Liquor Licenses and Fees; Tobacco Product Seizure. Amend RSA 178:19-g, I by inserting after subparagraph (d) the following new subparagraph:

(e) In addition to any other fines or penalties authorized under this section, the commission may exercise the seizure authority provided in RSA 178:19-g and may implement a "seizure in place" method for tobacco products found in violation of RSA 78 or this chapter. The commission shall adopt rules, pursuant to RSA 541-A, governing the procedures for seizure in place, custody, and disposition.

5 New Section; Liquor Licenses and Fees; Reporting Requirements. Amend RSA 178 by inserting after section 19-h the following new section:

178:19-i Reporting Requirements.

I. The holders of the retail tobacco licenses, tobacco products manufacturers, and tobacco products wholesalers shall be required to report inventory, loss, purchases and sales to the commission.

II. The commission shall adopt rules, pursuant to RSA 541-A, establishing reporting requirements and procedures pursuant to this section.

6 Enforcement Proceedings and Penalties; Suspension or Revocation; Administrative Fines. Amend RSA 179:57, I(e) to read as follows:

(e) Otherwise fails to carry out in good faith the purposes of this title or if the premises are regularly the site of violence, the license of such licensee may be suspended or revoked after notice and hearing, in accordance with RSA 541-A:31-36. Notwithstanding any other provisions of this chapter, the commission after the appropriate hearing may impose a fine of a specific sum, which shall not be less than \$100 nor more than \$7,500 for any one offense, **except for fines issue under subparagraph (1), which may exceed \$7,500**. Such a fine may be imposed instead of, or in addition to, any suspension or revocation of a license by the commission.

(1) In addition to any other fines or penalties authorized under this section, a licensee who is found in possession of, selling, delivering, or otherwise receiving illegal, untaxed, or contraband tobacco products in violation of RSA 78, RSA 178:19-a, 178:19-e, or 179:19-f shall be subject to an administrative fine equal to the amount of state tobacco tax that would have been due had the tobacco products been lawfully purchased and taxed under RSA 78.

(2) The commission shall adopt rules, pursuant to RSA 541-A, establishing procedures for the assessment, notice, hearing, and collection of such fines. Such products shall not be returned to the licensee and shall be destroyed.

7 New Paragraphs; Minors; Tobacco Violations. Amend RSA 126-K:6 by inserting after paragraph III the following new paragraphs:

IV. Notwithstanding RSA 169-B and RSA 169-D, a person 12 years of age and older who violates this section shall not be considered a delinquent or a child in need of services.

V. Any person who has not attained 21 years of age who violates this section shall be guilty of a violation and shall be punished by a fine not to exceed \$100 for each offense or shall be required to complete up to 20 hours of community service for each offense, or both. Where available, punishment may also include participation in an education program.

8 New Section; Alcoholic Beverages; Definitions and General Provisions; Alcoholic Preparations Not Fit for Use as a Beverage. Amend RSA 175 by inserting after section 5-b the following new section:

175:5-c Alcoholic Preparations Not Fit for Use as a Beverage. RSA 175 through RSA 180 shall not apply to the sale of alcoholic preparations that are not fit for use as a beverage, including:

I. Dietary supplements, as defined in 21 U.S.C. 321, amended by the Dietary Supplement Health and Education Act of 1994, and as may be amended from time to time;

- II. Nonprescription or proprietary medicines, as defined in RSA 318:1, XVIII;
 - III. Toilet, medicinal, or antiseptic preparations that are not fit for use as a beverage; and
 - IV. Flavoring extracts or syrups that are not fit for use as a beverage.
- 9 Effective Date. This act shall take effect January 1, 2027.

2026-1579h
AMENDED ANALYSIS

This bill:

- I. Creates a fine for a person under 21 years of age who violates the laws relative to use of tobacco products, e-cigarettes, devices, e-liquids, or alternative nicotine products.
- II. Changes what types of products businesses with different types of liquor licenses are able to sell.
- III. Requires holders of the retail tobacco licenses, tobacco products manufacturers, and tobacco products wholesalers to report inventory, loss, purchases and sales to the liquor commission.
- IV. Subjects licensees found in possession of selling or delivering illegal, untaxed, or contraband tobacco products to an administrative fine equal to the amount of state tobacco tax that would have been due had the tobacco products been lawfully purchased and taxed.
- V. Exempts the sale of alcoholic preparations not fit for use as a beverage from regulation under the title relative to alcoholic beverages.

SB 525, raising the maximum amount of state guarantees in force. **OUGHT TO PASS.**

Rep. Chris McAleer for Commerce and Consumer Affairs. The New Hampshire Business Finance Authority (BFA) has worked with the private sector to help form and expand businesses in New Hampshire by providing certain financial guarantees. This bill would expand the limit of those guarantees to an aggregate of \$500,000,000, which would be more in line with current market conditions to attract and grow businesses and employment in New Hampshire. To date more than 6000 enterprises have benefited from this project and the state has never had to make good on any of their guarantees. The BFA is a self-funding organization and does not require state monies. Vote 15-0.

SB 544-FN, (New Title) relative to managed care laws. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Carry Spier for Commerce and Consumer Affairs. This bill as amended modifies RSA 420-J:7-b to limit a health carrier's ability to modify drug coverage under a health benefit plan to the time of coverage renewal, and only if the modification applies uniformly to all identical or substantially identical plans. It also requires continued coverage of any prescription drug approved or covered under the plan until the covered person's renewal date, even if the drug is later removed from the formulary. Further, the bill limits the ability of health carriers to make midyear changes to prescription drug formularies. The Insurance Department indicated that the bill might put upward pressure on premiums. However, the added limitations to the formularies will benefit most patients. The amendment changes the effective date. Vote 15-0.

Amendment (1703h)

Amend the bill by replacing section 2 with the following:

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

SB 550-FN, relative to insurance coverage for services provided by naturopathy providers. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John Hunt for Commerce and Consumer Affairs. This bill requires group insurance policies issued in the state to include coverage for naturopathy providers. A simple bill changing may to shall. Since most insurance companies have naturopaths in their network it only makes sense since there is a need for more primary care providers and naturopaths are less expensive than MDs and ODs. Vote 15-0.

Amendment (1702h)

Amend the bill by replacing section 2 with the following:

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

SB 562, relative to a home damage mitigation and resiliency program. **OUGHT TO PASS.**

Rep. Susan Porcelli for Commerce and Consumer Affairs. This bill establishes the Granite State home mitigation and resiliency program to provide financial grants to homeowners to mitigate residential real property against loss from severe weather events. This bill would help to improve insurability, reduce the severity and frequency of insurance claims, and ultimately lower insurance premiums for program participants. The bill was modeled after what has been tested and proven effective in other states. Funding for the program is sourced from federal government grants, loans, gifts or donations. The Insurance Department will oversee this program and no state funding is required. Vote 15-0.

SB 565-FN, (New Title) requiring the commissioner of the insurance department to prepare and publish a report regarding fortified home and commercial standards, and other mitigation and resiliency programs. **OUGHT TO PASS.**

Rep. Susan Porcelli for Commerce and Consumer Affairs. This bill would require the commissioner of the Insurance Department to prepare a report every five years detailing measures taken to reduce loss due to extreme weather events such as precipitation events, storm surge, and coastal flooding, high winds, hurricanes, or hail. This data provides purchasers of personal property and commercial property potential risks associated with increased insurance premiums. The Insurance Department has no issue producing the report and will publish it on the department website for consumers to review. The bill has no fiscal impact. Vote 15-0.

SB 573, establishing certification standards for facility comfort dogs. **OUGHT TO PASS WITH AMENDMENT.** Rep. John Hunt for Commerce and Consumer Affairs. As introduced, this bill establishes certification standards for facility comfort dogs, facility comfort dog handlers, and facility comfort dog handling teams. The intent was to create guidelines for use of dogs by police, fire or other government agencies for the purpose of being comfort dogs. The bill was extremely amended even to the extent that the title was changed to make sure that this legislation does not affect any comfort dog not being used by any city, town, county or state agency. “Certified public safety comfort dog” means a specifically trained dog that provides support, comfort, and crisis response to individuals, groups, and communities in various settings, such as hospitals, nursing homes, schools, disaster relief areas, emergency response/public safety agencies and other places where people may be experiencing stress, trauma, or crisis. Certified public safety comfort dogs are trained to interact gently and empathetically with people, offering unconditional support and non-judgmental companionship to help alleviate anxiety, reduce stress, improve mood and enhance overall well-being and resilience. Comfort facility dogs are not considered service dogs or emotional support animals. “Certified public safety comfort dog handler” means an emergency response or public safety worker who is responsible for the care, training, and supervision of a comfort facility dog during its interactions with individuals, groups, and communities in need of support or crisis response. A certified public safety comfort dog handler shall ensure that it behaves appropriately, follows commands and maintains a calm and comforting presence in various environments. A certified public safety comfort dog handler shall be trained to understand canine behavior, communication, and emotional support techniques, allowing them to effectively guide the certified public safety comfort dog’s interactions with individuals, groups, or communities in distress or crisis situations. “Emergency response or public safety worker” means any law enforcement officer certified under RSA 106-L, certified county corrections officer, sheriff or deputy sheriff, state police officer, civilian law enforcement employee, civilian county corrections employee, any call, volunteer, or regular firefighter, civilian fire department employee, rescue or ambulance worker, including ambulance service, emergency medical personnel, first responder service, and volunteer personnel, tele-communicators, and local dispatchers, including any retired emergency response or public safety workers as defined in this section. Vote 14-0.

Amendment (1675h)

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

AN ACT establishing certification standards for certified public safety comfort dogs.

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

1 New Chapter; Public Safety Comfort Dog Certification. Amend RSA by inserting after chapter 167-D the following new chapter:

CHAPTER 167-E

PUBLIC SAFETY COMFORT DOG CERTIFICATION

167-E:1 Definitions. In this chapter:

I. “Certified public safety comfort dog” means a specifically trained dog that provides support, comfort, and crisis response to individuals, groups, and communities in various settings, such as hospitals, nursing homes, schools, disaster relief areas, emergency response/public safety agencies and other places where people may be experiencing stress, trauma, or crisis. Certified public safety comfort dogs are trained to interact gently and empathetically with people, offering unconditional support and non-judgmental companionship to help alleviate anxiety, reduce stress, improve mood, and enhance overall well-being and resilience. Certified public safety comfort dogs are not considered service dogs or emotional support animals.

II. “Certified public safety comfort dog handler” means an emergency response or public safety worker who is responsible for the care, training, and supervision of a certified public safety comfort dog during its interactions with individuals, groups, and communities in need of support or crisis response. A certified public safety comfort dog handler shall ensure that it behaves appropriately, follows commands, and maintains a calm and comforting presence in various environments. A certified public safety comfort dog handler shall be trained to understand canine behavior, communication, and emotional support techniques, allowing them to effectively guide the certified public safety comfort dog’s interactions with individuals, groups, or communities in distress or crisis situations.

III. “Emergency response or public safety worker” means any law enforcement officer certified under RSA 106-L, certified county corrections officer, sheriff or deputy sheriff, state police officer, civilian law enforcement employee, civilian county corrections employee, any call, volunteer, or regular firefighter, civilian fire department

employee, rescue or ambulance worker, including ambulance service, emergency medical personnel, first responder service, and volunteer personnel, telecommunicators, and local dispatchers, including any retired emergency response or public safety workers as defined in this section.

IV. "Local dispatcher" means a person who determines the location, status, and assistance required by callers and walk-in customers for public safety services and dispatches the appropriate police, fire, ambulance, or other units to provide needed emergency services at the state, city, town, or private emergency services level.

V. "Telecommunicator" means an employee of the department of safety, division of emergency services and communications who is responsible for receiving at the public safety answering point telephone calls made to E911 and transferring or relaying such calls to public or private safety agencies.

VI. "Certified public safety comfort dog team" means a trained certified public safety comfort dog and its handler, working collaboratively to provide support, comfort, and crisis response to individuals, groups, and communities in various settings. The certified public safety comfort dog team shall undergo specialized training to develop skills in empathy, active listening, and non-verbal communication, enabling them to effectively respond to the emotional, behavioral, physical, cognitive, and relational needs of those they encounter.

VII. "Certified public safety comfort dog trainer" means any person who is employed to train dogs for the use of a certified public safety comfort dog or is volunteering and training to raise dogs for the use of certified public safety comfort dogs by emergency response or public safety worker, or an individual trainer who helps an emergency response or public safety worker to train their certified public safety comfort dog.

VIII. "Housing accommodation" means any publicly assisted housing accommodation or any real property, or portion thereof, which is used or occupied, or is intended, arranged, or designed to be used or occupied, as the home, residence, or sleeping place of one or more persons.

IX. "Public facility" means any place of public accommodation and any street, highway, sidewalk, walkway, public building, and any other place or structure to which the general public is regularly, normally, or customarily permitted or invited.

X. "Place of public accommodation" includes any tavern roadhouse, hotel, motel, or trailer camp, whether for entertainment of transient guests or accommodation of those seeking health, recreation, or rest; any producer, manufacturer, wholesaler, distributor, retail shop, store establishment, or concession dealing with goods or services of any kind; any restaurant, eating house, or place where food is sold for consumption on the premises; any place maintained for the sale of ice cream, ice, and fruit preparations or their derivatives, soda water or confections, or where any beverages of any kind are retailed for consumption on the premises; any garage; any public conveyance operated on land or water, or in the air, or any stations and terminals thereof; any bathhouse, boardwalk, or seashore accommodation; any auditorium, meeting place, or hall; any theater, motion picture house, music hall, roof garden, skating rink, swimming pool, amusement and recreation park, fair, bowling alley, gymnasium, shooting gallery, billiard and pool parlor, or any other place of amusement; any comfort station; any dispensary, clinic, or hospital; any public library; any kindergarten, primary and secondary school, trade or business school, high school, academy, college and university, or any educational institution under the supervision of the state board of education, or the commissioner of education of the state of New Hampshire.

167-E:2 Certified Public Safety Comfort Dog Training.

I. The initial training and certification testing shall be completed by the dog's second birthday. Such initial training and certification shall be comprised of the following American Kennel Club certificates, or an equivalent certificate from another nationally recognized organization:

- (a) Canine Good Citizen (CGC).
- (b) Advanced Canine Good Citizen (CGCA).
- (c) Urban Canine Good Citizen (CGCU).

II. The ongoing training shall be comprised of the following:

- (a) A minimum of 1 hour per month of structured training. Training shall focus on maintaining and reinforcing CGC, CGCA, and CGCU skills.
- (b) Exposure to various emergencies or public safety environments, including interactions with first responders and the public.

III. The emergency response or public safety agency employing or owning the certified public safety comfort dog shall maintain detailed training records. Records shall include:

- (a) Dates and duration of training sessions.
- (b) The type of training conducted.
- (c) Progress and any corrective actions needed.
- (d) Certificate completion and renewal dates.

167-E:3 Certified Public Safety Comfort Dog Handler Training.

I. Each certified public safety comfort dog handler working with the certified public safety comfort dog shall complete training with his or her assigned certified public safety comfort dog. Such training and certificate testing shall be comprised of the following American Kennel Club certificates, or an equivalent certificate from another nationally recognized organization:

- (a) Canine Good Citizen (CGC).
- (b) Advanced Canine Good Citizen (CGCA).
- (c) Urban Canine Good Citizen (CGCU).

II. The following training shall also be required of certified public safety comfort dog handlers:

- (a) Training on recognizing and responding to individuals experiencing mental health crises.
- (b) Education on crisis intervention techniques for emergency response or public safety workers, including CIT training.
- (c) Training on providing basic emergency care and first aid for canine partners.

III. The ongoing training shall be comprised of the following:

(a) A minimum of one hour per month of structured training with the certified public safety comfort dog. Training shall focus on reinforcing RSA 167-E:2 certification skills, handling techniques, and scenario-based public interactions.

- (b) Regular exposure to emergency/public safety environments to maintain proficiency.

IV. The emergency response or public safety agency employing or owning the certified public safety comfort dog shall maintain detailed training records for both the dog and handler. Records shall include:

- (a) Dates and duration of training sessions.
- (b) The type of training conducted.
- (c) Progress and any corrective actions needed.
- (d) Certificate completion and renewal dates.

167-E:4 Animal Duties. The official duties performed by a certified public safety comfort dog shall be directly related to the handler's role as an emergency response or public safety worker. Official duties may include but are not limited to: critical incident stress management, survivor advocacy and support, school support, crisis response, community mental health support, and community relations.

167-E:5 Certified Public Safety Comfort Dog Licensing, Rabies Certificate and Insurance.

I. The owner or employer of the certified public safety comfort dog shall comply with all state and local ordinances regarding licensing and rabies certification under RSA 466:1 and RSA 466:1-a. The owner or employer of the certified public safety comfort dog shall also fully insure the dog for the duration of its service career.

II. Nothing in this section is intended to inhibit, interfere, or impede with the protections provided to service animals and search and rescue dogs under RSA 167-D.

167-E:6 Certified Public Safety Comfort Dog Team Certification.

I. Each certified public safety comfort dog team shall complete all training requirements outlined within RSA 167-E:2 and RSA 167-E:3 in order to be certified in the state of New Hampshire.

II. Each certified public safety comfort dog shall be retested with his or her assigned certified public safety comfort dog every 3 years. Such retesting shall be comprised of the following American Kennel Club certificates or an equivalent certificate from another nationally recognized organization:

- (a) Canine Good Citizen (CGC).
- (b) Advanced Canine Good Citizen (CGCA).
- (c) Urban Canine Good Citizen (CGCU).

III. The emergency response or public safety agency owning or employing the certified public safety comfort dog shall maintain all training and certification records, including:

- (a) Initial certification documentation.
- (b) Recertification dates and results.
- (c) Any ongoing training or corrective action records.

IV. All certified public safety comfort dog teams working in the state of New Hampshire shall have one year from the effective date of this chapter to meet certification and recertification requirements outlined therein.

167-E:7 Certified Public Safety Dog May Accompany Handler. A certified public safety comfort dog may accompany their handler into any public facility, housing accommodation, or place of public accommodation to which the general public is invited, while they are in the course of performing their official duties, and/or, while in the course of, or traveling to or from the location of, their official duties.

167-E:8 Prohibited Acts.

I. It is unlawful for a person, directly or indirectly, either to prohibit, hinder, or interfere with a certified public safety comfort dog team, while in the course of performing their official duties.

II. It is unlawful for any person to represent, and/or fit, a dog with a collar, leash, vest, sign, or harness of any type which represents that the dog is a certified public safety comfort dog if the dog is not a certified public safety comfort dog certified under this chapter.

167-E:9 Certified Public Safety Dog Care.

I. A certified public safety comfort dog shall be confined when traveling above 55 miles per hour. Confinement may be a crate or tether attached to a harness but not to a collar. A remote temperature sensor shall be placed in any vehicle in which the certified public safety comfort dog will be left unattended.

II. No prong or electronic collars shall be used for American Kennel Club testing, and no dog may wear prong or electronic collars while being deployed.

III. The decision to spay or neuter a certified public safety comfort dog shall be determined by the recommendation of the dog's veterinarian.

167-E:10 Certified Public Safety Comfort Dog Retirement. Each emergency response or public safety agency employing a certified public safety comfort dog shall have a policy which outlines the certified public safety comfort dog's safe and humane retirement. If it is determined that a certified public safety comfort dog in training cannot meet the standards set forth in this chapter, such policy shall outline the certified public safety comfort dog's permanent ownership, and/or, options to return to the agency, non-profit, business or breeder the certified public safety comfort dog was obtained from.

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

2026-1675h

AMENDED ANALYSIS

This bill establishes certification standards for certified public safety comfort dogs, certified public safety comfort dog handlers, and certified public safety comfort dog handling teams.

SB 606-FN, relative to insurance coverage for biomarker testing. **REFER FOR INTERIM STUDY.**

Rep. Carry Spier for Commerce and Consumer Affairs. Biomarker testing is a laboratory method that analyzes tissue, blood or bodily fluids to identify specific genes, proteins or molecules indicating disease. The results are used to guide clinicians to the best treatments for their patients. For example, biomarker testing is highly useful in cancer care including clinical trial eligibility, developing strategies for cardiovascular and metabolic disorders, neurological disorders like Alzheimer's, autoimmune and inflammatory conditions like lupus and rheumatoid arthritis, and genetic hereditary disorders like cystic fibrosis. This bill requires that the specific biomarker test must be developed by an independent, multidisciplinary panel of experts utilizing a transparent methodology. It must have nationally recognized clinical practice guidelines establishing standards of care informed by a systematic review of evidence, including review of benefits and risks of alternative care. The bill would elevate standards for the use of biomarker testing in the New Hampshire Medicaid program. The committee heard testimony from organizations that advocate for individuals with complex conditions, emphasizing that broader application of biomarker testing can improve care, reduce costs, and lead to better health and financial outcomes for individuals and the state. The committee also heard from the Department of Health and Human Services, which noted that the Medicaid program already utilizes some biomarker testing and recognizes the value of future expansion. However, as biomarker testing and related targeted treatments continue to expand, interim study would be most appropriate to consider such growth within the context of the state budget and to allow the stakeholders more time to develop the guardrails to ensure appropriate standards and access are in place. Vote 15-0.

SB 607, relative to short-term, limited duration health insurance policies **OUGHT TO PASS.**

Rep. Julie Miles for Commerce and Consumer Affairs. This bill updates state law governing short-term, limited duration health insurance policies to align with federal standards and modern market conditions. Current state restrictions, which have not been updated in decades, limit the usefulness of these plans and reduce their ability to serve as a bridge for individuals between coverage options. Testimony highlighted the growing number of uninsured individuals and rising premium costs, creating a need for flexible, affordable coverage alternatives. Short-term plans can provide an important safety net by offering lower-cost options for individuals who might otherwise go without coverage, helping to mitigate financial risk from unexpected medical expenses. The bill improves continuity of care by allowing more reasonable durations and limited renewability, reducing disruptions caused by repeatedly starting new policies. It also enhances transparency by requiring clear disclosure of coverage limitations, ensuring consumers understand the trade-offs associated with these plans. Supporters emphasized modernizing these provisions will better reflect today's insurance landscape and provide individuals — particularly those in transitional periods — with practical options to maintain some level of coverage. At the same time, these plans remain subject to state-mandated benefits and regulatory oversight. The committee finds that this bill offers a balanced approach by expanding consumer choice, improving access to affordable coverage options, and promoting transparency. Vote 14-0.

SB 614-FN, (New Title) establishing multiple-caregiver self-insured risk coverage arrangements for nonprofit and for-profit providers and servicers. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Julie Miles for Commerce and Consumer Affairs. This bill creates a framework for pooled risk management programs, allowing child care centers and foster family homes to collectively obtain liability and property insurance coverage. This approach is intended to address the growing affordability challenges in the insurance market for these providers. Testimony highlighted the cost of liability insurance has reached a critical point, placing significant financial strain on child care providers, many of whom operate on thin margins. These rising costs have contributed to facility closures, reduced capacity, and barriers to expansion, exacerbating existing child care shortages across the state. The bill offers a market-based solution by enabling providers to pool risk, share costs, and achieve greater purchasing power, while maintaining strong financial safeguards. These pooled arrangements would be subject to regulatory oversight, including annual

independent audits and actuarial reviews to ensure solvency and responsible management. Supporters emphasized improving access to affordable insurance will help stabilize and expand the child care sector, which is essential to workforce participation and economic growth. Employers across New Hampshire continue to face challenges in recruiting and retaining workers due to limited child care availability, making this issue both an economic and community priority. The committee finds that this bill provides a practical and innovative tool to address a well-documented market failure, while preserving appropriate oversight and accountability. By helping providers manage costs and remain viable, the bill supports families, strengthens the workforce, and promotes economic stability. Vote 18-0.

Amendment (1626h)

Amend the bill by replacing section 2 with the following:

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

SB 639, establishing a committee to study the health and safety impacts of Red Dye 40 and other food additives in food and beverages sold in New Hampshire. **INEXPEDIENT TO LEGISLATE.**

Rep. John Hunt for Commerce and Consumer Affairs. This bill establishes a committee to study the health and safety impacts of Red Dye 40 and other food additives in food and beverages sold in New Hampshire. The study committee would review scientific evidence regarding the health and safety impacts of Red Dye 40 and other commonly used food additives, including brominated vegetable oil, propylparaben, and titanium dioxide. The study committee would also examine policies adopted in other states, and assess potential implications for New Hampshire consumers, schools, and businesses. It would also consult with the Department of Health and Human Services, the Department of Education, food safety experts, pediatricians, and industry stakeholders about the health and safety impacts of commonly used food additives. Finally, the study committee would consider whether restrictions, labeling requirements, or phase-outs of certain additives are appropriate in New Hampshire. The committee decided that a study committee on an issue regulated by the Food and Drug Administration was not going to be productive or worthwhile. Vote 14-0.

SB 646-FN, relative to mental health standards of care. **INEXPEDIENT TO LEGISLATE.**

Rep. Julie Miles for Commerce and Consumer Affairs. This bill seeks to address coverage gaps for certain behavioral health and functional support services. While the committee recognizes the importance of access to comprehensive mental health care, testimony indicated the issues raised in the bill are currently being actively addressed through ongoing stakeholder discussions between insurers, providers, and regulators. The committee heard recent collaboration has already identified a narrow set of procedure codes at the center of these concerns, and progress is being made to incorporate appropriate coverage through existing contracting and reimbursement processes. These efforts suggest targeted, technical solutions may be more effective than broad statutory changes. Testimony also highlighted many of the services at issue have historically not been considered clinical benefits within commercial insurance, and differences between Medicaid and commercial coverage structures are a significant factor. In some cases, perceived gaps in coverage may stem from coding and billing inconsistencies rather than outright denials of medically necessary services. The committee further considered concerns raised by the New Hampshire Insurance Department (the Department) regarding unintended consequences in the bill as drafted. The Department noted placing these provisions within the mental health statute could broadly apply new requirements across all mental health providers. Additionally, tying reimbursement rates to Medicaid could unintentionally lower payment rates, as Medicaid reimbursement is often below commercial levels, potentially creating conflicts with federal mental health parity requirements. The Department also cautioned that replacing Medicare benchmarks with Medicaid rates introduces variability and uncertainty, as Medicaid reimbursement differs across states, while Medicare provides a consistent and widely accepted standard. The Department emphasized the importance of continuing ongoing stakeholder discussions to resolve these issues thoughtfully. Finally, the committee was informed access to mental health services has been improving in recent years, with continued efforts to reduce barriers and expand utilization. Stakeholders expressed a willingness to remain engaged and address remaining issues without the need for new statutory mandates at this time. Given the progress already underway, the complexity of the policy, and the potential for unintended consequences, the committee believes that legislation at this time is premature and therefore recommends Inexpedient to Legislate. Vote 15-0.

SB 647, authorizing the department of insurance to participate in a cooperative procurement group via an intergovernmental agreement for a prescription drug discount program. **REFER FOR INTERIM STUDY.**

Rep. John Hunt for Commerce and Consumer Affairs. This bill authorizes the Department of Insurance to participate in a cooperative procurement group via an intergovernmental agreement for a prescription drug discount program. The idea is to create a state administered "Good RX"-like discount program. Unlike any of the other states that have implemented this program, the bill would have the Department of Insurance fund and operate the program. The committee felt the Department of Insurance would be inappropriate since they are the regulator for complaints. Vote 15-0.

SB 648, (New Title) requiring age verification by commercial entities to allow access to pornographic material. **INEXPEDIENT TO LEGISLATE.**

Rep. Carry Spier for Commerce and Consumer Affairs. At the hearing, the committee learned that this bill has several issues, the first of which is that it is overly broad with respect to definitions. The application of penalties is broad as well: “civil penalties of up to \$25,000 per violation against any commercial entity in violation....” It is not clear if this includes the internet service provider (ISP) especially since the very specific scope of violation is not specified and the definition of “commercial entity” is one who controls (e.g.: interfering, restricting access) a website and distributes material. The method of age verification listed in the bill requires the user to scan in a government issued ID which the website will check to verify age. Of course, there is no reason to believe that a resourceful kid won’t find a way to get some type of government ID to use. But this would also mean that everyone who is an adult will also have to have a government ID available to access the website. Using a government ID over the internet presents serious consequences concerning access to one’s personal information. Despite the bill’s best intentions, sites are regularly hacked to get that information. There are biometric matching techniques where users take selfies that are compared to their ID photos using facial recognition algorithms. These types of systems can be spoofed using AI, age progression and fake IDs. There are numerous reports of minors using adult-age photos to bypass age-verification systems. There are much more sophisticated and expensive methods to verify age but as soon as they become available, the internet provides the information needed to spoof them. Many states have put age verification requirements on porn sites since 2023. In response to these laws, some major providers have chosen to block access entirely rather than implement the required ID verification systems. However, for those sites that do implement third party age verification software, government IDs must still be submitted leaving the question of security. Most consumers are unwilling to scan their face and upload an ID to access sensitive content like pornography. With global internet, they seek out the limitless supply of other sites available to reach the content they want without restrictions. The committee learned that the trade association for adult businesses in North America, the Free Speech Coalition, has seen that in states with laws similar to this bill, traffic has simply shifted from legal, compliant sites to non-compliant sites outside the United States. Many of the state laws we do have in the US are facing ongoing court challenges from civil liberties groups and the adult industry, citing FirstAmendment and privacy concerns. Vote 15-0.

SB 661-FN, relative to pooled risk management programs. OUGHT TO PASS.

Rep. John Hunt for Commerce and Consumer Affairs. This bill: I, enables the secretary of state to require abatement of insufficient assets or to seek receivership, if necessary, of a pooled risk management program. II, requires assessment of each participating member of the pooled risk management program on a pro rata basis to satisfy the amount of the deficiency. III, requires the governing board of the pooled risk management program to use a standard of care, diligence, prudence, and skill in the management of the program. IV, provides for the assessment of a pooled risk management program’s participating members, if required, after an actuarial calculation. V, provides for contingency reserve standards depending on the pooled risk management program’s line of coverage and by requiring a contingency reserve replenishment if a program’s contingency reserves fall below the minimum level. And VI, requires pooled risk management programs to make certain public disclosures to prospective and actual member political subdivisions. Vote 18-0.

SB 461, relative to the definition of hemp. OUGHT TO PASS WITH AMENDMENT.

Rep. Alissandra Murray for Criminal Justice and Public Safety. This bill amends the statutory definition of hemp under RSA 439-A:2, V to clarify that the legal threshold for tetrahydrocannabinol (THC) content includes not only delta-9 THC, but also tetrahydrocannabinolic acid (THCA), and other forms of THC when calculating total THC concentration. The committee finds that this change brings New Hampshire law into alignment with federal standards established under the Agriculture Improvement Act of 2018, which defines hemp based on total THC concentration rather than delta-9 THC alone. By explicitly including THCA in the calculation, the bill closes a gap in current law that has allowed products with intoxicating potential to be marketed as compliant hemp. The committee further finds that this clarification supports consistent enforcement and provides clearer guidance to regulators, producers, and retailers. Without a total THC standard, enforcement agencies face challenges in distinguishing lawful hemp from cannabis products that exceed statutory limits, particularly as THCA can convert to delta-9 THC when heated. In addition, the bill promotes consumer protection by ensuring that products sold as hemp do not produce unintended intoxicating effects. This is especially important in maintaining public confidence in the state’s hemp market and preventing the circumvention of existing cannabis laws. For these reasons, the committee believes the bill represents a necessary and reasonable update to New Hampshire statute, improving clarity, enforceability, and alignment with federal law. Vote 13-0.

Amendment (1344h)

Amend the bill by replacing section 1 with the following:

1 Hemp; Definitions. RSA 439-A:2, V is repealed and reenacted to read as follows:

V. “Hemp” means the plant *Cannabis sativa* L. and any part of that plant, including the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, with a total tetrahydrocannabinol (THC) concentration of not more than 0.3 percent on a dry weight basis. Total THC concentration shall include the sum of all THC, including tetrahydrocannabinolic acid (THCA).

SB 617, (New Title) relative to the removal of abandoned vehicles by law enforcement, relative to the regulation and appeal of motor vehicle towing from public highways, and prohibiting the division of motor vehicles from suspending a license on the basis of debt owed to a private entity related to the towing or storing of a motor vehicle. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Terry Roy for Criminal Justice and Public Safety. The committee after a public hearing related to the penalty portion of the bill, decided license suspension for failing to pay a tow bill was counterintuitive and too severe. Instead, a tow operator owed funds for a police ordered tow can petition the DMV to make an operator's license "non-renewable" until the debt is satisfied. Additionally, the operator is required to note on the invoice that a motorist can appeal the fee to the DMV if they think it is excessive and failure of an operator to make this notification subjects them to a \$100 fine. Vote 12-1.

Amendment (1755h)

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

AN ACT relative to the regulation and appeal of motor vehicle towing from public highways and relative to the removal of abandoned vehicles by law enforcement.

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

1 Fees for Removal and Impoundment of Motor Vehicles. Amend RSA 262:35-a to read as follows:
262:35-a Review of Fees for Removal and Impoundment.

I. All fees charged for the removal and storage of any vehicle caused to be removed by an authorized official pursuant to RSA 262:32 or RSA 262:40-a shall be reasonable, and may reflect market variables, including, but not limited to, distance traveled to and from the storage facility, vehicle size and weight, the amount of time needed to remove and store the vehicle, any special equipment needed, and personnel costs. If the owner or other person lawfully entitled to possession of the vehicle wishes to challenge the reasonableness of the fee charged, the owner or other person may pay over to the custodian of the vehicle an amount equal to the towing and storage charges to secure the release of the vehicle, and, within ~~[15]~~ **30** days of the ~~[release of the vehicle]~~ **receipt of the invoice**, request in writing a review by the commissioner of safety. The commissioner of safety or designee shall review the claim to determine if there are sufficient grounds to conduct a hearing to determine whether the charge was reasonable. If the commissioner or designee determines that a hearing is necessary, the hearing shall be scheduled by the bureau of hearings within 20 days after review by the commissioner, at which time the extent of removal and storage fees shall be determined. The commissioner or designee shall approve or disapprove of the decision of the bureau of hearings within 7 days after the hearing was held. Notwithstanding RSA 262:25, any person aggrieved by a decision of the commissioner or designee under this section may appeal the decision to the superior court in the same manner as that prescribed in RSA 263:75, II and III. If no request for review is filed within the ~~[15-day]~~ **30-day** period, the owner or other person lawfully entitled to possession of the vehicle shall be deemed to have waived all rights to review under this section and shall be liable for the total amount billed.

II. Nothing in this section shall prevent a review of the reasonableness of the towing or other action as may be permitted by laws of this state by a court of competent jurisdiction.

III. Any time that a person is storing a vehicle pursuant to the provisions of this subdivision, the person may remove any items from within the vehicle that are not a part of or accessories to the vehicle. The person may hold any such items, other than wallets, purses, life essential clothing, mail, legal documents, car seats, eyeglasses, medicine, medical equipment, or house keys pending payment of any fees due under this subdivision. If fees remain unpaid after ~~[20]~~ **30** days, the person may dispose of the items.

2 Abandoned Vehicles; Procedure for Removal and Impoundment. Amend RSA 262:33, II and III to read as follows:

II. Whenever a vehicle is towed pursuant to RSA 262:31-a or RSA 262:32 the owner or other person lawfully entitled to the possession of the vehicle shall be entitled to recover said vehicle and release of the above lien by payment of all reasonable towing and storage charges. If the owner or other person lawfully entitled to possession of the vehicle wishes to challenge whether there was sufficient grounds for towing and impoundment, he or she may pay over to the custodian of the vehicle an amount equal to the towing and storage charges to secure the release of such vehicle, and, within ~~[15]~~ **30** days of the ~~[towing and impoundment]~~ **receipt of the invoice**, request in writing a hearing.

III. The hearing shall be held before the head of the law enforcement agency which employs the authorized official who caused the vehicle to be removed and stored, or his or her designee. In the event such agency head or his or her designee determines sufficient grounds did not exist for the removal and storage of the vehicle, the law enforcement agency shall reimburse the owner or other person lawfully claiming possession for any amount paid to the custodian to secure release of the vehicle, **or, if payment has not yet been made, order that the vehicle be immediately released from impoundment, with the agency assuming full liability of the lien.**

3 Requirements for Placement on the Tow List. Amend RSA 106-B:30, XVIII to read as follows:

XVIII. The tow business shall provide state police with a complete updated list of all rates for the services it performs related to the towing and storage of vehicles, on the letterhead of the business, and shall update such list when prices change. State Police shall not set the fees for these services nor use the rate schedule provided in determining placement on a rotation schedule. ~~[Price lists shall remain confidential except when determining the reasonable fee in a requested hearing conducted by the department of safety.]~~

4 New Section; Notice of Right to Dispute Towing and Storage Charges. Amend RSA 262 by inserting after section 35-a the following new section:

262:35-b Notice of Right to Dispute Towing and Storage Charges.

I. This section shall apply to any tow of a motor vehicle performed at the direction of a law enforcement officer within the state. This section shall not apply to any tow conducted pursuant to a private property agreement, municipal contract, or municipal ordinance.

II. An invoice for towing or storage of a motor vehicle shall clearly indicate the process for appealing the reasonableness of such charges. Such notice shall be provided on the invoice and may include an Internet website address or scannable code linking to additional information.

III. Any towing service that fails to provide the notice required in paragraph II shall be guilty of a violation and shall be fined \$100 for each violation. Repeated violations of this section may be referred to the department of safety for review and for any action authorized under the law.

5 State Police; Use of Tow List. Amend RSA 106-B:27, IV to read as follows:

IV. The director of state police with the approval of the commissioner of safety may adopt rules pursuant to RSA 541-A consistent with relevant provisions of this subdivision setting forth minimum qualifications of tow companies and their employees to participate in the state police tow list, including qualifications, training, and minimum standards for equipment, response times, storage and release of towed vehicles and their contents, and criminal history and motor vehicle record checks of ~~[tow truck drivers]~~ **employees**.

6 Definitions; Removal of Abandoned Vehicles. Amend RSA 106-B:28 to read as follows:

106-B:28 Definitions.

In this subdivision:

I. ***“Employee” means any individual employed by the tow business who may physically respond roadside to a state police tow call for service.***

II. ***“Heavy duty wrecker” means a wrecker intended and suitably equipped for towing vehicles in excess of 10,000 pounds gross weight, such as a tractor-trailer, large truck, or similar vehicle but excluding carriers and flatbeds, and meeting the following requirements, provided that come-a-longs, chains, or other similar devices shall not be used as substitutes for winch and cable:***

- (a) A truck chassis having a minimum gross vehicle weight rating of not less than 54,500 pounds;
- (b) Tandem axles, or a cab-to-axle length of not less than 102 inches;
- (c) A combined winch capacity of not less than 50,000 pounds, as rated by the winch manufacturer;
- (d) A single winch in good operating condition with a capacity of 50,000 pounds, as rated by the winch manufacturer, or if equipped with 2 winches, a combined rating of 50,000 pounds;
- (e) A manufactured wheel-lift in good operating condition, with retracted lifting capacity of not less than 20,000 pounds, as rated by the lift manufacturer, with safety chains or a tow bar of equal capacity;
- (f) A winch cable rated as specified by the winch manufacturer, in good condition;
- (g) Light and air brake hookups for the towed vehicle; and
- (h) Additional safety equipment as specified in this chapter and consistent with United States Department of Transportation inspection requirements.

~~[H:]~~ III. ***“Light/Medium duty wrecker” means a wrecker intended and suitably equipped for safely towing vehicles weighing 26,000 pounds or less gross weight, including passenger cars, pickup trucks, motorcycles, small trailers, and similar vehicles, that meets the following requirements, provided that come-a-longs, chains, or other similar devices shall not serve as substitutes for a winch and cable:***

- (a) A minimum gross vehicle weight rating of not less than 14,500 pounds;
- (b) Individual boom capacity of not less than 8,000 pounds, as rated by the boom manufacturer;
- (c) Individual power takeoff or hydraulic power or electric winch capacity of not less than 8,000 pounds, as rated by the manufacturer, and wire rope of a capacity and length consistent with the device manufacturer;
- (d) A manufactured wheel-lift with a retracting lifting capacity of not less than 3,500 pounds, as rated by the manufacturer, with safety chains;
- (e) Dual rear wheels;
- (f) Two chock blocks that will prevent rolling or slippage of the wrecker; and
- (g) Additional safety equipment as specified in this chapter and consistent with United States Department of Transportation inspection requirements.

~~[H:]~~ IV. ***“Recovery vehicle” means a motor vehicle consisting of a commercially available truck chassis equipped with a commercially manufactured tow body or bed and that is rated and issued a serial number by the manufacturer, designed and equipped for and used in the towing or recovery of vehicles, in good condition and capable of towing a vehicle by means of a tow bar, sling, or wheel lift, and capable of recovering a vehicle by means of a hoist, winch, or towline.***

[IV:] V. “Rollback carrier” means a flatbed vehicle in good condition that meets the following requirements, provided that come-a-longs, chains, or similar devices shall not be used as substitutes for a winch and cable:

(a) A minimum gross vehicle weight rating of at least 19,500 pounds;

(b) A specially equipped chassis with a ramp on wheels and a hydraulic lift with a capacity to haul or tow another vehicle;

(c) At least one 8,000 pound winch, as rated by the winch manufacturer, with at least 50 feet of cable, as recommended by the winch manufacturer; and

(d) Additional safety equipment as specified in this chapter and consistent with United States Department of Transportation inspection requirements.

[V:] VI. “Tow business” means a person, enterprise, partnership, company, LLC, or other corporation having a registered trade name, an active New Hampshire tax identification number, an active New Hampshire workers’ compensation insurance policy or exemption papers, an active New Hampshire employment security account, and that meets all state and local legal requirements including, but not limited to, those related to payment of business related taxes, fees, and insurance coverage, and that regularly engages in the impoundment, recovery, transport, or storage of towed or abandoned vehicles, or in the disposal of abandoned vehicles.

[VI:] VII. “Tow list” means a list or lists of qualified New Hampshire businesses compiled by the division of state police and used by them to dispatch wreckers and recovery and road service vehicles to tow, recover, and temporarily store a vehicle when the owner, driver, or other person responsible for the vehicle is not present or wishes to have the vehicle removed and expresses no choice or preference for a specific tow business, or when public safety requires the law enforcement official in charge at the scene to clear the vehicle from the location believing, in his or her sole opinion, the vehicle is causing a public hazard or safety issue or is stolen, unregistered, was involved in a crime, or is in violation of a statute that requires immediate removal.

[VII:] VIII. “Vehicle storage area” means a suitable yard or enclosed building where a qualified tow business keeps or stores towed or impounded vehicles.

[VIII:] IX. “Wrecker” for purposes of this chapter and except where the context clearly indicates otherwise, means a tow truck, road service vehicle, or carrier and recovery vehicle used by tow businesses on the state police tow list.

7 Use of Tow List. Amend RSA 106-B:29, X to read as follows:

X. A tow business may terminate or temporarily suspend its designation as a service provider and be removed from the rotation list by providing prompt written notice to state police [~~communications~~]. In the event of unforeseen circumstances such as death, fire, bankruptcy, or loss of equipment from accident or failure, a tow business on the tow list shall timely notify the director of state police in writing of its intent to suspend its designation as a service provider. If and when it desires to return to service, such tow company shall send a new application to the director. If approved to resume operation, they shall be placed at the bottom of the rotation list.

8 Use of Tow List. Amend RSA 106-B:29, XV to read as follows:

XV. A tow business shall not sell, assign, transfer, pledge, surrender, encumber, or dispose of its place on the rotation list. By applying to be placed on the list, a tow business agrees to respond to all state police calls 24 hours a day, 7 days a week. If for any reason the business cannot respond to a call, it rotates to the bottom of the list. Businesses that develop a pattern of non-response to calls **or fail to meet the response times outlined in RSA 106-B:30** may be subject to removal from the rotation list **or actions outlined in RSA 106-B:34**.

9 Requirements for Placement on the Tow List. Amend RSA 106-B:30, II-III to read as follows:

II. The tow business shall provide as part of its application a list of all [~~tow truck operator personnel~~] **employees**, including full name, current address, date and place of birth, driver’s license number and type, and any restrictions, **and** license expiration date[, ~~and social security number~~]. The application shall be updated with **the** state police [~~communications~~] within 5 days of whenever a new employee is hired, or an employee leaves the employ of the business.

III. The application shall include an individual form approved by the director of state police for each [~~tow truck operator~~] **employee** and for the owner and manager of the business and any supervisors, listing under penalty of unsworn falsification their full name, date and place of birth, driver license number and type and any restrictions or limitations, and a listing of all motor vehicle offense convictions in this or any other state or Canadian province including type, court, and year in the preceding 5 years, and a list of any criminal convictions in this or any other state or Canadian province within the past 10 years, including type of offense, year of conviction, court, and sentence imposed, and whether the person is currently on probation or parole or has ever been a registered sex offender or subject to a domestic violence protective order. Nothing in this paragraph shall restrict the employer or state police in case of doubt from verifying the information through a record check or checks.

10 Requirements for Placement on the Tow List. Amend RSA 106-B:30, V to read as follows:

V. If an ~~[operator]~~ **individual** is ~~[employed by]~~ **an employee of** more than one listed towing company, each company shall maintain an independent and separate driver file on such individual. When ~~[a driver, manager, or supervisor]~~ **an employee** ceases employment at the business or a new such employee is hired, the company shall notify the state police director in writing within 10 days and include a copy of the application including a copy of the form described in paragraph III. It shall be the responsibility of the operator to maintain appropriate records of driving times showing full compliance with all applicable laws, rules, and regulations.

11 Requirements for Placement on the Tow List. Amend RSA 106-B:30, VIII to read as follows:

VIII. Wreckers dispatched shall arrive at the scene within 30 minutes of being called, except for cases where the travel distance, posted speeds, or traffic and weather conditions and volume of traffic make this unreasonable. For heavy duty calls the company shall respond within a maximum of 60 minutes regardless of the time of day. If the time exceeds the above limit and the tow business does not provide state police communications or the trooper in charge at the scene with a valid reason for the delay within that time, a second rotation wrecker may be dispatched. If a second wrecker is requested before the arrival of the initially dispatched rotation wrecker, the initially requested wrecker shall forfeit the call and leave the incident scene. Repeated tardiness may result in suspension or removal from the rotation list **or any other disciplinary action as outlined in RSA 106-B:34. Notwithstanding any other provision of law, for imminent concerns related to public health, safety, or welfare, the director may order the immediate suspension of the tow business at their discretion, and without a hearing. Any such suspension shall be subject to the hearing requirements and timelines set forth in RSA 541-A:30, III.**

12 Requirements to Remain on the Tow List. Amend RSA 106-B:31, XIII to read as follows:

XIII. State troopers or other designated department of safety personnel may be assigned at the discretion of the state police director to conduct reviews from time to time of towing businesses, their records, and equipment to ensure compliance with relevant rules and laws and make a recommendation~~[through the state police communications commander]~~ to the director as to the level of compliance and any appropriate action. Tow businesses participating in the tow list shall make, during normal business hours, their records, vehicles, facility, and equipment available for examination for such reviews by troopers or other department of safety employees. In cases of non-compliance, the state police ~~[communications commander]~~ shall recommend appropriate action to the director, which may include a verbal or written reprimand, suspension, or revocation from continued participation in the rotating list. Such action is discretionary and shall be based on the nature and seriousness of the discrepancy and any prior record of the business.

13 Compliance Action; Disciplinary Enforcement. RSA 106-B:34 is repealed and reenacted to read as follows: 106-B:34 Compliance Action; Disciplinary Enforcement.

I. Participation in the state police tow list is a privilege and not a right. The director of the division of state police shall administer the state police tow list and shall ensure that towing, storage, roadside emergency service, and vehicle recovery performed at the direction or request of the division of state police are conducted in compliance with state law and rules adopted pursuant to RSA 541-A, and in a manner that promotes public safety and maintains the confidence of the motoring public.

II. The director may take disciplinary action upon a finding, supported by satisfactory evidence, that a tow business or tow business employee has violated:

- (a) The provisions of RSA 106-B:29 through RSA 106-B:33; or
- (b) Any rule adopted pursuant to this subdivision.

III. Disciplinary actions authorized under this section may include:

- (a) A verbal or written warning;
- (b) Suspension of a tow business, a tow business employee, or both, from participation in the state police tow list for a period not to exceed 2 years; or
- (c) Removal from the state police tow list. Tow businesses that are removed are eligible to reapply to the state police tow list after a period of not less than 2 years.

IV. In determining the appropriate disciplinary action, the director shall consider the seriousness of the violation, any prior history of violations, and any resulting harm to the public or to property.

V. Any person aggrieved by a disciplinary action imposed under this section may appeal the decision to the department of safety bureau of hearings and thereafter to the superior court in accordance with RSA 106-B:31, XIV.

14 New Section; License Suspension; Failure to Pay Fines and Fees. Amend RSA 263 by inserting after section 56-g the following new section:

263:56-h License Suspension Prohibited for Unpaid Towing or Storage Fees.

I. Under no circumstances shall the director suspend or revoke a driver's license for failure to pay removal and storage fees for a vehicle towed or stored for any reason. The director is permitted to not renew a driver's license for failure to pay such fees until such a time as the fees are paid.

II. A person whose driver's license has been suspended for outstanding vehicle removal or storage fees and who is otherwise eligible to drive shall have their driver's license reinstated and shall not be required to pay a reinstatement fee. No later than 30 days after the effective date of this section, the division shall, without requiring a reinstatement fee, reinstate the driver's license or nonresident operating privilege.

15 Effective Date.

I. Sections 1-4 of this act shall take effect January 1, 2027.

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

2026-1755h

AMENDED ANALYSIS

This bill extends deadlines for disputing towing and storage fees and requires invoices to include information on how to challenge charges. This bill also revises the procedures and processes concerning the maintenance of and utilization of a list of contracted tow companies used by the division of state police for the removal of vehicles.

SB 432-FN, (New Title) authorizing the application of sunscreen in schools and camps without a licensed health care provider's note or prescription and establishing a skin cancer prevention education program. **INEXPEDIENT TO LEGISLATE.**

Rep. Stephen Woodcock for Education Policy and Administration. This bill authorizes the self-application of sunscreen in schools and camps without a licensed health care provider's note or prescription and establishes an optional skin cancer prevention education program in public schools. Although well-intentioned, the committee agrees that this bill is not necessary, as school boards and the recreational camp industry already have local policies in place that provide appropriate protocols and procedures for applications of over the counter medications and products including sunscreen. Furthermore, as part of the minimum standards for health and wellness and physical education, school boards are already required to provide health and disease prevention instruction, under which sun protection—including sunblock and protective clothing—falls as a preventative measure against skin cancer. Vote 17-0.

SB 433-FN, establishing the seizure safe schools act. **INEXPEDIENT TO LEGISLATE.**

Rep. Megan Murray for Education Policy and Administration. This bill is a well-intentioned legislative proposal that brings forward a very important topic: training on seizures during the school learning day. The committee recognizes financial limitations at this time as well as an implementation timeline that could face obstacles late in the school year, while still needing to proceed through the rule-making process and determine a full fiscal impact in a non-budget allocation year. While many believe that the Good Samaritan laws in place during situations like a seizure would limit risk, others felt there were more considerations to work through, but came to the same conclusion that we regretfully recommend the motion of Inexpedient to Legislate at this time. Vote 15-2.

SB 507, (New Title) establishing a committee to study violence in schools directed at staff members and the obstacles to disciplining or expelling students in such circumstances. **OUGHT TO PASS.**

Rep. Melissa Litchfield for Education Policy and Administration. The committee recommends Ought to Pass on this bill establishing a study committee on violence in schools directed at staff members and the obstacles to disciplining or expelling students in such circumstances. The committee believes this is a thoughtful and measured approach to examining a complex issue affecting schools across New Hampshire. The study will allow legislators to gather information on staff safety, student mental health concerns, existing legal requirements, and the challenges schools face when responding to violent incidents. The committee further believes it is important to better understand the impact these situations have on educators and staff while ensuring future policy discussions are informed by facts, collaboration, and careful consideration of both student and staff needs. Vote 18-0.

SB 575, establishing a study committee to study the issue of school bullying. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Valerie McDonnell for Education Policy and Administration. Bullying is a pervasive issue that is exasperated by advancing digital technologies. The number of reported instances has dramatically increased in recent years. Additionally, the State Board of Education has received several more manifest hardship requests than in previous years. For these reasons, we support further study. The study should consider root causes, disciplinary responses, and impacts on psychological well-being. Finally, we note HB 108 which related to inter-district bullying was signed into law on June 2, 2025. The committee amendment contains two technical changes. The first change is to allow school boards to assign superintendent services and the second is to change the word "teacher" to "educator" under RSA 91-A exemptions. Vote 18-0.

Amendment (1853h)

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

AN ACT establishing a committee to study the issue of school bullying and modifying both the exemption of teacher certification records from the right-to-know law and the assignment of superintendent services for school administrative units.

Amend the bill by inserting after section 5 the following and renumbering the original section 6 to read as 8:

6 Access to Governmental Records and Meetings; Exemptions; Certification Records Modified. Amend RSA 91-A:5, V to read as follows:

V. [Teacher] **Educator** certification records in the department of education, provided that the department shall make available [teacher] **educator** certification status information.

7 Assignment of Superintendent Services; Personnel; Superintendent Assignment of Services Modified. Amend RSA 194-C:4-a to read as follows:

194-C:4-a Assignment of Superintendent Services; Personnel. When used in this title, the term “superintendent” shall include the superintendent and any personnel assigned by the superintendent **or school board** to perform superintendent services under the authority in RSA 194-C:5.

2026-1853h
AMENDED ANALYSIS

This bill:

I. Establishes a committee to study the issue of school bullying.

II. Modifies the exemption of teacher certification records under RSA 91-A by replacing the term “teacher” with “educator”.

III. Modifies the assignment of personnel authorized to perform superintendent services for school administrative units by permitting assignment by the school board in addition to the superintendent.

SB 577-FN, prohibiting the use of specific color additives in meals offered or made available by public schools. OUGHT TO PASS WITH AMENDMENT.

Rep. Mike Belcher for Education Policy and Administration. This bill, as amended, proposes aligning with the federal health initiatives in a mix of voluntary and involuntary prohibitions on synthetic food dyes. Modern science has linked these dyes to poorer health outcomes, allergies, and other health-related problems in the population. By aligning with federal standards, we mitigate risk of additional costs on localities procuring healthier meals. The bill's scope only applies to normal school meals, and not special events and other items. Vote 15-2.

Amendment (1778h)

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

AN ACT prohibiting the use and recommending avoidance of specific color additives in meals offered or made available by public schools as a part of school breakfast and lunch meal programs.

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

1 New Paragraph; Prohibition and Recommended Avoidance of Certain Color Additives. Amend RSA 189:11-a by inserting after paragraph II the following new paragraph:

II-a.(a) No public elementary or secondary school shall offer or make available to any student, as a part of a school breakfast or lunch meal, any food that contains any of the following color additives as recognized by the Food and Drug Administration:

- (1) FD&C red number 3, CAS Registry number 16423-68-0.
- (2) FD&C citrus red number 2, CAS Registry number 6358-53-8.
- (3) FD&C orange letter B, CAS Registry number 15139-76-1.

(b) Public elementary and secondary schools are encouraged to avoid offering foods containing the following color additives in school breakfast and lunch meals and to work with vendors to transition away from foods containing such color additives where feasible:

- (1) FD&C blue number 1, CAS Registry numbers 3844-45-8, 3844-45-9.
- (2) FD&C blue number 2, CAS Registry number 860-22-0.
- (3) FD&C green number 3, CAS Registry number 2353-45-9.
- (4) FD&C red number 40, CAS Registry number 25956-17-6.
- (5) FD&C yellow number 5, CAS Registry number 1934-21-0.
- (6) FD&C yellow number 6, CAS Registry number 2783-94-0.

(c) This paragraph shall not apply to foods offered outside school breakfast and lunch meal programs, including but not limited to foods brought by students, vending machine items, a la carte sales, and school fundraisers.

2 Effective Date. This act shall take effect July 1, 2028.

2026-1778h
AMENDED ANALYSIS

This bill:

I. Prohibits the use of certain red, citrus red, and orange color additives in meals offered or made available by public schools as a part of school breakfast and lunch meal programs.

II. Encourages public schools to avoid offering foods containing certain other color additives in school breakfast and lunch meals.

III. Encourages public schools, where it is feasible, to work with vendors to transition away from foods containing certain color additives in school breakfast and lunch meals.

IV. Exempts foods offered outside school breakfast and lunch meal programs from the prohibition and recommended avoidance of certain color additives.

SB 438, (New Title) relative to the sharing of data between the department of safety and the secretary of state for the purposes of verifying the accuracy of information in the centralized voter registration database. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Ross Berry for Election Law. As amended, SB 438 repasses a previous House position (HB 1600) that codifies a long-sought agreement between the Secretary of State and the Department of Motor Vehicles (DMV) for the sharing of information that will ease the voter registration process while robustly protecting election integrity. The Secretary of State and the DMV are currently operating under a memorandum of understanding (MOU) that allows either party to withdraw with 60 days' notice. This bill would remove the ability of either party to withdraw, ensuring that the information-sharing process remains in place and protected for the future. Vote 17-0.

Amendment (1833h)

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

AN ACT relative to access to the centralized voter registration database on election days.

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

1 Department of State; Centralized Voter Registration Records. Amend RSA 654:12, VI to read as follows:

VI. The department of state shall provide access to data from centralized voter registration records, records from the department of safety, and New Hampshire vital records provided in accordance with RSA 654:45 to assist voters in providing proof of citizenship, age, domicile, and identity to the city and town clerks. The secretary of state shall work with the city and town clerks to ensure ~~direct or indirect~~ access on election day at the polling location ***to the statewide centralized voter registration database on each state, local, and federal election day during the operating hours of that polling place.*** If proof of age, citizenship, domicile, or identity information of a voter is provided pursuant to this section, it shall satisfy that registration requirement for that qualification. Absence of data shall not disqualify a person. It shall be the applicant's responsibility to provide appropriate additional proof of their qualifications as required by this chapter.

2 Centralized Voter Registration Database. Amend RSA 654:45 to read as follows:

654:45 Centralized Voter Registration Database.

I.(a) The secretary of state ~~[is authorized to]~~ ***shall*** plan, develop, equip, establish, site, and maintain a statewide centralized voter registration database and communications system, hereinafter referred to as the voter database, connecting users throughout the state. The voter database shall include the current information on the voter registration forms, the accepted absentee ballot applications, the voter checklists, and voter actions as recorded on the marked checklist maintained by each city, ward, and town in the state. The database shall maintain addresses in accordance with United States Postal Service standardized addresses as described in the current USPS Publication 28.

—(b) The secretary of state shall provide for a verification process that voters sharing a place and date of birth, along with a substantially similar name to include nicknames or likely maiden/married name changes, are unique voters. Should any voter appear to be a duplicate, that information shall be forwarded to the supervisors of the checklist of the cities or towns involved for review and confirmation. The supervisor of the checklist shall notify the secretary of state of the result of such review, and should the records show that a single individual may have voted more than once in any election such information shall be forwarded to the attorney general for further investigation or prosecution.

—II. Any election official in the state authorized by this chapter to have direct access to the voter database may obtain immediate electronic access to the information contained in the voter database related to individuals registered or registering to vote in the election official's jurisdiction. The office of the clerk is hereby designated as a database access point for each town or city. The secretary of state may authorize additional database access points in a town or city, including election day access points at polling places ***during the operational hours of the polling place.***

—III. The voter database shall, upon certification by the secretary of state, be the official record of eligible voters for the conduct of all elections held in this state.

—IV.(a) The voter database shall have the following minimum components:

—(1) An electronic communications system that provides access for election officials from at least one point in each city and town within the state.

—(2) An interactive computer program allowing local election officials access to records contained in the database with a process to add, delete, modify, or print a voter registration record related to the election official's jurisdiction. The system shall be designed so that there can be regular updates to the database, the records reflect the name of each registered voter with no duplication, and the names of ineligible voters are removed. The system shall contain safeguards to ensure that the names of properly registered voters are not removed in error.

—(b) Voter database record data shall be verified by matching the records with those of the department of safety and the federal Social Security Administration as are required by law, and with the records of the state

agency or division charged with maintaining vital records. For this purpose the voter registration record database [may] ~~shall~~ be linked to the state agency or division charged with maintaining vital records and the department of safety, provided that no linked agency or division may save or retain voter information or use it for purposes other than verifying the accuracy of the information to be entered or contained in the voter database. The link authorized by this subparagraph shall not allow the department of state or election officials direct access to the motor vehicle registration or driver's license records maintained by the division of motor vehicles; provided that such link shall authorize the department of state to identify voter records with out-of-state driver's license information where the record cannot be matched to an in-state driver's license obtained within the deadline provided in RSA 263:35. The secretary of state shall [authorize] **provide, via a secure electronic transmission,** the release of information from the voter database necessary for the department of safety to notify an individual pursuant to RSA 263:35, II. The commissioner of safety [may authorize the release of] **shall provide, via a secure electronic transmission,** information from motor vehicle registration and driver's license records to the extent that the information is necessary to department of state and department of safety cooperation in a joint notification to individuals of apparent discrepancies in their records to the extent that the information is necessary to resolve those discrepancies or to complete voter registration. The commissioner of safety and the secretary of state [are authorized to] **shall** enter into an agreement that establishes the services to be provided by the department of safety and the cost for those services. [The department of safety shall not be required to provide any services under this subparagraph unless an agreement is in place and there are sufficient funds in the election fund to pay the cost for the services.] The system shall facilitate the completion, identification, and correction of voter registration records, including but not limited to when a registered voter has died or has been disenfranchised pursuant to part I, article 11 of the New Hampshire constitution or RSA 654:5 through RSA 654:6, or when the domicile address does not match the address provided by the same individual to the department of safety or to verify citizenship for voter registration.

— (c) Access by local election officials to the voter database shall be limited to the supervisors of the checklist, city registrars and deputy registrars, and town or city clerks and their deputies, as determined by the secretary of state. Access by local election officials shall be subject to the limitations of paragraph VI, and shall be limited to the records of individuals who are currently registered to vote in the official's jurisdiction and individuals who are applying to register to vote in the official's jurisdiction.

— (d) Beginning July 1, 2022, the secretary of state shall, no less than annually, cause voter records to be checked with the United States Postal Service for changes of address. All records identified as moving shall be provided to the city or town supervisors of the checklist for verification pursuant to RSA 654:39, III.

— V. The secretary of state shall:

— (a) Specify the employees of the department of state authorized to access records contained in the voter database, subject to the limitations of paragraph VI.

— (b) Provide adequate technological security measures to deter unauthorized access to the records contained in the voter database.

— (c) Issue guidelines to implement the voter database.

— VI. The voter database shall be private and confidential and shall not be subject to RSA 91-A and RSA 654:31, nor shall it or any of the information contained therein be disclosed pursuant to a subpoena or civil litigation discovery request. The secretary of state is authorized to provide voter database record data to the administrative office of the courts to assist in the preparation of master jury lists pursuant to RSA 500-A and to the clerk of the District Court of the United States for the District of New Hampshire to assist in the preparation of federal court jury lists. The voter checklist for a town or city shall be available pursuant to RSA 654:31. Any person who discloses information from the voter database in any manner not authorized by this section shall be guilty of a misdemeanor.

— VII. The city and town clerk shall enter, maintain, and keep up to date election official contact information and polling place information as determined by the secretary of state in the statewide centralized voter registration database for use by the secretary of state in effecting election laws.

— VIII. (a) The secretary of state may enter into an agreement to share voter information or data from the statewide centralized voter registration database for the purpose of comparing duplicate voter information with other states or groups of states. The secretary of state shall only provide information that is necessary for matching duplicate voter information with other states and shall take precautions to make sure that information in the database is secure in a manner consistent with RSA 654:45, VI. The secretary of state [may] **shall** solicit input from the department of safety and the department of information technology and shall ensure that any information or data shared between the agencies that is of a confidential nature remains confidential.

— (b) The secretary of state shall investigate any duplicate matches of voters resulting from any comparisons of the statewide centralized voter registration database with other states. If the investigation results in the inability to confirm the eligibility of a person or persons who voted, or there is reason to believe a person or persons voted who were not eligible, the secretary of state shall forward the results to the attorney general for further investigation or prosecution.

~~(c) Upon completion of any investigation authorized under RSA 654:45, VIII(b), the attorney general and the secretary of state shall forward a report summarizing the results of the investigation to the speaker of the house of representatives, the president of the senate, ***the majority and minority leaders of the house of representatives and the senate***, and the chairpersons of the appropriate house and senate standing committees with jurisdiction over election law.~~

~~—IX. [Repealed.]~~

~~—3 New Paragraph; Motor Vehicles; Records and Certification. Amend RSA 260:14 by inserting after paragraph III-e the following new paragraph:~~

~~—III-f. Motor vehicle records relevant to voter registration shall be provided to the secretary of state pursuant to RSA 654:45. These records may be further transferred by the secretary of state or otherwise made available by the secretary of state to city or town clerks, supervisors of the checklist, or other election officials for purposes of voter registration.~~

4 Effective Date. This act shall take effect July 30, 2026.

2026-1833h

AMENDED ANALYSIS

This bill requires the secretary of state, town, and city clerks to ensure that each polling place in the state has access to the statewide centralized voter registration database on each state, local, and federal election day during the operating hours of that polling place.

SB 660, relative to photo identification cards issued solely for the purpose of voting. **OUGHT TO PASS.**

Rep. Katherine Prudhomme-O'Brien for Election Law. This bill addresses the process for obtaining a no-cost photo identification card for voting purposes. Under current law, a voter who needs a photo identification card solely for voting and does not already possess an acceptable form of identification may obtain a voucher exempting the voter from the \$20 identification card fee. The voucher may currently be obtained from either the voter's city or town clerk or from the Secretary of State. This bill removes the Secretary of State as a voucher-issuing authority. As a result, voters seeking a no-cost voter identification card would obtain the voucher from their city or town clerk. The bill does not eliminate the voter identification card voucher or the fee exemption. Vote 18-0.

SB 418, prohibiting municipalities from requiring licenses for the production and sale of homestead food products. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Kevin Scully for Environment and Agriculture. This bill, known as the "Pickle Bill," was submitted by its sponsor in response to an over-zealous city health department sending a cease-and-desist order to a home pickle producer who joked on Facebook that he ought to sell the pickles that he was giving to friends. During the House committee hearing for this bill, it became apparent that this problem was not confined to Manchester and that the Nashua Health Department was forbidding non-hazardous baked-goods from being sold at farmers markets by people not subject to their city licensing and inspection ordinances. The NH Legislature created a homestead food exemption for just these types of non-hazardous goods, exempting them from any licensing and inspection in order to encourage people to start their own cottage industry to help themselves and to bring joy to others. This bill, as amended, removes all ambiguity in law and makes clear that the state's homestead food exemption program must be honored by all political subdivisions and health departments in NH. Vote 15-0.

Amendment (1481h)

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

AN ACT prohibiting municipalities from requiring licenses, restrictions, or exclusions for the production and sale of homestead food products.

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

1 New Paragraph; Local Regulations; Homestead Food Licenses. Amend RSA 147:1 by inserting after paragraph III the following new paragraph:

IV. Neither the governing body of a municipality nor the health officers of a town or city under RSA 47:12 shall make regulations requiring licenses, restrictions, or exclusions for activities or products that are exempt under RSA 143A:12 or RSA 143-A:5, VII.

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

2026-1481h

AMENDED ANALYSIS

This bill prohibits municipalities from requiring licenses, restrictions, or exclusions for the production and sale of homestead food products.

SB 475, including a determination of the best interest of the animal in the definition of foster home. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Barbara Comtois for Environment and Agriculture. The amendment to this bill is a necessary and narrowly tailored clarification of existing law to properly define "pet vendor foster home" and "pet vendor foster facility" in statute, ensuring that these arrangements are clearly understood, consistently regulated, and

aligned with the best interests of the animals involved. By explicitly defining these terms, the amendment closes gaps in current law that have led to ambiguity in how foster homes associated with licensed pet vendors are treated, while reinforcing that such placements must be tied to veterinary judgment and animal welfare standards. The committee further recognizes that this amendment strikes an appropriate balance between regulatory oversight and individual privacy. While it requires pet vendors to report associated foster homes to the Department of Agriculture, Markets, and Food for purposes of licensure compliance and animal inventory tracking, it also explicitly protects the confidentiality of foster home information from public disclosure. This is a critical component, as it ensures that private residences serving as foster homes are not exposed to unnecessary risk or intrusion. At the same time, the amendment provides the department with clear statutory authority to adopt and update rules under RSA 541-A, ensuring that the term “pet vendor” and its associated responsibilities are consistently and properly defined in both statute and administrative rule. The committee believes this approach improves transparency for regulators, protects pet vendor foster families, and strengthens the overall integrity of New Hampshire’s animal welfare framework. The amendment to the bill also includes language from HB 1766 which passed previously in the House. The Environment and Agriculture Committee worked tirelessly on this language for the past 2 years and we feel strongly for it to be passed. This 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. Measures outlined in this amendment 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 15-0.

Amendment (1838h)

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

AN ACT relative to pet vendor foster homes, defining pet vendor foster facility, and relative to cruelty to livestock.

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

1 New Paragraphs; Pet Vendor Foster Home; Definition. Amend RSA 437:1 by inserting after paragraph V the following new paragraphs:

VI. “Pet vendor foster home” means a private residence in New Hampshire associated with and inspected by a pet vendor licensed under RSA 437:3 that is used to provide temporary physical custody and care at such private residence for the pet vendor’s animals, including, but not limited to, pregnant or lactating animals, when it is deemed to be in the best interests of that animal’s health, safety and wellbeing as determined by a New Hampshire licensed veterinarian.

VII. “Pet vendor foster facility” means a facility in New Hampshire that may house animals owned and inspected by a pet vendor licensed under RSA 437:1 that is used to provide temporary physical custody and care at such facility for medical or behavioral rehabilitation when it is deemed to be in the best interest of the animal’s health, safety, and wellbeing as determined by a New Hampshire licensed veterinarian.

2 New Paragraphs; Sale Of Pets And Disposition Of Unclaimed Animals; Transfer of Animals and Birds; Requirements. Amend RSA 437:3 by inserting after paragraph V the following new paragraphs:

VI. A pet vendor shall report, at least annually and updated as necessary, on all pet vendor foster homes associated with the pet vendor to the department of agriculture, markets, and food to ensure compliance with licensure, animal inventory, and applicable pet limit requirements, as established by department rules pursuant to RSA 541-A.

VII. Information contained in such pet vendor foster home listings shall be confidential and shall not be subject to public disclosure in accordance with RSA 436:6-a and RSA 91-A.

3 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.***

4 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.

5 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, to include New Hampshire department of agriculture, markets, and food staff, or a licensed veterinarian, or other qualified staff from an animal shelter facility approved by the state veterinarian, in person or by video who shall determine whether there is probable cause to believe that the livestock should be confiscated. Livestock confiscated without a warrant where a charge has not been filed shall be returned within 10 days.

(b) The department of justice shall develop a form to be distributed to any person charged with cruelty to animals under RSA 644:8, paragraphs III or IIIa, concerning livestock. The form shall inform the person of their right to have the confiscated livestock examined by a veterinarian licensed under RSA 332B, chosen by the person charged, at the person's expense.

(c) Courts shall give cases in which livestock have been confiscated by an arresting officer priority on the court calendar, as outlined in RSA 644:8, IV(a)(3).

(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. For any livestock confiscated without a warrant where a charge has not been filed, the confiscated livestock shall be returned within 10 days. If, after 10 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. The act of making or forwarding a complaint does not make a person part of an investigation and does not render that person ineligible to take animals into custody.

(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 or surrenders the animal outright or for care by an animal shelter facility, the animal shall be euthanized.

6 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.

7 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.]~~

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

9 Effective Date.

I. Sections 3-8 of this act shall take effect January 1, 2027.

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

2026-1838h

AMENDED ANALYSIS

This bill includes a determination of the best interest of the animal in the definition of foster home and provides procedures for the potential confiscation of livestock involved in cruelty to animal cases.

