



State of
New Hampshire

HOUSE RECORD

First Year of the 166th General Court

Calendar and Journal of the 2019 Session

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

Vol. 41

Concord, N.H.

Thursday, January 31, 2019

No. 4

HOUSE JOURNAL NO. 3 (Cont'd)

Thursday, January 3, 2019

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

HOUSE JOURNAL NO. 4

Thursday, January 31, 2019

The House assembled at 10:00 a.m., and was called to order by the Speaker.

Prayer was offered by Guest Chaplain, Rabbi Gary Atkins, Chaplain of the Legislative Squadron of the New Hampshire Civil Air Patrol.

Every Sabbath in the synagogue we say a prayer for our country, made up of its fifty diverse states. I share with you part of this prayer now:

Creator of all flesh, bless all the inhabitants of our country with Your spirit. May citizens of all races and creeds forge a common bond in true harmony to banish all hatred and bigotry and to safeguard the ideals and free institutions which are the pride and glory of our country. I also want to bless each of you for your efforts to make the Granite State all that it is for its inhabitants and for that matter, its visiting students as I was in Hanover over 50 years ago. May the Lord watch over you and bless you. May the Lord shine his face upon you and be gracious to you. May the Lord lift up his face to you and give you peace. Y'va're'khe'kha Adonai v'yish'mar'e'kha

Y'air Adonai pa'nav a'le'cha v'khu'ne'kha

Yi'sa Adonai pa'nav a'le'hka v'ya'saym l'cka shalom.

May God bless each of you and your families.

Representative Troy Merner, member from Lancaster, led the Pledge of Allegiance.

The National Anthem was sung by Isabella Gaetjens-Oleson, a senior at White Mountains Regional High School.

SPECIAL PRESENTATION

The Speaker welcomed Commander Brandon Todd, Captain of the USS New Hampshire and presented a Declaration. Commander Todd addressed the House.

HOUSE OF REPRESENTATIVES A DECLARATION

WHEREAS, Navy tradition suggests that the spirit of the ship's sponsor goes to sea with the crew of a ship and that the USS New Hampshire was welcomed home by the city of Portsmouth and the State of New Hampshire in fine fashion for repairs and maintenance; and

WHEREAS, the USS New Hampshire, in keeping with its frugal Granite State spirit, was \$84 Million under budget and delivered eight months ahead of schedule; and

WHEREAS, the USS New Hampshire was commissioned in October of 2008, and celebrated its tenth anniversary last October to proclamations of *USS New Hampshire Day* by the City of Portsmouth and the Governor of New Hampshire; and

WHEREAS, in keeping with the high standards set by the youth of the Granite State, the USS New Hampshire was so named in honor due to the efforts of elementary school students from New Hampshire, just as countless pieces of legislation being filed at their request has become commonplace; now be it therefore

DECLARED, that the New Hampshire House of Representatives grants its highest praise and accolades to the crew and officers of the USS New Hampshire, and be it further

DECLARED, by virtue of my signature below, that expressions of the House's appreciation for the service to our country by the sailors of the New Hampshire be commended through this Declaration.
Offered by the House of Representatives and signed by the Speaker of the House, Stephen J. Shurtleff.

LEAVES OF ABSENCE

Reps. Cote, DeClercq, Major, Radhakrishnan, Stavits and Treleaven, the day, illness.
Reps. DiSilvestro, Gourgue, Hamer, Khan, Kolodziej, Lundgren, Pantelakos, Timothy Smith, Spang, Varney, Verville and Wazir, the day, important business.
Reps. Elliott, Fargo, Gidge and Rooney, the day, illness in the family.

INTRODUCTION OF GUESTS

Carter Finnell, student at Hinsdale Middle High School, Page for the day.
Suzanne and Benjamin Gaetjens-Oleson, parents of the singer, guests of Rep. Merner. Deborah Barry, guest of Rep. Carson.

MOTION TO VACATE

Rep. Butler moved that the House vacate the reference of **HB 114**, prohibiting the state from entering into or enforcing agreements concerning sales tax collection with other states, to the Committee on Commerce and Consumer Affairs.
Motion adopted.

The Speaker referred **HB 114** to the Committee on Ways and Means.

MOTION TO VACATE

Rep. Cushing moved that the House vacate the reference of **HB 155**, relative to procedures for determining and disclosing exculpatory evidence in a police officer's personnel file, to the Committee on Criminal Justice and Public Safety.
Motion adopted.

The Speaker referred **HB 155** to the Committee on Judiciary.

MOTION TO VACATE

Rep. Weber moved that the House vacate the reference of **HB 330**, relative to child day care monitoring visits by the department of health and human services to the Committee on Health, Human Services and Elderly Affairs.
Motion adopted.

The Speaker referred **HBs 330 and 393** to the Committee on Children and Family Law.

MOTION TO VACATE

Rep. Myler moved that the House vacate the reference of **HB 523**, relative to integrated pest management for school grounds, to the Committee on Education.
Motion adopted.

The Speaker referred **HB 523** to the Committee on Environment and Agriculture.

CONSENT CALENDAR

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

HB 163, relative to the definition of child abuse, removed by Rep. Testerman.

HB 357, relative to the public school infrastructure fund, removed by Rep. Myler.

HB 120-FN, relative to the regulation of body art establishments, removed by Rep. Yokela.

Consent Calendar adopted.

HB 111, establishing a committee to study the effect the opioid crisis and domestic violence has on New Hampshire children. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Mary Jane Mulligan for Children and Family Law. This bill as amended was well vetted in the committee. The committee unanimously agreed that there was a need to establish this study committee to study the effect of the opioid crisis and violence on our New Hampshire children and students. Vote 17-0.

Amendment (0042h)

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

AN ACT establishing a committee to study the effect of the opioid crisis, substance misuse, adverse childhood experiences (ACEs), and domestic violence as a cause of post-traumatic stress disorder syndrome (PTSD) and other mental health and behavioral problems in New Hampshire children and students.

Amend the bill by replacing section 1 with the following:

1 Committee Established. There is established a committee to study the effect of the opioid crisis, substance misuse, adverse childhood experiences (ACEs), and domestic violence as a cause of post-traumatic stress disorder syndrome (PTSD) and other mental health and behavioral problems in New Hampshire children and students. Amend the bill by replacing section 3 with the following:

3 Duties. The committee shall study the effect of the opioid crisis, substance misuse, adverse childhood experiences (ACEs), and domestic violence as a cause of post-traumatic stress disorder syndrome (PTSD) and other mental health and behavioral problems in New Hampshire children and students.

AMENDED ANALYSIS

This bill establishes a committee to study the effect of the opioid crisis, substance misuse, adverse childhood experiences (ACEs), and domestic violence as a cause of post-traumatic stress disorder syndrome (PTSD) and other mental health and behavioral problems in New Hampshire children and students.

HB 190, allowing gold and silver as lawful mediums of exchange. **INEXPEDIENT TO LEGISLATE.**

Rep. Greg Indruk for Commerce and Consumer Affairs. The committee found this bill Inexpedient to Legislate on the following grounds: 1) It is unclear if the provisions of this bill would violate the US Constitution and Federal Statute; 2) It is unclear if this bill, as written, places an obligation on all in-state sellers to accept gold and silver as a medium of exchange; 3) If the bill does not place an obligation on sellers to accept gold or silver as payment, the legislation is unnecessary, as any mutually agreeing individuals are currently free to trade gold, silver or other commodities/items for goods, services or property; 4) The bill references "allodial" title which is undefined and the implications of which are not understood. In particular, at the public hearing it was suggested that holding allodial title in a property might remove said property from taxable jurisdiction and possibly from all, or nearly all, regulation or oversight. If this were true, this provision would require significantly expanded legal, regulatory and financial study. 5) If the bill were passed, it is unclear how gold and silver could be widely used as a medium of exchange without proper coinage and regulation. For instance, how would the commodities be valued? How would the amount of gold or silver trading hands be verified? How would purity of the exchanged commodity be verified? Would capital gain tax be owed on appreciated commodities? Many further logistical questions remain. 6) Identical legislation was filed in 2015 as HB 642-FN-L and deemed Inexpedient to Legislate by a 13-3 committee vote, with the committee recognizing many of the same concerns addressed above, including the need for significant additional legal study to clarify the several questions and implications posed by the proposed legislation. Vote 18-0.

HB 268, relative to real estate commissions paid to unlicensed entities. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John Hunt for Commerce and Consumer Affairs. This legislation will allow a business entity, such as a limited liability company, to receive a real estate commission payment. The NH Real Estate Commission as well as the NH Association of Realtors have worked together over the past year to create this statutory update. Under the current real estate licensing statute a principal broker may create a business entity to receive a commission but a salesperson may not. Under this bill, a licensed salesperson would have the same ability as the broker to receive a commission through a business entity. The Real Estate Commission advised the legislature that the bill will have no impact on consumers but is a needed update to the statute. The bill has no impact on NH revenues. Vote 18-0.

Amendment (0036h)

Amend RSA 331-A:16-b, I(a) and (b) as inserted by section 1 of the bill by replacing it with the following:

(a) All of the partners, members, officers, or shareholders of any unlicensed business entity, including a partnership, association, limited liability company, limited liability partnership, or corporation, hold a valid and active license issued under this chapter.

(b) At least one of the partners, members, officers, or shareholders of the unlicensed business entity, including a partnership, association, limited liability company, limited liability partnership, or corporation, is the licensee who earned the fee, commission, or other compensation.

HB 337, relative to property and casualty insurance. **OUGHT TO PASS.**

Rep. Christy Bartlett for Commerce and Consumer Affairs. This bill was submitted at the request of the Insurance Department. A competitive market is presumed to exist unless the Insurance Commissioner determines, after a hearing, that there is not a competitive market and so rules. The only time this has happened was when medical malpractice insurance, at one time, was ruled to have an uncompetitive market. As this is an unusual finding, this bill changes the expiration of such a ruling from one year to two years. The bill also makes grammatical changes from plural to singular and vice versa. Lastly, it makes documents collected in response to consumer inquiries confidential. The committee agreed that the changes were in order. Vote 18-0.

HB 339, relative to commercial modernization. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Joyce Weston for Commerce and Consumer Affairs. This bill builds on last year's commercial lines modernization law, which permitted new commercial insurance products to be introduced into the marketplace more quickly and efficiently. It makes two minor changes to the existing law. The first change adds a requirement that the

forms filed for certain types of insurance, while still exempt from the 30-day waiting period requirement, must be filed within 30 days of the effective date. The second change adds exemptions for form filing for two certain specialty lines of insurance for which oversight is typically not warranted — financial guaranty and boiler and machinery. Vote 18-0.

Amendment (0067h)

Amend the introductory paragraph of RSA 412:5, I-a(a) as inserted by section 1 of the bill by replacing it with the following:

(a) Forms for the following types of commercial insurance shall be exempt from the 30-day waiting period requirement of paragraph I and shall instead be filed for informational and auditing purposes only ***and shall be filed within 30 days of the effective date:***

HB 342, relative to insurance examinations. **OUGHT TO PASS.**

Rep. Christy Bartlett for Commerce and Consumer Affairs. This bill was submitted at the request of the Insurance Department. It clarifies that the Insurance Department may disclose the contents of an examination report with the Labor Department regarding workers compensation audits or any matter relating. As both departments are involved in workers compensation issues, audits and claims, the information continues to be confidential, but can be shared between the two departments. Vote 18-0.

