

HOUSE RECORD

Second Year of the 161st General Court Calendar and Journal of the 2010 Session

Vol. 32

Concord, N.H.

Thursday, March 18, 2010

No. 27

HOUSE JOURNAL No. 11 (cont.)

Wednesday, March 17, 2010

Rep. Wallner moved that the House adjourn.
Adopted.

HOUSE JOURNAL No. 12

Thursday, March 18, 2010

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 Jared Rardin, Pastor of the South Congregational Church in Concord.

O God, life can seem like a never-ending list of things to do. Our days are measured very often in numbers. Bills passed, bills killed, meetings attended, speeches made, errands run, emails responded to. Most of us have approximately 97 things to do today, not counting the 16 bills before us today. Give us the presence of mind and spirit to be present in the moment, to take each thing as it comes and to be as mindful of what does get done as what does not. When the thought arises that we have too much to do, prod us with a moment of gratitude for the fact that we actually have something to do. Millions are without work and are simply counting the days until their funds run out. Millions are without the ability to pay for a medical procedure and are counting their pennies. Remind us how blessed we are and how much responsibility comes with that blessing. Help us as a body today to work well together, to express respect and appreciation to one another, to find ways of speaking our truths without demeaning others. Bless those representatives who are facing illness or grief or strife within their families. Bless the people of this state, but especially those who

struggle in poverty or need. Our prayer, at the end of this day, is that You, O God, would look with favor upon the decisions we make today. In Your Holy name we pray. Amen.

Representative Robert L'Heureux, member from Merrimack, led the Pledge of Allegiance.

LEAVES OF ABSENCE

Reps. Julie Brown, Carlson, Gidge, Lisle, Rice and Robert Williams, the day, illness.
Reps. BurrIDGE, Caron, Clemons, Dokmo, Donald Flanders, Foster, GargasZ, Goley, Headd, Gina Hutchinson, Hutz, Ingersoll, Kolodziej, Major, Matheson, O'Neil, Rausch, Rhodes, Rodd, Joseph Russell, Sanders, Stella Scamman, W. Douglas Scamman, Kimberly Shaw, Stohl, Tahir, Twombly, Veazey, Weed, Wells and Wheeler, the day, important business.
Reps. Hackel, Thomas Katsiantonis, Osborne and Scala, the day, illness in the family.
Rep. Hubbard, the day, death in the family.

INTRODUCTION OF GUESTS

Dwight Lahr and Katerina Lahr-Pastor, husband and daughter of Rep. Pastor. Patricia Mellor and Barbara Barrett and members of the Girl Scouts of the Green and White Mountains, guests of Rep. Bergin. Students from Webster Elementary School in Manchester, guests of the Manchester delegation.

Margaret and Nicholas Landry, home-schooled students from Barrington, Pages for the day.

REGULAR CALENDAR – SPECIAL ORDERS

HB 1297-FN, requiring the racing and charitable gaming commission to establish fees for licensees conducting live racing to generate revenue that approximates the direct costs of administration. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Christine C. Hamm for the Majority of Local and Regulated Revenues: The committee heard testimony that passage of this bill could effectively shut down not only horse racing but also simulcasting in the state of New Hampshire. Despite the argument that this possibility was merely a threat by Rockingham Park's management, the majority of the committee believed that the risk was real and that the lost revenues to the state, both direct and indirect, would far outweigh the amount of money needed to continue to provide enforcement of the track's regulatory structure. The committee also believed it was inappropriate to discontinue the state's century-old tradition of horseracing without further deliberation that included more public input. Vote 17-1.

Rep. Steve Vaillancourt for the Minority of Local and Regulated Revenues: Last spring, as part of the state budget, the House Finance Committee voted overwhelmingly and it became the House position that the charitable gaming commission must establish fees to cover the direct costs (albeit not indirect costs) which would be paid by dog and horse tracks should they wish to continue to operate live racing. At the same time, the House decided to allow the tracks to opt out of live racing and continue simulcasting if they so chose. This language was removed during the committee of conference on the budget. However, monies for regulation for the second year of the biennium were also removed from the budget; thus causing a Catch 22. How can racing go forth without regulation? Last summer, both dog tracks (Seabrook and Belmont) decided not to conduct live racing, thus saving the state approximately \$300,000 which will lapse back to the general fund, monies the state can certainly use. The harness track conducted live racing, and the state paid the regulation cost. This bill would simply restore the House position that if any track wishes to conduct live racing, it must bear the cost of administering the operation. The owner of Rockingham Park testified that if monies (approximately \$150,000, ironically about the same amount the track paid a lobbyist last year) were not returned to the racing commission by March 1, then

his business would not conduct live racing this summer. The director of the commission testified that he would seek a ruling from the attorney general's office as to whether or not he could establish a fee without this bill passing. If he cannot, he would most likely not be able to allow live racing since he could not afford to regulate it. Thus, while this bill began as a simple attempt to provide equity and save the state real monies, it now is in fact the only means of saving racing this summer. The point is somewhat moot since it does not appear there will be racing nor in the opinion of the minority does the track wish to continue with live racing; it would much prefer the more lucrative slots option. The minority does not buy the argument that simulcasting will cost tracks more (and state revenues will be lost) if they do not have live racing since we did not have dog racing last summer, and there was no real impact on simulcast betting. Approximately 97 percent of monies come from simulcasting, not live racing, yet the state, prior to last year's budget, paid an exorbitant cost to regulate a business which would die without state subsidies. For the sake of consistency in the House position, this bill should be passed.

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

Rep. Vaillancourt spoke against.

Rep. Hamm spoke in favor.

Rep. Vaillancourt requested a roll call; sufficiently seconded.

YEAS 201 NAYS 114

YEAS 201

BELKNAP

Arsenault, Beth
Millham, Alida
Stuart, Richard

Fields, Dennis
Nedeau, Stephen
Wendelboe, Fran

Merry, Liz
Pilliod, James

Miller, Kate
Reever, Judith

CARROLL

Ahlgren, Christopher
Patten, Betsey

Bridgham, Robert
Stevens, Stanley

Butler, Edward
Wiley, Susan

Chandler, Gene

CHESHIRE

Allen, Peter
Eaton, Daniel
Meador, David
Sad, Tara

Butterworth, Timothy
Hunt, John
Mitchell, Bonnie
Weber, Lucy

Butynski, William
Lerandeau, Alfred
Richardson, Barbara

Carr, Daniel
Lindsey, Steven
Robertson, Timothy

COOS

Mears, Lucy

Merrick, Evalyn

Theberge, Robert

Thomas, Yvonne

GRAFTON

Aguiar, James
Friedrich, Carol
Laliberte, Suzanne
Pierce, David
Ward, Brien

Almy, Susan
Gionet, Edmond
Mulholland, Catherine
Preston, Philip
White, Andrew

Cooney, Mary
Gould, Franklin
Nordgren, Sharon
Taylor, Kathleen

Ford, Susan
Harding, Laurie
Pastor, Beatriz
Townsend, Charles

HILLSBOROUGH

Beauchamp, Roger

Beaulieu, Jane

Beck, Catriona

Bergin, Peter

Boisvert, Ronald
Christensen, Chris
Emerton, Larry
Ginsburg, Ruth
Harvey, Philip
Hinch, Richard
Knowles, Mary Ann
Long, Patrick
O'Brien, Michael Sr
Poznanski, Brian
Ryder, Donald
Thompson, Robert