SB 569, relative to the qualifications for hearings officers within the department of labor. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Erica Layon for Executive Departments and Administration. This bill was introduced to make the employment requirements for Department of Labor hearings officers more rigorous. As received by the House, the bill would require all hearings officers to have a law degree, be a member of the state bar association, and have experience with administrative adjudicatory hearings. It also kept an existing requirement that the person have experience in workers' compensation. The committee was concerned with the challenge of recruiting attorneys with a narrowly defined set of qualifications at the salary rates offered by state government. The existing requirement that the person have experience in workers' compensation is perplexing given testimony that one of the best performing hearings officers entered the job with no experience in workers' compensation. For these reasons, the committee recommends the bill with an amendment to remove the workers' compensation experience, to require graduation from law school, and to give hiring preference to licensed attorneys who have workers' compensation experience, or who have administrative adjudication experience. The committee believes that this is an appropriate compromise between recruitment challenges for a narrow job description and the ideal candidate profile, and recognizes that two further appeals levels will remedy any potential shortcomings. Vote 16-0.

Amendment (1869h)

Amend the bill by replacing section 1 with the following:

1 Hearing Officers. Amend RSA 281-A:42-b to read as follows:

281-A:42-b Hearing Officers. The commissioner shall appoint as many individuals as necessary to carry out the department's responsibilities under this chapter. Such individuals ~~[shall have experience in workers' compensation and]~~ shall hear workers' compensation cases before the commissioner. The commissioner shall set forth the job qualification necessary to ~~[insure]~~ **ensure** that each hearing officer is qualified to hear workers' compensation cases. ***Individuals employed as hearing officers shall have graduated from an accredited law school. The commissioner shall give a hiring preference to licensed attorneys who have workers' compensation experience or who have administrative adjudication experience.*** The **hearing officer** salary shall be commensurate with the responsibilities and experience required. The commissioner shall, by rules adopted under RSA 541-A, strengthen the reporting structure and the role of a hearing officer; develop a code of ethics for hearings and hearing officers; develop and require at least 15 hours of continuing education on an annual basis for hearing officers; and require a minimum of an additional 15 hours of annual training and briefing with the attorney general's staff.

2026-1869h

AMENDED ANALYSIS

This bill requires hearing officers at the department of labor to be graduates of an accredited law school and directs the labor commissioner to give a hiring preference to licensed attorneys who have workers' compensation experience or who have administrative adjudication experience.

SB 640-FN, relative to the use of artificial intelligence to provide services requiring a professional license. **INEXPEDIENT TO LEGISLATE.**

Rep. Jeremy Slottje for Executive Departments and Administration. The committee recommends an inexpedient to legislate designation for this bill due to the extreme technical complexity of regulating artificial intelligence within professional scopes of practice and the significant risk of unintended consequences. While the committee appreciates the sponsors' desire to protect the integrity of licensed professions, the bill's broad definitions and rigid consent requirements may inadvertently prohibit the use of beneficial, low-risk diagnostic tools or administrative innovations already integrated into modern practice. Furthermore, the rapid evolution of this technology outpaces the static nature of the proposed statutory language, creating a high likelihood of regulatory obsolescence and legal ambiguity that would place an undue burden on the Office of Professional Licensure and Certification. Rather than enacting restrictive and potentially disruptive legislation at this stage, the committee suggests that these emerging issues be further considered to ensure a more nuanced and sustainable regulatory framework. Vote 11-1.

SB 534-FN, (New Title) relative to compliance with certain political expenditures and contribution statutes. **OUGHT TO PASS.**

Rep. Carol McGuire for Finance. This bill expands the prohibition on foreign funding of elections to the local level and to both expenditures and contributions. Since it can be accomplished within existing election integrity resources, there is no state or local cost impact. Vote 24-0.

SB 541-FN-A, (New Title) relative to capital appropriations for regional drinking water infrastructure. **OUGHT TO PASS.**

Rep. Karen Ebel for Finance. This bill does two things: 1) It makes a \$65,000 appropriation to the Department of Environmental Services to assist the Pillsbury Lake Village District in Hillsborough in remediating loan costs associated with their water system upgrades; and 2) It reallocates \$5 million of an approved appropriation of \$50 million to the Department of Environmental Services for PFOA/PFOS remediation, and drinking water and wastewater residuals to the Phase 2B Southern New Hampshire Regional Water Interconnect Project. Both funding sources provide the village district and regional project a continued path forward to providing clean and potable drinking water to those neighborhoods benefitting from these projects. The interconnect will provide a needed link to neighborhoods in Rockingham County impacted by cyanobacteria and PFOA/PFOS pollution. These items are not requests for new money appropriations, but rather reallocations and assignments of monies already appropriated. SB 541 passed in the House on a voice vote with the unanimous recommendation of the House Committee on Public Works and Highways. Vote 24-0.

SB 657-FN, (Second New Title) relative to the use of information technology and artificial intelligence systems by state agencies. **OUGHT TO PASS.**

Rep. Karen Ebel for Finance. The statutorily created Information Technology Council advises the Department of Information Technology (DoIT) Commissioner on statewide technology strategy, procurement, standards, and budgeting. SB 657 adds artificial intelligence (AI) to the council's advisory charge, including compliance with RSA 5-D, opportunities to improve government efficiency, and workforce effects. RSA 5-D, enacted in 2024, is the state's AI governance statute, prohibiting certain uses, requiring human review of high-stakes AI decisions, and tasking the Department of Information Technology with oversight and annual reporting. The amendment also adds AI to the subjects for technical committees under RSA 21-R:7 and creates a new RSA 21-R:9-b requiring a public inventory of state agency AI systems and a consolidated annual report that satisfies the existing RSA 5-D:5, III reporting requirement. Housing this work within the council leverages existing governance rather than duplicating it. SB 657 has no fiscal impact. It passed the House on a voice vote with the unanimous recommendation of the House Committee on Commerce and Consumer Affairs. Vote 23-0.

SB 570, (New Title) relative to legislative ethics. **REFER FOR INTERIM STUDY.**

Rep. Gregory Hill for Legislative Administration. The committee heard the testimony describing the need for changes to our recently passed ethics legislation, specifically in response to the concern of constituent representation being squelched when a senator or representative voluntarily recuses due to conflict of interest. The committee reviewed the statistics on actual recusal usage for 2025 and 2026. In 2025, seven senators filed 17 separate Disclosure of Intent forms declaring conflict. One senator, whose husband is a lobbyist, filed nine of the 17 total. In 2026, four senators filed nine separate Disclosure of Intent forms declaring conflict. One senator, whose husband is a lobbyist, filed five of the nine total. In 2025, 27 Representatives filed 27 separate Disclosure of Intent forms declaring conflict. In 2026, 16 Representatives filed 16 separate Disclosure of Intent forms declaring conflict. This is minimal usage despite the record number of bills filed in these years. These figures would seem to contradict the puzzling claim of voluntary recusal stifling constituent representation and the committee also felt that it would be unwise to risk additional member confusion by just adding new incomplete definitions and language to an already overly verbose section of law. Interim Study was selected so a more comprehensive editing by both branches could take place over the summer where language and definitions could be clarified, consolidated, and perhaps removed altogether. One comprehensive bill, rather than several tweaking attempts, the committee feels, will be easier for the members to digest. Vote 12-0.

SB 435, relative to the zoning board of adjustment variance criteria. **INEXPEDIENT TO LEGISLATE.**

Rep. Tom Dolan for Municipal and County Government. No sponsor or cosponsor made themselves available to testify on or support this bill. The committee members did not have an opportunity to query the bill's originator to better understand the purpose or intent of the bill. Vote 20-0.

SB 440, relative to the adoption of energy efficient and clean energy districts by municipalities. **OUGHT TO PASS.**

Rep. Laurel Stavis for Municipal and County Government. This bill makes changes to RSA 53-F:1, the statute that defines the C-PACER program. C-PACER is a statewide initiative that works with municipalities to identify districts with the potential for beneficial development utilizing clean energy technologies. The program then facilitates that development by identifying lenders and other agencies that will join forces with the state and the municipality to move the development forward. Municipalities with an interest in such development can adopt C-PACER through their governing bodies. The problem this bill addresses is that in its initial iteration, RSA 53-F:1 only allowed municipalities with charters to opt in in this manner. This bill corrects that by specifying that municipalities without charters can opt in using the same method. The Municipal and County Government Committee supports the expansion of C-PACER to all New Hampshire communities and, for this reason, voted unanimously to recommend the bill Ought to Pass. Vote 20-0.

SB 495, increasing the limit for transfers of appropriations in Carroll County. **INEXPEDIENT TO LEGISLATE.** Rep. John MacDonald for Municipal and County Government. This bill would increase the limit for transfers of appropriations in Carroll County from \$1,000 to \$10,000, from one line item to another. At the time of the public hearing, the bill's primary sponsor requested that the bill be found Inexpedient to Legislate. Vote 20-0.

SB 585-FN, relative to audits for communications districts. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Stephanie Grund for Municipal and County Government. This bill was requested by one of the last communication districts in the state. Communication districts were established to address the issue of inaccessibility of broadband. These districts currently require a financial audit every year. However, the one remaining communication district has around \$10,000 in their account with no revenue and only expenses budgeted for over the past few years. Due to the cost of an audit, it did not seem prudent to require an audit every year with such a small amount of activity. The original bill requested an audit be required only if they exceeded \$50,000 in annual revenue or if they exceeded \$2 million in revenue in the previous fiscal year. Noting that \$2 million seemed an excessive amount, the amendment changed the requirements of an audit to happen only if revenue or expenses exceeded \$50,000. Other governmental entities require audits to ensure that public monies are used appropriately. This bill and the amendment limits the need for the audit, but establishes thresholds to support the required work when needed. Vote 20-0.

Amendment (1769h)

Amend the bill by replacing section 1 with the following:

1 Communications Districts; Audits. Amend RSA 53-G:10 to read as follows:

53-G:10 Audits. The governing board shall hire a certified public accountant or a public accountant licensed by the state under RSA 309-B:5 to conduct a financial audit, in accordance with generally accepted governmental auditing standards as adopted by the United States General Accounting Office and applicable state statutes, to be completed within 6 months after the close of each fiscal year. Upon completion of an audit, the governing board shall review and vote on acceptance of the audit and send a copy of the audited financial statements, the auditor's opinion on those statements, a report on internal control, a report on compliance, and any other auditor reports to the governing body of each of the member municipalities and to the department of revenue administration. ***The department of revenue administration shall waive the requirement of an independent audit for any fiscal year upon petition by the governing board demonstrating that either the district's annual revenue or expenses during the previous year was less than \$50,000 and the district agreement provides that the district is not a tax authority and prohibits the district from raising revenue from any member municipality except through voluntary contribution by such member or pursuant to contractual agreement with such member.*** At least every 2 years, the governing board shall vote on whether to contract for a performance audit of the district in accordance with the generally accepted governmental auditing standards. Upon completion of a performance audit, the committee shall review and vote on acceptance of the audit and send a copy of the resulting materials to the governing body of each of the member municipalities and to the department of revenue administration.

SB 492-FN, authorizing the department of military affairs and veterans services to license and lease property in which the department holds a property interest. **OUGHT TO PASS.**

Rep. Brian Cole for Ways and Means. The committee voted to pass this legislation because it takes a practical and forward-thinking step toward addressing the real and growing need for affordable housing, particularly for the dedicated men and women who serve in the New Hampshire National Guard. By authorizing the Department of Military Affairs and Veterans Services to lease or license underutilized property, this bill creates a pathway to responsibly develop or convert existing facilities—such as barracks—into much-needed housing, while still maintaining strong accountability and oversight. It ensures that when private entities are involved, they contribute fairly through local property taxes, protecting municipalities and taxpayers, and it establishes a dedicated fund so that any revenues generated are reinvested directly into maintaining and improving these critical assets. At its core, this legislation is about using the resources we already have in a smarter way to support those who serve, strengthen our communities, and expand housing opportunities without placing additional burdens on taxpayers. Just as importantly, it reflects our deep respect and gratitude for our men and women in uniform by working to ensure they and their families have access to safe, affordable housing and the support they deserve for their service to our state and nation. Vote 20-0.

Rep. Sargent declared a conflict of interest on Senate bills numbered 480, 550, 606 and 607 and did not participate in the vote on the Consent Calendar.

REGULAR CALENDAR

SB 455-FN, relative to health plan coverage of GLP-1 medications. **INEXPEDIENT TO LEGISLATE.**

Rep. John Hunt for Commerce and Consumer Affairs. This bill requires health plans to cover GLP-1 medications under Medicaid. Funding for this mandate was cut from this biennium's state budget. Passing this bill at this time is inappropriate given the current budget's shortfalls and can always be reinstated in the next biennium's budget. Vote 13-2.

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

Rep. Sargent recused himself from the vote and did not participate.

SB 498-FN, relative to children's mental health services for persons 18 years of age and younger. **MAJORITY: REFER FOR INTERIM STUDY. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. John Hunt for the **Majority** of Commerce and Consumer Affairs. This bill would create a new quasi-governmental entity without meaningful legislative oversight to assess a new assessment (tax) on commercial insurance policies to fund a specific program within the Department of Health and Human Services, known as FAST Forward. FAST Forward was established within the Medicaid program, originally only available to children with Medicaid eligibility. It is only offered by two providers through contracts with DHHS, and is governed by RSA 135-F, a Medicaid statute. The contracted price is \$50,000 per child. This is called "capitation." In 2020, the Executive Council approved new contracts with the providers which allowed children with commercial health insurance to enter the FAST Forward program. Stakeholders were working towards a nonlegislative solution that would equitably address the cost of clinical services for commercially insured children enrolled in the FAST Forward program. The goal is that providers will bill the child's insurance policy for the clinical services rendered. We were close to a compromise, with ensuring the services provided by mental health counselors were being paid by insurance companies. We have no idea, nor do insurance companies and Medicaid, if contracted medical providers are being paid anyway, even though the appointment was made by a FAST Forward care manager. The problem is that Medicaid uses capitation and insurance companies do not. The two care manager providers here in New Hampshire need to change their billing to a "fee for service." The question that needs to be resolved is how do you bill if the care manager is only texting the child/parent weekly? Finally, we insist that there is proper oversight of billing. Taxing every health "insurance plan" sold in New Hampshire to offset the cost of DHHS's decision not to use "fee for service" when providing the FAST Forward program for private insurance is the problem. This tax/assessment would have cost impacts. It is inappropriate, inequitable, unconstitutional, and would invite costly litigation against the state. The Interim Study motion will allow the Commerce and Consumer Affairs Committee and the New Hampshire Insurance Department more time to work with all stakeholders over the summer. In September we will have a non-legislative solution. There will be a thorough cost analysis of a potential future mandate to cover the non-clinical aspects of the FAST Forward program. Vote 14-4.

Rep. Julie Miles for the **Minority** of Commerce and Consumer Affairs. The minority believes this bill with the bipartisan amendment (2026-1757h) addresses a critical need within New Hampshire's children's behavioral health system by strengthening access to coordinated, community-based services for children with significant mental health and trauma-related challenges. Testimony before the committee demonstrated the FAST Forward program has been successful in stabilizing families, reducing unnecessary institutionalization, and helping children remain safely in their homes and communities. The minority further supports the committee amendment, which reflects substantial collaboration among providers, insurers, advocates, and state agencies to create a more balanced and sustainable funding structure. The amendment improves upon the original bill by better integrating commercial insurance participation and supporting appropriate reimbursement mechanisms for care management entities, and preserves the wrap-around model of care central to the program's effectiveness. Members of the minority were persuaded by testimony showing that early intervention and coordinated behavioral health services improve long-term outcomes while reducing reliance on costly inpatient and out-of-state placements. The minority also recognizes the current imbalance in which state general funds are frequently used to cover services for commercially insured children when adequate coverage is unavailable. The amended bill takes reasonable steps toward aligning financial responsibility more appropriately while maintaining continuity of care for vulnerable children and families. It also establishes a pathway toward improved cost transparency and long-term sustainability without disrupting existing services. For these reasons, the minority believes this bill, as amended, represents a thoughtful and practical approach to strengthening New Hampshire's behavioral health system and respectfully recommends Ought to Pass with Amendment.

The question being adoption of the majority committee report of Refer for Interim Study.

Reps. Chourasia, Jared Sullivan and Miles spoke against.

Reps. Burroughs and Hunt spoke in favor.

On a division vote, with 188 members having voted in the affirmative, and 164 in the negative, the majority committee report was adopted.

Rep. Burnham voted nay and intended to vote yea.

Reps. Morton and Sargent recused themselves from the vote and did not participate.

SB 665-FN, (New Title) relative to pharmacy benefits managers, managed care laws, notice of drug pricing options and pharmacy benefit manager business practices. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Julie Miles for the **Majority** of Commerce and Consumer Affairs. The committee recognizes the issues addressed in this bill are important and warrant thoughtful, deliberate policymaking. These matters carry significant implications and require careful consideration, robust stakeholder engagement, and clear statutory language to ensure effective and sustainable outcomes. However, the legislative process for this bill did not allow for that level of consideration. The bill was a late filing and, as it moved forward, became increasingly complex and unwieldy through multiple amendments. Testimony and committee discussion reflected concerns that the bill, as ultimately presented, had been diluted to the point where it no longer effectively addressed its original intent. The committee further notes the bill received only a brief public hearing in the Senate, lasting approximately eight minutes, followed by multiple additional amendments, including two floor amendments adopted without further public hearing or substantive debate. This process resulted in a final version that lacked clarity, cohesion, and sufficient vetting. Members also recognized there are other superior legislative vehicles under consideration which address similar policy goals with clearer language, broader stakeholder input, and stronger support. These alternatives provide a more appropriate path forward for addressing the underlying issues in a comprehensive and effective manner. For these reasons, the insurance subcommittee unanimously recommended Inexpedient to Legislate in a bipartisan fashion, and the majority of the committee finds that the bill, in its final form, is not ready for enactment and should be found Inexpedient to Legislate. Vote 13-2.

Rep. Carry Spier for the **Minority** of Commerce and Consumer Affairs. The aim of this bill was originally presented to make sure that patients could receive their prescriptions at the lowest possible price and provide transparency through the process of establishing those prices and costs. The final version of the bill is the result of hastily adding the requirements of three other pharmacy benefits managers (PBM) related bills (SB 478 - Laid on the Table, SB 547 - Referred for Interim Study, and SB 247 - Referred for Interim Study). The resultant bill conflates PBMs with health carriers even though they are very different operational entities. The bill further puts requirements on PBMs that are not in their purview. The bill modifies 14 different policy areas currently in statute affecting both PBMs and health carriers, applies burdensome financial audits, excessive penalties for violations, and exposure of proprietary information. If the primary reason for the bill is to ensure lowest prices for drugs, New Hampshire already has two existing provisions in statute on this subject. RSA 415:26 Price of Filling Prescriptions specifies that a PBM or insurer shall require a contracted pharmacy to charge an enrollee or insured person the pharmacy's usual and customary price of filling the prescription or the contracted copayment, whichever is less. The term "usual and customary" as defined in RSA 126-A:3 "means the lowest charge, fee, or rate charged by a provider for any product or service at the time such product or service was provided." RSA 420-J:8 Provider Contract Standards specifies that "[n]o contract between an insurance carrier or [PBM] and a contracted pharmacy shall contain a provision prohibiting divulgence to a covered person...relative to monetary matters which would prove beneficial in lowering costs to such covered person." While it is fully acknowledged that there have been bad actors related to PBMs and health carriers, the existing laws need to be enforced when issues exist in our jurisdiction rather than piling on new and very cumbersome laws. Amendment 2026-1758h was crafted to reduce the bill to what is needed by the Insurance Department to gain transparency with respect to drug pricing and provide aggregated information to patients. Penalties and rules are referred to RSA 420-J. The amendment has provisions for less burdensome audits, prohibitions against retroactive denial of previously paid claims, and provisions for an appeal process. While the original bill should be rejected for cumbersome overreaching, the amendment should not be. It accomplishes what is needed by patients and the Insurance Department. If future legislation is needed, what we would have from the amendment provides a good foundation that should provide immediate and useful information to help determine where problems exist and the direction such new bills should take.

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

Rep. Sargent recused himself from the vote and did not participate.

SB 409-FN, relative to the penalties for the offense of disobeying an officer. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Terry Roy for Criminal Justice and Public Safety. This bill deals with the penalties for failure to stop for a police officer. The House turned aside the same bill in its House version. Significant reforms were made through committee amendment. There is no doubt that refusal to stop is becoming a problem in New Hampshire. The difference between New Hampshire and states not having these increases are our penalties for doing so. The Department of Safety testified that police pursuits by just the State Police have increased 123% since 2017. In 2017 the State Police had 38 pursuits. In 2025, there were 85. Of the 12 State Police pursuits between January 1 and March 17 of this year where the perpetrator's age was identified, the evidence shows that this is not a matter of "kids making bad decisions", an argument used to stop the previous House version of this bill. The ages reported are: 17, 18, 33, 33, 34, 40, 42, 43, 46, 55, 67, and 73. Again, this is just the State Police. The committee decided that not all police pursuits are the same and accordingly, they should not all carry the same penalty. With this amendment, only the most hazardous and egregious behavior merits felony charges. The amendment clearly states that the mere refusal itself does not rise to a felony. This compromise was agreeable to all members and law enforcement. Vote 13-0.

Rep. Roy offered floor amendment (1773h).

FloorAmendment (1773h)

Amend RSA 265:4, III(a)(4) as inserted by section 1 of the bill by replacing it with the following:

(4) Intentionally causes a collision with, or damage to, a law enforcement vehicle with the intent to disable said vehicle or elude apprehension; or

2026-1773h

AMENDED ANALYSIS

This bill amends the penalties for the offense of disobeying an officer

The question being adoption of floor amendment (1773h).

Floor amendment (1773h) was adopted.

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

Rep. Lynn offered floor amendment (1964h).

FloorAmendment (1964h)

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

AN ACT relative to the penalties for the offense of disobeying an officer and relative to establishing certain due process rights for students, student organizations, and faculty members facing disciplinary actions by state institutions of higher learning.

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

2 New Chapter; Due Process Protections for Students, Student Organizations, and Faculty Members of New Hampshire Public Post-Secondary Education Institutions. Amend RSA by inserting after chapter 188-J the following new chapter:

CHAPTER 188-K

DUE PROCESS PROTECTIONS FOR STUDENTS, STUDENT ORGANIZATIONS, AND FACULTY MEMBERS OF NEW HAMPSHIRE PUBLIC POST-SECONDARY EDUCATION INSTITUTIONS

188-K:1 Declaration of Purpose. The purpose of this chapter is to establish for students, student organizations, and faculty members of publicly funded New Hampshire colleges and universities the right to certain due process protections when disciplinary proceedings are brought against them by such institutions.

188-K:2 Definitions. As used in this chapter:

I. "Disciplinary proceeding" means an action or proceeding instituted against a student, student organization, or faculty member of a New Hampshire public institution of higher education that could result in the student or faculty member being suspended, expelled, or terminated, or result in a student organization being deprived, either temporarily or permanently, of any of the rights or privileges accorded to other student organizations duly recognized or approved by the institution.

II. "Faculty member" means a full or part-time member of the faculty of a New Hampshire public institution of higher education, but does not include a faculty member who is in probationary status.

III. "Public institution of higher education" means "public institution of higher education" as defined by RSA 188-J:1, V.

IV. "Student" means "student" as defined by RSA 188-J:1, VII.

V. "Student organization" means "student organization" as defined by RSA 188-J:1, VIII.

188-K:3 Due Process Rights Established.

I. In all disciplinary proceedings, as defined by RSA 188-K:2, I, against a student, student organization, or faculty member, the student, student organization, or faculty member shall be entitled to a hearing under published procedures that include, at a minimum, all of the following:

(a) The right to receive written notice at least 7 days prior to the hearing of the allegations upon which the proceeding is based, and the specific provisions of law, rule, regulation, or code of conduct that allegedly were violated.

(b) The right to receive at least 5 days before the hearing a listing of all known witnesses who have provided or will provide evidence or information against the student, student organization, or faculty member, as well as copies of all written documents, statements of witnesses, photographs, electronic data, tangible evidence, and all other relevant inculpatory or exculpatory information. Recipients shall take reasonable steps to prevent the parties from disclosing to third parties information and evidence obtained through the grievance process.

(c) The right to the presumption that no violation occurred. This presumption may be overcome only if the public institution of higher education establishes by a preponderance of the evidence that the violation alleged was committed by the student, student organization, or faculty member charged.

(d) The right against self-incrimination.

(e) The right to confront and cross-examine witnesses who provide evidence against the student, student organization, or faculty member; provided, however, that if a person who claims to be a victim of

the conduct giving rise to the disciplinary action objects to being cross-examined by the person accused of the violation, the hearing officer or panel shall require that the cross-examination be conducted by another person selected by the accused and approved by the hearing officer or panel. The person accused shall have the right to be present when his or her accuser is cross-examined.

(f) The right to present a defense and call witnesses in support of the defense.

(g) The right to an impartial hearing officer or panel.

(h) The right to have the assistance of an advisor, advocate, or legal representative, at the student's, student organization's, or faculty member's own expense, who shall be allowed to be present at and directly participate in all aspects of the proceeding. Such advisor, advocate, or legal representative shall not serve in any other role in connection with the proceeding, including as investigator, witness, decider of fact, hearings officer, panel member, decider of an appeal, or advisor to any of the foregoing.

(i) The right to have a verbatim record of the hearing made and preserved for use in the event there is an appeal.

(j) The right to appeal a final adverse decision to the vice president of student affairs or equivalent official or body specifically designated by the institution to hear such appeals. The person or persons comprising the appeal tribunal shall not have directly participated in any other aspect of the proceeding in question.

II. The procedural rights, including the hearing, specified in paragraph I shall be afforded to a student, student organization, or faculty member prior to the imposition of any discipline, provided however that, in cases where the public institution of higher education can show a substantial likelihood of an immediate threat to the physical health or safety of any student or other individual before a hearing can be held, the institution may immediately take such actions as are necessary to prevent or ameliorate the threat and shall thereupon hold the hearing as soon as reasonably practicable after it has taken such actions.

III. A student, student organization, or faculty member may waive any or all of the rights specified in paragraph I, provided that such waiver is made knowingly, intelligently, and voluntarily.

188-K:4 Rules and Regulations of Public Institutions of Higher Education. Any New Hampshire public institution of higher education may adopt rules, regulations, policies, or procedures that afford students, student organizations, or faculty members more due process protections than those provided in this chapter, but no such institution shall adopt or utilize any rules, regulations, policies, or procedures that afford students, student organizations, or faculty members facing a disciplinary proceeding less protections than those afforded them herein.

188-K:5 Applicability of Chapter to Existing Collective Bargaining Agreements. If the rights afforded to faculty members under this chapter conflict with grievance or disciplinary procedures established under a valid collective bargaining agreement between a public institution of higher education and a union representing faculty members of such institution that is in effect when this chapter becomes effective, the grievance or disciplinary procedures provided for in the collective bargaining agreement rather than those provided by this chapter shall apply to any disciplinary proceedings brought against faculty members covered by the collective bargaining agreement while the agreement remains in effect. After the expiration of said collective bargaining agreement, the provisions of this chapter shall apply to any new disciplinary proceedings commenced against faculty members represented by the union. From and after the effective date of this chapter, no public institution of higher education and no union representing faculty members of such institution shall enter into any new collective bargaining agreement, nor extend the expiration date of an existing collective bargaining agreement, which contains grievance or disciplinary procedures less protective of faculty members' due process rights than those established by this chapter.

3 Effective Date.

I. Section 1 of this act shall take effect January 1, 2027.

II. The remainder of this act shall take effect July 1, 2026.

2026-1964h

AMENDED ANALYSIS

This bill:

I. Amends the penalties for the offense of disobeying an officer.

II. Establishes for students, student organizations, and faculty members of publicly funded New Hampshire colleges and universities the right to certain due process protections when disciplinary proceedings are brought against them by such institutions, and addresses the provisions' applicability to collective bargaining agreements.

The question being adoption of floor amendment (1964h).

Rep. Lynn spoke in favor.

Rep. Luneau spoke against.

On a division vote, with 190 members having voted in the affirmative, and 164 in the negative, the amendment was adopted.

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

The House considered committee amendment (1389h).

Amendment (1389h)

Amend the bill by replacing section 1 with the following:

1 Disobeying an Officer; Penalties. Amend RSA 265:4, II-III to read as follows:

II. Any person who violates any provision of paragraph I of this section may have his or her license or privilege to drive and any registrations issued in his or her name suspended.

III. In addition to the penalty listed in paragraph II:

(a) Any person who violates the provisions of subparagraphs I (a), (b), (d), (e), or (f) of this section shall be guilty of a class A misdemeanor.

~~III.(a) In addition to the penalties listed in paragraph II,~~ (b) Any person who violates the provisions of subparagraph I(c) shall be guilty of a class **B felony who, at the time of the offense alleged:**

(1) Drives or operates at a speed more than 30 miles per hour in excess of the prima facie limit;

(2) Extinguishes the vehicle's exterior lighting to evade detection;

(3) Operates a vehicle against the designated flow of traffic on a one-way street, divided highway, or off-ramp;

(4) Intentionally causes a collision with, or damage to, a law enforcement vehicle with the intent to disable said vehicle or elude apprehension;

(5) Engages in any other extrahazardous behavior in addition to refusing to stop, that is intended to evade apprehension which a reasonable person would know creates a substantial risk of death or serious bodily injury to the officer, the person, or the general public [A misdemeanor and shall be fined not less than \$500].

~~[(b)]~~ (c) Any person who violates the provisions of subparagraph I(c), and is involved in a motor vehicle [accident] **collision** which causes serious bodily injury as defined in RSA 625:11, VI ~~[while being pursued]~~, shall be guilty of a class B felony.

~~[(e)]~~ (d) Any person who violates the provisions of subparagraph I(c), and is involved in a motor vehicle [accident] **collision** which causes the death of another, shall be guilty of a class A felony.

2026-1389h

AMENDED ANALYSIS

This bill amends the penalties for the offense of disobeying an officer.

The question being adoption of the committee amendment.

Committee amendment was adopted.

CLERKS NOTE

Due to a technical error, the committee amendment was not moved first. Without objection, the Speaker proceeded to consider the amendment.

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

Rep. Kuttab offered floor amendment (1961h)

FloorAmendment (1961h)

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

AN ACT relative to the penalties for the offense of disobeying an officer and relative to liability of governmental units.

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

2 Bodily Injury Actions Against Governmental Units; Liability for Negligence. RSA 507-B:2 is repealed and reenacted to read as follows:

507-B:2 Liability for Negligence.

I. A governmental unit may be held liable for damages for:

(a) Bodily injury, personal injury, death, or property damages caused by the failure of the governmental unit or its officials or employees acting within the scope of their authority to follow the appropriate standard of care when that duty was owed to the person making the claim, including any right of action for money damages which either expressly or by implication arises from any law, unless another remedy for such claim is expressly provided by law; or

(b) Property damages suffered by a governmental unit employee or official during the performance of that employee's or official's duties while on the governmental unit's business where compensation is appropriate under principles of equity and good conscience;

(c) Provided, however, that the liability of any governmental unit with respect to its sidewalks, streets, and highways shall be limited as provided in RSA 231 and the liability of any governmental unit with respect to publicly owned airport runways and taxiways shall be limited as set forth in RSA 422.

II. The provisions of this chapter shall not apply to:

(a) Any claim based upon an act or omission of an employee or official of a governmental unit when such employee or official is exercising due care in the execution of any statute or any regulation of a public employer, or any municipal ordinance.

(b) Any claim based upon the exercise or performance or the failure to exercise or perform a discretionary executive or planning function or duty on the part of an employee or official of a governmental unit acting within the scope of his office or employment.

3 Bodily Injury Actions Against Governmental Units; Limit of Liability. Amend RSA 507-B:4, I to read as follows:

I. Liability of a governmental unit for bodily injury, personal injury or property damage sustained by any one person in actions brought under this chapter is limited to [~~\$325,000~~] **\$475,000 per claimant and \$1,425,000 per any single incident, or the proceeds from any insurance policy, whichever amount is greater.** Such limit applies in the aggregate to any and all actions to recover for bodily injury, personal injury or property damage sustained by one person in a single incident or occurrence. [~~Liability of a governmental unit for bodily injury, personal injury, or property damage sustained by any number of persons in a single incident or occurrence is limited to \$1,000,000.~~] The limits applicable to any action shall be the limits in effect at the time of the judgment or settlement.

4 Bodily Injury Actions Against Governmental Units; Insurance Policies Procured by Governmental Agency. Amend RSA 507-B:7-a to read as follows:

507-B:7-a Insurance Policies Procured by Governmental Agency. It shall be lawful for the state or any municipal subdivision thereof, including any county, city, town, school district, school administrative unit or other district, to procure the policies of insurance described in RSA 412 **or participate in pooled risk management, or self-insurance, pursuant to RSA 5-B.** In any action against the state or any municipal subdivision thereof to enforce liability on account of a risk so insured against, the insuring company or state or municipal subdivision thereof shall not be allowed to plead as a defense immunity from liability for damages resulting from the performance of governmental functions, and its liability shall be determined as in the case of a private corporation except when a standard of care differing from that of a private corporation is set forth by statute **or common law**; provided, however, that liability in any such case shall not exceed the limits of coverage specified in the policy of insurance or as to governmental units defined in RSA 507-B, liability shall not exceed the policy **or pooled risk** limit or the limit specified in RSA 507-B:4, if applicable, whichever is higher, **or for self-insurance, the limit specified in RSA 507-B:4,** and the court shall abate any verdict in any such action to the extent that it exceeds such limit.

5 Political Subdivision Employees; Indemnification for Damages. Amend RSA 31:105 to read as follows:

31:105 Indemnification for Damages. A city, town, county, village district or precinct, school district, chartered public school, school administrative unit, or any other municipal corporation or political subdivision [~~may by a vote of the governing body~~] **shall** indemnify and save harmless for loss or damage [~~occurring after said vote~~] any person employed by it and any member or officer of its governing board, administrative staff or agencies including but not limited to selectmen, school board members, chartered public school trustees, city councilors and aldermen, town and city managers, regional planning commissioners, town and city health officers, overseers of public welfare, and superintendents of schools from personal financial loss and expense including reasonable legal fees and costs, if any, arising out of any claim, demand, suit, or judgment by reason of negligence or other act resulting in accidental injury to a person or accidental damage to or destruction of property if the indemnified person at the time of the accident resulting in the injury, damage, or destruction was acting in the scope of employment or office **and such acts were not wanton or reckless.**

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

2026-1961h

AMENDED ANALYSIS

This bill:

I. Amends the penalties for the offense of disobeying an officer.

II. Modifies the standards and amounts for which a governmental unit may be held liable for negligence resulting in personal injury or property damage.

III. 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.

The question being adoption of floor amendment (1961h).

Rep. Kuttap spoke in favor.

Floor amendment (1961h) was adopted.

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

Rep. Diane Kelley offered floor amendment (1970h).

Floor Amendment (1970h)

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

AN ACT relative to the penalties for the offense of disobeying an officer and expanding the information provided to survivors of sexual assault regarding their existing rights.

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

2 Sexual Assault Survivors' Rights. Amend RSA 21-M:18 to read as follows:

21-M:18 Sexual Assault Survivors' Rights.

I. In addition to the rights of a crime victim provided in RSA 21-M:8-k, a sexual assault survivor shall have the following rights:

(a) The right not to be prevented from, or charged for, receiving a medical examination, **including any individual element or elements of a state sexual assault evidence collection kit.**

(b) The right to:

(1) Have a sexual assault evidence collection kit or its probative contents preserved, without charge, for the duration of the maximum applicable statute of limitations or 20 years, whichever is shorter;

(2) Be informed of any result of a sexual assault evidence collection kit, including a DNA profile match, toxicology report, or other information collected as part of a medical forensic examination, if such disclosure would not impede or compromise an ongoing investigation; and

(3) Be informed in writing of policies governing the collection and preservation of a sexual assault evidence collection kit, **including the information required by RSA 21-M:19, IV.**

(c) The right, if the state intends to destroy or dispose of a sexual assault evidence collection kit or its probative contents before the expiration date of the maximum applicable statute of limitations, to:

(1) Upon written request, receive written notification from the prosecutor or appropriate state official with custody not later than 60 days before the date of the intended destruction or disposal; and

(2) Upon written request, be granted further preservation of the kit or its probative contents.

(d) The right to be informed of the rights under this section.

II. In this [subdivision,] **chapter, "sexual assault survivor" means:**

(a) **Any individual who asserts that they have been subject to an offense under RSA 632-A:2, 632-A:3, or 632-A:4 including, but not limited to, penetrative or non-penetrative sexual assault or the administering of a drug or other intoxicating substance as part of a sexual assault which falls under the referenced statutes.**

(b) **An individual reporting an attempted rape who asserts sexual contact as defined by RSA 632-A:1, IV and described within RSA 632-A:4 shall not be denied survivor rights because of lack of knowledge of correct legal terminology.**

(c) "Sexual assault survivor" includes a deceased victim of sexual assault.

3 New Paragraphs; Notification of Sexual Assault Survivors' Rights. Amend RSA 21-M:19 by inserting after paragraph II the following new paragraphs:

III. The attorney general shall post prominently on the attorney general's website the document or documents required by RSA 21-M:8-d, II which summarize the policies to inform a sexual assault survivor, listed entities, and the general public regarding:

(a) Rights under this section and RSA 21-M:18, I.

(b) Policies governing the collection and preservation of a sexual assault evidence collection kit established in RSA 21-M:8-d, I including:

(1) How long after an assault samples, including blood, urine and other evidence, are generally collected;

(2) The evidentiary value of all clothing and other material present at the time of assault; and

(3) The ability to collect evidence for an assault which occurred in a location outside of New Hampshire.

(c) That sexual contact which would be considered aggravated felonious sexual assault if it was penetration is misdemeanor sexual assault.

IV. A health care provider, law enforcement officer, or other employee of an entity listed in paragraph I, who in the course of their professional responsibilities has contact with a sexual assault survivor, shall provide the individual with the document intended for sexual assault survivors provided by the attorney general pursuant to paragraph III or an internally created document which contains, at minimum, the same material information.

4 Standardized Rape Protocol and Kit and Domestic Violence Protocol. Amend RSA 21-M:8-d to read as follows:

21-M:8-d Standardized Rape Protocol and Kit and Domestic Violence Protocol.

I. The department of justice shall adopt, pursuant to RSA 541-A, and implement rules establishing a standardized rape protocol and kit and a domestic violence protocol to be used by all physicians or hospitals in this state when providing physical examinations of victims of alleged sexual offenses and alleged domestic abuse, as defined in RSA 173-B:1.

II. The department of justice shall create a document summarizing the information required by RSA 21-M:19, III so that victims of sexual assault, health care providers, and the general public can easily access the details of the protocols required in paragraph I necessary to protect the rights of sexual assault survivors.

5 Effective Date.

I. Section 1 of this act shall take effect January 1, 2027.

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

2026-1970h

AMENDED ANALYSIS

This bill amends the penalties for the offense of disobeying an officer.

This bill also expands the information provided to sexual assault survivors, defines sexual assault survivor for purposes of receiving such information, and requires certain entities to provide the notice of rights to sexual assault survivors.

The question being adoption of floor amendment (1970h).

Rep. Diane Kelley spoke in favor.

Rep. Rhodes spoke against.

Rep. Read requested a roll call; sufficiently seconded.

YEAS 172 - NAYS 184

YEAS - 172

BELKNAP

Nagel, David St. Clair, Charlie

Boudman, Bobbi Burroughs, Anita
Smith, Jonathan McAleer, Chris

CARROLL

Paige, David Hamblen, Joseph
Woodcock, Stephen

CHESHIRE

Ames, Dick Berch, Paul
Gruber, James Jacobs, Samantha
Newell, Jodi O'Rourke, Terri

Harvey, Cathryn Fox, Dru
Jones, Philip Germana, Nicholas
Parshall, Lucius Weber, Lucy

GRAFTON

Almy, Susan Barton, Joseph
Fellows, Sallie Fracht, David
Lovett, Peter Lucas, Janet
Oppel, Thomas Rockmore, Ellen
Stringham, Jerry Sykes, George

Beaulier, Calvin Cormen, Thomas
Hakken-Phillips, Mary Sullivan, Jared
McFarlane, Donald Muirhead, Russell
Spahr, Terry Stavits, Laurel

HILLSBOROUGH

Murray, Alissandra Beauchemin, Paige
Budathoki, Suraj Chourasia, Manoj
Kelley, Diane Darby, Will
Elberger, Susan Davis, Fred
Georges, Mary Grill, Jessica
Hartnett, Tim Hegner, Karen
Juris, Louis Kerwin, Erin
Leapley, Nicole LeClerc, Daniel
Long, Patrick Howard, Molly
Manohar, Sanjeev McGhee, Kat
Prout, Andrew Newman, Ray
Rung, Rosemarie Ryan, Linda
Spier, Carry Staub, Kathy
Tellez, Trinidad Mannion, Tom
Dolan, William Thomas, Wendy

Bergeron, Dan Booras, Efstathia
Chretien, Suzanne Cornell, Patricia
Dargie, Paul DiSilvestro, Linda
Flanagan, Jack Foss, Lily
Grund, Stephanie Harriott-Gathright, Linda
Herbert, Christopher Jack, Martin
Kluger, Lee Ann Foxx, Loren
Leishman, Peter Lloyd, Christal
Murray, Megan MacKenzie, Mark
Petrigno, Peter Plamondon, Marc
Raymond, Heather Rombeau, Catherine
Newman, Sue Salvi, Santosh
Swanson, Dale Telerski, Laura
Vail, Suzanne Veilleux, Daniel
Wheeler, Jonah Wilhelm, Matthew

MERRIMACK

Bricchi, Tracy Caplan, Tony
Gallager, Eric Gibbs, Merryl
Hall, Muriel Newsom, James
Sargent, Gregory Schamberg, Thomas
Soucy, Timothy Wallner, Mary Jane

Colby, Eleana Ebel, Karen
Lane, Connie Luneau, David
Payeur, Stephanie Roesener, James
Schultz, Kris Snodgrass, Jim
Woods, Gary

ROCKINGHAM

Balboni, Peggy Cahill, Michael
Grote, Jaci Murray, Kate
Maggiore, Jim Malloy, Dennis

de Vries, Erica Edgar, Michael
Knab, Allison Paige, Mark
Mandelbaum, Jennifer Manos, Zoe

Meuse, David
Read, Ellen
Soti, Julius

Muns, Chris
Scherr, Buzz
Turer, Eric

Prudhomme-O'Brien, Katherine
Simpson, Alexis
Ward, Gerald

Raynolds, Ned
Sorensen, Carrie

STRAFFORD

Bailey, Glenn
Butler, Billie
Howard, Heath
Kaczynski, Thomas
Smith, Marjorie
Southworth, Thomas
Wall, Janet

Bay, Luz
DeRoy, Susan
Horrigan, Timothy
LaMontagne, Jessica
Miller, Seth
Stone, John

Bixby, Peter
Smith, Geoffrey
Howland, Allan
Larochelle, John
Potenza, Kelley
Pearson, Wayne

Burton, Wayne
Gilmore, Gary
Johnson, Erik
Levesque, Cassandra
Selig, Loren
Wade, Alice

SULLIVAN

Sullivan, Brian
Palmer, William

Cloutier, John
Spilsbury, Walter

Damon, Hope

Girard, Dale

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BELKNAP

Aldrich, Glen
Freeman, Lisa
Terry, Paul

Bordes, Mike
Harvey-Bolia, Juliet
Toner, Travis

Coker, Matthew
Ploszaj, Tom
Varney, Peter

Dumais, Russell
Minor, Sheri

CARROLL

Avellani, Lino
Peternel, Katy

Belcher, Mike
Taylor, Brian

Crawford, Karel

MacDonald, John

CHESHIRE

Murphy, Denis
Nalevanko, Rich

Hunt, John
Qualey, James

Karasinski, Sly
Rhodes, Jennifer

Mattson, Rita
Thackston, Dick

COOS

Durkin, Sean
Ouellet, Mike

Korzen, Lori
King, Seth

Murphy, Michael
Tierney, James

Morency, Pete
Tremblay, Marc

GRAFTON

Berezhny, Lex
Louis, Darrell

Bjelobrk, Marie Louise
Sellers, John

Franz, Linda

Ladd, Rick

HILLSBOROUGH

Alexander, Joe
Berry, Ross
Corcoran, Travis
Dumont, Dillon
Griffin, Gerald
Gould, Linda
Lascelles, Richard
Miles, Julie
Noble, Kristin
Pauer, Diane
Reinfurt, Sherri
Seibert, Christine
Ulery, Jordan

Ammon, Keith
Boehm, Ralph
Creighton, James
Dupont, Pierre
Gagne, Larry
Kenny, Catherine
Murphy, Mary
Mooney, Maureen
Notter, Jeanine
Post, Lisa
Rice, Kimberly
Sheehan, Vanessa
Warden, Mark

Boyd, Bill
Colcombe, Riché
Daniels, Gary
Erf, Keith
Giasson, Henry
Kesselring, Steven
Mazur, Lisa
Morton, Jonathan
Ohm, Bill
Presa, Adam
Schneller, John
Sirois, Shane
Wherry, Robert

Barbour, Liz
Cole, Brian
Drew, Matt
Fedolfi, Jim
Gorski, Ted
Labrie, Brian
McLean, Mark
Murphy, Nancy
Paquette, Kathleen
Proulx, Mark
Scully, Kevin
Slottje, Jeremy

MERRIMACK

Andrus, Louise
Cambrils, Jose
Hill, Gregory
Pitaro, Matthew
Seaworth, Brian
Wood, Clayton

Aures, Cyril
McGuire, Dan
Leavitt, John
Plante, Raymond
See, Alvin

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

McGuire, Carol
Kelly, Eileen
Moffett, Michael
Boyd, Stephen
Thibault, James

ROCKINGHAM

Ball, Lorie
Bryer, Scott
DeVito, Sayra
Edwards, Jess
Guzofski, James
Khan, Aboul
Layon, Erica
Lynn, Bob
McGrath, Linda
Nadeau, Brian

Bennett, Cindy
Mannion, Dennis
Donnelly, Tanya
Foote, Charles
Harb, Robert
Kuttab, Katelyn
Litchfield, Melissa
Pearson, Mark
McMahon, Charles
Brown, Pam

Bernardy, JD
Thomas, Douglas
Drago, Mike
Ford, Mary
Janigian, John
Miner, Laurence
Love, David
Markell, Jay
Melvin, Charles
Perez, Kristine

Bridle, Nicholas
DeSimone, Debra
Dunn, Ron
Guthrie, Joseph
Katsakiores, Phyllis
Walsh, Lilli
Lundgren, David
McDonnell, Valerie
Milz, David
Popovici-Muller, Daniel

Porcelli, Susan
Sabourin dit Choinière, Matt
Sweeney, Joe
Tudor, Paul
MacDonald, Wayne

Potucek, John
Selby, Donald
Sytek, John
Vallone, Mark
Weyler, Kenneth

Roy, Terry
Spillane, James
Dolan, Tom
Vandecasteele, Susan
Wilson, Vicki

Pearson, Stephen
Summers, James
Tripp, Richard
Vose, Michael

STRAFFORD

Burnham, Claudine
Schmidt, Peter

DeLemus, Susan
Turcotte, Len

Farrington, Samuel
Walker, David

Harrington, Michael

SULLIVAN

Drye, Margaret
Aron, Michael

Grant, George
Rollins, Skip

Hemingway, Wayne
Smith, Steven

Aron, Judy

and floor amendment (1970h) failed.

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

On a division vote, with 181 members having voted in the affirmative, and 175 in the negative, the committee report was adopted and the bill was ordered to third reading.

SB 624-FN, restricting access to certain hemp-derived products. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Terry Roy for the **Majority** of Criminal Justice and Public Safety. The underlying bill and the amendment make important updates to the definition of hemp and deals with the availability of products with high THC content that are otherwise unregulated and available to minors. The result is a bipartisan agreement that carefully addresses the issue. The amendment also deals with the growing practice of various chemicals being added to illicit drugs by dealers in order to increase their profits and increase the addiction to the substances they sell. This has resulted in more deaths and other physical harm to users. First responders are often unable to help victims of these adulterated substances as Narcan only works on opioids. While xylazine, an animal tranquilizer, is one of the most popular substances used in this manner, it is not the only one. The amendment, rather than focusing on one agent, targets the act of mixing chemicals not meant for human consumption with controlled substances for sale to users. By not specifying one agent, we allow law enforcement to be able to respond to the ever-changing landscape of chemicals being both invented and distributed by China and introduced onto our streets. First, synthetic opioids in the form of fentanyl from China caused a nationwide epidemic of addiction and death, now xylazine is being added to that. Additionally, the DOJ and DEA specifically identified China-based companies sending or advertising synthetic opioids including protonitazene and metonitazene, which are extremely potent synthetic opioids sometimes mixed with fentanyl or other opioids. The US Treasury said a China-based network was responsible for manufacturing and distributing ton quantities of MDMA precursors, along with fentanyl and methamphetamine precursors. The DEA says Mexican cartels make methamphetamine using precursor chemicals sourced largely from China and India. DOJ also charged a China-based company with trafficking methylamine HCl, a methamphetamine precursor. The list goes on. As it takes the federal government a long time to react to each of the new chemical adulterants introduced in the supply, this bill fills the gap and allows our law enforcement to bring serious additional charges against people who are not only selling illegal drugs, but are secretly adding unknown and untested chemicals to them to increase their profits with little regard to the devastating impact on the lives of our citizens. There was a concern that the class A felony for distribution was essentially the same as the class B, this is untrue. The class B is for anyone caught actually mixing the substances for sale. The class A is for the person actually selling it to people for use. If anything, a stronger argument can be made for making them both class A felonies than for removing the enhanced felony for someone dealing what could be fatal poison. Vote 8-6.

Rep. Buzz Scherr for the **Minority** of Criminal Justice and Public Safety. This bill creates two new crimes to pile on an individual who will already be charged with a crime for which he can get up to 30 years. While one of these new crimes may have some merit, the second, a class A felony, simply plays with words to charge what is essentially the same crime as the first one. A floor amendment would cure this problem by eliminating one of those crimes.

Majority Amendment (1846h)

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

AN ACT restricting access to certain hemp-derived products and establishing the offenses of criminal adulteration and distribution of adulterated controlled substances.

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

1 Hemp; Definition. Amend RSA 439-A:2, V to read as follows:

V. "Hemp" means the plant *Cannabis sativa* L. and any part of the plant, ~~[whether growing or not, with a delta-9 tetrahydrocannabinol concentration (THC) of not more than 0.3 percent on a dry weight basis]~~ **including the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, with a total tetrahydrocannabinols concentration (including tetrahydrocannabinolic acid) of not more than 0.3 percent on a dry weight basis.**

2 Hemp; Prohibitions. Amend RSA 439-A:4 to read as follows:

439-A:4 Hemp-Derived Products Containing THC Prohibited.

Nothing in this chapter shall be construed to authorize the sale of products that are derived from hemp which contain natural or synthetic tetrahydrocannabinol (THC) greater than 0.3 percent on a dry weight basis, which appear in any formulation, including delta-8 THC, delta-9 THC, *tetrahydrocannabinolic acid (THCA)*, or any other THC isomer variant. ***Such products are prohibited.***

3 Premises Restrictions; Unlawful Purpose. Amend RSA 179:50 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 439-A:4 relative to certain hemp-derived products containing THC prohibited.

4 New Paragraph; Prohibited Sales. Amend RSA 179:5 by inserting after paragraph II the following new paragraph:

III. No licensee, salesperson, nor any other person, shall sell or give away or cause or allow or procure to be sold, delivered, or given away any product derived from hemp which contains natural or synthetic tetrahydrocannabinol (THC) in any amount, which appear in any formulation, including delta-8 THC, delta-9 THC, or any other THC isomer variant or tetrahydrocannabinolic acid (THCA), to a person under the age of 21.

5 Legislative Findings. With respect to section 6 of this act, the general court finds that:

I. The presence of unapproved substances in the illicit drug supply poses an immediate and severe threat to the health and safety of the citizens of New Hampshire.

II. The state of New Hampshire currently provides widespread access to harm-reduction testing resources.

III. The intentional adulteration of controlled substances with unapproved additives demonstrates a reckless disregard for human life.

IV. The distribution of controlled substances without verification of contents, given the availability of testing resources, constitutes a significant public safety hazard warranting enhanced penalties.

6 New Section; Criminal Adulteration and Distribution of Adulterated Controlled Substances. Amend RSA 318-B by inserting after section 2-e the following new section:

318-B:2-f Criminal Adulteration and Distribution of Adulterated Controlled Substances.

I. A person is guilty of a class B felony if they knowingly combine, mix, or adulterate a controlled substance with any substance not approved for human consumption, with the intent to distribute the resulting mixture. The state may establish intent through the presence of processing equipment, including but not limited to, scales, cutting agents, blenders, presses, or the simultaneous possession of a controlled substance and an unapproved additive in a manufacturing context.

II. A person is guilty of a class A felony if they possess with intent to distribute, or distribute, any controlled substance which they know or have reasonable cause to believe contains an unapproved additive. For the purposes of this section, "reasonable cause to believe" includes the failure to utilize accessible harm-reduction testing resources or the distribution of substances in a market known to be contaminated with unapproved additives.

III. The penalties provided for in this section shall be in addition to, and not in lieu of, any other penalties or offenses provided for under this chapter or any other provision of law, and shall not be construed to limit the state's authority to prosecute any other applicable criminal offense.

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

2026-1846h AMENDED ANALYSIS

This bill:

I. Prohibits certain hemp-derived products, directs liquor licensees to comply with the prohibition, and amends the definition of hemp.

II. Establishes the offenses of criminal adulteration and distribution of adulterated controlled substances.

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. Scherr offered floor amendment (1936h).

Floor Amendment (1936h)

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

AN ACT restricting access to certain hemp-derived products and establishing the offenses of criminal adulteration and distribution of adulterated controlled substances.

Amend the bill by replacing all after section 4 with the following:

5 Legislative Findings. With respect to section 6 of this act, the general court finds that:

I. The presence of unapproved substances in the illicit drug supply poses an immediate and severe threat to the health and safety of the citizens of New Hampshire.

II. The intentional adulteration of controlled substances with unapproved additives demonstrates a reckless disregard for human life.

III. The distribution of controlled substances without verification of contents, given the availability of testing resources, constitutes a significant public safety hazard warranting enhanced penalties.

6 New Section; Criminal Adulteration and Distribution of Adulterated Controlled Substances. Amend RSA 318-B by inserting after section 2-e the following new section:

318-B:2-f Criminal Adulteration and Distribution of Adulterated Controlled Substances. A person is guilty of a class B felony if they knowingly combine, mix, or adulterate a controlled substance with any substance not approved for human consumption, or if they knowingly possess with intent to distribute any such controlled substance with the intent to distribute the resulting mixture. The state may only charge one of the two options above for each incident. The state may establish intent through the presence of processing equipment, including but not limited to, scales, cutting agents, blenders, presses, or the simultaneous possession of a controlled substance and an unapproved additive in a manufacturing context.

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

2026-1936h

AMENDED ANALYSIS

This bill:

I. Sets penalties applicable to corporations and unincorporated associations for possession of certain hemp-derived products, directs liquor licensees to comply with the prohibition, and amends the definition of hemp.

II. Establishes the offenses of criminal adulteration and distribution of adulterated controlled substances.

The question being adoption of floor amendment (1936h).

Rep. Scherr spoke in favor.

Rep. Roy spoke against.

On a division vote, with 160 members having voted in the affirmative, and 191 in the negative, the amendment failed.

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

On a division vote, with 189 members having voted in the affirmative, and 165 in the negative, the majority committee report was adopted and the bill was ordered to third reading.

SB 667-FN, relative to the assault of emergency room personnel. **MAJORITY: OUGHT TO PASS. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Terry Roy for the **Majority** of Criminal Justice and Public Safety. The majority of the committee after hearing testimony, agreed that this bill was a necessary enhancement to our criminal law. More and more healthcare professionals are being physically assaulted on the job and nowhere more than in the emergency room. Our federal law mandates that our emergency rooms treat anyone who presents themselves for treatment, regardless of their having insurance, their citizenship status, or their behavior. The level of violence on our healthcare workers has increased exponentially in recent years with drug seeking patients angry at being denied opioids, methamphetamine induced rage, patients demanding care that is not indicated and otherwise intoxicated patients. It has become difficult to fill positions in our emergency rooms and all of our health will suffer as a result. Over 98 percent of emergency departments report nursing shortages, and these shortages have persisted for over a year. Burnout is a major reason, as emergency departments are high-stress environments, and many nurses are leaving or retiring. As a result, hospitals are facing longer wait times and potential impacts on patient care. About 91 percent of emergency physicians have experienced workplace violence, and around 60 percent of nurses have either left or considered leaving their jobs due to violence. This cycle of violence makes it harder for hospitals to maintain safe staffing levels. Some claimed that this bill would disproportionately impact the mentally ill, but we heard testimony from law enforcement and medical professionals that this was a red herring argument. Healthcare professionals know the difference between a senior with dementia or Alzheimer's and a meth addict. They have no interest in the persecution of mentally ill patients and they are some of the strongest advocates for keeping the mentally ill out of the criminal justice system. Assuming that they and our law enforcement professionals do not have the ability to use discretion or the knowledge to know the difference is insulting to both professions. If our doctors and nurses cannot be trusted to know who is mentally ill and who is not, who can be? It is after all, the same people who make determinations about their care. Vote 10-3.

Rep. Buzz Scherr for the **Minority** of Criminal Justice and Public Safety. This bill substantially increases the criminal liability for a person who causes injury or bodily injury to emergency room personnel in the form of class A or B felonies for what would otherwise be misdemeanors or class B felonies. Doing so is an appropriate measure. But, we do not want to sweep up into that dramatic increase in punishment those suffering from dementia; from a diagnosed mental illness that has led to a mental health crisis or from an intellectual or

developmental disability that inhibits their ability to communicate. That approach would be punishing the wrong people by having them sit in jail for 6 – 12 months without treatment before they got to a trial before a judge or jury. The minority amendment addresses this flaw while maintaining the positive intent of this bill by providing guidelines for police and prosecutors at the front end of the criminal justice process.

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

Rep. Scherr offered floor amendment (1925h).

FloorAmendment (1925h)

Amend RSA 631:1, I(e) as inserted by section 1 of the bill by replacing it with the following:

(e) Knowingly causes serious bodily injury to any emergency room personnel acting in the line of duty. For purposes of this subparagraph, “emergency room personnel” means a person in a hospital emergency department who, in the course and scope of their employment or as a volunteer, provides services or medical care, or who assists in the providing of services or medical care, for the benefit of the general public, including, but not limited to, any health care professional, emergency department clerk, emergency department technician, student, and emergency department volunteer working in the hospital emergency department. This section shall not apply to a person being involuntarily held due to a mental health crisis and who has a mental health diagnosis; a person who has a dementia diagnosis; or a person who has a disability such as an intellectual or developmental disability that impacts the person’s ability to effectively communicate.

Amend RSA 631:2, I(g) as inserted by section 2 of the bill by replacing it with the following:

(g) Knowingly causes bodily injury to any emergency room personnel acting in the line of duty. For purposes of this subparagraph, “emergency room personnel” means a person in a hospital emergency department who, in the course and scope of their employment or as a volunteer, provides services or medical care, or who assists in the providing of services or medical care, for the benefit of the general public, including, but not limited to, any health care professional, emergency department clerk, emergency department technician, student, and emergency department volunteer working in the hospital emergency department. This section shall not apply to a person being involuntarily held due to a mental health crisis and who has a mental health diagnosis; a person who has a dementia diagnosis; or a person who has a disability such as an intellectual or developmental disability that impacts the person’s ability to effectively communicate.

2026-1925h

AMENDED ANALYSIS

This bill establishes felony-level offenses for the assault of emergency room personnel, subject to certain exceptions.

The question being adoption of floor amendment (1925h).

Rep. Scherr spoke in favor.

Rep. Roy spoke against.

On a division vote, with 164 members having voted in the affirmative, and 189 in the negative, the amendment failed.

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

Rep. Miles spoke in favor.

On a division vote, with 179 members having voted in the affirmative, and 173 in the negative, the majority committee report was adopted and the bill was ordered to third reading.

SB 430, (New Title) relative to mandatory disclosure by school district employees to parents and legal guardians.

MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Melissa Litchfield for the **Majority** of Education Policy and Administration. This bill as amended has been made cleaner and clearer. The amendment removed the term “material information” so the language simply refers to “information,” reducing ambiguity and creating a more straightforward standard for communication between schools and families. The amendment also clarifies that written parental inquiries must be answered completely and honestly, except where prohibited by state or federal law. This legislation affirms a simple and widely shared principle: parents have a right to know what is happening with their own child at school. It strengthens transparency and communication by requiring timely, honest, and complete responses to parents and legal guardians, while still preserving important protections for student safety. The bill maintains a narrow safeguard for situations involving imminent risk of abuse, neglect, or physical harm. In those rare circumstances, educators must comply with existing mandatory reporting laws and may withhold only the limited information that creates the risk. The majority believes parents and schools work best as partners, and that strong partnerships depend on clear, honest communication. This bill supports both families and public education by reinforcing trust, transparency, and accountability. Vote 10-8.

Rep. Loren Selig for the **Minority** of Education Policy and Administration. The minority of the committee believes this bill raises serious concerns about student privacy and the erosion of trust within the educational environment. By introducing measures that require increased disclosure of sensitive student information, the bill creates a climate where students feel surveilled rather than supported by educators. Schools function best when students can confide in educators and counselors without fear that their personal struggles will be exposed or reported in ways that may harm them. This legislation undermines essential trust, discouraging students from seeking help when they need it most. Additionally, questions remain about where reports will be filed and who will have access. There are also concerns about sharing information requested by a non-custodial parent.

Majority Amendment (1817h)

Amend RSA 189:13-d, I-II as inserted by section 2 of the bill by replacing it with the following:

I. Educators credentialed by the New Hampshire department of education shall have a duty to respond to written inquiries by parents and legal guardians regarding information relating to their child enrolled in that educator's school. Such response to a written request shall be sent within 10 business days of its receipt and be answered completely and honestly, except where prohibited by state or federal law.

II. If, in the good faith determination of the credential holder, such complete and honest response to a request would put the child at imminent risk of abuse or neglect, as defined in RSA 169-C:3, such credential holder shall file a report with the superintendent, and the request for information shall be denied in writing.

2026-1817h

AMENDED ANALYSIS

This bill requires all school employees to respond honestly and completely to written requests by parents and legal guardians regarding information relating to their children, except where such responses are prohibited by state or federal law.

The question being adoption of the majority committee amendment.

On a division vote, with 176 members having voted in the affirmative, and 160 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. Litchfield spoke in favor.

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

YEAS 193 - NAYS 163

YEAS - 193

BELKNAP

Aldrich, Glen
Freeman, Lisa
Terry, Paul

Bordes, Mike
Harvey-Bolia, Juliet
Toner, Travis

Coker, Matthew
Ploszaj, Tom

Dumais, Russell
Minor, Sheri

CARROLL

Avellani, Lino
MacDonald, John

Belcher, Mike
Smith, Jonathan

Crawford, Karel
Peternel, Katy

Hamblen, Joseph

CHESHIRE

Murphy, Denis
Nalevanko, Rich

Hunt, John
Qualey, James

Karasinski, Sly
Rhodes, Jennifer

Mattson, Rita
Thackston, Dick

COOS

Durkin, Sean
Ouellet, Mike

Korzen, Lori
King, Seth

Murphy, Michael
Tierney, James

Morency, Pete
Tremblay, Marc

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
Paquette, Kathleen

Ammon, Keith
Boehm, Ralph
Creighton, James
Dumont, Dillon
Flanagan, Jack
Gorski, Ted
Labrie, Brian
McLean, Mark
Noble, Kristin
Pauer, Diane

Boyd, Bill
Colcombe, Riché
Kelley, Diane
Dupont, Pierre
Griffin, Gerald
Gould, Linda
Lascelles, Richard
Miles, Julie
Notter, Jeanine
Post, Lisa

Barbour, Liz
Cole, Brian
Daniels, Gary
Erf, Keith
Gagne, Larry
Kenny, Catherine
Murphy, Mary
Mooney, Maureen
Ohm, Bill
Presa, Adam

Proulx, Mark
Schneller, John
Slottje, Jeremy
Wheeler, Jonah

Prout, Andrew
Scully, Kevin
Mannion, Tom
Wherry, Robert

Reinfurt, Sherri
Sheehan, Vanessa
Ulery, Jordan

Rice, Kimberly
Sirois, Shane
Warden, Mark

MERRIMACK

Andrus, Louise
Cambriis, Jose
Leavitt, John
Plante, Raymond
See, Alvin

Aures, Cyril
McGuire, Dan
Mehegan, Peter
Polozov, Yury
Walsh, Thomas

Aylward, Deborah
Devoid, Ricky
Moffett, Michael
Boyd, Stephen
Thibault, James

McGuire, Carol
Hill, Gregory
Pitaro, Matthew
Seaworth, Brian
Wood, Clayton

ROCKINGHAM

Ball, Lorie
Mannion, Dennis
Donnelly, Tanya
Foote, Charles
Janigian, John
Miner, Laurence
Love, David
Markell, Jay
Melvin, Charles
Brown, Pam
Potucek, John
Sabourin dit Choinière, Matt
Summers, James
Tudor, Paul
Weyler, Kenneth

Bennett, Cindy
Thomas, Douglas
Drago, Mike
Ford, Mary
Katsakiores, Phyllis
Walsh, Lilli
Lundgren, David
McDonnell, Valerie
Milz, David
Perez, Kristine
Prudhomme-O'Brien, Katherine
Selby, Donald
Sweeney, Joe
Vandecasteele, Susan
Wilson, Vicki

Bernardy, JD
DeSimone, Debra
Dunn, Ron
Guzofski, James
Khan, Aboul
Layon, Erica
Lynn, Bob
McGrath, Linda
Nadeau, Brian
Popovici-Muller, Daniel
Roy, Terry
Soti, Julius
Dolan, Tom
Vose, Michael

Bryer, Scott
DeVito, Sayra
Edwards, Jess
Harb, Robert
Kuttab, Katelyn
Litchfield, Melissa
Pearson, Mark
McMahon, Charles
Osborne, Jason
Porcelli, Susan
Pearson, Stephen
Spillane, James
Tripp, Richard
MacDonald, Wayne

STRAFFORD

Bailey, Glenn
Farrington, Samuel
Turcotte, Len

Burnham, Claudine
Harrington, Michael
Walker, David

DeLemus, Susan
Kaczynski, Thomas

DeRoy, Susan
Potenza, Kelley

SULLIVAN

Drye, Margaret
Aron, Judy
Spilsbury, Walter

Girard, Dale
Aron, Michael

Grant, George
Rollins, Skip

Hemingway, Wayne
Smith, Steven

NAYS - 163

BELKNAP

Nagel, David

St. Clair, Charlie

CARROLL

Boudman, Bobbi
Taylor, Brian

Burroughs, Anita
Woodcock, Stephen

Paige, David

McAleer, Chris

CHESHIRE

Ames, Dick
Gruber, James
Newell, Jodi

Berch, Paul
Jacobs, Samantha
O'Rorke, Terri

Harvey, Cathryn
Jones, Philip
Parshall, Lucius

Fox, Dru
Germana, Nicholas
Weber, Lucy

GRAFTON

Almy, Susan
Hakken-Phillips, Mary
Muirhead, Russell
Stavis, Laurel

Cormen, Thomas
Sullivan, Jared
Oppel, Thomas
Stringham, Jerry

Fellows, Sallie
Lovett, Peter
Rockmore, Ellen
Sykes, George

Fracht, David
Lucas, Janet
Spahr, Terry

HILLSBOROUGH

Murray, Aissandra
Budathoki, Suraj
Darby, Will
Davis, Fred
Grund, Stephanie
Herbert, Christopher
Kluger, Lee Ann
Leishman, Peter
Murray, Megan
Murphy, Nancy
Raymond, Heather
Newman, Sue
Staub, Kathy
Vail, Suzanne
Wilhelm, Matthew

Beauchemin, Paige
Chourasia, Manoj
Dargie, Paul
Foss, Lily
Harriott-Gathright, Linda
Jack, Martin
Foxy, Loren
Lloyd, Christal
MacKenzie, Mark
Petrigno, Peter
Rombeau, Catherine
Salvi, Santosh
Swanson, Dale
Veilleux, Daniel

Bergeron, Dan
Chretien, Suzanne
DiSilvestro, Linda
Georges, Mary
Hartnett, Tim
Juris, Louis
Leapley, Nicole
Long, Patrick
Manohar, Sanjeev
Plamondon, Marc
Rung, Rosemarie
Seibert, Christine
Telerski, Laura
Dolan, William

Booras, Efsthathia
Cornell, Patricia
Elberger, Susan
Grill, Jessica
Hegner, Karen
Kerwin, Erin
LeClerc, Daniel
Howard, Molly
McGhee, Kat
Newman, Ray
Ryan, Linda
Spier, Carry
Tellez, Trinidad
Thomas, Wendy

MERRIMACK

Bricchi, Tracy
Ebel, Karen
Luneau, David
Roesener, James
Snodgrass, Jim

Caplan, Tony
Gallager, Eric
Hall, Muriel
Sargent, Gregory
Soucy, Timothy

Colby, Eleana
Gibbs, Merryl
Newsom, James
Schamberg, Thomas
Wallner, Mary Jane

Kelly, Eileen
Lane, Connie
Payeur, Stephanie
Schultz, Kris
Woods, Gary

ROCKINGHAM

Balboni, Peggy
Edgar, Michael
Knab, Allison
Mandelbaum, Jennifer
Raynolds, Ned
Sorensen, Carrie
Ward, Gerald

Bridle, Nicholas
Grote, Jaci
Paige, Mark
Manos, Zoe
Read, Ellen
Sytek, John

Cahill, Michael
Guthrie, Joseph
Maggiore, Jim
Meuse, David
Scherr, Buzz
Turer, Eric

de Vries, Erica
Murray, Kate
Malloy, Dennis
Muns, Chris
Simpson, Alexis
Vallone, Mark

STRAFFORD

Bay, Luz
Smith, Geoffrey
Howland, Allan
Levesque, Cassandra
Selig, Loren
Wade, Alice

Bixby, Peter
Gilmore, Gary
Johnson, Erik
Smith, Marjorie
Southworth, Thomas
Wall, Janet

Burton, Wayne
Howard, Heath
LaMontagne, Jessica
Miller, Seth
Stone, John

Butler, Billie
Horrigan, Timothy
Larochelle, John
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.

MOTION TO PRINT DEBATE

Rep. Roesener moved that the debate on **SB 430**, relative to mandatory disclosure by school district employees to parents and legal guardians. be printed in the Permanent Journal.

Without objection, the Speaker ordered.

DEBATE ON SB 430

Representative Selig: Thank you, Mr. Speaker. I rise today in opposition of Senate Bill 430 as amended because it raises serious concerns about student privacy, safety, and trust within our schools. Education is not simply about academics. Schools are places where young people seek guidance, stability, and support during some of the most vulnerable moments in their lives. That support depends on trust. When students believe their private conversations may be disclosed or shared beyond the people they confide in, that trust begins to erode. But you shouldn't take my word for why this bill is bad. Let me share words from the students who are most impacted. One middle schooler who had not yet come out to their parents said school feels safer than home sometimes. "My counselor had flat-out said to us they would be accepting of everyone. My parents never said that. I didn't know if they would be cool with it or not, but I knew for sure my counselor would be. It was nice to be sure before saying it." Another student said, "How are you supposed to be able to explain who you are to your parents when you're still trying to figure, trying your best to figure it out for yourself? My teachers and counselors who I talked to already get it. I just want to figure it out and have someone to talk to who gets it." A high school student shared that sometimes there are things parents don't understand about how kids treat each other at the school environment. So when a student forms a close relationship with the teacher, it sometimes makes sense to tell them things they aren't ready to share with their parents yet. Clearly Senate Bill 430 moves our students and our schools in the wrong direction by creating an atmosphere of surveillance rather than support. Students who are struggling often turn first to trusted teachers, counselors, etcetera, because they believe those adults are there to help them safely navigate difficult circumstances. If students fear sensitive information will be disclosed without clear protections, many will simply stop seeking help altogether. A student who feels unsafe speaking honestly with a counselor is less likely to ask for help before a situation escalates into depression, self-harm, homelessness, or violence. Trust is not secondary in education; it's foundational to student well-being and academic success. Additionally, the bill raises key questions. Who decides what is complete and honest disclosure? Who decides what's a violation? Where is a report filed and who has access to it? Finally, one more young person said of this bill requiring teachers to tell parents everything, "That's not fair. It's not their life. I want to tell the people I want when I am ready. That law is taking away my choices." For these reasons I respectfully urge the body to oppose Senate Bill 430 and I request a roll call vote.

