



State of
New Hampshire

HOUSE RECORD

Second Year of the 165th General Court Calendar and Journal of the 2018 Session

Web Site Address: www.gencourt.state.nh.us

Vol. 40

Concord, N.H.

Thursday, April 19, 2018

No. 13

HOUSE JOURNAL NO. 12 (Cont'd)

Thursday, April 12, 2018

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

HOUSE JOURNAL NO. 13

Thursday, April 19, 2018

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 Kate Atkinson, Rector of St. Paul's Church in Concord.

A Franciscan Blessing

May God bless you with a restless discomfort about easy answers, half-truths, and superficial relationships, so that you may seek truth boldly and love deep within your heart. May God bless you with holy anger at injustice, oppression, and exploitation of people, so that you may work tirelessly for justice, freedom, and peace among all people. May God bless you with the gift of tears to shed for those who suffer from pain, rejection, starvation, or the loss of all that they cherish, so that you may reach out your hand to comfort them and transform their pain into joy. May God bless you with enough foolishness to believe that you really can make a difference in this world, so that you are able, with God's grace, to do what others claim cannot be done. Amen.

Representative Phyllis Katsakiores, member from Derry, led the Pledge of Allegiance.

The National Anthem was sung by Diana Miceli, a freshman student at Pinkerton Academy.

LEAVES OF ABSENCE

Reps. Alicea, Burns, Cote, Hull, Sandler, Spang, Robert Walsh and Woitkun, the day, illness.

Reps. Binford, Butler, Dontonville, Pamela Gordon, Hoell, Keane, Le, Nasser, Ohm, Oxenham, Panasiti, Stephen Schmidt, Seidel, Daniel Sullivan, Franklin Tilton, Leonard Turcotte and Thomas Walsh, the day, important business.

Reps. Henry Marsh, Newman and Spencer, the day, illness in the family.

Reps. Lerner and Umberger, the day, death in the family.

INTRODUCTION OF GUESTS

Richard and Antonella Dietrich, and Frank Miceli, family of the singer, guests of Rep. Katsakiores. Anantha Krishnan, guest of Rep. Mangipudi. Sandy Swinburne, guest of Rep. Shepardson. Vincent Armani, guest of Rep. Sylvia. Dennis Wagner, guest of Rep. Bailey. Fourth grade students from Jaffrey Grade School, guests of Reps. Ames, Sterling and Douglas Ley.

SENATE MESSAGES

REQUESTS CONCURRENCE WITH AMENDMENTS

HB 1564-FN, relative to sexual assault of a victim who is incarcerated in a correctional institution by a person with supervisory or disciplinary authority over the victim. (Amendment printed SJ 4/12/18)

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

Motion adopted.

HB 1739-FN, prohibiting female genital mutilation. (Amendment printed SJ 4/12/18)

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

Motion adopted.

HB 151, establishing a committee to study the feasibility of using hemp in agricultural and industrial processes and to further study the licensing, registration, and permitting of industrial hemp growers. (Amendment printed SJ 1/3/18)

Rep. John T. O'Connor moved that the House concur and spoke in favor.
Motion adopted.

HB 1638, declaring April 28, 2018 as tabletop gaming day in New Hampshire. (Amendment printed SJ 4/12/18)

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

HB 1352-FN, eliminating the nonresident freshwater bait dealers license and relative to hunting adventure permits. (Amendment printed SJ 4/5/18)

Rep. Webb moved that the House concur and spoke in favor.
Motion adopted.

HB 1331, relative to incidental uses for agricultural plates. (Amendment printed SJ 4/5/18)

Rep. Steven Smith moved that the House concur and spoke in favor.
Motion adopted.

HB 1651, establishing a committee to study the use of liquid de-icers and solid salt on roads. (Amendment printed SJ 4/5/18)

Rep. Steven Smith moved that the House concur and spoke in favor.
Motion adopted.

HB 1286, relative to fishing and hunting licenses for permanently disabled veterans. (Amendment printed SJ 4/5/18)

Rep. Webb moved that the House nonconcur and request a Committee of Conference.
Motion adopted.

The Speaker appointed Reps. Webb, Spillane, L'Heureux and Laflamme.

HB 252, relative to pro se litigants under the right-to-know law. (Amendment printed SJ 4/12/18)

Rep. Hagan moved that the House nonconcur and request a Committee of Conference.
Motion adopted.

The Speaker appointed Reps. Hynes, Berch, Sylvia and Janvrin.

HB 1273, relative to licensure of health care professionals employed at the Manchester Veterans Affairs Medical Center. (Amendment printed SJ 4/5/18)

Reps. Russell Ober and McGuire moved that the House nonconcur and request a Committee of Conference.
Motion adopted.

The Speaker appointed Reps. Baldasaro, Massimilla, Hansen and McGuire.

NONCONCURS WITH AMENDMENT REQUESTS COMMITTEE OF CONFERENCE

SB 119, relative to the length of docks on a water body and boat slips.

The President appointed Sens. Bradley, Sanborn and Fuller Clark.

Rep. Christensen moved that the House accede.
Motion adopted.

The Speaker appointed Reps. Christensen, Renzullo, Gould and Grassie.

ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 305, 492, 1202, 1227, 1228, 1280, 1281, 1290, 1303, 1308, 1346, 1349, 1363, 1364, 1370, 1374, 1379, 1421, 1446, 1454, 1455, 1493, 1494, 1517, 1518, 1523, 1683, 1731, 1785, 1795 and 1823 and Senate Bills numbered 324, 328, 340, 349, 359, 384, 399, 406, 471, 536, 574 and 579.

Rep. Hinch, Sen. Avar for the Committee

CONSENT CALENDAR

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

SB 320, relative to checklists used at elections, removed by Rep. Bates.

SB 378-FN, relative to an exemption from the board of registration of medical technicians, removed by Rep. Peter Schmidt.

SB 504-FN, relative to sales of tax-deeded property, removed by Rep. Marple.

SB 446, relative to net energy metering limits for customer-generators, removed by Rep. Harrington.
Consent Calendar adopted.

SB 310-FN, establishing a committee to study the feasibility of establishing community-based services pilot programs. **OUGHT TO PASS.**

Rep. Skip Berrien for Children and Family Law. This legislation establishes a committee to study the feasibility of establishing a community-based pilot service program to prevent children from entering the foster care system. Vote 13-0.

SB 489, establishing a committee to study parental alienation in New Hampshire. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Daniel Itse for Children and Family Law. Parental alienation by one or both parents is an allegation that is often raised in divorce cases. RSA 461:1 Modification of Parental Right and Responsibility makes references to some of the behaviors that may be considered part of parental alienation, but no specific reference or definition is ever made. This bill creates a committee to define parental alienation and investigate the effects and remedies of parental alienation on children of separation or divorce of both minors and adults. Vote 13-0.

Amendment (1395h)

Amend the bill by replacing section 3 with the following:

3 Duties.

I. The committee shall:

- (a) Define parental alienation and identify its characteristics.
- (b) Examine the causes, costs, and effects of parental alienation, including but not limited to the effects on minor children, the effects on adult children, and the secondary effects of parental alienation.
- (c) Examine the relationship between parental alienation and domestic abuse, violent crime, substance abuse, and mental illness.
- (d) Examine the role of the courts, including guardians ad litem, in cases involving parental alienation.
- (e) Study the treatment of parental alienation, both for the perpetrators and the victims.
- (f) Examine what, if any, preventative measures should be implemented.
- (g) Study any other related matters it deems appropriate.

II. The committee may seek information from doctors, psychologists, sociologists, judges, victims, the National Conference of State Legislatures, and any other body or individual with relevant information.

SB 496-FN, relative to mediation for certain child support arrearages. **OUGHT TO PASS WITH AMENDMENT.** Rep. Daniel Itse for Children and Family Law. This bill will limit the ability of child support arrearages to grow to insurmountable levels. It allows mediation of settlement of the arrearage when it has grown to 8 weeks of child support. However, it prevents modification of the child support order in the mediation, or ordering of mediation when there has been a finding of domestic violence unless both parties agree. Vote 13-0.

Amendment (1259h)

Amend the bill by replacing section 1 with the following:

1 Parental Rights and Responsibilities; Support. Amend RSA 461-A:14, XVIII to read as follows:

XVIII. Any motion for contempt of a court order regarding nonpayment of child support, if filed by a parent, shall be reviewed by the court within 30 days. ***When the arrearage equals or exceeds the equivalent of 8 weeks of child support under the existing order, the matter of the arrearage may be scheduled for mediation through the court within 30 days of the filing of the motion for contempt of court unless a hearing on the motion is scheduled earlier. The mediation shall not consider modification of the child support order. The court shall not order mediation if there is a finding of domestic violence as defined in RSA 173-B:1, unless all parties agree to the mediation.***

SB 319, relative to exempt securities. **OUGHT TO PASS.**

Rep. Kermit Williams for Commerce and Consumer Affairs. This bill exempts industrial development bonds and industrial revenue bonds from New Hampshire registration requirements. The Secretary of State's Securities Regulation Bureau believes that registration of these bonds is unnecessary, and that eliminating these requirements would make these bonds more marketable. Vote 17-0.

SB 332, relative to medication synchronization. **OUGHT TO PASS.**

Rep. Edward Butler for Commerce and Consumer Affairs. This bill will make it possible for consumers to work with their pharmacist, either local or mail-order, to synchronize the dispensing dates of the prescriptions that they get for chronic conditions. This will help make prescription ordering more efficient for our constituents (and us), who may currently have difficulty keeping track of multiple medication refill dates. The bill requires insurance carriers to allow such synchronization. Vote 19-0.

SB 348, relative to senior-specific certifications or designations for securities broker-dealers. **OUGHT TO PASS.**

Rep. Kermit Williams for Commerce and Consumer Affairs. This bill requires securities broker-dealers who hold themselves out as trained specialists to advise senior citizens on investment decisions to actually have the certification or training they claim. It also adds a provision specifying that claiming to be a trained specialist without proper certification is a dishonest and unethical practice in the securities business. Vote 17-0.

SB 429-FN, establishing a consumer services program within the insurance department. **OUGHT TO PASS.** Rep. Edward Butler for Commerce and Consumer Affairs. This bill puts into statute authorization for the Insurance Department to maintain their Consumer Services Unit, which is currently a functional area within the department. This unit addresses concerns of New Hampshire citizens, as well as businesses, regarding insurance issues in addition to providing general information when requested. The bill requires the commissioner to include in the annual report all action taken on complaints received by the Consumer Services Unit. Vote 19-0.

SB 391-FN, establishing a sexual assault survivors' rights commission. **OUGHT TO PASS WITH AMENDMENT.** Rep. Shannon Chandley for Criminal Justice and Public Safety. This bill, as originally introduced in the Senate, included language to codify the rights of survivors of sexual assault as well as provisions to create a study commission. The Senate amended the bill to create only the study commission. After hearing significant and persuasive testimony, the committee determined that the protocol regarding the rights of survivors of sexual assault should be put into statute. This bill, as amended by the committee, ensures that sexual assault survivors' rights include best practices regarding medical treatment, evidence collection, its preservation and information. These include the right to a medical examination free of charge, the right to have a sexual assault evidence collection kit preserved for a set period, the right to be informed of the results of such kit and the right to be notified and to respond if the state intends to destroy the kit before the applicable expiration date. The survivor should also be informed of his or her rights. The committee amendment does not include the commission to study survivors' rights as the members believe that passage of the statutory requirements is sufficient to render the commission unnecessary at this time. Vote 19-0.

Amendment (1311h)

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

AN ACT relative to sexual assault survivors' rights.

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

1 New Subdivision; Department of Justice; Sexual Assault Survivors' Rights. Amend RSA 21-M by inserting after section 17 the following new subdivision:

Sexual Assault Survivors' Rights

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.
- (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.

(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, "sexual assault survivor" includes a deceased victim of sexual assault.

21-M:19 Notification of Sexual Assault Survivors' Rights.

I. The attorney general shall provide written notice regarding sexual assault survivors' rights in RSA 21-M:18 to medical centers, hospitals, forensic examiners, sexual assault service providers, state and local law enforcement agencies, and any other state agency or department reasonably likely to serve sexual assault survivors; and shall make the information set forth in RSA 21-M:18 publicly available on the attorney general's Internet website.

II. In addition to the rights set forth in RSA 21-M:18, the attorney general shall provide written notice of the following rights to those entities listed in paragraph I:

(a) The right not to be charged fees for or otherwise prevented from pursuing a sexual assault evidence collection kit.

(b) The right to have a medical examination regardless of whether the survivor reports to or cooperates with law enforcement, and the right to have such examination at no cost pursuant to RSA 21-M:8-c.

(c) The availability of assistance from the office of victim/witness assistance pursuant to RSA 21-M:8-b.

- (d) The availability of protective orders and policies related to their enforcement.
 - (e) Policies regarding the storage, preservation, and disposal of sexual assault evidence collection kits.
 - (f) The process, if any, to request preservation of sexual assault evidence collection kits or the probative evidence from such kits.
 - (g) The availability of victim's compensation and restitution pursuant to RSA 21-M:8-k.
- 2 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill codifies the rights of sexual assault survivors.

SB 363, prohibiting political expenditures by foreign nationals. **OUGHT TO PASS.**

Rep. Norman Silber for Election Law. This bill extends existing federal prohibitions on political expenditures by foreign nationals to the State of New Hampshire for its state elections. Vote 18-0.

SB 326, relative to the functions of the division of historical resources. **INEXPEDIENT TO LEGISLATE.**

Rep. Carol Roberts for Executive Departments and Administration. This bill provides that the NH Division of Historical Resources may provide assistance to entities seeking to participate in the federal Historic Preservation Tax Incentives program. The bill also provides that the division shall not establish historic preservation criteria that are more stringent than the federal guidelines adopted by the National Park Service. The Park Service interacts with each state's Division of Historical Resources to manage projects and assists in providing oversight. The committee found that state organizations working with the National Park Service on historic preservation activities already defer to the national guidelines, making this bill redundant. The committee was also concerned that this might overrule local criteria, such as a designated historic district. Vote 18-0.

SB 327, relative to the medical review subcommittee of the board of medicine and time limits for allegations of professional misconduct before the board. **OUGHT TO PASS.**

Rep. John Sytek for Executive Departments and Administration. This bill makes two changes to the law establishing the Board of Medicine. First, it changes the requirement that one member of the Medical Review Subcommittee shall also be a member of the Board of Medicine. There were two reasons for this change according to testimony heard by the committee. First, the workload of the subcommittee has increased from about 200 to 600 cases per year, putting an increasing burden on the "swing member" (the member on both boards). Further the swing member, as an investigator, could not also vote in his/her capacity as a member of the Board of Medicine, the body charged with discipline. The second part of the bill changes the time for bringing a complaint to from 6 to 5 years. This is consistent with other professional boards. It was noted that the clock does not run from the time of an alleged incident, but rather from the time that such an event was "discoverable," thereby providing ample opportunity for redress. There was no testimony in opposition. Vote 18-0.

SB 374, relative to adoption of emergency medical and trauma services protocols. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Mark Proulx for Executive Departments and Administration. This bill exempts adoption of emergency medical and trauma services protocols from the rulemaking process under RSA 541-A. These protocols are highly technical and need to be changed quickly and frequently, making them poor candidates for the rule-making process. The current protocol approval process includes detailed review by the technically qualified members of the Emergency Medical and Trauma Services Coordinating Board, and the Emergency Medical Services Medical Control Board, as well as the Commissioner of the Department of Safety. The committee amendment adds a provision requiring a public hearing prior to the adoption of minimum standards or protocols, using language that is already in statute. Vote 18-0.