Chandley, Shannon
Cote, David
Farley, Michael
Graham, John
Harvey, Suzanne
Hodges, Kevin
Komi, Richard
Mack, Ron
O'Brien, William
Price, Pamela
Schulze, Joan
Walsh, Robert Jr

Chase, Claudia
Craig, James
Flurey, Joan
Hammond, Jill
Hawkins, Ken
Jeudy, Jean
LaPlante, Roland
Marshall, Seth
Peterson, Andrew
Ramsey, Peter
Soucy, Timothy
Williams, Carol

Chininis, Alexis
Doherty, Shaun
Garrity, Patrick
Hardy, Valerie
Hebert, Roger
Knowles, John
Levesque, Melanie
Movsesian, Lori
Pilotte, Maurice
Rosenwald, Cindy
Sullivan, Daniel

MERRIMACK

Bartlett, Michael
DeStefano, Stephen
Hess, David
McMahon, Patricia
Potter, Frances
Stetson, William
Walz, Mary Beth

Brown, Carole
French, Barbara
Kelly, Sally
Owen, Derek
Richardson, Gary
Tilton, Joy
Watrous, Rick

Clarke, Claire
Gile, Mary
Kidder, David
Palfrey, David
Schuett, Dianne
Tupper, Frank
Webb, Leigh

Davis, Frank
Hamm, Christine
Lockwood, Priscilla
Porter, Margaret
Shurtleff, Stephen
Wallner, Mary Jane
Yeaton, Charles

ROCKINGHAM

Abbott, Dennis
Belanger, Ronald
Cali-Pitts, Jacqueline
Cushing, Robert
Ferrante, Beverly
Griffin, Mary
Ingram, Russell
McKinney, Betsy
Pantelakos, Laura
Schlachman, Donna

Allen, Mary
Bettencourt, David
Case, Frank
DeSimone, Debra
Fesh, Robert
Henson, John
Lyons, Melissa
Nevins, Chris
Priestley, Anne
Sullivan, James

Bailey, Clinton
Borden, David
Casey, Kimberley
DiPentima, Rich
Flanders, John Sr
Hoelzel, Kathleen
Mann, Maureen
Nord, Susi
Read, Robin Jr
Weare, Everett

Bates, David
Brown, C. Pennington
Crisler, Margaret
Elliott, Robert
Gould, Kenneth
Howard, Doreen
McEachern, Paul
Packard, Sherman
Sapareto, Frank
Welch, David

STRAFFORD

Berube, Roger
Burke, Rachel
Lewis, Robert
Rollo, Deanna
Sprague, Dale

Brennan, William
Grassie, Anne
Perry, Robert
Rous, Emma
Vachon, Dennis

Brown, Larry
Hofemann, Roland
Price, Susan
Ryder, Mark
Wall, Janet

Browne, Brendon
Kaen, Naida
Rogers, Rose Marie
Spang, Judith
Watters, David

SULLIVAN

Cloutier, John
Harris, Sandra

Sweeney, Cynthia

Donovan, Thomas Jr
Houde-Quimby,
Charlotte

Gagnon, Raymond
McClammer, Jim

Gottling, Suzanne
Rodeschin, Beverly

NAYS 114

BELKNAP

Bolster, Peter
St. Cyr, Jeffrey

Boyce, Laurie
Swinford, Elaine

Johnson, William

Russell, David

CARROLL

Buco, Thomas Umberger, Karen	Fleck, Joseph	Knox, J. David	McConkey, Mark
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CHESHIRE

Emerson, Susan Sterling, Franklin Jr	Johnson, Jane	Laurent, John	Parkhurst, Henry
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COOS

Rappaport, Laurence	Remick, William	Richardson, Herbert
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GRAFTON

Benn, Bernard Smith, Suzanne	Bulis, Lyle Williams, Burton	Ladd, Rick Jr	Maybeck, Margie
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HILLSBOROUGH

Baroody, Benjamin Cebrowski, John Drisko, Richard Gorman, Mary Hogan, Edith Kurk, Neal	Batula, Peter Christiansen, Lars Elliott, Nancy Haefner, Robert Holden, Frank L'Heureux, Robert	Belvin, William Daniels, Gary Gagne, Larry Hikel, John Holden, Rip Levasseur, Nickolas	Boehm, Ralph Day, Russell Gandia, Laura Hinkle, Peyton Jasper, Shawn Matarazzo, Anthony Sr Ober, Lynne Pratt, Calvin Shattuck, Gilman Ulery, Jordan Winters, Joel
McCarthy, Michael Palmer, Stephen Renzullo, Andrew Silva, Peter Vaillancourt, Steve	Mead, Robert Pellegrino, Tony Rowe, Robert Soucy, Connie Villeneuve, Moe	Messier, Irene Pepino, Leo Seidel, Carl Spaulding, Jayne Willette, Robert	

MERRIMACK

Anderson, Eric McGuire, Carol	Blankenbeker, Lynne Reed, Dennis	Coffey, Jennifer Smith, Todd	Kotowski, Frank
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ROCKINGHAM

Baldasaro, Alfred Comerford, Timothy Emiro, Frank Kappler, L. Mike Moody, Marcia Smith, William Webber, Carolyn	Bishop, Franklin Day, Judith Garrity, James Kepner, Susan Petterson, Don Splaine, James Weyler, Kenneth	Bridle, Russell Devine, James Introne, Robert McCarthy, Barbara Reagan, John Stiles, Nancy	Charron, Gene DiFruscia, Anthony Itse, Daniel McMahon, Charles Sedensky, John Tucker, Pamela
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STRAFFORD

Cyr, James Lauterborn, Elaine	Groen, Warren Schmidt, Peter	Horrigan, Timothy Smith, Marjorie	Keans, Sandra Vita, Carol
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SULLIVAN

Cunningham, Steven and the majority committee report was adopted.	Howard, Thomas	Osgood, Joe	Skinder, Carla
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HB 1335, establishing a local option for lowering the interest rate on late and delinquent property tax payments and subsequent payments. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Eric G. Stohl for the Majority of Local and Regulated Revenues: This bill is the result of a compromise with respect to an issue that has been before this committee both years of this term. The issue is the interest rates that apply to late and/or delinquent property tax payments. As the law stands now, if a taxpayer does not pay property taxes when the final tax bill is due, the interest rate on the amount is 12%. Within 90 days of this due date, certified mail is sent to the taxpayer 30 days prior to a lien being placed upon the property. Once the lien is placed upon the property, the interest rate is now 18% and a certified letter is sent to a property mortgagee of that fact. Last year, HB 351 was heard in our committee and was recommended to the full house of ITL on a committee vote of 15-5. The house overturned the committee recommendation and passed an amended bill which went onto the senate, where the public and municipal affairs committee recommended ITL and the senate voted that way. This bill, as introduced, set the local option rates at 6% and 9% respectfully. A subcommittee was established and heard testimony from representatives of the state treasurer's office and the municipal bond bank that the rate that municipalities can borrow at now is somewhere between 1.5% and 2%. The subcommittee and then the full committee worked over three different amendments before settling on the last one. This bill, HB 1335, as amended, is enabling and it allows the people to decide if they want their governing body to change these rates. If the governing body has the ability to select from 6% to 12% for the interest rate and 9% to 18% for the lien rate. Vote 9-8.