Speaker Packard: Chair recognizes Representative Litchfield.

Representative Litchfield: Thank You, Mr. Speaker. I have a speech that I've written out. I just don't think it makes sense to read it on a bill like this because I don't even understand why we're discussing this. It just simply states that if a parent has a question of an educator and they put it in writing that the educator has within 10 days to respond they must respond thoroughly and honestly and there are guardrails in where if we're going to put the child in danger that then you go to the superintendent and something goes

to the parent within 10 days it simply says I'm sorry I can't share what I'm going to share. Where are the parents? So, I don't understand if you have a child that is acting funny at home or maybe you think that they're acting sad or they need help or maybe they are confused about their identity. Where are the parents? Aren't we the ones that are supposed to give them support? There's a story that we hear in committee quite often and it touched my heart many times until a couple days ago when I really thought about it. There's a Representative that I respect, but they often tell the story about 9-11, and on 9-11, there was a call made to this particular educator where it was one of those the government called and said, "hey, we need you to take care of this student, you're not to ask any questions, you're to be there for that student," and every time I hear that I have the utmost respect for that particular Representative except it occurred to me two days ago that it's the same Representative that I've served on a committee with for this entire biennium, that's two years for anyone listening. Do you know that Representative has not once, not once, recited the Pledge of Allegiance when the rest of us do? So, is that who you want keeping secrets from the parents? Thank you.

Speaker Packard: The motion before us is Ought to Pass as Amended. Representative Selig has requested a roll call. Is that sufficiently seconded? It is sufficiently seconded. This is a roll call vote. Members take your seats. Who wanted a point of order?

Representative Parshall: Yes Mr. Speaker, the last person I'm referring to here cited a member of the committee who chose not to say the Pledge of Allegiance without any relevance to either the question of the bill or for no other reason except to throw shade on that particular Representative. I, as a teacher over 20 years, I had many students who did not say the Pledge of Allegiance on religious grounds, and I did not disqualify them at any time from full participation in the class. I think that was above and beyond to call somebody on their religious affiliation.

Speaker Packard: I did not hear what you heard. We have a long day ahead of us and it's going to get longer if we continue talking, making noise and we'll be here till midnight and if that's what you want then fine, but the House will remain in order from this point on. Do I make myself clear? I respectfully disagree with you, but I accept that point of order.

Representative Parshall: Thank you so much.

Speaker Packard: Now the motion before us is Ought to Pass as Amended. This is a roll call vote. The Chair recognizes Representative Woodcock for a Parliamentary inquiry.

Representative Woodcock: Thank you, Mr. Speaker. If I know the issue is not the process, it's the intent of the bill, if I know that parents have opportunities daily to create conversational environments with their children and if I know that the likelihood of those teenagers discussing important issues with their parent is pretty darn slim, if I know the children need someone that they can discuss important issues with and the choice really isn't good if it's another teenage classmate, then I would pass the red button so we can allow students the opportunity to discuss with a trusted adult in a confidential environment knowing that their conversations will be trusted and honored? I would vote red.

Speaker Packard: The Chair recognizes Representative Freeman for a Parliamentary inquiry.

Representative Freeman: Thank you, Mr. Speaker. Mr. Speaker, if I know that protecting a student's privacy should not exclude a custodial parent or guardian requesting information about concerns they may have about their minor child and if I also know that when adults tell a minor to keep secrets from parents this creates a special secret relationship and can make a child vulnerable to abuse because it trains a child to accept secrecy, isolation, and divided loyalty from their parents, and if I finally know that custodial parents or guardians who make inquiries about their minor child doesn't translate into poor parenting skills or the need to take parenting classes as we heard in committee, then Mr. Speaker I would ask you to press the green button to support engaged parents and the safety of their children. Thank you, Mr. Speaker.

Speaker Packard: The motion before us is the majority committee report of Ought to Pass as Amended on Senate Bill 430. 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 at an opportunity to vote? The House will attend to state of the vote. With 193 voting nay, 163 voting nay, the committee report is adopted.

The House recessed at 12:05 p.m.

RECESS

The House reconvened at 1:15 p.m.

(Representative Steven Smith in the Chair)

SENATE MESSAGE

ADOPTION OF COMMITTEE OF CONFERENCE REPORTS

HB 221, enabling electric utilities to own, operate, and offer advanced nuclear resources, and relative to purchased power agreements for electric distribution utilities and limitations on community customer generators. (Harrington, Straf. 18; Bernardy, Rock. 36; Notter, Hills. 12; Summers, Rock. 20; D. Thomas, Rock. 16; Vose, Rock. 5; Science, Technology and Energy)

COMMITTEE OF CONFERENCE REPORTS ON HOUSE BILL 221

HB 221, enabling electric utilities to own, operate, and offer advanced nuclear resources, and relative to purchased power agreements for electric distribution utilities and limitations on community customer generators. (Report printed Senate Calendar No.18/Supplement 5/8/26).

Rep. Vose moved that the House adopt the Committee of Conference Report.
Committee of Conference Report was adopted.

MOTION TO SPECIAL ORDER

Rep. Lynn moved that **SB 552-FN**, modifying the base cost of an adequate education, be made a special order to the first order of business after the bills from the committee on Executive Departments and Administration. Motion was adopted.

SB 431, relative to violations of the prohibition on teaching discrimination. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Valerie McDonnell for the **Majority** of Education Policy and Administration. RSA 193:40, commonly referred to as the “Prohibition on Teaching Discrimination” law and the “Anti-Divisive Concepts” law was enacted in 2021. Each year since, the legislature has opposed attempts to repeal the law including HB 50 (2025), HB 1162 (2024), and HB 61 (2023). Despite strong legislative support, RSA 193:40 was held unconstitutional in federal district court for the District of New Hampshire. In 2024, the case was appealed to the 1st Circuit Court of Appeals and is awaiting a ruling. While the majority strongly urges the judicial system to stay out of the legislative lane, we welcome the bill’s good-faith attempt to diminish the court’s objections. By adding the *mens rea* (mental state) of “intentionally or knowingly,” the bill exempts educators from penalties for accidental violations. Consequently, the bill warms the alleged chilling effect of the statute. Above all else, the majority re-asserts that children should not be deemed inherently oppressed, oppressive, inferior, or superior on account of their race or their gender. Such intersectional instruction is harmful, particularly to developing young minds. Instead, the majority encourages students to dispel racial and gender barriers, thus fostering a more collaborative classroom. Vote 10-8.

Rep. Peggy Balboni for the **Minority** of Education Policy and Administration. This bill is an attempt to revive a law that has already been ruled unconstitutional without fixing its core defects. In 2024, a federal district court struck down the 2021 “banned concepts” law as unconstitutionally vague and a violation of free speech, noting it failed to give educators clear guidance and invited arbitrary enforcement. This bill makes only a narrow change related to intent, leaving the underlying vagueness untouched. As a result, it does nothing to cure the constitutional defects identified by the court. Moreover, New Hampshire has already appealed the district court’s decision, and the case is still pending before the First Circuit Court of Appeals. The minority feels that given the significant time and public resources already invested in this litigation, it is imprudent to move forward with piecemeal revisions. The more responsible course is either to repeal the law entirely or wait for the appellate court to issue a final ruling before considering any changes.

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

MOTION TO LAY ON THE TABLE

Rep. Noble moved that **SB 431**, relative to violations of the prohibition on teaching discrimination, be laid on the table.

Motion adopted.

SB 434, relative to regulation of public school materials. **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 strikes an appropriate balance between protecting children, upholding local control, and preserving academic freedom. It ensures New Hampshire public schools remain environments where parents can trust that educational materials align with community standards and the developmental needs of minors. The definition of “harmful to minors” draws from longstanding U.S. Supreme Court precedents (such as *Miller v. California* and *Ginsberg v. New York*) that recognize the state’s compelling interest in shielding children from material that would be protected speech for adults. By requiring school boards to adopt complaint policies that incorporate this definition, the bill promotes consistency, transparency, and accountability while preserving local control. Districts retain flexibility to design procedures suited to their communities. Vote 10-8.

Rep. Lee Ann Kluger for the **Minority** of Education Policy and Administration. The minority of the committee contends that this bill is broad-reaching in that it includes many materials such as books, plays, pamphlets, dances, drawings, pictures, figures, phonographic records, and statues. Additionally, it also extends into material that lacks serious literary, artistic, political, or scientific value. The bill is vague when it states that material that is harmful to minors is inappropriate to the age of minors to whom it is being made available or presented. School districts already have policies and procedures for parents to file a complaint concerning material that they allege is harmful to students. Local control is infringed upon with the parameters of this bill. Students have the right to the freedom to read therefor the minority of the committee cannot support this bill.

Majority Amendment (1815h)

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

1 New Subdivision; Prohibition of Materials Harmful to Minors in Schools. Amend RSA 189 by inserting after section 74 the following new subdivision:

Prohibition of Materials Harmful to Minors in Schools

189:74-a Prohibition of Materials Harmful to Minors in Schools.

I. For the purposes of this subdivision:

(a) "Material" means any printed matter, visual presentation, web-based content, live performance, or sound recording, including, but not limited to, books, magazines, motion picture films or videos, pamphlets, phonographic records, pictures, drawings, photographs, figures, statues, plays, dances, or other representations that are provided by the school district or by school employees, volunteers, guests, or speakers.

(b) "Material considered harmful to minors" means material that, when considered as a whole:

(1) Predominantly appeals to the prurient interest of minors;

(2) Depicts sexual conduct in a manner that is patently offensive to prevailing standards in the adult community with respect to what is suitable for minors;

(3) Lacks serious literary, artistic, political or scientific value; and

(4) Is inappropriate to the age of the minors to whom it is being made available or presented.

II. No later than September 1, 2026, each local school board shall adopt a policy to be used to address complaints submitted by parents or guardians alleging that material that is presented or made available is harmful to minors or age inappropriate. The policy shall be posted on the district website. The policy shall include the definition for material considered harmful to minors, as defined in RSA 189:74-a, I(b).

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

2026-1815h

AMENDED ANALYSIS

This bill requires local school boards to adopt and display a policy to be used to address complaints submitted by parents or guardians alleging that material made available in school is harmful or inappropriate to minors.

The question being adoption of the majority committee amendment.

On a division vote, with 8 members having voted in the affirmative, and 336 in the negative, the majority committee amendment failed.

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

Rep. Noble offered floor amendment (1937h).

Floor Amendment (1937h)

Amend RSA 189:74-a as inserted by section 1 of the bill by replacing it with the following:

189:74-a Prohibition of Materials Harmful to Minors in Schools.

I. For the purposes of this subdivision:

(a) "Material" means any printed matter, visual presentation, web-based content, live performance, or sound recording, including, but not limited to, books, magazines, motion picture films or videos, pamphlets, phonographic records, pictures, drawings, photographs, figures, statues, plays, dances, or other representations that are provided by the school district.

(b) "Material considered harmful to minors" means material that, when considered as a whole:

(1) Predominantly appeals to the prurient interest of minors in sex, that is, an interest in lewdness or lascivious thoughts;

(2) Depicts or describes sexual conduct in a manner so explicit as to be patently offensive to contemporary adult standards, in the county within which the school district resides, with respect to what is suitable material for minors; and

(3) Lacks serious literary, artistic, political or scientific value.

II. No later than November 1, 2026, each local school board shall adopt a policy to be used to address complaints submitted by parents or guardians alleging that material that is presented or made available is obscene and harmful to minors. The policy shall be posted on the district website. The policy shall include the definition for material considered harmful to minors, as defined in RSA 189:74-a, I(b).

2026-1937h

AMENDED ANALYSIS

This bill requires local school boards to adopt and display a policy to be used to address complaints submitted by parents or guardians alleging that material presented in school is obscene and harmful to minors.

The question being adoption of floor amendment (1937h).

Rep. Megan Murray spoke against.

Rep. Noble spoke in favor.

On a division vote, with 191 members having voted in the affirmative, and 157 in the negative, amendment (1937h) was adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.
 Rep. Boudman spoke against.
 Rep. Noble spoke in favor.
 Rep. Kluger spoke against and requested a roll call; sufficiently seconded.

YEAS 188 - NAYS 161**YEAS - 188****BELKNAP**

Aldrich, Glen
 Harvey-Bolia, Juliet
 Toner, Travis

Bordes, Mike
 Ploszaj, Tom

Coker, Matthew
 Minor, Sheri

Freeman, Lisa
 Terry, Paul

CARROLL

Avellani, Lino
 MacDonald, John

Belcher, Mike
 Smith, Jonathan

Crawford, Karel
 Peternel, Katy

Hamblen, Joseph

CHESHIRE

Murphy, Denis
 Nalevanko, Rich

Hunt, John
 Qualey, James

Karasinski, Sly
 Rhodes, Jennifer

Mattson, Rita
 Thackston, Dick

COOS

Korzen, Lori
 King, Seth

Murphy, Michael
 Tierney, James

Morency, Pete
 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
 Pauer, Diane
 Prout, Andrew
 Scully, Kevin
 Mannion, Tom

Ammon, Keith
 Boehm, Ralph
 Creighton, James
 Dumont, Dillon
 Griffin, Gerald
 Gould, Linda
 Lascelles, Richard
 Miles, Julie
 Notter, Jeanine
 Post, Lisa
 Reinfurt, Sherri
 Sheehan, Vanessa
 Ulery, Jordan

Boyd, Bill
 Colcombe, Riché
 Kelley, Diane
 Dupont, Pierre
 Gagne, Larry
 Kenny, Catherine
 Murphy, Mary
 Mooney, Maureen
 Ohm, Bill
 Presa, Adam
 Rice, Kimberly
 Sirois, Shane
 Warden, Mark

Barbour, Liz
 Cole, Brian
 Daniels, Gary
 Erf, Keith
 Giasson, Henry
 Kesselring, Steven
 Mazur, Lisa
 Morton, Jonathan
 Paquette, Kathleen
 Proulx, Mark
 Schneller, John
 Slottje, Jeremy
 Wherry, Robert

MERRIMACK

Andrus, Louise
 Cambrijs, Jose
 Leavitt, John
 Plante, Raymond
 See, Alvin

Aures, Cyril
 McGuire, Dan
 Mehegan, Peter
 Polozov, Yury
 Walsh, Thomas

Aylward, Deborah
 Devoid, Ricky
 Moffett, Michael
 Boyd, Stephen
 Thibault, James

McGuire, Carol
 Hill, Gregory
 Pitaro, Matthew
 Seaworth, Brian
 Wood, Clayton

ROCKINGHAM

Ball, Lorie
 Mannion, Dennis
 Donnelly, Tanya
 Foote, Charles
 Janigian, John
 Miner, Laurence
 Love, David
 Markell, Jay
 Melvin, Charles
 Brown, Pam
 Potucek, John
 Sabourin dit Choinière, Matt
 Summers, James
 Tripp, Richard
 MacDonald, Wayne

Bennett, Cindy
 Thomas, Douglas
 Drago, Mike
 Ford, Mary
 Katsakiores, Phyllis
 Walsh, Lilli
 Lundgren, David
 McDonnell, Valerie
 Milz, David
 Perez, Kristine
 Prudhomme-O'Brien, Katherine
 Selby, Donald
 Sweeney, Joe
 Tudor, Paul
 Weyler, Kenneth

Bernardy, JD
 DeSimone, Debra
 Dunn, Ron
 Guzowski, James
 Khan, Aboul
 Layon, Erica
 Lynn, Bob
 McGrath, Linda
 Nadeau, Brian
 Popovici-Muller, Daniel
 Roy, Terry
 Soti, Julius
 Sytek, John
 Vandecasteele, Susan
 Wilson, Vicki

Bryer, Scott
 DeVito, Sayra
 Edwards, Jess
 Harb, Robert
 Kuttab, Katelyn
 Litchfield, Melissa
 Pearson, Mark
 McMahon, Charles
 Osborne, Jason
 Porcelli, Susan
 Pearson, Stephen
 Spillane, James
 Dolan, Tom
 Vose, Michael

STRAFFORD

Bailey, Glenn
Harrington, Michael
Walker, David

DeLemus, Susan
Kaczynski, Thomas

DeRoy, Susan
Potenza, Kelley

Farrington, Samuel
Turcotte, Len

SULLIVAN

Drye, Margaret
Aron, Judy

Girard, Dale
Aron, Michael

Grant, George
Rollins, Skip

Hemingway, Wayne
Spilsbury, Walter

**NAYS - 161
BELKNAP**

Nagel, David

St. Clair, Charlie

CARROLL

Boudman, Bobbi
Taylor, Brian

Burroughs, Anita
Woodcock, Stephen

Paige, David

McAleer, Chris

CHESHIRE

Ames, Dick
Faulkner, Barry
Germana, Nicholas
Weber, Lucy

Berch, Paul
Gruber, James
Newell, Jodi

Harvey, Cathryn
Jacobs, Samantha
O'Rorke, Terri

Fox, Dru
Jones, Philip
Parshall, Lucius

GRAFTON

Almy, Susan
Hakken-Phillips, Mary
Muirhead, Russell
Stavis, Laurel

Cormen, Thomas
Sullivan, Jared
Oppel, Thomas
Stringham, Jerry

Fellows, Sallie
Lovett, Peter
Rockmore, Ellen
Sykes, George

Fracht, David
Lucas, Janet
Spahr, Terry

HILLSBOROUGH

Murray, Alissandra
Budathoki, Suraj
Darby, Will
Davis, Fred
Harriott-Gathright, Linda
Jack, Martin
Foxy, Loren
Lloyd, Christal
MacKenzie, Mark
Plamondon, Marc
Rung, Rosemarie
Seibert, Christine
Telerski, Laura
Dolan, William

Beauchemin, Paige
Chourasia, Manoj
Dargie, Paul
Foss, Lily
Hartnett, Tim
Juris, Louis
Leapley, Nicole
Long, Patrick
McGhee, Kat
Newman, Ray
Ryan, Linda
Spier, Carry
Tellez, Trinidad
Thomas, Wendy

Bergeron, Dan
Chretien, Suzanne
DiSilvestro, Linda
Georges, Mary
Hegner, Karen
Kerwin, Erin
LeClerc, Daniel
Howard, Molly
Murphy, Nancy
Raymond, Heather
Newman, Sue
Staub, Kathy
Vail, Suzanne
Wheeler, Jonah

Booras, Efstathia
Cornell, Patricia
Elberger, Susan
Grill, Jessica
Herbert, Christopher
Kluger, Lee Ann
Leishman, Peter
Murray, Megan
Petrigno, Peter
Rombeau, Catherine
Salvi, Santosh
Swanson, Dale
Veilleux, Daniel
Wilhelm, Matthew

MERRIMACK

Bricchi, Tracy
Ebel, Karen
Luneau, David
Roesener, James
Snodgrass, Jim

Caplan, Tony
Gallager, Eric
Hall, Muriel
Sargent, Gregory
Soucy, Timothy

Colby, Eleana
Gibbs, Merryl
Newsom, James
Schamberg, Thomas
Wallner, Mary Jane

Kelly, Eileen
Lane, Connie
Payeur, Stephanie
Schultz, Kris
Woods, Gary

ROCKINGHAM

Balboni, Peggy
Grote, Jaci
Paige, Mark
Manos, Zoe
Read, Ellen
Turer, Eric

Bridle, Nicholas
Guthrie, Joseph
Maggiore, Jim
Meuse, David
Scherr, Buzz
Vallone, Mark

Cahill, Michael
Murray, Kate
Malloy, Dennis
Muns, Chris
Simpson, Alexis
Ward, Gerald

Edgar, Michael
Knab, Allison
Mandelbaum, Jennifer
Raynolds, Ned
Sorensen, Carrie

STRAFFORD

Bay, Luz
Butler, Billie
Horrigan, Timothy
Larochele, John
Schmidt, Peter
Wade, Alice

Bixby, Peter
Smith, Geoffrey
Howland, Allan
Levesque, Cassandra
Selig, Loren
Wall, Janet

Burnham, Claudine
Gilmore, Gary
Johnson, Erik
Smith, Marjorie
Southworth, Thomas

Burton, Wayne
Howard, Heath
LaMontagne, Jessica
Miller, Seth
Pearson, Wayne

SULLIVAN

Sullivan, Brian

Cloutier, John

Damon, Hope

Palmer, William

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

MOTION TO PRINT DEBATE

Rep. Germana moved that the debate on **SB 434**, relative to regulation of public school materials be printed in the Permanent Journal.

Without objection, the Speaker ordered.

DEBATE ON HB 434

Representative Megan Murray: Thank you, Mr. Speaker. I rise today to speak against floor amendment (1937h). In addition to there already being clearly defined procedures and processes in public schools across the state to address concerns some may have with books or other media materials, that process has already been well determined by locally elected school boards in local communities. The amendment before us creates confusion. While it is true that the statute already includes a concept involving counties, it isn't clear if this inclusion is in reference to a geographic boundary or a political subdivision of governance and was not a concept we discussed in full within the committee. Since we don't organize SAUs by county, it is unclear if a district including one or more counties would be required to address opposition to media content or material. Which county would a policy come from or a standard? And would a county potentially have to respond to a complaint when we don't organize SAUs currently in this way? Again, the issue can only cause further confusion when trying to interpret it. I ask you to vote no on the adoption of floor amendment (1937h) to reject that confusion. Thank you.

Speaker Steven Smith: Representative Noble is recognized to speak for the amendment.

Representative Noble: Thank you, Mr. Speaker. This amendment will replace the bill and is very straightforward. It requires each local school board to adopt a policy for handling parental complaints about obscene and harmful materials. It no longer defines what that policy should be other than the definition for materials considered harmful to minors must be included. The two definitions in this amendment come from current statute and are both modified for the school setting. The definition for material is based on the definition in the obscene matter statute, RSA 650:1. The other definition is material considered harmful to minors which is based on the definition in the exposing minors to harmful materials statute, RSA 571-B:1. It currently says that in the county within which any offense set forth in this chapter was committed and I didn't think that that made sense for the school setting. We kept the county in there so that they can make decisions based on what would be a community standard. This amendment draws a bright line against material that is predominantly pornographic and lacks redeeming value and I urge you to support it. Thank you.

Speaker Steven Smith: A division has been requested. Members take your seats. The question is on the adoption of amendment (1937h). This is a division 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. With 191 in the affirmative and 157 in the negative, the amendment is adopted. Now the motion is Ought to Pass as Amended. Representative Boudman is recognized to speak against the motion.

Representative Boudman: Thank you, Mr. Speaker. I rise today to speak in opposition of SB 434. Republican President Dwight D. Eisenhower while speaking at Dartmouth College declared, "Don't join the book burners. Don't think you are going to conceal faults by concealing evidence that they ever existed. Don't be afraid to go into your library and read every book." My grandfather, Matty Wierzbicki, fought in World War II under Dwight D. Eisenhower's leadership against the book burners. His bravery allows his granddaughter to stand here today in the live free or die state to protect the constitution of the country he loved and fought for. I rise today knowing we all took an oath to protect our first amendment rights and ask this body to please join me in voting no on OTPA and protect our fundamental freedoms.

Speaker Steven Smith: Representative Kluger is recognized to speak against the motion.

Representative Kluger: Thank you, Mr. Speaker. SB 434 as amended regulates materials in a school district and outlines a detailed parental complaint process when materials are found to be objectionable in the parent's opinion. The bill allows this process to be implemented when the materials are offensive to minors. First, there are already policies and protocols in place in order to address parental complaints. Secondly, this bill could potentially allow one parent to influence material being removed from a school with other parents being unaware of or unsupportive of the material that is being restricted or removed. There are already existing guidelines when educators are selecting materials for their schools. Teachers also consider student reading levels and Lexile scores to select appropriate material for diverse classroom needs. SB 434 does not make a cogent argument in relation to material considered harmful. It expands upon the definition of materials to include books, magazines, motion pictures, films or videos, pamphlets, pictures, drawings, photographs, figures, statues, plays, dances or other representations that are provided by the school district. Consequently, the bill has such a broad overreach that it goes far beyond House Bill 324 that Governor Ayotte vetoed last year. Contrary to the Governor's decision, SB 434 includes the potential removal of materials that lack serious literary, artistic or scientific value. Previously, in the veto of HB 324, Governor Ayotte stated that we should not be in the business of judging literary value and appropriateness. Librarians and other educators have

the knowledge and skills to choose the materials that are right for the students that they teach. They are the experts in curriculum development. I will say that SB 434 caused me to reflect on the variety of books that I read throughout my childhood. I enjoyed so many genres and particularly loved books about art and history. Many of these books inspired me to embrace art throughout my lifetime. I am grateful that I had educators who encouraged choice and the freedom to learn in the classroom. Classrooms that taught me to discuss and gain perspective about the world. I suggest that we want our students to become independent thinkers who have the freedom to read and to learn. Please vote against SB 434 and I'm requesting a roll call vote. Thank you.

Speaker Steven Smith: Representative Noble is recognized to speak in support of the motion.

Representative Noble: Thank you, Mr. Speaker. SB 434 provides a guideline to help school boards make objective decisions when faced with complaints about sexually explicit content in schools. This guideline is the definition for material considered harmful to minors and it is based on the Miller Test, a long-standing legal standard used to determine whether material is legally obscene. The test requires that the material be judged as a whole and meet all three criteria, appealing to prurient interest, patently offensive, and lacking serious value. That's just a summary. You can read the entire definition in the floor amendment. I want to be very clear on one fundamental point. Minors do not have a First Amendment right to access or read obscene material. The Supreme Court has long recognized that states may restrict minors' access to obscene or sexually explicit material to protect them without violating the constitution. This principle was reaffirmed last year in a Supreme Court decision on a Texas law for age verification. Just last month, the Eighth Circuit lifted a preliminary injunction on parts of an Iowa book law, citing reasoning from the Fifth Circuit that students are not denied access to a book by its removal from a public school library when material is readily available elsewhere. The court further stated that the First Amendment does not guarantee students' right to access any books of their choosing at the taxpayer's expense. Now, we've talked about this subject for a few years now, and I think there's some confusion about what is actually in the schools, and we used to hear that kids need to see themselves reflected in the books that they read. Turns out, most people don't believe that kids need to see themselves with a bunch of couples at an orgy in what is what I will call a number position.

Speaker Steven Smith: The House will be in order.

Representative Noble: They don't need to see themselves tied up being spanked with a crop, and most people do not believe that kids need to see themselves with three penises ejaculating into their mouth.

Speaker Steven Smith: The House will be in order. It's not like this is our first day. You are going to say things they don't like. They are going to say things you don't like. We're professionals and get through it. The member will continue.

Representative Noble: All of which is available in books in public school libraries. Yes, it is. SB...

Speaker Steven Smith: The member will suspend. Seriously, how long do you want this to take? Do you see this up here? We weren't planning on buying dinner. You'll be hungry later. I don't care. The member will continue.

Representative Noble: SB 434 is a simpler, common-sense approach that respects local control while providing clear legal guidance. Either the state has a compelling interest in shielding minors from legally defined, obscene or harmful material in public schools as it does outside of schools. Or it doesn't. It's your choice. Thank you.

Speaker Steven Smith: Does the member yield for a question?

Representative Noble: I do not.

Speaker Steven Smith: The question is the motion of Ought to Pass as Amended. Representative Kluger requests a roll call. Is that sufficiently seconded? That is sufficiently seconded. This will be a roll call vote. Members take your seats. The question is the motion of Ought to Pass as Amended on Senate Bill 434. Representative Megan Murray is recognized for a Parliamentary inquiry.

Representative Megan Murray: Thank you, Mr. Speaker. Mr. Speaker, if I know that SB 434, as amended, oversteps well-crafted, locally-arrived-upon policies, stokes confusion by including counties in unclear ways, especially when we don't organize schools that way, and engages in censorship, would I now press the red button so that a more appropriate motion can be made? Thank you.

Speaker Steven Smith: Representative Drye is recognized for Parliamentary inquiry.

Representative Drye: Thank you, Mr. Speaker. Mr. Speaker, if I know that the three-pronged Miller Test that will be part of these policies will pass constitutional muster, and if I know that any book that advises students, "There's nothing wrong with enjoying some porn, it's a fun, sugary treat", is a book that probably lacks serious artistic, literary, or scientific value, and finally, if I know that last term, I watched adult legislators walk out of this chamber when material available in New Hampshire public schools was read out loud, calling it offensive and triggering, would I then realize that there might be material harmful to minors in our schools, and press the green button to give school policymakers a proven test with which to vet such material? Thank you.

Speaker Steven Smith: The question is a motion of Ought to Pass as Amended on Senate Bill 434, this is a roll call vote. If you're in favor, press the green button, if you're 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. With 188 in the affirmative, 161 in the negative, the motion is adopted.

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Seibert moved that the House reconsider its action whereby, on a division vote, the House adopted the motion of Refer for Interim Study on **SB 498-FN**, relative to children's mental health services for persons 18 years of age and younger.

Rep. Miles spoke in favor.

Rep. Hunt spoke against.

Rep. Seibert requested a roll call; sufficiently seconded.

YEAS 162 - NAYS 183**YEAS - 162****BELKNAP**

Bordes, Mike
St. Clair, Charlie

Coker, Matthew

Nagel, David

Minor, Sheri

CARROLL

Boudman, Bobbi
Woodcock, Stephen

Crawford, Karel

Paige, David

Taylor, Brian

CHESHIRE

Ames, Dick
Murphy, Denis
Jones, Philip
Parshall, Lucius

Berch, Paul
Faulkner, Barry
Germana, Nicholas
Rhodes, Jennifer

Harvey, Cathryn
Gruber, James
Newell, Jodi

Fox, Dru
Jacobs, Samantha
O'Rourke, Terri

COOS

Korzen, Lori

Morency, Pete

Ouellet, Mike

GRAFTON

Almy, Susan
Lovett, Peter
Stringham, Jerry

Fracht, David
Lucas, Janet
Sykes, George

Hakken-Phillips, Mary
Muirhead, Russell

Sullivan, Jared
Spahr, Terry

HILLSBOROUGH

Murray, Aissandra
Booras, Efstathia
Darby, Will
Foss, Lily
Harriott-Gathright, Linda
Juris, Louis
LeClerc, Daniel
Murray, Megan
Murphy, Nancy
Presa, Adam
Rice, Kimberly
Newman, Sue
Telerski, Laura
Dolan, William

Boyd, Bill
Budathoki, Suraj
Dargie, Paul
Georges, Mary
Hartnett, Tim
Kerwin, Erin
Lloyd, Christal
MacKenzie, Mark
Paquette, Kathleen
Proulx, Mark
Rombeau, Catherine
Seibert, Christine
Tellez, Trinidad
Thomas, Wendy

Beauchemin, Paige
Chourasia, Manoj
Elberger, Susan
Gorski, Ted
Hegner, Karen
Kluger, Lee Ann
Long, Patrick
Miles, Julie
Petrigno, Peter
Newman, Ray
Rung, Rosemarie
Staub, Kathy
Vail, Suzanne
Wheeler, Jonah

Bergeron, Dan
Cornell, Patricia
Davis, Fred
Grill, Jessica
Herbert, Christopher
Leapley, Nicole
Howard, Molly
Mooney, Maureen
Plamondon, Marc
Raymond, Heather
Ryan, Linda
Swanson, Dale
Veilleux, Daniel
Wilhelm, Matthew

MERRIMACK

Caplan, Tony
Gallager, Eric
Payeur, Stephanie
Schultz, Kris

Colby, Eleana
Luneau, David
Roesener, James
Snodgrass, Jim

Kelly, Eileen
Hall, Muriel
Boyd, Stephen
Wallner, Mary Jane

Ebel, Karen
Newsom, James
Schamberg, Thomas
Woods, Gary

ROCKINGHAM

Balboni, Peggy
Cahill, Michael
Foote, Charles
Knab, Allison
Pearson, Mark
Markell, Jay
Read, Ellen
Scherr, Buzz
Turer, Eric

Ball, Lorie
Mannion, Dennis
Grote, Jaci
Kuttab, Katelyn
Malloy, Dennis
Perez, Kristine
Roy, Terry
Simpson, Alexis
Vallone, Mark

Bridle, Nicholas
Donnelly, Tanya
Katsakiores, Phyllis
Walsh, Lilli
Mandelbaum, Jennifer
Porcelli, Susan
Pearson, Stephen
Sorensen, Carrie
Vandecasteele, Susan

Bryer, Scott
Edgar, Michael
Khan, Aboul
Lundgren, David
Manos, Zoe
Raynolds, Ned
Sabourin dit Choinière, Matt
Dolan, Tom
MacDonald, Wayne

STRAFFORD

Bay, Luz
Horrigan, Timothy
Miller, Seth
Walker, David

Butler, Billie
Johnson, Erik
Potenza, Kelley
Wall, Janet

Smith, Geoffrey
LaMontagne, Jessica
Selig, Loren

Howard, Heath
Levesque, Cassandra
Wade, Alice

SULLIVAN

Sullivan, Brian

Damon, Hope

Rollins, Skip

NAYS - 183**BELKNAP**Aldrich, Glen
Terry, PaulFreeman, Lisa
Toner, Travis

Harvey-Bolia, Juliet

Ploszaj, Tom

CARROLLAvellani, Lino
MacDonald, JohnBelcher, Mike
Smith, JonathanBurroughs, Anita
McAleer, ChrisHamblen, Joseph
Peternel, Katy**CHESHIRE**Hunt, John
Qualey, JamesKarasinski, Sly
Thackston, DickMattson, Rita
Weber, Lucy

Nalevanko, Rich

COOS

Murphy, Michael

King, Seth

Tierney, James

Tremblay, Marc

GRAFTONBarton, Joseph
Cormen, Thomas
Louis, Darrell
Sellers, JohnBeaulier, Calvin
Fellows, Sallie
McFarlane, Donald
Stavis, LaurelBerezhny, Lex
Franz, Linda
Oppel, ThomasBjelobrk, Marie Louise
Ladd, Rick
Rockmore, Ellen**HILLSBOROUGH**Alexander, Joe
Chretien, Suzanne
Creighton, James
Drew, Matt
Flanagan, Jack
Gould, Linda
Foxy, Loren
Murphy, Mary
Noble, Kristin
Post, Lisa
Schneller, John
Slottje, Jeremy
Warden, MarkBarbour, Liz
Colcombe, Riché
Kelley, Diane
Dumont, Dillon
Griffin, Gerald
Jack, Martin
Labrie, Brian
Mazur, Lisa
Notter, Jeanine
Prout, Andrew
Scully, Kevin
Spier, Carry
Wherry, RobertBerry, Ross
Cole, Brian
Daniels, Gary
Dupont, Pierre
Gagne, Larry
Kenny, Catherine
Lascelles, Richard
McGhee, Kat
Ohm, Bill
Reinfurt, Sherri
Sheehan, Vanessa
Mannion, TomBoehm, Ralph
Corcoran, Travis
DiSilvestro, Linda
Erf, Keith
Giasson, Henry
Kesselring, Steven
Leishman, Peter
McLean, Mark
Pauer, Diane
Salvi, Santosh
Sirois, Shane
Ulery, Jordan**MERRIMACK**Andrus, Louise
McGuire, Carol
Gibbs, Merryl
Mehegan, Peter
Polozov, Yury
Walsh, ThomasAures, Cyril
Cambriels, Jose
Hill, Gregory
Moffett, Michael
Seaworth, Brian
Thibault, JamesAylward, Deborah
McGuire, Dan
Lane, Connie
Pitaro, Matthew
See, Alvin
Wood, ClaytonBricchi, Tracy
Devoid, Ricky
Leavitt, John
Plante, Raymond
Soucy, Timothy**ROCKINGHAM**Bennett, Cindy
Drago, Mike
Guthrie, Joseph
Murray, Kate
Love, David
McDonnell, Valerie
Meuse, David
Osborne, Jason
Prudhomme-O'Brien, Katherine
Summers, James
Tudor, Paul
Wilson, VickiBernardy, JD
Dunn, Ron
Guzofski, James
Miner, Laurence
Lynn, Bob
McGrath, Linda
Milz, David
Brown, Pam
Selby, Donald
Sweeney, Joe
Vose, MichaelThomas, Douglas
Edwards, Jess
Harb, Robert
Layon, Erica
Paige, Mark
McMahon, Charles
Muns, Chris
Popovici-Muller, Daniel
Soti, Julius
Sytek, John
Ward, GeraldDeVito, Sayra
Ford, Mary
Janigian, John
Litchfield, Melissa
Maggiore, Jim
Melvin, Charles
Nadeau, Brian
Potucek, John
Spillane, James
Tripp, Richard
Weyler, Kenneth**STRAFFORD**Bailey, Glenn
DeLemus, Susan
Harrington, Michael
Smith, Marjorie
Pearson, WayneBixby, Peter
DeRoy, Susan
Howland, Allan
Schmidt, PeterBurnham, Claudine
Farrington, Samuel
Kaczynski, Thomas
Southworth, ThomasBurton, Wayne
Gilmore, Gary
Larochelle, John
Turcotte, Len**SULLIVAN**Cloutier, John
Hemingway, Wayne
Spilsbury, WalterDrye, Margaret
Aron, JudyGirard, Dale
Aron, MichaelGrant, George
Palmer, William

and the motion failed.

REGULAR CALENDAR CONTINUED

SB 574, establishing a commission to study the efficiency and structure of school administrative units. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Katy Peternel for the **Majority** of Education Policy and Administration. This bill establishes another School Administrative Unit (SAU) study commission. As written, it includes two members of the Senate, three from the House, the Commissioner of Education, a superintendent appointed by the New Hampshire School Administrators Association, a member of a local school board appointed by the New Hampshire School Boards Association, and a business office administrator appointed by the New Hampshire Association of School Business Officials. The amendment adds one member to the commission, appointed by the School District Governance Association of New Hampshire. The commission shall review demographics and enrollment shifts, identify ways to better allocate SAU resources to reduce property taxes, identify other states that have consolidated, examine impediments to consolidation and potential school closures, as well as solicit testimony from any person or organization with expertise. A report is due before November 1, 2026. Vote 10-8.

Rep. Peggy Balboni for the **Minority** of Education Policy and Administration. This bill proposes creating a commission to study the efficiency and structure of school administrative units (SAUs). While the minority is not opposed to forming a commission, this bill lacks clear guidelines to ensure a thorough and effective review. In 2025, SB 57 already established a committee to study reducing the number of SAUs statewide. That effort failed to reach consensus, resulting in sharply divided majority and minority reports. This bill largely duplicates the work of that prior committee, yet imposes a similarly unrealistic timeline for delivering a final report. Although the new commission would include additional stakeholders, such as a superintendent, a business administrator, and a local school board member, the majority amendment also adds a member appointed by the School District Governance Association (SDGA), a private organization with an explicit political orientation. This raises concerns about balance and neutrality. The minority believes stronger legislation is needed: a commission with more representative and impartial membership, a realistic timeline, and a clearer mandate focused not only on potential cost savings but also on improving student outcomes.

Majority Amendment (1810h)

Amend RSA 194-C:13, II as inserted by section 1 of the bill by inserting after subparagraph (f) the following new subparagraph:

(g) A member appointed by the School District Governance Association of New Hampshire.

The question being adoption of the majority committee amendment.

Rep. Balboni requested a roll call; sufficiently seconded.

YEAS 191 - NAYS 157**YEAS - 191****BELKNAP**

Aldrich, Glen
Harvey-Bolia, Juliet
Toner, Travis

Bordes, Mike
Ploszaj, Tom

Coker, Matthew
Minor, Sheri

Freeman, Lisa
Terry, Paul

CARROLL

Avellani, Lino
MacDonald, John

Belcher, Mike
Smith, Jonathan

Crawford, Karel
Peternel, Katy

Hamblen, Joseph
Taylor, Brian

CHESHIRE

Murphy, Denis
Nalevanko, Rich

Hunt, John
Qualey, James

Karasinski, Sly
Rhodes, Jennifer

Mattson, Rita
Thackston, Dick

COOS

Korzen, Lori
King, Seth

Murphy, Michael
Tierney, James

Morency, Pete
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
Lascelles, Richard
Miles, Julie
Notter, Jeanine

Boyd, Bill
Colcombe, Riché
Kelley, Diane
Dupont, Pierre
Gagne, Larry
Kenny, Catherine
Murphy, Mary
Mooney, Maureen
Ohm, Bill

Barbour, Liz
Cole, Brian
Daniels, Gary
Erf, Keith
Giasson, Henry
Kesselring, Steven
Mazur, Lisa
Morton, Jonathan
Paquette, Kathleen

Berry, Ross
Corcoran, Travis
Drew, Matt
Flanagan, Jack
Gorski, Ted
Labrie, Brian
McLean, Mark
Noble, Kristin
Pauer, Diane

Post, Lisa
Reinfurt, Sherri
Sheehan, Vanessa
Ulery, Jordan

Presa, Adam
Rice, Kimberly
Sirois, Shane
Warden, Mark

Proulx, Mark
Schneller, John
Slottje, Jeremy
Wherry, Robert

Prout, Andrew
Scully, Kevin
Mannion, Tom

MERRIMACK

Andrus, Louise
Cambriis, Jose
Leavitt, John
Plante, Raymond
See, Alvin

Aures, Cyril
McGuire, Dan
Mehegan, Peter
Polozov, Yury
Walsh, Thomas

Aylward, Deborah
Devoid, Ricky
Moffett, Michael
Boyd, Stephen
Thibault, James

McGuire, Carol
Hill, Gregory
Pitaro, Matthew
Seaworth, Brian
Wood, Clayton

ROCKINGHAM

Ball, Lorie
Bryer, Scott
DeVito, Sayra
Edwards, Jess
Guzofski, James
Khan, Aboul
Layon, Erica
Lynn, Bob
McGrath, Linda
Nadeau, Brian
Popovici-Muller, Daniel
Roy, Terry
Soti, Julius
Sytek, John
Vandecasteele, Susan
Wilson, Vicki

Bennett, Cindy
Mannion, Dennis
Donnelly, Tanya
Foote, Charles
Harb, Robert
Kuttab, Katelyn
Litchfield, Melissa
Pearson, Mark
McMahon, Charles
Osborne, Jason
Porcelli, Susan
Pearson, Stephen
Spillane, James
Dolan, Tom
Vose, Michael

Bernardy, JD
Thomas, Douglas
Drago, Mike
Ford, Mary
Janigian, John
Miner, Laurence
Love, David
Markell, Jay
Melvin, Charles
Brown, Pam
Potucek, John
Sabourin dit Choinière, Matt
Summers, James
Tripp, Richard
MacDonald, Wayne

Bridle, Nicholas
DeSimone, Debra
Dunn, Ron
Guthrie, Joseph
Katsakiores, Phyllis
Walsh, Lilli
Lundgren, David
McDonnell, Valerie
Milz, David
Perez, Kristine
Prudhomme-O'Brien, Katherine
Selby, Donald
Sweeney, Joe
Tudor, Paul
Weyler, Kenneth

STRAFFORD

Bailey, Glenn
Farrington, Samuel
Turcotte, Len

Burnham, Claudine
Harrington, Michael
Walker, David

DeLemus, Susan
Kaczynski, Thomas

DeRoy, Susan
Potenza, Kelley

SULLIVAN

Drye, Margaret
Aron, Judy

Girard, Dale
Aron, Michael

Grant, George
Rollins, Skip

Hemingway, Wayne
Spilsbury, Walter

NAYS - 157

BELKNAP

Nagel, David

St. Clair, Charlie

CARROLL

Boudman, Bobbi
Woodcock, Stephen

Burroughs, Anita

Paige, David

McAleer, Chris

CHESHIRE

Ames, Dick
Faulkner, Barry
Germana, Nicholas
Weber, Lucy

Berch, Paul
Gruber, James
Newell, Jodi

Harvey, Cathryn
Jacobs, Samantha
O'Rorke, Terri

Fox, Dru
Jones, Philip
Parshall, Lucius

GRAFTON

Almy, Susan
Hakken-Phillips, Mary
Muirhead, Russell
Stavis, Laurel

Cormen, Thomas
Sullivan, Jared
Oppel, Thomas
Stringham, Jerry

Fellows, Sallie
Lovett, Peter
Rockmore, Ellen
Sykes, George

Fracht, David
Lucas, Janet
Spahr, Terry

HILLSBOROUGH

Murray, Alissandra
Budathoki, Suraj
Darby, Will
Davis, Fred
Harriott-Gathright, Linda
Jack, Martin
Foxy, Loren
Lloyd, Christal
MacKenzie, Mark
Plamondon, Marc
Rung, Rosemarie
Seibert, Christine
Telerski, Laura
Dolan, William

Beauchemin, Paige
Chourasia, Manoj
Dargie, Paul
Foss, Lily
Hartnett, Tim
Juris, Louis
Leapley, Nicole
Long, Patrick
McGhee, Kat
Newman, Ray
Ryan, Linda
Spier, Carry
Tellez, Trinidad
Thomas, Wendy

Bergeron, Dan
Chretien, Suzanne
DiSilvestro, Linda
Georges, Mary
Hegner, Karen
Kerwin, Erin
LeClerc, Daniel
Howard, Molly
Murphy, Nancy
Raymond, Heather
Newman, Sue
Staub, Kathy
Vail, Suzanne
Wheeler, Jonah

Booras, Efstathia
Cornell, Patricia
Elberger, Susan
Grill, Jessica
Herbert, Christopher
Kluger, Lee Ann
Leishman, Peter
Murray, Megan
Petrigno, Peter
Rombeau, Catherine
Salvi, Santosh
Swanson, Dale
Veilleux, Daniel
Wilhelm, Matthew

MERRIMACK

Bricchi, Tracy
Ebel, Karen
Luneau, David
Roesener, James
Snodgrass, Jim

Caplan, Tony
Gallager, Eric
Hall, Muriel
Sargent, Gregory
Soucy, Timothy

Colby, Eleana
Gibbs, Merryl
Newsom, James
Schamberg, Thomas
Wallner, Mary Jane

Kelly, Eileen
Lane, Connie
Payeur, Stephanie
Schultz, Kris
Woods, Gary

ROCKINGHAM

Balboni, Peggy
Murray, Kate
Malloy, Dennis
Muns, Chris
Simpson, Alexis
Ward, Gerald

Cahill, Michael
Knab, Allison
Mandelbaum, Jennifer
Raynolds, Ned
Sorensen, Carrie

Edgar, Michael
Paige, Mark
Manos, Zoe
Read, Ellen
Turer, Eric

Grote, Jaci
Maggiore, Jim
Meuse, David
Scherr, Buzz
Vallone, Mark

STRAFFORD

Bay, Luz
Smith, Geoffrey
Howland, Allan
Levesque, Cassandra
Selig, Loren
Wall, Janet

Bixby, Peter
Gilmore, Gary
Johnson, Erik
Smith, Marjorie
Southworth, Thomas

Burton, Wayne
Howard, Heath
LaMontagne, Jessica
Miller, Seth
Pearson, Wayne

Butler, Billie
Horrigan, Timothy
Larochelle, John
Schmidt, Peter
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. Peternel spoke in favor.

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

YEAS 197 - NAYS 151**YEAS - 197****BELKNAP**

Aldrich, Glen
Harvey-Bolia, Juliet
Toner, Travis

Bordes, Mike
Ploszaj, Tom

Coker, Matthew
Minor, Sheri

Freeman, Lisa
Terry, Paul

CARROLL

Avellani, Lino
MacDonald, John

Belcher, Mike
Smith, Jonathan

Crawford, Karel
Peternel, Katy

Hamblen, Joseph
Taylor, Brian

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Murphy, Denis
Nalevanko, Rich

Hunt, John
Qualey, James

Karasinski, Sly
Rhodes, Jennifer

Mattson, Rita
Thackston, Dick

COOS

Korzen, Lori
King, Seth

Murphy, Michael
Tierney, James

Morency, Pete
Tremblay, Marc

Ouellet, Mike

GRAFTON

Barton, Joseph
Franz, Linda
Spahr, Terry

Beaulier, Calvin
Ladd, Rick
Stringham, Jerry

Berezhny, Lex
Louis, Darrell

Bjelobrk, Marie Louise
Sellers, John

HILLSBOROUGH

Alexander, Joe
Berry, Ross
Corcoran, Travis
Drew, Matt
Flanagan, Jack
Gorski, Ted
Labrie, Brian
Mazur, Lisa
Morton, Jonathan
Paquette, Kathleen
Proulx, Mark
Ryan, Linda
Sirois, Shane
Dolan, William

Ammon, Keith
Boehm, Ralph
Creighton, James
Dumont, Dillon
Griffin, Gerald
Gould, Linda
Lascelles, Richard
McLean, Mark
Noble, Kristin
Pauer, Diane
Prout, Andrew
Schneller, John
Slottje, Jeremy
Warden, Mark

Boyd, Bill
Colcombe, Riché
Kelley, Diane
Dupont, Pierre
Gagne, Larry
Kenny, Catherine
Long, Patrick
Miles, Julie
Notter, Jeanine
Post, Lisa
Reinfurt, Sherri
Scully, Kevin
Mannion, Tom
Wheeler, Jonah

Barbour, Liz
Cole, Brian
Daniels, Gary
Erf, Keith
Giasson, Henry
Kesselring, Steven
Murphy, Mary
Mooney, Maureen
Ohm, Bill
Presa, Adam
Rice, Kimberly
Sheehan, Vanessa
Ulery, Jordan
Wherry, Robert

MERRIMACK

Andrus, Louise
Cambrils, Jose
Leavitt, John
Plante, Raymond
See, Alvin

Aures, Cyril
McGuire, Dan
Mehegan, Peter
Polozov, Yury
Walsh, Thomas

Aylward, Deborah
Devoid, Ricky
Moffett, Michael
Boyd, Stephen
Thibault, James

McGuire, Carol
Hill, Gregory
Pitaro, Matthew
Seaworth, Brian
Wood, Clayton

ROCKINGHAM

Ball, Lorie
Bryer, Scott
DeVito, Sayra
Edwards, Jess
Guzowski, James
Khan, Aboul
Layon, Erica
Lynn, Bob
McGrath, Linda
Nadeau, Brian
Popovici-Muller, Daniel
Roy, Terry
Soti, Julius
Dolan, Tom
Vandecasteele, Susan
Wilson, Vicki

Bennett, Cindy
Mannion, Dennis
Donnelly, Tanya
Foote, Charles
Harb, Robert
Kuttab, Katelyn
Litchfield, Melissa
Pearson, Mark
McMahon, Charles
Osborne, Jason
Porcelli, Susan
Pearson, Stephen
Spillane, James
Tripp, Richard
Vose, Michael

Bernardy, JD
Thomas, Douglas
Drago, Mike
Ford, Mary
Janigian, John
Miner, Laurence
Love, David
Markell, Jay
Melvin, Charles
Brown, Pam
Potucek, John
Sabourin dit Choinière, Matt
Summers, James
Tudor, Paul
MacDonald, Wayne

Bridle, Nicholas
DeSimone, Debra
Dunn, Ron
Guthrie, Joseph
Katsakiores, Phyllis
Walsh, Lilli
Lundgren, David
McDonnell, Valerie
Milz, David
Perez, Kristine
Prudhomme-O'Brien, Katherine
Selby, Donald
Sweeney, Joe
Vallone, Mark
Weyler, Kenneth

STRAFFORD

Bailey, Glenn
Farrington, Samuel
Turcotte, Len

Burnham, Claudine
Harrington, Michael
Walker, David

DeLemus, Susan
Kaczynski, Thomas

DeRoy, Susan
Potenza, Kelley

SULLIVAN

Drye, Margaret
Aron, Judy

Girard, Dale
Aron, Michael

Grant, George
Rollins, Skip

Hemingway, Wayne
Spilsbury, Walter

**NAYS - 151
BELKNAP**

Nagel, David

St. Clair, Charlie

CARROLL

Boudman, Bobbi
Woodcock, Stephen

Burroughs, Anita

Paige, David

McAleer, Chris

CHESHIRE

Ames, Dick
Faulkner, Barry
Newell, Jodi

Berch, Paul
Gruber, James
O'Rorke, Terri

Harvey, Cathryn
Jones, Philip
Parshall, Lucius

Fox, Dru
Germana, Nicholas
Weber, Lucy

GRAFTON

Almy, Susan
Hakken-Phillips, Mary
Muirhead, Russell
Sykes, George

Cormen, Thomas
Sullivan, Jared
Oppel, Thomas

Fellows, Sallie
Lovett, Peter
Rockmore, Ellen

Fracht, David
Lucas, Janet
Stavis, Laurel

HILLSBOROUGH

Murray, Alissandra
Budathoki, Suraj
Darby, Will
Davis, Fred
Harriott-Gathright, Linda
Jack, Martin
Foxy, Loren
Lloyd, Christal
McGhee, Kat
Newman, Ray
Newman, Sue
Staub, Kathy
Vail, Suzanne

Beauchemin, Paige
Chourasia, Manoj
Dargie, Paul
Foss, Lily
Hartnett, Tim
Juris, Louis
Leapley, Nicole
Howard, Molly
Murphy, Nancy
Raymond, Heather
Salvi, Santosh
Swanson, Dale
Veilleux, Daniel

Bergeron, Dan
Chretien, Suzanne
DiSilvestro, Linda
Georges, Mary
Hegner, Karen
Kerwin, Erin
LeClerc, Daniel
Murray, Megan
Petrigno, Peter
Rombeau, Catherine
Seibert, Christine
Telerski, Laura
Thomas, Wendy

Booras, Efstathia
Cornell, Patricia
Elberger, Susan
Grill, Jessica
Herbert, Christopher
Kluger, Lee Ann
Leishman, Peter
MacKenzie, Mark
Plamondon, Marc
Rung, Rosemarie
Spier, Carry
Tellez, Trinidad
Wilhelm, Matthew

MERRIMACK

Bricchi, Tracy
Ebel, Karen
Luneau, David
Roesener, James
Snodgrass, Jim

Caplan, Tony
Gallager, Eric
Hall, Muriel
Sargent, Gregory
Soucy, Timothy

Colby, Eleana
Gibbs, Merryl
Newsom, James
Schamberg, Thomas
Wallner, Mary Jane

Kelly, Eileen
Lane, Connie
Payeur, Stephanie
Schultz, Kris
Woods, Gary

ROCKINGHAM

Balboni, Peggy
Grote, Jaci
Maggiore, Jim
Meuse, David
Scherr, Buzz
Turer, Eric

Cahill, Michael
Murray, Kate
Malloy, Dennis
Muns, Chris
Simpson, Alexis
Ward, Gerald

de Vries, Erica
Knab, Allison
Mandelbaum, Jennifer
Raynolds, Ned
Sorensen, Carrie

Edgar, Michael
Paige, Mark
Manos, Zoe
Read, Ellen
Sytek, John

STRAFFORD

Bay, Luz
Smith, Geoffrey
Howland, Allan
Levesque, Cassandra
Selig, Loren
Wall, Janet

Bixby, Peter
Gilmore, Gary
Johnson, Erik
Smith, Marjorie
Southworth, Thomas

Burton, Wayne
Howard, Heath
LaMontagne, Jessica
Miller, Seth
Pearson, Wayne

Butler, Billie
Horrigan, Timothy
Larochelle, John
Schmidt, Peter
Wade, Alice

SULLIVAN

Sullivan, Brian

Cloutier, John

Damon, Hope

Palmer, William

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

MOTION TO SPECIAL ORDER

Rep. Sweeney moved that **CACR 12**, the adoption of tax laws, be made a Special Order to the next order of business. Motion was adopted.

SPECIAL ORDER

CACR 12, relating to voting on broad-based taxes.

Providing that a supermajority vote of the general court shall be required to enact any broad-based taxes. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Jordan Ulery for the **Majority** of Ways and Means. The majority of the committee found that the voters of New Hampshire have the absolute right and obligation to vote on what taxes they pay. Some spoke about needing more and more revenue to fund more and more government operations. That is not the issue of this CACR as amended. Local taxes are still local options and people in a locality could still decide to take more of their neighbor's money for such projects. Whether or not an income tax is appropriate for New Hampshire is of such importance that the voters, and only the voters, have the ability to decide their own taxation methodology. An elite, albeit elected, minority of 20 or even 424 is not the body to decide such an important and far reaching bedrock law issue. This proposal is not for or against an income tax as such; everything else is just political posturing. This proposal is only about placing the proposal before our bosses - the voters, and we should let the voters decide! Vote 11-9.

Rep. Susan Almy for the **Minority** of Ways and Means. No proposal to enact an income tax in New Hampshire has received serious consideration in the last 25 years, despite both parties controlling state government for portions of that time. The last time an income tax bill was considered by the House, in 2017, it was killed unanimously on the consent calendar. This CACR, as amended, goes far beyond banning an income tax as normally conceived. The majority amendment says that no individual can be taxed by the state for anything related to any form of income, but corporations, other businesses, and unidentified non-individual entities can be. This would not make our state an attractive place for business. In the last decade, business taxes have been cut multiple times, and the hundred-year-old interest and dividends tax has been repealed, decreasing our revenues by over a billion dollars. These taxes were almost totally on the wealthy, those who could afford to pay. But the consequences have landed most heavily on the dwindling middle class, the working poor, and those who are elderly and disabled. Our budgets are diminished in real terms - after inflation - and the promises the legislature made and broke to continue programs vital to their lives are leaving many desperate. We have concentrated our revenue system in one major tax, the property tax, which the legislature refuses to acknowledge as our state's affair. While the majority likes to highlight the growth of revenue over time, they do not consider inflation. Most of our constituents earn more today than they did a decade ago, but they struggle to afford essentials because their wages have not kept pace. The state is no different. As an example, when the Education Trust Fund (ETF) was created, we managed to put \$800 million into it, but if you look at the chart of the ETF adjusted for consumer price index inflation over the years, its real value to the schools has fallen all but one year since. There are efficiencies in state-level participation in the design, maintenance, and funding of education, health, roads and bridges, and public safety services. The state-level cuts to local services leave the towns, cities, and counties a choice between doing without, or increasing their property taxes to create the services at local level at greater cost than can be done by the state. Amending the constitution to ban a tax that doesn't exist would do nothing to reduce the burden of property taxes and the rising cost of essentials like food, housing, and childcare that people feel today. This CACR, arriving after all the cuts to existing taxes during the past decade, could increase our borrowing costs and harm our bond rating, creating an impossible revenue situation for our state, our towns, and much of our population. The minority believes it should not pass.

Majority Amendment (1134h)

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

RELATING TO: the adoption of tax laws.

PROVIDING THAT: the house of representatives may not adopt based on personal income.

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

I. That the second part of the constitution be amended by inserting after article 18-a the following new article:

[Art.] 18-b. [Taxes Based on Personal Income Prohibited.] The house of representatives shall not adopt a tax on wages, earned income, personal income, or other income of individuals. This prohibition shall apply to any tax measured in whole or in part by personal income, regardless of its designation. Nothing in this article shall prohibit the taxation of businesses, corporations, or other non-individual entities as otherwise permitted under this constitution.

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 the second part of the constitution by inserting after article 18-a a new article to read as follows:

[Art.] 18-b. [Taxes Based on Personal Income Prohibited.] The house of representatives shall not adopt a tax on wages, earned income, personal income, or other income of individuals. This prohibition shall apply to any tax measured in whole or in part by personal income, regardless of its designation. Nothing in this article shall prohibit the taxation of businesses, corporations, or other non-individual entities as otherwise permitted under this constitution.”

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 house of representatives may adopt a tax on personal income.

IF THE AMENDMENT IS ADOPTED, the house of representatives may not adopt a tax on personal income.

2026-1134h

AMENDED ANALYSIS

This constitutional amendment concurrent resolution prohibits the house of representatives from adopting any tax on personal income.

The question being adoption of the majority committee amendment.

Rep. Malloy spoke against.

Rep. Ulery spoke in favor.

Rep. Sweeney requested a roll call; sufficiently seconded.

YEAS 192 - NAYS 148

YEAS - 192**BELKNAP**

Aldrich, Glen
Harvey-Bolia, Juliet
Toner, Travis

Bordes, Mike
Ploszaj, Tom

Coker, Matthew
Minor, Sheri

Freeman, Lisa
Terry, Paul

CARROLL

Avellani, Lino
MacDonald, John

Belcher, Mike
Smith, Jonathan

Crawford, Karel
Peternel, Katy

Hamblen, Joseph
Taylor, Brian

CHESHIRE

Murphy, Denis
Nalevanko, Rich

Hunt, John
Qualey, James

Karasinski, Sly
Rhodes, Jennifer

Mattson, Rita
Thackston, Dick

COOS

Korzen, Lori
King, Seth

Murphy, Michael
Tierney, James

Morency, Pete
Tremblay, Marc

Ouellet, Mike

GRAFTON

Barton, Joseph
Franz, Linda

Beaulier, Calvin
Ladd, Rick

Berezhny, Lex
Louis, Darrell

Bjelobrk, Marie Louise
Sellers, John

HILLSBOROUGH

Alexander, Joe
Berry, Ross
Corcoran, Travis
Drew, Matt
Flanagan, Jack
Gorski, Ted
Labrie, Brian
Mazur, Lisa
Morton, Jonathan
Paquette, Kathleen
Prout, Andrew
Schneller, John
Slottje, Jeremy
Warden, Mark

Ammon, Keith
Boehm, Ralph
Creighton, James
Dumont, Dillon
Griffin, Gerald
Gould, Linda
Lascelles, Richard
McLean, Mark
Noble, Kristin
Pauer, Diane
Reinfurt, Sherri
Scully, Kevin
Mannion, Tom
Wherry, Robert

Boyd, Bill
Colcombe, Riché
Kelley, Diane
Dupont, Pierre
Gagne, Larry
Kenny, Catherine
Long, Patrick
Miles, Julie
Notter, Jeanine
Post, Lisa
Rice, Kimberly
Sheehan, Vanessa
Ulery, Jordan

Barbour, Liz
Cole, Brian
Daniels, Gary
Erf, Keith
Giasson, Henry
Kesselring, Steven
Murphy, Mary
Mooney, Maureen
Ohm, Bill
Presa, Adam
Ryan, Linda
Sirois, Shane
Dolan, William

MERRIMACK

Andrus, Louise
Cambriis, Jose
Leavitt, John
Plante, Raymond
See, Alvin

Aures, Cyril
McGuire, Dan
Mehegan, Peter
Polozov, Yury
Walsh, Thomas

Aylward, Deborah
Devoid, Ricky
Moffett, Michael
Boyd, Stephen
Thibault, James

McGuire, Carol
Hill, Gregory
Pitaro, Matthew
Seaworth, Brian
Wood, Clayton

ROCKINGHAM

Ball, Lorie
Bryer, Scott
DeVito, Sayra
Edwards, Jess
Guzowski, James
Khan, Aboul
Layon, Erica
Lynn, Bob
McGrath, Linda
Nadeau, Brian
Popovici-Muller, Daniel
Roy, Terry
Soti, Julius
Sytek, John
Vose, Michael

Bennett, Cindy
Mannion, Dennis
Donnelly, Tanya
Foote, Charles
Harb, Robert
Kuttab, Katelyn
Litchfield, Melissa
Pearson, Mark
McMahon, Charles
Osborne, Jason
Porcelli, Susan
Pearson, Stephen
Spillane, James
Dolan, Tom
MacDonald, Wayne

Bernardy, JD
Thomas, Douglas
Drago, Mike
Ford, Mary
Janigian, John
Miner, Laurence
Love, David
Markell, Jay
Melvin, Charles
Brown, Pam
Potucek, John
Sabourin dit Choinière, Matt
Summers, James
Tripp, Richard
Weyler, Kenneth

Bridle, Nicholas
DeSimone, Debra
Dunn, Ron
Guthrie, Joseph
Katsakiores, Phyllis
Walsh, Lilli
Lundgren, David
McDonnell, Valerie
Milz, David
Perez, Kristine
Prudhomme-O'Brien, Katherine
Selby, Donald
Sweeney, Joe
Tudor, Paul
Wilson, Vicki

STRAFFORD

Bailey, Glenn
Farrington, Samuel
Turcotte, Len

Burnham, Claudine
Harrington, Michael
Walker, David

DeLemus, Susan
Kaczynski, Thomas

DeRoy, Susan
Potenza, Kelley

SULLIVAN

Drye, Margaret
Aron, Judy

Girard, Dale
Aron, Michael

Grant, George
Rollins, Skip

Hemingway, Wayne
Spilsbury, Walter

**NAYS - 148
BELKNAP**

Nagel, David

St. Clair, Charlie

CARROLL

Boudman, Bobbi
Woodcock, Stephen

Burroughs, Anita

Paige, David

McAleer, Chris

CHESHIRE

Ames, Dick
Faulkner, Barry
Newell, Jodi

Berch, Paul
Gruber, James
O'Rorke, Terri

Harvey, Cathryn
Jones, Philip
Parshall, Lucius

Fox, Dru
Germana, Nicholas
Weber, Lucy

GRAFTON

Almy, Susan
Hakken-Phillips, Mary
Muirhead, Russell
Stavis, Laurel

Cormen, Thomas
Sullivan, Jared
Oppel, Thomas
Stringham, Jerry

Fellows, Sallie
Lovett, Peter
Rockmore, Ellen
Sykes, George

Fracht, David
Lucas, Janet
Spahr, Terry

HILLSBOROUGH

Beauchemin, Paige
Chourasia, Manoj
Dargie, Paul
Foss, Lily
Hartnett, Tim
Juris, Louis
Leapley, Nicole
Howard, Molly
Murphy, Nancy
Raymond, Heather
Seibert, Christine
Telerski, Laura
Thomas, Wendy

Bergeron, Dan
Chretien, Suzanne
DiSilvestro, Linda
Georges, Mary
Hegner, Karen
Kerwin, Erin
LeClerc, Daniel
Murray, Megan
Petrigno, Peter
Rung, Rosemarie
Spier, Carry
Tellez, Trinidad
Wheeler, Jonah

Booras, Efstathia
Cornell, Patricia
Elberger, Susan
Grill, Jessica
Herbert, Christopher
Kluger, Lee Ann
Leishman, Peter
MacKenzie, Mark
Plamondon, Marc
Newman, Sue
Staub, Kathy
Vail, Suzanne
Wilhelm, Matthew

Budathoki, Suraj
Darby, Will
Davis, Fred
Harriott-Gathright, Linda
Jack, Martin
Foxy, Loren
Lloyd, Christal
McGhee, Kat
Newman, Ray
Salvi, Santosh
Swanson, Dale
Veilleux, Daniel

MERRIMACK

Bricchi, Tracy
Ebel, Karen
Luneau, David
Roesener, James
Soucy, Timothy

Caplan, Tony
Gallager, Eric
Hall, Muriel
Sargent, Gregory
Wallner, Mary Jane

Colby, Eleana
Gibbs, Merryl
Newsom, James
Schamberg, Thomas
Woods, Gary

Kelly, Eileen
Lane, Connie
Payeur, Stephanie
Snodgrass, Jim

ROCKINGHAM

Balboni, Peggy
Grote, Jaci
Maggiore, Jim
Meuse, David
Scherr, Buzz
Ward, Gerald

Cahill, Michael
Murray, Kate
Malloy, Dennis
Muns, Chris
Simpson, Alexis

de Vries, Erica
Knab, Allison
Mandelbaum, Jennifer
Raynolds, Ned
Sorensen, Carrie

Edgar, Michael
Paige, Mark
Manos, Zoe
Read, Ellen
Turer, Eric

STRAFFORD

Bay, Luz
Smith, Geoffrey
Howland, Allan
Smith, Marjorie
Pearson, Wayne

Bixby, Peter
Gilmore, Gary
Johnson, Erik
Miller, Seth
Wade, Alice

Burton, Wayne
Howard, Heath
LaMontagne, Jessica
Schmidt, Peter
Wall, Janet

Butler, Billie
Horrigan, Timothy
Larochelle, John
Southworth, Thomas

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. Oppel offered floor amendment (1903h).

FloorAmendment (1903h)

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

RELATING TO: progressive-based income taxes.

PROVIDING THAT: the legislature may impose progressive-based income taxes, and revenues derived from such taxes be used exclusively to fund public schools in order to offset local property taxes.

Amend the resolution by replacing all after the resolving clause with the following:

I. That article 5 of the second part of the constitution be amended to read as follows:

[Art.] 5. [Power to Make Laws, Elect Officers, Define Their Powers and Duties, Impose Fines and Assess Taxes; Prohibited from Authorizing Towns to Aid Certain Corporations.] And farther, full power and authority are hereby given and granted to the said general court, from time to time, to make, ordain, and establish, all manner of wholesome and reasonable orders, laws, statutes, ordinances, directions, and instructions, either with penalties, or without, so as the same be not repugnant or contrary to this constitution, as they may judge for the benefit and welfare of this state, and for the governing and ordering thereof, and of the subjects of the same, for the necessary support and defense of the government thereof, and to name and settle biennially, or provide by fixed laws for the naming and settling, all civil officers within this state, such officers excepted, the election and appointment of whom are hereafter in this form of government otherwise provided for; and to set forth the several duties, powers, and limits, of the several civil and military officers of this state, and the forms of such oaths or affirmations as shall be respectively administered unto them, for the execution of their several offices and places, so as the same be not repugnant or contrary to this constitution; and also

to impose fines, mulcts, imprisonments, and other punishments, and to impose and levy proportional and reasonable assessments, rates, and taxes, upon all the inhabitants of, and residents within, the said state; and upon all estates within the same; to be issued and disposed of by warrant, under the hand of the governor of this state for the time being, with the advice and consent of the council, for the public service, in the necessary defense and support of the government of this state, and the protection and preservation of the subjects thereof, according to such acts as are, or shall be, in force within the same; provided that the general court shall not authorize any town to loan or give its money or credit directly or indirectly for the benefit of any corporation having for its object a dividend of profits or in any way aid the same by taking its stocks or bonds. For the purpose of encouraging conservation of the forest resources of the state, the general court may provide for special assessments, rates and taxes on growing wood and timber. ***And provided further that any assessments, rates, and taxes imposed on income shall be considered reasonable and proportional if they are imposed at the same rates across the state even though they are imposed and levied progressively; that is, at rates that rise or increase in whole or in part, as the income being taxed increases. All revenue in excess of the necessary cost of collection and administration accruing to the state from a progressive income tax shall be appropriated and used exclusively for the construction, reconstruction, maintenance and operation of public elementary, middle and high schools to reduce local property taxes, but no part of such revenues shall, by transfer of funds or otherwise, be diverted to any non-public education effort or any other purpose whatsoever.***

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 5 of the second part of the constitution to read as follows:

[Art.] 5. [Power to Make Laws, Elect Officers, Define Their Powers and Duties, Impose Fines and Assess Taxes; Prohibited from Authorizing Towns to Aid Certain Corporations.] And farther, full power and authority are hereby given and granted to the said general court, from time to time, to make, ordain, and establish, all manner of wholesome and reasonable orders, laws, statutes, ordinances, directions, and instructions, either with penalties, or without, so as the same be not repugnant or contrary to this constitution, as they may judge for the benefit and welfare of this state, and for the governing and ordering thereof, and of the subjects of the same, for the necessary support and defense of the government thereof, and to name and settle biennially, or provide by fixed laws for the naming and settling, all civil officers within this state, such officers excepted, the election and appointment of whom are hereafter in this form of government otherwise provided for; and to set forth the several duties, powers, and limits, of the several civil and military officers of this state, and the forms of such oaths or affirmations as shall be respectively administered unto them, for the execution of their several offices and places, so as the same be not repugnant or contrary to this constitution; and also to impose fines, mulcts, imprisonments, and other punishments, and to impose and levy proportional and reasonable assessments, rates, and taxes, upon all the inhabitants of, and residents within, the said state; and upon all estates within the same; to be issued and disposed of by warrant, under the hand of the governor of this state for the time being, with the advice and consent of the council, for the public service, in the necessary defense and support of the government of this state, and the protection and preservation of the subjects thereof, according to such acts as are, or shall be, in force within the same; provided that the general court shall not authorize any town to loan or give its money or credit directly or indirectly for the benefit of any corporation having for its object a dividend of profits or in any way aid the same by taking its stocks or bonds. For the purpose of encouraging conservation of the forest resources of the state, the general court may provide for special assessments, rates and taxes on growing wood and timber. And provided further that any assessments, rates, and taxes imposed on income shall be considered reasonable and proportional if they are imposed at the same rates across the state even though they are imposed and levied progressively; that is, at rates that rise or increase in whole or in part, as the income being taxed increases. All revenue in excess of the necessary cost of collection and administration accruing to the state from a progressive income tax shall be appropriated and used exclusively for the construction, reconstruction, maintenance and operation of public elementary, middle and high schools to reduce local property taxes, but no part of such revenues shall, by transfer of funds or otherwise, be diverted to any non-public education effort or any other purpose whatsoever.”