HB 347, adding insurer's policy administration expenses to commercial rate standards. **OUGHT TO PASS.**

Rep. John Hunt for Commerce and Consumer Affairs. This bill was requested by the Insurance Department. It proposes to allow the Insurance Commissioner to permit insurers to include their administrative costs in the calculation of their rates for commercial insurance. It does not change the current law related to the 40% variable that an insurance company may vary a premium from its base rate, but does allow an insurance company to take in account that a commercial company's premium reflects its unique situation. Vote 18-0.

HB 189-FN, establishing an exemption from criminal penalties for child sex trafficking victims. **OUGHT TO PASS.**

Rep. John Bordenet for Criminal Justice and Public Safety. This bill exempts juvenile victims of human trafficking from prosecution for certain conduct chargeable as a criminal offense which was committed as a result of being trafficked. The bill also allows juvenile victims of human trafficking to petition to vacate a delinquency adjudication resulting from participating in conduct that was the direct result of being trafficked. Vote 20-0.

HB 425-FN, relative to vulnerable users of highways. **INEXPEDIENT TO LEGISLATE.**

Rep. Dave Testerman for Criminal Justice and Public Safety. This bill would criminalize motor vehicle accidents that caused injury to a category of people characterized as "vulnerable." The state of mind of the operator would not be considered nor would any proof of negligence be a consideration. The bill demands harsh punishment to operators whether the accident was their fault or not. The committee agreed that this bill needs more specific information about state of mind and issues of culpability before it could be considered for successful legislation. Vote 20-0.

HB 439, relative to unauthorized occupation of land or structures. **INEXPEDIENT TO LEGISLATE.**

Rep. Scott Wallace for Criminal Justice and Public Safety. This bill would have prevented the public from using private land without written permission from the land owner. Homeless advocates objected citing the harm it would cause homeless people and others seeking shelter. The sponsor of the bill, recognizing that the bill was problematic, requested that the committee recommend it Inexpedient to Legislate. Vote 20-0.

HB 108, relative to the number of days per year a charitable organization may offer bingo. **INEXPEDIENT TO LEGISLATE.**

Rep. Jaci Grote for Executive Departments and Administration. This bill increases the number of days that a charitable organization can hold bingo games from 10 to 16 days per month without increasing the annual limit of 120 games. During the public hearing, it was determined that, if the bill should be adopted, the annual limit should be changed from 120 to 160 games and an amendment would be required before the executive session. An amendment was not presented to the ED&A Committee. Furthermore, there is a waiting list of charitable organizations looking for games to sponsor, since bingo is an important source of funding for them. If the number of days for an organization were increased to 16 per month, this would limit the nightly game licenses to only two organizations per month in bingo halls and the waiting list of organizations would grow. For these reasons, the committee found the bill Inexpedient to Legislate. Vote 16-1.

HB 191-FN, relative to the accountability of public officials. **INEXPEDIENT TO LEGISLATE.**

Rep. Peter Schmidt for Executive Departments and Administration. This bill intends to strengthen penalties for public officials in three separate categories of misconduct: failure to respond to an affidavit; committing an unauthorized act purporting to be an official act; and refraining from performing an official duty. In the first instance, the ED&A Committee believes the proposed conditions and penalty are unreasonable and excessive. In the second instance, the well-established term "knowingly" is improperly deleted from two sections of current statute. The ED&A Committee believes none of these changes should be made. Vote 16-1.

HB 194-FN, relative to public bonds. **INEXPEDIENT TO LEGISLATE.**

Rep. Peter Schmidt for Executive Departments and Administration. This bill would fundamentally alter the long-standing present purpose and practice of using public bonds for officials and employees of all departments and agencies of the state, by opening them up to access by inhabitants of the state. The ED&A Committee heard convincing testimony from bond counsel that this proposed change would exponentially increase the current modest cost of public bonds to unaffordable levels, as well as likely lead to a flood of lawsuits. The committee believes such a change is unwarranted, unwise, and unworkable. Vote 17-0.

HB 217-FN, relative to bonds for public employees and repealing the board of claims. **INEXPEDIENT TO LEGISLATE.**

Rep. Peter Schmidt for Executive Departments and Administration. This bill permits certain inhabitants to have access to bonds issued to indemnify public and municipal employees and gives the bonding company an equitable remedy of subrogation. This bill also repeals the Board of Claims. The ED&A Committee has already rejected, on the advice of bond counsel, a similar bill seeking to fundamentally alter the long-standing present purpose and practice of public bonds; and it sees no greater merit in doing so as represented in and by this bill. The second goal of the bill is to repeal the Board of Claims. This board was established through model legislation, toward the end of the last century, to deal with claims against the state and its agents. The ED&A Committee believes that the board exists for good reason and that it would be unwise and unwarranted to remove it. Vote 18-0.

HB 104-FN, establishing a housing appeals board within the attorney general's office. **INEXPEDIENT TO LEGISLATE.**

Rep. Kurt Wuelper for Judiciary. This bill would create an appeals board with authority to overrule decisions of "municipal boards, committees, and commissions regarding questions of housing and housing development." The commission would be bound by "strict rules of evidence," while at the same time "may introduce...evidence [from] its own investigation." The committee believes this would amount to a state board with authority to be both investigator and judge and effectively moot local land use regulations, and so recommends its defeat. Vote 18-0.

HB 193, relative to unalienable rights of inhabitants. **INEXPEDIENT TO LEGISLATE.**

Rep. Cam Kenney for Judiciary. The majority of the committee believes the legislation overreaches in its charge to demand action from the county attorneys and has multiple consequences regarding actions and fees that are not addressed in the bill as written. Vote 17-2.

HB 195, relative to the process for inhabitants of the state to effectuate the protections of Article 14. **INEXPEDIENT TO LEGISLATE.**

Rep. David Woodbury for Judiciary. The sponsor attempts to construct a mechanism whereby an inhabitant of New Hampshire may get redress for a violation of his/her rights without recourse to state government. The bill fails to provide any realistic or workable pathway to achieve this goal. There is no provision for an independent fact finder or an independent assessment of damages. To the extent those pathways are defused, the bill relies on the Secretary of State and Superior Court which are themselves companies of the "corporate state" the bill seeks to avoid. Vote 18-1.

HB 255, relative to shift differential pay for employees who work overnight. **INEXPEDIENT TO LEGISLATE.**

Rep. Timothy Soucy for Labor, Industrial and Rehabilitative Services. The majority of the committee felt the intent of the sponsor's legislation was good; however, it could create unintended consequences. Several groups had concerns with Medicaid reimbursement. The lack of flexibility would make it difficult to implement the law and so the committee voted to recommend it as Inexpedient to Legislate. Vote 19-0.

HCR 4, encouraging media outlets not to broadcast the name or image of a suspected perpetrator of a mass shooting. **OUGHT TO PASS.**

Rep. Al Baldasaro for State-Federal Relations and Veterans Affairs. The committee agrees with this resolution, which sends a message that it is proper for the media to provide an image of a suspected mass murderer in order to aid their capture, but that once captured the media is encouraged not to continue posting his pictures, making him a hero. Vote 15-0.

HB 260, relative to the purging of motor vehicle violations. **OUGHT TO PASS.**

Rep. Michael O'Brien for Transportation. This bill will require the Director of the Division of Motor Vehicles (DMV) to purge any record of violations on file more than seven years, except records for a violation of RSA 265:79; RSA 265-A:2, I; RSA 265-A:3; RSA 265:115; RSA 265:117; or offenses which are a misdemeanor or felony which are to be purged after 10 years have passed and the defendant's driver license or driving privileges have been reinstated. The committee heard from the DMV in support of this bill. Vote 15-0.

HB 267, relative to the international registration plan. **OUGHT TO PASS.**

Rep. Casey Conley for Transportation. This bill would bring the New Hampshire carrier code into alignment with federal standards. This has been the longstanding practice in New Hampshire. Under this bill, if federal standards changed when the legislature is not in session, it would allow Department of Safety the flexibility to adapt with those changes without requiring legislative approval. Vote 17-0.

HB 307, relative to driver's license photographs. **OUGHT TO PASS.**

Rep. Peter Torosian for Transportation. This legislation will allow the Division of Motor Vehicles to have the option of using color or black and white photos on future drivers' licenses. This is needed to take advantage of newer laser etched technology to safeguard the state against the increased threat of fraudulently obtained drivers' licenses. Vote 18-0.

REGULAR CALENDAR MOTION TO SPECIAL ORDER

Rep. Cloutier moved that **HB 500**, naming the Warner roundabout in memory of Barbara Annis, be made a Special Order as the next order of business.

Motion adopted.

SPECIAL ORDER

HB 500, naming the Warner roundabout in memory of Barbara Annis. **OUGHT TO PASS.**

Rep. Matthew Towne for Public Works and Highways. This bill is intended to recognize the great lifelong contributions to the town of Warner by Barbara Annis. This recognition will take the form of naming the roundabout on Route 103 in Warner in her memory. Vote 19-0.

Rep. Carson spoke in favor.

Committee report adopted and ordered to third reading.

MOTION TO PRINT DEBATE

Rep. Tanner moved that the debate on **HB 500**, naming the Warner roundabout in memory of Barbara Annis, be printed in the Permanent Journal.

Without objection, the Speaker ordered.

DEBATE ON HB 500

Rep. Carson: Thank you, Mister Speaker. Good morning colleagues. I rise today to enthusiastically support HB 500 naming the Warner roundabout in memory of Barbara Annis. Barbara was one of those special individuals that helped define a town. When she wasn't busy mentoring our kids with their 4-H projects, judging local/state horse shows, helping with the local theatre group, busy with crafters groups or giving gardening advice, she found time to serve on many town committees and boards. Barbara served the town government for many decades and in many capacities, but she will be remembered most for her time on the Warner planning board. She was appointed to the board in 1990 and served on that board until her passing last year and she served as Chairperson on that board from 2003 through 2010. In 2017, Barbara received the Citizen Planner of the Year award from the New Hampshire Planners Association so she did a lot of good. For those of you who aren't familiar with Warner, the town is located roughly 20 miles from here up Route 89. We have 3 exits on the interstate, but the one that's most familiar with travelers is exit 9, which is where you get off on Route 103 if you are headed to Mount Sunapee, state beach or the ski area. It's also where many of us in this chamber who live up Route 89 get off on their way home to stop off at Market Basket, gas up or pick up that bottle of wine at the state liquor store for dinner. Early on, Barbara foresaw that the development at the exit 9 area would result in significant increase in traffic and she started a town-wide conversation advocating for a traffic calming project at that intersection and it is a busy intersection. Barbara took that project on as a mission and she was convincing voters each year at town meeting that we need to put money away for a project, which we all know that isn't an easy task to do. It took several years of planning and saving before the Warner roundabout came into completion in 2017. It is largely due to Barbara's perseverance that the roundabout was built. There is a picture that we have of Barbara at the groundbreaking and we had a special shovel made commemorating the occasion. It's just the greatest picture in the world. She has a smile like the cat that swallowed the canary kind of picture and it's a great picture. It tells a whole lot about Barbara. I wish I could hold it up for you. Anyway, I urge you to help recognize Barbara Annis' many years of service to the Town of Warner by naming the Warner roundabout in her memory. Thank you.