Rep. David H. Kidder for the Minority of Local and Regulated Revenues: The majority would empower, upon the authorizing vote of the people, local selectmen and city councils to set the interest rates charged on delinquent property taxes. Specifically, the bill allows a rate to be set from six through twelve percent on overdue taxes and from nine to eighteen percent on liens. A strong, 8 member bi-partisan minority opposes this well-intentioned but ill-conceived, poorly thought out "compromise." Rather than have this general court exercise its constitutional powers and continue to set a state-wide policy on this issue, the majority would abdicate this responsibility to delegate it to our political subdivisions. This will have immediate and long term consequences. Instead of establishing a uniform and consistent interest rate across the state, it will Balkanize that process, resulting in an irrational patchwork of different rates among our small political subdivisions. One town could decide to charge one rate while a community next door charges a rate twice as high-leading to a "race to the bottom." And our local boards of selectmen and city councils will be empowered to change the rate every year! The idea behind delinquent property tax interest rates is to encourage that property tax bills will be among the first bills to be paid, not among the last, because each unpaid property tax bill means that the other conscientious taxpayers will have to dig deeper into their pockets to make up the difference. Finally, while lower penalty interest rates are being advocated as an aid to our less fortunate home owners, they already have avenues of address through their selectmen, while the large commercial and retail property owners will most likely benefit the most from low delinquent interest rates.

Majority Amendment (0662h)

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

AN ACT establishing a local option to authorize the governing body to set the interest rate on late and delinquent property tax payments, subsequent payments, and other unpaid taxes.

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

1 New Section; Interest Rates; Local Option. Amend RSA 76 by inserting after section 13-b the following new section:

76:13-c Interest Rates; Local Option.

I. Any town or city may authorize the governing body to set interest rates as provided for in this section and apply such rates to all applicable statutes requiring the charging of interest on unpaid property taxes, delinquent and subsequent tax payments, and other unpaid taxes, in the following manner:

(a) In a town, other than a town that has adopted a charter pursuant to RSA 49-D, the question shall be placed on the warrant of a special or annual town meeting, by the governing body or by petition pursuant to RSA 39:3.

(b) In a city or town that has adopted a charter pursuant to RSA 49-C or RSA 49-D, the legislative body may consider and act upon the question in accordance with its normal procedures for passage of resolutions, ordinances, and other legislation. In the alternative, the legislative body of such town or city may vote to place the question on the official ballot for any regular municipal election.

II. The vote shall specify the authority of the governing body to set interest rates as provided for in paragraph IV. If a majority of those voting on the question vote "yes," the authority for the governing body to set interest rates pursuant to paragraph IV shall take effect immediately and the governing body may set the rate for the town or city applicable to the tax year beginning April 1 following its adoption.

III. A town or city that has adopted the provisions of this section may rescind the authority of the governing body to set interest rates in the manner described in paragraph I. The question to be voted shall specify that the authority of the governing body to set interest rates shall be rescinded. If a majority of those voting on the question vote "yes," the authority for the governing body to set interest rates shall be rescinded and beginning on the April 1 following rescission, the statutory interest rates shall apply.

IV.(a) In lieu of the statutory rate of 12 percent per annum, the governing body may set a rate within the range of 6 percent up to 12 percent.

(b) In lieu of the statutory rate of 18 percent per annum, the governing body may set a rate within the range of 9 percent up to 18 percent.

(c) The rates set by the governing body pursuant to the authority in this section shall apply for assessments of interest beginning April 1 and shall be effective for the entire tax year and until further changed. Any subsequent change in the rates by the governing body pursuant to the authority in this section shall apply beginning on the April 1 for the following tax year.

2 Local Interest Rate; Pease Development Authority Lessees. Amend RSA 12-G:14, II(b)(1) to read as follows:

(1) Interest shall accrue on the unpaid taxes at a rate of 18 percent per annum, **or the rate set pursuant to RSA 76:13-c**, from the due date until such taxes are paid;

3 Excavation Taxes. Amend RSA 72-B:6 to read as follows:

72-B:6 Unpaid Taxes. The taxes which are not paid when due pursuant to RSA 72-B:4 shall bear interest at the rate of 18 percent per year, **or the rate set pursuant to RSA 76:13-c**, computed from the due date. Interest and penalties on the tax shall be collected by the tax collector and deposited in the general fund of the municipality. In addition to the interest due, a penalty for failure to pay may be assessed against the owner as provided in RSA 21-J:33.

4 Property Taxes; Interest on Late Payment. Amend RSA 76:13 to read as follows:

76:13 Interest. Interest at 12 percent per annum, **or the rate set pursuant to RSA 76:13-c**, shall be charged upon all taxes except resident taxes, except as otherwise provided by statute, not paid on or before December 1 after their assessment, which shall be collected from that date with the taxes as incident thereto, except in the case where a tax bill sent to the taxpayer on or after November 2 and before April 1 of the following year interest shall not be charged until 30 days after the bills are mailed. Interest due in an amount up to \$25 may be waived by the collector, with the approval and consent of the board of selectmen and the board of assessors, if in the collector's judgment the administrative and collection costs

involved do not warrant collection of the amount due. The tax collector shall state on the tax bill the date from which interest will be charged and such date shall be determined by the day the collector sends out the last tax bill on the list. The collector shall notify the board of tax and land appeals in writing of the date on which the last tax bill was sent.

5 Property Taxes; Quarterly Billing. Amend RSA 76:15-aa, IV to read as follows:

IV. Interest at the rate of 12 percent per annum, ***or the rate set pursuant to RSA 76:13-c***, shall be charged on all taxes not paid on or before their due dates or 30 days after mailing, whichever is later.

6 Current Use; Land Use Change Tax. Amend RSA 79-A:7, II(d) to read as follows:

(d) Payment of the land use change tax, together with the recording fees due the register of deeds, shall be due not later than 30 days after mailing of the tax bills for such tax, and interest at the rate of 18 percent per annum, ***or the rate set pursuant to RSA 76:13-c***, shall be due thereafter on any taxes not paid within the 30-day period.

7 Discretionary Easements. Amend RSA 79-C:9, II(d) to read as follows:

(d) Payment of the consideration shall be due not later than 30 days after the mailing of the bill. Interest at the rate of 18 percent per annum, ***or the rate set pursuant to RSA 76:13-c***, shall be due thereafter on any consideration not paid within the 30-day period.

8 Discretionary Preservation Easements. Amend RSA 79-D:9, II(d) to read as follows:

(d) Payment of the consideration shall be due not later than 30 days after the mailing of the bill. Interest at the rate of 18 percent per annum, ***or the rate set pursuant to RSA 76:13-c***, shall be due thereafter on any consideration not paid within the 30-day period.

9 Community Revitalization Tax Relief Incentive. Amend RSA 79-E:9, II(d) to read as follows:

(d) Payment shall be due not later than 30 days after the mailing of the bill. Interest at the rate of 18 percent per annum, ***or the rate set pursuant to RSA 76:13-c***, shall be due thereafter on any amount not paid within the 30-day period. Interest at 12 percent per annum, ***or the rate set pursuant to RSA 76:13-c***, shall be charged upon all taxes that would have been due and payable on or before December 1 of each tax year as if no tax relief had been granted.