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 legislature may not impose a progressive-based income tax system.

IF THE AMENDMENT IS ADOPTED, the legislature may impose progressive-based income taxes, where revenues derived from such taxes shall be used exclusively to fund public schools in order to offset local property taxes.

2026-1903h

AMENDED ANALYSIS

This constitutional amendment concurrent resolution provides that the legislature may impose progressive-based income taxes, and that revenues derived from such taxes be used exclusively to fund public schools in order to offset local property taxes.

The question being adoption of floor amendment (1903h).

Rep. Oppel spoke in favor and yielded to questions.

Reps. Sweeney and Simpson spoke against.

Rep. Dan McGuire requested a roll call; sufficiently seconded.

YEAS 17 - NAYS 322

YEAS - 17

CARROLL

Woodcock, Stephen

CHESHIRE

Parshall, Lucius

GRAFTON

Fracht, David

Lovett, Peter

Oppel, Thomas

HILLSBOROUGH

Elberger, Susan
Thomas, Wendy

Kerwin, Erin

Howard, Molly

Schneller, John

MERRIMACK

Gallagher, Eric

Gibbs, Merryl

Woods, Gary

ROCKINGHAM

Read, Ellen

Ward, Gerald

STRAFFORD

Horrigan, Timothy

Pearson, Wayne

NAYS - 322

BELKNAP

Aldrich, Glen
Harvey-Bolia, Juliet
St. Clair, Charlie

Bordes, Mike
Nagel, David
Terry, Paul

Coker, Matthew
Ploszaj, Tom
Toner, Travis

Freeman, Lisa
Minor, Sheri

CARROLL

Avellani, Lino
Crawford, Karel
Smith, Jonathan

Belcher, Mike
Paige, David
McAleer, Chris

Boudman, Bobbi
Hamblen, Joseph
Peternel, Katy

Burroughs, Anita
MacDonald, John
Taylor, Brian

CHESHIRE

Ames, Dick
Murphy, Denis
Jones, Philip
Nalevanko, Rich
Rhodes, Jennifer

Berch, Paul
Faulkner, Barry
Karasinski, Sly
Newell, Jodi
Thackston, Dick

Harvey, Cathryn
Gruber, James
Mattson, Rita
O'Rourke, Terri
Weber, Lucy

Fox, Dru
Hunt, John
Germana, Nicholas
Qualey, James

COOS

Korzen, Lori
King, Seth

Murphy, Michael
Tierney, James

Morency, Pete
Tremblay, Marc

Ouellet, Mike

GRAFTON

Almy, Susan
Cormen, Thomas
Sullivan, Jared
Muirhead, Russell
Stavis, Laurel

Beaulier, Calvin
Fellows, Sallie
Ladd, Rick
Rockmore, Ellen
Stringham, Jerry

Berezhny, Lex
Franz, Linda
Louis, Darrell
Sellers, John
Sykes, George

Bjelobrk, Marie Louise
Hakken-Phillips, Mary
Lucas, Janet
Spahr, Terry

HILLSBOROUGH

Alexander, Joe
 Beauchemin, Paige
 Booras, Efstathia
 Colcombe, Rich  
 Creighton, James
 Dargie, Paul
 Dupont, Pierre
 Foss, Lily
 Giasson, Henry
 Harriott-Gathright, Linda
 Jack, Martin
 Kluger, Lee Ann
 Leapley, Nicole
 Long, Patrick
 Mazur, Lisa
 Mooney, Maureen
 Notter, Jeanine
 Petrigno, Peter
 Proulx, Mark
 Reinfurt, Sherri
 Newman, Sue
 Sheehan, Vanessa
 Staub, Kathy
 Mannion, Tom
 Dolan, William
 Wilhelm, Matthew

Ammon, Keith
 Bergeron, Dan
 Budathoki, Suraj
 Cole, Brian
 Kelley, Diane
 DiSilvestro, Linda
 Erf, Keith
 Griffin, Gerald
 Gorski, Ted
 Hartnett, Tim
 Juris, Louis
 Foxx, Loren
 LeClerc, Daniel
 Murray, Megan
 McGhee, Kat
 Morton, Jonathan
 Ohm, Bill
 Plamondon, Marc
 Prout, Andrew
 Rice, Kimberly
 Salvi, Santosh
 Sirois, Shane
 Swanson, Dale
 Ulery, Jordan
 Warden, Mark

Boyd, Bill
 Berry, Ross
 Chourasia, Manoj
 Corcoran, Travis
 Daniels, Gary
 Drew, Matt
 Davis, Fred
 Gagne, Larry
 Gould, Linda
 Hegner, Karen
 Kenny, Catherine
 Labrie, Brian
 Leishman, Peter
 MacKenzie, Mark
 McLean, Mark
 Murphy, Nancy
 Paquette, Kathleen
 Post, Lisa
 Newman, Ray
 Rung, Rosemarie
 Scully, Kevin
 Slotte, Jeremy
 Telerski, Laura
 Vail, Suzanne
 Wheeler, Jonah

Barbour, Liz
 Boehm, Ralph
 Chretien, Suzanne
 Cornell, Patricia
 Darby, Will
 Dumont, Dillon
 Flanagan, Jack
 Georges, Mary
 Grill, Jessica
 Herbert, Christopher
 Kesselring, Steven
 Lascelles, Richard
 Lloyd, Christal
 Murphy, Mary
 Miles, Julie
 Noble, Kristin
 Pauer, Diane
 Presa, Adam
 Raymond, Heather
 Ryan, Linda
 Seibert, Christine
 Spier, Carry
 Tellez, Trinidad
 Veilleux, Daniel
 Wherry, Robert

MERRIMACK

Andrus, Louise
 McGuire, Carol
 McGuire, Dan
 Hill, Gregory
 Hall, Muriel
 Payeur, Stephanie
 Roesener, James
 See, Alvin
 Thibault, James

Aures, Cyril
 Cambrils, Jose
 Devoid, Ricky
 Lane, Connie
 Mehegan, Peter
 Pitaro, Matthew
 Boyd, Stephen
 Snodgrass, Jim
 Wallner, Mary Jane

Aylward, Deborah
 Caplan, Tony
 Kelly, Eileen
 Leavitt, John
 Moffett, Michael
 Plante, Raymond
 Sargent, Gregory
 Soucy, Timothy
 Wood, Clayton

Bricchi, Tracy
 Colby, Eleana
 Ebel, Karen
 Luneau, David
 Newsom, James
 Polozov, Yury
 Seaworth, Brian
 Walsh, Thomas

ROCKINGHAM

Balboni, Peggy
 Bridle, Nicholas
 Thomas, Douglas
 Donnelly, Tanya
 Edwards, Jess
 Guthrie, Joseph
 Murray, Kate
 Kuttub, Katelyn
 Litchfield, Melissa
 Paige, Mark
 Mandelbaum, Jennifer
 McGrath, Linda
 Milz, David
 Brown, Pam
 Potucek, John
 Pearson, Stephen
 Simpson, Alexis
 Summers, James
 Tripp, Richard
 MacDonald, Wayne

Ball, Lorie
 Bryer, Scott
 de Vries, Erica
 Drago, Mike
 Foote, Charles
 Guzowski, James
 Katsakiores, Phyllis
 Miner, Laurence
 Love, David
 Pearson, Mark
 Manos, Zoe
 McMahon, Charles
 Muns, Chris
 Perez, Kristine
 Prudhomme-O'Brien, Katherine
 Sabourin dit Choini  re, Matt
 Sorensen, Carrie
 Sweeney, Joe
 Tudor, Paul
 Weyler, Kenneth

Bennett, Cindy
 Cahill, Michael
 DeSimone, Debra
 Dunn, Ron
 Ford, Mary
 Harb, Robert
 Khan, Aboul
 Walsh, Lilli
 Lundgren, David
 Maggiore, Jim
 Markell, Jay
 Melvin, Charles
 Nadeau, Brian
 Popovici-Muller, Daniel
 Reynolds, Ned
 Scherr, Buzz
 Soti, Julius
 Sytek, John
 Turer, Eric
 Wilson, Vicki

Bernardy, JD
 Mannion, Dennis
 DeVito, Sayra
 Edgar, Michael
 Grote, Jaci
 Janigian, John
 Knab, Allison
 Layon, Erica
 Lynn, Bob
 Malloy, Dennis
 McDonnell, Valerie
 Meuse, David
 Osborne, Jason
 Porcelli, Susan
 Roy, Terry
 Selby, Donald
 Spillane, James
 Dolan, Tom
 Vose, Michael

STRAFFORD

Bailey, Glenn
 Burton, Wayne
 Farrington, Samuel
 Harrington, Michael
 LaMontagne, Jessica
 Potenza, Kelley
 Wade, Alice

Bay, Luz
 Butler, Billie
 Smith, Geoffrey
 Howland, Allan
 Larochelle, John
 Schmidt, Peter
 Walker, David

Bixby, Peter
 DeLemus, Susan
 Gilmore, Gary
 Johnson, Erik
 Smith, Marjorie
 Southworth, Thomas
 Wall, Janet

Burnham, Claudine
 DeRoy, Susan
 Howard, Heath
 Kaczynski, Thomas
 Miller, Seth
 Turcotte, Len

SULLIVAN

Sullivan, Brian
Girard, Dale
Aron, Michael

Cloutier, John
Grant, George
Palmer, William

Damon, Hope
Hemingway, Wayne
Rollins, Skip

Drye, Margaret
Aron, Judy
Spilsbury, Walter

Floor amendment (1903h) failed.

Reps. Schneller and Kerwin voted yea and intended to vote nay.

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 193 - NAYS 148**YEAS - 193****BELKNAP**

Aldrich, Glen
Harvey-Bolia, Juliet
Toner, Travis

Bordes, Mike
Ploszaj, Tom

Coker, Matthew
Minor, Sheri

Freeman, Lisa
Terry, Paul

CARROLL

Avellani, Lino
Hamblen, Joseph

Belcher, Mike
MacDonald, John

Boudman, Bobbi
Smith, Jonathan

Crawford, Karel
Peternel, Katy

CHESHIRE

Murphy, Denis
Nalevanko, Rich

Hunt, John
Qualey, James

Karasinski, Sly
Rhodes, Jennifer

Mattson, Rita
Thackston, Dick

COOS

Korzen, Lori
King, Seth

Murphy, Michael
Tierney, James

Morency, Pete
Tremblay, Marc

Ouellet, Mike

GRAFTON

Beaulier, Calvin
Ladd, Rick

Berezhny, Lex
Louis, Darrell

Bjelobrk, Marie Louise
Sellers, John

Franz, Linda

HILLSBOROUGH

Alexander, Joe
Berry, Ross
Corcoran, Travis
Drew, Matt
Flanagan, Jack
Gorski, Ted
Labrie, Brian
Mazur, Lisa
Morton, Jonathan
Paquette, Kathleen
Proulx, Mark
Schneller, John
Slottje, Jeremy
Wheeler, Jonah

Ammon, Keith
Boehm, Ralph
Creighton, James
Dumont, Dillon
Griffin, Gerald
Gould, Linda
Lascelles, Richard
McLean, Mark
Noble, Kristin
Pauer, Diane
Prout, Andrew
Scully, Kevin
Mannion, Tom
Wherry, Robert

Boyd, Bill
Colcombe, Riché
Kelley, Diane
Dupont, Pierre
Gagne, Larry
Kenny, Catherine
Long, Patrick
Miles, Julie
Notter, Jeanine
Post, Lisa
Reinfurt, Sherri
Sheehan, Vanessa
Ulery, Jordan

Barbour, Liz
Cole, Brian
Daniels, Gary
Erf, Keith
Giasson, Henry
Kesselring, Steven
Murphy, Mary
Mooney, Maureen
Ohm, Bill
Presa, Adam
Rice, Kimberly
Sirois, Shane
Warden, Mark

MERRIMACK

Andrus, Louise
Cambrils, Jose
Leavitt, John
Plante, Raymond
See, Alvin

Aures, Cyril
McGuire, Dan
Mehegan, Peter
Polozov, Yury
Walsh, Thomas

Aylward, Deborah
Devoid, Ricky
Moffett, Michael
Boyd, Stephen
Thibault, James

McGuire, Carol
Hill, Gregory
Pitaro, Matthew
Seaworth, Brian
Wood, Clayton

ROCKINGHAM

Ball, Lorie
Bryer, Scott
DeVito, Sayra
Edwards, Jess
Guzowski, James
Khan, Aboul
Layon, Erica
Lynn, Bob
McDonnell, Valerie
Milz, David
Perez, Kristine
Prudhomme-O'Brien, Katherine
Selby, Donald

Bennett, Cindy
Mannion, Dennis
Donnelly, Tanya
Foote, Charles
Harb, Robert
Kuttab, Katelyn
Litchfield, Melissa
Pearson, Mark
McGrath, Linda
Nadeau, Brian
Popovici-Muller, Daniel
Roy, Terry
Soti, Julius

Bernardy, JD
Thomas, Douglas
Drago, Mike
Ford, Mary
Janigian, John
Miner, Laurence
Love, David
Mandelbaum, Jennifer
McMahon, Charles
Osborne, Jason
Porcelli, Susan
Pearson, Stephen
Spillane, James

Bridle, Nicholas
DeSimone, Debra
Dunn, Ron
Guthrie, Joseph
Katsakiores, Phyllis
Walsh, Lilli
Lundgren, David
Markell, Jay
Melvin, Charles
Brown, Pam
Potucek, John
Sabourin dit Choinière, Matt
Summers, James

Sweeney, Joe
Tudor, Paul
Wilson, Vicki

Sytek, John
Vose, Michael

Dolan, Tom
MacDonald, Wayne

Tripp, Richard
Weyler, Kenneth

STRAFFORD

Bailey, Glenn
Farrington, Samuel
Turcotte, Len

Burnham, Claudine
Harrington, Michael
Walker, David

DeLemus, Susan
Kaczynski, Thomas

DeRoy, Susan
Potenza, Kelley

SULLIVAN

Drye, Margaret
Aron, Judy
Spilsbury, Walter

Girard, Dale
Aron, Michael

Grant, George
Rollins, Skip

Hemingway, Wayne
Smith, Steven

NAYS - 148

BELKNAP

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
Gruber, James
O'Rorke, Terri

Harvey, Cathryn
Jones, Philip
Parshall, Lucius

Fox, Dru
Germana, Nicholas
Weber, Lucy

GRAFTON

Almy, Susan
Hakken-Phillips, Mary
Muirhead, Russell
Stavis, Laurel

Cormen, Thomas
Sullivan, Jared
Oppel, Thomas
Stringham, Jerry

Fellows, Sallie
Lovett, Peter
Rockmore, Ellen
Sykes, George

Fracht, David
Lucas, Janet
Spahr, Terry

HILLSBOROUGH

Beauchemin, Paige
Chourasia, Manoj
Dargie, Paul
Foss, Lily
Hartnett, Tim
Juris, Louis
Leapley, Nicole
Howard, Molly
Murphy, Nancy
Raymond, Heather
Salvi, Santosh
Swanson, Dale
Veilleux, Daniel

Bergeron, Dan
Chretien, Suzanne
DiSilvestro, Linda
Georges, Mary
Hegner, Karen
Kerwin, Erin
LeClerc, Daniel
Murray, Megan
Petrigno, Peter
Rung, Rosemarie
Seibert, Christine
Telerski, Laura
Dolan, William

Booras, Efstathia
Cornell, Patricia
Elberger, Susan
Grill, Jessica
Herbert, Christopher
Kluger, Lee Ann
Leishman, Peter
MacKenzie, Mark
Plamondon, Marc
Ryan, Linda
Spier, Carry
Tellez, Trinidad
Thomas, Wendy

Budathoki, Suraj
Darby, Will
Davis, Fred
Harriott-Gathright, Linda
Jack, Martin
Foxy, Loren
Lloyd, Christal
McGhee, Kat
Newman, Ray
Newman, Sue
Staub, Kathy
Vail, Suzanne
Wilhelm, Matthew

MERRIMACK

Bricchi, Tracy
Ebel, Karen
Luneau, David
Roesener, James
Soucy, Timothy

Caplan, Tony
Gallager, Eric
Hall, Muriel
Sargent, Gregory
Wallner, Mary Jane

Colby, Eleana
Gibbs, Merryl
Newsom, James
Schamberg, Thomas
Woods, Gary

Kelly, Eileen
Lane, Connie
Payeur, Stephanie
Snodgrass, Jim

ROCKINGHAM

Balboni, Peggy
Grote, Jaci
Maggiore, Jim
Muns, Chris
Simpson, Alexis

Cahill, Michael
Murray, Kate
Malloy, Dennis
Raynolds, Ned
Sorensen, Carrie

de Vries, Erica
Knab, Allison
Manos, Zoe
Read, Ellen
Turer, Eric

Edgar, Michael
Paige, Mark
Meuse, David
Scherr, Buzz
Ward, Gerald

STRAFFORD

Bay, Luz
Smith, Geoffrey
Howland, Allan
Smith, Marjorie
Pearson, Wayne

Bixby, Peter
Gilmore, Gary
Johnson, Erik
Miller, Seth
Wade, Alice

Burton, Wayne
Howard, Heath
LaMontagne, Jessica
Schmidt, Peter
Wall, Janet

Butler, Billie
Horrigan, Timothy
Larochelle, John
Southworth, Thomas

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 PRINT DEBATE

Rep. Giasson moved that the debate on **CACR 12**, the adoption of tax laws be printed in the Permanent Journal. Without objection, the Speaker ordered.

DEBATE ON CACR 12

Representative Malloy: Thank you, Mr. Speaker. For over 200 years, New Hampshire has thrived as a state. Every two years we come together as a legislature and pass a balanced budget to keep our state running for the next biennium. The amount of spending will change, things we fund will change, and the way we raise revenue will change. But no matter what, the budget that we pass into law is balanced. That concept of a balanced budget is so ingrained in our state's culture that many people think it's required by our constitution. It's not. It's simply a statutory requirement in RSA 9. So, for over two centuries, New Hampshire has enacted a balanced budget every term despite no constitutional provision requiring us to do so. We've managed to balance our budgets for over 200 years without an income tax and have done so in this very room because we listen to the voters. Now, does that mean we've always done it right? I don't think we have. Some of the decisions that this legislature has made in recent years have set our state and our constituents back. Cuts to business taxes over the past decade have shifted more than a billion dollars of the tax burden onto property taxpayers. Other changes to tax policy that benefit the wealthy have shifted the burden even further. Our constituents understand that what we've been doing isn't working for them and it isn't a sustainable strategy. Granted, staters do not want an income tax. I know that from talking to my constituents in the four communities that I've served since I've been here in the House. Opinion polls consistently tell us the same thing. So if the people don't want an income tax, do they also think the constitution needs to be amended to ban one? The public hearing on this amendment was telling. Despite a month of promotion in the press and on social media, public turnout at the hearing was minimal. Most of the people who showed up to speak in support of the amendment are sitting in this room right now or on the other side of the wall. Of the 16 members of the public who spoke at the hearing, 9 were in support of the amendment and 7 were against it. Among those who registered their opposition online, opponents of this amendment outnumbered supporters by the hundreds. So why the push for this now? It's a great question. Last fall, members of this body filed over 800 bills for the legislature to consider in the 2026 session. This proposal was not one of them. It showed up as a non-germane amendment to a Senate bill a month ago. Amending the constitution is a big deal and should require a high bar. Based on the rhetoric I've heard surrounding this CACR, you'd think we'd pass every constitutional amendment on to voters because it's simply the right thing to do. Just let the people decide. We all know that's not actually how it works. We've taken up 24 constitutional amendment proposals in the House alone this year, on subjects ranging from the right to fish to the right to vote, and only one of those 24 amendments that we've seen fit to pass on to voters is one eliminating the register of probate. So here we are, considering our 25th constitutional amendment of the year, CACR 12. A proposal that may be new to us but also resembles amendments this body rejected in 2019 and 2021. Amending the constitution to ban a tax that doesn't exist will do nothing to reduce the burden of property taxes and the rising cost of essentials like food, housing, and child care that voters are repeatedly voicing today. This amendment is poorly written, unnecessary, and performative. I urge my colleagues to press the red button to defeat this motion. Thank you, Mr. Speaker.

Speaker Steven Smith: Representative Ulery is recognized to speak in favor of the amendment.

Representative Ulery: Thank you, Mr. Speaker. My colleague is correct that about 80% of the people support no income tax in New Hampshire. We've heard in committee about the bad policy banning income tax, how bad that would be for New Hampshire. And yet the suggestion in the minority report that a no income tax policy has received serious consideration belies the recent comments in front of this building. Indeed, inside this hall from members who have marched down and made statements, and if you check your seat pocket, even today in a floor amendment. Anyone suggesting that our colleagues are not serious when demanding that they put forward a policy before the people to vote on whether they are in favor of banning an income tax seems to me to be a rather specious argument. This is not a petition article as those policies deal with implementation. This deals rather with the structure of government. Those with a passing acquaintance with the Constitution of New Hampshire may recognize in Article I that all government of right originates from the people and is founded in consent. The people get to make their own laws in our republican form of government. The amended bill proposes to the voters to ban a personal income tax and allows current business friendly taxes to remain. The benefits or negatives of that proposal must be debated by the people. The tax burden on the people has been reduced. We've done that this year. And whether or not the people want to pay more in taxes for government again resides not with the elected 424, but with all of the people. One must note that in every, every, every jurisdiction in which the issue of property tax is raised at the same time an income tax has been proposed, both have eventually risen. We can take a neighboring state down in Connecticut as an example. Which has one of the highest property taxes and one of the highest income taxes. Our New Hampshire Constitution is designed to limit government thus guaranteeing individual rights. One may

recall a constitutional law expert once referred to the U.S. Constitution as a bill of negative rights restricting government. And he was right. Government only allows and only the people can restrain the growth of government. Denying the people the right to vote is not an element of our constitutional form of government. Denying the people the right to vote is most certainly political posturing by those who know more than the people who actually pay the taxes. All arguments, being angry about this, that or whatever the offense *de jure* is, are not best suited for this room regarding taxes, but rather to be decided by the people who pay the taxes, who expand or restrict government, who tell government what it can and cannot do. Please vote green on the pending motion of Ought to Pass as Amended.

Speaker Steven Smith: The question is the adoption of amendment (1134h). Are you ready for the question? Representative Sweeney requests a roll call. Is that sufficiently seconded? It is. This will be a roll call vote. Members take your seats. The question is the adoption of amendment (1134h). Representative Almy is recognized for a parliamentary inquiry.

Representative Almy: Thank you, Mr. Speaker. If I know that the leaders of this state have failed to acknowledge the effect of inflation on the value of our money for far too long, choosing instead to reduce the tax burden on large corporations and wealthy individuals, which has produced the structural deficit that we now must live with, and if I know that this has continuously increased the burden of funding of public services and infrastructure on the people we represent, particularly harming the middle class, the disabled and the poor who are struggling to make ends meet, and if I know that New Hampshire ranks 48th nationally in aid to cities and towns and dead last in state education funding, and that the burden of funding public services and infrastructure falls on the property taxpayers here more than in any other state, and if I understand that an income tax is not now in the interest of our state but that we cannot predict what may happen 50, 100, 200 years from now, and if I know all these things and I understand the amendment before us will do absolutely nothing to address the grave effects of unrecognized inflation on our constituents and on our businesses and our economy, would I now press the red button to vote no on this motion?

Speaker Steven Smith: Representative Sweeney is recognized for parliamentary inquiry.

Representative Sweeney: Thank you, Mr. Speaker. Mr. Speaker if I know that New Hampshire has thrived for over 200 years without an income tax, and I know we can survive and thrive with 200 more plus years without an income tax, and Mr. Speaker if I know that while some seem to want to keep the door open to an income tax in the future, my voters sent me here to oppose an income tax now and forever, would I now press the green button and prevent the burden of an income tax being added to our taxpayers now and forever. Thank you.

Speaker Steven Smith: The question is the adoption of amendment (1134h). This is a roll call vote. Shocker. 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. With 192 in the affirmative and 148 in the negative, the amendment is adopted. The bill is on second reading and open to further amendment. Representative Oppel moves floor amendment (1903h) which can be found in your seat pockets and is recognized to speak.

Representative Oppel: Thank you, Mr. Speaker. I suppose I should be proud of the fact that I think I've brought both sides together today. Mr. Speaker, we've heard a lot of talk about allowing New Hampshire citizens to have a say about tax policy and I think it's a little ironic on a couple of fronts. For example, whenever people say we live in a democracy I hear an awful lot of people respond, "no it's a republic." But a republic is by definition a representative form of government not a direct vote by the people. Still. And New Hampshire is not, unlike say our neighbor in Maine, a voter initiative state. However, previous speakers have been correct, there is some tax policy that is written into our constitution. Other members have mentioned certain articles. Article XII in the first part of our constitution clearly states that every member of this community has a right to be protected. But it goes on to say in return everyone is "bound to contribute his share in the expense of such protection." Articles V and VI in part 2 specifically require this legislature to impose taxes at a uniform rate and courts have so ruled that that rate must be a flat tax. So if we are indeed considering taking the question of an income tax to the people, I believe we should provide them with a clear choice rather than a question that is phrased in a way to elicit a predetermined outcome. Floor amendment (2026-1903h) does not impose an income tax. Rather, if adopted by our citizens it would permit the future adoption of a progressive income tax, which now would not be permitted. That progressive income tax would mean higher rates could be applied to higher income levels. In other words, those with more would pay more. As opposed to our current system that continues to levy the heaviest burden on people with the least. This amendment would also require that revenue from such an income tax be strictly devoted to support public schools in finally keeping with more than three decades of court decisions that found the state has continually failed its constitutional duty to support public schools. And finally, and this is critically important, and I'm certainly hearing this from my constituents, it would stipulate that an increase in state support for public education from this new revenue source. Provide an equal reduction in local school property taxes. This is not about increasing overall spending on our public schools. It is an effort to reduce two disparities in our current funding scheme. First,

the tyranny of geography where wide differences in property values cause wide differences in financial support for schools. And my district struggles with that every single year. And second, the tyranny of a tax system in which the greatest burden is imposed on those with the least resources, while the wealthy and well connected are truly the only beneficiaries of the so called New Hampshire Advantage. It is well past time to fulfill our constitutional obligations to adequately support our public schools and to require everyone to pay their fair share as the constitution dictates by ending the current reverse Robin Hood scheme. If you truly believe that the citizens of New Hampshire deserve to be heard on this issue. Let's offer a real and reasoned question for them to consider rather than one that is simply performative political sloganeering. Thank you, Mr. Speaker.

Speaker Steven Smith: Does the member yield for a question?

Representative Oppel: Sure.

Speaker Steven Smith: The member yields. You may inquire.

Representative Sweeney: Thank you, Mr. Speaker and thank you to the member for yielding to my question. Does the member want an income tax in New Hampshire?

Representative Oppel: I am advocating today for an amendment to permit a future progressive income tax.

Representative Sweeney: Thank you.

Speaker Steven Smith: Representative Sweeney is recognized.

Representative Sweeney: Thank you, Mr. Speaker. Mr. Speaker just moments ago we passed an amendment to this CACR. That would ban an income tax from ever being considered in the state of New Hampshire. And we just heard that there are those among us who want a progressive income tax in our state. While we have just voted to slam the door shut on taxing people's wages and incomes and earnings in the state of New Hampshire, there are those among us who want to open the door wide open so that they can go into your wallet and take your earnings, your income, your wages. This is not for New Hampshire. This is for someone else. The constitution as a document does not enable the government to do things. The constitution is a restraint on the government; a restraint on the legislative branch, the executive branch and the judicial branch giving the power to the people of New Hampshire. Our amendment that we've already adopted under CACR 12 would place a further restraint on the state government to never allow an income tax in the future. This amendment brought forward by democrat members of this house would open the door and enable the government to tax your income and they're going to say, you know, it's going to be progressive, guys. We're going to start it off that only the top 1% has to pay this tax. Every single state, Mr. Speaker, that has imposed an income tax for temporary purposes or only at the top 1% eventually slides that scale down and every single working member of society is then forced to pay their income tax to continue to fund the bureaucracy and the out of control zealots that then dominate the government and swamp culture that it creates. We can keep New Hampshire on the right path today. We can protect our New Hampshire advantage and make sure that the New Hampshire that has thrived over the last 200 years can thrive for another 200 more. But we cannot do that if we adopt this radical amendment to our constitution. So on this amendment, I urge the body to vote no. And then when we get to the final ought to pass as amended on CACR 12, we should in unison on a bipartisan basis, vote yes. But on this amendment, please preserve the New Hampshire advantage and vote no. Thank you, Mr. Speaker.

Speaker Steven Smith: Representative Simpson.

Representative Simpson: Thank you, Mr. Speaker. To clarify for my member from Salem, one Democrat brought forward this amendment. Also to clarify, the zealots who are in the majority in this body right now are not Democrats. They're Republicans. Thank you. You may recall that a couple of months ago, I stood at this well and urged the House to reject a floor amendment to a CACR that we were just seeing for the first time. Well, in the words of Yogi Berra, it's déjà vu all over again. The amendment before you was drafted on Tuesday afternoon. None of us knew it existed 48 hours ago. Just like the proposal I spoke against back in March, this isn't a typical floor amendment. It is a complete rewrite of a proposed constitutional amendment. And instead of following the normal legislative process, it was dropped in our laps at the 11th hour. That means no public hearing, no committee review, no recommendation from Ways and Means, just a brand new constitutional amendment presented long after the committee process was completed with the expectation that we rubber stamp it. Sound familiar? That was a bad way to legislate two months ago, and it's a bad way to legislate today. The bottom line is that granite staters do not want an income tax. Period. It seems like we've done a good job listening to the people we represent. No proposal to enact an income tax has received serious consideration this century. This amendment would not gain the support of our constituents and is being presented in a way that circumvents the thorough work we do as lawmakers. I urge you to vote no.

Speaker Steven Smith: The question is on the adoption of amendment (1903h). Are you ready for the question? Who got that first? Representative Dan McGuire requests a roll call. Is that sufficiently seconded? It is. This will be a roll call vote. Members take your seats. The question is on the adoption of amendment (1903h). Representative Simpson is recognized for parliamentary inquiry.

Representative Simpson: Mr. Speaker, if I know this amendment was filed at the last minute, bypassing the entire committee process that this body uses to vet legislation, and if I know that the people of New Hampshire do not want an income tax, would I now press the red button to oppose the pending motion?

Speaker Steven Smith: The question is on the adoption of Floor Amendment (1903h). 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. With 17 in the affirmative and 322 in the negative, the amendment fails. Now the motion is Ought to Pass with amendment. Are you ready for the question? Representative Giasson requests a roll call. Which is sufficiently seconded. This will be a roll call vote. Members, back in your seats. The question is on the majority committee report of Ought to Pass with Amendment. Representative Sphar is recognized for a parliamentary inquiry.

Representative Sphar: Thank you, Mr. Speaker. If I know that for 242 years the citizens of New Hampshire have given its representatives their consent to tax or not to tax earned income, and for 242 years those legislatures have never passed an earned income tax, and if I believe we do not need a constitutional amendment to continue to listen to the people who elect us to represent their best interests in this chamber, then I would now push the red button.

Speaker Steven Smith: Representative Osborne is recognized for parliamentary inquiry.

Representative Osborne: Thank you, Mr. Speaker. Look, if I know that in the words of my friends from Nashua and Exeter that we agree that the people of New Hampshire do not want an income tax and if I know that at the behest of my friend from Exeter that we held an extensive public hearing for this very amendment that we are voting on today and gave 4 weeks advance notice so that we could get as much participation from the public and from both sides of the aisle as possible, and if I know that now, today there are no excuses left, and that is our responsibility to give every granite stater the opportunity to say no income tax, not now, not ever, and if I agree with John Stark that death is not the worst of evils, but I know that an income tax just might be, would I now press the green button?

Speaker Steven Smith: The question is on the majority committee report of Ought to Pass with Amendment on CACR 12. 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. With 193 in the affirmative, and 148 in the negative, it fails to reach the three fifths threshold.

REGULAR CALENDAR CONTINUED

SB 578, (New Title) relative to play-based curriculum and physical education curriculum. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Lisa Freeman for the **Majority** of Education Policy and Administration. As amended, this bill seeks to expand play-based kindergarten. Fostering positive and engaging learning environments creates an impactful and lasting educational experience. Additionally, this bill ensures that recess not be used in a punitive measure against any student. Recess may also be used toward curriculum in physical education. Vote 10-8.

Rep. Muriel Hall for the **Minority** of Education Policy and Administration. Under current law, kindergarten in our public schools must be taught using a play-based curriculum. This proposed legislation extends this model to include all K-3 students. Although the minority agrees that the focus in kindergarten should be on exploration, movement, and play in lieu of rigorous structure and curriculum, we do not support the legislature mandating this model for all students in grades 1-3, especially given the standardized testing requirements and accountability for teaching core academic skills at these levels. Furthermore, this bill would extend the requirement for recess, currently K-6, to include grades 7 and 8. Implementing additional supervised recess can be challenging for schools already facing budget, staffing, or scheduling constraints. Additionally, we believe that it is up to local districts to design and implement curriculum as well as develop schedules to meet their specific needs.

Majority Amendment (1806h)

Amend the bill by replacing section 1 with the following:

1 Expansion of Play-Based Curriculum. Amend RSA 193-E:2-a, II-a to read as follows:

II-a. Instruction in support of ***standards for*** kindergarten [~~standards~~] ***through third grade*** shall be engaging and shall foster children's development and learning in all domains including physical, social, cognitive, and language. Educators shall create a learning environment that facilitates high quality, child-directed experiences based upon early childhood best teaching practices and play-based learning that comprise movement, creative expression, exploration, socialization, and music. [~~Educators shall develop literacy through guided reading and shall provide unstructured time for the discovery of each child's individual talents, abilities, and needs.~~] Amend the bill by replacing section 1 with the following:

1 Expansion of Play-Based Curriculum. Amend RSA 193-E:2-a, II-a to read as follows:

II-a. Instruction in support of ***standards for*** kindergarten [~~standards~~] ***through third grade*** shall be engaging and shall foster children's development and learning in all domains including physical, social, cognitive, and language. Educators shall create a learning environment that facilitates high quality, child-directed experiences based upon early childhood best teaching practices and play-based learning that comprise movement, creative expression, exploration, socialization, and music. [~~Educators shall develop literacy through guided reading and shall provide unstructured time for the discovery of each child's individual talents, abilities, and needs.~~]

The question being adoption of the majority committee amendment.

On a division vote, with 12 members having voted in the affirmative, and 319 in the negative, the amendment failed. The question now being adoption of the majority committee report of Ought to Pass. Rep. McDonnell offered floor amendment (1945h).

FloorAmendment (1945h)

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

AN ACT relative to play-based curriculum and limitations on recess periods for pupils.

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

1 Modification of Play-Based Curriculum. Amend RSA 193-E:2-a, II-a to read as follows:

II-a. Instruction in support of **standards for** kindergarten [~~standards~~] shall be engaging and shall foster children's development and learning in all domains including physical, social, cognitive, and language. Educators shall create a learning environment that facilitates high quality, child-directed experiences based upon early childhood best teaching practices and play-based learning that comprise movement, creative expression, exploration, socialization, and music. Educators shall [~~develop literacy through guided reading and shall~~] provide unstructured time for the discovery of each child's individual talents, abilities, and needs.

2 New Paragraph; Studies; Limitation on Denial of Recess Periods Established. Amend RSA 189:10 by inserting after paragraph III the following new paragraph:

IV. A pupil shall not be denied recess by a member of the school's staff unless the pupil's participation poses an immediate threat to the physical safety of the pupil or to the physical safety of one or more of the pupil's peers. If a pupil's recess period is denied for safety concerns, school staff shall make all reasonable efforts to resolve such threats and minimize exclusion from recess to the greatest extent possible.

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

2026-1945h

AMENDED ANALYSIS

This bill:

I. Modifies play-based curriculum by removing the requirement that educators develop literacy through guided reading.

II. Limits withholding pupils from recess unless a pupil's participation poses a physical safety risk to the pupil or one or more of the pupil's peers.

III. Requires that school staff make all reasonable efforts to minimize a pupil's exclusion from recess to the greatest extent possible.

The question being adoption of floor amendment (1954h).

Rep. McDonnell spoke in favor.

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.

SB 223-FN, (New Title) prohibiting student identification cards from being used as photo identification for purposes of obtaining a ballot. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: IN-EXPEDIENT TO LEGISLATE.**

Rep. Alvin See for the **Majority** of Election Law. As amended, this bill clarifies that RSA 659:13, II(a) contains the exclusive list of acceptable forms of photo identification for obtaining a ballot. The amendment is intended to conform related election statutes to the changes enacted through HB 323 and to avoid any ambiguity about whether other statutes may be read to preserve additional forms of identification not included in RSA 659:13, II(a). The bill also repeals an obsolete reporting requirement directing the Commissioner of Education to provide the Secretary of State with an annual list of educational institutions that may have students of voting age. That list previously had relevance when student identification cards were an accepted form of voter identification. HB 323 removed the Secretary of State's use of that list, but it did not repeal the separate statutory requirement that the Commissioner of Education continue creating and transmitting it. This bill corrects that oversight by removing a reporting obligation that no longer serves an operative purpose. The majority of the committee recognizes the concerns raised by the minority regarding access to voting, particularly for younger voters and individuals who may not possess a driver's license. However, the bill does not create a new voter identification requirement, nor does it independently remove student identification cards from the list of acceptable IDs. Those policy decisions were made in HB 323. This bill, as amended, is narrower: it ensures that the statutes are internally consistent after the enactment of HB 323 and eliminates an unnecessary administrative requirement. The majority of the committee further notes that maintaining outdated statutory language after a substantive change in law creates confusion for voters, election officials, educational institutions, and state agencies. Election laws should be clear, current, and administrable. By identifying RSA 659:13, II(a) as the control-

ling list of acceptable voter identification and repealing a now-unused Education Department reporting requirement, the bill promotes statutory clarity and reduces unnecessary administrative work without imposing any additional obligation beyond those already enacted in current law. For these reasons, the majority of the committee recommends Ought to Pass with Amendment. Vote 10-8.

Rep. Russell Muirhead for the **Minority** of Election Law. This bill as amended would insert a grammatical refinement to election laws addressing how voters obtain a ballot. The bill as amended functions to change the phrasing concerning the new restrictions created by HB 323 (which Governor Ayotte signed in April), which prohibits voters from using student identification cards as proof of identity when they vote. The minority believes the change this bill (as amended) would make is unnecessary. Beyond that, the minority opposes this bill for the same reasons it opposed HB 323 in the first place: namely, that this legislation will not enhance election security in any meaningful way because what it aims to guard against – voter impersonation – occurs at miniscule rates. But it will impose substantial costs on voters. The minority believes that this bill, along with HB 323, will function to make it difficult and in many cases impossible for people to exercise their right to vote. This bill and HB 323 will burden the right to vote for New Hampshire residents, and the burden will fall especially heavily on young people who grow up in households that lack automobiles or lack the substantial resources required to pay for a teenager's driver education course and automobile insurance. Young people who lack a NH driver's license often live very far from the nearest Division of Motor Vehicles (DMV) location – making it practically impossible for them to acquire the DMV non-driver identification that they will need as of June 2026 to exercise their right to vote. The habits of the heart and mind that conduce to good citizenship require practice. This bill makes that practice more difficult to acquire. For these reasons, the minority opposes the Ought to Pass with Amendment motion.

Majority Amendment (1829h)

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

AN ACT relative valid photo identification for purposes of obtaining a ballot and relative to the production of lists of certain schools of higher education.

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

1 Election Procedure; Voting Procedure; Obtaining a Ballot. Amend RSA 659:13, II(a) to read as follows:

II.(a) A valid photo identification shall show the name of the individual to whom the identification was issued, and the name shall substantially conform to the name in the individual's voter registration record; it also shall show a photograph of the individual to whom the identification was issued. The photo identification shall also have an expiration date that has not been exceeded by a period of more than 5 years, except that a voter 65 years of age or older may use an otherwise qualified form of identification without regard to expiration date. [The] **Only the** following forms of identification bearing a photograph of the voter shall satisfy the identification requirements of paragraph I:

2 Repeal. RSA 21-N:4, VII, relative to the duty of the commissioner of the department of education to provide a list of certain schools operating in New Hampshire to the secretary of state, is repealed.

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

2026-1829h

AMENDED ANALYSIS

This bill requires that only the forms of identification listed in RSA 659:13, II(a) be used to satisfy voter identification requirements.

The question being adoption of the majority committee amendment.

Amendment was adopted.

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

Rep. Berry requested a roll call; sufficiently seconded.

YEAS 187 - NAYS 157

YEAS - 187

BELKNAP

Aldrich, Glen
Ploszaj, Tom

Bordes, Mike
Terry, Paul

Freeman, Lisa
Toner, Travis

Harvey-Bolia, Juliet

CARROLL

Avellani, Lino
MacDonald, John

Belcher, Mike
Smith, Jonathan

Crawford, Karel
Peternel, Katy

Hamblen, Joseph

CHESHIRE

Murphy, Denis
Nalevanko, Rich

Hunt, John
Qualey, James

Karasinski, Sly
Rhodes, Jennifer

Mattson, Rita
Thackston, Dick

COOS

Korzen, Lori
King, Seth

Murphy, Michael
Tierney, James

Morency, Pete
Tremblay, Marc

Ouellet, Mike

GRAFTON

Beaulier, Calvin
Ladd, Rick

Berezhny, Lex
Louis, Darrell

Bjelobrk, Marie Louise
Sellers, John

Franz, Linda

HILLSBOROUGH

Alexander, Joe
Berry, Ross
Corcoran, Travis
Drew, Matt
Flanagan, Jack
Gorski, Ted
Labrie, Brian
McLean, Mark
Noble, Kristin
Pauer, Diane
Prout, Andrew
Sheehan, Vanessa
Ulery, Jordan

Ammon, Keith
Boehm, Ralph
Creighton, James
Dumont, Dillon
Griffin, Gerald
Gould, Linda
Lascelles, Richard
Miles, Julie
Notter, Jeanine
Post, Lisa
Reinfurt, Sherri
Sirois, Shane
Warden, Mark

Boyd, Bill
Colcombe, Riché
Kelley, Diane
Dupont, Pierre
Gagne, Larry
Kenny, Catherine
Murphy, Mary
Mooney, Maureen
Ohm, Bill
Presa, Adam
Schneller, John
Slottje, Jeremy
Wheeler, Jonah

Barbour, Liz
Cole, Brian
Daniels, Gary
Erf, Keith
Giasson, Henry
Kesselring, Steven
Mazur, Lisa
Morton, Jonathan
Paquette, Kathleen
Proulx, Mark
Scully, Kevin
Mannion, Tom
Wherry, Robert

MERRIMACK

Andrus, Louise
Cambrils, Jose
Leavitt, John
Plante, Raymond
See, Alvin

Aures, Cyril
McGuire, Dan
Mehegan, Peter
Polozov, Yury
Walsh, Thomas

Aylward, Deborah
Devoid, Ricky
Moffett, Michael
Boyd, Stephen
Thibault, James

McGuire, Carol
Hill, Gregory
Pitaro, Matthew
Seaworth, Brian
Wood, Clayton

ROCKINGHAM

Ball, Lorie
Bryer, Scott
DeVito, Sayra
Edwards, Jess
Guzofski, James
Khan, Aboul
Layon, Erica
Lynn, Bob
McGrath, Linda
Nadeau, Brian
Popovici-Muller, Daniel
Roy, Terry
Soti, Julius
Sytek, John
Vandecasteele, Susan
Wilson, Vicki

Bennett, Cindy
Mannion, Dennis
Donnelly, Tanya
Foote, Charles
Harb, Robert
Kuttab, Katelyn
Litchfield, Melissa
Pearson, Mark
McMahon, Charles
Osborne, Jason
Porcelli, Susan
Pearson, Stephen
Spillane, James
Dolan, Tom
Vose, Michael

Bernardy, JD
Thomas, Douglas
Drago, Mike
Ford, Mary
Janigian, John
Miner, Laurence
Love, David
Markell, Jay
Melvin, Charles
Brown, Pam
Potucek, John
Sabourin dit Choinière, Matt
Summers, James
Tripp, Richard
MacDonald, Wayne

Bridle, Nicholas
DeSimone, Debra
Dunn, Ron
Guthrie, Joseph
Katsakiores, Phyllis
Walsh, Lilli
Lundgren, David
McDonnell, Valerie
Milz, David
Perez, Kristine
Prudhomme-O'Brien, Katherine
Selby, Donald
Sweeney, Joe
Tudor, Paul
Weyler, Kenneth

STRAFFORD

Bailey, Glenn
Farrington, Samuel
Turcotte, Len

Burnham, Claudine
Harrington, Michael
Walker, David

DeLemus, Susan
Kaczynski, Thomas

DeRoy, Susan
Potenza, Kelley

SULLIVAN

Drye, Margaret
Aron, Judy

Girard, Dale
Aron, Michael

Grant, George
Rollins, Skip

Hemingway, Wayne
Spilsbury, Walter

**NAYS - 157
BELKNAP**

Nagel, David

St. Clair, Charlie

CARROLL

Boudman, Bobbi
Taylor, Brian

Burroughs, Anita
Woodcock, Stephen

Paige, David

McAleer, Chris

CHESHIRE

Ames, Dick
Faulkner, Barry
Germana, Nicholas
Weber, Lucy

Berch, Paul
Gruber, James
Newell, Jodi

Harvey, Cathryn
Jacobs, Samantha
O'Rourke, Terri

Fox, Dru
Jones, Philip
Parshall, Lucius

GRAFTON

Almy, Susan
Hakken-Phillips, Mary
Muirhead, Russell
Stavis, Laurel

Cormen, Thomas
Sullivan, Jared
Oppel, Thomas
Stringham, Jerry

Fellows, Sallie
Lovett, Peter
Rockmore, Ellen
Sykes, George

Fracht, David
Lucas, Janet
Spahr, Terry

HILLSBOROUGH

Murray, Alissandra
Budathoki, Suraj
Darby, Will
Foss, Lily
Hartnett, Tim
Juris, Louis
Leapley, Nicole
Long, Patrick
McGhee, Kat
Newman, Ray
Ryan, Linda
Spier, Carry
Tellez, Trinidad
Thomas, Wendy

Beauchemin, Paige
Chourasia, Manoj
Dargie, Paul
Georges, Mary
Hegner, Karen
Kerwin, Erin
LeClerc, Daniel
Howard, Molly
Murphy, Nancy
Raymond, Heather
Newman, Sue
Staub, Kathy
Vail, Suzanne
Wilhelm, Matthew

Bergeron, Dan
Chretien, Suzanne
DiSilvestro, Linda
Grill, Jessica
Herbert, Christopher
Kluger, Lee Ann
Leishman, Peter
Murray, Megan
Petrigno, Peter
Rombeau, Catherine
Salvi, Santosh
Swanson, Dale
Veilleux, Daniel

Booras, Efstathia
Cornell, Patricia
Elberger, Susan
Harriott-Gathright, Linda
Jack, Martin
Foxy, Loren
Lloyd, Christal
MacKenzie, Mark
Plamondon, Marc
Rung, Rosemarie
Seibert, Christine
Telerski, Laura
Dolan, William

MERRIMACK

Bricchi, Tracy
Ebel, Karen
Luneau, David
Roesener, James
Snodgrass, Jim

Caplan, Tony
Gallager, Eric
Hall, Muriel
Sargent, Gregory
Soucy, Timothy

Colby, Eleana
Gibbs, Merryl
Newsom, James
Schamberg, Thomas
Wallner, Mary Jane

Kelly, Eileen
Lane, Connie
Payeur, Stephanie
Schultz, Kris
Woods, Gary

ROCKINGHAM

Balboni, Peggy
Grote, Jaci
Maggiore, Jim
Meuse, David
Scherr, Buzz
Vallone, Mark

Cahill, Michael
Murray, Kate
Malloy, Dennis
Muns, Chris
Simpson, Alexis
Ward, Gerald

de Vries, Erica
Knab, Allison
Mandelbaum, Jennifer
Raynolds, Ned
Sorensen, Carrie

Edgar, Michael
Paige, Mark
Manos, Zoe
Read, Ellen
Turer, Eric

STRAFFORD

Bay, Luz
Smith, Geoffrey
Howland, Allan
Levesque, Cassandra
Selig, Loren
Wall, Janet

Bixby, Peter
Gilmore, Gary
Johnson, Erik
Smith, Marjorie
Southworth, Thomas

Burton, Wayne
Howard, Heath
LaMontagne, Jessica
Miller, Seth
Pearson, Wayne

Butler, Billie
Horrigan, Timothy
Larochelle, John
Schmidt, Peter
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.

SB 405, relative to amounts reported by political committees. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Clayton Wood for the **Majority** of Election Law. This bill makes routine maintenance updates to New Hampshire's campaign finance reporting laws following the state's move from three separate campaign finance periods, pre-filing, primary, and general, to a single election period. The prior \$50 reporting threshold applied separately across three campaign finance periods, meaning an individual could contribute up to \$150 over the election cycle before personal identifying information was required. This bill adjusts that threshold to \$200 for the new single election period. That is a modest change, not a dramatic reduction in transparency, and it reasonably factors in inflation since the prior thresholds were established. The bill also protects the privacy of small donors by limiting when additional personal information must be publicly reported. Occupational information, including employer and principal place of business, would not be required unless aggregate contributions exceed \$1,000. Contributions above \$200 remain publicly reportable, so the bill does not allow significant donations to disappear from campaign finance reports. The majority believes this bill strikes the proper balance between transparency and participation. It reduces administrative work for campaigns, removes a potential chilling effect on small donors who may be uncomfortable disclosing personal information for modest contributions, and brings reporting thresholds into alignment with the state's current campaign finance structure. The bill preserves transparency for meaningful political contributions while simplifying compliance for candidates, treasurers, and volunteer-run campaigns. Vote 10-8.

Rep. Connie Lane for the **Minority** of Election Law. This bill increases the threshold amount for publicly reporting an individual's personal information in a campaign finance report to \$200 from \$50 per election

cycle. The threshold for publicly reporting their private information, including their employer and principal place of business increases from \$200 to \$1,000. This bill increases the amount that an individual can provide without attribution to \$999, which is a significant donation for most House races. Additionally, under this bill there is no longer transparency for “pass the hat” donations under \$200, which are also common in campaigns. The primary reasons given for increasing the amounts are to reduce administrative work on the part of campaigns, to remove the “chill” of a small donor who is uncomfortable with providing personal information, and to bring the amounts into alignment with recent changes in our campaign finance laws and inflation. The minority disagrees with the assertion that publicly reporting personal information “chills” donations under \$1,000. Further, it is not an unfair impingement upon their First Amendment right – money has been deemed to be speech. Donors have been providing personal information for years without significant pushback – and no specific examples were provided to the committee of donors who refused because of public disclosure of their donation. These amounts will now be reported as unitemized receipts in the campaign’s financial disclosures and are not subject to RSA 91-A inquiries. As for the inflation argument, the correct amount of the increase would be closer to \$250, not \$1,000. The minority believes that donations between \$200 and \$1,000 are significant, especially in House races, and that transparency is a critical component of campaign finance reporting. This bill reduces transparency at the same time it increases the amount of influence that a donor may provide unseen.

The question 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 159 in the negative, the majority committee report was adopted and the bill was ordered to third reading.

MOTION TO PRINT DEBATE

Rep. Weber moved that the debate on **SB 405**, relative to amounts reported by political committees, be printed in the Permanent Journal.

Without objection, the Speaker ordered.

DEBATE ON SB 405

Representative Lane: Thank you, Mr. Speaker. If I know that the majority has been steadily increasing the amounts that individuals and political committees can give directly or indirectly to candidates over the past eight years, and if I know that one of the best antidotes for harm that money brings to elections is full transparency of the donors, and if I know that the reasons given for increasing the threshold to \$1,000 are flimsy at best, since the inflation would bring the amount to \$250, not \$1,000, and it’s ludicrous to claim that a donor will not give to a candidate of their choice if they have to provide identifying information, then when I press the red button to support transparency in campaign finance donations? Thank you.

Speaker Steven Smith: Representative Wood is recognized for parliamentary inquiry.

Representative Wood: Thank you, Mr. Speaker. If I know SB 504 increases the thresholds within reason, reasonable amounts of \$200 and \$1,000 before this disclosure, and I know my constituents appreciate being able to give low amounts of money to a state representative position where they know that money is very effective and probably not affected in any other election, and if I know this completely simplifies the process because trying to keep track of a few dollars is pretty much ridiculous, I would say that this would still get the job done because everything over \$200 would be collected and everything over \$1,000 would have the occupational information, then would I vote green? Thank you.

Speaker Steven Smith: The question is the majority committee report of Ought to Pass on Senate Bill 405. This is a division 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. With 176 in the affirmative, and 159 negative, the committee reports adopted.

SB 298-FN, relative to sober living house certification and operational standards. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: REFER FOR INTERIM STUDY.**

Rep. Paul Dargie for the **Majority** of Executive Departments and Administration. This bill requires the development of a certification process for recovery residences that are sometimes referred to as sober homes. The certification of recovery homes is currently voluntary, and some residences operate without certification. This bill will ensure that recovery residences follow evidence-based practices that meet state and national standards to ensure the safety and health of residents. Many recovery residences are currently well-run, but there is no universal certification of that status so potential residents do not know for sure what they are getting into when they move into a facility. This bill will ensure that all recovery residences operating in New Hampshire meet the existing health and safety standards. The amendment provides several needed corrections to the bill that were identified during testimony, including a change of the effective date of the bill to July 2027 to allow time for residences that are currently not compliant with the regulations to implement the changes needed to gain compliance. Passing the bill at this time instead of going to interim study will provide certainty to residence operators and allow them a full year to gain certification. This bill was supported 79-1 on the house online testimony portal. Vote 9-7.

Rep. Jeremy Slottje for the **Minority** of Executive Departments and Administration. The minority recommends that this bill be referred for interim study because transitioning New Hampshire's recovery housing from a voluntary registry to a mandatory, state-enforced certification system introduces severe complexities that risk causing more harm than good. By criminalizing uncertified operations through immediate cease-and-desist orders and attorney general referrals, this mandate threatens to shut down vital, peer-led sober homes operating on razor-thin margins, drastically reducing available bed capacity and exacerbating the state's homelessness and addiction crises. Furthermore, the bill relies on ambiguous "nationally recognized standards," creates a tangled web of local zoning and fire code inspection backlogs, and lacks a completed fiscal note to detail the immense administrative cost to the Department of Health and Human Services. As amended, the bill would not take effect until next summer which means that an interim study followed by successful legislation would not delay implementation. An interim study will allow stakeholders, municipal officials, and recovery advocates to collaborate on a balanced framework that ensures resident safety without dismantling New Hampshire's essential recovery infrastructure.

Majority Amendment (1751h)

Amend the bill by replacing section 1 with the following:

1 New Paragraph; Alcoholism and Alcohol Abuse; Definitions. Amend RSA 172-B:1 by inserting after paragraph XIII the following new paragraph:

XIII-a. "Recovery residence" means a home-like environment for individuals recovering from substance use disorder centered around peer-support that provides an alcohol-free and drug-free living environment or any other business holding themselves out as recovery housing, sober living, or a recovery residence. This term shall not include a halfway house, treatment unit, or detoxification facility.

Amend RSA 172-B:2, V(a)(3) as inserted by section 2 of the bill by replacing it with the following:

(3) Criteria by which the department may **revoke certification of** ~~exclude~~ a residence ~~[from the list]~~ if the frequency ~~or~~ **and/or** severity of complaints received supports a determination that the recovery ~~[housing]~~ **residence** at issue does not maintain standards or provide an environment that appropriately supports recovery.

Amend RSA 172-B:2, VII(b)-(d) as inserted by section 2 of the bill by replacing it with the following:

(b) The certifying body shall investigate complaints received by the department regarding non-compliance with ~~[NARR]~~ **nationally recognized** standards. The certifying body shall provide an annual report to the department, and shall report quarterly on any newly certified ~~[houses]~~ **residences** or ~~[houses]~~ **residences** that are out of compliance. The certifying body shall inform the department **and the municipality in which a recovery house operates** within ~~[5]~~ **3** business days if ~~[a recovery house's]~~ certification is suspended or revoked.

~~[(c) The department shall identify certified recovery houses in good-standing on the registry created pursuant to paragraph V.~~

~~[(d) The department shall adopt rules, pursuant to RSA 541-A, relative to the process for certification and the requirements of this paragraph.]~~

Amend RSA 172-B:2, VIII and IX as inserted by section 2 of the bill by replacing it with the following:

VIII. All recovery residences operating in the state of New Hampshire shall file with the department, on a form prescribed by the department, within 120 days of the effective date of this section to initiate the certification process. For any recovery housing residence that begins operations after the effective date of this section, the required form shall be filed with the department no later than 30 days before the first resident begins occupancy. The following information shall be included on the form:

(a) The name and contact information of the operator;

(b) The first date of occupancy;

(c) Information related to any existing certification or equivalent accreditation the residence has obtained or is in the process of obtaining; and

(d) Any other information required by the department through rule.

IX. All recovery residences operating within the state of New Hampshire shall obtain and maintain certification directly or through a contracted entity pursuant to the rules adopted under this chapter and the following:

(a) Certification shall be completed within 12 months of filing. A recovery residence shall not operate without certification unless it is actively engaged in efforts to obtain certification. For purposes of identifying this 12-month time frame, a recovery housing residence is considered to begin operating on the date that the first resident occupies the residence.

(b) If the department finds that a recovery residence is operating without certification, the department shall issue by certified mail a cease operations notice. The department shall notify the municipality in which a recovery house operates and the attorney general for prosecution.

(c) No person, business, or government entity shall advertise or represent any residence or other building to be a recovery residence, sober living home, or any other alcohol and drug free housing for persons recovering from substance use disorder unless the residence or building meets one of the following conditions:

**(1) The residence or building is certified under this chapter; or
(2) The residence or building is regulated and licensed by the department.**

Amend the bill by replacing all after section 3 with the following:

4 Department of Health and Human Services; Funding. The department shall not be required to implement the provisions of this act until such date that the program is sufficiently funded to meet the requirements of sections 1 through 3 of this act.

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

The question being adoption of the majority committee amendment.
Amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.
Rep. Layon offered floor amendment (1958h).

Floor Amendment (1958h)

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

AN ACT relative to the scope of review of state agency interpretations, prohibiting the use of scented products in public areas of state buildings, and establishing a committee to study the implementation and effectiveness of the mandatory statewide certification process and operational standards for recovery residences.

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 Legislative Findings. With respect to sections 3 and 4 of this act:

I. Scented products, including air fresheners, scented flame or flameless wax products, oils, hand sanitizers, and scented cleaning products, can be an irritant or trigger a reaction in people with certain medical conditions, such as asthma or allergies.

II. The American Medical Association has recommended government agencies support the use of fragrance-free products.

III. To ensure that state government is, to the greatest extent possible, open to all the people, including those with medical conditions aggravated by scented products, the general court finds that limiting the use of fragrance-containing products would serve the public interest.

4 New Subdivision; Fragrance-Free Requirements in State Buildings Open to the Public. Amend RSA 155 by inserting after section 83 the following new subdivision:

Fragrance-Free Requirements in State Buildings Open to the Public

155:84 Fragrance-Free Requirements in State Buildings Open to the Public.

I. In this section:

(a) "Open to the public" means buildings, or areas of buildings, that maintain regular hours during which any member of the public may visit, or that are routinely used for appointments with members of the public.

(b) "Fragrance dispensing devices" means automatic, manual, or reactive devices that dispense a scent into the air, including but not limited to plug-in air fresheners, wall-mounted dispensers, and aerosol sprays.

II. Not more than one year from the effective date of this section, in all areas of buildings owned or operated by the state that are open to the public, the state shall:

(a) Use only fragrance-free cleaning products;

(b) Provide only fragrance-free products in restrooms and any other personal hygiene locations; and

(c) Prohibit the use of fragrance dispensing devices.

5 Committee Established. There is established a committee to study the implementation and effectiveness of the mandatory statewide certification process and operational standards for recovery residences.

6 Membership and Compensation.

I. The members of the committee shall be as follows:

(a) Three members of the house of representatives, appointed by the speaker of the house of representatives.

(b) Two members of the senate, appointed by the president of the senate.

II. Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.

7 Duties. The committee shall conduct a comprehensive, evidence-based investigation and evaluation of mandatory certification for all recovery residences in New Hampshire to replace the prior voluntary registration system. It shall specifically investigate and evaluate:

I. Evaluate and refine the statutory definition of “recovery residence” to establish clear, objective criteria for determining which multi-person shared living arrangements fall under the mandatory certification requirement, including factors such as number of unrelated adult residents, primary purpose of substance use disorder recovery support, provision of an alcohol- and illicit-drug-free environment, absence of on-site clinical treatment services, and exclusions for licensed treatment facilities, family homes, general roommate arrangements, or other housing models.

II. Assess risks of over- or under-inclusion and recommend bright-line rules or self-attestation processes.

III. Assess the application, review, approval, renewal, and appeal processes; the role of certifying entities; inspector training and capacity; fee structures; and the amendment’s delayed implementation and funding contingencies.

IV. Review the 39 standards for alignment with current federal SAMHSA Best Practices (11 guiding principles and 4 domains of recovery), National Alliance for Recovery Residences (NARR) Levels 1–4, Americans with Disabilities Act, Fair Housing Act, and other federal requirements.

V. Evaluate medication management, non-discrimination against Medication-Assisted Treatment (MAT) users, secure storage, and Narcan training.

VI. Investigate the feasibility of voluntary designations for MAT-friendly versus MAT-free (abstinence-only) housing options with clear disclosure requirements.

VII. Identify gaps and recommend updates to fit New Hampshire’s needs.

VIII. Map the standards and process against all relevant federal mandates and funding conditions.

IX. Evaluate the potential for state-level waivers, variances, pilot programs, or alternative compliance pathways to address unique New Hampshire needs such as geography, funding, or operator capacity.

X. Assess legal, fiscal, and practical feasibility of seeking federal approvals.

XI. Investigate inspection frequency, complaint protocols, due-process safeguards (including the amendment’s modifications), revocation procedures, penalties, and data transparency requirements.

XII. Measure compliance costs, risks of closures, effects on affordability and distribution, and implications from MAT policies or federal alignment.

XIII. Evaluate improvements in safety, stability, and recovery success, with specific focus on MAT users versus abstinence-only preferences, accessibility for diverse populations, and potential barriers.

XIV. Investigate neighborhood effects, interactions with local zoning and ordinances, coordination with other state and federal systems, and workforce impacts.

XV. Quantify costs, potential federal funding opportunities, cost savings, and sustainable funding mechanisms, including those related to waivers.

XVI. Compare with other states, conduct public hearings and surveys with diverse stakeholders, evaluate equity impacts, develop metrics for ongoing evaluation, and identify unintended consequences.

8 Chairperson; Quorum. The members of the study committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the first-named house member. The committee shall meet at least 10 times. The first meeting of the committee shall be held within 45 days of the effective date of this section. Four members of the committee shall constitute a quorum.

9 Report. The committee 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.

10 Effective Date.

I. Sections 1 and 2 of this act shall take effect January 1, 2027.

II. Sections 3 and 4 of this act shall take effect 60 days after its passage.

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

2026-1958h

AMENDED ANALYSIS

This bill:

I. 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 individuals impacted by restrictions, fees, fines, or civil or criminal action as a result of the state statute, regulation, or other subregulatory agency document.

II. Prohibits the use of scented products in public areas of state buildings.

III. Establishes a committee to study the implementation and effectiveness of the mandatory statewide certification process and operational standards for recovery residences.

The question being adoption of floor amendment (1958h).

Rep. Grote spoke against.

Rep. Layon spoke in favor.

On a division vote, with 176 members having voted in the affirmative, and 166 in the negative, floor amendment (1958h) 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.

SB 488, enabling the governor to declare a state of emergency due to the failure of the legislature to pass a budget or continuing resolution to fund the New Hampshire state government by July 1 of the first year of a biennium. **INEXPEDIENT TO LEGISLATE.**

Rep. Paul Dargie for Executive Departments and Administration. This bill as presented attempted to provide a mechanism for continuation of funding for a portion of the state government in the event that a budget or continuing resolution to fund the government was not completed by the start of a new biennium. The committee was unanimous in opposition, but divided on the reason. A major problem with the bill for half the committee was that some portions of the state budget were excluded from continuation funding in the bill by not being explicitly included in the bill. One example was the Department of Education which needs to actively work over the summer to do the work to calculate the grants that are given in September. Without these grants, school districts would have cash flow problems at the start of the school year. The other half of the committee believes that this type of legislation abdicates the responsibility of the legislature to set and approve budgets and spending. The committee believes that shortening the first year session to allow time to address a potential failure to pass or a veto of a budget or continuing resolution is a more proactive approach which is wholly within the legislature's purview. Vote 16-0.

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

Motion was adopted.

SB 504, relative to the practice of pharmacy and the dispensing of certain medications by pharmacists. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Erica Layon for Executive Departments and Administration. This bill makes several technical corrections and changes to pharmacy statute. It also amends the definition of "practice of pharmacy" to utilize pharmacists to the fullest extent of their education, training, and experience. This will expand access to care for patients and assist in leveraging federal funding for rural healthcare access. The amendment makes additional technical changes. Vote 15-0.

Majority Amendment (1742h)

Amend RSA 318:1, XIV(a)(6) as inserted by section 6 of the bill by replacing it with the following:

(6) The prescribing, ordering, administering, and interpretation of laboratory tests, controlled and noncontrolled drugs, and devices in accordance with applicable state and federal law;

Amend the bill by replacing section 10 with the following:

10 Pharmacy Board; Rulemaking; Licensed Advanced Pharmacy Technicians. Amend RSA 318:5-a, XI-c(a) to read as follows:

(a) Requirements for licensure, including experience and education requirements. ***Any examination requirement for licensure shall be limited to the scope of practice, and such requirement shall be suspended if the board is unable to verify that the exam complies with board requirements.***

Amend the bill by inserting after section 12 the following and renumbering the original section 13 to read as 14:

13 Pharmacist Administration of Vaccines. Amend RSA 318:16-b, II to read as follows:

II. A pharmacist, pharmacy intern, [or] licensed advanced pharmacy technician, ***or certified pharmacy technician***, under the supervision of an on-site immunizing pharmacist may administer vaccines licensed by the United States Food and Drug Administration [~~that are recommended by the United States Centers for Disease Control and Prevention Advisory Committee on Immunization Practices, or successor organization,~~] to individuals 18 years of age or older as ordered by an immunizing pharmacist.

2026-1742h

AMENDED ANALYSIS

This bill:

I. Authorizes the dispensing of up to a 30-day supply of noncontrolled oral anti-cancer medication by a licensed health care professional legally authorized to prescribe and administer medications to a patient under a provider's care or supervision subject to certain conditions.

II. Amends the display requirements for certain licenses and permits.

III. Authorizes licensed advanced pharmacy technicians to engage in remote processing.

IV. Removes the requirement that a pharmacist's name or initials be on a label affixed to any controlled drug or prescription issued.

V. Amends the definition of the "practice of pharmacy."

VI. Removes certain authority of the board of pharmacy with respect to the regulation of collaborative pharmacy practice agreements.

VII. Limits any examination requirement for licensure as an advanced pharmacy technician to scope of practice.

VIII. Prohibits the pharmacy board from testing applicants on pharmacy jurisprudence or law.

IX. Allows supervised certified pharmacy technicians to administer vaccines, and eliminates a requirement that vaccines be recommended by the United States Center for Disease Control and Prevention Advisory Committee on Immunization Practices before being administered by pharmacists, pharmacy interns, licensed advanced pharmacy technicians, or certified pharmacy technicians.

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. Mazur offered floor amendment (1951h).

Floor Amendment (1951h)

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

AN ACT relative to the practice of pharmacy and the dispensing of certain medications by pharmacists, authorizing the establishment of experimental treatment centers, and permitting treatment of certain severe illness under the right to try act.

Amend the bill by replacing all after section 13 with the following:

14 Short Title. Sections 14 through 16 of this act shall be known as the "John Lewicke and Michael Yakubovich Experimental Treatment Centers Act".

15 New Chapter; Experimental Treatment Centers. Amend RSA by inserting after chapter 126-Z the following new chapter:

CHAPTER 126-ZZ EXPERIMENTAL TREATMENT CENTERS

126-ZZ:1 Statement of Intent.

The general court enacts this chapter to promote maximum access to innovative health care by removing legal barriers to cutting-edge treatments and to make New Hampshire a jurisdiction that attracts and fosters clinical trials and the development of drugs, biologics, and devices intended to combat illness and promote human flourishing. This chapter shall be construed consistently with the general court's stated purpose.

126-ZZ:2 Definitions.

In this chapter:

I. "Eligible patient" means a person to whom all of the following apply:

(a) The person has received a recommendation from the patient's treating physician for an experimental treatment;

(b) The physician certifies in writing that they have provided the recommendation and that the patient has considered alternative treatments approved by the FDA; and

(c) The person has given written informed consent for use of the experimental treatment, including at least the following information:

(1) Clear identification of the specific experimental treatment sought by the patient;

(2) Certification that the patient and physician have discussed whether there are any applicable FDA-approved treatments and, if so, the nature of such treatments;

(3) Certification that the patient and physician have discussed best and worst outcomes from the treatment and the most likely outcome based on available data;

(4) An acknowledgment that insurance is not obligated to pay for treatment or consequent care;

(5) A statement, if applicable, that patient is liable for treatment expenses; and

(6) A prominent statement that the patient is seeking treatment from an experimental treatment center under RSA 126-ZZ.

II. "Experimental treatment" means the provision of a medical intervention by a health care provider involving an investigational drug, biologic, or device that has successfully completed phase one of a clinical trial, but is not yet FDA-approved for general use and either:

(a) Remains under investigation in a clinical trial; or

(b) Has a demonstrated safety record through documented clinical evidence from a qualified medical institution as defined in paragraph VI. For the purposes of this provision, "qualified medical institution" may be further defined by the department of health and human services through a rulemaking under RSA 541-A.

III. "Experimental treatment center" means a health care provider, whether a business or nonprofit, that administers experimental therapies pursuant to RSA 126-ZZ:3. An entity's status as an experimental treatment center under this chapter is legally distinct from its licensing status under RSA 151:2, its administration of any treatments under 126-Z, and its participation in other protected access.

IV. "Other protected access" includes expanded access or compassionate use, in which the treating physician has requested access under 21 C.F.R. Part 312, Subpart I and other applicable FDA regulations or off-label use consistent with the physician's professional obligations under RSA 329.

V. "Physician" means the licensed allopathic or osteopathic physician providing medical care or treatment to the patient.

VI. "Qualified medical institution" means an institution that has generated documented clinical evidence supporting the safety of a medical intervention equivalent to that required for successful completion of a phase I clinical trial, and operates under one of the following frameworks:

- (a) Oversight by a regulatory authority recognized by international standards; or
- (b) Oversight by a regulatory authority that demonstrates substantially equivalent standards for data quality, monitoring, and patient protection as determined by the experimental treatment center's scientific review board.

126-ZZ:3 Availability of Investigational Drugs, Biologics, or Devices.