Rep. Karrick: Thank you, Mister Speaker. Mister Speaker, if I know that Barbara Annis was a dedicated public servant who served Warner's planning board as chairperson for many years. If I believe that Barbara Annis was responsible for having a roundabout built at a dangerous intersection in Warner's commercial district. If I know that HB 500 names the Warner roundabout in memory of Barbara Annis, would I now vote to support the committee report by voting Ought to Pass? Thank you.

REGULAR CALENDAR CONT'D MOTION TO SPECIAL ORDER

Rep. Sullivan moved that **HB 223**, relative to night work, be made a Special Order as the next order of business. Motion adopted.

SPECIAL ORDER

HB 223, relative to night work. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Harrison Kanzler for the Majority of Labor, Industrial and Rehabilitative Services. We appreciate the efforts of the sponsor of this bill. At this time we feel there is the possibility that this bill may inadvertently change the law, which was not the intent. Vote 11-8.

Rep. Brian Seaworth for the Minority of Labor, Industrial and Rehabilitative Services. The existing statute governing night work is difficult for many to understand in all its details. This bill would simplify the statute's language and the regulations without changing enforcement or intent. The bill mirrors the language of the Department of Labor's Rules. The minority believes the lack of clarity should be addressed.

MOTION TO RECOMMIT

Rep. Sullivan moved that **HB 223**, relative to night work, be recommitted to the Committee on Labor, Industrial and Rehabilitative Services.

Rep. Sullivan spoke in favor.

Motion adopted.

REGULAR CALENDAR CONT'D

HB 433, relative to foreign insurance companies. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John Hunt for Commerce and Consumer Affairs. This bill is requested by of the Insurance Department. It updates the statutes that regulate foreign insurance companies by adding definitions pertaining to unlicensed companies and including language to make clear that surplus lines insurance is property and casualty insurance. It also defines international insurance companies as alien insurers. The amendment removes the requirement that alien insurers file tax statements with the Insurance Department, since they have agreed voluntarily to provide their annual sales information to the department. The purpose of the legislation is to ensure the state is receiving the full 3% premium tax due from surplus lines insurance because it is paid by brokers. Vote 15-3.

Amendment (0068h)

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

AMENDED ANALYSIS

This bill inserts a definition section into RSA 405 for clarity.

Committee amendment adopted.

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

Rep. Hunt spoke to corrections in the committee report.

Committee report adopted and ordered to third reading.

HB 246, relative to penalties for corrupt practices. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Beth Rodd for the Majority of Criminal Justice and Public Safety. This bill as written states that any public servant who remains silent and fails to be accountable shall be guilty of fraud. This statement eliminates a trial and tramples on individual rights expressed in both the federal and state constitutions. The right of trial cannot be done away with by passing a statute. Vote 16-4.

Rep. John Burt for the Minority of Criminal Justice and Public Safety. The minority understands Article 8 of the New Hampshire Constitution and believes it should be inserted in RSA 640:2 to fully protect the citizens of NH. Majority committee report adopted.

HB 282, relative to the authority of fish and game officers to search without a warrant. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Laura Pantelakos for the Majority of Criminal Justice and Public Safety. This bill would require that Fish and Game officers obtain a warrant to board a fishing or lobster boat. Currently, because of the remote areas where they work, officers are not required to obtain warrants. Requiring warrants would reduce the amount of time fishermen could work in a day since the process of requesting and receiving a warrant would be time consuming. Although the committee received hundreds of emails with similar language supporting the bill, actual fishermen and others under the Fish and Game authority testified that they did not support the suggested change. Nobody testified to any wrong doing by officers. In order to protect our fish and wildlife resources, the committee felt that the current system was working as it should and changes to the current status would be overly burdensome for the public and the Fish and Game Department. Vote 15-5.

Rep. John Burt for the Minority of Criminal Justice and Public Safety. This bill raises the bar for search and seizure back to probable cause and requires a warrant to be issued by a neutral and detached judge. Passage of this bill would restore back to the citizens of New Hampshire the constitutional protections that are guaranteed in the bill of rights. In both the United States Constitution 4th and 5th Amendments as well as in the New Hampshire Constitution, Part First, Article 19, the government is prohibited from warrantless,

unreasonable searches and people cannot be compelled to testify against themselves in a criminal proceeding. A prior legislature gave the Fish and Game Department the authority to create rules which allowed for warrantless searches and in some cases even seizure. Fish and Game has enacted Rule 301.03 (m) which forces people to show them and tell the department where, when, and how wild game was harvested. This rule opens people up to possible self-incrimination. Unlike the other law enforcement agencies in the state, including the State Police which require probable cause, Fish and Game can detain and search under the far lower standard of 'reasonable and articulable suspicion.' This bill is necessary to ensure that all of the citizens of New Hampshire are treated equally under the law.

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

Reps. Burt and Spillane spoke against and yielded to questions.

Rep. Cushing spoke in favor and yielded to questions.

Rep. Spillane requested a roll call; sufficiently seconded.

YEAS 235 - NAYS 136

YEAS - 235

BELKNAP

Fields, Dennis	Huot, David	Spanos, Peter	St. Clair, Charlie
Viens, Harry			

CARROLL

Burroughs, Anita	Butler, Edward	Crawford, Karel	DesMarais, Edith
Kanzler, Harrison	Knirk, Jerry	MacDonald, John	Ticehurst, Susan
Woodcock, Stephen			

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Faulkner, Barry	Fenton, Donovan	Gomarlo, Jennie	Harvey, Cathryn
Ley, Douglas	Mann, John	Meador, David	Morrill, David
Parkhurst, Henry	Schapiro, Joe	Swinburne, Sandy	Tatro, Bruce
Thompson, Craig	Von Plinsky, Sparky	Pearson, William	Weber, Lucy

COOS

Hatch, William	Laflamme, Larry	Moynihan, Wayne	Noel, Henry
Tucker, Edith	Thomas, Yvonne		

GRAFTON

Abel, Richard	Adjutant, Joshua	Almy, Susan	Campion, Polly
Diggs, Francesca	Dontonville, Roger	Egan, Timothy	Fellows, Sallie
Ford, Susan	French, Elaine	Gordon, Edward	Josephson, Timothy
Ladd, Rick	Maes, Kevin	Massimilla, Linda	Mulligan, Mary Jane
Muscatel, Garrett	Nordgren, Sharon	Osborne, Richard	Ruprecht, Dennis
Stringham, Jerry	Smith, Suzanne	Sykes, George	Weston, Joyce

HILLSBOROUGH

Bouldin, Amanda	Bouldin, Andrew	Backus, Robert	Balch, Chris
Baroody, Benjamin	Barry, Richard	Beaulieu, Jane	Bergeron, Paul
Bernet, Jennifer	Bordy, William	Bosman, James	Bouchard, Donald
Chretien, Jacqueline	Cleaver, Skip	Cohen, Bruce	Connors, Erika
Cornell, Patricia	Dargie, Paul	Desjardin, Kathy	Dutzy, Sherry
Espitia, Manny	Davis, Fred	Freitas, Mary	Goley, Jeffrey
Griffith, Willis	Harriott-Gathright, Linda	Heath, Mary	Herbert, Christopher
Indruk, Greg	Schmidt, Janice	Jack, Martin	Jeady, Jean
King, Mark	Klee, Patricia	Klein-Knight, Nicole	Komi, Richard
L'Heureux, Robert	Langley, Diane	Leishman, Peter	Long, Patrick
Murray, Megan	Mangipudi, Latha	Martin, Joelle	McGhee, Kat
Mombourquette, Donna	Mullen, Sue	Murphy, Nancy	Nutter-Upham, Frances
Nutting-Wong, Allison	O'Brien, Michael	Pedersen, Michael	Petrigno, Peter
Pickering, Daniel	Piedra, Israel	Porter, Marjorie	Query, Joshua
Newman, Ray	Rice, Kimberly	Riel, Cole	Rung, Rosemarie
Newman, Sue	Shaw, Barbara	Snow, Kendall	Sofikitis, Catherine
St. John, Michelle	Stack, Kathryn	Telerski, Laura	Vail, Suzanne
Van Houten, Constance	Vann, Ivy	Thomas, Wendy	Wilhelm, Matthew
Williams, Kermit	Woodbury, David		

MERRIMACK

Allard, James	Bartlett, Christy	Buchanan, Ryan	Carson, Clyde
Doherty, David	Ebel, Karen	Ellison, Arthur	Fox, Samantha
Fulweiler, Joyce	Karrick, David	Klose, John	Kotowski, Frank
Lane, Connie	Luneau, David	MacKay, James	McWilliams, Rebecca
Moffett, Howard	Mylar, Mel	Pimentel, Roderick	Richards, Beth

Rodd, Beth
Schuett, Dianne
Walz, Mary Beth

Rogers, Katherine
Schultz, Kristina
Wells, Kenneth

Saunderson, George
Soucy, Timothy
Wolf, Dan

Schamberg, Thomas
Wallner, Mary Jane
Woods, Gary

ROCKINGHAM

Altschiller, Debra
Cahill, Michael
DiLorenzo, Charlotte
Gay, Betty
Murray, Kate
Maggiore, Jim
McKinney, Betsy
Pearson, Stephen
Ward, Gerald

Berrien, Skip
Cali-Pitts, Jacqueline
Dolan, Tom
Gilman, Julie
Le, Tamara
Malloy, Dennis
Meuse, David
Somssich, Peter
Warner, Anne

Bunker, Lisa
Coursin, David
Edgar, Michael
Grossman, Gaby
Loughman, Tom
McBeath, Rebecca
Morrison, Sean
Sytek, John
Welch, David

Bushway, Patricia
Cushing, Robert Renny
Eisner, Mary
Grote, Jaci
Lovejoy, Patricia
McConnell, Liz
Read, Ellen
Vallone, Mark

STRAFFORD

Bixby, Peter
Ellis, Donna
Higgins, Peg
Levesque, Cassandra
Rich, Cecilia
Towne, Matthew

Cannon, Gerri
Fontneau, Timothy
Horrigan, Timothy
Smith, Marjorie
Salloway, Jeffrey
Vincent, Kenneth

Chase, Wendy
Frost, Sherry
Keans, Sandra
Opderbecke, Linn
Sandler, Catt
Wall, Janet

Conley, Casey
Grassie, Chuck
Kenney, Cam
Schmidt, Peter
Southworth, Thomas

SULLIVAN

Cloutier, John
Rollins, Skip

Merchant, Gary
Sullivan, Brian

O'Hearne, Andrew
Tanner, Linda

Oxenham, Lee

NAYS - 136

BELKNAP

Aldrich, Glen
Howard, Raymond
Plumer, John

Bean, Harry
Jurius, Deanna
Beaudoin, Richard

Comtois, Barbara
Lang, Timothy
Sylvia, Michael

Feeney, George
Mackie, Jonathan
Tilton, Franklin

CARROLL

Avellani, Lino
Marsh, William

Buco, Thomas
Nelson, Bill

Comeau, Ed

Cordelli, Glenn

CHESHIRE

COOS

Hunt, John

O'Day, John

Craig, Kevin

Furbush, Michael

Merner, Troy

GRAFTON

Hennessey, Erin

Migliore, Vincent Paul

HILLSBOROUGH

Lekas, Alicia
Boehm, Ralph
Danielson, David
Gagne, Larry
Gunski, Michael
Lascelles, Richard
Notter, Jeanine
Proulx, Mark
Sanborn, Laurie
Toomey, Dan
Whittemore, James