Amendment (1331h)

Amend the bill by inserting after section 1 the following and renumbering the original sections 2-5 to read as 3-6, respectively:

2 New Paragraph; Emergency Medical and Trauma Services Coordinating Board; Hearing Prior to Recommendation of Minimum Standards or Protocols. Amend RSA 153-A:4 by inserting after paragraph VI the following new paragraph:

VI-a. Prior to any final vote regarding minimum standards or protocols, shall:

- (a) Provide notice of the proposed action to fire and emergency medical service members.
- (b) Allow a 60-day period for the receipt of written comments on the proposal.
- (c) Hold public hearings, one in the daytime hours and another during the evening hours, in such a way as to maximize input from fire and emergency medical service members.

SB 455, relative to state employees injured in the line of duty. **OUGHT TO PASS.**

Rep. Kristina Schultz for Executive Departments and Administration. This legislation closes an accidental loophole allowing a violation of privacy. This loophole was discovered when a nurse working at the NH State Hospital was injured by a patient. One morning she woke up to find the details of her injury, her home address and other personal details in the newspaper. Because the compensation for her injury was required to

be reviewed and approved by the Governor and Executive Council, these details were on the agenda for the meeting when the compensation was reviewed and approved. This bill will limit the information listed on the agenda and the information given to the public to protect the privacy of injured workers. Vote 9-2.

SB 456, relative to the appointment of the state medical director for emergency medical services. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Mark Proulx for Executive Departments and Administration. This bill turns the position of the state medical director for emergency medical services into a part-time position and repeals the requirement that the chairman of the emergency medical services medical control board shall serve as the medical director. It also makes the medical director a nonvoting member of the control board. The committee amendment moves the effective date to July 1, 2019, so that any expenses incurred by these changes can be included in the next budget Vote 18-0.

Amendment (1328h)

Amend the bill by replacing section 5 with the following:

5 Effective Date. This act shall take effect July 1, 2019.

SB 458, authorizing the purchase of retirement system creditable service by a certain surviving spouse. **OUGHT TO PASS.**

Rep. John Sytek for Executive Departments and Administration. This bill allows the widow of a police officer to purchase up to one month of military service as creditable service time to allow for pension eligibility for her late husband. Such a program of buying service time existed in statute several years ago but was phased out. The police officer had served in Afghanistan and was a Hampstead police officer at the time of his death. He had been a police officer for 9.91 years with 10 years being required for eligibility to receive a Group II pension. The officer's family would pay to the NH Retirement System (NHRS) an amount actuarially calculated to ensure no adverse effect on the NHRS. There were concerns that this bill would create a precedent and that a bill crafted for one person was not desirable, but the underlying equities of this situation were overriding considerations for the committee. Vote 13-1.

SB 507, proclaiming June as post-traumatic stress injury (PTSI) awareness month. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Kristina Schultz for Executive Departments and Administration. Post Traumatic Stress Disorder (PTSD) plagues a number of people who serve our country, our state, and our local community. Soldiers, first responders and others who care for us on our worst days and encounter traumatic situations, might have PTSD as a result. This legislation formalizes PTSD Awareness Day and PTSD Awareness Month. As with any mental health diagnosis, we must defuse the stigmas that stop both the ability to understand and seek care for PTSD. This bill helps end stigmas by giving an official forum about PTSD. It provides a platform for experts to explain the symptoms, demonstrate that treatment for PTSD works, and encourage those in need of diagnosis and treatment to seek it. Vote 11-0.

Amendment (1350h)

Amend the bill by replacing section 2 with the following:

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

SB 533-FN, relative to the composition and compensation of the personnel appeals board. **OUGHT TO PASS.**

Rep. Steven Beaudoin for Executive Departments and Administration. The Personnel Appeals Board hears appeals from state employees for disciplinary actions, terminations, suspensions, or letters of reprimand. For years the board has suffered from an inability to attract members, meet its workload, and meet a quorum. Since its formation in 1988, the compensation rate of \$100 per day per member has remained unchanged. This bill increases that amount to \$400 per day. The board has also seen a consistent increase in appeals. Adding a new member will allow the board to more easily meet the requirements for a quorum as well as allowing them to split the heavy research workload among more members. Vote 11-0.

SB 474, establishing a committee to study group home rate parity. **OUGHT TO PASS.**

Rep. Mariellen MacKay for Health, Human Services and Elderly Affairs. Residential placements give youth in need of these services and supports the opportunity to succeed and look forward to a bright future. This committee will meet to look into the rates, how they are set and structured, and to insure equality to all group homes while not losing the opportunity for charitable giving options. The term "group home" will also be finitely defined and concur with statutory language. Vote 14-0.

SB 389, relative to administrative fees on restitution. **OUGHT TO PASS.**

Rep. Kurt Wuelper for Judiciary. This bill clarifies the intent of RSA 651:63,V by clearly stating the administrative fee added to court ordered restitution is only applicable to offenders who have to pay through the Department of Corrections, Division of Field Services collection process. No such fee will be assessed when payment is immediate. The committee agreed the fee is primarily for the cost of collection and should not be charged to those who do not receive those services. Vote 14-2.

SB 395, relative to access to records under the right-to-know law. **INEXPEDIENT TO LEGISLATE.**

Rep. Michael Sylvia for Judiciary. As amended by the Senate, this bill attempts to provide access to public records at alternative times and places. The prime sponsor testified against the bill, citing the lack of specific and workable resolutions to the underlying needs. Vote 17-0.

SB 493, establishing a committee to study the codification of the exculpatory evidence schedule and related law enforcement protocols. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Paul Berch for Judiciary. This bill, as amended, clarifies the duties of the prosecutors, law enforcement officers and courts regarding the obligation to provide exculpatory evidence, while conforming New Hampshire law with the requirements of the constitutions of New Hampshire and the United States. It provides clear definitions, protects confidentiality to the extent allowed by law, and protects law enforcement officers from improper discharge. Vote 16-1.

Amendment (1171h)

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

AN ACT relative to procedures for determining and disclosing exculpatory evidence in a police officer's personnel file.

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

1 New Subdivision; Police Officers; Disclosure of Exculpatory Evidence; Termination Prohibited. Amend RSA 105 by inserting after section 13-c the following new subdivision:

Disclosure of Exculpatory Evidence

105:13-d Disclosure of Exculpatory Evidence.

I. In this subdivision:

(a) "Exculpatory evidence" means any information required to be disclosed to the defendant in a criminal case under the federal constitution or the state constitution.

(b) "Personnel file" includes all employment records and any related internal affairs investigations.

II. The prosecutor shall have access to the complete personnel file of any police officer who may be a witness for either party in any criminal case for the purpose of determining the existence of potentially exculpatory evidence. If the prosecutor cannot determine whether such evidence is exculpatory, he or she shall petition the court for an in camera review of the evidence. No prosecutor who reviews a police officer's personnel file shall disclose any information obtained as a result of the review, except as required in this paragraph or to the extent necessary to comply with the federal constitution or state constitution. The personnel file shall remain confidential unless otherwise provided by law.

III. When the head of a law enforcement agency determines that a police officer's personnel file may contain potentially exculpatory evidence, he or she shall notify the police officer of that determination. The police officer shall have the opportunity to challenge the disciplinary finding or other administrative action resulting from the potentially exculpatory evidence through available contractual, administrative, and legal means. However, the pendency of such challenge shall not prevent the disclosure of the potentially exculpatory evidence in a criminal proceeding in which an officer is a potential witness.

IV. The duty to disclose exculpatory evidence that should have been disclosed prior to trial shall be an ongoing duty that extends beyond a finding of guilt.

105:13-e Termination Prohibited. No police officer shall have his or her employment terminated based solely on a determination that the officer has potentially exculpatory evidence in his or her personnel file which may need to be disclosed to a criminal defendant. Nothing in this section shall prohibit the employing authority from terminating a police officer's employment based on conduct that is the subject of the exculpatory evidence.

2 Repeal. RSA 105:13-b, relative to confidentiality of police personnel files, is repealed.

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

AMENDED ANALYSIS

This bill requires a determination of whether information in a police officer's personnel file constitutes exculpatory evidence and allows a police officer who has information determined to be exculpatory evidence in his or her personnel file to have an opportunity to challenge the disciplinary finding.

SB 498-FN, requiring an annual report detailing activity related to forfeiture of personal property. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Michael Sylvia for Judiciary. This bill adds a reporting requirement to RSA 617 relating to forfeiture of personal property. Under this bill, the attorney general's office would post to their public website information related to seizures and forfeitures. This measure will add transparency to asset forfeiture without sacrificing the security of law enforcement operations. Vote 17-0.

Amendment (1479h)

Amend RSA 617:12, I as inserted by section 1 of the bill by replacing it with the following:

I. The attorney general, no later than 120 days after the close of the fiscal year, shall post a report on the department of justice website detailing state forfeiture activity, for the preceding fiscal year, including the type, approximate value, and disposition of the property seized, and the amount of any proceeds received or expended at the state and local levels. The report shall provide a categorized accounting of all proceeds expended. Summary data on seizures, forfeitures, and expenditures of forfeiture proceeds shall be provided by the law enforcement agency in disaggregated form to the attorney general.

SB 84, relative to payment of workers' compensation benefits by direct deposit and authorizing electronic payment of payroll. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Alfred Baldasaro for Labor, Industrial and Rehabilitative Services. The majority believes that doing an automatic direct deposit within a 6-week period of a covered worker's disability is a win-win for employees to receive their money in a timely manner. This helps the recipient of worker's compensation to avoid receiving a pay card, where they pay a fee every time they use it, and avoid checks being mailed late. Vote 20-0.

Amendment (1279h)

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

AN ACT relative to payment of workers' compensation benefits by direct deposit.

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

2 Effective Date. This act shall take effect January 1, 2019.

AMENDED ANALYSIS

This bill authorizes payment of compensation under the workers' compensation law to be made to the injured worker by direct deposit.

SB 351, relative to managed care programs under workers' compensation. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Douglas Ley for Labor, Industrial and Rehabilitative Services. The bill is essentially a technical change, to clarify the qualifications of injury management facilitators, whether employed by, or operating in conjunction with, a managed care program. Vote 21-0.

Amendment (1285h)

Amend RSA 281-A:23-a, V as inserted by section 1 of the bill by replacing it with the following:

V. Every managed care program shall include a sufficient number of injury management facilitators, including resident injury management facilitators, who shall be qualified by reason of education, training, and experience to manage the injured employee's medical, hospital and remedial care, vocational rehabilitation, modified duty, and return to work plans. An injury management facilitator shall work with the injured employee, employer, and medical, hospital and other providers to ensure that the injured employee receives effective, timely, and appropriate services in order to achieve maximum medical improvement and an expeditious return to work. Any person employed *as an injury management facilitator by a managed care program or operating* as an injury management facilitator [by] *in conjunction with* a managed care program *under this section* shall be approved by the commissioner with ratification by the workers' compensation advisory council. The commissioner shall, in consultation with the advisory council, by rule determine the number of facilitators which shall be sufficient.

SB 356, adding a representative from the community college system to the apprenticeship advisory council. **OUGHT TO PASS.**

Rep. Sean Morrison for Labor, Industrial and Rehabilitative Services. Community colleges in our state offer a myriad of training in industrial, mechanical and trade areas. It is therefore prudent to have a representation of the community college system appointed to the apprenticeship advisory council. Vote 21-0.

SB 428, relative to the payment of weekly and biweekly wages. **OUGHT TO PASS.**

Rep. Brian Seaworth for Labor, Industrial and Rehabilitative Services. Last session we passed a bill allowing employers to choose whether to pay employees weekly or biweekly. This is a housekeeping change to that new provision, changing the period in which payment must be made from "not to exceed fourteen days" to "within 15 days." This brings enforcement of the provision in line with how some employers do their payroll, and with the past practice of the Department of Labor in enforcement of the regularly scheduled pay law. Vote 21-0.

SB 170, relative to the authority of towns to issue bonds for the expansion of broadband infrastructure. **OUGHT TO PASS.**

Rep. David Meader for Municipal and County Government. This bill, if enacted into law would permit municipalities to issue bonds for the purpose of providing or extending broadband infrastructure to areas presently unserved. Certain conditions must be met before bonds can be issued and the bill contains the provision for public-private partnerships for financing purposes. Public hearing testimony strongly indicated that enactment of this legislation would be a significant catalyst for economic development in many rural areas of New Hampshire. Vote 16-0.

SB 339, relative to voting by zoning boards of adjustment. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Franklin Sterling for Municipal and County Government. This bill clarifies without exception that any action taken by a Zoning Board requires the affirmative vote of three members of the board. Current statute includes some specific instances but not all, so this bill removes the specific examples and makes it clear that actions of the board require three members to vote in the affirmative. It simply removes ambiguity and lessens the possibility of a challenge. The amendment adds one word, "any" to make it clear that the conditions for granting a variance are approved upon the affirmative vote of "any" three members. Vote 18-0.

Amendment (1271h)

Amend the bill by replacing section 1 with the following:

1 Zoning Board of Adjustment; Voting. Amend RSA 674:33, III to read as follows:

III. The concurring vote of **any** 3 members of the board shall be necessary to ~~[reverse any action of the administrative official or to decide in favor of the applicant]~~ **take any action** on any matter on which it is required to pass.

SB 341, relative to the veterans' property tax credit for service-connected disability. **OUGHT TO PASS.**

Rep. John Bordenet for Municipal and County Government. There is a provision in current statute to allow a municipality to grant a tax credit to veterans determined to be totally disabled due to a service connected disability. The current amount sets the range from \$701.00 to \$2,000.00. This bill would increase the upper limit to \$4,000.00 using the same approval criteria. Vote 16-2.

SB 393, relative to county audits and performance audits. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Frank McCarthy for Municipal and County Government. This bill as amended changes very little relative to existing law; rather it consolidates the three types of audits utilized by county government from within several chapters spread throughout Title II of state law into one chapter. The bill clarifies that the county delegation and commissioners must jointly agree as to the auditing firm to be engaged for a regular (annual) audit. It also extends the time for completion of the audit from 90 days to 120 days following the close of the fiscal year. It requires that a copy of each completed audit be forwarded to the Department of Revenue Administration. It also authorizes the payment for either a performance or forensic audit, by use of a county delegation contingency fund, appropriated specifically for that purpose, to be expended on the authority of the county executive committee, for a performance audit, or a 3/5th majority vote of the county delegation present and voting, for a forensic audit. Vote 17-1.

Amendment (1342h)

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

AN ACT relative to county financial audits, performance audits, and forensic audits.

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

1 County Audits. Amend RSA 28:3-a to read as follows:

28:3-a County Audits. ~~[In the event that an audit is required or requested]~~ **Upon request for an audit** by resolution by either the board of commissioners or the county convention, the **county** commissioners~~[-with the approval of the executive committee of the county convention,]~~ shall, **in agreement with the county convention**, engage the services of a certified public accountant **fully** qualified in municipal and county finances for the purpose of conducting an audit of the ~~[county]~~ **county's financial** books of ~~[account]~~ **records**. The performance and scope of the audit shall be in accordance with generally-accepted auditing ~~[practice]~~ **standards**. The audit shall include an examination for conformance with state and federal laws and regulations relating to county finances, including rules adopted by the commissioner of revenue administration pursuant to RSA 541-A, and shall also include an examination of any subject of county finances that may be requested either by the commissioners, by the county convention, or by the treasurer. The audit shall be completed within ~~[90]~~ **120** days following the close of the county fiscal year. The commissioners shall cause the report of the auditor, together with the customary management **representation** letter and ~~[auditee]~~ **management** responses, to be published with or supplementary to the annual reports of the county officers, **with a copy forwarded to the department of revenue administration. Upon completion of a county audit under this section, the county convention shall review the management representation letter and management responses for compliance with the criteria described in this section and may suggest alternative or additional measures for use in subsequent audits.**

2 New Sections; Counties; Performance Audits; Forensic Audits. Amend RSA 28 by inserting after section 3-a the following new sections:

28:3-b Performance Audits.