I. A manufacturer of a drug, biologic, or device used in experimental treatments or an experimental treatment center may make available the drug, biologic, or device to eligible patients pursuant to this chapter. The manufacturer or treatment center may:

- (a) Provide the drug, biologic, or device to an eligible patient without compensation; or
- (b) Require the eligible patient to pay for the treatment and establish payment arrangements with the patient; and
- (c) Ask eligible patients to participate in data collection relating to the use of the drug, biologic, or device.

II. Nothing in this chapter requires a health care insurer or any state agency to provide coverage for any experimental treatment.

III. Nothing in this chapter requires the manufacturer of an experimental treatment to include a patient in any particular clinical trial or study.

IV. Nothing in this chapter requires a health care provider or manufacturer to make an experimental treatment available to any eligible patient.

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.

126-ZZ:4 Limitation on State or Political Subdivision Action.

I. Notwithstanding any provision of law to the contrary, the board of medicine shall not revoke, fail to renew, or take any other action against a physician's license issued pursuant to RSA 329, or any other law, based primarily on a physician's recommendation to an eligible patient regarding or prescription for treatment under this chapter.

II. Notwithstanding any provision of law to the contrary, the department of health and human services shall not take action against a provider licensed under RSA 151, or any other law, based primarily on the institution's participation in treatment authorized under this chapter.

126-ZZ:5 Experimental Treatment Center Licensing.

I. A provider seeking to provide experimental treatments under this chapter, including but not limited to a health care facility licensed under RSA 151, shall obtain experimental treatment center authorization from the department of health and human services.

II. The authorization fee shall be \$2,500 initially and \$1,250 annually for facilities already licensed under RSA 151, and \$10,000 initially and \$5,000 annually for entities not otherwise licensed.

III. To obtain authorization from the department, applicants shall have a medical director who is a physician licensed to practice medicine in New Hampshire. If the department promulgates a rule governing adverse event reporting procedures, experimental treatment centers have an ongoing obligation to demonstrate compliance with that rule.

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.

V. Notwithstanding any law or regulation to the contrary, health care facilities currently licensed under RSA 151 may add experimental treatment center services by obtaining authorization under this section without otherwise obtaining additional licensing.

VI. Notwithstanding any law or regulation to the contrary, authorized experimental treatment centers may establish payment arrangements with patients, including direct pay, subscription models, membership fees, or other payment structures, including digital currencies, with or without regard to insurance coverage requirements.

VII. Notwithstanding any law or regulation to the contrary, services provided by authorized experimental treatment centers under this chapter are exempt from any state insurance coverage mandates, network adequacy requirements, and prior authorization procedures.

VIII. The commissioner may adopt rules under RSA 541-A establishing minimum standards for scientific review boards, adverse event reporting, and authorization procedures.

IX. A company operating an experimental treatment center in New Hampshire shall be eligible to apply for the research and development tax credit under RSA 77-A:5, XIII.

X. The commissioner may also enter into reciprocal agreements with other states or their similar agencies for cross-border treatment coordination and shared scientific review board recognition. The department shall issue experimental treatment center licenses to applicants already licensed under another state's substantially similar law, provided the applicant satisfies paragraph IV in New Hampshire. A state's law is presumptively "substantially similar" to New Hampshire's if it provides for the licensure of experimental treatment centers requiring approval of treatment protocols and assessment of experimental treatment for patient safety by scientific review boards.

126-ZZ:6 Manufacturing

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.

II. The scientific review board shall document its rationale for approving manufacturing facilities and protocols, including comparison to recognized industry standards such as good manufacturing practice or international organization for standardization frameworks.

III. Batch and distribution records shall be maintained for each lot and provided to the department within fifteen days upon request. The experimental treatment center shall maintain such records for a minimum of two years.

IV. The commissioner may adopt rules under RSA 541-A establishing manufacturing standards and quality requirements, including rules to enforce the requirements of this section.

V. Nothing in this section shall be construed to alter the jurisdiction or authority of the board of pharmacy under RSA 318.

126-ZZ:7 Free Care and Public Benefits.

I. Each licensed experimental treatment center shall allocate 2 percent of its net annual profits to support access to experimental treatments and health care for qualifying New Hampshire residents. The center shall document and report this allocation on a form provided by the department, if the department provides such a form. Documentation and reporting shall be submitted no later than February 1 of each year.

II. The requirement in paragraph I may be fulfilled by one or a combination of the following:

(a) Providing experimental treatment, as defined in this chapter, for free to qualifying New Hampshire residents who are eligible patients in an amount equal to at least 2 percent of the center's net annual profits; or

(b) Contributing an amount equal to at least 2 percent of the center's net annual profits to the uncompensated care fund established under RSA 167:64, the opioid abatement trust fund established under RSA 126-A:84, the alcohol abuse prevention and treatment fund established under RSA 176-A:1, the lead paint poisoning control fund established under RSA 130-A:15, or any fund to benefit the developmentally disabled established under RSA 171-A:8-b, provided that the department may adjudicate in a rulemaking under RSA 541-A that one or more of these funds is functionally inactive and therefore ineligible to satisfy the requirements of this provision.

III. The commissioner of the department of health and human services shall adopt rules, pursuant to RSA 541-A, establishing criteria for identifying "qualifying New Hampshire residents" eligible to receive free experimental treatment under subparagraph II(a). Such rules may consider factors including income level, insurance status, and medical need.

IV. The department may adopt rules and develop procedures to review and approve documentation under this section and ensure that required allocations are made annually.

16 New Subparagraph; Health Care Facility Licensing; Exemptions; Experimental Treatment Center. Amend RSA 151:2, II as follows by inserting after subparagraph (i) the following new subparagraph:

(j) To the extent that a provider operates as an experimental treatment center defined in RSA 126-ZZ, operating under that chapter and in compliance with all review and patient protection standards described therein, it shall not be required to obtain a license except as provided in that chapter.

17 Right to Try Act. Amend RSA 126-Z:1 through 126-Z:4 to read as follows:

126-Z:1 Definitions. In this chapter:

I. "Eligible facility" means a licensed New Hampshire institution that is operating under a Federalwide Assurance ("FWA") for the Protection of Human Subjects under 42 U.S.C. section 289(a) and 45 C.F.R. part 46. Any eligible facility is subject to the FWA laws, regulations, policies, and guidelines including renewals or updates.

I-a. [~~"Eligible patient" means a person to whom all of the following apply:~~

(a) ~~The person has been diagnosed with a terminal illness by the person's physician.~~

(b) ~~The person has already tried or is not a candidate for eligible United States Food and Drug Administration (FDA) approved treatment options for their disease or condition.~~

(c) ~~The person is unable to participate in a clinical trial involving the eligible investigational drug, biologic or device.~~

(d) ~~The person has given written informed consent for the use of the investigational drug, biological product, or device or, if the patient is a minor or lacks the mental capacity to provide informed consent, a parent or legal guardian has given written informed consent on the patient's behalf.~~

(e) ~~The physician providing access to an investigational drug, biologic, or device will not be compensated directly by the manufacturer for providing access to this therapy.~~

~~I-b.] "Health care provider" means a physician licensed to practice medicine in the state of New Hampshire.~~

~~[I-c.]~~ **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.

II. [~~"Investigational drug, biologic, or device" means a drug, biologic, or device that has successfully completed phase one of a clinical trial, but has not been approved for general use by the FDA and remains under investigation in a clinical trial.~~

~~H-a-] "Other protected access" includes:~~

(a) ~~"Expanded access" whereby the treating physician requests access to an investigational drug, biologic, or device from the FDA and is subject to oversight from an Institutional Review Board; and~~

(b) ~~"Off-label use" means prescribing an FDA approved drug, biologic, or device for a use not approved for that specific indication consistent with RSA 329:17, VI-b.~~

III. "Physician" means the licensed allopathic or osteopathic physician who is providing medical care or treatment to the [~~eligible~~] patient for the terminal **or qualifying severe** illness.

III-a.(a) "Qualifying severe illness" means an illness that is both chronic and debilitating.

(b) "Chronic and debilitating" shall have the same meaning as "severely debilitating" defined under 21 C.F.R. 312.81(b).

IV. "Remote signing" means the signing of any form, witnessed by a notary public or a licensed health care provider, providing written informed consent for a person diagnosed by a physician with a terminal **or qualifying severe** illness to participate in a clinical trial or receive a drug, biologic, or device, by the patient or, if the patient is a minor or lacks the mental capacity to provide consent, by a parent or legal guardian on the patient's behalf.

V. "Telehealth prescreening" means any remote, real-time discussion intended, in part, to determine whether a person with a terminal **or qualifying severe** illness may be:

(a) Ineligible for or not selected to participate in a clinical trial; or

(b) Ineligible to receive or not be offered a drug, biologic, or device.

VI. "Terminal illness" means diseases or conditions where the likelihood of death is high unless the course of the disease is interrupted, and diseases or conditions with potentially fatal outcomes, where the endpoint of a clinical trial analysis is survival, which is the definition of "life threatening" under 21 C.F.R. section 312.81.

126-Z:2 Availability of Investigational Drugs, Biologics, or Devices; Costs; Coverage.

I. A manufacturer [~~of an investigational drug, biologic, or device~~] may make [~~available an investigational~~] **a** drug, biologic, or device [~~to eligible patients pursuant to this chapter. A manufacturer may:]~~ **not approved by the United States Food and Drug Administration available to patients if the requirements of RSA 126-Z:3, III are satisfied.**

I-a. Pursuant to this chapter, a manufacturer may:

(a) Provide ~~[an investigational]~~ **a** drug, biologic, or device to ~~[an eligible]~~ **a** patient without receiving compensation.

(b) Require ~~[an eligible]~~ **a** patient to pay ~~[the costs of or associated with the manufacture of the investigational]~~ **for the treatment and establish payment arrangements for the** drug, biologic, or device.

(c) Require ~~[an eligible]~~ **a** patient to participate in data collection relating to the use of the ~~[investigational]~~ drug, biologic, or device.

II. This chapter shall not require a health care insurer or any state agency to provide coverage for the cost of any ~~[investigational]~~ drug, biologic, or device.

III. Nothing in this chapter shall require the manufacturer of ~~[an investigational]~~ **a** drug, biologic, or device to include ~~[an eligible]~~ **a** patient in a particular clinical trial or study.

IV. Nothing in this chapter shall require a health care provider, health care facility, or the manufacturer of ~~[an investigational]~~ **a** drug, biological product, or device, to make an experimental treatment available to ~~[an eligible]~~ **a** patient.

126-Z:3 Liability of Physician; Facility.

I. Notwithstanding any provision of law to the contrary, the board of medicine shall not revoke, fail to renew, or take any other action against a physician's license issued pursuant to RSA 329 based primarily on a physician's recommendation to ~~[an eligible]~~ **a** patient regarding or prescription for or treatment with ~~[an investigational]~~ **a** drug, biologic, or device ***pursuant to this chapter***.

II. Notwithstanding any provision of law to the contrary, the department of health and human services shall not take action against a facility licensed under RSA 151 based primarily on the institution's participation in the treatment or use of ~~[an investigational]~~ **a** drug, biologic, or device under this chapter.

III. Notwithstanding any provision of law to the contrary, a manufacturer of a drug, biologic, or device, a pharmacist, a health care facility, a health care provider, or a person or entity involved in the care of a patient using a drug, biologic, or device is immune from suit for any harm done to a patient resulting from the drug, biologic, or device if:

(a) The person has a terminal ***or qualifying severe*** illness as determined by the person's physician and a consulting physician;

(b) The person's physician has determined that the person has no comparable or satisfactory United States Food and Drug Administration (FDA) approved treatment options available not approved by the FDA to treat the disease or condition involved;

(c) The patient has given written informed consent for the use of the drug, biologic, or device or, if the patient is a minor or lacks the mental capacity to provide informed consent, a parent or legal guardian has given written informed consent on the patient's behalf and, if the patient is a legal adult, the consent is not contrary to the prior documented wishes of the patient;

(d) The manufacturer, pharmacist, facility, provider, or other person or entity has not engaged in willful or reckless misconduct or other bad faith conduct. "Willful or reckless misconduct" shall include, but is not limited to, any conduct intended to hasten the death of the patient; and

(e) If the drug, biologic, or device is an individualized investigational treatment, it is administered by a health care provider ~~[at]~~ ***in cooperation with*** an eligible facility.

126-Z:4 Private Cause of Action.

I. Nothing in this chapter shall be construed to create a private cause of action against any person or entity except as specified in paragraph II.

II. Notwithstanding any provision of law to the contrary, any patient diagnosed with a terminal ***or qualifying severe*** illness by a physician, and who has been treated, is being treated, or otherwise could be treated in New Hampshire with a drug, biologic, or device, and is affected by a violation of this chapter, or a health care facility or a health care provider involved in the treatment of the patient, shall be entitled to petition the superior court for injunctive relief and reasonable attorney's fees against any regulatory or law enforcement authority that violates this chapter.

18 Telehealth Prescreening. Amend RSA 126-Z:6, I to read as follows:

I. Notwithstanding any regulation or provision of law to the contrary, any health care provider, while physically located in New Hampshire, may conduct a telehealth prescreening with any patient, in any state or jurisdiction, who has been diagnosed by a physician with a terminal ***or qualifying severe*** illness.

19 Statutory Construction. Amend RSA 126-Z:8 to read as follows:

126-Z:8 Statutory Construction. The general court enacts this chapter to promote maximum access by removing barriers in state law and indemnifying those involved in providing potentially life-saving ***or dramatically life-improving*** treatments and treatments to improve the quality of patients' remaining life, to incentivize health care facilities, health care providers, manufacturers of drugs, biologics and/or devices, and other persons and entities involved in the care of patients, to treat terminal ***and qualifying severe*** illness, whether through company-sponsored clinical trial, single-patient protocol, compassionate

use protocol, or any other means of access to drugs, biologics, and/or devices which gathers information on patient outcomes, and to make New Hampshire a jurisdiction that attracts and fosters clinical trials and the development of drugs, biologics, and devices intended to treat terminal ***and qualifying severe*** illness. This chapter shall be construed consistently with the general court's stated purpose.

20 Effective Date.

I. Sections 14 - 16 of this act shall take effect January 1, 2027.

II. Sections 1 - 13 of this act shall take effect 60 days after its passage.

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

2026-1951h AMENDED ANALYSIS

This bill:

I. Authorizes the dispensing of up to a 30-day supply of noncontrolled oral anti-cancer medication by a licensed health care professional legally authorized to prescribe and administer medications to a patient under a provider's care or supervision subject to certain conditions.

II. Amends the display requirements for certain licenses and permits.

III. Authorizes licensed advanced pharmacy technicians to engage in remote processing.

IV. Removes the requirement that a pharmacist's name or initials be on a label affixed to any controlled drug or prescription issued.

V. Amends the definition of the "practice of pharmacy."

VI. Removes certain authority of the board of pharmacy with respect to the regulation of collaborative pharmacy practice agreements.

VII. Limits any examination requirement for licensure as an advanced pharmacy technician to scope of practice.

VIII. Prohibits the pharmacy board from testing applicants on pharmacy jurisprudence or law.

IX. Allows supervised certified pharmacy technicians to administer vaccines, and eliminates a requirement that vaccines be recommended by the United States Center for Disease Control and Prevention Advisory Committee on Immunization Practices before being administered by pharmacists, pharmacy interns, licensed advanced pharmacy technicians, or certified pharmacy technicians.

X. Permits the establishment of experimental treatment centers. The centers would be authorized by the department of health and human services to provide treatment involving an investigational drug, biologic, or device that has successfully completed phase one of a clinical trial, but is not yet FDA-approved for general use and either remains under investigation in a clinical trial or has a demonstrated safety record from a qualified medical institution.

XI. Permits treatment of certain severe illness under the right to try act.

The question being adoption of floor amendment (1951h).

Rep. Weber spoke against.

Rep. Mazur spoke in favor and requested a roll call; sufficiently seconded.

YEAS 188 - NAYS 153

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Aldrich, Glen
Ploszaj, Tom

Coker, Matthew
Minor, Sheri

Freeman, Lisa
Terry, Paul

Harvey-Bolia, Juliet
Toner, Travis

CARROLL

Avellani, Lino
MacDonald, John

Belcher, Mike
Smith, Jonathan

Crawford, Karel
Peternel, Katy

Hamblen, Joseph
Taylor, Brian

CHESHIRE

Murphy, Denis
Nalevanko, Rich

Hunt, John
Qualey, James

Karasinski, Sly
Rhodes, Jennifer

Mattson, Rita
Thackston, Dick

COOS

Korzen, Lori
King, Seth

Murphy, Michael
Tierney, James

Morency, Pete
Tremblay, Marc

Ouellet, Mike

GRAFTON

Beaulier, Calvin
Louis, Darrell

Berezhny, Lex
Sellers, John

Bjelobrck, Marie Louise

Franz, Linda

HILLSBOROUGH

Alexander, Joe
Boehm, Ralph

Ammon, Keith
Booras, Efsthathia

Barbour, Liz
Colcombe, Riché

Berry, Ross
Cole, Brian

Corcoran, Travis
Drew, Matt
Flanagan, Jack
Gorski, Ted
Kesselring, Steven
Murphy, Mary
Mooney, Maureen
Ohm, Bill
Presa, Adam
Rice, Kimberly
Sheehan, Vanessa
Ulery, Jordan

Creighton, James
Dumont, Dillon
Griffin, Gerald
Gould, Linda
Labrie, Brian
Mazur, Lisa
Morton, Jonathan
Paquette, Kathleen
Proulx, Mark
Rombeau, Catherine
Sirois, Shane
Wheeler, Jonah

Kelley, Diane
Dupont, Pierre
Gagne, Larry
Herbert, Christopher
Lascelles, Richard
McLean, Mark
Noble, Kristin
Pauer, Diane
Prout, Andrew
Schneller, John
Slotte, Jeremy
Wherry, Robert

Daniels, Gary
Erf, Keith
Giasson, Henry
Kenny, Catherine
Long, Patrick
Miles, Julie
Notter, Jeanine
Post, Lisa
Reinfurt, Sherri
Scully, Kevin
Mannion, Tom

MERRIMACK

Andrus, Louise
McGuire, Dan
Mehegan, Peter
Polozov, Yuri
See, Alvin

Aures, Cyril
Devoid, Ricky
Moffett, Michael
Boyd, Stephen
Walsh, Thomas

McGuire, Carol
Hill, Gregory
Pitaro, Matthew
Sargent, Gregory
Thibault, James

Cambrils, Jose
Leavitt, John
Plante, Raymond
Seaworth, Brian
Wood, Clayton

ROCKINGHAM

Ball, Lorie
Mannion, Dennis
Donnelly, Tanya
Foote, Charles
Janigian, John
Miner, Laurence
Love, David
Markell, Jay
Melvin, Charles
Brown, Pam
Prudhomme-O'Brien, Katherine
Soti, Julius
Dolan, Tom
Vose, Michael

Bennett, Cindy
Thomas, Douglas
Drago, Mike
Ford, Mary
Katsakiores, Phyllis
Walsh, Lilli
Lundgren, David
McDonnell, Valerie
Milz, David
Popovici-Muller, Daniel
Pearson, Stephen
Spillane, James
Tripp, Richard
MacDonald, Wayne

Bernardy, JD
DeSimone, Debra
Dunn, Ron
Guzofski, James
Khan, Aboul
Layon, Erica
Lynn, Bob
McGrath, Linda
Nadeau, Brian
Porcelli, Susan
Sabourin dit Choinière, Matt
Summers, James
Tudor, Paul
Weyler, Kenneth

Bridle, Nicholas
DeVito, Sayra
Edwards, Jess
Harb, Robert
Kuttab, Katelyn
Litchfield, Melissa
Mandelbaum, Jennifer
McMahon, Charles
Osborne, Jason
Potucek, John
Selby, Donald
Sytek, John
Vandecasteele, Susan
Wilson, Vicki

STRAFFORD

Bailey, Glenn
Farrington, Samuel
Potenza, Kelley

Burnham, Claudine
Harrington, Michael
Turcotte, Len

DeLemus, Susan
Kaczynski, Thomas
Wade, Alice

DeRoy, Susan
Larochelle, John
Walker, David

SULLIVAN

Drye, Margaret
Aron, Judy

Girard, Dale
Aron, Michael

Grant, George
Rollins, Skip

Hemingway, Wayne
Spilsbury, Walter

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Nagel, David

St. Clair, Charlie

CARROLL

Boudman, Bobbi
Woodcock, Stephen

Burroughs, Anita

Paige, David

McAleer, Chris

CHESHIRE

Ames, Dick
Faulkner, Barry
Germana, Nicholas
Weber, Lucy

Berch, Paul
Gruber, James
Newell, Jodi

Harvey, Cathryn
Jacobs, Samantha
O'Rorke, Terri

Fox, Dru
Jones, Philip
Parshall, Lucius

GRAFTON

Almy, Susan
Hakken-Phillips, Mary
Muirhead, Russell
Stavis, Laurel

Cormen, Thomas
Sullivan, Jared
Oppel, Thomas
Stringham, Jerry

Fellows, Sallie
Lovett, Peter
Rockmore, Ellen
Sykes, George

Fracht, David
Lucas, Janet
Spahr, Terry

HILLSBOROUGH

Murray, Alissandra
Budathoki, Suraj
Darby, Will
Davis, Fred
Grund, Stephanie
Jack, Martin
Leapley, Nicole

Boyd, Bill
Chourasia, Manoj
Dargie, Paul
Foss, Lily
Harriott-Gathright, Linda
Kerwin, Erin
LeClerc, Daniel

Beauchemin, Paige
Chretien, Suzanne
DiSilvestro, Linda
Georges, Mary
Hartnett, Tim
Kluger, Lee Ann
Leishman, Peter

Bergeron, Dan
Cornell, Patricia
Elberger, Susan
Grill, Jessica
Hegner, Karen
Fox, Loren
Lloyd, Christal

Howard, Molly
Murphy, Nancy
Raymond, Heather
Salvi, Santosh
Swanson, Dale
Veilleux, Daniel

Murray, Megan
Petrigno, Peter
Rung, Rosemarie
Seibert, Christine
Tellerski, Laura
Dolan, William

MacKenzie, Mark
Plamondon, Marc
Ryan, Linda
Spier, Carry
Tellez, Trinidad
Thomas, Wendy

McGhee, Kat
Newman, Ray
Newman, Sue
Staub, Kathy
Vail, Suzanne
Wilhelm, Matthew

MERRIMACK

Bricchi, Tracy
Ebel, Karen
Luneau, David
Roesener, James
Soucy, Timothy

Caplan, Tony
Gallager, Eric
Hall, Muriel
Schamberg, Thomas
Wallner, Mary Jane

Colby, Eleana
Gibbs, Merryl
Newsom, James
Schultz, Kris
Woods, Gary

Kelly, Eileen
Lane, Connie
Payeur, Stephanie
Snodgrass, Jim

ROCKINGHAM

Balboni, Peggy
Edgar, Michael
Knab, Allison
Malloy, Dennis
Perez, Kristine
Simpson, Alexis
Ward, Gerald

Bryer, Scott
Grote, Jaci
Paige, Mark
Manos, Zoe
Raynolds, Ned
Sorensen, Carrie

Cahill, Michael
Guthrie, Joseph
Pearson, Mark
Meuse, David
Read, Ellen
Turer, Eric

de Vries, Erica
Murray, Kate
Maggiore, Jim
Muns, Chris
Scherr, Buzz
Vallone, Mark

STRAFFORD

Bay, Luz
Smith, Geoffrey
Howland, Allan
Miller, Seth
Pearson, Wayne

Bixby, Peter
Gilmore, Gary
LaMontagne, Jessica
Schmidt, Peter
Wall, Janet

Burton, Wayne
Howard, Heath
Levesque, Cassandra
Selig, Loren

Butler, Billie
Horrigan, Timothy
Smith, Marjorie
Southworth, Thomas

SULLIVAN

Sullivan, Brian

Cloutier, John

Damon, Hope

Palmer, William

Floor amendment (1951h) was adopted.

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

YEAS 197 - NAYS 145

YEAS - 197

BELKNAP

Aldrich, Glen
Ploszaj, Tom

Coker, Matthew
Minor, Sheri

Freeman, Lisa
Terry, Paul

Harvey-Bolia, Juliet
Toner, Travis

CARROLL

Avellani, Lino
MacDonald, John

Belcher, Mike
Smith, Jonathan

Crawford, Karel
Peternel, Katy

Hamblen, Joseph
Taylor, Brian

CHESHIRE

Murphy, Denis
Nalevanko, Rich

Hunt, John
Qualey, James

Karasinski, Sly
Rhodes, Jennifer

Mattson, Rita
Thackston, Dick

COOS

Korzen, Lori
King, Seth

Murphy, Michael
Tierney, James

Morency, Pete
Tremblay, Marc

Ouellet, Mike

GRAFTON

Beaulier, Calvin
Louis, Darrell

Berezhny, Lex
Sellers, John

Bjelobrk, Marie Louise

Franz, Linda

HILLSBOROUGH

Alexander, Joe
Berry, Ross
Cole, Brian
Daniels, Gary
Erf, Keith
Giasson, Henry
Kenny, Catherine
Leishman, Peter
McLean, Mark
Noble, Kristin
Pauer, Diane
Prout, Andrew

Ammon, Keith
Boehm, Ralph
Corcoran, Travis
Drew, Matt
Flanagan, Jack
Gorski, Ted
Kesselring, Steven
Long, Patrick
Miles, Julie
Notter, Jeanine
Post, Lisa
Reinfurt, Sherri

Boyd, Bill
Booras, Efstathia
Creighton, James
Dumont, Dillon
Griffin, Gerald
Gould, Linda
Labrie, Brian
Murphy, Mary
Mooney, Maureen
Ohm, Bill
Presa, Adam
Rice, Kimberly

Barbour, Liz
Colcombe, Riché
Kelley, Diane
Dupont, Pierre
Gagne, Larry
Herbert, Christopher
Lascelles, Richard
Mazur, Lisa
Morton, Jonathan
Paquette, Kathleen
Proulx, Mark
Rombeau, Catherine

Ryan, Linda
Sirois, Shane
Thomas, Wendy

Schneller, John
Slottje, Jeremy
Warden, Mark

Scully, Kevin
Mannion, Tom
Wheeler, Jonah

Sheehan, Vanessa
Ulery, Jordan
Wherry, Robert

MERRIMACK

Andrus, Louise
McGuire, Dan
Mehegan, Peter
Polozov, Yury
See, Alvin

Aures, Cyril
Devoid, Ricky
Moffett, Michael
Boyd, Stephen
Walsh, Thomas

McGuire, Carol
Hill, Gregory
Pitaro, Matthew
Sargent, Gregory
Thibault, James

Cambrils, Jose
Leavitt, John
Plante, Raymond
Seaworth, Brian
Wood, Clayton

ROCKINGHAM

Ball, Lorie
Bryer, Scott
DeVito, Sayra
Edwards, Jess
Guzofski, James
Khan, Aboul
Layon, Erica
Lynn, Bob
McDonnell, Valerie
Milz, David
Popovici-Muller, Daniel
Pearson, Stephen
Spillane, James
Tripp, Richard
Vose, Michael

Bennett, Cindy
Mannion, Dennis
Donnelly, Tanya
Foote, Charles
Harb, Robert
Kuttab, Katelyn
Litchfield, Melissa
Pearson, Mark
McGrath, Linda
Nadeau, Brian
Porcelli, Susan
Sabourin dit Choinière, Matt
Summers, James
Tudor, Paul
MacDonald, Wayne

Bernardy, JD
Thomas, Douglas
Drago, Mike
Ford, Mary
Janigian, John
Miner, Laurence
Love, David
Mandelbaum, Jennifer
McMahon, Charles
Osborne, Jason
Potucek, John
Selby, Donald
Sytek, John
Vallone, Mark
Weyler, Kenneth

Bridle, Nicholas
DeSimone, Debra
Dunn, Ron
Guthrie, Joseph
Katsakiores, Phyllis
Walsh, Lilli
Lundgren, David
Markell, Jay
Melvin, Charles
Brown, Pam
Prudhomme-O'Brien, Katherine
Soti, Julius
Dolan, Tom
Vandecasteele, Susan
Wilson, Vicki

STRAFFORD

Bailey, Glenn
Farrington, Samuel
Schmidt, Peter

Burnham, Claudine
Harrington, Michael
Turcotte, Len

DeLemus, Susan
Kaczynski, Thomas
Wade, Alice

DeRoy, Susan
Potenza, Kelley
Walker, David

SULLIVAN

Drye, Margaret
Aron, Judy

Girard, Dale
Aron, Michael

Grant, George
Rollins, Skip

Hemingway, Wayne
Spilsbury, Walter

NAYS - 145

BELKNAP

Nagel, David

St. Clair, Charlie

CARROLL

Boudman, Bobbi
Woodcock, Stephen

Burroughs, Anita

Paige, David

McAleer, Chris

CHESHIRE

Ames, Dick
Faulkner, Barry
Germana, Nicholas
Weber, Lucy

Berch, Paul
Gruber, James
Newell, Jodi

Harvey, Cathryn
Jacobs, Samantha
O'Rourke, Terri

Fox, Dru
Jones, Philip
Parshall, Lucius

GRAFTON

Almy, Susan
Hakken-Phillips, Mary
Muirhead, Russell
Stavis, Laurel

Cormen, Thomas
Sullivan, Jared
Oppel, Thomas
Stringham, Jerry

Fellows, Sallie
Lovett, Peter
Rockmore, Ellen
Sykes, George

Fracht, David
Lucas, Janet
Spahr, Terry

HILLSBOROUGH

Murray, Aissandra
Chourasia, Manoj
Dargie, Paul
Foss, Lily
Harriott-Gathright, Linda
Kerwin, Erin
LeClerc, Daniel
MacKenzie, Mark
Plamondon, Marc
Newman, Sue
Staub, Kathy
Vail, Suzanne

Beauchemin, Paige
Chretien, Suzanne
DiSilvestro, Linda
Georges, Mary
Hartnett, Tim
Kluger, Lee Ann
Lloyd, Christal
McGhee, Kat
Newman, Ray
Salvi, Santosh
Swanson, Dale
Veilleux, Daniel

Bergeron, Dan
Cornell, Patricia
Elberger, Susan
Grill, Jessica
Hegner, Karen
Foxy, Loren
Howard, Molly
Murphy, Nancy
Raymond, Heather
Seibert, Christine
Telerski, Laura
Dolan, William

Budathoki, Suraj
Darby, Will
Davis, Fred
Grund, Stephanie
Jack, Martin
Leapley, Nicole
Murray, Megan
Petrigno, Peter
Rung, Rosemarie
Spier, Carry
Tellez, Trinidad
Wilhelm, Matthew

MERRIMACK

Bricchi, Tracy
Ebel, Karen

Caplan, Tony
Gallager, Eric

Colby, Eleana
Gibbs, Merryl

Kelly, Eileen
Lane, Connie

Luneau, David
Roesener, James
Soucy, Timothy

Hall, Muriel
Schamberg, Thomas
Wallner, Mary Jane

Newsom, James
Schultz, Kris
Woods, Gary

Payeur, Stephanie
Snodgrass, Jim

ROCKINGHAM

Balboni, Peggy
Grote, Jaci
Maggiore, Jim
Muns, Chris
Scherr, Buzz
Ward, Gerald

Cahill, Michael
Murray, Kate
Malloy, Dennis
Perez, Kristine
Simpson, Alexis

de Vries, Erica
Knab, Allison
Manos, Zoe
Raynolds, Ned
Sorensen, Carrie

Edgar, Michael
Paige, Mark
Meuse, David
Read, Ellen
Turer, Eric

STRAFFORD

Bay, Luz
Smith, Geoffrey
Howland, Allan
Smith, Marjorie
Pearson, Wayne

Bixby, Peter
Gilmore, Gary
LaMontagne, Jessica
Miller, Seth
Wall, Janet

Burton, Wayne
Howard, Heath
Larochelle, John
Selig, Loren

Butler, Billie
Horrigan, Timothy
Levesque, Cassandra
Southworth, Thomas

SULLIVAN

Sullivan, Brian

Cloutier, John

Damon, Hope

Palmer, William

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

SPECIAL ORDER

SB 552, permitting classification of individuals based on biological sex under certain limited circumstances. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Katelyn Kuttab 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. Vote 9-8.

Rep. Marjorie Smith for the **Minority** of Judiciary. This is the fifth bill on this subject heard by the Judiciary Committee in this session. In previous sessions, the incumbent governor and the previous governor have vetoed similar bills, commonly referred to as bathroom bills. The stated purpose of these bills is to protect women and girls from contact with transgender individuals. Reliable statistics report about 1% of the population being transgender. Research shows that women and girls are much more likely to experience unacceptable behavior on the part of heterosexual males rather than those who are transgender. The minority of the committee has chosen not to include in this report quotations from the testimony of the sponsors and supporters of this and similar bills out of respect for the institution. However, our sense of decency dictates that this bill is Inexpedient to Legislate.

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

Reps. Marjorie Smith and Butler spoke against.

Reps. Prudhomme-O'Brien and Kuttab spoke in favor.

Rep. Mazur requested a roll call; sufficiently seconded.

YEAS 179 - NAYS 159

YEAS - 179

BELKNAP

Aldrich, Glen
Minor, Sheri

Coker, Matthew
Terry, Paul

Freeman, Lisa
Toner, Travis

Ploszaj, Tom

CARROLL

Avellani, Lino
Smith, Jonathan

Belcher, Mike
Pernel, Katy

Hamblen, Joseph

MacDonald, John

CHESHIRE

Murphy, Denis
Nalevanko, Rich

Hunt, John
Qualey, James

Karasinski, Sly
Rhodes, Jennifer

Mattson, Rita
Thackston, Dick

COOS

Korzen, Lori
King, Seth

Murphy, Michael
Tierney, James

Morency, Pete
Tremblay, Marc

Ouellet, Mike

GRAFTON

Beaulier, Calvin
Ladd, Rick

Berezhny, Lex
Louis, Darrell

Bjelobrk, Marie Louise
Sellers, John

Franz, Linda

HILLSBOROUGH

Alexander, Joe
Berry, Ross
Creighton, James
Dumont, Dillon
Griffin, Gerald
Gould, Linda
Lascelles, Richard
Miles, Julie
Notter, Jeanine
Post, Lisa
Reinfurt, Sherri
Sirois, Shane
Warden, Mark

Ammon, Keith
Boehm, Ralph
Kelley, Diane
Dupont, Pierre
Gagne, Larry
Kenny, Catherine
Murphy, Mary
Mooney, Maureen
Ohm, Bill
Presa, Adam
Schneller, John
Slottje, Jeremy
Wheeler, Jonah

Boyd, Bill
Colcombe, Riché
Daniels, Gary
Erf, Keith
Giasson, Henry
Kesselring, Steven
Mazur, Lisa
Morton, Jonathan
Paquette, Kathleen
Proulx, Mark
Scully, Kevin
Mannion, Tom
Wherry, Robert

Barbour, Liz
Cole, Brian
Drew, Matt
Flanagan, Jack
Gorski, Ted
Labrie, Brian
McLean, Mark
Noble, Kristin
Pauer, Diane
Prout, Andrew
Sheehan, Vanessa
Ulery, Jordan

MERRIMACK

Andrus, Louise
Cambriis, Jose
Leavitt, John
Plante, Raymond
See, Alvin

Aures, Cyril
McGuire, Dan
Mehegan, Peter
Polozov, Yury
Walsh, Thomas

Aylward, Deborah
Devoid, Ricky
Moffett, Michael
Boyd, Stephen
Thibault, James

McGuire, Carol
Hill, Gregory
Pitaro, Matthew
Seaworth, Brian
Wood, Clayton

ROCKINGHAM

Ball, Lorie
Mannion, Dennis
Drago, Mike
Guthrie, Joseph
Katsakiores, Phyllis
Walsh, Lilli
Lundgren, David
McGrath, Linda
Nadeau, Brian
Perez, Kristine
Prudhomme-O'Brien, Katherine
Soti, Julius
Dolan, Tom
MacDonald, Wayne

Bennett, Cindy
Thomas, Douglas
Dunn, Ron
Guzofski, James
Khan, Aboul
Layon, Erica
Lynn, Bob
McMahon, Charles
Osborne, Jason
Popovici-Muller, Daniel
Pearson, Stephen
Spillane, James
Tripp, Richard
Weyler, Kenneth

Bernardy, JD
DeSimone, Debra
Edwards, Jess
Harb, Robert
Kuttab, Katelyn
Litchfield, Melissa
Pearson, Mark
Melvin, Charles
Brown, Pam
Porcelli, Susan
Sabourin dit Choinière, Matt
Summers, James
Tudor, Paul
Wilson, Vicki

Bryer, Scott
Donnelly, Tanya
Ford, Mary
Janigian, John
Miner, Laurence
Love, David
Markell, Jay
Milz, David
Packard, Sherman
Potucek, John
Selby, Donald
Sweeney, Joe
Vose, Michael

STRAFFORD

Bailey, Glenn
Farrington, Samuel
Turcotte, Len

Burnham, Claudine
Harrington, Michael
Walker, David

DeLemus, Susan
Kaczynski, Thomas

DeRoy, Susan
Potenza, Kelley

SULLIVAN

Drye, Margaret
Aron, Judy

Girard, Dale
Aron, Michael

Grant, George
Rollins, Skip

Hemingway, Wayne
Spilsbury, Walter

NAYS - 159**BELKNAP**

St. Clair, Charlie

CARROLL

Boudman, Bobbi
Taylor, Brian

Burroughs, Anita
Woodcock, Stephen

Paige, David

McAleer, Chris

CHESHIRE

Ames, Dick
Faulkner, Barry
Germana, Nicholas
Weber, Lucy

Berch, Paul
Gruber, James
Newell, Jodi

Harvey, Cathryn
Jacobs, Samantha
O'Rorke, Terri

Fox, Dru
Jones, Philip
Parshall, Lucius

GRAFTON

Almy, Susan
Hakken-Phillips, Mary
Muirhead, Russell
Stavis, Laurel

Cormen, Thomas
Sullivan, Jared
Oppel, Thomas
Stringham, Jerry

Fellows, Sallie
Lovett, Peter
Rockmore, Ellen
Sykes, George

Fracht, David
Lucas, Janet
Spahr, Terry

HILLSBOROUGH

Murray, Aissandra	Beauchemin, Paige	Bergeron, Dan	Booras, Efstathia
Budathoki, Suraj	Chourasia, Manoj	Chretien, Suzanne	Cornell, Patricia
Darby, Will	Dargie, Paul	DiSilvestro, Linda	Elberger, Susan
Davis, Fred	Foss, Lily	Georges, Mary	Grill, Jessica
Grund, Stephanie	Harriott-Gathright, Linda	Hartnett, Tim	Hegner, Karen
Herbert, Christopher	Jack, Martin	Juris, Louis	Kerwin, Erin
Kluger, Lee Ann	Fox, Loren	Leapley, Nicole	LeClerc, Daniel
Leishman, Peter	Lloyd, Christal	Long, Patrick	Howard, Molly
Murray, Megan	MacKenzie, Mark	McGhee, Kat	Murphy, Nancy
Petrigno, Peter	Plamondon, Marc	Newman, Ray	Raymond, Heather
Rombeau, Catherine	Rung, Rosemarie	Newman, Sue	Salvi, Santosh
Seibert, Christine	Spier, Carry	Staub, Kathy	Swanson, Dale
Telerski, Laura	Tellez, Trinidad	Vail, Suzanne	Veilleux, Daniel
Dolan, William	Thomas, Wendy	Wilhelm, Matthew	

MERRIMACK

Bricchi, Tracy	Caplan, Tony	Colby, Eleana	Kelly, Eileen
Ebel, Karen	Gallager, Eric	Gibbs, Merryl	Lane, Connie
Luneau, David	Hall, Muriel	Newsom, James	Payeur, Stephanie
Roesener, James	Sargent, Gregory	Schamberg, Thomas	Schultz, Kris
Snodgrass, Jim	Soucy, Timothy	Wallner, Mary Jane	Woods, Gary

ROCKINGHAM

Balboni, Peggy	Bridle, Nicholas	Cahill, Michael	de Vries, Erica
Edgar, Michael	Grote, Jaci	Murray, Kate	Knab, Allison
Paige, Mark	Maggiore, Jim	Malloy, Dennis	Mandelbaum, Jennifer
Manos, Zoe	Meuse, David	Muns, Chris	Raynolds, Ned
Read, Ellen	Scherr, Buzz	Simpson, Alexis	Sorensen, Carrie
Sytek, John	Turer, Eric	Vandecasteele, Susan	Ward, Gerald

STRAFFORD

Bay, Luz	Bixby, Peter	Burton, Wayne	Butler, Billie
Smith, Geoffrey	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	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.

(Speaker Packard in the Chair)

MOTION TO PRINT DEBATE

Rep. Germana moved that the debate on **SB 552**, permitting classification of individuals based on biological sex under certain limited circumstances, be printed in the Permanent Journal.

Without objection, the Speaker ordered.

DEBATE ON SB 552

Representative Marjorie Smith: Thank you, Mr. Speaker. Mr. Speaker, you and I have a lot in common. More than sharing a name, I believe that we share a respect for this institution and what it has stood for, for many years. 30 years ago, Mr. Speaker, I was elected to represent Durham and sometimes Lee and Madbury. I hesitated to run because I'm a private person, but I was convinced because I had certain basic principles. Privacy, including reproductive rights, quality and accessible public education, civil rights, civil liberties, and the environment. Today, Mr. Speaker, my personal platform has not changed. I believe in keeping government out of private lives and letting us focus on what we can do better together. My first speech on the other side of the well was on reproductive rights and the Speaker at that time, the first woman elected to be Speaker in this state, the Honorable Donna Sytek, who had written a note to congratulate me on what would then have been called my maiden speech, and before I got back to my seat, that note was handed to me. Speaker Sytek, by the way, for some of you who don't know this, wrote a book called *Further Ado, Practical Protocol for New Hampshire*, a nonpartisan guide to political etiquette. I hope some of you have read it and I actually would urge all of you on either side of the aisle, if you haven't, you might then better understand why there are some of us who are troubled by how we are conducting business in the legislature now. Those who don't know history are condemned to relive it. Over the years, many bills on the same subject have been filed again and again and people say, why do we permit that? And we do it because this is not a baseball game where

three outs and you sit down and let somebody else stand at the plate. We do it because each time that we file a bill that we believe is appropriate to be filed and could make life better for the citizens of this state, we learn from our colleagues, we learn from the people who come to testify that there might be a way to get to yes, we could get better if we listen to all sides, if we're willing to compromise, if we're willing to bring together disparate views. And that is how we have, in the past, conducted ourselves. This bill takes a different approach. Governor Sununu vetoed a similar bill. Last session, the current governor did the same. Those who support the bill were not comfortable with that and so they set out to introduce basically the same bill over and over and over again. Five bills, I believe, or is it six? I must check with the Chair of my committee, have come to Judiciary and have been passed and passed and passed and passed, but that hasn't been enough. Even today, we have floor amendments on the same bill. When is enough, enough? If you're inclined, you can go to YouTube and listen to the testimony of sponsors and supporters alike make hateful, angry statements, clearly violating the rules of procedure in this body, attacking our own colleagues, painting with a brush, a broad brush, those mostly in my party who ask for respect for each of us. One actually condemned specifically those sitting in sections 5 and 4, and then when someone said, well, what about section 3? They added section 3. They used words that I would not permit, repeat, that I would not permit to be said in my committee. Disparaging comments, assigning intent, I hope Speaker Sytek is never forced to subject herself to listening to those tapes. But you can also listen to mothers and fathers, medical professionals, and those who have identified themselves with the transgender community. Decent, caring people asking only that they be treated with the respect that we all deserve. By passing bill after bill after bill, perhaps in the hope of making it impossible for the governor to veto all, we diminish the seriousness of the legislative process and interfere with the ability of all of us to live as we choose. In the end, I am reminded of another time in our nation's history when a Senator from Wisconsin set out to divide this nation and distract from the goals that brought us together through World War II. It was an establishment Boston lawyer who served as chief counsel for the US Army and said to that Senator at long last, have you no sense of decency. I'm old enough to remember that. When people asked why I kept on running, I responded that I would keep on running until we got it right in the end. That proves not to be accurate. Mr. Speaker, this will be my final floor speech before the New Hampshire House, a body I had long respected and worked to do the best we could do, fulfilling our constitutional obligations to the people of New Hampshire. I hope that in overturning the committee vote, we might demonstrate that yes, my belief in this body's inherent decency is still valid. Mr. Speaker, I ask you to vote no on this bill. Thank you.

Speaker Steven Smith: Representative Prudhomme-O'Brien is recognized to speak.

Representative Prudhomme-O'Brien: Thank you, Mr. Speaker. Since this bill came up and was presented to us, I have learned that there is a male who self-identifies as female who is awaiting trial because he is accused of killing his wife and he is currently housed in the female section of a county jail in our state right now. This really is happening. It is happening. It would be inhumane to not pass this bill. It would be inhumane to women and girls. Please pass this bill. Thank you.

Speaker Steven Smith: Representative Butler is recognized to speak.

Representative Butler: Thank you, Mr. Speaker. Here we are again. Another bill about gender and bathrooms. Senate Bill 552 says that bathrooms, locker rooms, and similar spaces must be restricted according to what the bill calls, biological sex, and doing so should not be, should not legally count as discrimination. But Mr. Speaker, this bill is not based on any data whatsoever. It's all based in vibes. There is zero evidence of any documented crisis of assaults by trans folk in New Hampshire. Sponsors of this bill claim it's about safety from an invisible threat, but it will not create safety. What it will create is suspicion, confrontation, and pitting fellow granite staters against each other. My constituents are worried about the crushing cost of living, health care, public education, and our antiquated tax system. My property taxes alone have doubled in five years. It's the reason I ran and won in my district. And Mr. Speaker, we have spent 15 hours across two legislative bodies debating gender and toilets. This bill is identical to House Bill 1442 and similar bills from last year that were vetoed. And if this legislation were truly responding to the needs of New Hampshire residents, the sponsors would listen to the overwhelming voices of Granite Staters who came out against it. During committee hearings, we heard from disability advocates, from parents, business owners, women, transgender, and cisgender residents alike. They explained how bills like this would make their lives harder and less safe. And who came in support of this bill? Out-of-state paid lobbyists from Texas and Massachusetts. Don't Mass up New Hampshire indeed. And don't Texas my town. I hear constant speeches in this house about freedom and limited government, local control, and liberty. Liberty. I believe in liberty. It's at the core of who I am. Liberty is freedom from state-mandated conformity. Liberty means government not policing people's bodies, minds, souls, or where we go to the bathroom. I urge this body to vote no on Ought to Pass on Senate Bill 552. Thank you, Mr. Speaker.

Speaker Steven Smith: Representative Kuttub is recognized to speak.

Representative Kuttub: Thank you, Mr. Speaker. Mr. Speaker, to be clear, this bill doesn't mandate anything. It simply provides that in three limited circumstances, including prisons and places of involuntary confinement, shared bathrooms and locker rooms, as well as sports, that if one does use biological sex as a

criteria, that that's not discrimination. It doesn't require that you have to do it. It just says that if you do, it's not discrimination. This allows women to have their privacy in intimate spaces, and it enables businesses to make their own decisions about what they think is appropriate. I ask you to please support this bill. Thank you.

Speaker Steven Smith: Representative Mazur requests a roll call. Is that sufficiently seconded? It is sufficiently seconded. This will be a roll call vote. Members take your seats. Your seats are probably right where you left them. The question is on the majority committee report of Ought to Pass. Representative Marjorie Smith is recognized for a parliamentary inquiry.

Representative Marjorie Smith: Mr. Speaker, if you respect, as I have for 30 years, the basic decency and integrity of this body, and if you believe that two, three, four, five, six bills dealing basically with the same issue are an excess, and if you know that Governor Sununu vetoed a similar bill, and the current governor did also, would you now join the vast majority of people who have spoken out on this bill and vote against the committee report? Thank you, Mr. Speaker.

Speaker Steven Smith: Representative Perez is recognized for a parliamentary inquiry.

Representative Perez: Thank you, Mr. Speaker. If I know that we have been here before, and if I know that this bill corrects any possible mistakes that somebody may have felt in the past, and if I know we have an obligation to provide safety and comfort for people, the majority, in sensitive areas, then I would vote yes for this bill so it can go on to the Governor. Thank you.

Speaker Steven Smith: The questions on the majority committee report of Ought to Pass on Senate Bill 552. This is a roll call vote. If you are in favor, press the green button, opposed, press the red. Voting stations are open for 30 seconds. Have all members present had an opportunity to vote? Before I show you the vote, I want to thank you. I admonished in the beginning, and I should have had more faith in you for getting through that pretty placidly and respectfully. Thank you for that. The House will attend to the state of the vote. 179 in affirmative, 159 in negative. The committee report is adopted.

REGULAR CALENDAR CONTINUED

SB 408-FN, relative to health insurance coverage for prosthetics. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.** Rep. Joe Sweeney for the **Majority** of Finance.

This bill extends New Hampshire's existing prosthetic coverage mandate, which currently applies only to children under 19, to adults on group health plans. The bill limits activity-specific prosthetic coverage to one device every five years for adults and allows insurers to apply standard utilization management and cost sharing. The Insurance Department estimates an annualized fiscal impact of \$4 to \$12 million across the commercial market, with a smaller impact on the state employee health plan. Vote 21-3.

Rep. Dan McGuire for the **Minority** of Finance. This bill mandates that commercial health insurance, including that carried by the state for its employees, covers certain adult prosthetics. Currently, such coverage is optional. At one time our state had a robust health insurance market, with many participating providers, strong competition and low costs. Mandates such as this have chased out most insurers and made health insurance much more expensive. While SB 408 is a small mandate — estimated by the minority to raise insurance costs only a quarter of a percent — it is a step in the wrong direction. If we ever want to bring back low cost health insurance we must peel back the onion, not grow more layers.

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

Rep. Farrington offered floor amendment (1929h).

Floor Amendment (1929h)

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

AN ACT relative to health insurance coverage for prosthetics and prohibiting public colleges and universities from regulating the possession or carrying of firearms and non-lethal weapons on campus.

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

3 Short Title. Sections 3 through 5 of this act may be known and cited as the "Protecting College Students Act".

4 Statement of Findings. With respect to sections 4 and 5 of this act, the general court hereby finds that:

I. The Constitution of New Hampshire, Part I, Article 2-a, guarantees the natural and essential right of the people to keep and bear arms in defense of themselves, their families, their property, and the state.

II. The Supreme Court has recognized in *Castle Rock v. Gonzales* that the government has no duty to protect individuals from private harm.

III. New Hampshire law provides for constitutional carry, recognizing that law-abiding citizens have the right to carry firearms without unnecessary government restriction.

IV. Policies adopted by public colleges and universities that prohibit or restrict law-abiding students from exercising this right are inconsistent with the New Hampshire Constitution and the state's statutory framework.

V. Such policies fail to meet the historical tradition test of firearm regulation as established by the Supreme Court in *New York State Rifle & Pistol Association, Inc. v. Bruen*. Such policies exceed the proper authority of such institutions.

VI. Such prohibitions are ineffective as a matter of public safety because they disarm responsible citizens while doing nothing to deter those who would commit acts of violence.

VII. Preventing lawful students from carrying only ensures that potential victims are left defenseless against unlawful aggression.

VIII. New Hampshire should secure and protect the right of law-abiding college students, faculty, staff, and visitors at public institutions of higher education to exercise their constitutional right to carry firearms, consistent with existing state law.

5 New Subdivision; Prohibition on Restrictions of Weapons on College Campuses. Amend RSA 159 by inserting after section 27 the following new subdivision:

Prohibition on Restrictions of Weapons on College Campuses

159:28 Definitions. In this subdivision:

I. "Non-lethal weapons" means pepper spray, mace, stun guns, Tasers, and other similar devices designed to incapacitate without causing fatal injury.

II. "Campus" refers to all land, buildings, facilities, and vehicles owned, leased, or controlled by a public institution of higher education in this state.

III. "Public institution of higher education" means any public technical institute, public junior college, public senior college or university, law school, medical or dental school, or any institution of higher education in this state supported by public funds.

159:29 Prohibition on Restrictions of Weapons on College Campuses.

I. Notwithstanding any provision of law to the contrary, no public institution of higher education shall enact rules, policies, or similar prohibitions restricting the possession, carry, storage, or lawful use of firearms or non-lethal weapons on campus.

II. No state or institutional permit or license shall be required for such carry on campus.

159:30 Remedies. Any individual aggrieved by a violation of this subdivision may bring an action against the public institution of higher education and its employees responsible for the violation and seek appropriate relief, including injunctive relief, monetary damages, reasonable attorneys' fees, and court costs. Total damages awarded in an action brought under this subdivision shall be at least \$10,000.

159:31 Severability. If any provision of this subdivision or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the subdivision which can be given effect without the invalid provision or application, and to this end the provisions of this subdivision are declared to be severable.

6 Effective Date.

I. Sections 3-5 of this act shall take effect January 1, 2027.

II. The remainder of this act shall take effect January 1, 2028.

2026-1929h

AMENDED ANALYSIS

This bill:

I. Requires health insurance policies to provide coverage for adult prosthetics, including activity-specific prosthetic devices. The law currently requires such coverage for children's prosthetics.

II. Prohibits public colleges and universities from regulating the possession or carrying of firearms and non-lethal weapons on campus.

III. Allows persons aggrieved by public colleges or universities that implement such regulations to sue such institutions for damages and injunctive relief.

The question being adoption of floor amendment (1929h).

Rep. Germana spoke against.

Rep. Wheeler requested a roll call; sufficiently seconded.

YEAS 159 - NAYS 177

YEAS - 159

BELKNAP

Aldrich, Glen
Toner, Travis

Freeman, Lisa

Ploszaj, Tom

Terry, Paul

CARROLL

Avellani, Lino
Smith, Jonathan

Belcher, Mike
Peternel, Katy

Hamblen, Joseph

MacDonald, John

CHESHIRE

Hunt, John
Qualey, James

Karasinski, Sly
Thackston, Dick

Mattson, Rita

Nalevanko, Rich

COOS

Korzen, Lori
King, Seth

Murphy, Michael
Tierney, James

Morency, Pete
Tremblay, Marc

Ouellet, Mike

GRAFTON

Beaulier, Calvin
Ladd, Rick

Berezhny, Lex
Louis, Darrell

Bjelobrck, Marie Louise
Sellers, John

Franz, Linda

HILLSBOROUGH

Alexander, Joe
Boehm, Ralph
Kelley, Diane
Dupont, Pierre
Gagne, Larry
Kesselring, Steven
Mazur, Lisa
Notter, Jeanine
Post, Lisa
Reinfurt, Sherri
Sirois, Shane
Warden, Mark

Ammon, Keith
Colcombe, Riché
Daniels, Gary
Erf, Keith
Giasson, Henry
Labrie, Brian
McLean, Mark
Ohm, Bill
Presa, Adam
Schneller, John
Slottje, Jeremy
Wherry, Robert

Barbour, Liz
Cole, Brian
Drew, Matt
Flanagan, Jack
Gorski, Ted
Lascelles, Richard
Mooney, Maureen
Paquette, Kathleen
Proulx, Mark
Scully, Kevin
Mannion, Tom

Berry, Ross
Creighton, James
Dumont, Dillon
Griffin, Gerald
Kenny, Catherine
Murphy, Mary
Noble, Kristin
Pauer, Diane
Prout, Andrew
Sheehan, Vanessa
Ulery, Jordan

MERRIMACK

Andrus, Louise
Cambrils, Jose
Leavitt, John
Plante, Raymond
See, Alvin

Aures, Cyril
McGuire, Dan
Mehegan, Peter
Polozov, Yury
Walsh, Thomas

Aylward, Deborah
Devoid, Ricky
Moffett, Michael
Boyd, Stephen
Thibault, James

McGuire, Carol
Hill, Gregory
Pitaro, Matthew
Seaworth, Brian
Wood, Clayton

ROCKINGHAM

Bennett, Cindy
DeSimone, Debra
Edwards, Jess
Harb, Robert
Miner, Laurence
Lynn, Bob
Nadeau, Brian
Potucek, John
Selby, Donald
Sweeney, Joe
Tudor, Paul
Wilson, Vicki

Bernardy, JD
Donnelly, Tanya
Ford, Mary
Janigian, John
Layon, Erica
Markell, Jay
Osborne, Jason
Prudhomme-O'Brien, Katherine
Soti, Julius
Sytek, John
Vandecasteele, Susan

Mannion, Dennis
Drago, Mike
Guthrie, Joseph
Katsakiores, Phyllis
Litchfield, Melissa
McGrath, Linda
Brown, Pam
Pearson, Stephen
Spillane, James
Dolan, Tom
MacDonald, Wayne

Thomas, Douglas
Dunn, Ron
Guzofski, James
Khan, Aboul
Love, David
McMahon, Charles
Popovici-Muller, Daniel
Sabourin dit Choinière, Matt
Summers, James
Tripp, Richard
Weyler, Kenneth

STRAFFORD

Bailey, Glenn
Farrington, Samuel
Walker, David

Burnham, Claudine
Harrington, Michael

DeLemus, Susan
Kaczynski, Thomas

DeRoy, Susan
Turcotte, Len

SULLIVAN

Drye, Margaret
Aron, Judy

Girard, Dale
Aron, Michael

Grant, George
Rollins, Skip

Hemingway, Wayne
Spilsbury, Walter

NAYS - 177**BELKNAP**

Coker, Matthew

Harvey-Bolia, Juliet

Minor, Sheri

St. Clair, Charlie

CARROLL

Boudman, Bobbi
McAleer, Chris

Burroughs, Anita
Taylor, Brian

Crawford, Karel
Woodcock, Stephen

Paige, David

CHESHIRE

Ames, Dick
Murphy, Denis
Jones, Philip
Parshall, Lucius

Berch, Paul
Faulkner, Barry
Germana, Nicholas
Rhodes, Jennifer

Harvey, Cathryn
Gruber, James
Newell, Jodi
Weber, Lucy

Fox, Dru
Jacobs, Samantha
O'Rorke, Terri

GRAFTON

Almy, Susan
Hakken-Phillips, Mary
Muirhead, Russell
Stavis, Laurel

Cormen, Thomas
Sullivan, Jared
Oppel, Thomas
Stringham, Jerry

Fellows, Sallie
Lovett, Peter
Rockmore, Ellen
Sykes, George

Fracht, David
Lucas, Janet
Spahr, Terry

HILLSBOROUGH

Murray, Aissandra
 Booras, Efstathia
 Cornell, Patricia
 Elberger, Susan
 Gould, Linda
 Hartnett, Tim
 Juris, Louis
 Leapley, Nicole
 Long, Patrick
 McGhee, Kat
 Plamondon, Marc
 Rung, Rosemarie
 Seibert, Christine
 Teterski, Laura
 Thomas, Wendy

Boyd, Bill
 Budathoki, Suraj
 Darby, Will
 Davis, Fred
 Grill, Jessica
 Hegner, Karen
 Kerwin, Erin
 LeClerc, Daniel
 Howard, Molly
 Miles, Julie
 Newman, Ray
 Ryan, Linda
 Spier, Carry
 Tellez, Trinidad
 Wheeler, Jonah

Beauchemin, Paige
 Chourasia, Manoj
 Dargie, Paul
 Foss, Lily
 Grund, Stephanie
 Herbert, Christopher
 Kluger, Lee Ann
 Leishman, Peter
 Murray, Megan
 Murphy, Nancy
 Raymond, Heather
 Newman, Sue
 Staub, Kathy
 Veilleux, Daniel
 Wilhelm, Matthew

Bergeron, Dan
 Chretien, Suzanne
 DiSilvestro, Linda
 Georges, Mary
 Harriott-Gathright, Linda
 Jack, Martin
 Foxx, Loren
 Lloyd, Christal
 MacKenzie, Mark
 Petrigno, Peter
 Rombeau, Catherine
 Salvi, Santosh
 Swanson, Dale
 Dolan, William

MERRIMACK

Bricchi, Tracy
 Ebel, Karen
 Luneau, David
 Roesener, James
 Snodgrass, Jim

Caplan, Tony
 Gallagher, Eric
 Hall, Muriel
 Sargent, Gregory
 Soucy, Timothy

Colby, Eleana
 Gibbs, Merryl
 Newsom, James
 Schamberg, Thomas
 Wallner, Mary Jane

Kelly, Eileen
 Lane, Connie
 Payeur, Stephanie
 Schultz, Kris
 Woods, Gary

ROCKINGHAM

Balboni, Peggy
 Cahill, Michael
 Knab, Allison
 Paige, Mark
 Mandelbaum, Jennifer
 Milz, David
 Reynolds, Ned
 Sorensen, Carrie
 Ward, Gerald

Ball, Lorie
 de Vries, Erica
 Kuttab, Katelyn
 Pearson, Mark
 Manos, Zoe
 Muns, Chris
 Read, Ellen
 Turer, Eric

Bridle, Nicholas
 Edgar, Michael
 Walsh, Lilli
 Maggiore, Jim
 Melvin, Charles
 Perez, Kristine
 Scherr, Buzz
 Vallone, Mark

Bryer, Scott
 Murray, Kate
 Lundgren, David
 Malloy, Dennis
 Meuse, David
 Porcelli, Susan
 Simpson, Alexis
 Vose, Michael

STRAFFORD

Bay, Luz
 Smith, Geoffrey
 Howland, Allan
 Levesque, Cassandra
 Southworth, Thomas

Bixby, Peter
 Gilmore, Gary
 Johnson, Erik
 Miller, Seth
 Pearson, Wayne

Burton, Wayne
 Howard, Heath
 LaMontagne, Jessica
 Schmidt, Peter
 Wade, Alice

Butler, Billie
 Horrigan, Timothy
 Larochelle, John
 Selig, Loren
 Wall, Janet

SULLIVAN

Sullivan, Brian

Cloutier, John

Damon, Hope

Palmer, William

and floor amendment (1929h) failed.

The question now being adoption of the majority committee report of Ought to Pass.
 Rep. Dan McGuire spoke against.

MOTION TO LAY ON THE TABLE

Rep. Sweeney moved that **SB 408-FN**, relative to health insurance coverage for prosthetics, be laid on the table.
 On a division vote, with 148 members having voted in the affirmative, and 189 in the negative, the motion failed.

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

MOTION TO PRINT DEBATE

Rep. Luneau moved that the debate on **SB 408-FN**, relative to health insurance coverage for prosthetics, be printed in the Permanent Journal.

DEBATE ON SB 408

Representative Germana: Thank you very much, Mr. Speaker. I'm going to do something which is relatively rare, and that is to assume for the purpose of this debate that everybody regardless of which side they are one is coming at this with good faith; with good faith and commitment to the concern about public safety. Even if you believe that some version of the campus carry bill will make students, faculty, and staff safer, it is far from clear that this approach will result in a policy that will accomplish that in the end. Those of you who know me and have worked with me know that I'm not generally inclined to see the purported wisdom of some of the decisions made by our friends on the other side of the wall. But even Senators who are inclined to a more expansive reading of the Second Amendment than I am, raised very serious questions about how

the application of this policy would work on our state college and university campuses. For example, how are our institutions going to regulate the storage of firearms in dorm rooms on campus? If an individual has a firearm in their dorm room, they leave for a day, they leave for the weekend. If that firearm is not properly secured, what are the potential consequences? What are the potential liabilities that that situation raises? Whether or how our colleges and universities would be able to regulate firearms in situations where there was likely to be alcohol consumption was a question that was repeatedly raised by some of our colleagues on the other side of the wall who as I said, have a very different interpretation of the Second Amendment than I do. One republican Senator during a hearing pointed out that all of our military academies have regulation regarding the access of firearms for their students on their campuses. The Governor has raised very serious questions. I don't think that anyone can accuse this Governor of not caring about Second Amendment rights. I certainly wouldn't. But she's raised very serious questions talking to law enforcement agents in and around our college and university towns about what this means for their ability to interact with local campus security, in order to guarantee the safety of students. I know where I teach, Keene State College in Keene, we don't have an armed enforcement branch on campus. We have an unarmed campus security. We rely on Keene city police, a police department that is understaffed, in order to help us manage some of the most difficult security arrangements that we have to deal with on our campus. Those are very real concerns about public safety. Those are all very real concerns about the financial impact to our colleges and universities who are already struggling with the level of funding that they have to meet the obligations that they have to all of their students, to the faculty, to the staff and to the parents who spend their money to send their children to our institutions. These are all serious and meaningful questions. Mr. Mr. Speaker, I believe that we all want the same outcome, the appropriate balance of rights and responsibilities and safety on our campuses. Even if you support the underlying policy, what I ask, Mr. Speaker, and what I ask of my colleagues is that we listen to what we heard in public hearings, we listen to the questions that were raised by members on the other side of the wall. That we give this the time that it deserves to make sure that we get it right. Interim study, the recommendation on the other side of the wall, is the appropriate outcome for HB 1793. I ask my colleagues to vote no on this amendment. Please do not attach it to this very worthy underlying bill. Let's take the time to make sure we get it right and we can revisit it when we have a lot of those open questions answered. Thank you, Mr. Speaker.

Speaker Packard: The motion before us is the amendment (1929h). A roll call has been called for, and it is sufficiently seconded, so members take your seats. This will be a roll call vote. The motion before us is the amendment (1929h). This is a roll call vote. The Chair recognizes Representative Muirhead for a parliamentary inquiry.

Representative Muirhead: Thank you, Mr. Speaker. If I know that students at UNH are very concerned about this bill, concerned about how it will be implemented on campus, if I know that law enforcement at all levels are opposed to this proposal, if I know that the Governor has expressed grave concerns about this proposal and that another bill has been amended on the other side of the wall and would address the Governor's concerns, then would I press the red button so that we can move ahead with the underlying bill?

Speaker Packard: The Chair recognizes Representative Farrington for a parliamentary inquiry.

Representative Farrington: Thank you, Mr. Speaker. Mr. Speaker, if I know that college students are being deprived of their natural rights, and if I know that gun-free zones leave people as defenseless and vulnerable victims, and if I know that 11 other states have passed similar legislation with decades of data disproving every single what-if situation that the critics raise, and finally, Mr. Speaker, if I know that the only further study needed on this bill is picking up the New Hampshire Constitution and reading Article 2a, then would I now press the green button and remain faithful to our oath of office?

Speaker Packard: The motion before us on floor amendment (1929h). 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 the state of the vote. 159 voting yea. 177 voting nay. The amendment fails. We're now back to the original motion of Ought to Pass on the majority committee report. The Chair recognizes representative Ebel. She's waving off. Chair recognizes Representative Sweeney. He waves off also. Moving on. The Chair recognizes Representative Dan McGuire.

Representative Dan McGuire: Thank you, Mr. Speaker. I'm speaking in opposition to House Bill 408. Way back in the midst of time, before our senior US Senator was even a state Senator, we had a real market for health care. Um, we had more than a dozen companies offering health insurance, rates were low, and there was active competition. But what's happened over the years is bills like this one have passed adding requirements on health insurance and the net result is that there's almost no real market anymore. There's Anthem, there might be a handful of others, but health insurance is costly, and every plan is the Cadillac plan, right? There there's no choice about what features you want and so on. This particular bill is yet another little mandate. It adds, you know, it's not a big one. By my calculation, it adds maybe a quarter of a percent to the cost of health care in New Hampshire, which means it's about an \$8 million cost on people who buy health insurance. And it's including the state, right? So, the state covering our 10,000 employees, this is maybe another

\$300,000 that we're going to have to pay. So, it's not a big deal. All right? But it but the problem is this whole area is the death of a thousand cuts. Right. This is a bill that moves us in the wrong direction. If we want to go back to having inexpensive health insurance, if we want to go back to having choice in health insurance, this is a step in the wrong direction. And I ask you to vote no. Thank you, Mr. Speaker.

Speaker Packard: For what reason does a member rise?

Representative Sweeney: Mr. Speaker, I move to table Senate Bill 408.

Speaker Packard: That is a priority motion. So the motion before us is to table Senate Bill 408. A division has been requested. Members, take your seats. The motion before us is to table Senate Bill 408. This is a division vote. Chair recognizes representative Ebel for parliamentary inquiry.

Representative Ebel: Thank you, Mr. Speaker. Mr. Speaker, if I know that the Finance Committee approved this uh this bill with only three folks opposing it, if I know that the prosthetics that would be available to adults over 19 are extremely important to those folks to be able to live a life the way they feel and the way we feel they should be able to live, and if I know there is absolutely no reason at this point to table this bill, it was fully discussed at the policy committee and it was fully discussed at finance, would I now vote red and turn aside this last minute attempt to table this good bill? Thank you.

Speaker Packard: The Chair recognized Representative Sweeney for a parliamentary inquiry.

Representative Sweeney: Thank you, Mr. Speaker. Mr. Speaker, if I know that the vice chairman of finance just raised some excellent points regarding this legislation and if I know I probably should have listened to him during the Finance Committee discussion on this, would I now press the green button to table this bill? Thank you.

Speaker Packard: The motion before us is to table Senate Bill 408. This is a division 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 an opportunity to vote? The House will attend a state of the vote. 148 voting yea, 189 voting nay, the motion fails. Now we're back to the original motion majority committee report of Ought to Pass on Senate Bill 408. Are you ready for the question? All those in favor say aye, those opposed, nay. The ayes have it, and the committee report is adopted.

REGULAR CALENDAR CONTINUED

SB 538-FN, extending net metering eligibility terms for municipal energy projects. **OUGHT TO PASS.**

Rep. Carol McGuire for Finance. This bill ensures that political subdivisions building power generation facilities that rely on net metering are able to receive the net metering rates and benefits for at least 15 years. This ensures that funding is available, since otherwise these benefits would abruptly end in 2040. It only applies to a limited number of projects in process, including the City of Concord and Merrimack County. Vote 24-0.

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

SB 557-FN, (Third New Title) making it illegal for liquor commission licensees to sell, distribute, furnish, offer for sale, advertise, manufacture, possess, or allow the ingestion, inhalation, smoking, or vaping of certain kratom products. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: OUGHT TO PASS.** Rep. Joe Sweeney for the **Majority** of Finance. The majority amendment to SB 557 strengthens New Hampshire's response to the growing market of concentrated synthetic kratom products by creating a clear statutory definition and measurable enforcement standard for synthetic and semisynthetic kratom. The bill specifically targets chemically altered and highly concentrated forms of 7-Hydroxymitragynine (7OH). It also establishes a bright line and enforceable threshold by classifying any product containing more than 1,000 parts per million of 7OH on a dry weight basis as synthetic or semisynthetic kratom, providing regulators and law enforcement with a clear mechanism for testing and enforcement. These products are labeled with their 7OH levels. This approach mirrors actions recently taken in Florida and Kentucky, where similar concentration based standards rapidly eliminated the concentrated synthetic marketplace. The framework is also aligned with the July 29, 2025 recommendation from the US Food and Drug Administration and US Department of Health and Human Services urging the Drug Enforcement Administration to schedule concentrated synthetic alkaloid products, including synthetic 7OH products. Vote 13-11.

Rep. Rosemarie Rung for the **Minority** of Finance. This bill, as amended by the House Finance Committee, seeks to return this bill to the version passed by the Senate, which classifies as a schedule II drug the synthetic and concentrated forms of alkaloid or alkaloid derivatives of hydroxymitragynine, a chemical naturally found in the leaves of the kratom plant. These chemicals are commonly sold in vape stores, convenience stores and gas stations as recreational drugs, the use of which often results in addiction and serious health consequences. Despite the lack of a fiscal note for both this amendment and the version passed by the House, the Finance Committee thought it necessary to alter the policy from a bill which stops the sale of these products in NH outlets licensed by the NH Liquor Commission to a policy which classifies them as a drug, requiring the unfunded resources of local police departments and criminal courts. The amendment also arbitrarily bans the natural kratom leaf if it contains more than 1,000 ppm of 7-hydroxymitragynine (it can contain up to 2,000 ppm). This would threaten

on-going medical research and the botanical sale of kratom leaves by businesses offering natural therapies for ailments including chronic pain and depression. Additionally, in testimony to the House Criminal Justice and Public Safety Committee, neither the NH Department of Health and Human Services nor the NH Department of Safety asked for the scheduled drug classification; it is already being pursued by the US Drug Enforcement Agency which would make this amended version moot. The NH Liquor Commission supports the version passed by the House since it will immediately remove these products from the sources where the vast majority of these products (~75%) are purchased. Therefore, the minority supports an Ought to Pass on the version unanimously recommended by the House Criminal Justice Committee and passed by the full House on a voice vote.