Alexander, Joe
Burns, Charles
Erf, Keith
Gould, Linda
Hinch, Richard
Marzullo, JP
Nunez, Hershel
Prout, Andrew
Somero, Paul
Trento, Michael

Griffin, Barbara
Burt, John
Fedolfi, Jim
Graham, John
Hopper, Gary
McLean, Mark
Panasiti, Reed
Ober, Russell
Stevens, Deb
Ulery, Jordan

Belanger, James
Camarota, Linda
Flanagan, Jack
Greene, Bob
Ober, Lynne
Merlino, Timothy
Plett, Fred
Renzullo, Andrew
Lekas, Tony
Warden, Mark

MERRIMACK

Forsythe, Robert
McGuire, Carol
Turcotte, Alan

Hill, Gregory
Pearl, Howard
Walsh, Thomas

Horn, Werner
Seaworth, Brian
Yakubovich, Michael

Marple, Richard
Testerman, Dave

ROCKINGHAM

Abbas, Daryl
Barnes, Arthur
Davis, Dan
Doucette, Fred
Guthrie, Joseph
Osborne, Jason
Love, David
Melvin, Charles

Abrami, Patrick
Bershtein, Alan
Thomas, Douglas
Edwards, Jess
Harb, Robert
Janigian, John
Griffin, Mary
Milz, David

Abramson, Max
Chirichiello, Brian
Desilets, Joel
Fowler, William
Hobson, Deborah
Janvrin, Jason
Pearson, Mark
O'Connor, John

Baldasaro, Al
Costable, Michael
DeSimone, Debra
Green, Dennis
Hoelzel, Kathleen
Katsakiores, Phyllis
McMahon, Charles
Owens, Becky

Packard, Sherman
 Prudhomme-O'Brien, Katherine
 True, Chris
 Yokela, Josh

Piemonte, Tony
 Roy, Terry
 Wallace, Scott

Potucek, John
 Spillane, James
 Webb, James

Pratt, Kevin
 Torosian, Peter
 Weyler, Kenneth

STRAFFORD

Harrington, Michael
 McNally, Jody

Hayward, Peter
 Perreault, Mona

Horgan, James
 Pitre, Joseph

Kittredge, Mac
 Wuelper, Kurt

SULLIVAN

Aron, Judy
 Stapleton, Walter

Callum, John
 Smith, Steven

Laware, Thomas

Lucas, Gates

and the majority committee report was adopted.

HB 349, relative to a second opinion on health care matters for state and county prisoners. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Beth Rodd for the Majority of Criminal Justice and Public Safety. This bill would permit prisoners in county and state prisons to seek a second medical opinion at their own expense. Most facilities allow second opinions already. This bill would streamline health care options and create a uniform standard of care throughout the prison system. Vote 15-5.

Rep. John Burt for the Minority of Criminal Justice and Public Safety. The minority's position is as follows: this bill is a mandate to county taxpayers that is not funded by the state. The county prisons will have to pay guards for this service. This bill is well intended yet Part I, Article 28-a does not allow us to force the county taxpayers to pick up the tab. During testimony all we heard about is how bad the Hillsborough County jail is; the other counties are ok. We cannot pass laws to fix one county by forcing all the other counties taxpayers to pay for issues in one jail. The county delegates can and should fix any issues locally if this issue needs to be fixed.

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

Rep. Burt spoke against and yielded to questions.

Rep. Rodd spoke in favor and yielded to questions.

Rep. Spillane requested a roll call; sufficiently seconded.

YEAS 226 - NAYS 145

YEAS - 226

BELKNAP

Huot, David

St. Clair, Charlie

CARROLL

Buco, Thomas
 Knirk, Jerry
 Woodcock, Stephen

Burroughs, Anita
 Marsh, William

Butler, Edward
 Nelson, Bill

DesMarais, Edith
 Ticehurst, Susan

CHESHIRE

Abbott, Michael
 Faulkner, Barry
 Ley, Douglas
 Parkhurst, Henry
 Thompson, Craig

Ames, Richard
 Fenton, Donovan
 Mann, John
 Schapiro, Joe
 Von Plinsky, Sparky

Berch, Paul
 Gomarlo, Jennie
 Meader, David
 Swinburne, Sandy
 Pearson, William

Bordenet, John
 Harvey, Cathryn
 Morrill, David
 Tatro, Bruce
 Weber, Lucy

COOS

Hatch, William
 Tucker, Edith

Laflamme, Larry
 Thomas, Yvonne

Moynihan, Wayne

Noel, Henry

GRAFTON

Abel, Richard
 Diggs, Francesca
 Ford, Susan
 Massimilla, Linda
 Osborne, Richard
 Sykes, George

Adjutant, Joshua
 Dontonville, Roger
 French, Elaine
 Mulligan, Mary Jane
 Ruprecht, Dennis
 Weston, Joyce

Almy, Susan
 Egan, Timothy
 Josephson, Timothy
 Muscatel, Garrett
 Stringham, Jerry

Campion, Polly
 Fellows, Sallie
 Maes, Kevin
 Nordgren, Sharon
 Smith, Suzanne

HILLSBOROUGH

Bouldin, Amanda
 Baroody, Benjamin
 Bordy, William
 Cleaver, Skip
 Dargie, Paul
 Davis, Fred
 Harriott-Gathright, Linda
 Schmidt, Janice
 Klee, Patricia

Bouldin, Andrew
 Beaulieu, Jane
 Bosman, James
 Cohen, Bruce
 Desjardin, Kathy
 Freitas, Mary
 Heath, Mary
 Jack, Martin
 Klein-Knight, Nicole

Backus, Robert
 Bergeron, Paul
 Bouchard, Donald
 Connors, Erika
 Dutzy, Sherry
 Goley, Jeffrey
 Herbert, Christopher
 Jeudy, Jean
 Komi, Richard

Balch, Chris
 Bernet, Jennifer
 Chretien, Jacqueline
 Cornell, Patricia
 Espitia, Manny
 Griffith, Willis
 Indruk, Greg
 King, Mark
 Langley, Diane

Leishman, Peter
 Martin, Joelle
 Murphy, Nancy
 Pedersen, Michael
 Porter, Marjorie
 Rung, Rosemarie
 St. John, Michelle
 Toomey, Dan
 Vann, Ivy
 Woodbury, David

Long, Patrick
 McGhee, Kat
 Nutter-Upham, Frances
 Petrigno, Peter
 Query, Joshua
 Newman, Sue
 Stack, Kathryn
 Ulery, Jordan
 Thomas, Wendy

Murray, Megan
 Mombourquette, Donna
 Nutting-Wong, Allison
 Pickering, Daniel
 Newman, Ray
 Snow, Kendall
 Stevens, Deb
 Vail, Suzanne
 Wilhelm, Matthew

Mangipudi, Latha
 Mullen, Sue
 O'Brien, Michael
 Piedra, Israel
 Riel, Cole
 Sofikitis, Catherine
 Telerski, Laura
 Van Houten, Constance
 Williams, Kermit

MERRIMACK

Bartlett, Christy
 Ebel, Karen
 Karrick, David
 MacKay, James
 Pimentel, Roderick
 Saunderson, George
 Soucy, Timothy
 Wells, Kenneth

Buchanan, Ryan
 Ellison, Arthur
 Kotowski, Frank
 McWilliams, Rebecca
 Richards, Beth
 Schamberg, Thomas
 Turcotte, Alan
 Wolf, Dan

Carson, Clyde
 Fox, Samantha
 Lane, Connie
 Moffett, Howard
 Rodd, Beth
 Schuett, Dianne
 Wallner, Mary Jane
 Woods, Gary

Doherty, David
 Fulweiler, Joyce
 Luneau, David
 Myler, Mel
 Rogers, Katherine
 Schultz, Kristina
 Walz, Mary Beth

ROCKINGHAM

Abramson, Max
 Bushway, Patricia
 Cushing, Robert Renny
 Edgar, Michael
 Grossman, Gaby
 Loughman, Tom
 McBeath, Rebecca
 Somssich, Peter
 Webb, James

Altschiller, Debra
 Cahill, Michael
 Desilets, Joel
 Eisner, Mary
 Grote, Jaci
 Lovejoy, Patricia
 McConnell, Liz
 Vallone, Mark
 Welch, David

Berrien, Skip
 Cali-Pitts, Jacqueline
 DiLorenzo, Charlotte
 Gay, Betty
 Murray, Kate
 Maggiore, Jim
 Meuse, David
 Ward, Gerald

Bunker, Lisa
 Coursin, David
 Dolan, Tom
 Gilman, Julie
 Le, Tamara
 Malloy, Dennis
 Read, Ellen
 Warner, Anne

STRAFFORD

Bixby, Peter
 Ellis, Donna
 Higgins, Peg
 Levesque, Cassandra
 Rich, Cecilia
 Towne, Matthew

Cannon, Gerri
 Fontneau, Timothy
 Horrigan, Timothy
 Smith, Marjorie
 Salloway, Jeffrey
 Vincent, Kenneth

Chase, Wendy
 Frost, Sherry
 Keans, Sandra
 Opderbecke, Linn
 Sandler, Catt
 Wall, Janet

Conley, Casey
 Grassie, Chuck
 Kenney, Cam
 Schmidt, Peter
 Southworth, Thomas

SULLIVAN

Cloutier, John
 Sullivan, Brian

Merchant, Gary
 Tanner, Linda

O'Hearne, Andrew

Oxenham, Lee

NAYS - 145

BELKNAP

Aldrich, Glen
 Fields, Dennis
 Mackie, Jonathan
 Sylvia, Michael

Bean, Harry
 Howard, Raymond
 Plumer, John
 Tilton, Franklin

Comtois, Barbara
 Jurius, Deanna
 Beaudoin, Richard
 Viens, Harry

Feeney, George
 Lang, Timothy
 Spanos, Peter

CARROLL

Avellani, Lino
 Kanzler, Harrison

Comeau, Ed
 MacDonald, John

Cordelli, Glenn

Crawford, Karel

CHESHIRE

COOS

Hunt, John

O'Day, John

Merner, Troy

Craig, Kevin

Furbush, Michael

GRAFTON

Gordon, Edward

Hennessey, Erin

Ladd, Rick

Migliore, Vincent Paul

HILLSBOROUGH

Lekas, Alicia
 Belanger, James
 Camarota, Linda
 Flanagan, Jack
 Greene, Bob
 L'Heureux, Robert
 McLean, Mark
 Panasiti, Reed

Alexander, Joe
 Boehm, Ralph
 Danielson, David
 Gagne, Larry
 Gunski, Michael
 Ober, Lynne
 Merlino, Timothy
 Plett, Fred