I. The county convention of any county shall have the power to engage the services of a suitable qualified entity to conduct performance audits of any county department, institution, or office as the county convention shall specifically direct. Such performance audits shall include, but not be limited to, examinations of and any determinations based upon the examinations as to achievement of goals, objectives, and specific outcome

measures provided for in each department, institution, or office's budget submission. Such performance audit shall indicate the degree of achievement, and any reasons for non-achievements of objectives and outcome measures. Such audit shall also include findings regarding the appropriateness of stated objectives and outcome measures and may suggest alternative or additional measures for use in subsequent budget periods.

II. The detailed reports of every audit conducted pursuant to this section shall become a public record upon approval by the county convention. Audit work papers and notes are not public records. However, those materials necessary to support the compilations in the final audit report may be made available by majority vote of the county convention after a public hearing showing proper cause. For the purposes of this section, work papers shall include, but are not limited to, all preliminary drafts and notes used in preparing the audit report.

III. The cost of a performance audit shall be paid from a contingency fund appropriated by the county convention under RSA 24:13, II.

28:3-c Forensic Audits.

I. The county convention of any county shall have the power to engage the services of a suitable entity qualified in municipal and county finances to conduct a forensic audit of the county's financial books of record. The forensic audit may require investigative work on financial matters as directed by the county convention, including investigations of corruption, asset misappropriation, or financial statement fraud. The detailed reports of a forensic audit conducted pursuant to this section shall become a public record upon approval by the county convention. Work papers and notes are not public records. However, those materials necessary to support the compilations in the final forensic audit report may be made available by majority vote of the county convention after a public hearing showing proper cause. For the purposes of this section, work papers shall include, but are not limited to, all preliminary drafts and notes used in preparing the forensic audit report.

II. The cost of a forensic audit shall be paid from a contingency fund appropriated by the county convention under RSA 24:13, II.

3 County Convention; Powers; Contingency Fund. Amend RSA 24:13, II to read as follows:

II. Notwithstanding any other laws to the contrary, the county convention of any county shall have the power to appropriate a contingency fund to meet the cost of unanticipated expenses that may arise during the year or to provide payment for a performance audit under RSA [24:26] **28:3-b or a forensic audit under RSA 28:3-c**, to be expended **for a performance audit** only upon approval by the executive committee of the county delegation~~[-who]~~ **and to be expended for a forensic audit only by approval of a 3/5 vote of the county delegation present and voting. The county executive committee** shall make a detailed report of all expenditures from said fund to be published annually in the county annual report. The amount in said fund shall not exceed one percent of the amount appropriated by the county for county purposes exclusive of capital budget and debt retirement during the preceding year.

4 Repeal. RSA 24:26, relative to county performance audits, is repealed.

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

AMENDED ANALYSIS

This bill modifies a county's authority for conducting county audits and performance audits, and allows for the contracting for a forensic audit by the county convention.

SB 403-L, relative to the exemption for recreational vehicles from property taxation. **INEXPEDIENT TO LEGISLATE.**

Rep. Carolyn Matthews for Municipal and County Government. The committee finds that although this bill is well intentioned as relief for camp ground owners who must annually report to town assessors the names of owners of recreational vehicles that do not have a valid motor vehicle registration and number plate, the reporting process can be adjusted by request on the local level in those towns where the process may prove onerous. The bill is also intended to give relief from real estate taxes to those who want to store their recreational vehicles over the winter. However the committee finds that the six-month use of a permanently parked recreational vehicle, often with enhancements like decks and outbuildings, is similar to the six-month use of a privately owned vacation camp located on rented or leased land, and real estate tax relief for one and not for the other would not be equitable and would not support the general welfare of fair taxation for all. With the option of paying the annual motor vehicle registration, recreational vehicle owners already have a good option for avoiding an annual real estate tax. Finally, since RSA 72:7-d has been studied since 2014 and the compromise worked out has only been law since April 1, 2015, not enough time has passed to determine its effect state wide, and since nothing has changed in the past three years, repeal would be premature. Vote 16-2.

SB 412, relative to agritourism. **OUGHT TO PASS.**

Rep. Franklin Sterling for Municipal and County Government. The purpose of SB 412 is to establish an expedited review process of conflicts between local bylaws or zoning ordinances and the state statute (RSA 21:34-a,II:b-5) concerning the definition of agritourism. When a dispute arises an aggrieved party may choose to ask the Commissioner of Agriculture for a declaratory ruling as to whether or not the local bylaw or ordi-

nance conflicts with the definition of agritourism in RSA 21:34-a. Choosing to appeal to the commissioner does not, nor is it intended to, cancel any other appeal process available in RSA 677:2. The bill does not authorize the commissioner to reverse a local land use board's decision about whether a particular use is permitted, it merely authorizes the commissioner to determine whether the municipality's ordinance, bylaw, definition, or policy on agritourism is inconsistent with the state's definition. While the appeal is before the commissioner all other appeal time lines are stayed, preserving the right of the applicant to return to either the Zoning Board of Appeals or to the Superior Court. Vote 16-0.

SB 505, requiring abutter notice of the construction of a crematory. **OUGHT TO PASS.**

Rep. James Belanger for Municipal and County Government. This bill deals with the construction or authorization to establish a crematory. It requires that, upon the issuance of a building permit for such an entity, all abutters within 250 feet of the property need to be notified. Vote 11-3.

SB 506, limiting amendments to warrant articles. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Timothy Josephson for Municipal and County Government. This bill deals with petitioned warrant articles submitted to the governing body prior to their being published in the annual warrant for town meetings and/or school meetings. It allows editing the petitioned language for minor textual/grammatical changes, but prevents the main intent from being changed. This relates only to RSA 39:3 and RSA 197:6 and does not affect amendments at town meeting or deliberative session. The amendment to the bill eliminates a redundant phrase. Vote 14-0.

Amendment (1300h)

Amend RSA 39:3 as inserted by section 1 of the bill by replacing it with the following:

39:3 Articles. Upon the written application of 25 or more registered voters or 2 percent of the registered voters in town, whichever is less, although in no event shall fewer than 10 registered voters be sufficient, presented to the selectmen or one of them not later than the fifth Tuesday before the day prescribed for an annual meeting, the selectmen shall insert in their warrant for such meeting the petitioned article with only such minor textual changes as may be required. ***Such corrections shall not in any way change the intended effect of the article as presented in the original language of the petition.*** For the purposes of this section, the number of registered voters in a town shall be the number of voters registered prior to the last state general election. The right to have an article inserted in the warrant conferred by this section shall not be invalidated by the provisions of RSA 32. In towns with fewer than 10,000 inhabitants upon the written application of 50 or more voters or 1/4 of the voters in town, whichever is fewer, and in towns with 10,000 or more inhabitants upon the written application of 5 percent of the registered voters in the town, so presented not less than 60 days before the next annual meeting, the selectmen shall warn a special meeting to act upon any question specified in such application. The checklist for an annual or special town meeting shall be corrected by the supervisors of the checklist as provided in RSA 654:25-31. Those persons qualified to vote whose names are on the corrected checklist shall be entitled to vote at the meeting. The same checklist used at a recessed town meeting shall be used at any reconvened session of the same town meeting. In no event shall a special town meeting be held on the biennial election day.

Amend RSA 197:6 as inserted by section 2 of the bill by replacing it with the following:

197:6 Warrant and Articles. Upon the written application of 25 or more voters or 2 percent of the voters of the school district, whichever is less, although in no event shall fewer than 10 registered voters be sufficient, presented to the school board or one of them not later than 30 days before the date prescribed for the school district meeting or the second Tuesday in March, whichever is earlier, the school board shall insert in the school district warrant for such meeting the petitioned article with only such minor textual changes as may be required. No article may be inserted after posting of said warrant. ***Corrections to petitioned warrant articles shall not in any way change the intended effect of the article as presented in the original petition.*** The right to have an article inserted in the warrant conferred by this section shall not be invalidated by the provisions of RSA 32.

AMENDED ANALYSIS

This bill limits amendments to petitioned warrant articles to minor textual corrections that do not change the intended effect of the article.

SB 510, relative to municipal notice of leases on tax-exempt property. **OUGHT TO PASS WITH AMENDMENT.**

Rep. James Belanger for Municipal and County Government. Tax exempt properties are often rented or leased for use by entities that would be subject to taxes should they operate out of their own property. This bill makes it clear that such use is taxable and requires that the tax exempt property owner notify the municipality of such use by April 15 of each year so that the property can be assessed with consideration for the use. The amendment requires those who own tax exempt property but lease it to taxable entities to provide a copy of the lease to the assessing department of the affected municipality. Vote 14-0.

Amendment (1474h)

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

(B) Annually, on or before April 15, the lessors of all leases and other agreements, the terms of which provide for the use or occupation by others of real or personal property owned by the state or a county, city, town, school district, or village district, including those properties identified under subparagraph (d), shall provide written notice and a copy of the lease or other agreement to the assessing officials of the municipality in which the property is located.

SB 511, establishing an optional tax credit for combat service. **OUGHT TO PASS.**

Rep. Franklin Sterling for Municipal and County Government. This bill fills in a gap that was left in existing statutes with respect to property tax credits for veterans. A veteran is only a veteran after discharge from the military service. Personnel in the National Guard and Armed Forces reserves that are called into active duty and experience combat conditions are not included in the veterans tax credit program. This is enabling legislation that allows municipalities to adopt the existing veterans property tax credit, with the exact same conditions, for those engaged in combat conditions while in active service. The credit is eliminated when the individual returns and is no longer engaged in combat conditions. Vote 14-0.

SB 400, relative to traveler information signs on highways. **INEXPEDIENT TO LEGISLATE.**

Rep. David Milz for Public Works and Highways. This bill attempted to exempt registered non-profits that operate certain museums or heritage tourism sites from the yearly fee requirement for highway information signs. It was felt that the NH Department of Transportation (DOT) needs to recuperate the cost of all highway signs that are considered advertising as opposed to informational or directional. Furthermore, NH DOT is not aware of any current outcry against the present fee structure being charged. Vote 18-0.

SB 464, relative to the procedure for driveway permits. **REFER FOR INTERIM STUDY.**

Rep. Virginia Irwin for Public Works and Highways. Due to the complicated process of issuing driveway and excavation permits by the NH Department of Transportation (DOT), the committee believes that this bill should be sent to Interim Study. The committee supports making the process easier for developers while considering the workloads of the DOT. Additionally, we feel the committee should examine if there should be a fee associated with this process, to expedite their review. For these reasons, we recommend this bill be Referred for Interim Study. Vote 18-0.

SB 519, relative to the purchase of property for the construction of roads. **OUGHT TO PASS.**

Rep. John Cloutier for Public Works and Highways. This bill would permit the Transportation Commissioner to purchase land for the purposes of laying out a new state highway or alteration of such a highway if the Governor or a three-member commission designated for the above tasks recommends the purchase. The three-member commission would be appointed by the Governor with the Executive Council's consent. This bill, requested by the Department of Transportation, is housekeeping legislation which deletes and clarifies some confusing language in RSA 230:14 and 230:45. Vote 18-0.

SB 321, relative to group host net energy metering. **OUGHT TO PASS.**

Rep. Douglas Thomas for Science, Technology and Energy. This bill removes requirements that net energy metering host customers be default service customers of the same electric distribution utility as the host and that the host is responsible for certain costs. It deletes outdated and unneeded statutory language that could dissuade potential investors. The committee felt this gives more options to net metering host customers and therefore recommends the bill passage. Vote 19-0.

SB 367, relative to public utilities commission review of group host agreements. **OUGHT TO PASS.**

Rep. Keith Ammon for Science, Technology and Energy. Net metering allows electric customers to install on-site renewable energy sources (solar, wind, hydro, etc.) and save on their electric bills by using a special meter which measures the difference between electricity provided by the local utility and the electricity produced by an on-site renewable energy source. Group net metering, permits net-metered renewable energy facilities, known as "hosts," to share the proceeds with other utility account holders, known as "group members." Group members do not have net-metered renewable energy facilities and do not have to make any changes to their existing electric service. This bill removes the requirement that the Public Utilities Commission (PUC) review group net metering contract agreements. It also exempts small residential systems with a capacity under 15 kilowatts from annual reporting requirements. The review of contracts did little in practice since the PUC has no enforcement ability over the terms of the contracts. Freedom to contract without government interference is a basic right. The exemption to reporting requirements for small residential group net metering installations reduces the regulatory burden for these arrangements. The PUC deferred to the judgment of the legislature but testified favorably toward the language in the bill. Vote 19-0.

SB 165-FN, authorizing periodic payments as security after a motor vehicle accident. **OUGHT TO PASS.**

Rep. George Sykes for Transportation. This bill will allow for the first time the NH Division of Motor Vehicles (DMV) to allow uninsured at fault drivers to make periodic payments as security after certain accidents. The bill authorizes the DMV Director to adopt rules that will address a periodic payment hearing process, define the ability to pay, and establish a process for minors subject to suspension. Vote 15-0.

SB 396-FN, relative to gold star number plates. **OUGHT TO PASS.**

Rep. Chris True for Transportation. This bill authorizes stepmothers and mothers of a person killed while on duty in the United States armed forces to be issued Gold Star number plates. This bill was requested by the Committee to Study Gold Star Number Plates. Vote 15-0.

SB 515, relative to commemorative license plates. **OUGHT TO PASS.**

Rep. Steven Smith for Transportation. RSA 261:91-a authorizes municipalities to design and sell commemorative license plates for historic anniversaries. The plate is displayed on the front of a vehicle during the anniversary year. An oversight in the statute leaves out a 250th anniversary. This bill adds “sestercentennial” to the statute. Vote 14-0.

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Welch moved that the House reconsider its action whereby, on a voice vote to adopt the Consent Calendar, the House adopted the committee report of Ought to Pass with Amendment on **SB 391-FN**, relative to sexual assault survivors’ rights.

Rep. Welch spoke in favor.

Motion adopted.

MOTION TO SPECIAL ORDER

Rep. Welch moved that **SB 391-FN**, relative to sexual assault survivors’ rights, be made a Special Order for the next Session in its regular place in the calendar.

Motion adopted.

REGULAR CALENDAR**SB 316**, relative to the regulation of online auctions. **OUGHT TO PASS.**

Rep. Michael Costable for Commerce and Consumer Affairs. This bill exempts internet auctions from the requirements of RSA 311-B, the Auctioneers’ Practice Act. Under current law anyone that lists items online at popular web sites (like eBay) must obtain an auctioneer’s license, unless they are selling their own personal property, however, personal property obtained for the purpose of re-selling also requires an auctioneer’s license. Forty-three states do not regulate online auctions and 23 states do not regulate auctioneers, including New York and California. To qualify in New Hampshire for an auctioneer’s license one must either go to auctioneer’s school or apprentice for a minimum of six months and the apprenticeship must include activities such as bid calling and running etc., then one must register for a \$75 exam, pay a \$200 fee for a two year license and be bonded for minimum of \$25,000. The majority on the committee felt that this process is overly burdensome, unnecessary and unenforceable to any significant degree. Vote 11-6.