10 Collection of Taxes; Tax Sales; Redemption; Interest Rate. Amend RSA 80:32 to read as follows:

80:32 Redemption. Any person with a legal interest in land so sold may redeem the same by paying or tendering to the collector, or in his ***or her*** absence, at his ***or her*** usual place of abode, at any time before a deed thereof is given by the collector, the amount for which the land was sold, with interest at 18 percent per annum, ***or the rate set pursuant to RSA 76:13-c***, upon the whole amount for which the land was sold from the time of sale to the time of payment in full, except that in the case of partial payments in redemption made under RSA 80:33-a, the interest shall be computed on the unpaid balance, together with redemption costs and costs for notifying the mortgagees, if any. In case the tax collector who sold the property in question shall have died, become incapacitated, been removed from office or removed from the town or city, or shall have been discharged from his ***or her*** bond by the selectmen or assessors, then the person with the legal interest in redeeming the property may tender such sums to the tax collector then in office of said city or town. Upon advice from the selectmen or assessors that the amount tendered is the correct amount due, the tax collector shall accept said amount for the redemption of the property.

11 Collection of Taxes; Tax Sales; Subsequent Tax; Interest Rate. Amend RSA 80:37 to read as follows:

80:37 Payment of Subsequent Tax. For purposes of this section, "subsequent tax" shall mean any tax assessed upon the real estate subsequent to that for which it was sold by a municipality, a county, or the state. The purchaser of real estate at any tax sale may pay to the collector any subsequent tax and the collector shall, within 30 days after such payment,

notify the register of deeds thereof, giving the date and the amount of such payment and the name of the person so paying together with the date of the tax sale, the name of the person taxed, and a description of the property sold as shown in the report of sale recorded in the registry of deeds. The collector of taxes shall receive \$1 for such notice to the register of deeds of the payment of subsequent tax plus \$1 to be paid to the register of deeds. The purchaser, within 30 days of payment of the subsequent tax, shall personally, or by certified mail, notify in writing any mortgagee who was notified of his *or her* purchase at the tax sale of this payment of the subsequent tax. The purchaser paying the subsequent tax shall receive the same fees prescribed for notifying the mortgagee of his *or her* purchase at the tax sale to be included in his *or her* costs to be paid by the person making redemption, except that when a town is a purchaser at a tax sale and the town pays a subsequent tax and the selectmen direct the collector of taxes as agent for the town to give notice of payment of a subsequent tax to any mortgagee who was notified of the purchase by the town at the tax sale, the collector shall be paid the sum of \$5 for this service. Any amounts so paid on account of subsequent taxes, together with interest thereon at the rate of 18 percent per annum, *or the rate set pursuant to RSA 76:13-c*, from the date of payment shall, in addition to the purchase price at the time of sale with accrued interest and costs, be paid by the person making redemption.

12 Collection of Taxes; Tax Liens; Redemption; Interest Rate. Amend RSA 80:69 to read as follows:

80:69 Redemption. Any person with a legal interest in land subject to a real estate tax lien may redeem the same by paying or tendering to the collector, at any time before a deed thereof is given by the collector, the amount of the real estate lien, with interest at 18 percent per annum, *or the rate set pursuant to RSA 76:13-c*, upon the whole amount of the recorded lien from the date of execution to the time of payment in full, except that in the case of partial payments in redemption made under RSA 80:71, the interest shall be computed on the unpaid balance, together with redemption costs and costs for identifying and notifying the mortgagees, if any. In case the tax collector who executed the tax lien against the property in question shall have died, become incapacitated, been removed from office or removed from the town or city, or shall have been discharged from his *or her* bond by the selectmen or assessors, then the person with the legal interest in redeeming the property may tender such sums to the tax collector then in office of said city or town. Upon advice from the selectmen or assessors that the amount tendered is the correct amount due, the tax collector shall accept said amount for the redemption of the property.

13 Collection of Taxes; Tax Liens; Interest Rate. Amend RSA 80:75, III to read as follows:

III. When a municipality is the lienholder and the municipality pays a subsequent tax and the selectmen direct the collector of taxes, as agent of the municipality, to give such notice of said payment to any owner and to any mortgagee as provided above, the collector of taxes shall receive the same fees provided for the lienholder for his *or her* service. The amount of subsequent taxes paid, together with interest on such taxes at the rate of 18 percent per annum, *or the rate set pursuant to RSA 76:13-c*, from the date of payment shall, in addition to the tax lien amount at the time of execution with interest and costs, be paid by the person making redemption.

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

AMENDED ANALYSIS

This bill allows municipalities to authorize the governing body of the town or city to set the interest rate on late and delinquent property tax payments, subsequent payments, and other unpaid taxes enforced through the lien procedure.
Majority committee amendment adopted.

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

Rep. Robert Elliott offered floor amendment (0992h).

Floor Amendment (0992h)

Amend the bill by inserting after section 13 the following and renumbering the original section 14 to read as 15:

14 Unpaid Taxes; Normal Yield Tax. Amend RSA 79:4-a to read as follows:

79:4-a Unpaid Taxes. The taxes which are not paid when due pursuant to RSA 79:3 shall bear interest at the rate of 18 percent per year, ***or the rate set pursuant to RSA 76:13-c***, computed from the due date. Interest and penalties on the tax shall be collected by the tax collector and deposited in the general fund of the town. In addition to the interest due, a penalty for failure to pay may be assessed against the owner as provided in RSA 21-J:33.

Reps. Robert Elliott and Merry spoke in favor.

Floor amendment (0992h) adopted.

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

Rep. Kidder spoke against.

Rep. Merry spoke in favor and yielded to questions.

Reps. Hamm and Vaillancourt spoke in favor.

Rep. Vaillancourt requested a roll call; sufficiently seconded.

YEAS 195 NAYS 136

YEAS 195

BELKNAP

Arsenault, Beth
Merry, Liz
Stuart, Richard

Bolster, Peter
Miller, Kate
Wendelboe, Fran

Boyce, Laurie
Pilliod, James

Fields, Dennis
Reever, Judith

CARROLL

Ahlgren, Christopher
Stevens, Stanley

Butler, Edward
Wiley, Susan

McConkey, Mark

Patten, Betsey

CHESHIRE

Allen, Peter
Johnson, Jane
Richardson, Barbara

Butterworth, Timothy
Laurent, John
Robertson, Timothy

Carr, Daniel
Lindsey, Steven

Emerson, Susan
Meador, David

COOS

Mears, Lucy
Thomas, Yvonne

Rappaport, Laurence

Richardson, Herbert

Theberge, Robert

GRAFTON

Aguiar, James
Ingretson, Paul
Smith, Suzanne

Cooney, Mary
Laliberte, Suzanne
White, Andrew

Friedrich, Carol
Maybeck, Margie

Gionet, Edmond
Pastor, Beatriz

HILLSBOROUGH

Baroody, Benjamin

Beauchamp, Roger

Beaulieu, Jane

Campbell, David

Cebrowski, John
Cote, David
Drisko, Richard
Ginsburg, Ruth
Hebert, Roger
Hodges, Kevin
Hopper, Gary
LaPlante, Roland
Long, Patrick

McCarthy, Michael
Ober, Lynne
Pratt, Calvin
Seidel, Carl
Soucy, Timothy
Walsh, Robert Jr

Chandley, Shannon
Craig, James
Elliott, Nancy
Haefner, Robert
Hikel, John
Hogan, Edith
Komi, Richard
Leishman, Peter
Mack, Ron