Griffin, Barbara
 Burns, Charles
 Erf, Keith
 Gould, Linda
 Hinch, Richard
 Lascelles, Richard
 Notter, Jeanine
 Proulx, Mark

Barry, Richard
 Burt, John
 Fedolfi, Jim
 Graham, John
 Hopper, Gary
 Marzullo, JP
 Nunez, Hershel
 Prout, Andrew

Ober, Russell
Shaw, Barbara
Warden, Mark

Renzullo, Andrew
Somero, Paul
Whittemore, James

Rice, Kimberly
Lekas, Tony

Sanborn, Laurie
Trento, Michael

MERRIMACK

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Klose, John
Seaworth, Brian

Forsythe, Robert
Marple, Richard
Testerman, Dave

Hill, Gregory
McGuire, Carol
Walsh, Thomas

Horn, Werner
Pearl, Howard
Yakubovich, Michael

ROCKINGHAM

Abbas, Daryl
Bershtein, Alan
Thomas, Douglas
Fowler, William
Hobson, Deborah
Janvrin, Jason
Pearson, Mark
Milz, David
Packard, Sherman
Prudhomme-O'Brien, Katherine
Sytek, John
Weyler, Kenneth

Abrami, Patrick
Chirichiello, Brian
DeSimone, Debra
Green, Dennis
Hoelzel, Kathleen
Katsakiores, Phyllis
McKinney, Betsy
Morrison, Sean
Piemonte, Tony
Roy, Terry
Torosian, Peter
Yokela, Josh

Baldasaro, Al
Costable, Michael
Doucette, Fred
Guthrie, Joseph
Osborne, Jason
Love, David
McMahon, Charles
O'Connor, John
Potucek, John
Pearson, Stephen
True, Chris

Barnes, Arthur
Davis, Dan
Edwards, Jess
Harb, Robert
Janigian, John
Griffin, Mary
Melvin, Charles
Owens, Becky
Pratt, Kevin
Spillane, James
Wallace, Scott

STRAFFORD

Harrington, Michael
McNally, Jody

Hayward, Peter
Perreault, Mona

Horgan, James
Pitre, Joseph

Kittredge, Mac
Wuelper, Kurt

SULLIVAN

Aron, Judy
Rollins, Skip

Callum, John
Stapleton, Walter

Laware, Thomas
Smith, Steven

Lucas, Gates

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

HB 399-FN, relative to annulment of arrests or convictions for possession of a certain quantity of marijuana. OUGHT TO PASS.

Rep. Robert Renny Cushing for Criminal Justice and Public Safety. This bill provides a mechanism for individuals who have criminal records for arrests or convictions for possession of $\frac{3}{4}$ of an ounce or less of marijuana that took place before September 16, 2017 (the day the law decriminalizing possession of marijuana went into effect) to have those convictions and arrests annulled. Among reasons the legislature voted to remove the criminal penalty for possession of a small amount of marijuana and make possession a civil penalty was the long term negative impact a criminal record has upon individuals and their families, including loss of housing, loss of employment, denial of student loans and other barriers to social well-being. Fairness requires that we provide the opportunity to remove the shackles of a criminal record for an activity that no longer is criminal. No one spoke in opposition to the bill. Vote 18-2.

Committee report adopted and ordered to third reading.

HB 445, relative to certifying as a habitual offender. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.

Rep. Daryl Abbas for the Majority of Criminal Justice and Public Safety. This bill would eliminate prior convictions from being considered when classifying a person as a habitual offender after a person's license is restored. This bill would offend the purpose of having a habitual offender law in the first place and ignores the public safety concerns created by dangerous driving. Vote 19-1.

Rep. John Burt for the Minority of Criminal Justice and Public Safety. The minority's position is as follows on this bill: the spirit of this bill is to help those who are trying to rebuild their lives after a series of poor choices and legal setbacks. As the current statute stands, all it would take for one to be re-certified as a habitual offender is a single incident resulting from a misunderstanding of the law, one bad day of poor judgment or simple bad luck. The current law unfairly and negatively affects the poor, those in recovery and those who live in rural areas. Once one is labeled a habitual offender, it is difficult to get their license back and requires a minimum of over a year of good behavior, proving they are trying to improve themselves and follow the law, then leaves them vulnerable for up to four more years. If convicted of a major traffic violation during those four years, they will be re-certified as a habitual offender and their great progress will be razed. Incarceration and prohibition do not help people, rehabilitation does. Giving these individuals a second chance will do a lot more to improve New Hampshire drivers and driver safety, the status quo has the potential to harm the citizenry.

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

Rep. Burt spoke against.

Rep. Abbas spoke in favor.

Majority committee report adopted.

HB 124, repealing the law relative to the buffer zones to reproductive health care facilities. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Debra Altschiller for the Majority of Judiciary. Reproductive health centers need the protections provided in the current buffer zone law to ensure the privacy and safety of patients. People seeking health care should be free of intimidation and harassment. In 2014 the legislature passed, and governor signed, SB 319 into law, giving reproductive health centers the flexibility to have buffer zones of up to 25 feet. This law, RSA 132:38 strikes a balance between protecting both patient privacy and free speech. The committee heard testimony from people who regularly stand outside health centers to engage with patients entering a reproductive health center. They testified they have still been able to do so, their ability to communicate was not silenced, "side-walk counseling" is taking place, signs are seen, pamphlets are handed out and chanting is heard. The chief complaint brought forward was opponents of the buffer zones "wanted to be in close range" when approaching patients and staff entering health centers. A bipartisan majority of the committee believes, since the passage of this law in 2014, facts surrounding the protections provided in statute have not changed. Reproductive health centers testified to continued working relationships with local law enforcement on effective use of the buffer zone provisions. A bipartisan majority of this committee believes the law is effective (by its presence) and is a valuable tool for reproductive health centers. When litigation was pending, all relevant parties agreed to not put buffer zones in place. With a long history of documented violence against reproductive health care patients, providers and staff, the buffer zone law serves as a public safety measure for all. Vote 14-4.

Rep. Kurt Wuelper for the Minority of Judiciary. The minority believes that the buffer zone law would infringe on our constitutional rights of speech and assembly for the benefit of private businesses; that, never having been implemented, it has provided no benefit to the state; and that, knowing any implementation would trigger a federal lawsuit on constitutional grounds, it would likely cost the taxpayers over \$100,000 to defend. The majority talks about women's privacy rights, but courts have long held there is no right to privacy in the public space the buffer zone governs, and they talk other buffer zones, but none of those protect private business. The minority of the committee supports repeal to support our constitution and avoid costs of defending the indefensible.

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

Reps. Abramson and Notter spoke against.

Reps. Stapleton and Wuelper spoke against and yielded to questions.

Rep. Altschiller spoke in favor and yielded to questions.

Rep. Notter requested a roll call; sufficiently seconded.

YEAS 228 - NAYS 141**YEAS - 228****BELKNAP**

Huot, David

St. Clair, Charlie

Viens, Harry

CARROLLBuco, Thomas
DesMarais, Edith
Woodcock, StephenBurroughs, Anita
Kanzler, HarrisonButler, Edward
Knirk, JerryCrawford, Karel
Ticehurst, Susan**CHESHIRE**Abbott, Michael
Faulkner, Barry
Ley, Douglas
Parkhurst, Henry
Thompson, CraigAmes, Richard
Fenton, Donovan
Mann, John
Schapiro, Joe
Von Plinsky, SparkyBerch, Paul
Gomarlo, Jennie
Meador, David
Swinburne, Sandy
Pearson, WilliamBordenet, John
Harvey, Cathryn
Morrill, David
Tatro, Bruce
Weber, Lucy**COOS**Hatch, William
Tucker, EdithLaflamme, Larry
Thomas, Yvonne

Moynihan, Wayne

Noel, Henry

GRAFTONAbel, Richard
Diggs, Francesca
Ford, Susan
Josephson, Timothy
Muscatel, Garrett
Stringham, JerryAdjutant, Joshua
Dontonville, Roger
French, Elaine
Maes, Kevin
Nordgren, Sharon
Smith, SuzanneAlmy, Susan
Egan, Timothy
Gordon, Edward
Massimilla, Linda
Osborne, Richard
Sykes, GeorgeCampion, Polly
Fellows, Sallie
Hennessey, Erin
Mulligan, Mary Jane
Ruprecht, Dennis
Weston, Joyce**HILLSBOROUGH**Bouldin, Amanda
Baroody, Benjamin
Bordy, William
Cleaver, Skip
Dargie, Paul
Davis, FredBouldin, Andrew
Beaulieu, Jane
Bosman, James
Cohen, Bruce
Desjardin, Kathy
Freitas, MaryBackus, Robert
Bergeron, Paul
Bouchard, Donald
Connors, Erika
Dutzy, Sherry
Goley, JeffreyBalch, Chris
Bernet, Jennifer
Chretien, Jacqueline
Cornell, Patricia
Espitia, Manny
Graham, John

Griffith, Willis
Indruk, Greg
King, Mark
Langley, Diane
Mangipudi, Latha
Mullen, Sue
O'Brien, Michael
Piedra, Israel
Newman, Ray
Shaw, Barbara
Stack, Kathryn
Vail, Suzanne
Wilhelm, Matthew

Harriott-Gathright, Linda
Schmidt, Janice
Klee, Patricia
Leishman, Peter
Martin, Joelle
Murphy, Nancy
Pedersen, Michael
Porter, Marjorie
Riel, Cole
Snow, Kendall
Stevens, Deb
Van Houten, Constance
Williams, Kermit

Heath, Mary
Jack, Martin
Klein-Knight, Nicole
Long, Patrick
McGhee, Kat
Nutter-Upham, Frances
Petrigno, Peter
Proulx, Mark
Rung, Rosemarie
Sofikitis, Catherine
Telerski, Laura
Vann, Ivy
Woodbury, David

Herbert, Christopher
Jeudy, Jean
Komi, Richard
Murray, Megan
Mombourquette, Donna
Nutting-Wong, Allison
Pickering, Daniel
Query, Joshua
Newman, Sue
St. John, Michelle
Toomey, Dan
Thomas, Wendy

MERRIMACK

Bartlett, Christy
Ebel, Karen
Karrick, David
McWilliams, Rebecca
Richards, Beth
Schamberg, Thomas
Turcotte, Alan
Wolf, Dan

Buchanan, Ryan
Ellison, Arthur
Lane, Connie
Moffett, Howard
Rodd, Beth
Schuett, Dianne
Wallner, Mary Jane
Woods, Gary

Carson, Clyde
Fox, Samantha
Luneau, David
Myler, Mel
Rogers, Katherine
Schultz, Kristina
Walz, Mary Beth

Doherty, David
Fulweiler, Joyce
MacKay, James
Pimentel, Roderick
Saunderson, George
Soucy, Timothy
Wells, Kenneth

ROCKINGHAM

Altschiller, Debra
Cahill, Michael
DiLorenzo, Charlotte
Gilman, Julie
Murray, Kate
Maggiore, Jim
McKinney, Betsy
Vallone, Mark

Berrien, Skip
Cali-Pitts, Jacqueline
Edgar, Michael
Grossman, Gaby
Le, Tamara
Malloy, Dennis
Meuse, David
Ward, Gerald