Rep. Costable spoke in favor.

Rep. McBeath requested a roll call; sufficiently seconded.

YEAS 192 - NAYS 137**YEAS - 192****BELKNAP**

Aldrich, Glen
Howard, Raymond
Silber, Norman
Varney, Peter

Comtois, Barbara
Huot, David
Spanos, Peter

Fields, Dennis
Lang, Timothy
Sylvia, Michael

Fraser, Valerie
Plumer, John
Vadney, Herbert

CARROLL

Avellani, Lino
McCarthy, Frank

Comeau, Ed
McConkey, Mark

Cordelli, Glenn
Nelson, Bill

Crawford, Karel
Marsh, William

CHESHIRE

Bordenet, John
O’Day, John

Ley, Douglas
Stallcop, Joseph

Hunt, John
Sterling, Franklin

McConnell, James

COOS

Fothergill, John
Theberge, Robert

Laflamme, Larry

Merner, Troy

Richardson, Herbert

GRAFTON

Almy, Susan
Ladd, Rick

Brown, Duane
Rand, Steven

Darrow, Stephen
Schwaegler, Vicki

Hennessey, Erin
Johnson, Tiffany

HILLSBOROUGH

Ammon, Keith
 Biggie, Barbara
 Carr, John
 Danielson, David
 Edwards, Elizabeth
 Gagne, Larry
 Hinch, Richard
 Graham, John
 L'Heureux, Robert
 Lewicke, John
 McLean, Mark
 Prout, Andrew
 Sanborn, Laurie
 Smith, Timothy
 Sullivan, Victoria

Ayala, Jessica
 Burt, John
 Christensen, Chris
 Dickey, Glen
 Ferreira, Elizabeth
 Gould, Linda
 Hopper, Gary
 Moore, Josh
 Ober, Lynne
 MacKay, Mariellen
 Negron, Steve
 Ober, Russell
 Scully, Kevin
 Wolf, Terry
 Valera, John

Barry, Richard
 Byron, Frank
 Christie, Rick
 Donovan, Daniel
 Freeman, Lisa
 Halstead, Carolyn
 Hynes, Dan
 Rice, Kimberly
 Lascelles, Richard
 McCarthy, Michael
 Notter, Jeanine
 Renzullo, Andrew
 Shaw, Barbara
 Twombly, Timothy

Beaulieu, Jane
 Moore, Craig
 Connors, Erika
 Dyer, Caleb
 Griffin, Gerald
 Hansen, Peter
 Belanger, James
 Kurk, Neal
 LeBrun, Donald
 Martineau, Jesse
 Pierce, David
 Rouillard, Claire
 Souza, Kathleen
 Ulery, Jordan

MERRIMACK

Kuch, Bill
 Moffett, Howard
 Kotowski, Frank
 Marple, Richard
 Rodd, Beth
 Wells, Natalie

Copp, Anne
 Hill, Gregory
 Leavitt, John
 McGuire, Carol
 Schultz, Kristina

Long, Douglas
 Horn, Werner
 Luneau, David
 Myler, Mel
 Seaworth, Brian

Wolf, Dan
 Klose, John
 Moffett, Michael
 Pearl, Howard
 Testerman, Dave

ROCKINGHAM

Abrami, Patrick
 Bates, David
 Chirichiello, Brian
 DeSimone, Debra
 Friel, William
 Hoelzel, Kathleen
 O'Connor, John
 Griffin, Mary
 McKinney, Betsy
 Nigrello, Robert
 Sapareto, Frank
 Torosian, Peter
 Vose, Michael
 Willis, Brenda

Allen, Mary
 Bean, Philip
 Costable, Michael
 Elliott, Robert
 Gay, Betty
 Itse, Daniel
 Katsakiores, Phyllis
 Pearson, Mark
 McMahon, Charles
 Osborne, Jason
 Spillane, James
 Tripp, Richard
 Webb, James

Baldasaro, Alfred
 Bove, Martin
 Cushing, Robert Renny
 Emerick, J. Tracy
 Green, Dennis
 Edwards, Jess
 Kolodziej, Walter
 Major, Norman
 Milz, David
 Packard, Sherman
 Stone, Brian
 True, Chris
 Welch, David

Barnes, Arthur
 Chase, Francis
 Thomas, Douglas
 Fesh, Robert
 Guthrie, Joseph
 Janigian, John
 Lundgren, David
 Matthews, Carolyn
 Morrison, Sean
 Gordon, Richard
 Sytek, John
 Verville, Kevin
 Weyler, Kenneth

STRAFFORD

Beaudoin, Steven
 Horgan, James
 Mullen, John
 Sprague, Dale

Bixby, Peter
 Kaczynski, Thomas
 Phinney, Brandon
 Wuelper, Kurt

Cilley, Jacalyn
 Keans, Sandra
 Pitre, Joseph

Harrington, Michael
 McNally, Jody
 Graham, Robert

SULLIVAN

Grenier, James
 Sullivan, Brian

Laware, Thomas

Rollins, Skip

Smith, Steven

NAYS - 137**BELKNAP**

Abear, Marc

Spagnuolo, Philip

St. Clair, Charlie

CARROLL

Buco, Thomas

DesMarais, Edith

Knirk, Jerry

CHESHIRE

Abbott, Michael
 Harvey, Cathryn
 Johnsen, Gladys
 Shepardson, Marjorie

Ames, Richard
 Eaton, Daniel
 Mann, John
 Tatro, Bruce

Berch, Paul
 Faulkner, Barry
 Meader, David
 Pearson, William

Burridge, Delmar
 Fenton, Donovan
 Parkhurst, Henry
 Weber, Lucy

COOS

Moynihan, Wayne

Tucker, Edith

Thomas, Yvonne

GRAFTON

Abel, Richard
Ham, Bonnie
Massimilla, Linda
Sykes, George

Bailey, Brad
Higgins, Patricia
Mulligan, Mary Jane
White, Andrew

Bennett, Travis
Josephson, Timothy
Nordgren, Sharon

Campion, Polly
Maes, Kevin
Smith, Suzanne

HILLSBOROUGH

Backus, Robert
Cleaver, Skip
Fedolfi, Jim
Goley, Jeffrey
Jeudy, Jean
Lisle, David
Martin, Joelle
O'Leary, Richard
Roberts, Carol
Van Houten, Connie

Baroody, Benjamin
Cornell, Patricia
Forest, Armand
Heath, Mary
King, Mark
MacKenzie, Mark
McNamara, Richard
Long, Patrick
Rosenwald, Cindy
Vann, Ivy

Bouldin, Amanda
DiSilvestro, Linda
Freitas, Mary
Schmidt, Janice
Klee, Patricia
Mangipudi, Latha
Nutting, Allison
Porter, Marjorie
Harvey, Suzanne
Williams, Kermit

Chandlee, Shannon
Elber, Joel
Gargas, Carolyn
Jack, Martin
Leishman, Peter
Manley, Jonathan
O'Brien, Michael
Proulx, Mark
Somero, Paul

MERRIMACK

Turcotte, Alan
Ebel, Karen
Kenison, Linda
Schuett, Dianne
Walz, Mary Beth

Bartlett, Christy
Gile, Mary
Patten, Dick
Shurtleff, Stephen
Woolpert, David

Carson, Clyde
Henle, Paul
Richards, Beth
Soucy, Timothy

Doherty, David
MacKay, James
Rogers, Katherine
Wallner, Mary Jane

ROCKINGHAM

Altschiller, Debra
DiLorenzo, Charlotte
Gilman, Julie
Malloy, Dennis
Read, Ellen

Berrien, Skip
Edgar, Michael
Janvrin, Jason
McBeath, Rebecca
Somssich, Peter

Cahill, Michael
Farnham, Betsey
Khan, Aboul
Messmer, Mindi
Ward, Gerald

Cali-Pitts, Jacqueline
Francese, Paula
Lovejoy, Patricia
Murray, Kate

STRAFFORD

Berube, Roger
Frost, Sherry
Krans, Hamilton
Salloway, Jeffrey
Wall, Janet

Burton, Wayne
Gourgue, Amanda
Smith, Marjorie
Scruton, Matthew

Conley, Casey
Grassie, Chuck
Opderbecke, Linn
Southworth, Thomas

Ellis, Donna
Horrigan, Timothy
Schmidt, Peter
Treleaven, Susan

SULLIVAN

Cloutier, John
Tanner, Linda

Gagnon, Raymond

Gottling, Suzanne

Irwin, Virginia

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

Rep. Migliore declared a conflict of interest and did not participate.

SB 499, relative to the applicability of certain DWI prohibitions. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Laura Pantelakos for the Majority of Criminal Justice and Public Safety. This bill changes the definition of "drive or attempt to drive" in the DWI statute. It allows sleeping, resting or sheltering in place in a passenger motor vehicle or any action or activity with respect to a passenger automobile by a person who is outside of the motor vehicle. These changes will allow an inebriated person who may be unconscious due to excessive consumption of alcohol or drugs a pass by not being arrested. Presently, if you are in control of your motor vehicle by virtue of being behind the wheel and in possession of the ignition keys, you are considered, if you are inebriated, guilty of operating impaired. Even if you have crashed the vehicle and are standing outside and inebriated you will not be arrested. The majority of the committee views this bill as overbroad and not in the best interests of the motoring public. Drinking and driving continues to take a toll on innocent drivers and passengers. Please consider the unintended consequences and uphold the committee report. Vote 13-6.

Rep. Frank Sapareto for the Minority of Criminal Justice and Public Safety. The minority of the committee believes we should be doing everything possible to prohibit drunk driving and encourage, not discourage people from operating under the influence. This bill tells the public that they will be charged with OUI if they shelter in place, sleep, or otherwise occupy a motor vehicle with the keys in the ignition. The minority of the committee want to encourage people not to drive inebriated instead of penalizing responsible drinkers who chose not to operate their vehicle while impaired.

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

Rep. Stone spoke against.

Rep. Hynes spoke against and yielded to questions.

Rep. Welch spoke in favor.

Rep. Hynes requested a roll call; sufficiently seconded.

YEAS 209 - NAYS 122**YEAS - 209
BELKNAP**Fields, Dennis
Varney, Peter

Huot, David

Spagnuolo, Philip

Spanos, Peter

CARROLLBuco, Thomas
Marsh, William

Crawford, Karel

DesMarais, Edith

Knirk, Jerry

CHESHIREAbbott, Michael
Harvey, Cathryn
Johnsen, Gladys
Parkhurst, Henry
Weber, LucyAmes, Richard
Ley, Douglas
Hunt, John
Shepardson, MarjorieBerch, Paul
Faulkner, Barry
Mann, John
Tatro, BruceBurrige, Delmar
Fenton, Donovan
Meader, David
Pearson, William**COOS**Fothergill, John
Tucker, EdithLaflamme, Larry
Thomas, Yvonne

Moynihan, Wayne

Richardson, Herbert

GRAFTONAlmy, Susan
Hennessey, Erin
Maes, Kevin
Nordgren, Sharon
White, AndrewBennett, Travis
Higgins, Patricia
Massimilla, Linda
Schwaegler, VickiCampion, Polly
Josephson, Timothy
Migliore, Vincent Paul
Smith, SuzanneHam, Bonnie
Ladd, Rick
Mulligan, Mary Jane
Sykes, George**HILLSBOROUGH**Griffin, Barbara
Beaulieu, Jane
Chandley, Shannon
Danielson, David
Forest, Armand
Gidge, Kenneth
Heath, Mary
Jack, Martin
Kurk, Neal
Lisle, David
Manley, Jonathan
Nutting, Allison
Pierce, David
Rouillard, Claire
Smith, Timothy
Williams, KermitBackus, Robert
Bouldin, Amanda
Cleaver, Skip
DiSilvestro, Linda
Freitas, Mary
Goley, Jeffrey
Hinch, Richard
Jeudy, Jean
L'Heureux, Robert
MacKay, Mariellen
Martin, Joelle
O'Brien, Michael
Porter, Marjorie
Harvey, Suzanne
Wolf, TerryBaroody, Benjamin
Byron, Frank
Connors, Erika
Donovan, Daniel
Gagne, Larry
Gould, Linda
Graham, John
King, Mark
LeBrun, Donald
MacKenzie, Mark
Martineau, Jesse
O'Leary, Richard
Roberts, Carol
Shaw, Barbara
Van Houten, ConnieBarry, Richard
Carr, John
Cornell, Patricia
Elber, Joel
Gargas, Carolyn
Hansen, Peter
Schmidt, Janice
Klee, Patricia
Leishman, Peter
Mangipudi, Latha
McNamara, Richard
Long, Patrick
Rosenwald, Cindy
Somero, Paul
Vann, Ivy**MERRIMACK**Turcotte, Alan
Ebel, Karen
MacKay, James
Luneau, David
Rodd, Beth
Shurtleff, StephenBartlett, Christy
Gile, Mary
Kenison, Linda
Myler, Mel
Rogers, Katherine
Soucy, TimothyCarson, Clyde
Moffett, Howard
Klose, John
Patten, Dick
Schuett, Dianne
Wallner, Mary JaneDoherty, David
Henle, Paul
Kotowski, Frank
Richards, Beth
Schultz, Kristina
Walz, Mary Beth**ROCKINGHAM**Abrami, Patrick
Berrien, Skip
Chase, Francis
Edgar, Michael
Fesh, Robert
Janigian, John
Khan, Aboul
Major, Norman
McMahon, Charles
Nigrello, Robert
Ward, GeraldAllen, Mary
Bove, Martin
Cushing, Robert Renny
Elliott, Robert
Francese, Paula
Janvrin, Jason
Lovejoy, Patricia
Malloy, Dennis
Messmer, Mindi
Packard, Sherman
Welch, DavidAltschiller, Debra
Cahill, Michael
DeSimone, Debra
Emerick, J. Tracy
Gilman, Julie
O'Connor, John
Lundgren, David
Matthews, Carolyn
Milz, David
Somssich, Peter
Weyler, KennethBean, Philip
Cali-Pitts, Jacqueline
DiLorenzo, Charlotte
Farnham, Betsey
Hoelzel, Kathleen
Katsakiores, Phyllis
Griffin, Mary
McKinney, Betsy
Murray, Kate
Tripp, Richard
Willis, Brenda**STRAFFORD**Berube, Roger
Ellis, DonnaBixby, Peter
Frost, SherryBurton, Wayne
Gourgue, AmandaCilley, Jacalyn
Grassie, Chuck

Horgan, James
McNally, Jody
Graham, Robert
Sprague, Dale

Horrigan, Timothy
Mullen, John
Salloway, Jeffrey
Treleaven, Susan

Keans, Sandra
Opderbecke, Linn
Scruton, Matthew
Wall, Janet

Krans, Hamilton
Schmidt, Peter
Southworth, Thomas

Cloutier, John
Smith, Steven

Gagnon, Raymond
Sullivan, Brian

Gottling, Suzanne
Tanner, Linda

Irwin, Virginia

SULLIVAN

NAYS - 122

BELKNAP

Abear, Marc
Howard, Raymond
St. Clair, Charlie

Aldrich, Glen
Lang, Timothy
Sylvia, Michael

Comtois, Barbara
Plumer, John
Vadney, Herbert

Fraser, Valerie
Silber, Norman

CARROLL

Avellani, Lino
McConkey, Mark

Comeau, Ed
Nelson, Bill

Cordelli, Glenn

McCarthy, Frank

CHESHIRE

Bordenet, John
Stallcop, Joseph

Eaton, Daniel
Sterling, Franklin

McConnell, James

O'Day, John

COOS

Hatch, William

Merner, Troy

GRAFTON

Abel, Richard
Rand, Steven

Bailey, Brad
Johnson, Tiffany

Brown, Duane

Darrow, Stephen

HILLSBOROUGH

Ammon, Keith
Moore, Craig
Edwards, Elizabeth
Griffin, Gerald
Belanger, James
Lascelles, Richard
Negron, Steve
Ober, Russell
Souza, Kathleen
Valera, John

Ayala, Jessica
Christie, Rick
Fedolfi, Jim
Halstead, Carolyn
Moore, Josh
Lewicke, John
Notter, Jeanine
Renzullo, Andrew
Twombly, Timothy

Biggie, Barbara
Dickey, Glen
Ferreira, Elizabeth
Hopper, Gary
Rice, Kimberly
McLean, Mark
Proulx, Mark
Sanborn, Laurie
Ulery, Jordan

Burt, John
Dyer, Caleb
Freeman, Lisa
Hynes, Dan
Ober, Lynne
Murphy, Keith
Prout, Andrew
Scully, Kevin
Sullivan, Victoria

MERRIMACK

Kuch, Bill
Hill, Gregory
Marple, Richard
Testerman, Dave

Copp, Anne
Horn, Werner
McGuire, Carol
Wells, Natalie

Long, Douglas
Leavitt, John
Pearl, Howard
Woolpert, David

Wolf, Dan
Moffett, Michael
Seaworth, Brian

ROCKINGHAM

Cook, Allen
Chirichiello, Brian
Gay, Betty
Edwards, Jess
Morrison, Sean
Spillane, James
True, Chris

Baldasaro, Alfred
Costable, Michael
Green, Dennis
Kolodziej, Walter
Osborne, Jason
Stone, Brian
Vose, Michael

Barnes, Arthur
Thomas, Douglas
Guthrie, Joseph
Pearson, Mark
Gordon, Richard
Sytek, John
Wallace, Scott

Bates, David
Friel, William
Itse, Daniel
McBeath, Rebecca
Sapareto, Frank
Torosian, Peter
Webb, James

STRAFFORD

Beaudoin, Steven
Smith, Marjorie

Conley, Casey
Phinney, Brandon

Harrington, Michael
Pitre, Joseph

Kaczynski, Thomas
Wuelper, Kurt

SULLIVAN

Grenier, James

Laware, Thomas

Rollins, Skip

and the majority committee report was adopted.