Majority Amendment (1798h)

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

AN ACT making synthetic and semisynthetic kratom illegal to prepare, distribute, manufacture, sell, possess, or advertise, with exceptions made for scientific research.

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

1 New Subdivision; Synthetic Kratom Policy. Amend RSA 318-B by inserting after section 50 the following new subdivision:

Synthetic Kratom Policy

318-B:51 Definitions. In this subdivision, “synthetic kratom” or “semisynthetic kratom” means:

I. An alkaloid or alkaloid derivative that has been created by chemical synthesis or biosynthetic means, including fermentation, recombinant techniques, yeast derived, and enzymatic techniques, rather than traditional food preparation techniques, such as heating or extracting that synthetically alters the composition of any kratom alkaloid or constituent;

II. A product containing 7-Hydroxymitragynine concentrated at a level above 1000 parts per million on a dry-weight basis; or

III. An alkaloid or alkaloid derivative contained in kratom that has been exposed to chemicals or processes that would confer a structural change in the alkaloids, resulting in material that has been chemically altered.

318-B:52 Synthetic Kratom Limitations. No person or entity person shall prepare, distribute, manufacture, sell, possess, or advertise synthetic or semisynthetic kratom, unless such preparation, distribution, manufacturing, sale, possession, or advertisement is undertaken for the sole purpose of scientific research.

2 New Paragraph; Controlled Drug Act; Scheduling by the Commissioner. Amend RSA 318-B:1-a by inserting after paragraph VIII the following new paragraph:

IX. Notwithstanding paragraph I, synthetic or semisynthetic kratom shall be classified as a schedule II controlled drug.

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

2026-1798h

AMENDED ANALYSIS

This bill makes synthetic and semisynthetic kratom illegal to prepare, distribute, manufacture, sell, possess, or advertise, with exceptions made for scientific research.

The question being adoption of the majority committee amendment.

Reps. Nancy Murphy and Stringham spoke against.

Rep. Sweeney spoke in favor.

On a division vote, with 153 members having voted in the affirmative, and 180 in the negative, the majority amendment failed.

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

Rep. Pauer offered floor amendment (1971h).

Floor Amendment (1971h)

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

AN ACT making synthetic and semisynthetic kratom illegal to prepare, distribute, manufacture, sell, possess, or advertise, with exceptions made for scientific research, and relative to the official ballot referendum form of town meetings.

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

3 Method of Adopting Official Ballot Referendum Form of Meeting. Amend RSA 40:14, III to read as follows:

III. The local political subdivision shall place the question on the warrant of the annual meeting under the procedures set out in RSA 39:3 or RSA 197:6, **and the question shall be voted on by official ballot in accordance with the procedures established in RSA 669:19-29, RSA 670:5-7, and RSA 671:20-30, including all requirements pertaining to absentee voting, polling places, and polling hours.** ~~[Voting on the question shall be by ballot, but the question shall not be placed on the official ballot used to elect officers. Polls shall remain open and ballots shall be accepted by the moderator for a period of not less than one hour following the completion of discussion on the question.]~~

- ~~— 4 Method of Adopting Official Ballot Referendum Form of Meeting. Amend RSA 40:14, VII to read as follows:~~
~~— VII. Any local political subdivision which has adopted RSA 40:13 may consider rescinding its action in the manner described in paragraphs III-VI], except that the question shall be placed on the official ballot]. The wording of the question shall be: "Shall we rescind the provisions of RSA 40:13 (known as SB-2), as adopted by the (local political subdivision) on (date of adoption), so that the official ballot will no longer be used for voting on all questions, but only for the election of officers and certain other questions for which the official ballot is required by state law?" A 3/5 majority of those voting on the question shall be required to rescind the provisions of this subdivision, except in the case of repeal by charter enactment under RSA 49-D. Only votes in the affirmative or negative shall be included in the calculation of the 3/5 majority.~~
~~— 5 Effective Date:~~
~~— I. Sections 1 and 2 of this act shall take effect upon its passage.~~
~~— II. The remainder of this act shall take effect July 1, 2026.~~

2026-1971h

AMENDED ANALYSIS

This bill:

I. Makes synthetic and semisynthetic kratom illegal to prepare, distribute, manufacture, sell, possess, or advertise, with exceptions made for scientific research.

II. Amends the method of adopting official ballot referendum form of meeting.

The question being adoption of floor amendment (1971h).

Rep. Pauer spoke in favor.

Rep. Sweeney requested a roll call; sufficiently seconded.

YEAS 171 - NAYS 162

YEAS - 171
BELKNAP

Freeman, Lisa
Terry, Paul

Harvey-Bolia, Juliet
Toner, Travis

Ploszaj, Tom

Minor, Sheri

CARROLL

Avellani, Lino
Smith, Jonathan

Belcher, Mike
Peternel, Katy

Hamblen, Joseph
Taylor, Brian

MacDonald, John

CHESHIRE

Murphy, Denis
Nalevanko, Rich

Hunt, John
Qualey, James

Karasinski, Sly
Rhodes, Jennifer

Mattson, Rita

COOS

Korzen, Lori
Tierney, James

Murphy, Michael
Tremblay, Marc

Morency, Pete

Ouellet, Mike

GRAFTON

Beaulier, Calvin
Ladd, Rick

Berezhny, Lex
Louis, Darrell

Bjelobrk, Marie Louise
Sellers, John

Franz, Linda

HILLSBOROUGH

Alexander, Joe
Boehm, Ralph
Kelley, Diane
Dupont, Pierre
Gagne, Larry
Kenny, Catherine
Long, Patrick
Mooney, Maureen
Notter, Jeanine
Post, Lisa
Schneller, John
Mannion, Tom

Ammon, Keith
Colcombe, Riché
Daniels, Gary
Erf, Keith
Giasson, Henry
Kesselring, Steven
Murphy, Mary
Morton, Jonathan
Ohm, Bill
Presa, Adam
Sheehan, Vanessa
Ulery, Jordan

Barbour, Liz
Cole, Brian
Drew, Matt
Flanagan, Jack
Gorski, Ted
Labrie, Brian
Mazur, Lisa
Murphy, Nancy
Paquette, Kathleen
Prout, Andrew
Sirois, Shane
Warden, Mark

Berry, Ross
Creighton, James
Dumont, Dillon
Griffin, Gerald
Gould, Linda
Lascelles, Richard
McLean, Mark
Noble, Kristin
Pauer, Diane
Reinfurt, Sherri
Slottje, Jeremy
Wherry, Robert

MERRIMACK

Andrus, Louise
Cambrils, Jose
Leavitt, John
Polozov, Yuri
Walsh, Thomas

Aures, Cyril
McGuire, Dan
Moffett, Michael
Boyd, Stephen
Thibault, James

Aylward, Deborah
Devoid, Ricky
Pitaro, Matthew
Seaworth, Brian
Wood, Clayton

McGuire, Carol
Hill, Gregory
Plante, Raymond
See, Alvin

ROCKINGHAM

Ball, Lorie	Bennett, Cindy	Bernardy, JD	Bryer, Scott
Mannion, Dennis	Thomas, Douglas	DeSimone, Debra	Donnelly, Tanya
Drago, Mike	Dunn, Ron	Edwards, Jess	Foote, Charles
Ford, Mary	Guzofski, James	Harb, Robert	Janigian, John
Katsakiores, Phyllis	Khan, Aboul	Kuttab, Katelyn	Miner, Laurence
Walsh, Lilli	Layon, Erica	Love, David	Lundgren, David
Lynn, Bob	Markell, Jay	McGrath, Linda	McMahon, Charles
Melvin, Charles	Milz, David	Nadeau, Brian	Osborne, Jason
Brown, Pam	Perez, Kristine	Popovici-Muller, Daniel	Porcelli, Susan
Potucek, John	Prudhomme-O'Brien, Katherine	Pearson, Stephen	Sabourin dit Choinière, Matt
Selby, Donald	Soti, Julius	Spillane, James	Summers, James
Sweeney, Joe	Sytek, John	Dolan, Tom	Tripp, Richard
Tudor, Paul	Vallone, Mark	Vose, Michael	MacDonald, Wayne
Weyler, Kenneth	Wilson, Vicki		

STRAFFORD

Bailey, Glenn	Burnham, Claudine	DeLemus, Susan	DeRoy, Susan
Farrington, Samuel	Harrington, Michael	Kaczynski, Thomas	Potenza, Kelley
Turcotte, Len	Walker, David		

SULLIVAN

Drye, Margaret	Grant, George	Aron, Judy	Aron, Michael
Rollins, Skip	Smith, Steven	Spilsbury, Walter	

NAYS - 162**BELKNAP**

Aldrich, Glen	Coker, Matthew	St. Clair, Charlie	
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CARROLL

Boudman, Bobbi	Burroughs, Anita	Crawford, Karel	Paige, David
McAleer, Chris	Woodcock, Stephen		

CHESHIRE

Ames, Dick	Berch, Paul	Harvey, Cathryn	Fox, Dru
Faulkner, Barry	Gruber, James	Jacobs, Samantha	Jones, Philip
Germana, Nicholas	Newell, Jodi	O'Rourke, Terri	Parshall, Lucius
Weber, Lucy			

COOS

King, Seth

GRAFTON

Almy, Susan	Cormen, Thomas	Fellows, Sallie	Fracht, David
Hakken-Phillips, Mary	Sullivan, Jared	Lovett, Peter	Lucas, Janet
Muirhead, Russell	Oppel, Thomas	Rockmore, Ellen	Spahr, Terry
Stavis, Laurel	Stringham, Jerry	Sykes, George	

HILLSBOROUGH

Murray, Alissandra	Boyd, Bill	Beauchemin, Paige	Booras, Efsthathia
Budathoki, Suraj	Chourasia, Manoj	Chretien, Suzanne	Cornell, Patricia
Darby, Will	Dargie, Paul	DiSilvestro, Linda	Elberger, Susan
Davis, Fred	Foss, Lily	Georges, Mary	Grill, Jessica
Grund, Stephanie	Harriott-Gathright, Linda	Hartnett, Tim	Hegner, Karen
Herbert, Christopher	Jack, Martin	Juris, Louis	Kerwin, Erin
Kluger, Lee Ann	Foxx, Loren	Leapley, Nicole	LeClerc, Daniel
Leishman, Peter	Lloyd, Christal	Howard, Molly	Murray, Megan
MacKenzie, Mark	McGhee, Kat	Miles, Julie	Petrigno, Peter
Plamondon, Marc	Proulx, Mark	Newman, Ray	Raymond, Heather
Rombeau, Catherine	Rung, Rosemarie	Ryan, Linda	Newman, Sue
Salvi, Santosh	Seibert, Christine	Spier, Carry	Staub, Kathy
Swanson, Dale	Telerski, Laura	Tellez, Trinidad	Veilleux, Daniel
Dolan, William	Thomas, Wendy	Wheeler, Jonah	Wilhelm, Matthew

MERRIMACK

Bricchi, Tracy	Caplan, Tony	Colby, Eleana	Kelly, Eileen
Ebel, Karen	Gallager, Eric	Gibbs, Merryl	Lane, Connie
Luneau, David	Hall, Muriel	Mehegan, Peter	Newsom, James
Payeur, Stephanie	Roesener, James	Sargent, Gregory	Schamberg, Thomas
Schultz, Kris	Snodgrass, Jim	Soucy, Timothy	Wallner, Mary Jane
Woods, Gary			

ROCKINGHAM

Balboni, Peggy
Edgar, Michael
Pearson, Mark
Manos, Zoe
Read, Ellen
Turer, Eric

Bridle, Nicholas
Murray, Kate
Maggiore, Jim
Meuse, David
Scherr, Buzz
Ward, Gerald

Cahill, Michael
Knab, Allison
Malloy, Dennis
Muns, Chris
Simpson, Alexis

de Vries, Erica
Litchfield, Melissa
Mandelbaum, Jennifer
Raynolds, Ned
Sorensen, Carrie

STRAFFORD

Bay, Luz
Smith, Geoffrey
Howland, Allan
Levesque, Cassandra
Pearson, Wayne

Bixby, Peter
Gilmore, Gary
Johnson, Erik
Miller, Seth
Wade, Alice

Burton, Wayne
Howard, Heath
LaMontagne, Jessica
Schmidt, Peter
Wall, Janet

Butler, Billie
Horrigan, Timothy
Laroche, John
Southworth, Thomas

SULLIVAN

Sullivan, Brian
Hemingway, Wayne

Cloutier, John
Palmer, William

Damon, Hope

Girard, Dale

Floor amendment (1971h) 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 157 in the negative, the majority committee report was adopted and the bill was ordered to third reading.

MOTION TO PRINT DEBATE

Rep. Wheeler moved that the debate on **SB 504-FN**, relative to the practice of pharmacy and the dispensing of certain medications by pharmacists, authorizing the establishment of experimental treatment centers, and permitting treatment of certain severe illness under the right to try act be printed in the Permanent Journal. Without objection, the Speaker ordered

DEBATE ON SB 504

Representative Weber: Thank you, Mr. Speaker. This amendment would attach two bills that we had already, one being the establishment of experimental treatment centers and one being the right to try experimental treatments for people who are not at the terminal stage of their life. That sounds like a great idea. But as those bills were drafted, it turns patients' desperation into profit centers. It takes away all of the protections that patients have currently when they are undergoing experimental treatments and removes them. And unfortunately, yes, it's wonderful that people want to expedite care and medications. But when we do that at the expense, and I really do mean expense, because currently if you're undergoing experimental treatment, you may not be charged for it because you are providing the service of allowing yourself to be used as a guinea pig. This allows not only the medical provider to charge the patient, it also allows the producer of the medication or device to charge the patient. So patients can be charged twice, and there are very few controls remaining that protect a patient from being preyed on by people who want to monetize their desperation. Finally, I would just say that turning the legislative process into a giant game of chicken to see who's going to blink first before a catastrophe happens or introducing adulterated meat into the sausage making process so that people can have food poisoning is not a good way to pass laws. We deserve a clean up or down vote on each issue without this kind of adulteration. So, I urge people to vote red and thank you very much.

Speaker Steven Smith: Representative Mazur is recognized.

Representative Mazur: Thank you, Mr. Speaker. Last year I had the privilege of sponsoring HB 701, which expanded New Hampshire's protections for terminally ill patients seeking experimental therapies. The governor's remarks at the signing ceremony sent a clear message. New Hampshire is open for business and for patients. Innovative biotech companies from around the country heard that message and came in droves to testify before the House and Senate HHSEA committees on HB 1734 and HB 1735, which are included in this amendment. These companies asked us to follow models already working in Montana and Florida to create a legal framework for emerging treatments and build a rare disease ecosystem right next to Boston. I dream of seeing that kind of growth here in New Hampshire. But this amendment is about far more than jobs and economic development. It is about patients and saving lives. When critics say we should slow down and wait for Congress to overhaul FDA regulations, I think about the families we worked on last year's Right to Try bill. I think about baby Athena, born after her father Jake died of throat cancer. Evidence suggested a microbiome transfer could have helped him respond to immunotherapy, but fear of regulation and liability delayed treatment until it was too late. I also think of Giannis, a happy five-year-old boy with a rare genetic mutation who was not expected to live past age 10. When his parents asked if he had a message for New Hampshire legislators, Giannis simply said he wanted you all to know that he loves zebras. Today, thanks to therapies being developed by the very companies looking to come here, individualized gene editing could save children like Giannis. But even the FDA admits it has no framework for offering these treatments at scale. Thankfully, for the last decade, the FDA has allowed states to create their own expanded access frameworks.

That means we in this chamber have the opportunity to lead. The live free or die state can help save lives by combining proven legal concepts from states like Montana with the biotech infrastructure of Manchester and greater Boston. This should not be partisan. In Montana, Republicans and Democrats worked together for patients, and these bills include provisions to help low-income families access care. Patients have already waited too long for states to step up. Today, New Hampshire has the chance to lead and help save lives. Please press the green button.

Speaker Steven Smith: The question is on the adoption of amendment (1951h). A division has been requested. Representative Mazur requests a roll call. Is that sufficiently seconded? It is. This will be a roll call vote. Members take your seats. The question is on the adoption of amendment (1951h). Representative Weber is recognized for parliamentary inquiry.

Representative Weber: Thank you, Mr. Speaker. Mr. Speaker, if I know that our current right to try law provides protections for patients as well as permission to make their own decisions, and if I know that this extension of that law removes those protections for all patients, and if I remember clearly that one of the proponents of this bill testified in our committee that this bill would make New Hampshire the wild, wild west of risk-taking, would I press the red button once again to defeat this amendment?

Speaker Steven Smith: Representative Mazur is recognized for a parliamentary inquiry.

Representative Mazur: Thank you, Mr. Speaker. If I know that this legislature already supported expanded access to experimental therapies through HB 701, and that we should not hesitate to continue that mission with this amendment, and if I know that families like Jake's and children like Giannis are running out of time while promising therapies already exist, and finally, if I know that New Hampshire should not wait years for federal action and lead with hope and innovation now, would I then press the green button?

Speaker Steven Smith: The question is on the adoption of floor amendment (1951h). 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. 188 in the affirmative, 153 in the negative. The amendment is adopted. Now the motion is Ought to Pass as Amended. Are you ready for the question? Representative Popovici-Muller requests a roll call, and it is sufficiently seconded. This will be a roll call vote. Members, take your seats. The question is the main motion of Ought to Pass as Amended on Senate Bill 504. 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. 197 in the affirmative, 145 in the negative. The motion is adopted.

(Representative Steven Smith in the Chair)

MOTION TO PRINT DEBATE

Rep. Rung moved that the debate on **SB 557-FN**, making synthetic and semisynthetic kratom illegal to prepare, distribute, manufacture, sell, possess, or advertise, with exceptions made for scientific research, and relative to the official ballot referendum form of town meetings be printed in the Permanent Journal. Without objection, the Speaker ordered.

DEBATE ON SB 557

Representative Nancy Murphy: Thank you, Mr. Speaker. I rise in opposition to Finance Committee amendment (1798h) to SB 557, a creative consumer protection bill meant to address this very troubling nationwide public health threat with dangerous health impacts and associated risk of abuse and dependency. This requires immediate and impactful policies to educate consumers, and regulatory action to limit access to synthetic, semi-synthetic, and highly concentrated 7-OH-containing products, especially for our most vulnerable citizens, our children. Given the FDA and DHHS have weighed in, the Liquor Commission is awaiting the opportunity to provide enforcement, and federal scheduling by the DEA is currently in the process of review, (1798h) is not the most appropriate solution at this time. It is possible to move forward on this issue while continuing to protect natural, unadulterated creative and allowing it to remain available for traditional use and potential therapeutic benefits, as well as a harm reduction alternative. I'd like to speak to my opposition to amendment (1798h) on two fronts. First, based on how this amendment came to be, and second, based upon what it does and doesn't do. This amendment, which essentially seeks to return SB 557 to a version of a Senate floor amendment that would classify kratom as a Schedule II controlled drug, is now before us, should be concerning to all of us for three reasons; 1. House Rule 31.Amendment (1798h) is a Finance Committee replace-all policy amendment to SB 557 that comes to us not from the appropriate policy committee, Criminal Justice and Public Safety, but rather from a committee tasked with legislative financial oversight and fiscal decision making. Not only doesn't this make any sense to me, but given the other points I'll make, it seems inappropriate that it's even being considered. These vastly disparate committees are set up to have entirely different areas of domain expertise. I would venture to guess that most of us here recognize the benefit and value of standing committees having specific jurisdictions and why it makes sense to essentially stay in our own lane. This allows for division of duties, those best suited by way of education, experience, and expertise to review and recommend disposition of the bills and amendments that come before us and ensure that each

bill receives appropriate consideration. 2. the House Finance Committee amendment (1798h) entirely disregards the work and decisions of the Criminal Justice and Public Safety Committee, the appropriate policy committee of jurisdiction. It willfully ignores that after a public hearing was held on the underlying bill, it was reviewed and amended, and in a CJ exec session, passed with unanimous bipartisan agreement 13-0 on consent. It later passed in this chamber on the consent calendar, pursuant to House Rule 52, because it did not have a fiscal impact or appropriation. And last, but certainly not least, 3. when bills pass unanimously on consent and have absolutely no fiscal impact or appropriation, there appears to be absolutely no need for justification for them to be referred to Finance. We have all seen bills that have well-deserved fiscal notes be waived off, yet today we are considering an amendment to an underlying bill that has no fiscal impact from a committee whose primary responsibility is to concern itself with fiscal impacts and appropriations. Amendment (1798h) was not written to address any fiscal impacts of SB 557, as none existed to begin with. Yet in its decision to supersede the criminal justice and public safety policy, this amendment, which now criminalizes kratom, will in fact actually create new and indeterminable costs to local, state, and county government, given the amendment's requirements of law enforcement, the judiciary, and corrections. In addition to these new fiscal impacts that were nonexistent in the underlying bill, amendment (1798h) seeks to establish an enforceable threshold for law enforcement by setting a 70-H concentration threshold level above which this kratom product would be classified as a Schedule II drug with the associated fines and felony-level penalties. Regulatory action and industry data show that as opposed to natural-leaf kratom, which typically contains less than 500 parts per million of 70-H, the 1,000 parts per million of 70-H on a dry-weight basis that this amendment proposes as the threshold concentration level is well into the range of the problematic spiked or enhanced product that the underlying bill was able to address without criminalization. According to the National Institute of Health, a 1,000 parts per trillion kratom product is significantly above 2.5 to 10 times higher than typical natural levels. Though the Finance majority report states that (1798h) mirrors actions recently taken in Florida and Kentucky with similar concentration-based standards, my research indicates that neither of those states allow concentration standards above 400 parts per million, making the limit proposed in the Finance amendment before us more than twice as high as in these states. Kratom products of concern can be addressed civilly and administratively rather than criminally while our federal government completes its current review of potential federal scheduling actions. I urge my colleagues to push the red button to oppose amendment (1798h) so that a better motion can be made. Thank you, Mr. Speaker.

Speaker Packard: The Chair recognizes Representative Stringham.

Representative Stringham: Thank you, Mr. Speaker. Mr. Speaker, I rise in opposition to the new amendment before us today but let me begin with what every member here already knows. We all agree that synthetic and semi-synthetic kratom poses real dangers to granite staters. Most of us have heard the testimony. Some of us have seen it. For some of us, it's way too close to home. We know that at high concentrations, these chemically altered forms of kratom can produce opioid-like effects that lead us to overdose. We know that kratom-infused energy drinks are sitting on convenience stores' shelves right now, available to anyone who comes in, including children, who today have complete, unfettered access to every form of kratom in the state. There are no age restrictions, no labeling requirements, no safety standards, nothing. Every member of this body agrees this must change. This is not in dispute. Both versions of SB 557 before us reflect that shared commitment. The question before us today is not whether we act. We will act, and we should. The question is how we act, and whether we choose the approach most likely to actually get this product off the shelves and protect our kids. Before we vote, I want to make sure that every member of this body understands the concrete practical differences between what we are being asked to adopt today and what the House Criminal Justice and Public Safety Committee actually recommended. The committee's version, endorsed unanimously 13-0 and passed by this body on a voice vote, assigns enforcement to the State Liquor Commission. This is not a minor procedural detail. The Liquor Commission already regulates and inspects the various establishments where synthetic kratom is predominantly sold, which is convenience stores, vape shops, gas stations, all operating under state liquor and tobacco licenses. The Commission's own Deputy Chief of Licensing and Enforcement testified before a committee that this approach would remove at least three-quarters of the synthetic kratom currently in circulation because the vast majority of it is found in these licensed establishments already subject to Liquor Commission oversight. This is targeted, efficient, and builds on an existing regulatory infrastructure. The new amendment takes an entirely different approach. It reaches into the criminal code, classifies synthetic kratom as a controlled substance, and makes possession and sale a criminal matter, which means police enforcement, prosecutors, courts, and potentially incarceration. And we're not talking about regulating a product at point of sale. We are talking about sending law enforcement to pursue users and sellers of a substance that is today, under federal law, as well as state law, is purchased by people managing chronic pain and opioid recovery. Ask yourself, which of these approaches is more New Hampshire? One that leverages a regulatory agency that already walks into these stores, checks licenses, and pulls products from the shelves? Or ones that adds another item to the criminal docket of our already stretched police departments and courts? The fiscal note in the Senate version of this bill acknowledges the impact of a judicial system, corrections, and law enforcement. These costs are real. They fall across not only

the state government, but locally, and they fall on New Hampshire taxpayers and communities. The proponents of this new amendment argue that the Liquor Commission approach leaves a loophole. That sellers without a liquor and tobacco license could continue selling kratom freely. Now, this is a fair point. But the answer to a regulatory gap is to close the gap through smarter regulation, and 557 is certainly not the end of the story. What is not the answer is to abandon regulation entirely in favor of criminalization. We should vote down this new amendment and support the thoughtful, enforcement-ready approach that our own committee developed. The Liquor Committee framework gets the product off the shelves where it matters most and fast, without creating a new class of criminals or burdening our law enforcement with a problem that a licensing agency can handle more efficiently. I thank you for your attention to this important matter. Please vote red on this amendment so that we can make a better motion. Thank you, Mr. Speaker.

Speaker Packard: The Chair recognizes Representative Sweeney.

Representative Sweeney: Thank you, Mr. Speaker. So, in the committee process, when a bill comes from a policy committee to the Finance Committee for review, the Finance Committee still talks with the same stakeholders, agency heads, the Liquor Commission, individuals that are involved in whatever policy is being discussed, and there's not a blanket restriction on the Finance Committee looking really deeply into a policy to make sure that we get it right. I appreciate the work the House Criminal Justice and Public Safety Committee put into the bill, but I do recognize some of the shortfalls that the previous Speaker even mentioned. That approach of the bill as it currently stands, not in this amendment, but as it currently stands before us, would only ban the sale of kratom products at Liquor Commission licensees. So, you could have a Liquor Commission licensee, and then right next door you have an unlicensed kratom shop, and they could sell whatever type of kratom, however you want to pronounce it, to anybody in the state at any given moment. We looked at and I talked to folks about what the actual levels of the bad part of kratom is, and for those that don't know, kratom is a leaf that grows typically in tropical climates from Southeast Asia. It was actually first brought over to the United States through Vietnam War veterans who had chewed on it or made it into tea during the Vietnam War. They brought it back to the United States, and that's what created the market in America for it. The natural tea leaves, you could go into coffee shops or tea shops throughout New Hampshire, and they might have kratom tea for you to be able to purchase and drink. A great comparison that I was given on kratom is that it's similar to the poppy on a poppy seed bagel, right? Like the one poppy is not going to kill you, or the handful of them on the bagel won't, but obviously if you take a lot of poppies and you synthesize it, it creates a bad drug. What this does and what the amendment (1790h) does is bring back the version, but puts in the critical metric of the governing level of what is called 70-H. It's a long chemical that's in the committee report or on the bill, but that is the chemical in kratom that actually turns it into a deadly substance once you get to 40,000, 50,000 parts per million. This is restricting it to 1,000 parts per million. It's still good for the pain relief products that are sold in New Hampshire, it's still good for the tea products that are sold in New Hampshire, but it completely cuts out the market for what they're referring to as gas station heroin, the substances that you can just get on the shelves in any gas station or convenience store in the state. That's the goal of the amendment, to make it actually align with where it should be in state law under the criminal code, and make it so that it's an actual policy change that not only can the retailers comply with, but that the retailers help shape to make sure that we weren't throwing out the entire kratom industry from New Hampshire, but that we were able to keep the good while really restricting the bad that does end up having the negative consequences for people, whether they be kids or whether they be adults that are using this product. It's a very technical debate. We didn't debate this when it first came over on the first vote in the House, so it is a lot of information to digest, but I want to just plea with all of you that this wasn't trying to blindside or undo the work of a previous committee. It's really the goal and the intent is to make sure that the final intent of getting the bad kratom out of New Hampshire while keeping the market alive for the good kratom can continue to live, and so that's the goal. So I would urge you to vote with the Finance Committee majority in support of amendment (1798h). Thank you very much.

Speaker Packard: Does the member yield to question? The member does not yield. The motion before us is amendment (1798h). A division has been called for. Members, take your seats. The motion before us is Amendment (1798h). This is a division vote. The Chair recognizes Representative Stringham for a parliamentary inquiry.

Representative Stringham: Thank you, Mr. Speaker. If I know the Criminal Justice and Public Safety Committee and this House unanimously passed this bill without this amendment, with no fiscal cost or financial impact, and if I know the Liquor Commissioner indicated that the policy committee bill could be implemented quickly and that dangerous kratom products would be removed from the over 6,000 licensed locations quickly, representing more than 75% of the products within months, and if I know this amendment would undo all that but instead criminalize the sale of certain kratom products in a way that would, in an expensive way to taxpayers, burdening law enforcement, confuse consumers by banning some products that are available in leaf form and criminalize conduct that is legal under federal law and current state law for people managing their pain and opioid abatement, and if I knew this amendment changes this bill from being

Speaker Packard: The member will suspend. This is a parliamentary inquiry.

Representative Stringham: Okay. Thank you. Would I then support our citizens and particularly our children and follow the Criminal Justice Committee bill by voting red on this amendment? Thank you.

Speaker Packard: The Chair recognizes Representative Sweeney for a parliamentary inquiry.

Representative Sweeney: Thank you, Mr. Speaker. Mr. Speaker, if I know this bill regulates synthetic and semi-synthetic kratom while protecting the natural kratom market in New Hampshire, would I now press the green button to adopt the amendment? Thank you.

Speaker Packard: The motion before us now is amendment (1798h). This is a division 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 have the opportunity to vote? The House will attend the state of the vote. 153 voting yea, 180 voting nay, the motion fails. Bill is on second reading and open to further amendment. Representative Pauer offers Amendment (1971h) and is recognized to speak to her amendment.

Representative Pauer: Thank you, Mr. Speaker. I rise in support of floor amendment (1971h). The floor amendment simply adds the language of House Bill 1131 to Senate Bill 557, which simply restores the original process for adopting SB 2 by placing the question back onto the official ballot. When SB 2 was first enacted in 1995 through bipartisan legislation, voters were able to vote on the adoption of SB 2 at the ballot box, allowing participation through absentee voting and regular polling hours on town election day. This changed in 2019 when the law was needlessly amended to require that the SB 2 adoption question be voted on in person at the annual meeting. As a result, adoption of SB 2 is now the only local government change that is decided at an annual meeting by warrant article rather than by official ballot. Notably, the 41 other possible changes among the seven forms of town government are all decided by official ballot on town election day. This floor amendment restores consistency, preserves local control, maintains the three-fifths vote requirement to adopt, and keeps public hearing requirements in place. For these reasons, I urge you to support the floor amendment by voting yes. Thank you, Mr. Speaker.

Speaker Packard: The motion before us is the Power Floor Amendment (1971h). Are you ready for the question? A division has been requested. Members, take your seats. Representative Sweeney requests a roll call. Is that sufficiently seconded? It is sufficiently seconded. This will be a roll call vote. The motion before us is floor amendment (1971h). 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 had an opportunity to vote? The House will attend to the state of the vote. 171 voting aye, 162 voting aye. The motion passes. We are now on Ought to Pass as Amended. Are you ready for the question? A division has been requested. Members, stay in your seats. I don't think anybody left. The motion before us is the majority committee report of Ought to Pass as Amended on Senate Bill 557. This is a division 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 now attend to the state of the vote. 176 voting aye, 157 voting aye. The committee report is adopted.

REGULAR CALENDAR CONTINUED

SB 88-FN, prohibiting state government entities from including specified terms related to labor organization agreements in construction related contracts and grants. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Mark Warden for the **Majority** of Labor, Industrial and Rehabilitative Services. This bill relates to construction projects entered into by state government agencies and simply states that no contracts for such projects can require or prohibit provisions for labor organization agreements by contractors, often referred to as "PLA" conditions. This will ensure that state contracts for projects are neutral as to whether or not bidders are engaged in organized labor contracts with their employees. This bill only refers to state project bids and contracts, not to municipalities. The committee amendment stripped out a single paragraph that allowed for "the head of a governmental entity" to exempt the provisions in the bill based on "imminent threat to public health or safety," believing the wording to be overly vague and too easily abused. Even though there was a fiscal note on the original bill, the legislative budget assistant states this bill has no fiscal impact. Vote 11-9.

Rep. Brian Sullivan for the **Minority** of Labor, Industrial and Rehabilitative Services. This bill addresses project labor agreements. It establishes that project labor agreements can neither be banned nor mandated for state construction projects. The minority believes that this bill is unneeded because project labor agreements currently are not banned or mandated. It is also true that project labor agreements have never been entered into by New Hampshire. The amendment eliminates a section that would allow an exemption to avert an imminent threat to public health or safety. The minority opposes this amendment as well.

Majority Amendment (1577h)

Amend RSA 21-I:86-b as inserted by section 1 of the bill by deleting paragraph III and renumbering the original paragraph IV to read as paragraph III.

The question being adoption of the majority committee amendment.

On a division vote, with 174 members having voted in the affirmative, and 148 in the negative, the amendment was adopted.

The question now being Ought to Pass with Amendment.

Rep. Leclerc spoke against.

Rep. Warden spoke in favor.

Rep. Popovici-Muller requested a roll call; sufficiently seconded.

YEAS 162 - NAYS 167

YEAS - 162

BELKNAP

Aldrich, Glen
Minor, Sheri

Freeman, Lisa
Terry, Paul

Harvey-Bolia, Juliet
Toner, Travis

Ploszaj, Tom

CARROLL

Avellani, Lino
Peternel, Katy

Belcher, Mike
Taylor, Brian

Hamblen, Joseph

Smith, Jonathan

CHESHIRE

Murphy, Denis
Rhodes, Jennifer

Mattson, Rita

Nalevanko, Rich

Qualey, James

COOS

Korzen, Lori
Tierney, James

Murphy, Michael
Tremblay, Marc

Morency, Pete

King, Seth

GRAFTON

Beaulier, Calvin
Louis, Darrell

Berezhny, Lex
Sellers, John

Bjelobrck, Marie Louise

Ladd, Rick

HILLSBOROUGH

Alexander, Joe
Berry, Ross
Creighton, James
Dumont, Dillon
Griffin, Gerald
Gould, Linda
Labrie, Brian
McLean, Mark
Notter, Jeanine
Post, Lisa
Schneller, John
Mannion, Tom

Ammon, Keith
Boehm, Ralph
Kelley, Diane
Dupont, Pierre
Gagne, Larry
Herbert, Christopher
Lascelles, Richard
Mooney, Maureen
Ohm, Bill
Presa, Adam
Sheehan, Vanessa
Ulery, Jordan

Boyd, Bill
Colcombe, Riché
Daniels, Gary
Erf, Keith
Giasson, Henry
Kenny, Catherine
Murphy, Mary
Morton, Jonathan
Paquette, Kathleen
Prout, Andrew
Sirois, Shane
Warden, Mark

Barbour, Liz
Cole, Brian
Drew, Matt
Flanagan, Jack
Gorski, Ted
Kesselring, Steven
Mazur, Lisa
Noble, Kristin
Pauer, Diane
Reinfurt, Sherri
Slottje, Jeremy
Wherry, Robert

MERRIMACK

Andrus, Louise
McGuire, Dan
Mehegan, Peter
Polozov, Yuri
Walsh, Thomas

Aylward, Deborah
Devoid, Ricky
Moffett, Michael
Boyd, Stephen
Thibault, James

McGuire, Carol
Hill, Gregory
Pitaro, Matthew
Seaworth, Brian
Wood, Clayton

Cambrils, Jose
Leavitt, John
Plante, Raymond
See, Alvin

ROCKINGHAM

Ball, Lorie
DeSimone, Debra
Edwards, Jess
Janigian, John
Walsh, Lilli
Lundgren, David
McMahon, Charles
Osborne, Jason
Potucek, John
Soti, Julius
Sytek, John
Vose, Michael

Bennett, Cindy
Donnelly, Tanya
Ford, Mary
Katsakiores, Phyllis
Layon, Erica
Lynn, Bob
Melvin, Charles
Brown, Pam
Prudhomme-O'Brien, Katherine
Spillane, James
Dolan, Tom
MacDonald, Wayne

Bernardy, JD
Drago, Mike
Guzofski, James
Kuttab, Katelyn
Litchfield, Melissa
Markell, Jay
Milz, David
Popovici-Muller, Daniel
Sabourin dit Choinière, Matt
Summers, James
Tripp, Richard
Weyler, Kenneth

Thomas, Douglas
Dunn, Ron
Harb, Robert
Miner, Laurence
Love, David
McGrath, Linda
Nadeau, Brian
Porcelli, Susan
Selby, Donald
Sweeney, Joe
Tudor, Paul
Wilson, Vicki

STRAFFORD

Bailey, Glenn
Farrington, Samuel
Turcotte, Len

Burnham, Claudine
Harrington, Michael

DeLemus, Susan
Kaczynski, Thomas

DeRoy, Susan
Potenza, Kelley

SULLIVAN

Drye, Margaret
Aron, Judy

Girard, Dale
Aron, Michael

Grant, George
Rollins, Skip

Hemingway, Wayne
Spilsbury, Walter

NAYS - 167 BELKNAP

Coker, Matthew

St. Clair, Charlie

Boudman, Bobbi
MacDonald, JohnBurroughs, Anita
McAleer, Chris

CARROLL

Crawford, Karel
Woodcock, Stephen

Paige, David

CHESHIRE

Ames, Dick
Gruber, James
Germana, Nicholas
Weber, LucyBerch, Paul
Hunt, John
Newell, JodiFox, Dru
Jacobs, Samantha
O'Rorke, TerriFaulkner, Barry
Jones, Philip
Parshall, Lucius

GRAFTON

Almy, Susan
Franz, Linda
Lucas, Janet
Spahr, TerryCormen, Thomas
Hakken-Phillips, Mary
Muirhead, Russell
Stavis, LaurelFellows, Sallie
Sullivan, Jared
Oppel, Thomas
Stringham, JerryFracht, David
Lovett, Peter
Rockmore, Ellen
Sykes, George

HILLSBOROUGH

Murray, Aissandra
Chourasia, Manoj
Dargie, Paul
Foss, Lily
Harriott-Gathright, Linda
Juris, Louis
Leapley, Nicole
Long, Patrick
McGhee, Kat
Plamondon, Marc
Rombeau, Catherine
Salvi, Santosh
Swanson, Dale
Dolan, WilliamBeauchemin, Paige
Chretien, Suzanne
DiSilvestro, Linda
Georges, Mary
Hartnett, Tim
Kerwin, Erin
LeClerc, Daniel
Howard, Molly
Miles, Julie
Proulx, Mark
Rung, Rosemarie
Seibert, Christine
Telerski, Laura
Thomas, WendyBooras, Efstathia
Cornell, Patricia
Elberger, Susan
Grill, Jessica
Hegner, Karen
Kluger, Lee Ann
Leishman, Peter
Murray, Megan
Murphy, Nancy
Newman, Ray
Ryan, Linda
Spier, Carry
Tellez, Trinidad
Wheeler, JonahBudathoki, Suraj
Darby, Will
Davis, Fred
Grund, Stephanie
Jack, Martin
Foxy, Loren
Lloyd, Christal
MacKenzie, Mark
Petrigno, Peter
Raymond, Heather
Newman, Sue
Staub, Kathy
Veilleux, Daniel
Wilhelm, Matthew

MERRIMACK

Bricchi, Tracy
Ebel, Karen
Luneau, David
Roesener, James
Snodgrass, JimCaplan, Tony
Gallager, Eric
Hall, Muriel
Sargent, Gregory
Soucy, TimothyColby, Eleana
Gibbs, Merryl
Newsom, James
Schamberg, Thomas
Wallner, Mary JaneKelly, Eileen
Lane, Connie
Payeur, Stephanie
Schultz, Kris
Woods, Gary

ROCKINGHAM

Balboni, Peggy
Mannion, Dennis
Murray, Kate
Pearson, Mark
Manos, Zoe
Raynolds, Ned
Simpson, Alexis
Ward, GeraldBridle, Nicholas
de Vries, Erica
Khan, Aboul
Maggiore, Jim
Meuse, David
Read, Ellen
Sorensen, CarrieBryer, Scott
Edgar, Michael
Knab, Allison
Malloy, Dennis
Muns, Chris
Pearson, Stephen
Turer, EricCahill, Michael
Foote, Charles
Paige, Mark
Mandelbaum, Jennifer
Perez, Kristine
Scherr, Buzz
Vallone, Mark

STRAFFORD

Bay, Luz
Smith, Geoffrey
Howland, Allan
Levesque, Cassandra
Pearson, WayneBixby, Peter
Gilmore, Gary
Johnson, Erik
Miller, Seth
Wade, AliceBurton, Wayne
Howard, Heath
LaMontagne, Jessica
Schmidt, Peter
Walker, DavidButler, Billie
Horrigan, Timothy
Larochelle, John
Southworth, Thomas
Wall, Janet

SULLIVAN

Sullivan, Brian

Cloutier, John

Damon, Hope

Palmer, William

and the motion failed.

Rep. Sullivan moved Inexpedient to Legislate.

Motion was adopted.

SB 416, relative to the pooling and sharing of tips among tipped employees. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: REFER FOR INTERIM STUDY.**

Rep. Lino Avellani for the **Majority** of Labor, Industrial and Rehabilitative Services. This bill seeks to align NH state laws with federal employment laws relative to tip pooling. Right now our existing state statutes relative to tip pooling do not allow an employer to have a tip pooling policy as required by federal statute

and Internal Revenue Service (IRS) standards. Over the past years we have amended our tip pooling statute four times to alleviate some of the regulatory burden our hospitality industry was facing. In order to be compliant with state policy and federal policy it is basically impossible to stay in compliance with both entities. This bill will allow our Department of Labor to enforce the federal standards as our own as well as adding a small amount of restrictive language to protect the tipped employee wages from being used to offset other employees' wages. This brings the regulatory uncertainty and burden in line with existing federal statutes and IRS standards. Vote 10-9.

Rep. Brian Sullivan for the **Minority** of Labor, Industrial and Rehabilitative Services. As received from the Senate, this bill adopted the federal Fair Labor Standards Act (FLSA) to govern tip sharing and tip pooling. The House amendment still references the FLSA, but puts enforcement of tip sharing and pooling back in the hands of the NH Department of Labor. The amendment also bars tip sharing between the tipped workers in the restaurant front of the house with the cooks, prep workers and dish washers in the back of the house. It also emphasizes that tips may not be shared or pooled with owners, managers or supervisors. These changes are viewed as improvements by the minority. What the amendment fails to do is provide assurance that a tipped worker providing direct, individual service to a customer can keep the tip that the customer leaves for that worker. The minority of the committee finds this to be unacceptable. The minority also feels that the complexities of the business models of various restaurants and other establishments where tips are paid need to be considered more carefully. We would therefore support an interim study motion.

Majority Amendment (1830h)

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

2 Tip Pooling. RSA 279:26-b is repealed and reenacted to read as follows:

279:26-b Tip Pooling.

I. Notwithstanding any other provision of this chapter, the pooling and sharing of tips by employees shall incorporate by reference the Fair Labor Standards Act of 1938, as amended, 29 U.S.C. section 201 et seq., and regulations promulgated under such act, including but not limited to 29 C.F.R. sections 531.50, 531.52, 531.54, 531.55, 531.56, 531.57 as amended and as applicable.

II. Notwithstanding any provision of law to the contrary, no employer shall impose a tip pooling or sharing arrangement that includes employees who are not employed in an occupation in which employees customarily and regularly receive tips.

III. Paragraph II shall not apply to employees who engage in customer service functions and have direct interactions with customers in the chain of service in roles including, but not limited to, bartenders, bussers, hosts, and food runners.

IV. Owners, managers, and supervisors of a business shall be prohibited from participating in a tip pool or tip share arrangement, even if these individuals provide direct service or have direct interactions with customers.

V. The commissioner of the department of labor may adopt rules, pursuant to RSA 541-A, as may be relative to this section.

3 Definition of Tip Pooling. Amend RSA 279:1, XIII to read as follows:

XIII. "Tip pooling" means the [voluntary] practice by which the tip earnings of directly tipped employees within the same job category are intermingled in a common pool and then redistributed among participating employees.

4 Repeal. RSA 279:1, XV, relative to the definition of coercion, is repealed.

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

2026-1830h

AMENDED ANALYSIS

This bill replaces the state restriction on tip pooling and sharing with the federal Fair Labor Standards Act rules governing tip pooling and authorizes the labor commissioner to adopt rules regarding the practice.

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. Labrie offered floor amendment (1963h).

Floor Amendment (1963h)

Amend RSA 279:26-b as inserted by section 2 of the bill by inserting after paragraph V the following new paragraph:

VI. Any restaurant or establishment that requires or permits participation in a tip pooling arrangement shall provide notice of such practice to patrons. The notice shall be provided by:

- (a) Posting a sign in a conspicuous place easily accessible to and viewable by patrons; or
- (b) Including a clear and conspicuous disclosure on the establishment's primary menu.

2026-1963h
AMENDED ANALYSIS

This bill:

I. Replaces the state restriction on tip pooling and sharing with the federal Fair Labor Standards Act rules governing tip pooling.

II. Authorizes the labor commissioner to adopt rules regarding the practice of tip pooling and sharing.

III. Requires that establishments which require or permit employee participation in tip pooling or sharing provide notice of such practice to patrons.

The question being adoption of floor amendment (1963h).

Rep. Drago spoke in favor.

Floor amendment (1963h) was adopted.

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

Rep. Brian Sullivan spoke against.

Rep. Avellani spoke in favor.

On a division vote, with 151 members having voted in the affirmative, and 176 in the negative, the motion failed.

Rep. Brian Sullivan moved Refer for Interim Study.

The motion was adopted.

SB 439, relative to municipal data center zoning. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Diane Pauer for the **Majority** of Municipal and County Government. Current land use statutes do not directly address the regulation of data centers, an increasingly prevalent and emerging category of facility development. As introduced to the committee, the bill establishes a statutory framework governing the siting and regulation of data centers within municipalities. The bill defines “data center” and clarifies that such facilities may be treated as a permitted use within local zoning ordinances, subject to applicable local land use regulations. It further affirms the authority of municipalities to adopt reasonable regulations addressing impacts such as noise, setbacks, buffering, and infrastructure demands. The amendment refines and expands this framework, establishing a more comprehensive and clearly defined statutory structure for the siting and regulation of data centers. First, the amendment clarifies the definition of a data center as a facility primarily used for the storage, processing, management, and transmission of digital data, while expressly excluding small on-site computing operations and telecommunications network facilities. This distinction provides clear statutory criteria to differentiate large-scale data centers from other types of uses. The amendment further provides that data centers shall be permitted by right in commercial and industrial districts. As such, it prohibits municipalities from imposing restrictions on data centers that are more burdensome than those applied to other permitted uses within the same district, except through generally applicable ordinances. In practical terms, this ensures that data centers are treated the same as any other permitted use within those zones. Notably, all standard local land use controls remain fully applicable, including site plan review, environmental and resource protection regulations, noise ordinances, building codes, and impact fees. Importantly, municipalities retain the ability to regulate through these generally applicable tools but may not single out data centers for disparate treatment. Finally, the amendment authorizes planning boards to adopt regulations necessary to implement these provisions, creating a consistent and predictable statewide framework while preserving meaningful local oversight. In summary, the bill, as amended, modernizes land use law by clearly defining data centers and establishing a fair and consistent framework for their regulation. It balances local control with predictability, supports economic development, and ensures that local concerns are appropriately addressed as this important and growing industry continues to expand. Vote 11-9.

Rep. Jim Maggiore for the **Minority** of Municipal and County Government. While the minority of the committee opposes the Ought to Pass with Amendment motion for this bill, the minority recognizes the importance of data centers in our technology driven society and is eager to work with colleagues, subject-matter experts, stakeholders, agencies, and standing House and Senate committees to draft comprehensive legislation to manage the regulations of data centers throughout our great state. This bill defines data centers in RSA 674, Local Land Use Planning and Regulatory Powers, and requires municipalities to permit data centers by right in any zoning district that permits commercial or industrial uses, subject to other existing zoning ordinances. The bill, as introduced, sought to allow municipalities to regulate data centers through zoning and to establish minimum standards in state law for where data centers could operate if a municipality permitted the use. Under existing law, municipalities can already regulate data centers in their zoning. Data centers already exist throughout the state. The amended version of the bill has the exact effect of the original bill. The amended version permits data centers by right and suggests that data centers can be treated like any other business. The minority opposes that approach because data centers present unique and substantial risks to host municipalities and residents. They require continuous, largescale electrical power to operate servers and cooling systems, often drawing tens or hundreds of megawatts. The minority

has seen no evidence that the energy demands of proposed projects have been studied or balanced against regional grid capacity and community needs. Similarly, many data centers rely on evaporative or otherwise waterintensive cooling systems; no evidence has been provided that water allocations for these facilities have been weighed against residential, agricultural, municipal, or ecological requirements. Economic arguments for data centers are also overstated. These facilities typically generate far fewer permanent local jobs than other industrial or commercial developments and, in some cases, operate with minimal onsite staff. Municipalities may reasonably question whether zoning changes and public incentives are justified when longterm employment and community benefits are limited. A municipality may question whether zoning changes are justified when the longterm employment and revenue benefits are minimal. At the very least, municipalities and their residents should determine for themselves whether they are willing to take these risks, and data centers should not be permitted by right. This bill is very confusing when considered in the broader context of statute. The bill places the definition of “data center” in RSA 674, Local Land Use Planning and Regulatory Powers. It would seem more fitting to place the definition of “data center” in a chapter of law that typically defines similar uses, such as a chapter addressing commerce within the state. Data centers are defined by size based on power capacity (megawatts/MW), physical square footage, server rack count, and density. They range from micro/edge facilities (<150kW, <5,000 sq. ft.) to enterprise (1 - 5 MW, 5k - 20k sq. ft.), and massive hyperscale sites (>100 MW). Key metrics include server rack density (up to 16kW+ per rack) and total energy consumption. When all of these factors are considered together, one must consider the impacts to a municipality and the region as a whole before siting of a data center. This bill also misapplies the planning board’s operations and its regulation of local land use. The bill would require the planning board to obtain rulemaking authority from the municipality’s legislative body to regulate data centers. Local land use boards do not make rules like a department or agency of the state. Planning boards are empowered by state law to “... adopt rules of procedure concerning the method of conducting its business...” like any other local land use board (RSA 676:1). Additionally, when the planning board seeks to amend a zoning ordinance, the question is placed on the official ballot for a vote of the legislative body. These processes are significantly different from the state’s rulemaking administrative procedures established under RSA 541. For these reasons, the minority oppose the Ought to Pass with Amendment motion.

Majority Amendment (1807h)

Amend the bill by replacing section 1 with the following:

1 New Subdivision; Data Centers. Amend RSA 674 by inserting after section 80 the following new subdivision:
Data Centers

674:81 Definition. In this subdivision, “data center” means a facility used primarily for the storage, processing, management, and transmission of digital data. “Data center” does not include:

I. Embedded or accessory computing uses within larger facilities, meaning a computing operation that meets all of the following conditions:

(a) Occupies not more than 25 percent of the gross floor area of all on-site buildings or portions thereof attributable to such use;

(b) Is used to serve the enterprise functions of the on-site property owner and is not primarily engaged in providing services to third parties; and

(c) Is not used to lease data services to third parties; or

II. A facility owned or operated by a provider of telecommunications, broadband, Internet, cable, or wireless services that primarily supports telecommunications network operations or broadband Internet access services.

674:82 Zoning Authority to Permit Data Centers.

I. Data centers shall be a permitted use by right within zoning districts designated for commercial or industrial use and subject to the provisions of local land use regulations.

II. A municipality shall not adopt or enforce any ordinance, regulation, fee, or other requirement that imposes restrictions on data centers more restrictive than those imposed on other uses permitted within the same zoning district, except through ordinances of general applicability.

III. Nothing in this section shall be construed to prohibit a data center from operating in any zoning district where it is otherwise permitted by local zoning regulations in effect at the time of application.

674:83 Planning Board Regulations.

The planning board may adopt regulations as necessary to implement this subdivision.

2026-1807h

AMENDED ANALYSIS

This bill defines data centers and authorizes them as permitted uses by right within zoning districts designated for commercial and industrial use, while prohibiting municipalities from imposing requirements on them that are more restrictive than those applied to other permitted uses in the same districts.

The question being adoption of the majority committee amendment.

MOTION TO LAY ON THE TABLE

Rep. Ammon moved that **SB 439**, relative to municipal data center zoning, be laid on the table.

On a division vote, with 304 members having voted in the affirmative, and 11 in the negative, the motion was adopted.

SB 508, relative to the zoning board of adjustments appeal period. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Diane Pauer for the **Majority** of Municipal and County Government. Current land use statutes do not fully address procedural consistency in the zoning board of adjustment appeal process and the submission and review of revised plans during local land use proceedings. The bill amends RSA 676:5 to require that all grounds for appeal to a zoning board of adjustment be stated in the initial notice of appeal. It also establishes a new section, RSA 676:5-a, creating a structured framework for the submission, stamping, and acceptance of revised plans during the local land use review process. The committee heard testimony that, under current practice, applicants may be subject to multiple rounds of revisions or the introduction of new requirements late in the review process, resulting in delays, increased costs, and uncertainty for both applicants and municipalities. The bill requires that all grounds for appeal be clearly identified at the outset, promoting transparency and ensuring that all parties have notice of the issues under consideration. It further requires municipalities to stamp and accept revised plans within 10 business days, provided the revisions address the specific comments made in accordance with prior board direction and are procedurally complete for consideration and vote by the appropriate board, while preserving the board's full authority to approve, condition, or deny the application. The bill also limits additional rounds of revisions unless the applicant has failed to address those original comments, thereby establishing clearer procedural boundaries in the review process. The majority finds that this bill establishes a more structured and consistent framework for local land use review and appeals, improving transparency, predictability, and administrative efficiency while preserving municipal authority over substantive zoning decisions. In summary, this bill strengthens procedural clarity in the zoning board of adjustment appeal process, supports more timely and predictable land use decisions, and helps facilitate the efficient review of development projects, including housing and other uses essential to addressing the state's ongoing growth and housing needs, while preserving appropriate municipal oversight. Vote 11-9.

Rep. Laurel Stavis for the **Minority** of Municipal and County Government. This bill has two sections. In the first section, it adds language to RSA 674:33 that will serve to expedite and simplify the process in a positive way. The minority of the Municipal and County Government committee supports these changes as they will help expedite the planning process. Section 2 of the bill, however, is confusing, in the wrong chapter of statute, and for numerous reasons would be unenforceable by municipalities and detrimental to residents. The section applies to the planning board process but the bill presents it as part of the zoning board appeals process. It requires a ten-day turnaround from date of submission, by which time all revised plans are to be "stamped and accepted" but the bill does not define "stamping" or "accepting," nor does it specify what municipal official should perform these activities. Review boards currently have 30 days to respond to applicants, a timeframe that ensures adequate public notice as required under RSA 91-A. Section 2 also prohibits planning boards from requiring additional rounds of revisions beyond any requested in its initial review. Such a prohibition would only ensure that scattered and incomplete plans would go forward despite their deficiencies. Those deficiencies could range from the purely aesthetic (inadequate setbacks and frontage) to life-threatening (violations of building and fire codes). For these reasons, the minority recommends the bill be found Inexpedient to Legislate.

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

MOTION TO LAY ON THE TABLE

Rep. Fracht moved that **SB 508**, relative to the zoning board of adjustments appeal period, be laid on the table. On a division vote, with 155 members having voted in the affirmative, and 157 in the negative, the motion failed.

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

Rep. Fracht spoke against.

Rep. Pauer spoke in favor.

Rep. Sweeney requested a roll call; sufficiently seconded.

YEAS 151 - NAYS 161**YEAS - 151****BELKNAP**

Aldrich, Glen
Toner, Travis

Freeman, Lisa

Harvey-Bolia, Juliet

Ploszaj, Tom

CARROLL

Avellani, Lino
Peternel, Katy

Belcher, Mike

MacDonald, John

Smith, Jonathan

CHESHIRE

Hunt, John
Qualey, James

Karasinski, Sly
Rhodes, Jennifer

Mattson, Rita

Nalevanko, Rich

COOS

Korzen, Lori
Tremblay, Marc

Murphy, Michael

Morency, Pete

King, Seth

GRAFTON

Beaulier, Calvin
Ladd, Rick

Berezhny, Lex
Louis, Darrell

Bjelobrk, Marie Louise
Sellers, John

Franz, Linda

HILLSBOROUGH

Murray, Alissandra
Berry, Ross
Kelley, Diane
Dupont, Pierre
Giasson, Henry
Kesselring, Steven
Murphy, Mary
Mooney, Maureen
Ohm, Bill
Presa, Adam
Sheehan, Vanessa
Ulery, Jordan

Alexander, Joe
Boehm, Ralph
Daniels, Gary
Erf, Keith
Gorski, Ted
Labrie, Brian
Mazur, Lisa
Morton, Jonathan
Paquette, Kathleen
Prout, Andrew
Sirois, Shane
Warden, Mark

Ammon, Keith
Colcombe, Riché
Drew, Matt
Griffin, Gerald
Gould, Linda
Lascelles, Richard
McLean, Mark
Noble, Kristin
Pauer, Diane
Reinfurt, Sherri
Slottje, Jeremy
Wherry, Robert

Barbour, Liz
Cole, Brian
Dumont, Dillon
Gagne, Larry
Kenny, Catherine
Long, Patrick
Miles, Julie
Notter, Jeanine
Post, Lisa
Schneller, John
Mannion, Tom

MERRIMACK

Aures, Cyril
Devoid, Ricky
Moffett, Michael
Boyd, Stephen
Wood, Clayton

Aylward, Deborah
Gallager, Eric
Pitaro, Matthew
Seaworth, Brian

McGuire, Carol
Leavitt, John
Plante, Raymond
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McGuire, Dan
Mehegan, Peter
Polozov, Yury
Thibault, James

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Bennett, Cindy
DeSimone, Debra
Edwards, Jess
Katsakiores, Phyllis
Layon, Erica
Pearson, Mark
Milz, David
Popovici-Muller, Daniel
Sabourin dit Choinière, Matt
Summers, James
Vose, Michael

Bernardy, JD
Donnelly, Tanya
Ford, Mary
Khan, Aboul
Litchfield, Melissa
Markell, Jay
Nadeau, Brian
Potucek, John
Selby, Donald
Sweeney, Joe
MacDonald, Wayne

Mannion, Dennis
Drago, Mike
Guzofski, James
Miner, Laurence
Love, David
McGrath, Linda
Osborne, Jason
Prudhomme-O'Brien, Katherine
Soti, Julius
Sytek, John
Weyler, Kenneth

Thomas, Douglas
Dunn, Ron
Janigian, John
Walsh, Lilli
Lynn, Bob
Melvin, Charles
Brown, Pam
Pearson, Stephen
Spillane, James
Tudor, Paul
Wilson, Vicki

STRAFFORD

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Burnham, Claudine
Smith, Geoffrey
Potenza, Kelley

DeLemus, Susan
Howard, Heath

DeRoy, Susan
Harrington, Michael

SULLIVAN

Drye, Margaret
Spilsbury, Walter

Grant, George

Aron, Judy

Rollins, Skip

**NAYS - 161
BELKNAP**

Coker, Matthew

St. Clair, Charlie

CARROLL

Boudman, Bobbi
Hamblen, Joseph

Burroughs, Anita
McAleer, Chris

Crawford, Karel
Taylor, Brian

Paige, David
Woodcock, Stephen

CHESHIRE

Ames, Dick
Faulkner, Barry
Germana, Nicholas
Weber, Lucy

Berch, Paul
Gruber, James
Newell, Jodi

Fox, Dru
Jacobs, Samantha
O'Rorke, Terri

Murphy, Denis
Jones, Philip
Parshall, Lucius

COOS

Tierney, James

GRAFTON

Almy, Susan
Hakken-Phillips, Mary
Muirhead, Russell
Stavis, Laurel

Cormen, Thomas
Sullivan, Jared
Oppel, Thomas
Stringham, Jerry

Fellows, Sallie
Lovett, Peter
Rockmore, Ellen
Sykes, George

Fracht, David
Lucas, Janet
Spahr, Terry

HILLSBOROUGH

Boyd, Bill
Cornell, Patricia
Elberger, Susan
Georges, Mary
Hartnett, Tim
Kerwin, Erin
LeClerc, Daniel
Murray, Megan
Petrigno, Peter
Raymond, Heather
Newman, Sue
Swanson, Dale
Dolan, William

Budathoki, Suraj
Darby, Will
Davis, Fred
Grill, Jessica
Hegner, Karen
Kluger, Lee Ann
Leishman, Peter
MacKenzie, Mark
Plamondon, Marc
Rombeau, Catherine
Seibert, Christine
Telerski, Laura
Thomas, Wendy

Chourasia, Manoj
Dargie, Paul
Flanagan, Jack
Grund, Stephanie
Jack, Martin
Foxy, Loren
Lloyd, Christal
McGhee, Kat
Proulx, Mark
Rung, Rosemarie
Spier, Carry
Tellez, Trinidad
Wilhelm, Matthew

Chretien, Suzanne
DiSilvestro, Linda
Foss, Lily
Harriott-Gathright, Linda
Juris, Louis
Leapley, Nicole
Howard, Molly
Murphy, Nancy
Newman, Ray
Ryan, Linda
Staub, Kathy
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Payeur, Stephanie
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Bricchi, Tracy
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Luneau, David
Sargent, Gregory
Walsh, Thomas

Caplan, Tony
Gibbs, Merryl
Hall, Muriel
Schamberg, Thomas
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Colby, Eleana
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Vallone, Mark

Bridle, Nicholas
Edgar, Michael
Maggiore, Jim
McMahon, Charles
Porcelli, Susan
Sorensen, Carrie
Ward, Gerald

Bryer, Scott
Foote, Charles
Malloy, Dennis
Meuse, David
Raynolds, Ned
Tripp, Richard

Cahill, Michael
Murray, Kate
Mandelbaum, Jennifer
Muns, Chris
Read, Ellen
Turer, Eric

STRAFFORD

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Horrigan, Timothy
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Southworth, Thomas
Walker, David

Bixby, Peter
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Levesque, Cassandra
Turcotte, Len
Wall, Janet

Burton, Wayne
Johnson, Erik
Miller, Seth
Pearson, Wayne

Gilmore, Gary
LaMontagne, Jessica
Schmidt, Peter
Wade, Alice

SULLIVAN

Sullivan, Brian
Hemingway, Wayne

Cloutier, John
Aron, Michael

Damon, Hope
Palmer, William

Girard, Dale

and the motion failed.

Rep. Stavis moved Inexpedient to Legislate.

Motion was adopted.

Rep. Wheeler recused himself and did not participate in the votes.

MOTION TO RESTORE PRIVILEGES

Rep. Wheeler moved that notwithstanding the Speaker's directive regarding Representative Read, the member be permitted to use the House anteroom, gallery and chamber on non-session days.

MOTION TO LAY ON THE TABLE

Rep. Osborne moved the motion notwithstanding the Speaker's directive regarding Representative Read, the member be permitted to use the House anteroom, gallery and chamber on non-session days, be laid on the table. Rep. Wheeler requested a roll call; sufficiently seconded.

YEAS 163 - NAYS 147**YEAS - 163****BELKNAP**

Aldrich, Glen
Toner, Travis

Freeman, Lisa

Harvey-Bolia, Juliet

Ploszaj, Tom

CARROLL

Avellani, Lino
MacDonald, John

Belcher, Mike
Smith, Jonathan

Crawford, Karel
Peternel, Katy

Hamblen, Joseph
Taylor, Brian

CHESHIRE

Berch, Paul
Karasinski, Sly
Rhodes, Jennifer

Murphy, Denis
Mattson, Rita

Faulkner, Barry
Nalevanko, Rich

Hunt, John
Qualey, James

COOS

Korzen, Lori
Tremblay, Marc

Murphy, Michael

Morency, Pete

Tierney, James

GRAFTON

Berezhny, Lex
Sellers, John

Bjelobrk, Marie Louise
Stavis, Laurel

Ladd, Rick

Louis, Darrell

HILLSBOROUGH

Alexander, Joe
Berry, Ross
Daniels, Gary
Erf, Keith
Gorski, Ted
Kesselring, Steven
Mazur, Lisa
Noble, Kristin
Pauer, Diane
Prout, Andrew
Sirois, Shane
Wherry, Robert

Ammon, Keith
Boehm, Ralph
Dargie, Paul
Griffin, Gerald
Gould, Linda
Labrie, Brian
McLean, Mark
Notter, Jeanine
Post, Lisa
Reinfurt, Sherri
Slottje, Jeremy

Boyd, Bill
Colcombe, Riché
Drew, Matt
Gagne, Larry
Grund, Stephanie
Lascelles, Richard
Mooney, Maureen
Ohm, Bill
Presa, Adam
Schneller, John
Ulery, Jordan

Barbour, Liz
Cole, Brian
Dumont, Dillon
Giasson, Henry
Kenny, Catherine
Murphy, Mary
Morton, Jonathan
Paquette, Kathleen
Proulx, Mark
Sheehan, Vanessa
Warden, Mark

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

Bennett, Cindy
Thomas, Douglas
Dunn, Ron
Ford, Mary
Khan, Aboul
Litchfield, Melissa
Maggiore, Jim
McMahon, Charles
Osborne, Jason
Potucek, John
Soti, Julius
Sytek, John
MacDonald, Wayne

Bernardy, JD
DeSimone, Debra
Edgar, Michael
Guzowski, James
Miner, Laurence
Love, David
Mandelbaum, Jennifer
Melvin, Charles
Brown, Pam
Pearson, Stephen
Spillane, James
Tripp, Richard
Weyler, Kenneth

Cahill, Michael
Donnelly, Tanya
Edwards, Jess
Janigian, John
Walsh, Lilli
Lynn, Bob
Markell, Jay
Milz, David
Popovici-Muller, Daniel
Sabourin dit Choinière, Matt
Summers, James
Tudor, Paul
Wilson, Vicki

Mannion, Dennis
Drago, Mike
Foote, Charles
Katsakiores, Phyllis
Layon, Erica
Pearson, Mark
McGrath, Linda
Nadeau, Brian
Porcelli, Susan
Selby, Donald
Sweeney, Joe
Vose, Michael

STRAFFORD

DeLemus, Susan
Kaczynski, Thomas

Farrington, Samuel
Turcotte, Len

Harrington, Michael
Walker, David

Howland, Allan

SULLIVAN

Drye, Margaret
Aron, Judy

Girard, Dale
Aron, Michael

Grant, George
Rollins, Skip

Hemingway, Wayne
Spilsbury, Walter

NAYS - 147**BELKNAP**

Coker, Matthew

St. Clair, Charlie

CARROLL

Boudman, Bobbi
Woodcock, Stephen

Burroughs, Anita

Paige, David

McAleer, Chris

CHESHIRE

Ames, Dick
Germana, Nicholas
Weber, Lucy

Gruber, James
Newell, Jodi

Jacobs, Samantha
O'Rorke, Terri

Jones, Philip
Parshall, Lucius

COOS

King, Seth

GRAFTON

Almy, Susan
Fracht, David
Lovett, Peter
Rockmore, Ellen

Beaulier, Calvin
Franz, Linda
Lucas, Janet
Spahr, Terry

Cormen, Thomas
Hakken-Phillips, Mary
Muirhead, Russell
Stringham, Jerry

Fellows, Sallie
Sullivan, Jared
Oppel, Thomas
Sykes, George

HILLSBOROUGH

Murray, Alissandra
Chretien, Suzanne
DiSilvestro, Linda
Foss, Lily
Hartnett, Tim
Kerwin, Erin
LeClerc, Daniel
Howard, Molly
Miles, Julie
Newman, Ray
Ryan, Linda
Swanson, Dale
Veilleux, Daniel
Wilhelm, Matthew

Beauchemin, Paige
Cornell, Patricia
Dupont, Pierre
Georges, Mary
Hegner, Karen
Kluger, Lee Ann
Leishman, Peter
Murray, Megan
Murphy, Nancy
Raymond, Heather
Newman, Sue
Tellerski, Laura
Dolan, William

Budathoki, Suraj
Kelley, Diane
Elberger, Susan
Grill, Jessica
Jack, Martin
Foxy, Loren
Lloyd, Christal
MacKenzie, Mark
Petrigno, Peter
Rombeau, Catherine
Spier, Carry
Tellez, Trinidad
Thomas, Wendy

Chourasia, Manoj
Darby, Will
Davis, Fred
Harriott-Gathright, Linda
Juris, Louis
Leapley, Nicole
Long, Patrick
McGhee, Kat
Plamondon, Marc
Rung, Rosemarie
Staub, Kathy
Mannion, Tom
Wheeler, Jonah

MERRIMACK

Bricchi, Tracy
Ebel, Karen
Luneau, David
Sargent, Gregory
Wallner, Mary Jane

Caplan, Tony
Gallager, Eric
Hall, Muriel
Schamberg, Thomas
Woods, Gary

Colby, Eleana
Gibbs, Merryl
Newsom, James
Snodgrass, Jim

Kelly, Eileen
Lane, Connie
Payeur, Stephanie
Soucy, Timothy

ROCKINGHAM

Balboni, Peggy
Knab, Allison
Muns, Chris
Read, Ellen
Vallone, Mark

Bridle, Nicholas
Malloy, Dennis
Perez, Kristine
Simpson, Alexis
Ward, Gerald

Bryer, Scott
Manos, Zoe
Prudhomme-O'Brien, Katherine
Sorensen, Carrie

Murray, Kate
Meuse, David
Raynolds, Ned
Turer, Eric

STRAFFORD

Bailey, Glenn
Burton, Wayne
Howard, Heath
Larochelle, John
Schmidt, Peter
Wall, Janet

Bay, Luz
DeRoy, Susan
Horrigan, Timothy
Levesque, Cassandra
Southworth, Thomas

Bixby, Peter
Smith, Geoffrey
Johnson, Erik
Miller, Seth
Pearson, Wayne

Burnham, Claudine
Gilmore, Gary
LaMontagne, Jessica
Potenza, Kelley
Wade, Alice

SULLIVAN

Sullivan, Brian

Cloutier, John

Damon, Hope

Palmer, William

and the motion was adopted.

SB 643-FN, (New Title) requiring municipalities to hold a public hearing and conduct a roll call vote when seeking to override a tax or spending cap. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Diane Pauer for the **Majority** of Municipal and County Government. This bill advances the state's interest in transparency, accountability, compliance, and public participation for municipalities operating under locally adopted tax, budget, or spending caps. For towns with a town council form of government as well as cities that have adopted such a cap, any proposed override must be preceded by a duly noticed public hearing, warned at least 30 days in advance, with a minimum of one hour dedicated to public input. Any vote to override the cap must be taken by roll call, with the results publicly disclosed on the next property tax bill. The committee amendment clarifies the scope and application of the bill by incorporating precise statutory references to the forms of municipal government subject to its provisions, as well as those that are not. In addition, the amendment incorporates the provisions of HB 1505, requiring municipalities, school districts, and village districts with locally adopted caps to submit standardized documentation to the Department of Revenue Administration (DRA) to verify compliance and to provide the information necessary to establish a lawful tax rate. The amendment further clarifies how appropriations must be reduced when a proposed or default budget exceeds an adopted cap and fails to receive the required supermajority approval. It standardizes key definitions, including "appropriations already raised," and ensures consistent treatment of estimated revenues and anticipated state or federal funds. The amendment also aligns inflation adjustment provisions across all forms of local caps and establishes a clear enforcement mechanism directing the commissioner of revenue administration to reduce or remove appropriations that exceed a cap unless properly approved

through the override process. Finally, the amendment harmonizes statutory language, corrects technical references, and reaffirms the use of average daily membership in residence for school-related calculations, ensuring consistency across applicable statutes. In sum, this bill, as amended, strengthens transparency and accountability for political subdivisions operating under local spending caps, establishes uniform compliance standards, and reinforces adherence to voter-approved limitations on local taxation and spending. Vote 11-9. Rep. Jim Maggiore for the **Minority** of Municipal and County Government. The minority opposes the underlying legislation in this bill as well as the bill with amendment 2026-1812h (which is HB 1505). The underlying bill proposes that municipalities must hold a public hearing whenever they seek to override a tax or spending cap with said hearing to include at least 60 minutes of public comment, a roll call on the governing body's vote, and a recording of the roll call vote on the next tax bill. Local governments can and do hold public hearings for consideration of operating budgets; they can and do permit public comment; and state statute requires recording of all motions made and votes taken in public meetings to be included in publicly available minutes. The underlying bill treats all municipalities as if they lack accountability, which is wholly inaccurate. For these reasons, the minority believe the underlying bill is unnecessary. As amended, this bill retains the intent of the bill as introduced and adds the language of HB 1505, requiring municipalities to submit documentation to the NH Department of Revenue Administration (DRA) providing they are in compliance with local budget and tax caps. The Senate Election Law and Municipal Affairs committee voted unanimously to refer HB 1505 to Interim Study. The Senate hearing report includes the following concerns with HB 1505: "[T]hose who do not follow the law should be voted out or the Attorney General should be involved," and "[W]hether the problem observed in one or two municipalities is sufficient to increase the challenges all municipalities will face," and "[T]he confusion surrounding how warrant articles are published and the order in which they are addressed once the tax cap is reached." These concerns are shared by the minority of the House Municipal and County Government committee. The minority also have concerns that the \$75,000 cost for DRA to implement the changes to their tax rate system portal will increase the tax burden on all NH residents. For these reasons, the minority oppose Ought to Pass with Amendment motion on this bill.