Bunker, Lisa
Coursin, David
Eisner, Mary
Grote, Jaci
Loughman, Tom
McBeath, Rebecca
Read, Ellen
Warner, Anne

Bushway, Patricia
Cushing, Robert Renny
Gay, Betty
Janigian, John
Lovejoy, Patricia
McConnell, Liz
Somssich, Peter
Yokela, Josh

STRAFFORD

Bixby, Peter
Ellis, Donna
Higgins, Peg
Levesque, Cassandra
Rich, Cecilia
Towne, Matthew

Cannon, Gerri
Fontneau, Timothy
Horrigan, Timothy
Smith, Marjorie
Salloway, Jeffrey
Vincent, Kenneth

Chase, Wendy
Frost, Sherry
Keans, Sandra
Opderbecke, Linn
Sandler, Catt
Wall, Janet

Conley, Casey
Grassie, Chuck
Kenney, Cam
Schmidt, Peter
Southworth, Thomas

SULLIVAN

Cloutier, John
Sullivan, Brian

Merchant, Gary
Tanner, Linda

O'Hearne, Andrew

Oxenham, Lee

NAYS - 141

BELKNAP

Aldrich, Glen
Fields, Dennis
Mackie, Jonathan
Sylvia, Michael

Bean, Harry
Howard, Raymond
Plumer, John
Tilton, Franklin

Comtois, Barbara
Jurius, Deanna
Beaudoin, Richard

Feeney, George
Lang, Timothy
Spanos, Peter

CARROLL

Avellani, Lino
Marsh, William

Comeau, Ed
Nelson, Bill

Cordelli, Glenn

MacDonald, John

CHESHIRE

COOS

Hunt, John

O'Day, John

Merner, Troy

GRAFTON

HILLSBOROUGH

Lekas, Alicia
Belanger, James
Camarota, Linda
Flanagan, Jack
Gunski, Michael
Ober, Lynne
Merlino, Timothy

Alexander, Joe
Boehm, Ralph
Danielson, David
Gagne, Larry
Hinch, Richard
Lascelles, Richard
Notter, Jeanine

Griffin, Barbara
Burns, Charles
Erf, Keith
Gould, Linda
Hopper, Gary
Marzullo, JP
Nunez, Hershel

Barry, Richard
Burt, John
Fedolli, Jim
Greene, Bob
L'Heureux, Robert
McLean, Mark
Panasiti, Reed

Plett, Fred
Rice, Kimberly
Trento, Michael

Prout, Andrew
Sanborn, Laurie
Ulery, Jordan

Ober, Russell
Somero, Paul
Warden, Mark

Renzullo, Andrew
Lekas, Tony
Whittemore, James

MERRIMACK

Allard, James
Kotowski, Frank
Seaworth, Brian

Forsythe, Robert
Marple, Richard
Testerman, Dave

Horn, Werner
McGuire, Carol
Walsh, Thomas

Klose, John
Pearl, Howard
Yakubovich, Michael

ROCKINGHAM

Abbas, Daryl
Barnes, Arthur
Davis, Dan
Dolan, Tom
Green, Dennis
Hoelzel, Kathleen
Love, David
Melvin, Charles
Owens, Becky
Pratt, Kevin
Spillane, James
Wallace, Scott

Abrami, Patrick
Bershtein, Alan
Thomas, Douglas
Doucette, Fred
Guthrie, Joseph
Osborne, Jason
Griffin, Mary
Milz, David
Packard, Sherman
Prudhomme-O'Brien, Katherine
Sytek, John
Webb, James

Abramson, Max
Chirichiello, Brian
Desilets, Joel
Edwards, Jess
Harb, Robert
Janvrin, Jason
Pearson, Mark
Morrison, Sean
Piemonte, Tony
Roy, Terry
Torosian, Peter
Welch, David

Baldasaro, Al
Costable, Michael
DeSimone, Debra
Fowler, William
Hobson, Deborah
Katsakiores, Phyllis
McMahon, Charles
O'Connor, John
Potucek, John
Pearson, Stephen
True, Chris
Weyler, Kenneth

STRAFFORD

Harrington, Michael
McNally, Jody

Hayward, Peter
Perreault, Mona

Horgan, James
Pitre, Joseph

Kittredge, Mac
Wuelper, Kurt

SULLIVAN

Aron, Judy
Rollins, Skip

Callum, John
Stapleton, Walter

Laware, Thomas
Smith, Steven

Lucas, Gates

and the majority committee report was adopted.

HB 173, relative to requirements for residential tenants evicted for nonpayment of rent. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Charlotte DiLorenzo for the Majority of Judiciary. This bill requires tenants contesting a landlord's eviction action for nonpayment of rent to pay the alleged unpaid rent to the court prior to the eviction hearing. This is a problem because the tenant has the right to a hearing before a judge to determine if the tenant owes rent. As written, this bill denies the tenant's right to a fair trial in a court of law. Denial of due process and equal protection in and of themselves is unconstitutional. Additionally, the courts do not have the obligation nor the capacity to perform rent collections on behalf of the landlord. The second part of this bill allows the landlord to combine the eviction action with a small claims action in superior court. This change in the statute may have unintended consequences for the landlord because small claims cases are entitled to a jury trial as well as discovery which would prolong a process that was originally intended to be a quick summary process trial. Vote 11-8.

Rep. Michael Sylvia for the Minority of Judiciary. This bill seeks to limit losses in tenant eviction cases. This bill would require the tenant to pay into the court amounts due during the eviction process. The minority believes it to be unfair that these losses inevitably are passed on to responsible tenants. Our policies should encourage personal responsibility and not punish those acting with integrity.

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

Rep. Sylvia spoke against.

Rep. DiLorenzo spoke in favor.

On a division vote, with 215 members having voted in the affirmative, and 152 in the negative, the majority committee report was adopted.

HB 336, relative to requiring the current address of a defendant in a landlord tenant or small claims case. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Sandra Keans for the Majority of Judiciary. The intent of the bill is understandable. Renters should pay money that is owed. Unfortunately, this bill is not a solution because it does not follow established procedures. 1) It refers to a court order. There is no order. 2) It does not consider protection for victims of assault and domestic violence whose location should not be revealed. 3) There is no time frame for complying with the change of address. 4) Lastly, the majority of folks who do not pay in fact do not have the ability to come up with the money. In summary there just is not any way this procedure could work in conjunction with current statutes. Vote 15-5. Rep. Michael Sylvia for the Minority of Judiciary. This bill would require that the defendant who loses a landlord/tenant or small claims action, to keep a current address on file with the court. The address would be kept current for 180 days or until the judgment is paid. The minority believes this is necessary to allow for collection of the debt owed.

Majority committee report adopted.

HB 351, relative to exemptions from property attachments. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Kurt Wuelper for the Majority of Judiciary. The bill brings the value of one automobile protected from attachment/sale to repay debt from the current \$4,000 to \$10,000. The committee thinks this is a fair value of an asset critical to people's ability to work to be preserved. Vote 16-4.

Rep. Barbara Griffin for the Minority of Judiciary. This bill is an attempt to change the value of an asset which a debtor can retain without it becoming the subject of an attachment for the collection of debt. The change sought is to increase the exemption value of an automobile from \$4,000 to \$10,000. The committee heard no evidence as to the value of a used automobile in NH; the value presented was one from a prior session's bill deliberation given by a committee member who was a car salesman. The issue appears to have been driven by a particular circumstance for which the committee heard no testimony. There are a total of 20 categories in law for exemption in NH and the minority believed that before changing one with no basis in fact the entire statute should be reviewed. Additionally the testimony cross referenced federal bankruptcy law exemptions as if those were being effected when they are not the same as those of NH law. The minority respectfully requests support for a motion of ITL.

Majority committee report adopted and ordered to third reading.

HB 248, relative to the authority to establish turnpike toll rates and charges. **INEXPEDIENT TO LEGISLATE.**

Rep. Michael Edgar for Public Works and Highways. This bill would shift the authority of setting the turnpike toll rates from the Governor and Council to the legislature. The Department of Transportation maintains that the turnpike tolls are a user fee, not a tax. A user fee differs from a tax in that a user fee is paid by someone who chooses to use a service and agrees to pay the associated cost. A person is not required to use the turnpike system and is able to use other roads without charge. Presently, the Commissioner of the Department of Transportation makes a recommendation to the Governor and Council, who then must act on the recommendation within 90 days. This provides a mechanism to respond to the needs of the turnpike in a relatively timely response and the Department's bonding costs are positively affected by this. Our present system of providing the necessary funds to operate, maintain, and improve our turnpike system are working well. Vote 19-0.

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

Rep. True questioned a statement within the committee report.

Rep. Edgar agreed and the Speaker approved of removing the sentence in question from the committee report for the Permanent Journal.

Committee report adopted.

HR 6, urging the United States to lead a global effort to prevent nuclear war. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Al Baldasaro for the Majority of State-Federal Relations and Veterans Affairs. The majority believes that HR 6 is not ready to be submitted and needs a lot of work. It should have been drafted as an HJR. We understand Russia clearly resents the constraints of the INF Treaty, since they have been called out on cheating. Korea, Iran and Pakistan are not in any nuclear treaties, therefore by the United States maintaining our nuclear weapons acts as a deterrent in the best interests of the people. The United States alleges that Russia is violating the agreement by fielding the 9M729 cruise missile from land-based launchers, which must return to compliance by early February. Vote 11-8.

Rep. Joshua Adjutant for the Minority of State-Federal Relations and Veterans Affairs. This resolution is a preventive measure to ensure global security, and to urge Congress to lead a global effort to walk back from the edge of nuclear war.

MOTION TO LAY ON THE TABLE

Rep. Ley moved that **HR 6**, urging the United States to lead a global effort to prevent nuclear war, be laid on the table.

Motion adopted.

REGULAR CALENDAR CONT'D

HB 172, relative to driver education. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Skip Cleaver for the Majority of Transportation. Passage of this bill would create a safety problem and present an immediate fiscal impact on the Division of Motor Vehicles. There would be a greater demand for clerical work as the Division would be required to approve numerous waivers and provide parents with educational materials. Driver education is now provided by professional, and certified, teachers. Undoubtedly, some parents would provide adequate lessons, but many would not. With today's traffic complexity, a professional teacher is essential. There are currently available waivers in cases of hardship or special circumstances. Lastly, there is no financial advantage for parents because the increase in insurance costs for a driver without driver education would exceed the cost of the driver education program. Vote 15-2.

Rep. Chris True for the Minority of Transportation. This bill would allow parents who are unable to transport their child to a driver education class, or who can't afford the cost, to have the option to home school their child in driver education. While we do not question the quality of the NH driver education schools, we do believe that parents are the number one teacher of their children. This bill would not do away with driving schools but it will allow a choice for all parents. Present law says the parents must log a detailed account of the 40 hours they teach their child driving skills. Allowing parents to also sign off on their written instruction of their child is a freedom that we support.

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

Reps. Lang and Torosian spoke against and yielded to questions.

Rep. Cleaver spoke in favor and yielded to questions.

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

On a division vote, with 229 members having voted in the affirmative, and 141 in the negative, the majority committee report was adopted.