MOTION TO SPECIAL ORDER

Rep. Barry moved that **SB 446**, relative to net energy metering limits for customer-generators, be made a Special Order as the next order of business.

On a division vote, with 254 members having voted in the affirmative, and 79 in the negative, the motion was adopted.

SPECIAL ORDER

SB 446, relative to net energy metering limits for customer-generators. **OUGHT TO PASS WITH AMENDMENT.** Rep. Michael Vose for Science, Technology and Energy. The net metering law allows small-system generators to send electricity to the grid for which they receive a credit. Systems that generate between 100 kilowatt and 1 megawatt (MW) currently collect credits at their utility's default service rate. This bill expands the size of systems that can obtain these credits to 5 MW. This expansion will permit municipalities, schools, and community groups to install solar or wind generation to produce their own power without wasting any of the excess power they make. The bill also permits small-scale hydro producers of up to 5 MW to move behind the meter and thus to reduce the grid's electricity load while receiving a higher price for the power they generate. The amendment removes a provision that allowed generators up to 25 MW to net meter the first 5 MW of their output. This provision was intended to help wood burning electricity plants, but it was not clear how net metering would help this class of profit-making producers. The amendment also grandfathers the tariff for 1 MW to 5 MW producers for a period of twelve years. An ongoing proceeding at the Public Utilities Commission will eventually set a permanent tariff for all net metered systems. Vote 19-0.

Amendment (1357h)

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

1 Net Energy Metering; Definition of Eligible Customer-generator. Amend RSA 362-A:1-a, II-b to read as follows:

II-b. "Eligible customer-generator" or "customer-generator" means an electric utility customer who owns, operates, or purchases power from an electrical generating facility either powered by renewable energy or which employs a heat led combined heat and power system, with a total peak generating capacity of up to and including ~~[one megawatt,]~~ **5 megawatts and** that is located behind a retail meter on the customer's premises, is interconnected and operates in parallel with the electric grid, and is used to offset the customer's own electricity requirements. Incremental generation added to an existing generation facility, that does not itself qualify for net metering, shall qualify if such incremental generation meets the qualifications of this paragraph and is metered separately from the nonqualifying facility.

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

AMENDED ANALYSIS

This bill increases the electric generating capacity of customer generators who may participate in net energy metering.

Rep. Barry moved to Recommit and spoke in favor.

Motion adopted.

Recommitted to the Committee on Science, Technology and Energy.

REGULAR CALENDAR CONT'D

SB 556-FN, relative to changes in bail procedures and procedures for annulment of a criminal record. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Kate Murray for Criminal Justice and Public Safety. Currently, it costs the state about \$110.00 (about \$3200.00/month) to house individuals prior to their trial in cases where the individual cannot afford to post bail. Considering that an individual can be held pre-trial for lack of bail money for several months, the cost to the state can be significant. This situation is made further onerous to the individual because that person has likely lost his/her job, car and/or house, and often, the family unit is disrupted, all for the lack of the ability to post bail. Those who turn to a bail bond company for help often find that their situation worsens. Bail bond fees are unregulated and often are issued at exorbitant rates. The bail bond company can call the bond due at any time, repossess a car, or even send the person to jail for missing a payment. In some cases, people feel it is better to plead guilty to a crime they did not commit than to use a bail bond company or stay in jail while awaiting trial. The system is in need of some reform. Our system of justice is supposed to be based on incarcerating those found guilty of a crime, not keeping in jail those who are presumed to be innocent until proven guilty because of their lack of financial resources. This bill improves the bail statute in three ways. First, it ensures that people aren't held pre-trial on bail by virtue of their poverty by considering a person's financial means. Currently bail can be set without regard for a person's financial situation. Second, it advances public safety by expanding the number of individuals that may be held without bail based on their danger to themselves or others. A determination will be made for each individual as to whether or not that person is a danger to him/herself or to the community, and this judgment will be considered when deciding whether or not bail is required. Currently, it is possible for a person, dangerous to him or herself, or to the community to post bail, if they have the financial means. Third, this bill streamlines the petitioning process that currently exists to secure an annulment for not-guilty findings and criminal case dismissals, as well as convictions for non-violent, violation-level and class B misdemeanor offenses. In addition, for violation-level offenses that are the highest offense of conviction occurring after January 1, 2019, the one-year waiting period for annulment is removed. This bill also, for simple possession of drugs under RSA 318-B:26, II, reduces the waiting period for annulment to two years. The committee believes that making annulments easier

in this narrow set of circumstances is a valuable tool in helping individuals successfully reenter the workforce and be more productive members of the community. At the present time, this can be an expensive ordeal due to potential legal costs and filing fees. Vote 17-2.

Amendment (1253h)

Amend the introductory paragraph of RSA 597:2, IV(a) as inserted by section 2 of the bill by replacing it with the following:

IV.(a) If a person is charged with any criminal offense, an offense listed in RSA 173-B:1, I or a violation of a protective order under RSA 458:16, III, or after arraignment, with a violation of a protective order issued under RSA 173-B, the court may order preventive detention without bail, or, in the alternative, may order restrictive conditions including but not limited to electronic monitoring and supervision, only if the court determines by clear and convincing evidence that release will endanger the safety of that person or the public. The court may consider the following conduct as evidence of posing a danger, including, but not limited to: Amend the bill by replacing section 6 with the following:

6 Annulment of Criminal Records. Amend RSA 651:5, III(a) and (b) to read as follows:

(a) (1) For a violation *with a conviction date prior to January 1, 2019 or a violation with a conviction date on or after January 1, 2019 that was not the highest offense of conviction*, one year, unless the underlying conviction was for an offense specified under RSA 259:39.

(2) *For a violation with a conviction date on or after January 1, 2019 where the violation was the highest offense of conviction, unless the underlying conviction was for an offense specified under RSA 259:39, or another violation for which there is an enhanced penalty for a subsequent conviction, after the person has completed all the terms and conditions of the sentence. Upon completion of a petition by the person stating that the conviction is eligible for annulment, the court shall submit a notice of its determination to the person convicted of the offense and to the prosecutor. The prosecutor shall have 20 days from the date of receipt of the notice to object to the annulment on the ground that the offense is not eligible for annulment or that the person has not completed all the terms and conditions of the sentence. If the prosecutor fails to timely object or the court denies the prosecutor's objection, the court shall annul the conviction.*

(b) (1) For a class B misdemeanor *with a conviction date prior to January 1, 2019 or a class B misdemeanor with a conviction date on or after January 1, 2019 that was not the highest offense of conviction*, except as provided in subparagraphs (f) and (h), 2 years.

(2) *For a class B misdemeanor with a conviction date on or after January 1, 2019 where the class B misdemeanor was the highest offense of conviction, except as provided in subparagraphs (f) and (h), 2 years after the person has completed all the terms and conditions of the sentence. Upon completion of a petition by the person stating that the class B misdemeanor is eligible for annulment, the court shall submit a notice of its determination to the person convicted of the offense and to the prosecutor. The prosecutor shall have 20 days from the date of receipt of the notice to object to the annulment on the ground that the offense is not eligible for annulment or that the person has not completed all the terms and conditions of the sentence. If the prosecutor fails to timely object or the court denies the prosecutor's objection, the court shall annul the conviction.*

Committee amendment adopted.

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

Rep. Welch offered floor amendment (1577h).

Floor Amendment (1577h)

Amend the introductory paragraph in RSA 651:5, II-a(a) as inserted by section 5 of the bill by replacing it with the following:

II-a.(a) For an offense disposed of on or after January 1, 2019, any person whose arrest has resulted in a finding of not guilty on all charges that resulted from the arrest, or whose case was dismissed or not prosecuted, shall have the arrest record and court record annulled:

Amend RSA 651:5, II-a(b) as inserted by section 5 of the bill by replacing it with the following:

(b) For an offense disposed of on or after January 1, 2019, any person who was convicted of a criminal offense whose conviction was subsequently vacated by a court shall have the arrest record and court record annulled. Nothing in this paragraph shall limit the provisions of paragraph XI(b).

Rep. Welch spoke in favor.

Floor amendment (1577h) adopted.

Committee report adopted and ordered to third reading.

SB 482-FN, relative to confidential emergency medical and trauma services data. **OUGHT TO PASS.**

Rep. Mark Proulx for Executive Departments and Administration. This bill will establish a privacy committee to review and approve written requests for the use of emergency medical and trauma services records for research purposes. This committee will be required to follow all federal laws and regulations, including the

Health Insurance Portability and Accountability Act. Information will only be released upon the finding that there is a demonstrated need and must be returned to the Department of Safety or destroyed after it has been used. The new privacy committee will be made up of the Director of the Division of Fire Standards and Training and Emergency Medical Services, four members of the emergency medical trauma services coordinating board, and two public members who are not affiliated with the department and who are not immediate family of a person affiliated with the department. Vote 15-3.

Committee report adopted and ordered to third reading.

SB 372-FN-A, establishing positions in the office of professional licensure and certification and making an appropriation therefor. **OUGHT TO PASS.**

Rep. J. Tracy Emerick for Finance. The bill establishes 3 license clerk positions in the office of professional licensure and certification (OPLC) and makes an appropriation therefor. The 3 additional clerk positions are necessary to provide better service to a growing number of license applicants using personal service rather than paperwork to ensure applications are complete and correct such that the “bureaucratic paper shuffle” is not at the expense of the applicant. Because of continued and on-going growth in this area, the agency cannot provide service in a timely manner causing unacceptable delays. OPLC is a 125% agency. That is, revenues must be at least 125% of expenses. The growth in license applicants has led to enough additional revenue to cover the cost of benefits and salaries for these three staff while still ensuring the agency meets its revenue projections. Vote 25-0.

On a division vote, with 268 members having voted in the affirmative, and 60 in the negative, the committee report was adopted and ordered to third reading.

SB 544-FN, providing that 2 percent of insurance tax collections be deposited in the fire standards and training and emergency medical services fund. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Kenneth Weyler for Finance. As it came to us, this bill would take 2 percent of the insurance premium tax and dedicate it to fire standards and training and emergency medical services fund. This was needed because the moneys collected by the department of safety for providing driver’s license data to automobile insurance companies had not been sufficient to meet the revenue projections of the fire academy budget. The assignment of the insurance premium tax to this dedicated fund created two problems. First it took money out of the general fund. Second, it had the possibility of bringing retaliatory action from other states, if they chose to interpret the change as the use of the insurance premium tax as a new fire safety tax. The amendment removes of the insurance premium tax as the source of funding and substitutes \$130,000. Of general funds that safety will fund elsewhere in the budget. This will be sufficient to fund fire standards and training for the remainder of the biennium. A more permanent solution must wait for the next state budget. Vote 26-0.

Amendment (1409h)

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

AN ACT transferring department of safety funds to the fire standards and training and emergency medical services fund.

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

1 Department of Safety; Transfer of Funds. For the biennium ending June 30, 2019, and contingent upon approval of the fiscal committee of the general court, the sum of \$130,000 of funds that would otherwise lapse, shall be transferred from sums appropriated to the department of safety pursuant to 2017, 155 and 156, to the fire standards and training and emergency medical services fund established in RSA 21-P:12-d.

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

AMENDED ANALYSIS

This bill provides for a transfer of department of safety funds which would lapse on July 1, 2019 to the fire standards and training and emergency medical services fund.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

SB 576-FN, relative to home health services rate setting. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Andrew Renzullo for the Majority of Finance. This bill amends RSA 126-A:18-a to require that the commissioner of the Department of Health and Human Services (DHHS) engage in rate setting for home health services provided to Medicaid recipients. The bill would require that the commissioner study the rates to ensure that they reflect the average cost for the providers to deliver the services to the plan participants. In this study the commission would be required to consult with stakeholders to consider factors of economy, efficiency, quality and access to care and to report these findings to the governor, House and Senate. This report would be prepared in time for consideration in the biennial budget ending June 30, 2021. The committee was informed by the Department that to perform the analysis as set forth in the bill would require two additional staff members. The last rate setting done by the department was performed in 2015, and the rules set by the department have expired since that time.

An amendment to address the problem was rejected by the home health care organizations. The rate-setting rules have been suspended by the legislature for several biennia, and rate-setting is handled routinely as part of the budget process. The majority believes that this should continue and so recommends ITL. Vote 15-11.

Rep. Mary Jane Wallner for the Minority of Finance. The minority understands that home health services can keep frail elderly Medicaid clients out of nursing homes and able to live safely and less expensively in the community. Over the past decade, rates have not been raised for many of these services, and the rules have even expired for a rate setting process. The committee heard testimony that some home health agencies have had to turn away Medicaid clients because the losses they endure to deliver care to New Hampshire's low income and frail seniors are too high. The bill did not incur any cost for increased rates, it merely would have reinstituted a process for evaluating reimbursement rates.

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

Rep. Walz requested a roll call; sufficiently seconded.