Mead, Robert
Palmer, Stephen
Ramsey, Peter
Shaw, Barbara
Ulery, Jordan
Willette, Robert

Chase, Claudia
Daniels, Gary
Gagne, Larry
Haley, Robert
Hinch, Richard
Holden, Frank
Kurk, Neal
Levasseur, Nickolas
Marshall, Seth

Messier, Irene
Pepino, Leo
Renzullo, Andrew
Silva, Peter
Vaillancourt, Steve
Winters, Joel

Christensen, Chris
Doherty, Shaun
Gandia, Laura
Harvey, Philip
Hinkle, Peyton
Holden, Rip
L'Heureux, Robert
Levesque, Melanie
Matarazzo, Anthony
Sr
O'Brien, William
Pilotte, Maurice
Rowe, Robert
Soucy, Connie
Villeneuve, Moe

MERRIMACK

Bartlett, Michael
Foose, Robert
McGuire, Carol
Reed, Dennis
Watrous, Rick

Blankenbeker, Lynne
French, Barbara
McMahon, Patricia
Shurtleff, Stephen
Yeaton, Charles

Brown, Carole
Gile, Mary
Owen, Derek
Tilton, Joy

Coffey, Jennifer
Hamm, Christine
Potter, Frances
Wallner, Mary Jane

ROCKINGHAM

Baldasaro, Alfred
Bishop, Franklin
Cali-Pitts, Jacqueline
Cushing, Robert
DiPentima, Rich
Emiro, Frank
Ingram, Russell
Kepner, Susan
McEachern, Paul
Pettersen, Don
Schlachman, Donna
Tucker, Pamela

Bates, David
Borden, David
Case, Frank
Day, Judith
Dowling, Patricia
Ferrante, Beverly
Itse, Daniel
Lyons, Melissa
Moody, Marcia
Read, Robin Jr
Splaine, James
Weyler, Kenneth

Belanger, Ronald
Bridle, Russell
Charron, Gene
Devine, James
Dumaine, Dudley
Fesh, Robert
Kappler, L. Mike
Mann, Maureen
Nevins, Chris
Reagan, John
Stiles, Nancy

Bettencourt, David
Brown, C. Pennington
Comerford, Timothy
DiFruscia, Anthony
Elliott, Robert
Henson, John
Katsakiores, Phyllis
McCarthy, Barbara
Nord, Susi
Sapareto, Frank
Sullivan, James

STRAFFORD

Brennan, William
Groen, Warren
Lewis, Robert
Schmidt, Peter
Vita, Carol

Burke, Rachel
Hofemann, Roland
Perry, Robert
Smith, Marjorie
Ward, Kenneth

Cyr, James
Horrigan, Timothy
Rous, Emma
Spang, Judith
Watters, David

Grassie, Anne
Kaen, Naida
Ryder, Mark
Sprague, Dale

SULLIVAN

Cloutier, John
Houde-Quimby,
Charlotte

Cunningham, Steven
Howard, Thomas

Donovan, Thomas Jr
McClammer, Jim

Harris, Sandra
Skinder, Carla

BELKNAP

Johnson, William
St. Cyr, Jeffrey

Millham, Alida
Swinford, Elaine

Neddeau, Stephen

Russell, David

CARROLL

Bridgham, Robert
Knox, J. David

Buco, Thomas
Umberger, Karen

Chandler, Gene

Fleck, Joseph

CHESHIRE

Butcher, Suzanne
Lerandeau, Alfred
Sterling, Franklin Jr

Butynski, William
Mitchell, Bonnie
Weber, Lucy

Eaton, Daniel
Parkhurst, Henry

Hunt, John
Sad, Tara

COOS

Merrick, Evalyn

Remick, William

GRAFTON

Almy, Susan
Gould, Franklin
Nordgren, Sharon
Townsend, Charles

Benn, Bernard
Harding, Laurie
Pierce, David
Ward, Brien

Bulis, Lyle
Ladd, Rick Jr
Preston, Philip
Williams, Burton

Ford, Susan
Mulholland, Catherine
Taylor, Kathleen

HILLSBOROUGH

Batula, Peter
Boehm, Ralph
Day, Russell
Garrity, Patrick
Hardy, Valerie
Jeudy, Jean
Movsesian, Lori
Peterson, Andrew
Rosenwald, Cindy
Spaulding, Jayne

Beck, Catriona
Boisvert, Ronald
Emerton, Larry
Gorman, Mary
Harvey, Suzanne
Knowles, John
Nixon, David
Poznanski, Brian
Ryder, Donald
Sullivan, Daniel

Belvin, William
Chininis, Alexis
Farley, Michael
Graham, John
Hawkins, Ken
Knowles, Mary Ann
O'Brien, Michael Sr
Price, Pamela
Schulze, Joan
Thompson, Robert

Bergin, Peter
Christiansen, Lars
Flurey, Joan
Hammond, Jill
Jasper, Shawn
Kopka, Angeline
Pellegrino, Tony
Rokas, Theodoros
Shattuck, Gilman
Williams, Carol

MERRIMACK

Anderson, Eric
Hess, David
Lockwood, Priscilla
Schuett, Dianne
Walz, Mary Beth

Clarke, Claire
Kelly, Sally
Palfrey, David
Smith, Todd
Webb, Leigh

Davis, Frank
Kidder, David
Porter, Margaret
Stetson, William

DeStefano, Stephen
Kotowski, Frank
Richardson, Gary
Tupper, Frank

ROCKINGHAM

Abbott, Dennis
Crisler, Margaret
Griffin, Mary
Introne, Robert
Perkins, Amy
Smith, William

Allen, Mary
Flanders, John Sr
Hagan, Joseph
McKinney, Betsy
Perkins, Lawrence
Weare, Everett

Bailey, Clinton
Garrity, James
Hoelzel, Kathleen
Packard, Sherman
Priestley, Anne
Webber, Carolyn

Casey, Kimberley
Gould, Kenneth
Howard, Doreen
Pantelakos, Laura
Sedensky, John
Welch, David

STRAFFORD

Berube, Roger

Brown, Larry

Browne, Brendon

Keans, Sandra

Lauterborn, Elaine
Vachon, Dennis

Price, Susan
Wall, Janet

Rogers, Rose Marie

Rollo, Deanna

SULLIVAN

Gagnon, Raymond
Sweeney, Cynthia

Gottling, Suzanne

Osgood, Joe

Rodeschin, Beverly

and the majority committee report was adopted.

Ordered to third reading.

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

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Vaillancourt moved that the House reconsider its action whereby it adopted the majority committee report of Ought to Pass with Amendment on **HB 1335**, establishing a local option to authorize the governing body to set the interest rate on late and delinquent property tax payments, subsequent payments, and other unpaid taxes.

Rep. Vaillancourt spoke against.

Motion failed.

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

REGULAR CALENDAR – SPECIAL ORDERS (CONT'D)

HB 1554, allowing municipalities to establish energy efficiency and clean energy districts.

MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: REFER FOR INTERIM STUDY.