BILLS REMOVED FROM THE CONSENT CALENDAR

HB 163, relative to the definition of child abuse. **INEXPEDIENT TO LEGISLATE.**

Rep. Skip Berrien for Children and Family Law. This bill adds sexual reassignment to the definition of an abused child. The committee heard that this bill is in conflict with the New Hampshire anti-discrimination law, RSA 354-A:1 prohibiting discrimination based on gender, and is a disincentive for parents and health care professionals to provide medically necessary and potentially lifesaving treatment for their children. Vote 17-0.

Rep. Berrien spoke in favor.

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

YEAS 309 - NAYS 59

YEAS - 309

BELKNAP

Bean, Harry
Jurius, Deanna
Tilton, Franklin

Feeney, George
Spanos, Peter

Fields, Dennis
St. Clair, Charlie

Huot, David
Sylvia, Michael

CARROLL

Buco, Thomas
Crawford, Karel
MacDonald, John

Burroughs, Anita
DesMarais, Edith
Marsh, William

Butler, Edward
Kanzler, Harrison
Ticehurst, Susan

Comeau, Ed
Knirk, Jerry
Woodcock, Stephen

CHESHIRE

Abbott, Michael
Faulkner, Barry
Hunt, John
Morrill, David
Tatro, Bruce
Weber, Lucy

Ames, Richard
Fenton, Donovan
Ley, Douglas
Parkhurst, Henry
Thompson, Craig

Berch, Paul
Gomarlo, Jennie
Mann, John
Schapiro, Joe
Von Plinsky, Sparky

Bordenet, John
Harvey, Cathryn
Meador, David
Swinburne, Sandy
Pearson, William

COOS

Craig, Kevin
Merner, Troy
Thomas, Yvonne

Fothergill, John
Moynihan, Wayne

Hatch, William
Noel, Henry

Laflamme, Larry
Tucker, Edith

GRAFTON

Abel, Richard
Diggs, Francesca
Ford, Susan
Josephson, Timothy
Mulligan, Mary Jane
Ruprecht, Dennis

Adjutant, Joshua
Dontonville, Roger
French, Elaine
Ladd, Rick
Muscatel, Garrett
Stringham, Jerry

Almy, Susan
Egan, Timothy
Gordon, Edward
Maes, Kevin
Nordgren, Sharon
Sykes, George

Campion, Polly
Fellows, Sallie
Hennessey, Erin
Massimilla, Linda
Osborne, Richard
Weston, Joyce

HILLSBOROUGH

Lekas, Alicia
Griffin, Barbara
Barry, Richard
Bernet, Jennifer
Burns, Charles
Cohen, Bruce
Dargie, Paul
Davis, Fred
Graham, John
Harriott-Gathright, Linda
Indruk, Greg

Alexander, Joe
Backus, Robert
Beaulieu, Jane
Bordy, William
Camarota, Linda
Connors, Erika
Desjardin, Kathy
Flanagan, Jack
Greene, Bob
Heath, Mary
Schmidt, Janice

Bouldin, Amanda
Balch, Chris
Belanger, James
Bosman, James
Chretien, Jacqueline
Cornell, Patricia
Dutzy, Sherry
Freitas, Mary
Griffith, Willis
Herbert, Christopher
Jack, Martin

Bouldin, Andrew
Baroody, Benjamin
Bergeron, Paul
Bouchard, Donald
Cleaver, Skip
Danielson, David
Espitia, Manny
Goley, Jeffrey
Gunski, Michael
Hinch, Richard
Jeudy, Jean

King, Mark
Ober, Lynne
Long, Patrick
McGhee, Kat
Nunez, Hershel
Panasiti, Reed
Piedra, Israel
Newman, Ray
Rung, Rosemarie
Snow, Kendall
Stack, Kathryn
Toomey, Dan
Vann, Ivy
Woodbury, David

Klee, Patricia
Langley, Diane
Murray, Megan
Mombourquette, Donna
Nutter-Upham, Frances
Pedersen, Michael
Porter, Marjorie
Ober, Russell
Newman, Sue
Sofikitis, Catherine
Stevens, Deb
Trento, Michael
Thomas, Wendy

Klein-Knight, Nicole
Lascelles, Richard
Mangipudi, Latha
Mullen, Sue
Nutting-Wong, Allison
Petrigno, Peter
Prout, Andrew
Rice, Kimberly
Sanborn, Laurie
Somero, Paul
Lekas, Tony
Vail, Suzanne
Wilhelm, Matthew

Komi, Richard
Leishman, Peter
Martin, Joelle
Murphy, Nancy
O'Brien, Michael
Pickering, Daniel
Query, Joshua
Riel, Cole
Shaw, Barbara
St. John, Michelle
Telerski, Laura
Van Houten, Constance
Williams, Kermit

MERRIMACK

Allard, James
Doherty, David
Fulweiler, Joyce
Kotowski, Frank
McWilliams, Rebecca
Richards, Beth
Schamberg, Thomas
Soucy, Timothy
Wells, Kenneth

Bartlett, Christy
Ebel, Karen
Hill, Gregory
Lane, Connie
Moffett, Howard
Rodd, Beth
Schuett, Dianne
Turcotte, Alan
Wolf, Dan

Buchanan, Ryan
Ellison, Arthur
Karrick, David
Luneau, David
Myler, Mel
Rogers, Katherine
Schultz, Kristina
Wallner, Mary Jane
Woods, Gary

Carson, Clyde
Fox, Samantha
Klose, John
MacKay, James
Pimentel, Roderick
Saunderson, George
Seaworth, Brian
Walz, Mary Beth
Yakubovich, Michael

ROCKINGHAM

Abbas, Daryl
Barnes, Arthur
Bushway, Patricia
Costable, Michael
DeSimone, Debra
Edgar, Michael
Gilman, Julie
Harb, Robert
Janigian, John
Le, Tamara
Maggiore, Jim
McKinney, Betsy
Milz, David
Pratt, Kevin
Spillane, James
Warner, Anne

Abrami, Patrick
Berrien, Skip
Cahill, Michael
Coursin, David
DiLorenzo, Charlotte
Eisner, Mary
Grossman, Gaby
Hobson, Deborah
Janvrin, Jason
Loughman, Tom
Malloy, Dennis
McMahon, Charles
Morrison, Sean
Prudhomme-O'Brien, Katherine
Sytek, John
Webb, James

Altschiller, Debra
Bershtein, Alan
Cali-Pitts, Jacqueline
Cushing, Robert Renny
Dolan, Tom
Fowler, William
Grote, Jaci
Hoelzel, Kathleen
Murray, Kate
Lovejoy, Patricia
McBeath, Rebecca
Melvin, Charles
O'Connor, John
Read, Ellen
Vallone, Mark
Welch, David

Baldasaro, Al
Bunker, Lisa
Chirichiello, Brian
Davis, Dan
Doucette, Fred
Gay, Betty
Guthrie, Joseph
Osborne, Jason
Katsakiores, Phyllis
Griffin, Mary
McConnell, Liz
Meuse, David
Packard, Sherman
Somssich, Peter
Ward, Gerald
Yokela, Josh

STRAFFORD

Bixby, Peter
Ellis, Donna
Harrington, Michael
Keans, Sandra
Smith, Marjorie
Salloway, Jeffrey
Vincent, Kenneth

Cannon, Gerri
Fontneau, Timothy
Hayward, Peter
Kenney, Cam
Opderbecke, Linn
Sandler, Catt
Wall, Janet

Chase, Wendy
Frost, Sherry
Higgins, Peg
Kittredge, Mac
Schmidt, Peter
Southworth, Thomas

Conley, Casey
Grassie, Chuck
Horrigan, Timothy
Levesque, Cassandra
Rich, Cecilia
Towne, Matthew

Callum, John
O'Hearne, Andrew
Smith, Steven

Cloutier, John
Oxenham, Lee
Sullivan, Brian

Lucas, Gates
Rollins, Skip
Tanner, Linda

Merchant, Gary
Stapleton, Walter

NAYS - 59

BELKNAP

Aldrich, Glen
Plumer, John

Comtois, Barbara
Beaudoin, Richard

Howard, Raymond
Viens, Harry

Mackie, Jonathan

Avellani, Lino

Cordelli, Glenn

Nelson, Bill

CHESHIRE

COOS

GRAFTON

O'Day, John

Furbush, Michael

Migliore, Vincent Paul

HILLSBOROUGH

Boehm, Ralph
Gagne, Larry
Marzullo, JP
Proulx, Mark
Whittemore, James

Burt, John
Gould, Linda
McLean, Mark
Renzullo, Andrew

Erf, Keith
Hopper, Gary
Merlino, Timothy
Ulery, Jordan

Fedolfi, Jim
L'Heureux, Robert
Plett, Fred
Warden, Mark

MERRIMACK

Forsythe, Robert
Pearl, Howard

Horn, Werner
Testerman, Dave

Marple, Richard

McGuire, Carol

ROCKINGHAM

Abramson, Max
Green, Dennis
Piemonte, Tony
Torosian, Peter

Thomas, Douglas
Love, David
Potucek, John
True, Chris

Desilets, Joel
Pearson, Mark
Roy, Terry
Wallace, Scott

Edwards, Jess
Owens, Becky
Pearson, Stephen
Weyler, Kenneth

STRAFFORD

Horgan, James
Wuelper, Kurt

McNally, Jody

Perreault, Mona

Pitre, Joseph

SULLIVAN

Aron, Judy

Laware, Thomas

and the committee report was adopted.

Rep. Piemonte voted Nay and intended to vote Yea.

HB 357, relative to the public school infrastructure fund. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Rick Ladd for Education. This bill as amended in committee provides that all moneys remaining in the Public School Infrastructure Grant Fund established for the purpose of improving public school infrastructure, connectivity, and security will be non-lapsing as of June 30, 2019. Amending language also changes the bill's effective date from 60 days after passage to "upon passage." As of November 1, 2018, the Public School Infrastructure Commission had received 828 grant applications; the majority of requests included 667 applications to improve building security of which the commission approved 511 applications. Grant awards are based upon 80% state funding with a required 20% local appropriation. In some communities, the local match will be decided at March meetings. Grant funds not matched locally will result in the reallocation of unmatched funds. There are more than 125 applications on the wait list, and if this bill is passed, the Department of Education and the Division of Homeland Security and Emergency Management in keeping with the initial purpose of the Act will use the unexpended funds to improve needed security issues at these public schools. The Public School Infrastructure Fund totaled \$28,759,920. Vote 18-0.

Amendment (0005h)

Amend the bill by replacing section 2 with the following:

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

MOTION TO RECOMMIT

Rep. Myler moved that **HB 357**, relative to the public school infrastructure fund, be recommitted to the Committee on Education.

Motion adopted.

BILLS REMOVED FROM THE CONSENT CALENDAR CONT'D

HB 120-FN, relative to the regulation of body art establishments. **OUGHT TO PASS.**

Rep. Kristina Schultz for Executive Departments and Administration. This bill will re-establish a licensure and inspection practice for body art establishments. These businesses conduct tattooing, body piercing, and branding. The practitioners are asking for this process to ensure public safety and reasonable oversight. There were no opponents to this bill who spoke or signed in during the public hearing. Vote 16-2.