YEAS 180 - NAYS 154

YEAS - 180

BELKNAP

Abear, Marc
Fraser, Valerie
Silber, Norman
Varney, Peter

Aldrich, Glen
Howard, Raymond
Spanos, Peter

Comtois, Barbara
Lang, Timothy
Sylvia, Michael

Fields, Dennis
Plumer, John
Vadney, Herbert

CARROLL

Avellani, Lino
McCarthy, Frank

Comeau, Ed
McConkey, Mark

Cordelli, Glenn
Nelson, Bill

Crawford, Karel
Marsh, William

CHESHIRE

Hunt, John
Stallcop, Joseph

Mann, John
Sterling, Franklin

McConnell, James

O'Day, John

COOS

Fothergill, John

Merner, Troy

Richardson, Herbert

GRAFTON

Bailey, Brad
Ladd, Rick

Brown, Duane
Schwaegler, Vicki

Darrow, Stephen
Johnson, Tiffany

Hennessey, Erin

HILLSBOROUGH

Ammon, Keith
Burt, John
Christensen, Chris
Donovan, Daniel
Freeman, Lisa
Gould, Linda
Hinch, Richard
Graham, John
L'Heureux, Robert
MacKay, Mariellen
Negron, Steve
Proulx, Mark
Rouillard, Claire
Souza, Kathleen
Sullivan, Victoria

Griffin, Barbara
Byron, Frank
Christie, Rick
Dyer, Caleb
Griffin, Gerald
Halstead, Carolyn
Hopper, Gary
Moore, Josh
Ober, Lynne
McCarthy, Michael
Notter, Jeanine
Prout, Andrew
Sanborn, Laurie
Wolf, Terry
Valera, John

Barry, Richard
Moore, Craig
Danielson, David
Fedolfi, Jim
Gagne, Larry
Hansen, Peter
Hynes, Dan
Rice, Kimberly
Lascelles, Richard
McLean, Mark
O'Brien, Michael
Ober, Russell
Scully, Kevin
Twombly, Timothy

Biggie, Barbara
Carr, John
Dickey, Glen
Ferreira, Elizabeth
Gargas, Carolyn
Hellwig, Steve
Belanger, James
Kurk, Neal
Lewicke, John
Murphy, Keith
Pierce, David
Renzullo, Andrew
Somero, Paul
Ulery, Jordan

MERRIMACK

Kuch, Bill
Hill, Gregory
Leavitt, John
Pearl, Howard

Copp, Anne
Horn, Werner
Moffett, Michael
Seaworth, Brian

Long, Douglas
Klose, John
Marple, Richard
Testerman, Dave

Wolf, Dan
Kotowski, Frank
McGuire, Carol
Wells, Natalie

ROCKINGHAM

Cook, Allen
Barnes, Arthur
Chase, Francis
DeSimone, Debra
Friel, William
Itse, Daniel
O'Connor, John
Lundgren, David
McKinney, Betsy

Abrami, Patrick
Bates, David
Chirichiello, Brian
Elliott, Robert
Green, Dennis
Edwards, Jess
Katsakiores, Phyllis
Griffin, Mary
McMahon, Charles

Allen, Mary
Bean, Philip
Costable, Michael
Emerick, J. Tracy
Guthrie, Joseph
Janigian, John
Khan, Aboul
Major, Norman
Milz, David

Baldasaro, Alfred
Bove, Martin
Thomas, Douglas
Fesh, Robert
Hoelzel, Kathleen
Janvrin, Jason
Kolodziej, Walter
Matthews, Carolyn
Morrison, Sean

Nigrello, Robert
Sapareto, Frank
Torosian, Peter
Vose, Michael
Weyler, Kenneth

Osborne, Jason
Spillane, James
Tripp, Richard
Wallace, Scott

Packard, Sherman
Stone, Brian
True, Chris
Webb, James

Gordon, Richard
Sytek, John
Verville, Kevin
Welch, David

STRAFFORD

Beaudoin, Steven
Kaczynski, Thomas
Pitre, Joseph

Ellis, Donna
McNally, Jody
Graham, Robert

Harrington, Michael
Mullen, John
Scruton, Matthew

Horgan, James
Phinney, Brandon
Wuelper, Kurt

SULLIVAN

Grenier, James

Laware, Thomas

Rollins, Skip

Smith, Steven

NAYS - 154

BELKNAP

Huot, David

Spagnuolo, Philip

St. Clair, Charlie

CARROLL

Buco, Thomas

DesMarais, Edith

Knirk, Jerry

CHESHIRE

Abbott, Michael
Burridge, Delmar
Faulkner, Barry
Parkhurst, Henry
Weber, Lucy

Ames, Richard
Harvey, Cathryn
Fenton, Donovan
Shepardson, Marjorie

Berch, Paul
Ley, Douglas
Johnsen, Gladys
Tatro, Bruce

Bordenet, John
Eaton, Daniel
Meador, David
Pearson, William

COOS

Laflamme, Larry

Moynihan, Wayne

Tucker, Edith

Thomas, Yvonne

GRAFTON

Abel, Richard
Ham, Bonnie
Massimilla, Linda
Rand, Steven

Almy, Susan
Higgins, Patricia
Migliore, Vincent Paul
Smith, Suzanne

Bennett, Travis
Josephson, Timothy
Mulligan, Mary Jane
Sykes, George

Campion, Polly
Maes, Kevin
Nordgren, Sharon
White, Andrew

HILLSBOROUGH

Ayala, Jessica
Chandley, Shannon
DiSilvestro, Linda
Freitas, Mary
Schmidt, Janice
Klee, Patricia
MacKenzie, Mark
Martineau, Jesse
Long, Patrick
Harvey, Suzanne
Vann, Ivy

Baroody, Benjamin
Cleaver, Skip
Edwards, Elizabeth
Gidge, Kenneth
Jack, Martin
LeBrun, Donald
Mangipudi, Latha
McNamara, Richard
Porter, Marjorie
Shaw, Barbara
Williams, Kermit

Beaulieu, Jane
Connors, Erika
Elber, Joel
Goley, Jeffrey
Judy, Jean
Leishman, Peter
Manley, Jonathan
Nutting, Allison
Roberts, Carol
Smith, Timothy

Bouldin, Amanda
Cornell, Patricia
Forest, Armand
Heath, Mary
King, Mark
Lisle, David
Martin, Joelle
O'Leary, Richard
Rosenwald, Cindy
Van Houten, Connie

MERRIMACK

Turcotte, Alan
Ebel, Karen
MacKay, James
Patten, Dick
Schuett, Dianne
Wallner, Mary Jane

Bartlett, Christy
Gile, Mary
Kenison, Linda
Richards, Beth
Schultz, Kristina
Walz, Mary Beth

Carson, Clyde
Moffett, Howard
Luneau, David
Rodd, Beth
Shurtleff, Stephen
Woolpert, David

Doherty, David
Henle, Paul
Myler, Mel
Rogers, Katherine
Soucy, Timothy

ROCKINGHAM

Altschiller, Debra
Cushing, Robert Renny
Francese, Paula
Pearson, Mark
Murray, Kate
Willis, Brenda

Berrien, Skip
DiLorenzo, Charlotte
Gay, Betty
Malloy, Dennis
Read, Ellen

Cahill, Michael
Edgar, Michael
Gilman, Julie
McBeath, Rebecca
Somssich, Peter

Cali-Pitts, Jacqueline
Farnham, Betsey
Lovejoy, Patricia
Messmer, Mindi
Ward, Gerald

STRAFFORD

Berube, Roger
Conley, Casey
Horrigan, Timothy
Opderbecke, Linn
Sprague, Dale

Bixby, Peter
Frost, Sherry
Keans, Sandra
Schmidt, Peter
Treleaven, Susan

Burton, Wayne
Gourgue, Amanda
Krans, Hamilton
Salloway, Jeffrey
Wall, Janet

Cilley, Jacalyn
Grassie, Chuck
Smith, Marjorie
Southworth, Thomas

SULLIVAN

Cloutier, John
Sullivan, Brian

Gagnon, Raymond
Tanner, Linda

Gottling, Suzanne

Irwin, Virginia

and the majority committee report was adopted.

SB 582-FN, authorizing an assessment to determine appropriate caseload and workload standards for the division for children, youth and families; establishing additional child protection services positions in the division for children, youth and families; relative to foster care and adoption programs and services; and making appropriations therefor. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.** Rep. David Danielson for the Majority of Finance. This bill makes an appropriation of \$100,000 to the Department of Health and Human Services (DHHS) to conduct a study to determine the appropriate caseload for child protection staff. The appropriate caseload is already known, both from national standards and a New Hampshire-specific study in 2016. The bill spends \$1.1 million to create 15 new positions in the Division for Children, Youth and Families (DCYF) and an additional \$1.1 million for fund rate increases for foster care and adoption programs. Division III of the Finance committee received a number of bills dealing with DCYF and has decided to address them in SB 592. Therefore, as sections of this bill will be moved to SB 592, House Finance believes SB 582 is no longer necessary. Vote 15-10.

Rep. Katherine Rogers for the Minority of Finance. This bill would allow the commissioner to conduct an assessment to determine appropriate caseload and/ or workload standards for the department's division for children, youth and families' child protection staff that are consistent with the goals of the agency and enable them to fulfill its mission to protect children from abuse and neglect abuse. This legislature has historically underfunded and understaffed this agency far below National standards. Currently we are running caseloads in excess of 30 per person while National standards run at the level of 12. The majority suggests that higher staffing is forthcoming in SB 592 but is putting the proverbial cart before the horse by voting ITL on this bill first before dealing with other legislation. The minority believes we need to provide an assessment of the needs in this agency and then follows the recommendations and protect our state's families and children.

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

On a division vote, with 178 members having voted in the affirmative, and 156 in the negative, the majority committee report was adopted.

SB 417, relative to days of rest for employees of recreation camps and youth skill camps. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Alfred Baldasaro for the Majority of Labor, Industrial and Rehabilitative Services. The majority agrees to support youth employees who work for Youth Skill Camps, that camp out for a week at a time managing recreation activities, to work on Sundays. Vote 15-6.

Rep. Mark MacKenzie for the Minority of Labor, Industrial and Rehabilitative Services. The camp employees currently have a number of exceptions under the labor laws. The minority believe we are in need of the current exception should be undoubtable before any further expansion takes place.

Majority committee report adopted and ordered to third reading.

SB 553-FN, establishing a commission to study the incidence of post traumatic stress disorder in first responders and whether such disorder should be covered under workers' compensation. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Sean Morrison for the Majority of Labor, Industrial and Rehabilitative Services. This bill simply establishes a commission to look at the issue of Post-Traumatic Stress Disorder (PTSD) in first responders. The evidence of PTSD in Firefighters, Police Officers and Emergency Medical Technicians (EMTs) has been documented, and it is prudent to look at this issue to see if legislation is needed to address a growing issue. Vote 11-9.

Rep. Alfred Baldasaro for the Minority of Labor, Industrial and Rehabilitative Services. The minority believes that this is a feel good bill, with a stacked deck of attendees of 15 members and only one member with mental health expertise - the National Alliance on Mental Illness. We already have a Veterans Post-Traumatic Stress Disorder/Traumatic Brain Injury commission, with many members who are in the mental health arena. This bill puts the focus on Police and Firefighters with mental health issues, but seeks to study mental health issues with no mental health professionals from the state or the Governor's Commission on Disability. The first responders can now seek help through worker's compensation on mental health issues.

Majority Amendment (1347h)

Amend RSA 281-A:17-a, I(a)(2) as inserted by section 1 of the bill by replacing it with the following:

(2) Three members of the house of representatives, one of whom shall be from the labor, industrial and rehabilitative services committee, one of whom shall be from the executive departments and administration committee, and one of whom shall be from the state-federal relations and veterans affairs committee, appointed by the speaker of the house of representatives.

Amend RSA 281-A:17-a, I(a)(14)-(18) as inserted by section 1 of the bill by replacing them with the following:

(14) A representative of the New Hampshire Public Risk Management Exchange, appointed by that organization.

(15) An attorney, appointed by the New Hampshire Association of Justice.

Amend RSA 281-A:17-a, II(a)(5) as inserted by section 1 of the bill by replacing it with the following:

(5) The degree to which employers currently provide peer-to-peer counseling programs for first responders, the effectiveness of such programs, and the degree to which such programs should be expanded and funded.

Amend RSA 281-A:17-a, II(a)(10) as inserted by section 1 of the bill by replacing it with the following:

(10) The cost that creating a rebuttal presumption that PTSD was caused uncured during service in the line of duty would impose on public employers, private employers, and taxpayers, and funding solutions to mitigate such cost.

Amend RSA 281-A:17-a, III as inserted by section 1 of the bill by replacing it with the following:

III. The members of the commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the senate member. The first meeting of the commission shall be held within 45 days of the effective date of this section. Nine members of the commission shall constitute a quorum. Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Baldasaro spoke against and yielded to questions.

(Rep. Packard in the Chair)

Rep. Mark Pearson spoke in favor.

(Speaker Chandler in the Chair)

Rep. Bean spoke against.

Rep. Proulx spoke in favor.

Rep. White requested a roll call; sufficiently seconded.

YEAS 214 - NAYS 125

YEAS - 214

BELKNAP

Fields, Dennis
St. Clair, Charlie

Huot, David
Varney, Peter

Lang, Timothy

Spagnuolo, Philip

CARROLL

Buco, Thomas
Knirk, Jerry

Comeau, Ed
Nelson, Bill

Crawford, Karel
Marsh, William

DesMarais, Edith

CHESHIRE

Abbott, Michael
Burridge, Delmar
Faulkner, Barry
Meador, David
Tatro, Bruce

Ames, Richard
Harvey, Cathryn
Fenton, Donovan
Parkhurst, Henry
Pearson, William

Berch, Paul
Ley, Douglas
Johnsen, Gladys
Shepardson, Marjorie
Weber, Lucy

Bordenet, John
Eaton, Daniel
Mann, John
Stallcop, Joseph

COOS

Fothergill, John
Moynihan, Wayne

Hatch, William
Richardson, Herbert

Laflamme, Larry
Tucker, Edith

Merner, Troy
Thomas, Yvonne

GRAFTON

Abel, Richard
Darrow, Stephen
Massimilla, Linda
Smith, Suzanne

Almy, Susan
Higgins, Patricia
Mulligan, Mary Jane
Sykes, George

Bennett, Travis
Josephson, Timothy
Nordgren, Sharon
White, Andrew

Campion, Polly
Maes, Kevin
Rand, Steven

HILLSBOROUGH

Ayala, Jessica
Bouldin, Amanda
Christensen, Chris
Danielson, David
Elber, Joel
Freitas, Mary
Heath, Mary
Jeudy, Jean
Leishman, Peter
MacKenzie, Mark

Backus, Robert
Moore, Craig
Cleaver, Skip
DiSilvestro, Linda
Fedolfi, Jim
Gargas, Carolyn
Hopper, Gary
King, Mark
Lisle, David
Mangipudi, Latha

Baroody, Benjamin
Carr, John
Connors, Erika
Donovan, Daniel
Forest, Armand
Gidge, Kenneth
Schmidt, Janice
Klee, Patricia
MacKay, Mariellen
Manley, Jonathan

Beaulieu, Jane
Chandlee, Shannon
Cornell, Patricia
Edwards, Elizabeth
Freeman, Lisa
Goley, Jeffrey
Jack, Martin
L'Heureux, Robert
McCarthy, Michael
Martin, Joelle

Martineau, Jesse
O'Brien, Michael
Porter, Marjorie
Harvey, Suzanne
Smith, Timothy
Van Houten, Connie

McLean, Mark
O'Leary, Richard
Proulx, Mark
Shaw, Barbara
Wolf, Terry
Vann, Ivy

McNamara, Richard
Long, Patrick
Roberts, Carol
Somero, Paul
Twombly, Timothy
Williams, Kermit

Nutting, Allison
Pierce, David
Rosenwald, Cindy
Souza, Kathleen
Sullivan, Victoria