Majority Amendment (1812h)

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

AN ACT requiring municipalities, towns, and cities to submit documentation to the department of revenue administration proving they are in compliance with local budget and tax caps and requiring municipalities to hold a public hearing and conduct a roll call vote when seeking to override a tax or spending cap.

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

1 Statement of Findings. With respect to section 2 of this act, the general court hereby finds that:

I. There is a compelling state interest in promoting transparency, accountability, and citizen participation when municipalities consider overriding locally adopted tax or spending caps.

II. Local tax caps and spending caps, whether adopted under RSA 32, RSA 49-C, or RSA 49-D, reflect the will of the voters to place limits on the growth of local government.

III. In cities and towns governed by elected councils, budgetary and override decisions are made by a governing body acting as the legislative authority, rather than directly by the voters.

IV. Taxpayers are entitled to clear and timely information regarding when and how elected officials vote to override such caps, particularly when such decisions may directly affect property tax rates.

V. Enhanced procedural safeguards, including advance notice, public hearings, and recorded roll call votes, are appropriate when override decisions are made by elected governing bodies.

2 New Section; Towns, Cities, Village Districts, and Unincorporated Places; Municipal Budget Law; Override Procedures. Amend RSA 32 by inserting after section 5-h the following new section:

32:5-i Override Procedures for Local Tax and Spending Caps.

I. Notwithstanding RSA 32:2, this section shall apply only to:

(a) Cities organized under RSA 49-C; and

(b) Towns in which the governing body is an elected town council pursuant to RSA 49-D:3, I or I-a, authorized by charter or statute to adopt the municipal operating budget.

II. This section shall not apply to:

(a) Towns operating under a traditional town meeting form of government pursuant to RSA 39:1;

(b) Towns operating under the official ballot referendum form of town meeting pursuant to RSA 40:13;

(c) Towns operating under a budgetary town meeting pursuant to RSA 49-D:3, II;

(d) Towns operating under an official ballot town meeting pursuant to RSA 49-D:3, II-a;

(e) Towns operating under a representative town meeting pursuant to RSA 49-D:3, III; or

(f) Village districts or other special districts.

III. Before any vote to override a tax or spending cap by a municipality subject to this section may be held, the governing body shall:

(a) Hold a public hearing on the proposed override and provide notice of such hearing in accordance with RSA 32:5, I, and other applicable law, except that such notice shall be provided at least 30 days in advance of the hearing;

(b) Provide at such hearing a public comment period of at least 60 minutes in duration, during which any resident may address the proposed override; and

(c) Record the final vote of the governing body on the proposed override as a roll call vote, with each member's name and vote entered into the official record.

IV. The results of the roll call vote, including the name of each member of the governing body and how such member voted, shall be published on, or included with, the next property tax bill issued by the municipality. Such disclosure shall be presented in a clear and prominent manner.

V. Nothing in this section shall be construed to:

(a) Alter the authority of voters at a town meeting or official ballot referendum to approve or reject a tax or spending cap override;

(b) Impose procedural requirements on deliberative sessions conducted pursuant to RSA 40:13; or

(c) Modify any charter provision governing the adoption of municipal budgets or override votes.

3 New Paragraphs; The State and Its Government; Property Tax Rates; Reports Required. Amend RSA 21-J:34 by inserting after paragraph II the following new paragraphs:

II-a. For political subdivisions that have adopted a local tax cap under RSA 32:5-b, the governing body of the political subdivision shall forward the commissioner's form for compliance with the adopted local tax cap. The form shall include the computation of the local tax cap for that year, proposed appropriations by the governing body and budget committee and estimated revenues going into the annual meeting showing estimated amount of local taxes to be raised, appropriations voted by the annual meeting of the legislative body, and the counts of any ballot votes taken to override the local tax cap.

II-b. For political subdivisions that have adopted a school district budget cap under RSA 32:5-e, or a town budget cap under RSA 32:5-g, the governing body of the political subdivision shall forward the commissioner's form for compliance with the adopted budget cap. The form shall include the computation of the budget cap for that year, proposed appropriations by the governing body and budget committee, appropriations voted by the meeting of the legislative body, and the counts of any ballot votes taken to override the budget cap.

4 Towns, Cities, Village Districts, and Unincorporated Places; Preparation of Budgets; Local Tax Cap. Amend RSA 32:5-b, III(a) to read as follows:

(a) When using the official ballot form of meeting under RSA 40:13, if the warrant article for the operating budget results in appropriations exceeding the tax cap under this section and receives less than 3/5 majority "yes" vote, the adopted operating budget shall be reduced ~~[by appropriations already raised]~~ to remain compliant with the tax cap under this section, **including reductions for any appropriations already raised. In this paragraph, "appropriations already raised" shall include approved appropriations in warrant articles appearing on the ballot before the warrant article in question.**

5 New Subparagraph; Towns, Cities, Village Districts, and Unincorporated Places; Preparation of Budgets; Local Tax Cap. Amend RSA 32:5-b, III by inserting after subparagraph (b) the following new subparagraph:

(c) For the purposes of determining when the amount of local taxes raised by the town or district exceed the local tax cap under this section, the amount of appropriations of the operating budget counting towards the tax cap shall be reduced by the estimated revenues reported to the department of revenue administration in the posted budget pursuant to RSA 32:5. In addition, the amount of appropriations in any warrant article that also includes anticipated revenue from a state or federal agency shall be reduced by the anticipated revenues for purposes of determining when the amount of local taxes raised by the town or district exceed the tax cap under this section.

6 Towns, Cities, Village Districts, and Unincorporated Places; Preparation of Budgets; School District Budget Cap. Amend RSA 32:5-e, I to read as follows:

I. In a school district that has adopted this section, the total amount raised and appropriated for the fiscal year, including the operating budget and all other warrant articles with a tax impact, as shown on the budget certified by the school board or the budget committee and posted with the warrant for the annual meeting pursuant to RSA 32:5, shall not exceed the current per pupil cost, as defined herein, times the average daily membership in residence (ADMR), pursuant to RSA 198:38, I-a, of the school district as of October 1 of the year immediately preceding the proposed budget year as reported ~~[to]~~ **by** the department of education ~~[times (1+IF), where IF is an amount for an annual increase for inflation]~~. The first year after the budget cap is adopted, the current per pupil cost shall be the per pupil cost adopted in the warrant article per RSA 32:5-f, IV. In subsequent years, the current per pupil cost shall be the previous year's current per pupil cost times ~~[(1+IFP)]~~ **(1+IF)**, where ~~[IFP]~~ **IF** is the ~~[previous]~~ **current** year's ~~[IF]~~ **annual increase for inflation**

7 Towns, Cities, Village Districts, and Unincorporated Places; Preparation of Budgets; School District Budget Cap. Amend RSA 32:5-e, IV(a) to read as follows:

(a) When using the official ballot form of meeting under RSA 40:13, if the warrant article for the operating budget results in appropriations exceeding the budget cap and receives less than 3/5 majority “yes” vote, the adopted operating budget shall be reduced by appropriations already raised to remain compliant with the budget cap, ***including reductions for any appropriations already raised. In this paragraph, “appropriations already raised” shall include approved appropriations in warrant articles appearing on the ballot before the warrant article in question.***

8 Towns, Cities, Village Districts, and Unincorporated Places; Preparation of Budgets; Town Budget Cap. Amend RSA 32:5-g, I to read as follows:

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

(a) The first year after the budget cap is adopted, the current per resident expenditure shall be the per resident expenditure adopted in the warrant article under RSA 32:5-h, IV. In subsequent years, the current per resident expenditure shall be the previous year’s current per resident expenditure times ~~(1+HFP)~~ ***(1+IF)***, where ~~[HFP]~~ ***IF*** is the ~~[previous]~~ ***current*** year’s ~~[IF]~~ ***annual increase for inflation***.

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

9 Towns, Cities, Village Districts, and Unincorporated Places; Preparation of Budgets; Town Budget Caps. Amend RSA 32:5-g, IV to read as follows:

IV. When using the official ballot form of meeting under RSA 40:13, if the warrant article for the operating budget results in appropriations exceeding the budget cap and receives less than 3/5 majority “yes” vote, the adopted operating budget shall be reduced by appropriations already raised to remain compliant with the budget cap, ***including reductions for any appropriations already raised. In this paragraph, “appropriations already raised” shall include approved appropriations in warrant articles appearing on the ballot before the warrant article in question.***

10 New Section; Enforcement of Local Caps. Amend RSA 32 by inserting after section 5-h the following new section:

32:5-i Enforcement of Local Caps.

I. If, during the review of reports required by RSA 21-J:34, II-a or II-b, and pursuant to RSA 21-J:35, II, the commissioner of revenue administration determines that the budget certified by the governing body or the budget committee, which includes the operating budget and all other warrant articles with a tax impact and posted with the warrant for the annual meeting pursuant to RSA 32:5, exceeds the adopted local tax cap, the adopted school district budget cap, or the adopted town budget cap, the commissioner shall reduce the appropriation of the certified budget by the amount the certified budget exceeds the cap, pursuant to RSA 21-J:34, III. Appropriations in warrant articles having received the required supermajority ballot vote by the legislative body to override the cap using the procedures in RSA 32:5-b, III for a local tax cap, RSA 32:5-e, III for a school district budget cap, or RSA 32:5-g, III for a town budget cap shall not be eliminated or reduced.

II. During the review of reports pursuant to RSA 21-J:34, II, if the commissioner of revenue administration determines that the required supermajority ballot vote by the legislative body for an appropriation in a warrant article to override the cap was not satisfied, or that there was a procedural failure in overriding the cap, that appropriation shall be deleted pursuant to RSA 21-J:34, III.

11 Municipal Budget Law; Preparation of Budgets; Local Tax Cap. Amend RSA 32:5-b, I-b(1) to read as follows:

(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]~~ ***by*** 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]~~ ***by*** the department of education as of October 1 of the year prior to the annual ADMR reported for “This year’s attendance”.

12 Municipal Budget Law; Application. Amend RSA 32:2 to read as follows:

32:2 Application. RSA 32:1-13, shall apply to all towns, school districts, cooperative school districts, village districts, municipal economic development and revitalization districts created under RSA 162-K, and any other municipal entities, including those created pursuant to RSA 53-A or 53-B, which adopt their budgets at an annual meeting of their voters, except RSA 32:5-b[,] which shall apply only in those towns or districts adopting that section pursuant to RSA 32:5-c, ***except RSA 32:5-e which shall apply only in those school districts adopting that section pursuant to RSA 32:5-f, and except RSA 32:5-g which shall apply only in those towns adopting that section pursuant to RSA 32:5-h.*** RSA 32:14-23, concerning budget committees, shall apply only in those towns or districts adopting that subdivision pursuant to RSA 32:14, I, and shall apply automatically in school districts or village districts located wholly within towns adopting that subdivision.

13 Municipal Budget Law; Preparation of Budgets; Adoption of School District Budget Cap. Amend RSA 32:5-f, IV to read as follows:

IV. If, under RSA 32:5-e, II, a fixed percentage is used for the annual increase for inflation, the wording of the question shall be:

“Shall we adopt the provisions of RSA 32:5-e, and implement a budget cap whereby the school board (or budget committee) shall not submit a recommended budget that is higher than _____ dollars per pupil cost times the average daily membership in residence of the school district as of October 1 of the year immediately preceding the proposed budget year, plus **with** a _____ percent annual increase **on the per pupil cost** for inflation. Requires a 3/5ths majority [~~of the school district~~] **to adopt.**”

Alternatively, if an annual inflation index is used, the wording of the question shall be:

“Shall we adopt the provisions of RSA 32:5-e, and implement a budget cap whereby the school board (or budget committee) shall not submit a recommended budget that is higher than _____ dollars per pupil cost times the average daily membership in residence of the school district as of October 1 of the year immediately preceding the proposed budget year, [~~plus~~] **with** an annual increase **on the per pupil cost** for inflation using (the index) published by (the U.S. Bureau of Labor Statistics or American City and County) as of October 1. Requires a 3/5ths majority [~~of the school district~~] **to adopt.**”

14 Municipal Budget Law; Preparation of Budgets; Adoption of Town Budget Cap. Amend RSA 32:5-h, IV to read as follows:

IV. If, under RSA 32:5-g, II, a fixed percentage is used for the annual increase for inflation, the wording of the question shall be:

“Shall we adopt the provisions of RSA 32:5-g, and implement a budget cap whereby the select board (or budget committee) shall not submit a recommended budget that is higher than _____ dollars per resident expenditure times the current town population, [~~plus~~] **with** a _____ percent annual increase **on the per resident expenditure** for inflation. Requires a 3/5ths majority [~~of the town~~] **to adopt.**”

Alternatively, if an annual inflation index is used, the wording of the question shall be:

“Shall we adopt the provisions of RSA 32:5-g, and implement a budget cap whereby the select board (or budget committee) shall not submit a recommended budget that is higher than _____ dollars per resident expenditure times the current town population, [~~plus~~] **with** an annual increase **on the per resident expenditure** for inflation using (the index) published by (the United States Bureau of Labor Statistics or American City and County) as of October 1. Requires a 3/5ths majority [~~of the town~~] **to adopt.**”

15 Applicability. RSA 21-J:34, RSA 32:5-b, RSA 32:5-e, RSA 32:5-g, and RSA 32:2, as amended by this act, shall apply to the local tax caps, school district budget caps, and town budget caps adopted prior to the effective date of this act and shall not require local amendment or re-adoption by towns or districts.

16 Effective Date.

I. Section 10 of this act shall take effect on April 1, 2027.

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

2026-1812h

AMENDED ANALYSIS

This bill:

I. Requires municipalities, towns, and cities to submit documentation to the department of revenue administration proving they are in compliance with local budget and tax caps.

II. Requires certain municipalities to hold a public hearing and conduct a roll call vote when seeking to override a tax or spending cap and report the results of the roll call on property bills.

The question being adoption of the majority committee amendment.

Majority committee amendment was adopted.

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

Rep. Colby spoke against.

Rep. Pauer spoke in favor.

Rep. Giasson requested a roll call; sufficiently seconded.

YEAS 164 - NAYS 150

YEAS - 164

BELKNAP

Aldrich, Glen
Ploszaj, Tom

Coker, Matthew
Toner, Travis

Freeman, Lisa

Harvey-Bolia, Juliet

CARROLL

Avellani, Lino
Smith, Jonathan

Belcher, Mike
Peternel, Katy

Hamblen, Joseph

MacDonald, John

CHESHIRE

Hunt, John
Qualey, James

Karasinski, Sly
Rhodes, Jennifer

Mattson, Rita

Nalevanko, Rich

COOS

Korzen, Lori
Tierney, James

Murphy, Michael
Tremblay, Marc

Morency, Pete

King, Seth

GRAFTON

Beaulier, Calvin
Ladd, Rick

Berezhny, Lex
Louis, Darrell

Bjelobrk, Marie Louise
Sellers, John

Franz, Linda

HILLSBOROUGH

Alexander, Joe
Berry, Ross
Kelley, Diane
Dupont, Pierre
Giasson, Henry
Kesselring, Steven
Mazur, Lisa
Morton, Jonathan
Paquette, Kathleen
Proulx, Mark
Sheehan, Vanessa
Ulery, Jordan

Ammon, Keith
Boehm, Ralph
Daniels, Gary
Erf, Keith
Gorski, Ted
Labrie, Brian
McLean, Mark
Noble, Kristin
Pauer, Diane
Prout, Andrew
Sirois, Shane
Warden, Mark

Boyd, Bill
Colcombe, Riché
Drew, Matt
Griffin, Gerald
Gould, Linda
Lascelles, Richard
Miles, Julie
Notter, Jeanine
Post, Lisa
Reinfurt, Sherri
Slottje, Jeremy
Wherry, Robert

Barbour, Liz
Cole, Brian
Dumont, Dillon
Gagne, Larry
Kenny, Catherine
Murphy, Mary
Mooney, Maureen
Ohm, Bill
Presa, Adam
Schneller, John
Mannion, Tom

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, Yury
Walsh, Thomas

ROCKINGHAM

Bennett, Cindy
Mannion, Dennis
Drago, Mike
Ford, Mary
Khan, Aboul
Litchfield, Melissa
Markell, Jay
Milz, David
Perez, Kristine
Prudhomme-O'Brien, Katherine
Soti, Julius
Sytek, John
MacDonald, Wayne

Bernardy, JD
Thomas, Douglas
Dunn, Ron
Guzowski, James
Miner, Laurence
Love, David
McGrath, Linda
Nadeau, Brian
Popovici-Muller, Daniel
Pearson, Stephen
Spillane, James
Tripp, Richard
Weyler, Kenneth

Bridle, Nicholas
DeSimone, Debra
Edwards, Jess
Janigian, John
Walsh, Lilli
Lynn, Bob
McMahon, Charles
Osborne, Jason
Porcelli, Susan
Sabourin dit Choinière, Matt
Summers, James
Tudor, Paul
Wilson, Vicki

Bryer, Scott
Donnelly, Tanya
Foote, Charles
Katsakiores, Phyllis
Layon, Erica
Pearson, Mark
Melvin, Charles
Brown, Pam
Potucek, John
Selby, Donald
Sweeney, Joe
Vose, Michael

STRAFFORD

Bailey, Glenn
Farrington, Samuel
Turcotte, Len

Burnham, Claudine
Harrington, Michael

DeLemus, Susan
Kaczynski, Thomas

DeRoy, Susan
Potenza, Kelley

SULLIVAN

Drye, Margaret
Aron, Judy

Girard, Dale
Aron, Michael

Grant, George
Rollins, Skip

Hemingway, Wayne
Spilsbury, Walter

**NAYS - 150
BELKNAP**

Nagel, David

St. Clair, Charlie

CARROLL

Boudman, Bobbi
McAleer, Chris

Burroughs, Anita
Taylor, Brian

Crawford, Karel
Woodcock, Stephen

Paige, David

CHESHIRE

Ames, Dick
Faulkner, Barry
Germana, Nicholas
Weber, Lucy

Berch, Paul
Gruber, James
Newell, Jodi

Fox, Dru
Jacobs, Samantha
O'Rourke, Terri

Murphy, Denis
Jones, Philip
Parshall, Lucius

GRAFTON

Almy, Susan
Hakken-Phillips, Mary
Muirhead, Russell
Stavis, Laurel

Cormen, Thomas
Sullivan, Jared
Oppel, Thomas
Stringham, Jerry

Fellows, Sallie
Lovett, Peter
Rockmore, Ellen
Sykes, George

Fracht, David
Lucas, Janet
Spahr, Terry

HILLSBOROUGH

Murray, Aissandra
Chretien, Suzanne
DiSilvestro, Linda
Georges, Mary
Hartnett, Tim
Kerwin, Erin
LeClerc, Daniel
Howard, Molly
Murphy, Nancy
Raymond, Heather
Newman, Sue
Staub, Kathy
Veilleux, Daniel
Wilhelm, Matthew

Beauchemin, Paige
Cornell, Patricia
Elberger, Susan
Grill, Jessica
Hegner, Karen
Kluger, Lee Ann
Leishman, Peter
Murray, Megan
Petrigno, Peter
Rombeau, Catherine
Salvi, Santosh
Swanson, Dale
Dolan, William

Budathoki, Suraj
Darby, Will
Davis, Fred
Grund, Stephanie
Jack, Martin
Foxy, Loren
Lloyd, Christal
MacKenzie, Mark
Plamondon, Marc
Rung, Rosemarie
Seibert, Christine
Telerski, Laura
Thomas, Wendy

Chourasia, Manoj
Dargie, Paul
Foss, Lily
Harriott-Gathright, Linda
Juris, Louis
Leapley, Nicole
Long, Patrick
McGhee, Kat
Newman, Ray
Ryan, Linda
Spier, Carry
Tellez, Trinidad
Wheeler, Jonah

MERRIMACK

Andrus, Louise
Kelly, Eileen
Lane, Connie
Payeur, Stephanie
Soucy, Timothy

Bricchi, Tracy
Ebel, Karen
Luneau, David
Sargent, Gregory
Wallner, Mary Jane

Caplan, Tony
Gallager, Eric
Hall, Muriel
Schamberg, Thomas
Woods, Gary

Colby, Eleana
Gibbs, Merryl
Newsom, James
Snodgrass, Jim

ROCKINGHAM

Balboni, Peggy
Murray, Kate
Mandelbaum, Jennifer
Raynolds, Ned
Turer, Eric

Cahill, Michael
Knab, Allison
Manos, Zoe
Read, Ellen
Vallone, Mark

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

Edgar, Michael
Malloy, Dennis
Muns, Chris
Sorensen, Carrie

STRAFFORD

Bay, Luz
Howard, Heath
LaMontagne, Jessica
Schmidt, Peter
Walker, David

Bixby, Peter
Horrigan, Timothy
Larochelle, John
Southworth, Thomas
Wall, Janet

Burton, Wayne
Howland, Allan
Levesque, Cassandra
Pearson, Wayne

Smith, Geoffrey
Johnson, Erik
Miller, Seth
Wade, Alice

SULLIVAN

Sullivan, Brian

Cloutier, John

Damon, Hope

Palmer, William

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

SB 653, enabling counties to change the dates of their biennial budgets. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. John MacDonald for the **Majority** of Municipal and County Government. This bill allows a majority vote of the county commissioners to place on the ballot a question asking the voters if they want to change to a biennial budget cycle on the off year of the state elections for the adoption of the county budget. The bill explains posting requirements, dates of required actions and the acceptable wording for the ballot question. In addition, the amendment provides the requirements for the adopting, rescinding and electing both a municipal and school budget committee. Vote 11-9.

Rep. Stephanie Grund for the **Minority** of Municipal and County Government. The minority of the committee supports the original bill which enables counties to adopt a biennial budget instead of an annual one and align it to be on the off year of the November state elections. The voters of the county would be required to vote on this change if it is affirmed by a majority of the county commissioners. However, there was an amendment to this bill that added the language from a prior bill that modifies the procedure for adopting, rescinding, and electing a municipal budget committee and modifies the time frame for the appointment of initial members of a cooperative school district budget committee. Most of this language was passed by the House in a prior bill but was referred to Interim Study by the Senate. The questions still exist as to what towns are claiming they are having a problem with adopting, rescinding, or electing members to municipal budget committees. There was no evidence presented during hearings as to towns that had concerns. The minority of the committee recommends Inexpedient to Legislate on the amended bill.

Majority Amendment (1797h)

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

AN ACT enabling counties to change the dates of their biennial budgets and relative to the adopting of a municipal budget committee and electing members thereof.

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

1 Municipal Budget Law; Budget Committee. RSA 32:14, III is repealed and reenacted to read as follows:

III. Voting shall be by official ballot unless the town has not adopted the official ballot, in which case the clerk shall cause the same question to be printed upon special ballots, which shall be used to determine the vote of the town at the annual meeting, and ballots shall be accepted by the moderator for a period of not less than one hour following the completion of discussion on the question.

(a) If budget committee members-at-large are to be appointed by the moderator pursuant to RSA 32:15, II, the wording of the question shall be: "To assist voters in the prudent appropriation of public funds, shall we adopt the provisions of RSA 32:14 to establish a budget committee consisting of (number) members-at-large who are appointed by the moderator?"

(b) If budget committee members-at-large are to be elected with initial members-at-large appointed to one year terms by the moderator pursuant to RSA 32:15, III, the wording of the question shall be: "To assist voters in the prudent appropriation of public funds, shall we adopt the provisions of RSA 32:14 to establish a budget committee consisting of (number) members-at-large who are elected, with the initial members appointed to one-year terms by the moderator?"

(c) Except for a town or district that uses an official ballot form of meeting under RSA 40:13 or under a charter adopted pursuant to RSA 49-D, if budget committee members-at-large are to be elected with initial members-at-large elected to one-year terms pursuant to RSA 32:15, III, the wording of the question shall be as follows: "To assist voters in the prudent appropriation of public funds, shall we adopt the provisions of RSA 32:14 to establish a budget committee consisting of (number) members-at-large who are elected, with the initial members elected to one-year terms by the meeting?"

(d) For a town or district that uses an official ballot form of meeting under RSA 40:13 or under a charter adopted pursuant to RSA 49-D, if budget committee members-at-large are to be elected with initial members-at-large elected to staggered terms at the next annual meeting pursuant to RSA 32:15, III, the wording of the question shall be as follows: "To assist voters in the prudent appropriation of public funds, shall we adopt the provisions of RSA 32:14 to establish a budget committee consisting of (number) members-at-large who are elected, with initial members elected at the next annual meeting?"

2 Municipal Budget Law; Adoption. Amend RSA 32:14, V to read as follows:

V. A town or district which has adopted this subdivision may rescind its adoption in the manner described in paragraphs II and III, ***except that the wording of the question shall be: "Shall we rescind the provisions of RSA 32:14, eliminating the budget committee so that the governing body assumes all budgetary responsibilities for the prudent appropriation of public funds?"***

3 Municipal Budget Law; Budget Committee Membership. Amend RSA 32:15, III-IV to read as follows:

III. ***If a town or district uses an official ballot form of meeting under RSA 40:13 or under a charter adopted pursuant to RSA 49-D, and the meeting decides members-at-large are to be elected, the meeting shall either elect the initial members-at-large for staggered terms as described in paragraph II at the next annual meeting, or shall authorize the moderator to appoint members-at-large to serve a one-year term until the next annual meeting, as provided in RSA 669:17. Otherwise, if the meeting decides members-at-large are to be elected, the meeting shall either elect the initial members for one-year terms by means other than by official ballot, or shall authorize the moderator to appoint members to serve until the next annual meeting, as provided in RSA 669:17. Elections for staggered terms, as described in paragraph II, shall not begin until that next annual meeting, and shall be by official ballot if the municipality has adopted the official ballot system, as set forth in RSA 669 or RSA 671. A budget committee shall be deemed duly constituted and able to conduct business once a quorum of its elected or appointed members-at-large have been sworn into office.***

IV. A town or district which has adopted this subdivision may vote at any subsequent annual meeting to change the number or manner of selection of its members-at-large. No such change shall take effect until the annual meeting following the meeting at which the change was adopted. ***Currently elected or appointed members-at-large shall continue to serve until the end of their current term.***

(a) ***To change the number of members-at-large, the wording of the question shall be: "Shall we change the number of budget committee members-at-large from (number) to (number)?"***

(b) ***To change the manner of selection of members-at-large, the wording of the question shall be: "Shall we change the manner of selection of budget committee members-at-large from ("appointed by moderator" or "elected by voters") to ("elected by voters" or "appointed by moderator")?"***

4 Cooperative School Districts; Budget Committee. Amend RSA 195:12-a, I to read as follows:

I. A cooperative school district at an annual meeting, under a proper article in the warrant, may vote to establish a budget committee pursuant to RSA 32:14 and may rescind such action in a like manner. The budget committee shall have the same number of members as the cooperative district school board plus one additional member from the school board as provided in this paragraph. The terms of office and manner of election of members shall be determined in the same manner as for the cooperative school board. Whenever it is voted to establish a budget committee, the moderator in the first instance shall appoint the members of the budget committee, except for the additional member appointed from the school board, within [15] **30** days of the vote establishing the committee. The members appointed by the moderator shall serve until the next annual meeting when the meeting shall elect their successors. No member of the cooperative school board shall be appointed or elected to the budget committee except that the chairperson of the cooperative school board shall appoint a member of the board to serve on the budget committee in an ex-officio, non-voting capacity. After appointment or election, the budget committee shall promptly organize and choose a chairperson, vice-chairperson, and secretary. The secretary shall keep records of the proceedings of the budget committee, which shall be public records open to public inspection.

5 New Section; Municipal Budget Law; Biennial Budgets; Procedure for Fiscal Year Change. Amend RSA 32 by inserting after section 26 the following new section:

32:27 Procedure for Fiscal Year Change.

I. Upon an affirmative vote of a majority of county voters, a county may move the biennial budget to the off year of the state election. Putting the question on the ballot shall require a vote in the affirmative by a majority of the county commissioners. Said vote shall happen no later than the September 1 before the state elections.

II. Notice of a vote of the county commissioners pursuant to paragraph I shall be given at least 15 days, but not more than 60 days, prior, by a local newspaper of general circulation, public notice on the county's main website or any social media accounts utilized by the county, and public notice posted in the 2 places where the county regularly posts notices of its governing body meetings, or by any other means deemed appropriate by the county commissioners.

III. The question shall be put to the voters at the November state election and shall read as follows: "Shall NAME OF COUNTY move to a biennial budget cycle starting in the year YEAR NUMBER?"

6 Repeal. RSA 32:14, IV, relative to procedure if the vote is favorable, is repealed.

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

2026-1797h

AMENDED ANALYSIS

This bill:

I. Modifies the procedure for adopting, rescinding, and electing a municipal budget committee.

II. Modifies the time frame for the appointment of initial members of a cooperative school district budget committee.

III. Enables counties to change the dates of their biennial budgets.

The question being adoption of the majority committee amendment.

Rep. Grund spoke against.

Rep. John MacDonald spoke in favor.

Rep. Sweeney requested a roll call; sufficiently seconded.

YEAS 164 - NAYS 145

YEAS - 164

BELKNAP

Aldrich, Glen
Ploszaj, Tom

Coker, Matthew
Toner, Travis

Freeman, Lisa

Harvey-Bolia, Juliet

CARROLL

Avellani, Lino
Smith, Jonathan

Belcher, Mike
Petermel, Katy

Hamblen, Joseph
Taylor, Brian

MacDonald, John

CHESHIRE

Murphy, Denis
Nalevanko, Rich

Hunt, John
Qualey, James

Karasinski, Sly
Rhodes, Jennifer

Mattson, Rita

COOS

Korzen, Lori
Tremblay, Marc

Murphy, Michael

Morency, Pete

King, Seth

GRAFTON

Beaulier, Calvin
Ladd, Rick

Berezhny, Lex
Louis, Darrell

Bjelobrck, Marie Louise
Sellers, John

Franz, Linda

HILLSBOROUGH

Alexander, Joe
Boehm, Ralph
Daniels, Gary
Erf, Keith
Gorski, Ted
Labrie, Brian
McLean, Mark
Noble, Kristin
Pauer, Diane
Prout, Andrew
Sirois, Shane
Warden, Mark

Boyd, Bill
Colcombe, Riché
Drew, Matt
Griffin, Gerald
Gould, Linda
Lascelles, Richard
Miles, Julie
Notter, Jeanine
Post, Lisa
Reinfurt, Sherri
Slottje, Jeremy
Wherry, Robert

Barbour, Liz
Cole, Brian
Dumont, Dillon
Gagne, Larry
Kenny, Catherine
Murphy, Mary
Mooney, Maureen
Ohm, Bill
Presa, Adam
Schneller, John
Mannion, Tom

Berry, Ross
Kelley, Diane
Dupont, Pierre
Giasson, Henry
Kesselring, Steven
Mazur, Lisa
Morton, Jonathan
Paquette, Kathleen
Proulx, Mark
Sheehan, Vanessa
Ulery, Jordan

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, Yury
Walsh, Thomas

ROCKINGHAM

Bennett, Cindy
Mannion, Dennis
Drago, Mike
Ford, Mary
Khan, Aboul
Litchfield, Melissa
Markell, Jay
Milz, David
Perez, Kristine
Prudhomme-O'Brien, Katherine
Soti, Julius
Sytek, John
MacDonald, Wayne

Bernardy, JD
Thomas, Douglas
Dunn, Ron
Guzofski, James
Miner, Laurence
Love, David
McGrath, Linda
Nadeau, Brian
Popovici-Muller, Daniel
Pearson, Stephen
Spillane, James
Tripp, Richard
Weyler, Kenneth

Bridle, Nicholas
DeSimone, Debra
Edwards, Jess
Janigian, John
Walsh, Lilli
Lynn, Bob
McMahon, Charles
Osborne, Jason
Porcelli, Susan
Sabourin dit Choinière, Matt
Summers, James
Tudor, Paul

Bryer, Scott
Donnelly, Tanya
Foote, Charles
Katsakiores, Phyllis
Layon, Erica
Pearson, Mark
Melvin, Charles
Brown, Pam
Potucek, John
Selby, Donald
Sweeney, Joe
Vose, Michael

STRAFFORD

Bailey, Glenn
Farrington, Samuel
Turcotte, Len

Burnham, Claudine
Harrington, Michael
Walker, David

DeLemus, Susan
Kaczynski, Thomas

DeRoy, Susan
Potenza, Kelley

SULLIVAN

Drye, Margaret
Aron, Judy

Girard, Dale
Aron, Michael

Grant, George
Rollins, Skip

Hemingway, Wayne
Spilsbury, Walter

**NAYS - 145
BELKNAP**

Nagel, David

St. Clair, Charlie

CARROLL

Boudman, Bobbi
Woodcock, Stephen

Burroughs, Anita

Paige, David

McAleer, Chris

CHESHIRE

Ames, Dick
Gruber, James
Newell, Jodi

Berch, Paul
Jacobs, Samantha
O'Rorke, Terri

Fox, Dru
Jones, Philip
Parshall, Lucius

Faulkner, Barry
Germana, Nicholas
Weber, Lucy

GRAFTON

Almy, Susan
Hakken-Phillips, Mary
Muirhead, Russell
Stavis, Laurel

Cormen, Thomas
Sullivan, Jared
Oppel, Thomas
Stringham, Jerry

Fellows, Sallie
Lovett, Peter
Rockmore, Ellen
Sykes, George

Fracht, David
Lucas, Janet
Spahr, Terry

HILLSBOROUGH

Murray, Alissandra
Chretien, Suzanne
DiSilvestro, Linda
Georges, Mary
Hartnett, Tim
Kerwin, Erin
LeClerc, Daniel

Beauchemin, Paige
Cornell, Patricia
Elberger, Susan
Grill, Jessica
Hegner, Karen
Kluger, Lee Ann
Leishman, Peter

Budathoki, Suraj
Darby, Will
Davis, Fred
Grund, Stephanie
Jack, Martin
Foxy, Loren
Lloyd, Christal

Chourasia, Manoj
Dargie, Paul
Foss, Lily
Harriott-Gathright, Linda
Juris, Louis
Leapley, Nicole
Long, Patrick

Howard, Molly
Murphy, Nancy
Raymond, Heather
Newman, Sue
Staub, Kathy
Veilleux, Daniel

Murray, Megan
Petrigno, Peter
Rombeau, Catherine
Salvi, Santosh
Swanson, Dale
Dolan, William

MacKenzie, Mark
Plamondon, Marc
Rung, Rosemarie
Seibert, Christine
Telerski, Laura
Thomas, Wendy

McGhee, Kat
Newman, Ray
Ryan, Linda
Spier, Carry
Tellez, Trinidad
Wilhelm, Matthew

MERRIMACK

Andrus, Louise
Kelly, Eileen
Lane, Connie
Payeur, Stephanie
Soucy, Timothy

Bricchi, Tracy
Ebel, Karen
Luneau, David
Sargent, Gregory
Wallner, Mary Jane

Caplan, Tony
Gallager, Eric
Hall, Muriel
Schamberg, Thomas
Woods, Gary

Colby, Eleana
Gibbs, Merryl
Newsom, James
Snodgrass, Jim

ROCKINGHAM

Balboni, Peggy
Murray, Kate
Mandelbaum, Jennifer
Raynolds, Ned
Turer, Eric

Cahill, Michael
Knab, Allison
Manos, Zoe
Read, Ellen
Vallone, Mark

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

Edgar, Michael
Malloy, Dennis
Muns, Chris
Sorensen, Carrie

STRAFFORD

Bay, Luz
Howard, Heath
LaMontagne, Jessica
Schmidt, Peter
Wall, Janet

Bixby, Peter
Horrigan, Timothy
Larochelle, John
Southworth, Thomas

Burton, Wayne
Howland, Allan
Levesque, Cassandra
Pearson, Wayne

Smith, Geoffrey
Johnson, Erik
Miller, Seth
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. Sweeney requested a roll call; sufficiently seconded.

YEAS 167 - NAYS 146

YEAS - 167 BELKNAP

Aldrich, Glen
Ploszaj, Tom

Coker, Matthew
Toner, Travis

Freeman, Lisa

Harvey-Bolia, Juliet

CARROLL

Avellani, Lino
Smith, Jonathan

Belcher, Mike
Paternel, Katy

Hamblen, Joseph
Taylor, Brian

MacDonald, John

CHESHIRE

Murphy, Denis
Nalevanko, Rich

Hunt, John
Qualey, James

Karasinski, Sly
Rhodes, Jennifer

Mattson, Rita

COOS

Korzen, Lori
Tierney, James

Murphy, Michael
Tremblay, Marc

Morency, Pete

King, Seth

GRAFTON

Beaulier, Calvin
Ladd, Rick

Berezhny, Lex
Louis, Darrell

Bjelobrk, Marie Louise
Sellers, John

Franz, Linda

HILLSBOROUGH

Alexander, Joe
Berry, Ross
Kelley, Diane
Dupont, Pierre
Giasson, Henry
Kesselring, Steven
Mazur, Lisa
Morton, Jonathan
Paquette, Kathleen
Proulx, Mark
Sheehan, Vanessa
Ulery, Jordan

Ammon, Keith
Boehm, Ralph
Daniels, Gary
Erf, Keith
Gorski, Ted
Labrie, Brian
McLean, Mark
Noble, Kristin
Pauer, Diane
Prout, Andrew
Sirois, Shane
Warden, Mark

Boyd, Bill
Colcombe, Riché
Drew, Matt
Griffin, Gerald
Gould, Linda
Lascelles, Richard
Miles, Julie
Notter, Jeanine
Post, Lisa
Reinfurt, Sherri
Slottje, Jeremy
Wherry, Robert

Barbour, Liz
Cole, Brian
Dumont, Dillon
Gagne, Larry
Kenny, Catherine
Murphy, Mary
Mooney, Maureen
Ohm, Bill
Presa, Adam
Schneller, John
Mannion, Tom

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

Bennett, Cindy
Mannion, Dennis
Drago, Mike
Ford, Mary
Khan, Aboul
Litchfield, Melissa
Markell, Jay
Milz, David
Perez, Kristine
Prudhomme-O'Brien, Katherine
Soti, Julius
Sytek, John
MacDonald, Wayne

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Dunn, Ron
Guzofski, James
Miner, Laurence
Love, David
McGrath, Linda
Nadeau, Brian
Popovici-Muller, Daniel
Pearson, Stephen
Spillane, James
Tripp, Richard
Weyler, Kenneth

Bridle, Nicholas
DeSimone, Debra
Edwards, Jess
Janigian, John
Walsh, Lilli
Lynn, Bob
McMahon, Charles
Osborne, Jason
Porcelli, Susan
Sabourin dit Choinière, Matt
Summers, James
Tudor, Paul
Wilson, Vicki

Bryer, Scott
Donnelly, Tanya
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Melvin, Charles
Brown, Pam
Potucek, John
Selby, Donald
Sweeney, Joe
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Burnham, Claudine
Harrington, Michael
Walker, David

DeLemus, Susan
Kaczynski, Thomas

DeRoy, Susan
Potenza, Kelley

SULLIVAN

Drye, Margaret
Aron, Judy

Girard, Dale
Aron, Michael

Grant, George
Rollins, Skip

Hemingway, Wayne
Spilsbury, Walter

NAYS - 146**BELKNAP**

Nagel, David

St. Clair, Charlie

CARROLL

Boudman, Bobbi
Woodcock, Stephen

Burroughs, Anita

Paige, David

McAleer, Chris

CHESHIRE

Ames, Dick
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O'Rorke, Terri

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Leishman, Peter
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Rombeau, Catherine
Salvi, Santosh
Swanson, Dale
Dolan, William

Budathoki, Suraj
Darby, Will
Davis, Fred
Grund, Stephanie
Jack, Martin
Foxy, Loren
Lloyd, Christal
MacKenzie, Mark
Plamondon, Marc
Rung, Rosemarie
Seibert, Christine
Telerski, Laura
Thomas, Wendy

Chourasia, Manoj
Dargie, Paul
Foss, Lily
Harriott-Gathright, Linda
Juris, Louis
Leapley, Nicole
Long, Patrick
McGhee, Kat
Newman, Ray
Ryan, Linda
Spier, Carry
Tellez, Trinidad
Wheeler, Jonah

MERRIMACK

Andrus, Louise
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Payeur, Stephanie
Soucy, Timothy

Bricchi, Tracy
Ebel, Karen
Luneau, David
Sargent, Gregory
Wallner, Mary Jane

Caplan, Tony
Gallager, Eric
Hall, Muriel
Schamberg, Thomas
Woods, Gary

Colby, Eleana
Gibbs, Merryl
Newsom, James
Snodgrass, Jim

ROCKINGHAM

Balboni, Peggy
Murray, Kate
Mandelbaum, Jennifer
Raynolds, Ned
Turer, Eric

Cahill, Michael
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Manos, Zoe
Read, Ellen
Vallone, Mark

de Vries, Erica
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Meuse, David
Simpson, Alexis
Ward, Gerald

Edgar, Michael
Malloy, Dennis
Muns, Chris
Sorensen, Carrie

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Bay, Luz
Howard, Heath
LaMontagne, Jessica
Schmidt, Peter
Wall, Janet

Bixby, Peter
Horrigan, Timothy
Larochelle, John
Southworth, Thomas

Burton, Wayne
Howland, Allan
Levesque, Cassandra
Pearson, Wayne

Smith, Geoffrey
Johnson, Erik
Miller, Seth
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.

SB 627-FN, (New Title) relative to toll rate adjustments and periodic inflation-based toll reviews for the New Hampshire turnpike system to support the 2027-2036 ten-year transportation plan. **MAJORITY: REFER FOR INTERIM STUDY. MINORITY: OUGHT TO PASS.**

Rep. Jordan Ulery for the **Majority** of Ways and Means. No one on the committee objected to the need for this bill. Taxing out-of-state drivers a higher toll than in-state drivers is something that many states already do. The majority of the committee agreed that a change was needed and that the bill had merit. That being said, the bill is not yet well known by our constituents. The Transportation Commissioner reported that the fee increase could be immediately implemented after the right toll numbers were determined. The commissioner also stated that the need was due, in part, to the massive inflation of costs resulting from the COVID-era inflation. Because some essential facts were missing from the work session, the majority of the committee wanted to make sure that the numbers are correct so as not to discourage tourism or unduly increase trucking costs. Recommendations will be made in the fall for legislation to be considered in 2027. Vote 11-9.

Rep. Thomas Schamberg for the **Minority** of Ways and Means. The minority opposes the Interim Study of this bill because it will not materially alter the core policy choice before the legislature. Proponents of Interim Study argue that more time is needed to evaluate the fiscal cost and economic impact of this bill, but these matters have been addressed through prior legislative hearings, a strong fiscal note, and testimony to our committee. This bill was approved by the Senate Transportation Committee 4-0 and by unanimous Senate voice vote. The House Public Works and Highways Committee voted 15-0 to support the bill and it was approved by a House voice vote on April 23. The Interim Study fails to account for the real and measurable costs of inaction. Inflation in labor and materials, loss of the window for action on critical projects during Fall 2026 through the next GACIT in 2028 and pushing back eligibility windows for federal funding opportunities, creates uncertainty for municipal planning and private-sector partners and weakens New Hampshire's ability to proactively manage transportation infrastructure needs. The minority finds that the revenue of \$400 to \$600 million dollars is greater and more certain than the speculative risks cited to justify delay. Both New Hampshire's people and tourists are suffering from congestion and bad roads, and the trucks that deliver goods to our state suffer equally. The federal tax credits that would come with this increase would start to reverse years of under-funding. The 10-Year Highway Plan is not a static document. Interim Studies are appropriate when facts are unavailable or when a concept is not yet fully formed. This bill meets neither condition. Delaying action under the premise of needing more study risks creating a perpetual cycle of analysis without decision, contrary to sound legislative governance.

The question being adoption of the majority committee report of Refer for Interim Study.

MOTION TO LAY ON THE TABLE

Rep. Janigian moved that **SB 627-FN**, relative to toll rate adjustments and periodic inflation-based toll reviews for the New Hampshire turnpike system to support the 2027-2036 ten-year transportation plan, be laid on the table. On a division vote, with 154 members having voted in the affirmative, and 155 in the negative, the motion failed.

The question now being adoption of the majority committee report of Refer for Interim Study.

Rep. Schamberg spoke against.

Rep. Ulery spoke in favor.

Rep. Sweeney requested a roll call; sufficiently seconded.

YEAS 151 - NAYS 157**YEAS - 151
BELKNAP**

Aldrich, Glen
St. Clair, Charlie

Freeman, Lisa
Toner, Travis

Harvey-Bolia, Juliet

Ploszaj, Tom

CARROLL

Avellani, Lino
Smith, Jonathan

Belcher, Mike
Peternel, Katy

Hamblen, Joseph

MacDonald, John

CHESHIRE

Murphy, Denis
Nalevanko, Rich

Hunt, John
Qualey, James

Karasinski, Sly

Mattson, Rita

COOS

Korzen, Lori
Tierney, James

Murphy, Michael
Tremblay, Marc

Morency, Pete

King, Seth

GRAFTON

Beaulier, Calvin
Ladd, Rick

Berezhny, Lex
Louis, Darrell

Bjelobrk, Marie Louise
Sellers, John

Franz, Linda

HILLSBOROUGH

Alexander, Joe
Colcombe, Riché
Drew, Matt
Griffin, Gerald
Kesselring, Steven
Mazur, Lisa
Morton, Jonathan
Pauer, Diane
Reinfurt, Sherri
Slottje, Jeremy
Wherry, Robert

Ammon, Keith
Cole, Brian
Dumont, Dillon
Gagne, Larry
Labrie, Brian
McLean, Mark
Noble, Kristin
Post, Lisa
Schneller, John
Mannion, Tom

Barbour, Liz
Kelley, Diane
Dupont, Pierre
Giasson, Henry
Lascelles, Richard
Miles, Julie
Notter, Jeanine
Presa, Adam
Sheehan, Vanessa
Ulery, Jordan

Berry, Ross
Daniels, Gary
Erf, Keith
Gorski, Ted
Murphy, Mary
Mooney, Maureen
Paquette, Kathleen
Prout, Andrew
Sirois, Shane
Warden, Mark

MERRIMACK

Andrus, Louise
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, Yury
Walsh, Thomas

ROCKINGHAM

Bennett, Cindy
Thomas, Douglas
Edwards, Jess
Katsakiores, Phyllis
Layon, Erica
Markell, Jay
Osborne, Jason
Porcelli, Susan
Selby, Donald
Sweeney, Joe
Vose, Michael

Bernardy, JD
DeSimone, Debra
Ford, Mary
Khan, Aboul
Litchfield, Melissa
McGrath, Linda
Brown, Pam
Potucek, John
Soti, Julius
Sytek, John
MacDonald, Wayne

Bryer, Scott
Drago, Mike
Guzofski, James
Miner, Laurence
Love, David
McMahon, Charles
Perez, Kristine
Prudhomme-O'Brien, Katherine
Spillane, James
Tripp, Richard
Weyler, Kenneth

Mannion, Dennis
Dunn, Ron
Janigian, John
Walsh, Lilli
Lynn, Bob
Nadeau, Brian
Popovici-Muller, Daniel
Sabourin dit Choinière, Matt
Summers, James
Tudor, Paul
Wilson, Vicki

STRAFFORD

Bailey, Glenn
Farrington, Samuel
Walker, David

Burnham, Claudine
Harrington, Michael

DeLemus, Susan
Kaczynski, Thomas

DeRoy, Susan
Larochelle, John

SULLIVAN

Drye, Margaret
Aron, Judy

Girard, Dale
Aron, Michael

Grant, George
Rollins, Skip

Hemingway, Wayne
Spilsbury, Walter

NAYS - 157**BELKNAP**

Coker, Matthew

Nagel, David

CARROLL

Boudman, Bobbi
Taylor, Brian

Burroughs, Anita
Woodcock, Stephen

Paige, David

McAleer, Chris

CHESHIRE

Ames, Dick
Gruber, James
Newell, Jodi
Weber, Lucy

Berch, Paul
Jacobs, Samantha
O'Rorke, Terri

Fox, Dru
Jones, Philip
Parshall, Lucius

Faulkner, Barry
Germana, Nicholas
Rhodes, Jennifer

GRAFTON

Almy, Susan
Hakken-Phillips, Mary
Muirhead, Russell
Stavis, Laurel

Cormen, Thomas
Sullivan, Jared
Oppel, Thomas
Stringham, Jerry

Fellows, Sallie
Lovett, Peter
Rockmore, Ellen
Sykes, George

Fracht, David
Lucas, Janet
Spahr, Terry

HILLSBOROUGH

Murray, Aissandra
Budathoki, Suraj
Darby, Will
Davis, Fred
Grill, Jessica
Jack, Martin
Foxy, Loren
Lloyd, Christal
MacKenzie, Mark
Petrigno, Peter
Raymond, Heather
Newman, Sue
Staub, Kathy
Veilleux, Daniel
Wilhelm, Matthew

Boyd, Bill
Chourasia, Manoj
Dargie, Paul
Foss, Lily
Grund, Stephanie
Juris, Louis
Leapley, Nicole
Long, Patrick
McGhee, Kat
Plamondon, Marc
Rombeau, Catherine
Salvi, Santosh
Swanson, Dale
Dolan, William

Beauchemin, Paige
Chretien, Suzanne
DiSilvestro, Linda
Georges, Mary
Harriott-Gathright, Linda
Kerwin, Erin
LeClerc, Daniel
Howard, Molly
Murphy, Nancy
Proulx, Mark
Rung, Rosemarie
Seibert, Christine
Telerski, Laura
Thomas, Wendy

Boehm, Ralph
Cornell, Patricia
Elberger, Susan
Gould, Linda
Hartnett, Tim
Kluger, Lee Ann
Leishman, Peter
Murray, Megan
Ohm, Bill
Newman, Ray
Ryan, Linda
Spier, Carry
Tellez, Trinidad
Wheeler, Jonah

MERRIMACK

Aures, Cyril
Kelly, Eileen
Lane, Connie
Payeur, Stephanie
Soucy, Timothy

Bricchi, Tracy
Ebel, Karen
Luneau, David
Sargent, Gregory
Wallner, Mary Jane

Caplan, Tony
Gallager, Eric
Hall, Muriel
Schamberg, Thomas
Woods, Gary

Colby, Eleana
Gibbs, Merry
Newsom, James
Snodgrass, Jim

ROCKINGHAM

Balboni, Peggy
Edgar, Michael
Pearson, Mark
Manos, Zoe
Muns, Chris
Simpson, Alexis
Ward, Gerald

Bridle, Nicholas
Foote, Charles
Maggiore, Jim
Melvin, Charles
Raynolds, Ned
Sorensen, Carrie

Cahill, Michael
Murray, Kate
Malloy, Dennis
Meuse, David
Read, Ellen
Turer, Eric

Donnelly, Tanya
Knab, Allison
Mandelbaum, Jennifer
Milz, David
Pearson, Stephen
Vallone, Mark

STRAFFORD

Bay, Luz
Howard, Heath
LaMontagne, Jessica
Southworth, Thomas

Bixby, Peter
Horrigan, Timothy
Levesque, Cassandra
Pearson, Wayne

Burton, Wayne
Howland, Allan
Miller, Seth
Wade, Alice

Smith, Geoffrey
Johnson, Erik
Schmidt, Peter
Wall, Janet

SULLIVAN

Sullivan, Brian

Cloutier, John

Damon, Hope

Palmer, William

and the motion failed.

Rep. Milz moved Ought to Pass.

Motion was adopted and the bill was ordered to third reading.

BILLS REMOVED FROM THE CONSENT CALENDAR

SB 567-FN, relative to the composition of the board of dental examiners and relative to temporary licenses for out-of-state professionals. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Erica Layon for Executive Departments and Administration. This bill would ensure that at least one member of the dental board is a general practice dentist. As amended, the bill provides a pathway for people to continue to receive dental care after refusing x-rays. Dentists do not permit this today, as allowing a patient to continue to receive care without following American Dental Association radiographic guidelines is a reason to revoke their license. Vote 14-0.

Amendment (1750h)

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

AN ACT relative to the composition of the board of dental examiners and relative to the practice of dentistry and when radiographic examinations are required.

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

2 New Paragraph; Practice of Dentistry; X-Rays; When Required. Amend RSA 317-A:17 by inserting after paragraph II the following new paragraph:

II-a. Notwithstanding RSA 317-A:17, II(g), 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.

3 Effective Date.

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

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

2026-1750h

AMENDED ANALYSIS

This bill:

I. Mandates that one member of the board of dental examiners be a general dentist.

II. 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.

The question being adoption of the committee amendment.

Committee amendment was adopted.

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

Rep. Layon offered floor amendment (1965h).

FloorAmendment (1965h)

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

AN ACT relative to the composition of the board of dental examiners and relative to the practice of dentistry and when radiographic examinations are required.

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

2 Finding. With respect to section 3 of this section, the general court finds that general recommendation 1.2 from the January 2026 publication “American Dental Association and American Academy of Oral and Maxillofacial Radiology patient selection for dental radiography and cone-beam computed tomography Clinical recommendations” in the Journal of the American Dental Association states that “radiographic screening shall not be performed before the clinical examination. The decision to obtain a radiograph or CBCT scan shall be made on the basis of the patient’s medical and dental histories, clinical examination, disease risk assessment, presence of a clinical condition, and previously obtained radiographic imaging. The benefits to the diagnosis and treatment planning must outweigh the potential risks from exposure to radiation, especially in the case of a child or young adult.”

3 New Paragraph; Practice of Dentistry; X-Rays; When Required. Amend RSA 317-A:17 by inserting after paragraph II the following new paragraph:

II-a. Notwithstanding RSA 317-A:17, II(g) and recognizing that the clinical guidelines published by the American Dental Association and the American Dental Hygienists Society state that they are not intended as regulatory documents, the board shall not take action against a licensee for variations from clinical guidelines intended to provide person-centered care that is specific for each individual and which considers the person’s needs, values and preferences.

(a) Radiographic screening shall not be performed before the clinical examination. The decision to obtain a radiograph or CBCT scan shall be made on the basis of the patient’s medical and dental histories, clinical examination, disease risk assessment, presence of a clinical condition, and previously obtained radiographic imaging. The benefits to the diagnosis and treatment planning must outweigh the potential risks from exposure to radiation, especially in the case of a child or young adult.

(b) When the decision to obtain a radiograph is refused by the patient, the dentist may treat the 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.

4 Effective Date.

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

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

2026-1965h

AMENDED ANALYSIS

This bill:

I. Mandates that one member of the board of dental examiners be a general dentist.

II. Mandates that radiographic screening shall not be performed before the clinical examination. The decision to obtain a radiograph or CBCT scan shall be made on the basis of the patient’s medical and dental histories, clinical examination, disease risk assessment, presence of a clinical condition, and previously obtained radiographic imaging.

III. 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.

The question being adoption of floor amendment (1965h).

Rep. Layon spoke in favor.

Rep. Health Howard spoke against.

Rep. Osborne requested a roll call; sufficiently seconded.

YEAS 158 - NAYS 143

YEAS - 158

BELKNAP

Aldrich, Glen
Toner, Travis

Freeman, Lisa

Harvey-Bolia, Juliet

Ploszaj, Tom

CARROLL

Avellani, Lino
Smith, Jonathan

Belcher, Mike
Peternel, Katy

Hamblen, Joseph
Taylor, Brian

MacDonald, John

CHESHIRE

Murphy, Denis
Nalevanko, Rich

Hunt, John
Qualey, James

Karasinski, Sly
Rhodes, Jennifer

Mattson, Rita

COOS

Korzen, Lori
Tierney, James

Murphy, Michael
Tremblay, Marc

Morency, Pete

King, Seth

GRAFTON

Beaulier, Calvin
Louis, Darrell

Berezhny, Lex
Sellers, John

Bjelobrck, Marie Louise

Ladd, Rick

HILLSBOROUGH

Alexander, Joe
Berry, Ross
Kelley, Diane
Dupont, Pierre
Giasson, Henry
Labrie, Brian
Mazur, Lisa
Morton, Jonathan
Paquette, Kathleen
Proulx, Mark
Sheehan, Vanessa
Ulery, Jordan

Ammon, Keith
Boehm, Ralph
Daniels, Gary
Erf, Keith
Gorski, Ted
Lascelles, Richard
McLean, Mark
Noble, Kristin
Pauer, Diane
Prout, Andrew
Sirois, Shane
Warden, Mark

Boyd, Bill
Colcombe, Riché
Drew, Matt
Griffin, Gerald
Gould, Linda
Long, Patrick
Miles, Julie
Notter, Jeanine
Post, Lisa
Reinfurt, Sherri
Slottje, Jeremy
Wherry, Robert

Barbour, Liz
Cole, Brian
Dumont, Dillon
Gagne, Larry
Kesselring, Steven
Murphy, Mary
Mooney, Maureen
Ohm, Bill
Presa, Adam
Schneller, John
Mannion, Tom

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, Yury
Walsh, Thomas

ROCKINGHAM

Bennett, Cindy
DeSimone, Debra
Edwards, Jess
Janigian, John
Walsh, Lilli
Lynn, Bob
McMahon, Charles
Osborne, Jason
Prudhomme-O'Brien, Katherine
Spillane, James
Tudor, Paul
Wilson, Vicki

Bernardy, JD
Donnelly, Tanya
Foote, Charles
Katsakiores, Phyllis
Layon, Erica
Mandelbaum, Jennifer
Melvin, Charles
Popovici-Muller, Daniel
Sabourin dit Choinière, Matt
Sweeney, Joe
Vose, Michael

Mannion, Dennis
Drago, Mike
Ford, Mary
Khan, Aboul
Litchfield, Melissa
Markell, Jay
Milz, David
Porcelli, Susan
Selby, Donald
Sytek, John
MacDonald, Wayne

Thomas, Douglas
Dunn, Ron
Guzowski, James
Miner, Laurence
Love, David
McGrath, Linda
Nadeau, Brian
Potucek, John
Soti, Julius
Tripp, Richard
Weyler, Kenneth

STRAFFORD

Bailey, Glenn
Farrington, Samuel
Walker, David

Burnham, Claudine
Harrington, Michael

DeLemus, Susan
Kaczynski, Thomas

DeRoy, Susan
Potenza, Kelley

SULLIVANDrye, Margaret
Aron, JudyGirard, Dale
Aron, MichaelGrant, George
Rollins, SkipHemingway, Wayne
Spilsbury, Walter**NAYS - 143****BELKNAP**

Coker, Matthew

Nagel, David

St. Clair, Charlie

CARROLL

Boudman, Bobbi

Paige, David

McAleer, Chris

Woodcock, Stephen

CHESHIREAmes, Dick
Gruber, James
Newell, JodiBerch, Paul
Jacobs, Samantha
O'Rorke, TerriFox, Dru
Jones, Philip
Parshall, LuciusFaulkner, Barry
Germana, Nicholas
Weber, Lucy**GRAFTON**Almy, Susan
Franz, Linda
Lucas, Janet
Stavis, LaurelCormen, Thomas
Hakken-Phillips, Mary
Muirhead, Russell
Stringham, JerryFellows, Sallie
Sullivan, Jared
Oppel, Thomas
Sykes, GeorgeFracht, David
Lovett, Peter
Rockmore, Ellen**HILLSBOROUGH**Murray, Alissandra
Chretien, Suzanne
DiSilvestro, Linda
Georges, Mary
Jack, Martin
Foxx, Loren
Howard, Molly
Murphy, Nancy
Raymond, Heather
Newman, Sue
Staub, Kathy
Veilleux, DanielBeauchemin, Paige
Cornell, Patricia
Elberger, Susan
Grund, Stephanie
Juris, Louis
LeClerc, Daniel
Murray, Megan
Petrigno, Peter
Rombeau, Catherine
Salvi, Santosh
Swanson, Dale
Thomas, WendyBudathoki, Suraj
Darby, Will
Davis, Fred
Harriott-Gathright, Linda
Kerwin, Erin
Leishman, Peter
MacKenzie, Mark
Plamondon, Marc
Rung, Rosemarie
Seibert, Christine
Telerski, Laura
Wheeler, JonahChourasia, Manoj
Dargie, Paul
Foss, Lily
Hartnett, Tim
Kluger, Lee Ann
Lloyd, Christal
McGhee, Kat
Newman, Ray
Ryan, Linda
Spier, Carry
Tellez, Trinidad
Wilhelm, Matthew**MERRIMACK**Andrus, Louise
Kelly, Eileen
Lane, Connie
Sargent, Gregory
Wallner, Mary JaneBricchi, Tracy
Ebel, Karen
Luneau, David
Schamberg, Thomas
Woods, GaryCaplan, Tony
Gallager, Eric
Hall, Muriel
Snodgrass, JimColby, Eleana
Gibbs, Merryl
Newsom, James
Soucy, Timothy**ROCKINGHAM**Balboni, Peggy
Edgar, Michael
Maggiore, Jim
Muns, Chris
Pearson, Stephen
Vallone, MarkBridle, Nicholas
Murray, Kate
Malloy, Dennis
Perez, Kristine
Simpson, Alexis
Ward, GeraldBryer, Scott
Knab, Allison
Manos, Zoe
Raynolds, Ned
Sorensen, CarrieCahill, Michael
Pearson, Mark
Meuse, David
Read, Ellen
Turer, Eric**STRAFFORD**Bay, Luz
Howard, Heath
LaMontagne, Jessica
Schmidt, Peter
Wall, JanetBixby, Peter
Horrigan, Timothy
Larochelle, John
Southworth, ThomasBurton, Wayne
Howland, Allan
Levesque, Cassandra
Pearson, WayneSmith, Geoffrey
Johnson, Erik
Miller, Seth
Wade, Alice**SULLIVAN**

Sullivan, Brian

Cloutier, John

Damon, Hope

Palmer, William

Floor amendment (1965h) was adopted.

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

MOTION TO LAY ON THE TABLE

Rep. Heath Howard moved that **SB 567-FN**, relative to the composition of the board of dental examiners and relative to the practice of dentistry and when radiographic examinations are required, be laid on the table. Rep. Osborne requested a roll call; sufficiently seconded.

YEAS 134 - NAYS 166**YEAS - 134
BELKNAP**

Nagel, David

St. Clair, Charlie

CARROLL

Boudman, Bobbi

Paige, David

McAleer, Chris

Woodcock, Stephen

CHESHIREAmes, Dick
Gruber, James
Newell, JodiBerch, Paul
Jacobs, Samantha
O'Rorke, TerriFox, Dru
Jones, Philip
Parshall, LuciusFaulkner, Barry
Germana, Nicholas
Weber, Lucy**GRAFTON**Almy, Susan
Hakken-Phillips, Mary
Muirhead, Russell
Sykes, GeorgeCormen, Thomas
Sullivan, Jared
Oppel, ThomasFellows, Sallie
Lovett, Peter
Rockmore, EllenFracht, David
Lucas, Janet
Stringham, Jerry**HILLSBOROUGH**Murray, Aissandra
Chretien, Suzanne
Elberger, Susan
Grill, Jessica
Jack, Martin
Foxy, Loren
Howard, Molly
Murphy, Nancy
Raymond, Heather
Newman, Sue
Staub, Kathy
Veilleux, DanielBeauchemin, Paige
Cornell, Patricia
Davis, Fred
Grund, Stephanie
Juris, Louis
LeClerc, Daniel
Murray, Megan
Petrigno, Peter
Rombeau, Catherine
Salvi, Santosh
Swanson, Dale
Thomas, WendyBudathoki, Suraj
Darby, Will
Foss, Lily
Harriott-Gathright, Linda
Kerwin, Erin
Leishman, Peter
MacKenzie, Mark
Plamondon, Marc
Rung, Rosemarie
Seibert, Christine
Telerski, Laura
Wheeler, JonahChourasia, Manoj
DiSilvestro, Linda
Georges, Mary
Hartnett, Tim
Kluger, Lee Ann
Lloyd, Christal
McGhee, Kat
Newman, Ray
Ryan, Linda
Spier, Carry
Tellez, Trinidad
Wilhelm, Matthew**MERRIMACK**Bricchi, Tracy
Ebel, Karen
Luneau, David
Schamberg, Thomas
Woods, GaryCaplan, Tony
Gallager, Eric
Hall, Muriel
Snodgrass, JimColby, Eleana
Gibbs, Merryl
Newsom, James
Soucy, TimothyKelly, Eileen
Lane, Connie
Sargent, Gregory
Wallner, Mary Jane**ROCKINGHAM**Balboni, Peggy
Knab, Allison
Muns, Chris
Simpson, Alexis
Ward, GeraldCahill, Michael
Malloy, Dennis
Osborne, Jason
Sorensen, CarrieEdgar, Michael
Manos, Zoe
Raynolds, Ned
Turer, EricMurray, Kate
Meuse, David
Read, Ellen
Vallone, Mark**STRAFFORD**Bay, Luz
Howard, Heath
LaMontagne, Jessica
Schmidt, Peter
Wall, JanetBixby, Peter
Horriggan, Timothy
Larochelle, John
Southworth, ThomasBurton, Wayne
Howland, Allan
Levesque, Cassandra
Pearson, WayneSmith, Geoffrey
Johnson, Erik
Miller, Seth
Wade, Alice**SULLIVAN**

Sullivan, Brian

Cloutier, John

Damon, Hope

Palmer, William

**NAYS - 166
BELKNAP**Aldrich, Glen
Ploszaj, TomCoker, Matthew
Toner, Travis

Freeman, Lisa

Harvey-Bolia, Juliet

CARROLLAvellani, Lino
Smith, JonathanBelcher, Mike
Pernel, KatyHamblen, Joseph
Taylor, Brian

MacDonald, John

CHESHIREMurphy, Denis
Nalevanko, RichHunt, John
Qualey, JamesKarasinski, Sly
Rhodes, Jennifer

Mattson, Rita

COOS

Korzen, Lori
Tierney, James

Murphy, Michael
Tremblay, Marc

Morency, Pete

King, Seth

GRAFTON

Beaulier, Calvin
Ladd, Rick

Berezhny, Lex
Louis, Darrell

Bjelobrk, Marie Louise
Sellers, John

Franz, Linda

HILLSBOROUGH

Alexander, Joe
Berry, Ross
Kelley, Diane
Dumont, Dillon
Gagne, Larry
Kesselring, Steven
Murphy, Mary
Mooney, Maureen
Ohm, Bill
Presa, Adam
Schneller, John
Mannion, Tom

Ammon, Keith
Boehm, Ralph
Daniels, Gary
Dupont, Pierre
Giasson, Henry
Labrie, Brian
Mazur, Lisa
Morton, Jonathan
Paquette, Kathleen
Proulx, Mark
Sheehan, Vanessa
Ulery, Jordan

Boyd, Bill
Colcombe, Riché
Dargie, Paul
Erf, Keith
Gorski, Ted
Lascelles, Richard
McLean, Mark
Noble, Kristin
Pauer, Diane
Prout, Andrew
Sirois, Shane
Warden, Mark

Barbour, Liz
Cole, Brian
Drew, Matt
Griffin, Gerald
Gould, Linda
Long, Patrick
Miles, Julie
Notter, Jeanine
Post, Lisa
Reinfurt, Sherri
Slottje, Jeremy
Wherry, Robert

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

Bennett, Cindy
Mannion, Dennis
Drago, Mike
Ford, Mary
Khan, Aboul
Litchfield, Melissa
Mandelbaum, Jennifer
Melvin, Charles
Popovici-Muller, Daniel
Pearson, Stephen
Spillane, James
Tudor, Paul
Wilson, Vicki

Bernardy, JD
Thomas, Douglas
Dunn, Ron
Guzowski, James
Miner, Laurence
Love, David
Markell, Jay
Milz, David
Porcelli, Susan
Sabourin dit Choinière, Matt
Sweeney, Joe
Vose, Michael

Bridle, Nicholas
DeSimone, Debra
Edwards, Jess
Janigian, John
Walsh, Lilli
Lynn, Bob
McGrath, Linda
Nadeau, Brian
Potucek, John
Selby, Donald
Sytek, John
MacDonald, Wayne

Bryer, Scott
Donnelly, Tanya
Foote, Charles
Katsakiores, Phyllis
Layon, Erica
Pearson, Mark
McMahon, Charles
Perez, Kristine
Prudhomme-O'Brien, Katherine
Soti, Julius
Tripp, Richard
Weyler, Kenneth

STRAFFORD

Bailey, Glenn
Farrington, Samuel
Walker, David

Burnham, Claudine
Harrington, Michael

DeLemus, Susan
Kaczynski, Thomas

DeRoy, Susan
Potenza, Kelley

SULLIVAN

Drye, Margaret
Aron, Judy

Girard, Dale
Aron, Michael

Grant, George
Rollins, Skip

Hemingway, Wayne
Spilsbury, Walter

and the motion failed.