Rep. Yokela spoke against.

Rep. Schultz spoke in favor.

Rep. Prout requested a roll call; sufficiently seconded.

YEAS 255 - NAYS 115

YEAS - 255

BELKNAP

Feeney, George
St. Clair, Charlie

Fields, Dennis
Viens, Harry

Huot, David

Beaudoin, Richard

CARROLL

Buco, Thomas
Crawford, Karel
Marsh, William

Burroughs, Anita
DesMarais, Edith
Nelson, Bill

Butler, Edward
Kanzler, Harrison
Ticehurst, Susan

Cordelli, Glenn
Knirk, Jerry
Woodcock, Stephen

CHESHIRE

Abbott, Michael
Faulkner, Barry
Ley, Douglas
Parkhurst, Henry
Thompson, Craig

Ames, Richard
Fenton, Donovan
Mann, John
Schapiro, Joe
Von Plinsky, Sparky

Berch, Paul
Gomarlo, Jennie
Meador, David
Swinburne, Sandy
Pearson, William

Bordenet, John
Harvey, Cathryn
Morrill, David
Tatro, Bruce
Weber, Lucy

COOS

Hatch, William
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Laflamme, Larry
Thomas, Yvonne

Moynihan, Wayne

Noel, Henry

GRAFTON

Abel, Richard
Diggs, Francesca
Ford, Susan
Maes, Kevin
Nordgren, Sharon
Sykes, George

Adjutant, Joshua
Dontonville, Roger
French, Elaine
Massimilla, Linda
Osborne, Richard
Weston, Joyce

Almy, Susan
Egan, Timothy
Gordon, Edward
Mulligan, Mary Jane
Ruprecht, Dennis

Campion, Polly
Fellows, Sallie
Josephson, Timothy
Muscatel, Garrett
Stringham, Jerry

HILLSBOROUGH

Alexander, Joe
Balch, Chris
Bernet, Jennifer
Chretien, Jacqueline
Cornell, Patricia
Espitia, Manny
Griffith, Willis
Indruk, Greg
King, Mark
Langley, Diane
Mangipudi, Latha
Mombourquette, Donna
Nutting-Wong, Allison
Pickering, Daniel
Query, Joshua
Newman, Sue
St. John, Michelle
Toomey, Dan
Vann, Ivy
Woodbury, David

Bouldin, Amanda
Baroody, Benjamin
Bordy, William
Cleaver, Skip
Dargie, Paul
Davis, Fred
Harriott-Gathright, Linda
Schmidt, Janice
Klee, Patricia
Leishman, Peter
Martin, Joelle
Mullen, Sue
O'Brien, Michael
Piedra, Israel
Newman, Ray
Shaw, Barbara
Stack, Kathryn
Trento, Michael
Thomas, Wendy

Bouldin, Andrew
Beaulieu, Jane
Bosman, James
Cohen, Bruce
Desjardin, Kathy
Freitas, Mary
Heath, Mary
Jack, Martin
Klein-Knight, Nicole
Long, Patrick
Marzullo, JP
Murphy, Nancy
Pedersen, Michael
Porter, Marjorie
Riel, Cole
Snow, Kendall
Stevens, Deb
Vail, Suzanne
Wilhelm, Matthew

Backus, Robert
Bergeron, Paul
Bouchard, Donald
Connors, Erika
Dutzy, Sherry
Goley, Jeffrey
Herbert, Christopher
Judy, Jean
Komi, Richard
Murray, Megan
McGhee, Kat
Nutter-Upham, Frances
Petrigno, Peter
Proulx, Mark
Rung, Rosemarie
Sofikitis, Catherine
Telerski, Laura
Van Houten, Constance
Williams, Kermit

MERRIMACK

Allard, James
Doherty, David
Fulweiler, Joyce
Lane, Connie
Moffett, Howard
Rodd, Beth
Schultz, Kristina
Walz, Mary Beth

Bartlett, Christy
Ebel, Karen
Horn, Werner
Luneau, David
Myler, Mel
Rogers, Katherine
Soucy, Timothy
Wells, Kenneth

Buchanan, Ryan
Ellison, Arthur
Karrick, David
MacKay, James
Pimentel, Roderick
Saunderson, George
Turcotte, Alan
Wolf, Dan

Carson, Clyde
Fox, Samantha
Kotowski, Frank
McWilliams, Rebecca
Richards, Beth
Schuett, Dianne
Wallner, Mary Jane
Woods, Gary

ROCKINGHAM

Abrami, Patrick
Bunker, Lisa
Coursin, David
Doucette, Fred
Gay, Betty
Guthrie, Joseph
Murray, Kate
Lovejoy, Patricia
Malloy, Dennis
Meuse, David
Read, Ellen
Ward, Gerald

Altschiller, Debra
Bushway, Patricia
Cushing, Robert Renny
Edgar, Michael
Gilman, Julie
Harb, Robert
Katsakiores, Phyllis
Griffin, Mary
McBeath, Rebecca
Milz, David
Roy, Terry
Warner, Anne

Barnes, Arthur
Cahill, Michael
DiLorenzo, Charlotte
Eisner, Mary
Grossman, Gaby
Hoelzel, Kathleen
Le, Tamara
Pearson, Mark
McConnell, Liz
O'Connor, John
Pearson, Stephen
Welch, David

Berrien, Skip
Cali-Pitts, Jacqueline
Dolan, Tom
Fowler, William
Grote, Jaci
Janigian, John
Loughman, Tom
Maggiore, Jim
McMahon, Charles
Prudhomme-O'Brien, Katherine
Somssich, Peter
Weyler, Kenneth

STRAFFORD

Bixby, Peter
Ellis, Donna

Cannon, Gerri
Fontneau, Timothy

Chase, Wendy
Frost, Sherry

Conley, Casey
Grassie, Chuck

Higgins, Peg
Levesque, Cassandra
Rich, Cecilia
Towne, Matthew

Horrigan, Timothy
Smith, Marjorie
Salloway, Jeffrey
Vincent, Kenneth

Keans, Sandra
Opderbecke, Linn
Sandler, Catt
Wall, Janet

Kenney, Cam
Schmidt, Peter
Southworth, Thomas

SULLIVAN

Cloutier, John
O'Hearne, Andrew
Tanner, Linda

Laware, Thomas
Oxenham, Lee

Lucas, Gates
Stapleton, Walter

Merchant, Gary
Sullivan, Brian

NAYS - 115

BELKNAP

Aldrich, Glen
Jurius, Deanna
Spanos, Peter

Bean, Harry
Lang, Timothy
Sylvia, Michael

Comtois, Barbara
Mackie, Jonathan
Tilton, Franklin

Howard, Raymond
Plumer, John

CARROLL

Avellani, Lino

Comeau, Ed

MacDonald, John

CHESHIRE

Hunt, John

O'Day, John

COOS

Craig, Kevin

Fothergill, John

Furbush, Michael

Merner, Troy

GRAFTON

Hennessey, Erin

Ladd, Rick

Migliore, Vincent Paul

HILLSBOROUGH

Lekas, Alicia
Boehm, Ralph
Danielson, David
Gagne, Larry
Gunski, Michael
Ober, Lynne
Notter, Jeanine
Prout, Andrew
Sanborn, Laurie
Warden, Mark

Griffin, Barbara
Burns, Charles
Erf, Keith
Gould, Linda
Hinch, Richard
Lascelles, Richard
Nunez, Hershel
Ober, Russell
Somero, Paul

Barry, Richard
Burt, John
Fedolfi, Jim
Graham, John
Hopper, Gary
McLean, Mark
Panasiti, Reed
Renzullo, Andrew
Lekas, Tony

Belanger, James
Camarota, Linda
Flanagan, Jack
Greene, Bob
L'Heureux, Robert
Merlino, Timothy
Plett, Fred
Rice, Kimberly
Ulery, Jordan

MERRIMACK

Forsythe, Robert
McGuire, Carol
Testerman, Dave
ROCKINGHAM
Abbas, Daryl
Chirichiello, Brian
Desilets, Joel
Hobson, Deborah
McKinney, Betsy
Packard, Sherman
Spillane, James
Vallone, Mark

Hill, Gregory
Pearl, Howard
Walsh, Thomas

Abramson, Max
Costable, Michael
DeSimone, Debra
Osborne, Jason
Melvin, Charles
Piemonte, Tony
Sytek, John
Wallace, Scott

Klose, John
Schamberg, Thomas
Yakubovich, Michael

Baldasaro, Al
Davis, Dan
Edwards, Jess
Janvrin, Jason
Morrison, Sean
Potucek, John
Torosian, Peter
Webb, James

Marple, Richard
Seaworth, Brian

Bershtein, Alan
Thomas, Douglas
Green, Dennis
Love, David
Owens, Becky
Pratt, Kevin
True, Chris
Yokela, Josh

STRAFFORD

Harrington, Michael
McNally, Jody

Hayward, Peter
Perreault, Mona

Horgan, James
Pitre, Joseph

Kittredge, Mac
Wuelper, Kurt

SULLIVAN

Aron, Judy

Callum, John

Rollins, Skip

Smith, Steven

and the committee report was adopted and referred to the Committee on Finance.

Rep. Marzullo vote Yea and intended to vote Nay.

RESOLUTION

Rep. Ley 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, February 14, 2019 at 10:00 a.m.

Motion adopted.

LATE SESSION**Third Reading and Final Passage**

HB 111, establishing a committee to study the effect of the opioid crisis, substance misuse, adverse childhood experiences (ACEs), and domestic violence as a cause of posttraumatic stress disorder syndrome (PTSD) and other mental health and behavioral problems in New Hampshire children and students.

HB 268, relative to real estate commissions paid to unlicensed entities.

HB 337, relative to property and casualty insurance.

HB 339, relative to commercial modernization.

HB 342, relative to insurance examinations.

HB 347, adding insurer's policy administration expenses to commercial rate standards.

HB 189-FN, establishing an exemption from criminal penalties for child sex trafficking victims.

HCR 4, encouraging media outlets not to broadcast the name or image of a suspected perpetrator of a mass shooting.

HB 260, relative to the purging of motor vehicle violations.

HB 267, relative to the international registration plan.

HB 307, relative to driver's license photographs.

HB 500, naming the Warner roundabout in memory of Barbara Annis.

HB 433, relative to foreign insurance companies.

HB 349, relative to a second opinion on health care matters for state and county prisoners.

HB 399-FN, relative to annulment of arrests or convictions for possession of a certain quantity of marijuana.

HB 351, relative to exemptions from property attachments.

RECESS MOTION

Rep. Ley moved that the House stand in recess for the purposes of the introduction of bills and receiving Senate messages.

Motion adopted.

The House recessed at 1:00 p.m.

RECESS

(Rep. Sullivan in the Chair)

RESOLUTION

Rep. Fields offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, Senate Bills numbered 16 shall be by this resolution read a first and second time by the therein listed title and referred to the therein designated committee.

Motion adopted.

120**INTRODUCTION OF SENATE BILLS****First, second reading and referral**

SB 16, relative to certain information provided by the commissioner of the department of employment security to the United States Department of Labor. (Labor, Industrial and Rehabilitative Services)

RECESS