MERRIMACK

Turcotte, Alan
Doherty, David
Henle, Paul
Klose, John
Richards, Beth
Schultz, Kristina
Walz, Mary Beth

Bartlett, Christy
Ebel, Karen
Horn, Werner
Luneau, David
Rodd, Beth
Shurtleff, Stephen
Wells, Natalie

Carson, Clyde
Gile, Mary
MacKay, James
Myler, Mel
Rogers, Katherine
Soucy, Timothy
Woolpert, David

Wolf, Dan
Moffett, Howard
Kenison, Linda
Patten, Dick
Schuett, Dianne
Wallner, Mary Jane

ROCKINGHAM

Allen, Mary
Berrien, Skip
Chase, Francis
DiLorenzo, Charlotte
Francese, Paula
O'Connor, John
Pearson, Mark
Messmer, Mindi
Read, Ellen
Ward, Gerald

Altschiller, Debra
Bove, Martin
Chirichiello, Brian
Edgar, Michael
Friel, William
Katsakiores, Phyllis
Malloy, Dennis
Milz, David
Somssich, Peter
Welch, David

Barnes, Arthur
Cahill, Michael
Cushing, Robert Renny
Elliott, Robert
Gilman, Julie
Khan, Aboul
McBeath, Rebecca
Morrison, Sean
Spillane, James
Willis, Brenda

Bates, David
Cali-Pitts, Jacqueline
DeSimone, Debra
Farnham, Betsey
Guthrie, Joseph
Lovejoy, Patricia
McMahon, Charles
Murray, Kate
Sytek, John

STRAFFORD

Beaudoin, Steven
Cilley, Jacalyn
Gourgue, Amanda
Smith, Marjorie
Salloway, Jeffrey
Treleaven, Susan

Berube, Roger
Conley, Casey
Grassie, Chuck
Opderbecke, Linn
Scruton, Matthew
Wall, Janet

Bixby, Peter
Ellis, Donna
Horrigan, Timothy
Schmidt, Peter
Southworth, Thomas

Burton, Wayne
Frost, Sherry
Krans, Hamilton
Graham, Robert
Sprague, Dale

SULLIVAN

Cloutier, John
Laware, Thomas

Gagnon, Raymond
Smith, Steven

Gottling, Suzanne
Sullivan, Brian

Irwin, Virginia
Tanner, Linda

NAYS - 125

BELKNAP

Abear, Marc
Howard, Raymond
Sylvia, Michael

Aldrich, Glen
Plumer, John
Vadney, Herbert

Comtois, Barbara
Silber, Norman

Fraser, Valerie
Spanos, Peter

CARROLL

Avellani, Lino

Cordelli, Glenn

McCarthy, Frank

McConkey, Mark

CHESHIRE

Hunt, John

McConnell, James

O'Day, John

Sterling, Franklin

COOS

Theberge, Robert

GRAFTON

Bailey, Brad
Ladd, Rick

Brown, Duane
Migliore, Vincent Paul

Ham, Bonnie
Schwaegler, Vicki

Hennessey, Erin
Johnson, Tiffany

HILLSBOROUGH

Ammon, Keith
Burt, John
Dyer, Caleb
Gagne, Larry
Hellwig, Steve
Graham, John
Ober, Lynne
Murphy, Keith
Ober, Russell
Scully, Kevin

Griffin, Barbara
Byron, Frank
Ferreira, Elizabeth
Gould, Linda
Hinch, Richard
Moore, Josh
Lascelles, Richard
Negron, Steve
Renzullo, Andrew
Ulery, Jordan

Barry, Richard
Christie, Rick
Fromuth, Bart
Halstead, Carolyn
Hynes, Dan
Rice, Kimberly
LeBrun, Donald
Notter, Jeanine
Rouillard, Claire
Valera, John

Biggie, Barbara
Dickey, Glen
Griffin, Gerald
Hansen, Peter
Belanger, James
Kurk, Neal
Lewicke, John
Prout, Andrew
Sanborn, Laurie

MERRIMACK

Kuch, Bill
Kotowski, Frank
McGuire, Carol

Copp, Anne
Leavitt, John
Pearl, Howard

Long, Douglas
Moffett, Michael
Seaworth, Brian

Hill, Gregory
Marple, Richard
Testerman, Dave

ROCKINGHAM

Cook, Allen
Costable, Michael
Gay, Betty
Itse, Daniel
Kolodziej, Walter
Matthews, Carolyn
Packard, Sherman
Torosian, Peter
Vose, Michael

Abrami, Patrick
Thomas, Douglas
Green, Dennis
Edwards, Jess
Lundgren, David
McKinney, Betsy
Gordon, Richard
Tripp, Richard
Wallace, Scott

Baldasaro, Alfred
Emerick, J. Tracy
Hagan, Joseph
Janigian, John
Griffin, Mary
Nigrello, Robert
Sapareto, Frank
True, Chris
Webb, James

Bean, Philip
Fesh, Robert
Hoelzel, Kathleen
Janvrin, Jason
Major, Norman
Osborne, Jason
Stone, Brian
Verville, Kevin
Weyler, Kenneth

STRAFFORD

Harrington, Michael
McNally, Jody
Wuelper, Kurt

Horgan, James
Mullen, John

Kaczynski, Thomas
Phinney, Brandon

Keans, Sandra
Pitre, Joseph

SULLIVAN

Grenier, James

Rollins, Skip

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

SB 342, requiring identification of specific items in the default budget. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Carolyn Matthews for the Majority of Municipal and County Government. This bill came to the committee asking that salaries of positions that have been eliminated be removed from the default budget. A default budget automatically goes into effect should the proposed operating budget fail in SB 2 towns or SB 2 school districts. Since this bill singles out only salaries, and only those salaries that are not part of contract negotiations already approved by town vote, the committee was able to craft an amendment to precisely define “eliminated positions” to avoid capturing eliminated positions that were simply vacant or part of a planned department restructure. The committee amendment also adds removal from the default budget of any benefits associated with qualifying “eliminated positions.” The committee also amends the precise wording in SB 342 which will help towns and schools make the default budget more transparent during the first budget hearing, an improvement over HB 1307 which has already passed this House. The committee amendment also adds a short phrase to guarantee that the presentation of the default budget will allow for discussion and questions at the first budget hearing. Vote 14-5. Rep. Timothy Josephson for the Minority of Municipal and County Government. The minority of the committee agreed with most of the majority’s amendment; however, the minority felt that the part about removing eliminated positions from a default budget was too broad. By taking eliminated positions out of a default budget and including newly proposed positions or contracted services in the proposed budget, a vacuum can exist wherein a position is eliminated but no replacement or reorganization exists if the proposed budget fails and the default goes into effect. There is a great potential for positions to not be eliminated. We propose the alternative minority amendment 2018-1446h.

Majority Amendment (1452h)

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

1 Use of Official Ballot; Default Budget. Amend RSA 40:13, IX(b) to read as follows:

(b) “Default budget” as used in this subdivision means the amount of the same appropriations as contained in the operating budget authorized for the previous year, reduced and increased, as the case may be, by debt service, contracts, and other obligations previously incurred or mandated by law, and reduced by one-time expenditures contained in the operating budget **and by salaries and benefits of positions that have been eliminated in the proposed budget.** For the purposes of this paragraph, one-time expenditures shall be appropriations not likely to recur in the succeeding budget, **and eliminated positions shall not include vacant positions under recruitment or positions redefined in the proposed operating budget,** as determined by the governing body, unless the provisions of RSA 40:14-b are adopted, of the local political subdivision. **In calculating the default budget amount, the governing body shall follow the statutory formula which may result in a higher or lower amount than the proposed operating budget.**

2 Default Budget. Amend RSA 40:13, XI(a) to read as follows:

XI.(a) The default budget shall be disclosed **and presented for questions and discussion** at the first budget hearing held pursuant to RSA 32:5 or RSA 197:6. The governing body, unless the provisions of RSA 40:14-b are adopted, shall complete a default budget form created by the department of revenue administration to demonstrate how the default budget amount was calculated. **The line item details for changes under subparagraph (2) shall be available for inspection by voters.** The form and associated calculations shall, at a minimum, include the following:

- (1) Appropriations contained in the previous year's operating budget;
 (2) Reductions and increases to the previous year's operating budget ***including identification of specific items that constitute a change by account code, and the reasons for each change***; [and]
 (3) One-time expenditures as defined under subparagraph IX(b); ***and***
 (4) ***Reductions for eliminated positions and benefit expenditures as defined under subparagraph IX(b).***

Rep. Josephson spoke against.

Reps. Stone and Matthews spoke in favor.

On a division vote, with 199 members having voted in the affirmative, and 138 in the negative, the majority committee amendment was adopted.

Majority committee report adopted and ordered to third reading.

SB 503, relative to increasing the maximum amount of the optional veterans' tax credit. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Richard Tripp for the Majority of Municipal and County Government. This bill would increase the maximum amount of the optional veterans' tax credit from \$500 to \$750. The optional tax credit was increased to \$500 in 2003 and then eligibility was revised by the legislature in 2016. While the majority believes veterans are deserving of the tax credit, it also believes that \$500 is a fair and equitable tax credit. Vote 11-7.

Rep. Frank McCarthy for the Minority of Municipal and County Government. This is enabling legislation which would raise the current cap on the veteran's property tax abatement, from the current \$500.00, maximum allowed by law, to a new maximum of \$750.00. The minority of the committee believes in the judgment of the legislative bodies living within the municipalities of our state, and they should be afforded the opportunity to make the final judgment on this matter.

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

Rep. Tripp spoke in favor and yielded to questions.

Rep. Morrison spoke against.

Rep. Frank McCarthy spoke against and yielded to questions.

Rep. Rand spoke in favor.

Rep. Janvrin requested a roll call; sufficiently seconded.

YEAS 147 - NAYS 185

YEAS - 147

BELKNAP

Aldrich, Glen
 Sylvia, Michael

Fields, Dennis
 Vadney, Herbert

Howard, Raymond

Huot, David

CARROLL

DesMarais, Edith

Knirk, Jerry

Marsh, William

CHESHIRE

Abbott, Michael
 Burrige, Delmar
 Johnsen, Gladys
 Tatro, Bruce

Ames, Richard
 Harvey, Cathryn
 Mann, John

Berch, Paul
 Ley, Douglas
 Stallcop, Joseph

Bordenet, John
 Faulkner, Barry
 Sterling, Franklin

COOS

Fothergill, John
 Richardson, Herbert

Hatch, William
 Thomas, Yvonne

Laflamme, Larry

Moynihan, Wayne

GRAFTON

Abel, Richard
 Higgins, Patricia
 Mulligan, Mary Jane
 White, Andrew

Almy, Susan
 Josephson, Timothy
 Nordgren, Sharon

Boutin, Skylar
 Ladd, Rick
 Rand, Steven

Hennessey, Erin
 Maes, Kevin
 Sykes, George

HILLSBOROUGH

Ammon, Keith
 Bouldin, Amanda
 Dickey, Glen
 Gidge, Kenneth
 Hynes, Dan
 King, Mark
 Lisle, David
 O'Brien, Michael
 Ober, Russell
 Scully, Kevin

Griffin, Barbara
 Carr, John
 Dyer, Caleb
 Goley, Jeffrey
 Graham, John
 Klee, Patricia
 MacKay, Mariellen
 Pierce, David
 Renzullo, Andrew
 Smith, Timothy

Backus, Robert
 Cleaver, Skip
 Edwards, Elizabeth
 Hinch, Richard
 Schmidt, Janice
 Kurk, Neal
 McNamara, Richard
 Porter, Marjorie
 Roberts, Carol
 Wolf, Terry

Beaulieu, Jane
 Connors, Erika
 Griffin, Gerald
 Hopper, Gary
 Jack, Martin
 LeBrun, Donald
 Murphy, Keith
 Prout, Andrew
 Rosenwald, Cindy
 Williams, Kermit

MERRIMACK

Turcotte, Alan
Doherty, David
Kenison, Linda
Patten, Dick
Seaworth, Brian
Woolpert, David

Bartlett, Christy
Ebel, Karen
Luneau, David
Richards, Beth
Shurtleff, Stephen

Carson, Clyde
Gile, Mary
McGuire, Carol
Rodd, Beth
Wallner, Mary Jane

Long, Douglas
Henle, Paul
Myler, Mel
Schuett, Dianne
Walz, Mary Beth

ROCKINGHAM

Barnes, Arthur
Cahill, Michael
Francese, Paula
Lovejoy, Patricia
Packard, Sherman
Webb, James

Bates, David
Chirichiello, Brian
Gay, Betty
McBeath, Rebecca
Read, Ellen
Welch, David

Berrien, Skip
Cushing, Robert Renny
Gilman, Julie
McKinney, Betsy
Somssich, Peter

Bove, Martin
Fesh, Robert
Hoelzel, Kathleen
McMahon, Charles
Tripp, Richard

STRAFFORD

Bixby, Peter
Frost, Sherry
McNally, Jody
Phinney, Brandon
Wall, Janet

Burton, Wayne
Gourgue, Amanda
Mullen, John
Salloway, Jeffrey

Cilley, Jacalyn
Grassie, Chuck
Opderbecke, Linn
Southworth, Thomas

Ellis, Donna
Keans, Sandra
Schmidt, Peter
Treleven, Susan

SULLIVAN

Gagnon, Raymond
Sullivan, Brian

Gottling, Suzanne
Tanner, Linda

Grenier, James

Irwin, Virginia

NAYS - 185**BELKNAP**

Abear, Marc
Plumer, John
Varney, Peter

Comtois, Barbara
Silber, Norman

Fraser, Valerie
Spanos, Peter

Lang, Timothy
St. Clair, Charlie

CARROLL

Avellani, Lino
Crawford, Karel

Buco, Thomas
McCarthy, Frank

Comeau, Ed
McConkey, Mark

Cordelli, Glenn

CHESHIRE

Eaton, Daniel
Meader, David
Weber, Lucy

Fenton, Donovan
O'Day, John

Hunt, John
Parkhurst, Henry

McConnell, James
Shepardson, Marjorie

COOS

Merner, Troy

Theberge, Robert

Tucker, Edith

GRAFTON

Bailey, Brad
Darrow, Stephen
Schwaegler, Vicki

Bennett, Travis
Ham, Bonnie
Smith, Suzanne

Brown, Duane
Massimilla, Linda
Johnson, Tiffany

Campion, Polly
Migliore, Vincent Paul

HILLSBOROUGH

Baroody, Benjamin
Byron, Frank
Christie, Rick
Donovan, Daniel
Forest, Armand
Gagne, Larry
Heath, Mary
Judy, Jean
Lascelles, Richard
MacKenzie, Mark
Martineau, Jesse
Nutting, Allison
Rouillard, Claire
Somero, Paul
Sullivan, Victoria

Barry, Richard
Moore, Craig
Cornell, Patricia
Elber, Joel
Freeman, Lisa
Gould, Linda
Hellwig, Steve
Rice, Kimberly
Leishman, Peter
Mangipudi, Latha
McLean, Mark
O'Leary, Richard
Harvey, Suzanne
Souza, Kathleen
Valera, John

Biggie, Barbara
Chandley, Shannon
Danielson, David
Fedolfi, Jim
Freitas, Mary
Halstead, Carolyn
Belanger, James
L'Heureux, Robert
Lewicke, John
Manley, Jonathan
Negron, Steve
Long, Patrick
Sanborn, Laurie
Twombly, Timothy
Van Houten, Connie