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

YEAS 167 - NAYS 133**YEAS - 167****BELKNAP**

Aldrich, Glen
Ploszaj, Tom

Coker, Matthew
Toner, Travis

Freeman, Lisa

Harvey-Bolia, Juliet

CARROLL

Avellani, Lino
Smith, Jonathan

Belcher, Mike
Peternel, Katy

Hamblen, Joseph
Taylor, Brian

MacDonald, John

CHESHIRE

Murphy, Denis
Nalevanko, Rich

Hunt, John
Qualey, James

Karasinski, Sly
Rhodes, Jennifer

Mattson, Rita

COOS

Korzen, Lori
Tierney, James

Murphy, Michael
Tremblay, Marc

Morency, Pete

King, Seth

GRAFTON

Beaulier, Calvin
Ladd, Rick

Berezhny, Lex
Louis, Darrell

Bjelobrk, Marie Louise
Sellers, John

Franz, Linda

HILLSBOROUGH

Alexander, Joe
Berry, Ross
Kelley, Diane
Dupont, Pierre
Giasson, Henry
Labrie, Brian
Mazur, Lisa
Morton, Jonathan
Paquette, Kathleen
Proulx, Mark
Sheehan, Vanessa
Ulery, Jordan

Ammon, Keith
Boehm, Ralph
Daniels, Gary
Erf, Keith
Gorski, Ted
Lascelles, Richard
McLean, Mark
Noble, Kristin
Pauer, Diane
Prout, Andrew
Sirois, Shane
Warden, Mark

Boyd, Bill
Colcombe, Riché
Drew, Matt
Griffin, Gerald
Gould, Linda
Long, Patrick
Miles, Julie
Notter, Jeanine
Post, Lisa
Reinfurt, Sherri
Slotte, Jeremy
Wherry, Robert

Barbour, Liz
Cole, Brian
Dumont, Dillon
Gagne, Larry
Kesselring, Steven
Murphy, Mary
Mooney, Maureen
Ohm, Bill
Presa, Adam
Schneller, John
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

Bennett, Cindy
Mannion, Dennis
Drago, Mike
Ford, Mary
Khan, Aboul
Litchfield, Melissa
Mandelbaum, Jennifer
Melvin, Charles
Perez, Kristine
Prudhomme-O'Brien, Katherine
Soti, Julius
Tripp, Richard
Weyler, Kenneth

Bernardy, JD
Thomas, Douglas
Dunn, Ron
Guzofski, James
Miner, Laurence
Love, David
Markell, Jay
Milz, David
Popovici-Muller, Daniel
Pearson, Stephen
Spillane, James
Tudor, Paul
Wilson, Vicki

Bridle, Nicholas
DeSimone, Debra
Edwards, Jess
Janigian, John
Walsh, Lilli
Lynn, Bob
McGrath, Linda
Nadeau, Brian
Porcelli, Susan
Sabourin dit Choinière, Matt
Sweeney, Joe
Vose, Michael

Bryer, Scott
Donnelly, Tanya
Foote, Charles
Katsakiores, Phyllis
Layon, Erica
Pearson, Mark
McMahon, Charles
Osborne, Jason
Potucek, John
Selby, Donald
Sytek, John
MacDonald, Wayne

STRAFFORD

Bailey, Glenn
Farrington, Samuel
Schmidt, Peter

Burnham, Claudine
Harrington, Michael
Walker, David

DeLemus, Susan
Kaczynski, Thomas

DeRoy, Susan
Potenza, Kelley

SULLIVAN

Drye, Margaret
Aron, Judy

Girard, Dale
Aron, Michael

Grant, George
Rollins, Skip

Hemingway, Wayne
Spilsbury, Walter

NAYS - 133**BELKNAP**

Nagel, David

St. Clair, Charlie

CARROLL

Boudman, Bobbi

Paige, David

McAleer, Chris

Woodcock, Stephen

CHESHIRE

Ames, Dick
Gruber, James
Newell, Jodi

Berch, Paul
Jacobs, Samantha
O'Rorke, Terri

Fox, Dru
Jones, Philip
Parshall, Lucius

Faulkner, Barry
Germana, Nicholas
Weber, Lucy

GRAFTON

Almy, Susan
Hakken-Phillips, Mary
Muirhead, Russell
Sykes, George

Cormen, Thomas
Sullivan, Jared
Oppel, Thomas

Fellows, Sallie
Lovett, Peter
Rockmore, Ellen

Fracht, David
Lucas, Janet
Stringham, Jerry

HILLSBOROUGH

Murray, Aissandra
Chretien, Suzanne
DiSilvestro, Linda
Georges, Mary
Hartnett, Tim
Kluger, Lee Ann
Lloyd, Christal
McGhee, Kat
Newman, Ray
Ryan, Linda
Spier, Carry
Tellez, Trinidad
Wilhelm, Matthew

Beauchemin, Paige
Cornell, Patricia
Elberger, Susan
Grill, Jessica
Jack, Martin
Foxy, Loren
Howard, Molly
Murphy, Nancy
Raymond, Heather
Newman, Sue
Staub, Kathy
Veilleux, Daniel

Budathoki, Suraj
Darby, Will
Davis, Fred
Grund, Stephanie
Juris, Louis
LeClerc, Daniel
Murray, Megan
Petrigno, Peter
Rombeau, Catherine
Salvi, Santosh
Swanson, Dale
Thomas, Wendy

Chourasia, Manoj
Dargie, Paul
Foss, Lily
Harriott-Gathright, Linda
Kerwin, Erin
Leishman, Peter
MacKenzie, Mark
Plamondon, Marc
Rung, Rosemarie
Seibert, Christine
Telerski, Laura
Wheeler, Jonah

MERRIMACK

Bricchi, Tracy
Ebel, Karen
Luneau, David
Schamberg, Thomas
Woods, Gary

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

Colby, Eleana
Gibbs, Merryl
Newsom, James
Soucy, Timothy

Kelly, Eileen
Lane, Connie
Sargent, Gregory
Wallner, Mary Jane

ROCKINGHAM

Balboni, Peggy
Knab, Allison
Muns, Chris
Sorensen, Carrie

Cahill, Michael
Malloy, Dennis
Raynolds, Ned
Turer, Eric

Edgar, Michael
Manos, Zoe
Read, Ellen
Vallone, Mark

Murray, Kate
Meuse, David
Simpson, Alexis
Ward, Gerald

STRAFFORD

Bay, Luz
Howard, Heath
LaMontagne, Jessica
Southworth, Thomas

Bixby, Peter
Horrigan, Timothy
Larochelle, John
Pearson, Wayne

Burton, Wayne
Howland, Allan
Levesque, Cassandra
Wade, Alice

Smith, Geoffrey
Johnson, Erik
Miller, Seth
Wall, Janet

SULLIVAN

Sullivan, Brian

Cloutier, John

Damon, Hope

Palmer, William

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

SB 625-FN, (New Title) establishing a committee to study options for family members of intentional homicide victims where the department of justice does not file charges in a case. **INEXPEDIENT TO LEGISLATE**. Rep. Gerald Griffin for Finance. This bill would establish a committee to study options for the family of a murder victim where the department of justice does not file charges. Such cases are indeed very rare and when they do occur, it is usually the result in insufficient evidence to pursue a conviction. In addition, a civil suit remedy is always available. Study committees and commissions are costly in money, but more importantly, in human resources. We already have far too many study committees and the rarity of the situation this bill addresses, does not warrant another costly committee. Vote 23-0.

The question being adoption of the committee report of Inexpedient to Legislate.
Rep. Osborne requested a roll call; sufficiently seconded.

YEAS 146 - NAYS 150**YEAS - 146****BELKNAP**

Coker, Matthew

Nagel, David

St. Clair, Charlie

CARROLL

Boudman, Bobbi

Paige, David

McAleer, Chris

CHESHIRE

Ames, Dick
Gruber, James
Germana, Nicholas
Weber, Lucy

Berch, Paul
Hunt, John
Newell, Jodi

Fox, Dru
Jacobs, Samantha
O'Rourke, Terri

Faulkner, Barry
Jones, Philip
Parshall, Lucius

COOS

Morency, Pete

GRAFTON

Almy, Susan
Hakken-Phillips, Mary
Muirhead, Russell
Sykes, George

Cormen, Thomas
Sullivan, Jared
Oppel, Thomas

Fellows, Sallie
Lovett, Peter
Rockmore, Ellen

Fracht, David
Lucas, Janet
Stringham, Jerry

HILLSBOROUGH

Murray, Alissandra
Chourasia, Manoj
Dargie, Paul
Foss, Lily
Harriott-Gathright, Linda
Kerwin, Erin
Leishman, Peter
Murray, Megan
Petrigno, Peter
Raymond, Heather
Newman, Sue
Staub, Kathy
Veilleux, Daniel

Beauchemin, Paige
Chretien, Suzanne
DiSilvestro, Linda
Georges, Mary
Hartnett, Tim
Kluger, Lee Ann
Lloyd, Christal
MacKenzie, Mark
Plamondon, Marc
Rombeau, Catherine
Salvi, Santosh
Swanson, Dale
Thomas, Wendy

Boehm, Ralph
Cornell, Patricia
Elberger, Susan
Grill, Jessica
Jack, Martin
Foxy, Loren
Long, Patrick
McGhee, Kat
Proulx, Mark
Rung, Rosemarie
Seibert, Christine
Telerski, Laura
Wheeler, Jonah

Budathoki, Suraj
Darby, Will
Davis, Fred
Grund, Stephanie
Juris, Louis
LeClerc, Daniel
Howard, Molly
Murphy, Nancy
Newman, Ray
Ryan, Linda
Spier, Carry
Tellez, Trinidad
Wilhelm, Matthew

MERRIMACK

Andrus, Louise
Kelly, Eileen
Lane, Connie
Sargent, Gregory
Wallner, Mary Jane

Bricchi, Tracy
Ebel, Karen
Luneau, David
Schamberg, Thomas
Woods, Gary

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

Colby, Eleana
Gibbs, Merryll
Newsom, James
Soucy, Timothy

ROCKINGHAM

Balboni, Peggy
Edgar, Michael
Malloy, Dennis
Muns, Chris
Simpson, Alexis
Ward, Gerald

Bryer, Scott
Murray, Kate
Manos, Zoe
Raynolds, Ned
Sorensen, Carrie

Cahill, Michael
Knab, Allison
Melvin, Charles
Read, Ellen
Turer, Eric

Donnelly, Tanya
Pearson, Mark
Meuse, David
Pearson, Stephen
Vallone, Mark

STRAFFORD

Bay, Luz
Howard, Heath
LaMontagne, Jessica
Schmidt, Peter
Wall, Janet

Bixby, Peter
Horrigan, Timothy
Larochelle, John
Southworth, Thomas

Burton, Wayne
Howland, Allan
Levesque, Cassandra
Pearson, Wayne

Smith, Geoffrey
Johnson, Erik
Miller, Seth
Wade, Alice

SULLIVAN

Sullivan, Brian
Palmer, William

Cloutier, John

Damon, Hope

Girard, Dale

NAYS - 150**BELKNAP**

Aldrich, Glen
Toner, Travis

Freeman, Lisa

Harvey-Bolia, Juliet

Ploszaj, Tom

CARROLL

Avellani, Lino
Smith, Jonathan

Belcher, Mike
Pernel, Katy

Hamblen, Joseph
Taylor, Brian

MacDonald, John

CHESHIRE

Murphy, Denis
Qualey, James

Karasinski, Sly
Rhodes, Jennifer

Mattson, Rita

Nalevanko, Rich

COOS

Korzen, Lori
Tremblay, Marc

Murphy, Michael

King, Seth

Tierney, James

GRAFTON

Beaulier, Calvin
Ladd, Rick

Berezhny, Lex
Louis, Darrell

Bjelobrk, Marie Louise
Sellers, John

Franz, Linda

HILLSBOROUGH

Alexander, Joe
Berry, Ross
Daniels, Gary
Griffin, Gerald
Gould, Linda
Murphy, Mary
Mooney, Maureen
Ohm, Bill
Presa, Adam
Sheehan, Vanessa
Ulery, Jordan

Ammon, Keith
Colcombe, Riché
Drew, Matt
Gagne, Larry
Kesselring, Steven
Mazur, Lisa
Morton, Jonathan
Paquette, Kathleen
Prout, Andrew
Sirois, Shane
Warden, Mark

Boyd, Bill
Cole, Brian
Dumont, Dillon
Giasson, Henry
Labrie, Brian
McLean, Mark
Noble, Kristin
Pauer, Diane
Reinfurt, Sherri
Slottje, Jeremy
Wherry, Robert

Barbour, Liz
Kelley, Diane
Erf, Keith
Gorski, Ted
Lascelles, Richard
Miles, Julie
Notter, Jeanine
Post, Lisa
Schneller, John
Mannion, Tom

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, Yury
Walsh, Thomas

ROCKINGHAM

Bennett, Cindy
Thomas, Douglas
Edwards, Jess
Katsakiores, Phyllis
Layon, Erica
Markell, Jay
Nadeau, Brian
Porcelli, Susan
Selby, Donald
Sytek, John
MacDonald, Wayne

Bernardy, JD
DeSimone, Debra
Ford, Mary
Khan, Aboul
Litchfield, Melissa
McGrath, Linda
Osborne, Jason
Potucek, John
Soti, Julius
Tripp, Richard
Weyler, Kenneth

Bridle, Nicholas
Drago, Mike
Guzofski, James
Miner, Laurence
Love, David
McMahon, Charles
Perez, Kristine
Prudhomme-O'Brien, Katherine
Spillane, James
Tudor, Paul
Wilson, Vicki

Mannion, Dennis
Dunn, Ron
Janigian, John
Walsh, Lilli
Lynn, Bob
Milz, David
Popovici-Muller, Daniel
Sabourin dit Choinière, Matt
Sweeney, Joe
Vose, Michael

STRAFFORD

Bailey, Glenn
Farrington, Samuel
Walker, David

Burnham, Claudine
Harrington, Michael

DeLemus, Susan
Kaczynski, Thomas

DeRoy, Susan
Potenza, Kelley

SULLIVAN

Drye, Margaret
Aron, Michael

Grant, George
Rollins, Skip

Hemingway, Wayne
Spilsbury, Walter

Aron, Judy

and the motion failed.

Rep. Osborne moved Ought to Pass and offered floor amendment (1955h).

FloorAmendment (1955h)

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

AN ACT establishing a committee to study options for family members of intentional homicide victims where the department of justice does not file charges in a case and removing Hepatitis B from the list of diseases for which immunization is required under state law.

Amend the bill by replacing all after section 5 with the following:

6 Immunization Requirements; Hepatitis B Removed. Amend RSA 141-C:20-a, I to read as follows:

I. All parents or legal guardians shall have their children, who are residing in this state, immunized against diphtheria, mumps, pertussis, poliomyelitis, rubella, rubeola, tetanus, varicella, [~~Hepatitis B,~~] and ~~Haemophilus influenzae type B (Hib)~~:

~~—7 Effective Date:~~

~~—I. Section 6 of this act shall take effect 60 days after its passage.~~

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

2026-1955h
AMENDED ANALYSIS

This bill:

I. Establishes a committee to study options for information for family members of intentional homicide victims where the department of justice does not file charges in a case.

II. Removes Hepatitis B from the list of diseases for which childhood immunization is required.

The question being adoption of floor amendment (1955h).

Rep. Weber spoke against.

Rep. Osborne requested a roll call; sufficiently seconded.

YEAS 157 - NAYS 138**YEAS - 157
BELKNAP**

Aldrich, Glen
Toner, Travis

Freeman, Lisa

Harvey-Bolia, Juliet

Ploszaj, Tom

CARROLL

Avellani, Lino
Smith, Jonathan

Belcher, Mike
Paternel, Katy

Hamblen, Joseph

MacDonald, John

CHESHIRE

Murphy, Denis
Nalevanko, Rich

Hunt, John
Qualey, James

Karasinski, Sly
Rhodes, Jennifer

Mattson, Rita

COOS

Korzen, Lori
Tierney, James

Murphy, Michael
Tremblay, Marc

Morency, Pete

King, Seth

GRAFTON

Beaulier, Calvin
Ladd, Rick

Berezhny, Lex
Louis, Darrell

Bjelobrk, Marie Louise
Sellers, John

Franz, Linda

HILLSBOROUGH

Alexander, Joe
Colcombe, Riché
Drew, Matt
Griffin, Gerald
Gould, Linda
Murphy, Mary
Mooney, Maureen
Ohm, Bill
Presa, Adam
Schneller, John
Mannion, Tom
Wherry, Robert

Ammon, Keith
Cole, Brian
Dumont, Dillon
Gagne, Larry
Kesselring, Steven
Mazur, Lisa
Morton, Jonathan
Paquette, Kathleen
Proulx, Mark
Sheehan, Vanessa
Ulery, Jordan

Barbour, Liz
Kelley, Diane
Dupont, Pierre
Giasson, Henry
Labrie, Brian
McLean, Mark
Noble, Kristin
Pauer, Diane
Prout, Andrew
Sirois, Shane
Warden, Mark

Berry, Ross
Daniels, Gary
Erf, Keith
Gorski, Ted
Lascelles, Richard
Miles, Julie
Notter, Jeanine
Post, Lisa
Reinfurt, Sherri
Slottje, Jeremy
Wheeler, Jonah

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

Bennett, Cindy
Thomas, Douglas
Edwards, Jess
Katsakiores, Phyllis
Layon, Erica
Markell, Jay
Milz, David
Popovici-Muller, Daniel
Pearson, Stephen
Spillane, James
Tudor, Paul
Wilson, Vicki

Bernardy, JD
DeSimone, Debra
Ford, Mary
Khan, Aboul
Litchfield, Melissa
McGrath, Linda
Nadeau, Brian
Porcelli, Susan
Sabourin dit Choinière, Matt
Sweeney, Joe
Vose, Michael

Bryer, Scott
Drago, Mike
Guzowski, James
Miner, Laurence
Love, David
McMahon, Charles
Osborne, Jason
Potucek, John
Selby, Donald
Sytek, John
MacDonald, Wayne

Mannion, Dennis
Dunn, Ron
Janigian, John
Walsh, Lilli
Lynn, Bob
Melvin, Charles
Perez, Kristine
Prudhomme-O'Brien, Katherine
Soti, Julius
Tripp, Richard
Weyler, Kenneth

STRAFFORD

Bailey, Glenn
Farrington, Samuel
Walker, David

Burnham, Claudine
Harrington, Michael

DeLemus, Susan
Kaczynski, Thomas

DeRoy, Susan
Potenza, Kelley

Drye, Margaret
Aron, Judy

Girard, Dale
Aron, Michael

Grant, George
Rollins, Skip

Hemingway, Wayne
Spilsbury, Walter

NAYS - 138**BELKNAP**

Coker, Matthew

Nagel, David

St. Clair, Charlie

CARROLL

Boudman, Bobbi
Woodcock, Stephen

Paige, David

McAleer, Chris

Taylor, Brian

CHESHIRE

Ames, Dick
Gruber, James
Newell, Jodi

Berch, Paul
Jacobs, Samantha
O'Rorke, Terri

Fox, Dru
Jones, Philip
Parshall, Lucius

Faulkner, Barry
Germana, Nicholas
Weber, Lucy

GRAFTON

Almy, Susan
Hakken-Phillips, Mary
Muirhead, Russell
Sykes, George

Cormen, Thomas
Sullivan, Jared
Oppel, Thomas

Fellows, Sallie
Lovett, Peter
Rockmore, Ellen

Fracht, David
Lucas, Janet
Stringham, Jerry

HILLSBOROUGH

Murray, Alissandra
Chourasia, Manoj

Boyd, Bill
Chretien, Suzanne

Beauchemin, Paige
Cornell, Patricia

Budathoki, Suraj
Darby, Will

Dargie, Paul
Foss, Lily
Harriott-Gathright, Linda
Kerwin, Erin
Leishman, Peter
Murray, Megan
Petrigno, Peter
Rombeau, Catherine
Seibert, Christine
Telerski, Laura
Wilhelm, Matthew

DiSilvestro, Linda
Georges, Mary
Hartnett, Tim
Kluger, Lee Ann
Lloyd, Christal
MacKenzie, Mark
Plamondon, Marc
Rung, Rosemarie
Spier, Carry
Tellez, Trinidad

Elberger, Susan
Grill, Jessica
Jack, Martin
Foxx, Loren
Long, Patrick
McGhee, Kat
Newman, Ray
Ryan, Linda
Staub, Kathy
Veilleux, Daniel

Davis, Fred
Grund, Stephanie
Juris, Louis
LeClerc, Daniel
Howard, Molly
Murphy, Nancy
Raymond, Heather
Newman, Sue
Swanson, Dale
Thomas, Wendy

MERRIMACK

Bricchi, Tracy
Ebel, Karen
Luneau, David
Schamberg, Thomas
Woods, Gary

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

Colby, Eleana
Gibbs, Merry
Newsom, James
Soucy, Timothy

Kelly, Eileen
Lane, Connie
Sargent, Gregory
Wallner, Mary Jane

ROCKINGHAM

Balboni, Peggy
Edgar, Michael
Malloy, Dennis
Raynolds, Ned
Turer, Eric

Bridle, Nicholas
Murray, Kate
Manos, Zoe
Read, Ellen
Ward, Gerald

Cahill, Michael
Knab, Allison
Meuse, David
Simpson, Alexis

Donnelly, Tanya
Pearson, Mark
Muns, Chris
Sorensen, Carrie

STRAFFORD

Bay, Luz
Howard, Heath
LaMontagne, Jessica
Schmidt, Peter
Wall, Janet

Bixby, Peter
Horrigan, Timothy
Larochelle, John
Southworth, Thomas

Burton, Wayne
Howland, Allan
Levesque, Cassandra
Pearson, Wayne

Smith, Geoffrey
Johnson, Erik
Miller, Seth
Wade, Alice

SULLIVAN

Sullivan, Brian

Cloutier, John

Damon, Hope

Palmer, William

Floor amendment (1955h) was adopted.

The question now being adoption motion of Ought to Pass with Amendment.
Rep. Osborne offered floor amendment (1956h).

FloorAmendment (1956h)

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

AN ACT establishing a committee to study options for family members of intentional homicide victims where the department of justice does not file charges in a case, repealing the refugee resettlement program in the department of health and human services, and prohibiting expenditure of state funds on refugee resettlement.

Amend the bill by replacing all after section 5 with the following:

6 Termination of Refugee Program Administered Through the Department of Health and Human Services.

I. In this section "refugee resettlement program" means the U.S. Refugee Admissions Program (USRAP) and any other federal program or nonprofit program or grant designed to settle, fund, or otherwise help refugees or asylees.

II. On the effective date of this section, the department of health and human services shall, as promptly as practicable, terminate any contracts administered under a refugee resettlement program.

III. No department, agency, or administrative unit of state government may accept money from any source for refugee resettlement.

IV. No department, agency, or administrative unit of state government may spend money to settle, fund, or otherwise assist refugee resettlement, either directly or indirectly via payments to towns or nongovernmental organizations.

7 Severability Clause. If any provision of this act or its application is held invalid, the remainder shall not be affected.

8 Repeal. RSA 161:2, XVIII, relative to the New Hampshire refugee resettlement program, is repealed.

9 Effective Date.

I. Sections 6-8 of this act shall take effect 60 days after its passage.

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

2026-1956h AMENDED ANALYSIS

This bill:

I. Establishes a committee to study options for information for family members of intentional homicide victims where the department of justice does not file charges in a case.

II. Repeals the refugee resettlement program in the department of health and human services.

III. Prohibits expenditure of state funds on refugee resettlement.

The question being adoption of floor amendment (1956h).

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

YEAS 155 - NAYS 140

YEAS - 155

BELKNAP

Aldrich, Glen
Toner, Travis

Freeman, Lisa

Harvey-Bolia, Juliet

Ploszaj, Tom

CARROLL

Avellani, Lino
Smith, Jonathan

Belcher, Mike
Peternel, Katy

Hamblen, Joseph
Taylor, Brian

MacDonald, John

CHESHIRE

Murphy, Denis
Nalevanko, Rich

Hunt, John
Qualey, James

Karasinski, Sly
Rhodes, Jennifer

Mattson, Rita

COOS

Korzen, Lori
Tierney, James

Murphy, Michael
Tremblay, Marc

Morency, Pete

King, Seth

GRAFTON

Beaulier, Calvin
Ladd, Rick

Berezhny, Lex
Louis, Darrell

Bjelobrk, Marie Louise
Sellers, John

Franz, Linda

HILLSBOROUGH

Alexander, Joe
Colcombe, Riché
Drew, Matt
Griffin, Gerald
Gould, Linda
Murphy, Mary
Morton, Jonathan
Paquette, Kathleen
Proulx, Mark
Sheehan, Vanessa
Ulery, Jordan

Ammon, Keith
Cole, Brian
Dumont, Dillon
Gagne, Larry
Kesselring, Steven
Mazur, Lisa
Noble, Kristin
Pauer, Diane
Prout, Andrew
Sirois, Shane
Warden, Mark

Barbour, Liz
Kelley, Diane
Dupont, Pierre
Giasson, Henry
Labrie, Brian
Miles, Julie
Notter, Jeanine
Post, Lisa
Reinfurt, Sherri
Slottje, Jeremy
Wherry, Robert

Berry, Ross
Daniels, Gary
Erf, Keith
Gorski, Ted
Lascelles, Richard
Mooney, Maureen
Ohm, Bill
Presa, Adam
Schneller, John
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

Bennett, Cindy
Thomas, Douglas
Dunn, Ron
Janigian, John
Walsh, Lilli
Lynn, Bob
Milz, David
Popovici-Muller, Daniel
Pearson, Stephen
Spillane, James
Tudor, Paul

Bernardy, JD
DeSimone, Debra
Edwards, Jess
Katsakiores, Phyllis
Layon, Erica
McGrath, Linda
Nadeau, Brian
Porcelli, Susan
Sabourin dit Choinière, Matt
Sweeney, Joe
Vose, Michael

Bryer, Scott
Donnelly, Tanya
Ford, Mary
Khan, Aboul
Litchfield, Melissa
McMahon, Charles
Osborne, Jason
Potucek, John
Selby, Donald
Sytek, John
Weyler, Kenneth

Mannion, Dennis
Drago, Mike
Guzofski, James
Miner, Laurence
Love, David
Melvin, Charles
Perez, Kristine
Prudhomme-O'Brien, Katherine
Soti, Julius
Tripp, Richard
Wilson, Vicki

STRAFFORD

Bailey, Glenn
Farrington, Samuel
Walker, David

Burnham, Claudine
Harrington, Michael

DeLemus, Susan
Kaczynski, Thomas

DeRoy, Susan
Potenza, Kelley

SULLIVAN

Drye, Margaret
Aron, Judy

Girard, Dale
Aron, Michael

Grant, George
Rollins, Skip

Hemingway, Wayne
Spilsbury, Walter

NAYS - 140**BELKNAP**

Coker, Matthew	Nagel, David	St. Clair, Charlie
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CARROLL

Boudman, Bobbi	Paige, David	McAleer, Chris	Woodcock, Stephen
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CHESHIRE

Ames, Dick	Berch, Paul	Fox, Dru	Faulkner, Barry
Gruber, James	Jacobs, Samantha	Jones, Philip	Germana, Nicholas
Newell, Jodi	O'Rorke, Terri	Parshall, Lucius	Weber, Lucy

GRAFTON

Almy, Susan	Cormen, Thomas	Fellows, Sallie	Fracht, David
Hakken-Phillips, Mary	Sullivan, Jared	Lovett, Peter	Lucas, Janet
Muirhead, Russell	Oppel, Thomas	Rockmore, Ellen	Stringham, Jerry
Sykes, George			

HILLSBOROUGH

Murray, Aissandra	Boyd, Bill	Beauchemin, Paige	Budathoki, Suraj
Chourasia, Manoj	Chretien, Suzanne	Cornell, Patricia	Darby, Will
Dargie, Paul	DiSilvestro, Linda	Elberger, Susan	Davis, Fred
Foss, Lily	Georges, Mary	Grill, Jessica	Grund, Stephanie
Harriott-Gathright, Linda	Hartnett, Tim	Jack, Martin	Juris, Louis
Kerwin, Erin	Kluger, Lee Ann	Foxx, Loren	LeClerc, Daniel
Leishman, Peter	Lloyd, Christal	Long, Patrick	Howard, Molly
Murray, Megan	MacKenzie, Mark	McGhee, Kat	McLean, Mark
Murphy, Nancy	Petrigno, Peter	Plamondon, Marc	Newman, Ray
Raymond, Heather	Rombeau, Catherine	Rung, Rosemarie	Ryan, Linda
Newman, Sue	Seibert, Christine	Spier, Carry	Staub, Kathy
Swanson, Dale	Telerski, Laura	Tellez, Trinidad	Veilleux, Daniel
Thomas, Wendy	Wheeler, Jonah	Wilhelm, Matthew	

MERRIMACK

Bricchi, Tracy	Caplan, Tony	Colby, Eleana	Kelly, Eileen
Ebel, Karen	Gallager, Eric	Gibbs, Merryl	Lane, Connie
Luneau, David	Hall, Muriel	Newsom, James	Sargent, Gregory
Schamberg, Thomas	Snodgrass, Jim	Soucy, Timothy	Wallner, Mary Jane
Woods, Gary			

ROCKINGHAM

Balboni, Peggy	Bridle, Nicholas	Cahill, Michael	Edgar, Michael
Murray, Kate	Knab, Allison	Pearson, Mark	Malloy, Dennis
Manos, Zoe	Markell, Jay	Meuse, David	Muns, Chris
Raynolds, Ned	Read, Ellen	Simpson, Alexis	Sorensen, Carrie
Turer, Eric	MacDonald, Wayne	Ward, Gerald	

STRAFFORD

Bay, Luz	Bixby, Peter	Burton, Wayne	Smith, Geoffrey
Howard, Heath	Horrigan, Timothy	Howland, Allan	Johnson, Erik
LaMontagne, Jessica	Larochelle, John	Levesque, Cassandra	Miller, Seth
Schmidt, Peter	Southworth, Thomas	Pearson, Wayne	Wade, Alice
Wall, Janet			

SULLIVAN

Sullivan, Brian	Cloutier, John	Damon, Hope	Palmer, William
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Floor amendment (1956h) was adopted.

The question now being adoption of the motion of Ought to Pass with Amendment.
Rep. Giasson requested a roll call; sufficiently seconded.

YEAS 156 - NAYS 139**YEAS - 156****BELKNAP**

Aldrich, Glen	Freeman, Lisa	Harvey-Bolia, Juliet	Ploszaj, Tom
Toner, Travis			

CARROLL

Avellani, Lino	Belcher, Mike	Hamblen, Joseph	MacDonald, John
Smith, Jonathan	Peternell, Katy	Taylor, Brian	

CHESHIRE

Murphy, Denis
Nalevanko, Rich

Hunt, John
Qualey, James

Karasinski, Sly
Rhodes, Jennifer

Mattson, Rita

COOS

Korzen, Lori
Tierney, James

Murphy, Michael
Tremblay, Marc

Morency, Pete

King, Seth

GRAFTON

Beaulier, Calvin
Ladd, Rick

Berezhny, Lex
Louis, Darrell

Bjelobrk, Marie Louise
Sellers, John

Franz, Linda

HILLSBOROUGH

Alexander, Joe
Colcombe, Riché
Drew, Matt
Griffin, Gerald
Gould, Linda
Murphy, Mary
Morton, Jonathan
Paquette, Kathleen
Proulx, Mark
Sheehan, Vanessa
Ulery, Jordan

Ammon, Keith
Cole, Brian
Dumont, Dillon
Gagne, Larry
Kesselring, Steven
Mazur, Lisa
Noble, Kristin
Pauer, Diane
Prout, Andrew
Sirois, Shane
Warden, Mark

Barbour, Liz
Kelley, Diane
Dupont, Pierre
Giasson, Henry
Labrie, Brian
Miles, Julie
Notter, Jeanine
Post, Lisa
Reinfurt, Sherri
Slottje, Jeremy
Wherry, Robert

Berry, Ross
Daniels, Gary
Erf, Keith
Gorski, Ted
Lascelles, Richard
Mooney, Maureen
Ohm, Bill
Presa, Adam
Schneller, John
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

Bennett, Cindy
Thomas, Douglas
Edwards, Jess
Katsakiores, Phyllis
Layon, Erica
Markell, Jay
Milz, David
Popovici-Muller, Daniel
Pearson, Stephen
Spillane, James
Tudor, Paul
Wilson, Vicki

Bernardy, JD
DeSimone, Debra
Ford, Mary
Khan, Aboul
Litchfield, Melissa
McGrath, Linda
Nadeau, Brian
Porcelli, Susan
Sabourin dit Choinière, Matt
Sweeney, Joe
Vose, Michael

Bryer, Scott
Drago, Mike
Guzowski, James
Miner, Laurence
Love, David
McMahon, Charles
Osborne, Jason
Potucek, John
Selby, Donald
Sytek, John
MacDonald, Wayne

Mannion, Dennis
Dunn, Ron
Janigian, John
Walsh, Lilli
Lynn, Bob
Melvin, Charles
Perez, Kristine
Prudhomme-O'Brien, Katherine
Soti, Julius
Tripp, Richard
Weyler, Kenneth

STRAFFORD

Bailey, Glenn
Farrington, Samuel
Walker, David

Burnham, Claudine
Harrington, Michael

DeLemus, Susan
Kaczynski, Thomas

DeRoy, Susan
Potenza, Kelley

SULLIVAN

Drye, Margaret
Aron, Judy

Girard, Dale
Aron, Michael

Grant, George
Rollins, Skip

Hemingway, Wayne
Spilsbury, Walter

NAYS - 139**BELKNAP**

Coker, Matthew

Nagel, David

St. Clair, Charlie

CARROLL

Boudman, Bobbi

Paige, David

McAleer, Chris

Woodcock, Stephen

CHESHIRE

Ames, Dick
Gruber, James
Newell, Jodi

Berch, Paul
Jacobs, Samantha
O'Rorke, Terri

Fox, Dru
Jones, Philip
Parshall, Lucius

Faulkner, Barry
Germana, Nicholas
Weber, Lucy

GRAFTON

Almy, Susan
Hakken-Phillips, Mary
Muirhead, Russell
Sykes, George

Cormen, Thomas
Sullivan, Jared
Oppel, Thomas

Fellows, Sallie
Lovett, Peter
Rockmore, Ellen

Fracht, David
Lucas, Janet
Stringham, Jerry

HILLSBOROUGH

Murray, Aissandra
 Chourasia, Manoj
 Dargie, Paul
 Foss, Lily
 Harriott-Gathright, Linda
 Kerwin, Erin
 Leishman, Peter
 Murray, Megan
 Murphy, Nancy
 Raymond, Heather
 Newman, Sue
 Swanson, Dale
 Thomas, Wendy

Boyd, Bill
 Chretien, Suzanne
 DiSilvestro, Linda
 Georges, Mary
 Hartnett, Tim
 Kluger, Lee Ann
 Lloyd, Christal
 MacKenzie, Mark
 Petrigno, Peter
 Rombeau, Catherine
 Seibert, Christine
 Telerski, Laura
 Wheeler, Jonah

Beauchemin, Paige
 Cornell, Patricia
 Elberger, Susan
 Grill, Jessica
 Jack, Martin
 Foss, Loren
 Long, Patrick
 McGhee, Kat
 Plamondon, Marc
 Rung, Rosemarie
 Spier, Carry
 Tellez, Trinidad
 Wilhelm, Matthew

Budathoki, Suraj
 Darby, Will
 Davis, Fred
 Grund, Stephanie
 Juris, Louis
 LeClerc, Daniel
 Howard, Molly
 McLean, Mark
 Newman, Ray
 Ryan, Linda
 Staub, Kathy
 Veilleux, Daniel

MERRIMACK

Bricchi, Tracy
 Ebel, Karen
 Luneau, David
 Schamberg, Thomas
 Woods, Gary

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

Colby, Eleana
 Gibbs, Merryl
 Newsom, James
 Soucy, Timothy

Kelly, Eileen
 Lane, Connie
 Sargent, Gregory
 Wallner, Mary Jane

ROCKINGHAM

Balboni, Peggy
 Edgar, Michael
 Malloy, Dennis
 Reynolds, Ned
 Turer, Eric

Bridle, Nicholas
 Murray, Kate
 Manos, Zoe
 Read, Ellen
 Ward, Gerald

Cahill, Michael
 Knab, Allison
 Meuse, David
 Simpson, Alexis

Donnelly, Tanya
 Pearson, Mark
 Muns, Chris
 Sorensen, Carrie

STRAFFORD

Bay, Luz
 Howard, Heath
 LaMontagne, Jessica
 Schmidt, Peter
 Wall, Janet

Bixby, Peter
 Horrigan, Timothy
 Laroche, John
 Southworth, Thomas

Burton, Wayne
 Howland, Allan
 Levesque, Cassandra
 Pearson, Wayne

Smith, Geoffrey
 Johnson, Erik
 Miller, Seth
 Wade, Alice

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.

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, May 21, 2026 at 10:00 a.m..
 Motion was adopted.

LATE SESSION**Third Reading and Final Passage**

SB 487, allowing credit union members to pay members of the board of directors for their services as a board member.

SB 496, relative to supervision and registration requirements for associates of broker-dealers.

SB 524-FN, relative to the sale of tobacco products, e-cigarettes, devices, e-liquids, or alternative nicotine products and relative to the licensure and sale of certain liquor products.

SB 525, raising the maximum amount of state guarantees in force.

SB 544-FN, relative to managed care laws.

SB 550-FN, relative to insurance coverage for services provided by naturopathy providers.

SB 562, relative to a home damage mitigation and resiliency program.

SB 565-FN, requiring the commissioner of the insurance department to prepare and publish a report regarding fortified home and commercial standards, and other mitigation and resiliency programs.

SB 573, establishing certification standards for certified public safety comfort dogs.

SB 607, relative to short-term, limited duration health insurance policies

SB 614-FN, establishing multiple-caregiver self-insured risk coverage arrangements for nonprofit and for-profit providers and servicers.

SB 661-FN, relative to pooled risk management programs.

SB 461, relative to the definition of hemp.

SB 617, relative to the regulation and appeal of motor vehicle towing from public highways and relative to the removal of abandoned vehicles by law enforcement.

SB 507, establishing a committee to study violence in schools directed at staff members and the obstacles to disciplining or expelling students in such circumstances.

SB 575, establishing a committee to study the issue of school bullying and modifying both the exemption of teacher certification records from the right-to-know law and the assignment of superintendent services for school administrative units.

SB 577-FN, prohibiting the use and recommending avoidance of specific color additives in meals offered or made available by public schools as a part of school breakfast and lunch meal programs.

SB 438, relative to access to the centralized voter registration database on election days.

SB 660, relative to photo identification cards issued solely for the purpose of voting.

SB 418, prohibiting municipalities from requiring licenses, restrictions, or exclusions for the production and sale of homestead food products.

SB 475, relative to pet vendor foster homes, defining pet vendor foster facility, and relative to cruelty to livestock.

SB 569, relative to the qualifications for hearings officers within the department of labor.

SB 534-FN, relative to compliance with certain political expenditures and contribution statutes.

SB 541-FN-A, relative to capital appropriations for regional drinking water infrastructure.

SB 657-FN, relative to the use of information technology and artificial intelligence systems by state agencies.

SB 440, relative to the adoption of energy efficient and clean energy districts by municipalities.

SB 585-FN, relative to audits for communications districts.

SB 492-FN, authorizing the department of military affairs and veterans services to license and lease property in which the department holds a property interest.

SB 409-FN, relative to the penalties for the offense of disobeying an officer and relative to liability of governmental units.

SB 624-FN, restricting access to certain hemp-derived products and establishing the offenses of criminal adulteration and distribution of adulterated controlled substances.

SB 667-FN, relative to the assault of emergency room personnel.

SB 430, relative to mandatory disclosure by school district employees to parents and legal guardians.

SB 434, relative to regulation of public school materials.

SB 574, establishing a commission to study the efficiency and structure of school administrative units.

SB 578, relative to play-based curriculum and limitations on recess periods for pupils.

SB 223-FN, relative valid photo identification for purposes of obtaining a ballot and relative to the production of lists of certain schools of higher education.

SB 405, relative to amounts reported by political committees.

SB 298-FN, relative to the scope of review of state agency interpretations, prohibiting the use of scented products in public areas of state buildings, and establishing a committee to study the implementation and effectiveness of the mandatory statewide certification process and operational standards for recovery residences.

SB 504-FN, relative to the practice of pharmacy and the dispensing of certain medications by pharmacists, authorizing the establishment of experimental treatment centers, and permitting treatment of certain severe illness under the right to try act.

SB 552, permitting classification of individuals based on biological sex under certain limited circumstances.

SB 408-FN, relative to health insurance coverage for prosthetics.

SB 538-FN, extending net metering eligibility terms for municipal energy projects.

SB 557-FN, making synthetic and semisynthetic kratom illegal to prepare, distribute, manufacture, sell, possess, or advertise, with exceptions made for scientific research, and relative to the official ballot referendum form of town meetings.

SB 643-FN, requiring municipalities, towns, and cities to submit documentation to the department of revenue administration proving they are in compliance with local budget and tax caps and requiring municipalities to hold a public hearing and conduct a roll call vote when seeking to override a tax or spending cap.

SB 653, enabling counties to change the dates of their biennial budgets and relative to the adopting of a municipal budget committee and electing members thereof.

SB 627-FN, relative to toll rate adjustments and periodic inflation-based toll reviews for the New Hampshire turnpike system to support the 2027-2036 ten-year transportation plan.

SB 567-FN, relative to the composition of the board of dental examiners and relative to the practice of dentistry and when radiographic examinations are required.

SB 625-FN, establishing a committee to study options for family members of intentional homicide victims where the department of justice does not file charges in a case, repealing the refugee resettlement program in the department of health and human services, and prohibiting expenditure of state funds on refugee resettlement.

UNANIMOUS CONSENT

Rep. Weber requested Unanimous Consent of the House regarding the Pledge of Allegiance and addressed the House.

UNANIMOUS CONSENT

Rep. DeRoy requested Unanimous Consent of the House regarding the matter concerning the sanction and addressed the House.

MOTION TO PRINT REMARKS

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

Without objection, the Speaker ordered.

REMARKS

Representative DeRoy: Thank you, Mr. Speaker. I'm sorry I couldn't give this a little while ago, but I think it's very important that we all hear this message. Today, I wanted to rise on a point of personal privilege to move that we overturn a sanction imposed on one of our colleagues, Representative Read. This is not about personalities. This is about policies. This sanction bans her from the anteroom and the chamber on non-session days simply because, in a hallway outside a committee hearing, she raised her voice and she used the word, "F" in a moment of raw frustration, it wasn't directed at any member, it wasn't on the floor, it wasn't during a session, it was a single loud expression of anger after hours of fighting for rape victims in our state. Let's be clear about the context. Representative Read was carrying a bill to guarantee that every survivor of sexual assault has a timely access to a rape kit at a hospital, so they know their rights and they can begin the path to justice. In that hearing, the opposition repeatedly misrepresented why these kits need to be given, claiming victims were going to take them home. That's ridiculous. Fellow Representatives, we're talking about our children. We're talking about our sisters, our boys, and our mothers. These people get raped. The facts were distorted and it was painful to the survivors and the advocates that were present. Do you know how painful it is and how frightening it is when people would vote against ensuring that every victim receives a rape kit at the hospital to know their rights, especially if you are the victim yourself? After enduring hours of that, she raised her voice and she used one profane word in the hallway. Yet the body has tolerated far worse without a whisper of sanction, with only the mildest response. We have heard this same word, and stronger, used here in committee rooms and even from the well of this chamber. One of our colleagues was photographed giving the finger to our governor on this floor and only had to apologize. Another member stood in the chamber and told us we were all going to go to hell. No rules invoked. No bans issued. These incidents were public and drew attention, yet Representative Read is singled out and stripped of her ability to do people's work on non-session days. This is not about decorum. No rule was broken here. There was no due process. This is about consistency with our rules. We allow others to break them without real consequence, but she was singled out. It looks like punishment for the cause she champions, protecting rape victims, rather than the language used. This raises serious concerns of fairness and selective enforcement in the chamber. Banning an elected Representative from the very spaces where legislators meet constituents, review bills, and prepare for session is not a light penalty. It silences a voice that has been a tireless advocate for the most vulnerable. It tells every member who feels passionately about an issue, especially an emotional issue like sexual violence, to watch your words or be sidelined. Decorum matters, but consistency and fairness matter more. Continuing this sanction serves no legitimate purpose and chills the robust debate that we claim to cherish. So, I was hoping today that we could overturn her sanction and bring this to an end. I urge you all to think about this. Thank you.

MOTION TO PRINT REMARKS

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

Without objection, the Speaker ordered.

REMARKS

Representative Weber: Thank you, Mr. Speaker. Mr. Speaker, I rise to make remarks about the Pledge of Allegiance. First, whether or not a member recites the Pledge of Allegiance should not have any relevance to the substance of a bill before us. I went to a school run by the Society of Friends for 12 years. Friends do not say the Pledge and they do not take oaths because they believe that every time you give your word, you should mean it without having to say, and this time I really, really mean it, God. There are many religious and conscientious reasons why persons who are loyal and devoted citizens express that loyalty differently. There are also those who think that if we made a promise one time, there is no need for us to make that promise again and again. Rights of conscience and rights of religion do not apply to only one side of the aisle, nor does deeply held patriotism. To criticize a person for following their religious commandments is the worst kind of attribution of motive. It is against our custom, our usage, our precedent, and human decency, and it is time we stop criticizing Jewish legislators for their religious beliefs.

RECESS MOTION

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

Motion was adopted.

The House recessed at 6:40 p.m..

RECESS

(Speaker Packard in the Chair)

ENROLLED BILL AMENDMENTS

SB 502-FN, removing references to the department of business and economic affairs and the office of planning and development, and makes various changes to how certain committees and commissions participate or operate.

Amendment 2026-1988EBA

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

AN ACT removing references to the department of business and economic affairs and the office of planning and development, and making various changes to how certain committees and commissions participate or operate.

Motion was adopted.

SB 529-FN, giving preference to lumber sourced in the United States on all state-funded building projects.

Amendment 2026-1989EBA

Amend RSA 155-A:13, IV as inserted by section 1 of the bill by replacing line 2 with the following: harvested in the United States shall reference United States-sourced spruce-pine-fir lumber (SPFs).

Motion was adopted.

SB 560, modernizing the New Hampshire coordinate system.

Amendment 2026-1992EBA

Amend RSA 1-A:4, I as inserted by section 4 of the bill by replacing line 12 with the following: chapter. Any such station may be used for establishing a survey connection to *the 1927 or 1983* [either]

Motion was adopted.

SB 590-FN, relative to electric aggregation plans.

Amendment 2026-1995EBA

Amend the bill by inserting after section 1 the following and renumbering the original section 2 to read as 3: 2 Powers and Duties of Towns; Miscellaneous; Revolving Funds. Amend RSA 31:95-h, I(f)-(g) to read as follows:

(f) Financing of energy conservation and efficiency and clean energy improvements by participating property owners in an energy efficiency and clean energy district established pursuant to RSA 53-F; [or]

(g) Facilitating transactions relative to municipal group net metering[-]; *or*

Motion was adopted.

SENATE MESSAGES**NONCONCURRENCE**

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 1335, requiring health care providers to disclose to patients indirect financial incentives received by the provider.

HB 1378, relative to parental access to a minor child's electronic medical records.

REFERRED FOR INTERIM STUDY

HB 1124, relative to the right to compute.

HB 1249, authorizing pharmacists to provide certain medical devices associated with prescribed medication.

HB 1665, relative to the issuance of subpoenas in administrative proceedings.

SENATE MESSAGES**CONCURRENCE**

HB 113, relative to OHRV operation on certain highways within the town of Windsor.

HB 1433-FN, creating a child care tax credit for qualifying businesses.

HB 1563-FN-LOCAL, relative to the special education aid formula and the administration and monitoring of state special education aid.

HB 1569-FN, repealing the directive that the state sell the Anna Philbrook Center for Children property in Concord.

HB 1817-FN, relative to access to curricular courses and cocurricular programs within school districts.

ACCEDES TO REQUESTS FOR COMMITTEE OF CONFERENCE

HB 1381, extending the time of the party filing period.
The President appointed Sens. Gray, Lang and Perkins Kwoka.

RECESS

(Speaker Packard in the Chair)

ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 221 and 1078.
Rep. Steven Smith, Sen. Avarad for the Committee

ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 1172,1247,1435,1494 and 1730 and Senate Bills numbered 451,568,608,629,641,642,649 and 652.
Rep. Steven Smith, Sen. Avarad for the Committee

ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 1039,1059,1148,1267,1309,1325,1444,1771 and 1837 and Senate Bills numbered 456, 472, 473, 494, 512, 549, 591 and 622.
Rep. Steven Smith, Sen. Avarad for the Committee

SENATE MESSAGES**NONCONCURS WITH AMENDMENT****REQUESTS COMMITTEE OF CONFERENCE**

SB 460-FN, prohibiting tier III criminal offenders from being present in designated child safety zones absent a legitimate purpose.

The President appointed Sens. Gannon, Abbas and Altschiller.

Rep. Roy moved that the House accede.

Motion was adopted.

The Speaker appointed Reps. Roy, Proulx, Alissandra Murray and Steven Smith.

SB 429-FN-A, relative to the placement of trauma kits in public schools and making an appropriation therefor and relative to the parental bill of rights concerning the creation of student media recordings.

The President appointed Sens. Ward, Abbas and Prentiss.

Rep. Noble moved that the House accede.

Motion was adopted.

The Speaker appointed Reps. Noble, Peternel, Erf and Balboni.

SB 481-FN-A, relative to the sale of the Sununu youth services center property.

The President appointed Sens. Gray, Innis and Rosenwald.

Rep. Weyler moved that the House accede.

Motion was adopted.

The Speaker appointed Reps. Mooney, Dan McGuire, Leishman and Packard.

REQUESTS CONCURRENCE WITH AMENDMENTS

HB 609-FN, relative to the general court's authority over the sale, purchase, ownership, use, possession, transportation, licensing, permitting, taxation, and other matter pertaining to firearms, stun guns, Tasers, pepper spray devices, knives and other self-defense tools. (Amendment printed SJ 5/14/26)

Rep. Roy moved that the House nonconcur and request a Committee of Conference.

Motion was adopted.

The Speaker appointed Reps. Roy, Rhodes, Paquette and Osborne.

HB 1793-FN, prohibiting public colleges and universities from regulating the possession or carrying of certain weapons on campus and establishing a committee to study the feasibility of allowing guns on campuses of public institutions of higher education. (Amendment printed SJ 5/14/26)

Rep. Roy moved that the House nonconcur and request a Committee of Conference.

Motion was adopted.

The Speaker appointed Reps. Roy, Rhodes, Paquette and Osborne.

HB 1816-FN, relative to the intervention of the department of education into a school or school district during a financial emergency and requiring the state school board to establish rules governing the vetting of school district business administrator candidates. (Amendment printed SJ 5/7/26)

Rep. Ladd moved that the House nonconcur and request a Committee of Conference.

Motion was adopted.

The Speaker appointed Reps. Ladd, Spilsbury, Osborne and Luneau.

HB 1109, relative to notice requirements regarding public employee suspensions and investigations and transferring certain positions in the department of corrections to group II retirement system status. (Amendment printed SJ 5/7/26)

Rep. Layon moved that the House nonconcur and request a Committee of Conference.

Motion was adopted.

The Speaker appointed Reps. Layon, Slottje, Carol McGuire and Grote.

HB 1407, enabling veterinary technicians to provide rabies vaccinations while indirectly supervised by a veterinarian. (Amendment printed SJ 5/7/26)

Rep. Layon moved that the House nonconcur and request a Committee of Conference.

Motion was adopted.

The Speaker appointed Reps. Layon, Kelley, Long and Grote.

HB 1010, relative to multi-family residential development on commercially zoned land. (Amendment printed SJ 5/14/26)

Rep. Alexander moved that the House nonconcur and request a Committee of Conference.

Motion was adopted.

The Speaker appointed Reps. Alexander, Cole, Kuttub and Hicks.

HB 1275, relative to the effects of per- and polyfluoroalkyl substances on agriculture, exempting certain per- and polyfluoroalkyl products from use restrictions, and relative to the definition of “drinking water standard”. (Amendment printed SJ 5/14/26)

Rep. Judy Aron moved that the House nonconcur and request a Committee of Conference.

Motion was adopted.

The Speaker appointed Reps. Judy Aron, Bixby, Comtois and Barbour.

HB 1365, relative to applications for licenses to carry a loaded pistol or revolver, relative to the composition of the board of dental examiners, and relative to membership of the governor’s commission on addiction, treatment, and prevention (Amendment printed SJ 5/14/26)

Rep. Roy moved that the House nonconcur and request a Committee of Conference.

Motion was adopted.

The Speaker appointed Reps. Roy, Rhodes, Paquette and Steven Smith.

HB 1356-FN, relative to the statute of limitations for bringing a private right of action for violation of the statute prohibiting medical procedures and treatments intended to alter a minor’s gender, authorizing the application of sunscreen in schools and camps without a licensed health care provider’s note or prescription, and establishing a skin cancer prevention education program. (Amendment printed SJ 5/14/26)

Rep. Lynn moved that the House nonconcur and request a Committee of Conference.

Motion was adopted.

The Speaker appointed Reps. Lynn, Dennis Mannion, Alexander and Kuttub.

HB 1554-FN, requiring insurance carriers to provide peer-to-peer review at any stage of prior authorization and mandating disclosure of reviewer credentials. (Amendment printed SJ 5/14/26)

Rep. Hunt moved that the House nonconcur and request a Committee of Conference.

Motion was adopted.

The Speaker appointed Reps. Hunt, Miles, Herbert and Potucek.

HB 1376, relative to a parent’s ability to raise their child in a manner consistent with the child’s biological sex and relative to breast surgeries for minors. (Amendment printed SJ 5/14/26)

Rep. DeSimone moved that the House nonconcur and request a Committee of Conference.

Motion was adopted.

The Speaker appointed Reps. Rice, Mazur, Wheeler and Nelson.

HB 1588-FN, relative to the regulation of accessory parking for vehicles by local legislative bodies and multifamily housing within commercial districts by municipalities. (Amendment printed SJ 5/7/26)

Rep. Alexander moved that the House nonconcur and request a Committee of Conference.

Motion was adopted.

The Speaker appointed Reps. Alexander, Cole, Sweeney and Hicks.

HB 1565-FN, relative to the penalty for false reports of suspected abuse and neglect made to the division for children, youth, and families, relative to owner’s project manager services for school building aid projects, and relative to long-term care eligibility and making an appropriation therefor. (Amendment printed SJ 5/14/26)

Rep. DeSimone moved that the House nonconcur and request a Committee of Conference.

Motion was adopted.

The Speaker appointed Reps. DeSimone, Spillane, Markell and Korzen.

HB 1323-FN, relative to parental alienation, limiting certain prior authorization requirements for physical therapy, occupational therapy, and similar rehabilitative services, relative to children’s mental health services for persons 18 years of age and younger. (Amendment printed SJ 5/14/26)

Rep. DeSimone moved that the House nonconcur and request a Committee of Conference.
Motion was adopted.

The Speaker appointed Reps. Rice, Nelson, Hunt and Osborne.

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. (Amendment printed SJ 5/14/26)

Reps. DeSimone and Weyler moved that the House nonconcur and request a Committee of Conference.
Motion was adopted.

The Speaker appointed Reps. DeSimone, Rice, Nelson and Mooney.

HB 194-FN, relative to the crime of interference with custody and relative to the practice of pharmacy and the dispensing of certain medications by pharmacists. (Amendment printed SJ 5/14/26)

Rep. Roy moved that the House nonconcur and request a Committee of Conference.
Motion was adopted.

The Speaker appointed Reps. Roy, Rhodes, Paquette and Steven Smith.

RECESS

(Speaker Packard in the Chair)

SENATE MESSAGES

NONCONCURRENCE

SB 513-FN, relative to the hiring of an owner's project manager (OPM) for construction or renovation projects which utilize school building aid.

LAID ON THE TABLE

HB 1064-FN, relative to liability of governmental units.

HB 1128, restricting the use of weather modification technologies to declared emergencies.

HB 1735-FN, permitting treatment of certain severe illness under the right to try act.

REFUSES TO ACCEDE TO REQUEST FOR COMMITTEE OF CONFERENCE

HB 1685, establishing a committee to study aiding the growth of assistive technology businesses and adoption of assistive technologies in New Hampshire..

REQUESTS CONCURRENCE WITH AMENDMENTS

HB 1469-FN-A, relative to the licensing requirements for massage therapy establishments. (Amendment printed SJ 5/14/26)

Rep. Layon moved that the House nonconcur and request a Committee of Conference.

Motion was adopted.

The Speaker appointed Reps. Layon, Slottje, Foote and Grote.

HB 1727, relative to student data sharing for the Summer EBT program. (Amendment printed SJ 5/7/26)

Rep. Layon moved that the House nonconcur and request a Committee of Conference.

Motion was adopted.

The Speaker appointed Reps. Layon, Thibault, Slottje and Dargie.

HB 1574-FN, relative to the extension of the free and reduced price breakfast and lunch programs and supporting administrative costs for the Supplemental Nutrition Assistance Program (SNAP), and making appropriations therefor. (Amendment printed SJ 5/14/26)

Rep. Ladd moved that the House nonconcur and request a Committee of Conference.

Motion was adopted.

The Speaker appointed Reps. Ladd, Erf, Popovici-Muller and Luneau.

HB 1374, modifying the procedures for withdrawal from a cooperative school district and the discontinuance of elementary and high schools and requiring the review of school district operating documents by school boards. (Amendment printed SJ 5/7/26)

Rep. Noble moved that the House nonconcur and request a Committee of Conference.

Motion was adopted.

The Speaker appointed Reps. Noble, Peternel, Dan McGuire and Mary Murphy.

HB 1300, establishing a school district local tax cap question for the state general election of 2026 and related limitations on central office administrative expenses in school districts. (Amendment printed SJ 5/14/26)

Rep. Berry moved that the House nonconcur and request a Committee of Conference.

Motion was adopted.

The Speaker appointed Reps. Berry, Qualey, Wherry and Burnham.

HB 1709-FN, prohibiting certain unlawfully present felons from occupying or renting real property, relative to pet vendor foster home and defining pet vendor foster facility, and providing procedures for the potential confiscation of livestock involved in cruelty to animal cases. (Amendment printed SJ 5/14/26)

Rep. Alexander moved that the House nonconcur and request a Committee of Conference.

Motion was adopted.

The Speaker appointed Reps. Alexander, Beaulier, Dumont and Reinfurt.

HB 1184-FN, relative to the issuance of no trespass orders on municipal or school district property. (Amendment printed SJ 5/7/26)

Rep. Pauer moved that the House nonconcur and request a Committee of Conference.

Motion was adopted.

The Speaker appointed Reps. Pauer, Rhodes, Harvey-Bolia and Maggiore.

HB 1738-FN, relative to ratepayer benefits from the regional greenhouse gas initiative and relative to net metering, energy procurement, and nuclear regulatory duties. (Amendment printed SJ 5/14/26)

Reps. Vose and Janigian moved that the House nonconcur and request a Committee of Conference.

Motion was adopted.

The Speaker appointed Reps. Vose, Douglas Thomas, Janigian and McGhee.

HB 1775-FN, relative to utility ownership of natural gas and nuclear power generation facilities. (Amendment printed SJ 5/14/26)

Reps. Vose and Weyler moved that the House nonconcur and request a Committee of Conference.

Motion was adopted.

The Speaker appointed Reps. Vose, Bernardy, Douglas Thomas and Notter.

HB 1492-FN, relative to the regulation and appeal of motor vehicle towing from public highways and relative to the removal of abandoned vehicles by law enforcement. (Amendment printed SJ 5/7/26)

Rep. Thomas Walsh moved that the House nonconcur and request a Committee of Conference.

Motion was adopted.

The Speaker appointed Reps. Thomas Walsh, Gorski and Giasson.

HB 155-FN, relative to business enterprise tax returns and appropriating funds to the department of health and human services for licensed nursing facilities. (Amendment printed SJ 5/14/26)

Rep. Janigian moved that the House nonconcur and request a Committee of Conference.

Motion was adopted.

The Speaker appointed Reps. Janigian, Ulery, Sweeney and Ford.

HB 1102-FN, increasing the research and development tax credit cap and relative to state park fees for state residents. (Amendment printed SJ 5/14/26)

Rep. Janigian moved that the House nonconcur and request a Committee of Conference.

Motion was adopted.

The Speaker appointed Reps. Janigian, Ulery, Bryer and Almy.

RECESS

(Speaker Packard in the Chair)

SENATE MESSAGES

REQUESTS CONCURRENCE WITH AMENDMENTS

HB 1234, identifying certain school district offices as incompatible for purposes of school district elections. (Amendment printed SJ 5/14/26)

Rep. Berry moved that the House nonconcur and request a Committee of Conference.

Motion was adopted.

The Speaker appointed Reps. Berry, Qualey, Lane and Muirhead.

HB 1499-FN, relative to additional grounds for eviction under the landlord and tenant statute, relative to the responsibility of local school districts to provide meals to students during school hours, and reimbursing schools for meals provided to students at no cost and making an appropriation therefor. (Amendment printed SJ 5/14/26)

Rep. Alexander moved that the House nonconcur and request a Committee of Conference.

Motion was adopted.

The Speaker appointed Reps. Alexander, Ladd, Beaulier and Dumont.

HB 1062, authorizing the secretary of state to conduct random audits of the citizenship qualification of registered voters. (Amendment printed SJ 4/16/26)

Rep. Berry moved that the House nonconcur and request a Committee of Conference.

Motion was adopted.

The Speaker appointed Reps. Berry, Qualey, Wherry and Harvey-Bolia.

HB 1187-FN, relative to the time in which candidates for state representative may file their candidacy for a special election. (Amendment printed SJ 5/7/26)

Rep. Berry moved that the House nonconcur and request a Committee of Conference.

Motion was adopted.

The Speaker appointed Reps. Berry, Qualey, Lane and Muirhead.

SENATE MESSAGES CONCURRENCE

SB 56, relative to consolidating the New Hampshire health and education facilities authority within the business finance authority and establishing a surplus land revitalization program.

SB 415, relative to a certain exemption in interest in condominium units and abbreviated registrations.

SB 423, reestablishing the commission to study the incidence of post-traumatic stress disorder in first responders.

SB 445, relative to adjudicative proceedings where there is a council or board with jurisdiction.

SB 486, relative to the administrative procedure act.

SB 490, establishing a task force to assess the development of housing at Great Bay community college and authorizing the college the right to use vacant property for the purpose of developing housing.

SB 491-FN, enabling students to utilize education freedom account funds to pay for certain career and technical education funding and removing references to “curriculum frameworks” as they relate to the substantive educational content of an adequate education.

SB 523-FN, establishing a committee to study the implementation of a residential builder registration system.

SB 531-FN, establishing a task force to study the feasibility of the creation of cosmetology related programming in Coos County and requiring the reporting of student meal debt by school districts and public chartered schools to the department of education.

SB 535, defining residential breeder and imported animal for the purposes of animal transfers and removing references to commercial kennels.

SB 592-FN, enabling regional, conservation, and energy resource planning for habitat strongholds and wild-life corridors and creating a commission to study transferring ownership of the Winnepesaukee River Basin program to an alternative authority.

SB 663-FN-A, creating a Medicaid methodology working group within the department of health and human services.

SB 670-FN-A, establishing a developmental services oversight commission; relative to reporting requirements regarding the death of a child in residential care; and relative to the registry of founded reports of abuse, neglect, or exploitation of vulnerable adults.

RECESS

(Speaker Packard in the Chair)

CONFEREE CHANGES

HB 244, updating and recodifying the municipal enforcement of the building and fire code.

Rep. Dargie replaced Rep. Grote.

RECESS

(Speaker Packard in the Chair)

SENATE MESSAGES

REQUESTS CONCURRENCE WITH AMENDMENTS

HB 360, prohibiting public schools from performing surgical procedures or prescribing pharmaceutical drugs, relative to licensing requirements for health care facilities established within a 15 mile radius of a critical access hospital, and relative to the administration of prescription medication to minors by youth camp staff. (Amendment printed SJ 5/14/26)

Rep. Noble moved that the House nonconcur and request a Committee of Conference.

Motion was adopted.

The Speaker appointed Reps. Noble, Peternel, Drew and Osborne.

HB 1584-FN, directing the department of health and human services to provide notice of medical and religious exemptions from immunization requirements, relative to income eligibility for the New Hampshire child care scholarship program and reallocating certain revenues to fund the program, and relative to notice of drug pricing options. (Amendment printed SJ 5/14/26)

Rep. Wayne MacDonald moved that the House nonconcur and request a Committee of Conference.

Motion was adopted.

The Speaker appointed Reps. Wayne MacDonald, Weyler, Drew and Markell.

HB 1734-FN, establishing a committee to study the feasibility of establishing experimental treatment centers in New Hampshire and the oversight thereof. (Amendment printed SJ 5/14/26)

Rep. Wayne MacDonald moved that the House nonconcur and request a Committee of Conference. Motion was adopted.

The Speaker appointed Reps. Wayne MacDonald, Drew, Markell and Milz.

HB 1772-FN-A, relative to prescribing ibogaine for investigational use only and adopting the physician associate licensure compact. (Amendment printed SJ 5/14/26)

Rep. Wayne MacDonald moved that the House nonconcur and request a Committee of Conference. Motion was adopted.

The Speaker appointed Rep. Wayne MacDonald, Drew, Markell and Milz.

RECESS

(Speaker Packard in the Chair)

CONFEREES CHANGES

HB 1215, relative to supporting the preferred method of communication of an individual with a communication disability and relative to transfers from freestanding hospital emergency facilities.

Rep. Drew replaced Rep. Korzen.

RECESS

(Speaker Packard in the Chair)

SENATE MESSAGE

REQUESTS CONCURRENCE WITH AMENDMENTS

HB 1416, establishing a committee to study what legal protections currently exist for the freedom of expression of pregnancy resource centers and whether further First Amendment protections are needed. (Amendment printed SJ 5/14/26)

Rep. Lynn moved that the House nonconcur and request a Committee of Conference.

Motion was adopted.

The Speaker appointed Reps. Peternel, Kuttub, Scully and McFarlane.

RECESS

(Speaker Packard in the Chair)

SENATE MESSAGES

REQUESTS CONCURRENCE WITH AMENDMENTS

HB 1279, relative to the use of physical force in defense of a person and relative to authorization of seclusion or restraint during a personal safety emergency by a physician, physician associate, or advanced practice registered nurse. (Amendment printed SJ 5/14/26)

Rep. Roy moved that the House nonconcur and request a Committee of Conference.

Motion was adopted.

The Speaker appointed Reps. Roy, Rhodes, Proulx and Kofalt.

ACCEDES TO REQUESTS FOR COMMITTEE OF CONFERENCE

HB 155-FN, relative to business enterprise tax returns and appropriating funds to the department of health and human services for licensed nursing facilities.

The President appointed Sens. Lang, Sullivan and Rosenwald.

HB 360, prohibiting public schools from performing surgical procedures or prescribing pharmaceutical drugs, relative to licensing requirements for health care facilities established within a 15 mile radius of a critical access hospital, and relative to the administration of prescription medication to minors by youth camp staff. The President appointed Sens. Rochefort, Birdsell and Prentiss.

HB 194-FN, relative to the crime of interference with custody and relative to the practice of pharmacy and the dispensing of certain medications by pharmacists.

The President appointed Sens. Abbas, Rochefort and Prentiss.

HB 609-FN, relative to the general court's authority over the sale, purchase, ownership, use, possession, transportation, licensing, permitting, taxation, and other matter pertaining to firearms, stun guns, Tasers, pepper spray devices, knives and other self-defense tools.

The President appointed Sens. Abbas, Gannon and Reardon.

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.

The President appointed Sens. Rochefort, Lang and Rosenwald.

HB 1010, relative to multi-family residential development on commercially zoned land.

The President appointed Sens. Innis, Murphy and Reardon.

HB 1062, authorizing the secretary of state to conduct random audits of the citizenship qualification of registered voters.

The President appointed Sens. Gray, Lang and Perkins Kwoka.

HB 1102-FN, increasing the research and development tax credit cap and relative to state park fees for state residents.

The President appointed Sens. Lang, Sullivan and Fenton.

HB 1109, relative to notice requirements regarding public employee suspensions and investigations and transferring certain positions in the department of corrections to group II retirement system status.

The President appointed Sens. Pearl, Lang and Rosenwald.

HB 1184-FN, relative to the issuance of no trespass orders on municipal or school district property.

The President appointed Sens. Gray, Lang and Altschiller.

HB 1187-FN, relative to the time in which candidates for state representative may file their candidacy for a special election.

The President appointed Sens. Gray, Lang and Perkins Kwoka.

HB 1234, identifying certain school district offices as incompatible for purposes of school district elections.

The President appointed Sens. Gray, Lang and Long.

HB 1275, relative to the effects of per- and polyfluoroalkyl substances on agriculture, exempting certain per- and polyfluoroalkyl products from use restrictions, and relative to the definition of “drinking water standard”.

The President appointed Sens. Avard, Birdsell and Altschiller.

HB 1300, establishing a school district local tax cap question for the state general election of 2026 and related limitations on central office administrative expenses in school districts.

The President appointed Sens. Gray, Lang and Perkins Kwoka.

HB 1356-FN, relative to the statute of limitations for bringing a private right of action for violation of the statute prohibiting medical procedures and treatments intended to alter a minor’s gender, authorizing the application of sunscreen in schools and camps without a licensed health care provider’s note or prescription, and establishing a skin cancer prevention education program.

The President appointed Sens. Gannon, Abbas and Reardon.

HB 1365, relative to applications for licenses to carry a loaded pistol or revolver, relative to the composition of the board of dental examiners, and relative to membership of the governor’s commission on addiction, treatment, and prevention

The President appointed Sens. Gannon, Rochefort and Watters.

HB 1374, modifying the procedures for withdrawal from a cooperative school district and the discontinuance of elementary and high schools and requiring the review of school district operating documents by school boards.

The President appointed Sens. Innis, Sullivan and Prentiss.

HB 1376, relative to a parent’s ability to raise their child in a manner consistent with the child’s biological sex and relative to breast surgeries for minors.

The President appointed Sens. Abbas, Rochefort and Reardon.

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

The President appointed Sens. Pearl, Gannon and Altschiller.

HB 1469-FN-A, relative to the licensing requirements for massage therapy establishments.

The President appointed Sens. Pearl, Gannon and Altschiller.

HB 1499-FN, relative to additional grounds for eviction under the landlord and tenant statute, relative to the responsibility of local school districts to provide meals to students during school hours, and reimbursing schools for meals provided to students at no cost and making an appropriation therefor.

The President appointed Sens. Abbas, Lang and Fenton.

HB 1540, relative to municipal health ordinances and accessory dwelling units and relative to on-premises licenses for licensed barbershops and salons.

The President appointed Sens. Innis, Murphy and Perkins Kwoka.

HB 1554-FN, requiring insurance carriers to provide peer-to-peer review at any stage of prior authorization and mandating disclosure of reviewer credentials.

The President appointed Sens. Innis, Murphy and Prentiss.

HB 1565-FN, relative to the penalty for false reports of suspected abuse and neglect made to the division for children, youth, and families, relative to owner’s project manager services for school building aid projects, and relative to long-term care eligibility and making an appropriation therefor.

The President appointed Sens. Abbas, Rochefort and Long.

HB 1574-FN, relative to the extension of the free and reduced price breakfast and lunch programs and supporting administrative costs for the Supplemental Nutrition Assistance Program (SNAP), and making appropriations therefor.

The President appointed Sens. Gray, Ward and Rosenwald.

HB 1584-FN, directing the department of health and human services to provide notice of medical and religious exemptions from immunization requirements, relative to income eligibility for the New Hampshire child care scholarship program and reallocating certain revenues to fund the program, and relative to notice of drug pricing options.

The President appointed Sens. Rochefort, Birdsell and Reardon.

HB 1588-FN, relative to the regulation of accessory parking for vehicles by local legislative bodies and multifamily housing within commercial districts by municipalities.

The President appointed Sens. Innis, Murphy and Reardon.

HB 1709-FN, prohibiting certain unlawfully present felons from occupying or renting real property, relative to pet vendor foster home and defining pet vendor foster facility, and providing procedures for the potential confiscation of livestock involved in cruelty to animal cases.

The President appointed Sens. Gannon, Birdsell and Altschiller.

HB 1727, relative to student data sharing for the Summer EBT program.

The President appointed Sens. Pearl, Lang and Reardon.

HB 1738-FN, relative to ratepayer benefits from the regional greenhouse gas initiative and relative to net metering, energy procurement, and nuclear regulatory duties.

The President appointed Sens. Avard, Pearl and Watters.

HB 1772-FN-A, relative to prescribing ibogaine for investigational use only and adopting the physician associate licensure compact.

The President appointed Sens. Rochefort, Pearl and Prentiss.

HB 1775-FN, relative to utility ownership of natural gas and nuclear power generation facilities.

The President appointed Sens. Avard, Pearl and Watters.

HB 1816-FN, relative to the intervention of the department of education into a school or school district during a financial emergency and requiring the state school board to establish rules governing the vetting of school district business administrator candidates.

The President appointed Sens. Murphy, Ward and Altschiller.

CONFEREE CHANGES

HB 1109, relative to notice requirements regarding public employee suspensions and investigations and transferring certain positions in the department of corrections to group II retirement system status.

Rep. Dargie replaced Rep. Grote.

CONFEREE CHANGES

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

Rep. Dargie replaced Rep. Grote.

CONFEREE CHANGES

HB 1356-FN, relative to the statute of limitations for bringing a private right of action for violation of the statute prohibiting medical procedures and treatments intended to alter a minor's gender, authorizing the application of sunscreen in schools and camps without a licensed health care provider's note or prescription, and establishing a skin cancer prevention education program.

Rep. Peternel replaced Rep. Alexander.

CONFEREE CHANGES

HB 1376, relative to a parent's ability to raise their child in a manner consistent with the child's biological sex and relative to breast surgeries for minors.

Rep. Korzen replaced Rep. Mazur.

RECESS