Rep. Mary R. Cooney for the Majority of Municipal and County Government: The vast majority of New Hampshire's more than 517,000 housing units and 44,500 commercial and industrial buildings waste energy unnecessarily. Federal stimulus programs currently provide subsidies for energy efficiency and clean energy. However, no public programs will ever supply more than a small fraction of the funding needed to reduce energy waste in our buildings. There is support for low income residents, but little support from other sources. This bill would enable cities and towns to create an energy district comprised of property owners who wish to participate in energy saving improvements to their buildings and make repayments in the form of special assessments on property tax bills. The advantage of this program would be a positive cash flow as measured in the first year. The payment made on the loan would be less than the amount saved on energy bills because of the improvements. The payments would follow the property if the property were sold unless the remainder of the loan were to be negotiated in the sale. The committee worked with the New Hampshire Bankers Association, the Jordan Institute, the New Hampshire Municipal Association, the New Hampshire Municipal Bond Bank, the office of energy and planning, and the department of revenue administration to address the concerns of all regarding priority liens, foreclosure, bonding, taxpayer protection, constitutionality, and process. The bill includes a process for revolving loans, loan loss reserve accounts, energy audits, reporting of data, inspections, and third party administration. The need for New England, and New Hampshire in particular, to focus on energy savings is in the public interest. The effects of this bill could be: less dependence on fossil fuels, cleaner air, less cost to residents and businesses, increase in jobs, and help in meeting the goals of the governor's climate change action plan by significantly reducing our state's carbon footprint. The federal Department of Energy has announced funding for model PACE (Property Assessed Clean Energy) projects. The office of energy and planning has submitted an application to the US Department of Energy for the retrofit ramp-up program that would seek \$20 million in federal funding, along with \$100 million in leveraged private financing to implement the Beacon

Communities Project. Enactment of this legislation will help position New Hampshire to secure federal funding to capitalize financing programs. Vote 11-6.

Rep. Betsey L. Patten for the Minority of Municipal and County Government: This bill implements an energy conservation and efficiency initiative using the municipality's ability to borrow money at a lower rate than the private sector. The goal is laudable and would lower energy prices for the taxpayer. Without this initiative the homeowner could search for the lowest interest rate to fund an energy saving project – from insulation to replacement windows to solar panels. Under this program the municipality is able to create an energy district that could encompass a neighborhood, a whole town, or parts of multiple towns. Once a district was established the municipality could look and apply for federal, state, private grants or go out for a municipal bond. If a bond is voted in the affirmative, then a home owner would apply for a loan from \$5,000 to \$35,000 from the town, through the administrator of the program, to complete the proposed project which would then be considered a lien on the property, not on the taxpayer. An energy audit would be required prior to the granting of the loan to show how much energy base would be saved and the home owner would only have to pay the town back at a rate not to exceed what the old energy use would have cost. As written, the municipality would add a special assessment onto the taxpayer's property tax bill or add a surcharge to his or her water or sewer bills. An agreement between the town and the taxpayer would cover the costs of administration, qualification of work proposed, a post-inspection of work completed to ensure that the energy savings was attained, a process to pay vendors or contractors and a disclosure from the town about the property owner's risk related to the failure to make payments and enforcement of the lien imposed. The local municipality was created in order to govern all residents and taxpayers to the best of its ability. The initiative will offer loans to residents or taxpayers at a possible lower interest rate. The minority believes that, even though this is enabling legislation, the municipal government should not be in competition with private industry. The minority would like to remove the municipal funding and use alternative procedures to deal with the initiative.

Majority Amendment (0951h)

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

1 Findings and Purpose. The general court finds that:

I. Energy conservation and efficiency and clean energy improvements to residential, commercial, industrial, and other buildings and facilities are necessary to:

(a) Protect the economic and social well-being of New Hampshire communities by reducing the cost of fuel oil, electricity, natural gas, propane, and other forms of energy, and the risks associated with future escalation in energy prices;

(b) Protect the economic and social well-being of New Hampshire communities by encouraging investment in the development and implementation of energy conservation and efficiency and clean energy improvements; and

(c) Address the threat of global climate change.

II. The upfront cost of energy conservation and efficiency and clean energy improvements prevents many property owners from making such improvements.

III. To achieve the public benefits of reducing the cost of energy use and the risks associated with future escalation in energy prices, encouraging investment in the development and implementation of energy conservation and efficiency and clean energy improvements, and addressing the threat of global climate change, it is necessary to authorize a procedure for enabling property owners, on a voluntary basis, to finance such improvements and make repayments in the form of special assessments on their property tax bills or municipal service bills.

IV. The purposes of this chapter are to authorize municipalities to establish such a procedure and to set forth requirements to ensure that its use will achieve the intended

purposes of improving the social and economic well-being of New Hampshire communities and reducing greenhouse gas emissions.

2 New Chapter; Energy Efficiency and Clean Energy Districts. Amend RSA by inserting after chapter 53-E the following new chapter:

CHAPTER 53-F

ENERGY EFFICIENCY AND CLEAN ENERGY DISTRICTS

53-F:1 Definitions. In this chapter:

I. "Clean energy improvement" means the installation of any system on the property for producing electricity for, or meeting heating, cooling, or water heating needs of the property, using either renewable energy sources, combined heat and power systems, or district energy systems using wood biomass (but not construction and demolition waste) or natural gas. Such improvements include but are not limited to solar photovoltaic, solar thermal, wood biomass, wind, and geothermal systems, provided that, to be covered by an agreement with a property owner and financed under this chapter, such improvements shall be qualifying improvements under RSA 53-F:6.

II. "District" means an energy efficiency and clean energy district established under this chapter.

III. "Energy conservation and efficiency improvements" means measures to reduce consumption, through conservation or more efficient use, of electricity, fuel oil, natural gas, propane, or other forms of energy on the property, including but not limited to air sealing, installation of insulation, installation of heating, cooling, or ventilation systems meeting or exceeding ENERGY STAR standards, building modifications to increase the use of daylighting, replacement of windows with units meeting or exceeding ENERGY STAR standards, installation of energy controls or energy recovery systems, and installation of efficient lighting equipment, provided that, to be covered by an agreement with a property owner and financed under this chapter, all such improvements must be permanently affixed to a building or facility that is part of the property and shall be qualifying improvements under RSA 53-F:6.

IV. "Municipality" means any city, town, or village district.

V. "Property owner" means the owner of record of real property within the boundaries of the district, whether zoned or used for residential, commercial, industrial, or other uses.

VI. "Third party lender" means a lender selected by the municipality to provide funds to finance energy conservation and efficiency and clean energy improvements by participating property owners under this chapter. The lender shall be licensed under state laws and regulations. The municipality shall be responsible for ensuring compliance by the third party lender with applicable provisions of this chapter.

53-F:2 Adoption By Municipality. A town or city may adopt the provisions of this chapter in the following manner:

I. In a town, other than a town that has adopted a charter pursuant to RSA 49-D, the question shall be placed on the warrant of an annual meeting only by the governing body, and not pursuant to RSA 39:3.

II. In a city or a town that has adopted a charter pursuant to RSA 49-C or RSA 49-D, the legislative body may consider and act upon the question in accordance with its normal procedures for passage of resolutions, ordinances, and other legislation. In the alternative, the legislative body of any such municipality may vote to place the question on the official ballot for any regular municipal election.

III. The language of the question shall designate an energy efficiency and clean energy district, which may cover all or a portion of the area within the municipality, or may designate all or a portion of the area within the municipality as part of an energy efficiency and clean energy district that encompasses all or portions of multiple municipalities.

IV. A municipality may vote to rescind its action in the same manner as it may vote to adopt, provided that all agreements entered into with property owners, liens established, and other legal obligations created prior to its vote to rescind shall remain in effect.