Burt, John
Christensen, Chris
DiSilvestro, Linda
Ferreira, Elizabeth
Fromuth, Bart
Hansen, Peter
Moore, Josh
Ober, Lynne
McCarthy, Michael
Martin, Joelle
Notter, Jeanine
Proulx, Mark
Shaw, Barbara
Ulery, Jordan

MERRIMACK

Kuch, Bill
Hill, Gregory
Kotowski, Frank
Pearl, Howard
Testerman, Dave

Copp, Anne
Horn, Werner
Leavitt, John
Rogers, Katherine
Wells, Natalie

Wolf, Dan
MacKay, James
Moffett, Michael
Schultz, Kristina

Moffett, Howard
Klose, John
Marple, Richard
Soucy, Timothy

ROCKINGHAM

Cook, Allen
 Baldasaro, Alfred
 Costable, Michael
 Elliott, Robert
 Green, Dennis
 Edwards, Jess
 Katsakiores, Phyllis
 Griffin, Mary
 Matthews, Carolyn
 Murray, Kate
 Sapareto, Frank
 Torosian, Peter
 Wallace, Scott

Abrami, Patrick
 Bean, Philip
 Thomas, Douglas
 Emerick, J. Tracy
 Guthrie, Joseph
 Janigian, John
 Khan, Aboul
 Pearson, Mark
 Messmer, Mindi
 Nigrello, Robert
 Spillane, James
 True, Chris
 Ward, Gerald

Allen, Mary
 Cali-Pitts, Jacqueline
 DeSimone, Debra
 Farnham, Betsey
 Hagan, Joseph
 Janvrin, Jason
 Kolodziej, Walter
 Major, Norman
 Milz, David
 Osborne, Jason
 Stone, Brian
 Verville, Kevin
 Weyler, Kenneth

Altschiller, Debra
 Chase, Francis
 Edgar, Michael
 Friel, William
 Itse, Daniel
 O'Connor, John
 Lundgren, David
 Malloy, Dennis
 Morrison, Sean
 Gordon, Richard
 Sytek, John
 Vose, Michael
 Willis, Brenda

STRAFFORD

Berube, Roger
 Horrigan, Timothy
 Pitre, Joseph
 Wuelper, Kurt

Conley, Casey
 Kaczynski, Thomas
 Graham, Robert

Harrington, Michael
 Krans, Hamilton
 Scruton, Matthew

Horgan, James
 Smith, Marjorie
 Sprague, Dale

SULLIVAN

Cloutier, John

Laware, Thomas

Rollins, Skip

Smith, Steven

and the majority committee report failed.

Rep. Frank McCarthy moved the minority committee report of Ought to Pass.
 Minority committee report adopted and ordered to third reading.

SB 448, establishing a commission to study the establishment of a state department of energy. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Michael Vose for the Majority of Science, Technology and Energy. With 142 legislatively created study commissions already in existence, this bill sought to create the 143rd. This commission would be charged with determining whether to establish a state department of energy. Proponents asserted that many state government departments have staff who perform functions related to energy policy. These positions might be ripe for consolidation. Other states have departments of energy that could potentially serve as models. But with 16 members on the commission, the likelihood of any constructive output was limited, even given a time line of nearly 18 months. Furthermore, the creation of new departments often comes at the request of the Governor, which was not the case here. New state departments increase the size and cost of government, but this bill's advocates did not build a compelling case for such an expansion. Vote 12-8.

Rep. Marjorie Shepardson for the Minority of Science, Technology and Energy. This bill would form a commission to study whether we should have a state Department of Energy. Currently some energy policies and programs are overseen by the Electric Division of the Public Utilities Commission (PUC), some by the Sustainable Energy Division of the PUC, some by the Office of Strategic Initiatives, others by the Department of Environmental Services, and still others by the utilities. There's no central place for the public to go with questions about what is available in NH. There's no central place responsible for implementing a coordinated energy policy for NH, one that will do long-term planning to address all our energy needs. A cabinet level Department of Energy would have more authority than our existing advisory boards. It would also be a more efficient use of tax dollars and would be more transparent than our current system. It need not add to the size of government since we could reassign current employees to the new department and rework the existing budget.

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

Rep. Shepardson spoke against.

Rep. Vose spoke in favor and yielded to questions.

Majority committee report adopted.

BILLS REMOVED FROM THE CONSENT CALENDAR

SB 320, relative to checklists used at elections. **OUGHT TO PASS.**

Rep. Gregory Hill for Election Law. This is a housekeeping bill with no substantive changes to current law on voter checklists. The bill eliminates references to statutory provisions that no longer exist and it also clarified the scope of information on the checklist and checklist guidelines issued by the Secretary of State. Vote 18-0.
 Rep. Bates offered floor amendment (1650h).

Floor Amendment (1650h)

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

AN ACT correcting certain election laws.

Amend the bill by deleting section 1 and renumbering the original sections 2-4 to read as 1-3, respectively.

AMENDED ANALYSIS

This bill deletes obsolete statutory references in certain election laws.
Rep. Bates spoke in favor.

Rep. Barbara Griffin spoke against.

On a division vote, with 96 members having voted in the affirmative, and 225 in the negative, floor amendment (1650h) failed.

Committee report adopted and ordered to third reading.

SB 378-FN, relative to an exemption from the board of registration of medical technicians. **OUGHT TO PASS.**

Rep. Carol McGuire for Executive Departments and Administration. This bill exempts employees of medical laboratories, residential care facilities, adult day care services, and home health care providers from the need to register with the Board of Registration of Medical Technicians. Employees in these facilities do not meet the statutory definition of “medical technician” because they do not have access to controlled substances and access or contact with patients. Nonetheless, the board notified the employers last summer that registration is required, based on an erroneous interpretation of the law. The committee preferred to clarify the law, rather than rely on interpretation, since the original medical technician registry was intended to address actual medical providers. Vote 18-0.

MOTION TO LAY ON THE TABLE

Rep. McGuire moved that **SB 378-FN**, relative to an exemption from the board of registration of medical technicians, be laid on the table.

On a division vote, with 306 members having voted in the affirmative, and 15 in the negative, the motion was adopted.

BILLS REMOVED FROM THE CONSENT CALENDAR CONT'D

SB 504-FN, relative to sales of tax-deeded property. **OUGHT TO PASS.**

Rep. Susan Treleaven for Municipal and County Government. Current statutes provide for the disposal of tax deeded property in towns and cities by public auction. This bill changes the party authorized to dispose of the property to the “governing body,” which would include selectmen or a mayor. Currently the disposal of the property is by sealed bid or auction, this bill would include engaging a real estate agent/broker to help sell said property. Vote 17-1.

Rep. Marple spoke against.

Rep. Treleaven spoke in favor.

Rep. Marple requested a roll call; not sufficiently seconded.

On a division vote, with 239 members having voted in the affirmative, and 57 in the negative, the committee report was adopted and ordered to third reading.

Rep. Migliore declared a conflict of interest and did not participate.

RESOLUTION

Rep. Hinch 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, April 26, 2018 at 10:00 a.m.

Motion adopted.

LATE SESSION

Third Reading and Final Passage

SB 310-FN, establishing a committee to study the feasibility of establishing community-based services pilot programs.

SB 489, establishing a committee to study parental alienation in New Hampshire.

SB 496-FN, relative to mediation for certain child support arrearages.

SB 319, relative to exempt securities.

SB 332, relative to medication synchronization.

SB 348, relative to senior-specific certifications or designations for securities broker-dealers.

SB 429-FN, establishing a consumer services program within the insurance department.

SB 363, prohibiting political expenditures by foreign nationals.

SB 327, relative to the medical review subcommittee of the board of medicine and time limits for allegations of professional misconduct before the board.

SB 374, relative to adoption of emergency medical and trauma services protocols.

SB 455, relative to state employees injured in the line of duty.

SB 456, relative to the appointment of the state medical director for emergency medical services.

SB 458, authorizing the purchase of retirement system creditable service by a certain surviving spouse.

SB 507, proclaiming June as post-traumatic stress injury (PTSI) awareness month.
SB 533-FN, relative to the composition and compensation of the personnel appeals board.
SB 474, establishing a committee to study group home rate parity.
SB 389, relative to administrative fees on restitution.
SB 493, relative to procedures for determining and disclosing exculpatory evidence in a police officer's personnel file.
SB 498-FN, requiring an annual report detailing activity related to forfeiture of personal property.
SB 84, relative to payment of workers' compensation benefits by direct deposit.
SB 351, relative to managed care programs under workers' compensation.
SB 356, adding a representative from the community college system to the apprenticeship advisory council.
SB 428, relative to the payment of weekly and biweekly wages.
SB 170, relative to the authority of towns to issue bonds for the expansion of broadband infrastructure.
SB 339, relative to voting by zoning boards of adjustment.
SB 341, relative to the veterans' property tax credit for service-connected disability.
SB 393, relative to county financial audits, performance audits, and forensic audits.
SB 412, relative to agritourism.
SB 505, requiring abutter notice of the construction of a crematory.
SB 506, limiting amendments to warrant articles.
SB 510, relative to municipal notice of leases on tax-exempt property.
SB 511, establishing an optional tax credit for combat service.
SB 519, relative to the purchase of property for the construction of roads.
SB 321, relative to group host net energy metering.
SB 367, relative to public utilities commission review of group host agreements.
SB 165-FN, authorizing periodic payments as security after a motor vehicle accident.
SB 396-FN, relative to gold star number plates.
SB 515, relative to commemorative license plates.
SB 316, relative to the regulation of online auctions.
SB 556-FN, relative to changes in bail procedures and procedures for annulment of a criminal record.
SB 482-FN, relative to confidential emergency medical and trauma services data.
SB 372-FN-A, establishing positions in the office of professional licensure and certification and making an appropriation therefor.
SB 544-FN, transferring department of safety funds to the fire standards and training and emergency medical services fund.
SB 417, relative to days of rest for employees of recreation camps and youth skill camps.
SB 553-FN, establishing a commission to study the incidence of post traumatic stress disorder in first responders and whether such disorder should be covered under workers' compensation.
SB 342, requiring identification of specific items in the default budget.
SB 503, relative to increasing the maximum amount of the optional veterans' tax credit.
SB 320, relative to checklists used at elections.
SB 504-FN, relative to sales of tax-deeded property.

UNANIMOUS CONSENT

Rep. Beaulieu requested Unanimous Consent of the House regarding Earth Day and addressed the House.

COMMUNICATION

VIA EMAIL April 12, 2018

Mr. Speaker,

It is with great sadness that I must resign from my position as Vice Chair of the Election Law Committee and State Representative for Rockingham's 32nd District.

It has been an honor and a privilege to serve two terms in the legislature on behalf of my home and community of nearly 20 years. It was my hope to serve in the House for the remaining few weeks of the session, but unfortunately, I have transitioned to a new employer that required me to work a standard full-time schedule. It has been a privilege to serve in an exciting time in the New Hampshire House and as a member of the legislature that passed the first business tax cuts in decades, a significant election law reform, and Constitutional carry, New Hampshire is moving in the right direction.

I am grateful for the voters who have placed their trust in me and I am thankful for the great friendships I have made in the House.

I wish my colleagues the best of luck for the remainder of the session and look forward to hearing about their successes.

Sincerely,

The Hon. Yvonne Dean-Bailey

RECESS MOTION

Rep. Hinch moved that the House stand in recess for the purposes of the introduction of bills, receiving Senate messages, enrolled bill amendments and enrolled bill reports.
Motion adopted.

The House recessed at 1:00 p.m.

RECESS

(Rep. Hinch in the Chair)

ENROLLED BILL AMENDMENTS

HB 1335, relative to the cybersecurity software used by the state of New Hampshire.

Amendment 2018-1655EBA

Amend section 1 of the bill by replacing line 1 with the following:

1 New Subdivision; Cybersecurity Software. Amend RSA 21-R by inserting after section 14 the
Amend section 1 of the bill by replacing line 3 with the following:
Cybersecurity Software
Motion adopted.

HB 1606, relative to naturopathic health care practice.

Amendment 2018-1641EBA

Amend RSA 328-E:14-a, II(a) as inserted by section 9 of the bill by replacing line 2 with the following:
testimony, subpoena witnesses, and compel, by subpoena duces tecum, the production of all
Amend RSA 318-B:38, I(n) as inserted by section 12 of the bill by replacing line 1 with the following:
(n) A representative of the New Hampshire naturopathic board of examiners, appointed
Motion adopted.

HB 1665, relative to the authority of the governing boards of allied health professionals.

Amendment 2018-1660EBA

Amend RSA 328-F:11, I as inserted by section 4 of the bill by replacing lines 24-26 with the following:
[~~(g)~~] **(h)** Application procedures.

[~~(h)~~] **(i)** The allocation of disciplinary sanctions in cases of misconduct by licensees **and by certified individuals**.
Motion adopted.

SENATE MESSAGES**CONCURRENCE**

HB 523, establishing a committee to study the use and regulation of biometric information.

HB 1247, relative to administering oaths to certain state officers.

HB 1289, relative to trespassing domestic fowl.

HB 1322, relative to risk-based capital for health maintenance organizations.

HB 1357, relative to the delivery of articles to a prisoner in a state or county correctional facility.

HB 1401, relative to the New Hampshire accountancy act.

HB 1407, repealing the prohibition on the use of milk containers.

HB 1484, relative to late fees in manufactured housing parks.

HB 1497, relative to accountability for school performance.

HB 1499, relative to the focus and components of New Hampshire kindergartens.

HB 1623, relative to criteria for debarment of vendors.

HB 1660, relative to delinquent accounts of liquor licensees.

HB 1684, relative to criminal background checks for emergency medical services license applicants.

HB 1689-FN, repealing the repeal of the pollution prevention program of the department of environmental services.

HB 1692-FN, allowing liquor licensees to select an anniversary for renewal.

HB 1698-FN-L, relative to the cost of special education services for foster children.

HB 1720-FN, relative to the storage of beverages produced by contract brewers.

HB 1744, authorizing a parent to exempt his or her child from participating in the statewide assessment program.

HB 1746-FN, relative to the practices of pharmacy benefit managers.

HB 1777-FN, relative to energy infrastructure corridor revenue.

HB 1782-FN, establishing a committee to study insurance payments to ambulance providers and balance billing by ambulance providers.

HB 1810, establishing a commission to study the effectiveness of the current statutes related to management of non-tidal public water ways and the construction or placement of structures within them.

LAID ON THE TABLE

HB 134-FN, relative to causes for divorce.

HB 1477-FN, relative to annulment of arrests or convictions for possession of 3/4 of an ounce of marijuana, or less.

HB 1672-FN, prohibiting release of certain information relative to users of therapeutic cannabis to federal agencies.

HB 1725-FN, relative to wine samples and samples for consumption on the premises of a beverage manufacturer.

HB 1788-FN-L, relative to costs charged under the right-to-know law.

REFERRED FOR INTERIM STUDY

HB 1769-FN, relative to maintenance of certification by physicians or applicants for a license to practice medicine in New Hampshire.

NONCONCURRENCE

HB 1283, prohibiting sobriety checkpoints.

HB 1315, prohibiting the university system funds from being spent to oppose the formation of unions and collective bargaining units.

HB 1579-FN, requiring records to be kept for certain exempt convenings under the right-to-know law.

HB 1624, relative to state procurement practices and criteria for acceptance of bids.

SENATE MESSAGE

The following entitled House Resolutions sent up from the House of Representatives were not admitted into the Senate under Senate Rule 3-26.

HCR 13, condemning hate crimes and any other form of racism in New Hampshire.

HJR 5, that the New Hampshire house of representatives and senate reject hate, bigotry, and violence in all their forms.

RECESS