53-F:3 Authority. To achieve the public benefits of protecting the economic and social well-being by reducing energy costs in the community and risks to the community associated with future escalation in energy prices, and addressing the threat of global climate change, any municipality which has adopted the provisions of this chapter and established an energy efficiency and clean energy district may, upon a finding by the executive body of the municipality, after notice and hearing, that the energy conservation and efficiency and clean energy improvements the municipality will finance pursuant to this chapter will serve the public purposes as set forth in this chapter and not primarily be for the benefit of private persons or uses even though such private benefits and uses may incidentally result, do the following:

I. Incur debt for the purpose of providing financing to property owners within the district, including through issuance of municipal bonds, Qualified Energy Conservation Bonds or Clean Renewable Energy Bonds. Any such debt shall constitute a pledge of the municipality's full faith and credit, and except as may be otherwise provided in this chapter, shall be subject to the provisions of RSA 33.

II. Establish a revolving fund pursuant to RSA 31:95-h using general municipal revenues, bond funds, federal Energy Efficiency and Conservation Block Grant funds, or grant funds from any federal, state, private, or other source, provided that the use of general municipal revenues shall be pursuant to an appropriation by special warrant article in accordance with RSA 32 and the municipality's appropriation procedures.

III. Finance qualifying improvements by eligible property owners through any other means authorized by state law.

IV. Collect from property owners and remit to third-party lenders payments on assessments used to finance qualifying improvements.

V. Establish reserve accounts.

VI. Participate in state or federal programs providing support for municipal energy efficiency and clean energy finance programs such as those authorized by this chapter, including guarantee, loss reserve, revolving fund, or other state or federal support programs.

VII. Enter into agreements with property owners in which the property owners consent to make energy conservation and efficiency improvements or clean energy improvements to their property and to have the municipality add a special assessment to their property tax bills, or add a surcharge to their bills for water or sewer service or another municipal service, provided that such agreements shall not affect the tax liability or municipal services charges of other participating or nonparticipating property owners in the district.

VIII. Collect charges from participating property owners, third-party lenders, or both, to cover the cost of administration for the district.

IX. Otherwise administer a program for promoting and financing energy efficiency and clean energy improvements within a district in accordance with this chapter, enter into an agreement with a public or private entity to administer such a program on its behalf in accordance with this chapter, and enter into an agreement with one or more other municipalities to share services and otherwise cooperate in the administration of a district or districts in accordance with this chapter.

53-F:4 Agreements with Property Owners.

I.(a) A municipality may make an assessment under this chapter only pursuant to an agreement entered into with the free and willing consent of the owner of the property to which the assessment applies. The assessment shall be included as a separate item on the tax bill for the property sent to the owner pursuant to RSA 76. Any payment of the tax bill shall be applied first to the taxes on the property and any interest, charges or penalties

thereon, and the balance shall be applied to the assessment. In the case of any property with multiple owners, an agreement under this chapter shall be signed by all owners.

(b) An agreement with a property owner shall provide that the owner shall contract for qualifying improvements with one or more qualified contractors, purchase materials to be used in making qualified improvements, or both, and that, upon submission of documentation required by the municipality, the municipality shall disburse funds to those contractors and vendors in payment for the qualifying improvements or materials used in making qualified improvements. An agreement with a property owner shall require that the property owner report post-installation energy use data for program evaluation purposes over a period determined by the municipality.

II. The municipality shall disclose to participating property owners the risks associated with participating in the program, including risks related to their failure to make payments and the risk of enforcement of the liens imposed under the agreements.

III. At least 30 days prior to entering into an agreement with a municipality under this chapter, the property owner shall provide to the holders of any existing mortgages on the property notice of his or her intent to enter into the agreement.

IV. An agreement with a participating property owner under this chapter shall be filed by the municipality for recording in the county registry of deeds and shall be disclosed to potential buyers prior to transfer of property ownership.

V. Any personal financial information provided to a municipality or an entity administering a program under this chapter on behalf of a municipality by a participating property owner or potential participating property owner shall be confidential and shall not be disclosed to any person except as required to administer the program and only on a need-to-know basis.

53-F:5 Eligibility of Property Owners.

I. A municipality may enter into an agreement under this chapter only with the legal owner of real property.

II. Prior to entering into an agreement with a property owner, the municipality shall determine that all property taxes and any other assessments levied with property taxes are current and have been current for 3 years or the property owner's period of ownership, whichever is less; that there are no involuntary liens such as mechanic's liens on the property; and that no notices of default or other evidence of property-based debt delinquency have been recorded during the past 3 years or the property owner's period of ownership, whichever is less; and that the property owner is current on all mortgage debt on the property. The municipality shall adopt additional criteria, appropriate to property-assessed clean energy finance programs, for determining the creditworthiness of property owners.

53-F:6 Qualifying Improvements.

I. Improvements financed pursuant to an agreement under this chapter shall be based upon an audit performed by a person who has been certified as a building analyst by the Building Performance Institute or who has obtained other appropriate certification as determined by the public utilities commission or another appropriate New Hampshire-based entity. The audit shall identify recommended energy conservation and efficiency and clean energy improvements; provide the estimated energy cost savings, useful life, benefit-cost ratio, and simple payback or return on investment for each improvement; and provide the estimated overall difference in annual energy costs with and without recommended improvements. Financed improvements shall be consistent with the audit recommendations. The cost of the audit may be included in the total amount financed under this chapter.

II. Improvements shall be permanently affixed to an existing building or facility that is part of the property. An agreement between a municipality and a qualifying property owner may not cover projects in buildings or facilities under new construction.

III. Improvements shall be made by a contractor or contractors, which may include a cooperative or not-for-profit organization, determined by the municipality to be qualified to make the energy efficiency or clean energy improvements in the agreement. A municipality

may accept a designation of contractors as qualified made by an electric or gas utility program or another appropriate New Hampshire-based entity. Any work requiring a license under any applicable law shall be performed by an individual holding such license. A municipality may elect to permit the financing pursuant to an agreement under this chapter of improvements made by the owner of the property, but shall not permit the value of the owner's labor to be included in the amount financed.

IV. A municipality shall require, prior to disbursement of final payments to any contractor or vendor pursuant to an agreement with a property owner, submission by the property owner in a form acceptable to the municipality of:

(a) A post-installation report, based on an independent inspection acceptable to the municipality, certifying that improvements have been installed properly and verifying that they are performing satisfactorily; and

(b) Documentation of all costs to be financed and copies of any required permits.

53-F:7 Financing Terms.

I. Improvements shall be financed pursuant to an agreement under this chapter only on terms such that the property owner experiences a positive cash flow impact during the first year and the total energy cost savings realized by the property owner and the property owner's successors during the useful lives of the improvements are expected to exceed the total cost to the property owner and the property owner's successors of the improvements. In determining the amount that may be financed pursuant to an agreement under this chapter, the total amount of all rebates, tax credits, grants, and other financial assistance received by the owner on account of the improvements shall be deducted from the cost of the improvements.

II. Financing for improvements in a district may be provided either by a municipality or by a third-party lender and shall in either case meet the requirements of this chapter. A municipality that provides financing shall establish a loss reserve account and maintain funds in such account at a level that meets generally accepted standards for property-assessed clean energy finance programs.

III. The total amount of assessments for a property under this chapter shall not be less than \$5,000 and shall not exceed \$35,000 in the case of a single-family residential property or \$60,000 in the case of a commercial, industrial, or multifamily residential property, or 15 percent of the assessed value of the property multiplied by the municipality's current equalization ratio, whichever is less. The combined amount of assessments under this chapter, any outstanding mortgage obligations for the property, and any other outstanding debt attached to the property shall not exceed 85 percent of the assessed value of the property multiplied by the municipality's current equalization ratio. A property owner who escrows property taxes with the holder of a mortgage on a property subject to an agreement under this chapter may be required by the holder to escrow amounts due under the agreement and the mortgage holder shall remit such amounts to the municipality in the same manner that property taxes are escrowed and remitted.

IV. The maximum term of finance provided pursuant to an agreement under this chapter shall be 20 years. The term shall in no case exceed 85 percent of the average expected useful life of all improvements, weighted by cost. Expected useful lives used for all calculations under this chapter shall be consistent with the expected useful lives of energy conservation and efficiency and clean energy measures approved by the public utilities commission for utility or other programs.

53-F:8 Liens.

I. An assessment levied pursuant to this chapter, and the interest and any charges or penalties thereon, shall constitute a lien against the property on which it is made until it is paid. The lien shall be evidenced by the agreement recorded in the registry of deeds for the county under this chapter. Except as otherwise provided in paragraph IV, payment of a past due balance from the loss reserve established under this chapter shall not relieve a

participating property owner from the obligation to pay that amount or cause the lien against the property to be modified or released.

II. A municipality shall release a participating property of the lien on the property against which the assessment under this chapter is made upon full payment of the value of the assessment. Notice of the release of the lien shall be filed by the municipality for recording in the county registry of deeds.

III. Except as otherwise provided in paragraph IV, in the event of a delinquency in payments due pursuant to an agreement under this chapter, the municipality may enforce the lien as otherwise provided by law for collection of overdue property taxes pursuant to RSA 80 or the municipality may defer the collection of past due balances until the time of a transfer of property ownership; provided that, in the case of a delinquency in payments on a property subject to a mortgage that was in effect at the time the lien was placed on record at the county registry of deeds, the tax collector of the municipality shall be paid from the loss reserve account under this chapter and shall exercise the right to collect the delinquent amounts under RSA 80 only if and to the extent that the balance in the loss reserve account is insufficient to cover such amounts. In any case, at the time of collection, only the past due balances of the assessment under this chapter, together with any interest, charges, or penalties, shall be due for payment and future payments shall continue as a lien on the property. Except as otherwise provided in paragraph IV, but notwithstanding any other provision of law, in the event of a transfer of property ownership through foreclosure, collection by the municipality shall be limited to any past due balances and future payments shall continue as a lien and shall neither be accelerated nor extinguished by foreclosure.

IV. In the event of foreclosure on a mortgage on a property subject to an agreement under this chapter that was in effect at the time the lien was placed on record at the county registry of deeds, upon demand by the holder of the mortgage, the municipality shall pay from the loss reserve account established under this chapter the amount of any delinquent balance due on the assessment. If funds in the loss reserve account are insufficient to pay the delinquent balance, and the property is sold at the foreclosure sale to a third party, all proceeds from the foreclosure sale shall be applied, first, to overdue property taxes and any municipal assessments other than assessments under this chapter as provided by RSA 80 or other applicable law; second, to the obligations due to the holders of mortgages in effect at the time the lien was placed on record at the county registry of deeds; and third, to any delinquent amounts under the assessment under this chapter, whether owed to the collector of taxes or the loss reserve account. If a holder of such a mortgage purchases the property at the foreclosure sale and sells the property for an amount that is more than the amount of the obligation due to it under the mortgage and its out-of-pocket expenses incurred in owning, maintaining, and selling the property, it shall report the sale to the municipality and, to the extent of the excess proceeds, pay the collector of taxes or the loss reserve account any remaining delinquent amounts due under the assessment. If, following a foreclosure sale to a third party or a purchase by the holder of a mortgage under this paragraph and subsequent sale to a third party, any delinquent amount remains unpaid to the collector of taxes or loss reserve account under this paragraph, the municipality shall file a notice in the county registry of deeds waiving its right to payment of such past due balance and the lien under this chapter shall remain in effect to secure only future amounts due under the assessment under this chapter.

3 Financing of Energy Conservation and Efficiency and Clean Energy Improvements by Property Owners. Amend RSA 31:95-h, I(d) and (e) to read as follows:

(d) Creating affordable housing and facilitating transactions relative thereto; ~~or~~

(e) Providing cable access for public, educational, or governmental use~~[-];~~ **or**

(f) Financing of energy conservation and efficiency and clean energy improvements by participating property owners in an energy efficiency and clean energy district established pursuant to RSA 53-F.

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

Majority committee amendment adopted.

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

Reps. Patten and Hunt spoke against.

Rep. Rappaport spoke in favor.

Rep. James Garrity spoke against and yielded to questions.

Reps. Pastor and Cooney spoke in favor and yielded to questions.

MOTION TO LAY ON THE TABLE

Rep. Kappler moved that **HB 1554**, allowing municipalities to establish energy efficiency and clean energy districts, be laid on the table.

Rep. Kappler requested a roll call; sufficiently seconded.

YEAS 146 NAYS 187

YEAS 146

BELKNAP

Bolster, Peter
Nedeau, Stephen
Wendelboe, Fran

Boyce, Laurie
Russell, David

Fields, Dennis
St. Cyr, Jeffrey

Millham, Alida
Swinford, Elaine

CARROLL

Ahlgren, Christopher
Patten, Betsey

Fleck, Joseph
Stevens, Stanley

Knox, J. David
Umberger, Karen

McConkey, Mark

CHESHIRE

Emerson, Susan
Parkhurst, Henry

Hunt, John

Johnson, Jane

Laurent, John

COOS

Richardson, Herbert

GRAFTON

Bulis, Lyle
Maybeck, Margie

Gionet, Edmond
Ward, Brien

Ingbretson, Paul
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HILLSBOROUGH

Batula, Peter
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Holden, Frank
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Christiansen, Lars
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Hopper, Gary
McCarthy, Michael
Ober, Lynne
Pepino, Leo
Renzullo, Andrew
Silva, Peter
Vaillancourt, Steve

Boehm, Ralph
Daniels, Gary
Elliott, Nancy
Haefner, Robert
Hinkle, Peyton
Jasper, Shawn
Mead, Robert
Ober, Russell III
Peterson, Andrew
Rowe, Robert
Soucy, Connie
Villeneuve, Moe

Cebrowski, John
Day, Russell
Emerton, Larry
Hawkins, Ken
Hogan, Edith
L'Heureux, Robert
Messier, Irene
Palmer, Stephen
Pratt, Calvin
Ryder, Donald
Spaulding, Jayne
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MERRIMACK

Anderson, Eric
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Palfrey, David

Clarke, Claire
Kotowski, Frank
Reed, Dennis

Coffey, Jennifer
Lockwood, Priscilla
Smith, Todd

ROCKINGHAM

Allen, Mary
Belanger, Ronald
Cali-Pitts, Jacqueline
Crisler, Margaret
Dumaine, Dudley
Fesh, Robert
Griffin, Mary
Ingram, Russell
Katsakiores, Phyllis
Packard, Sherman
Quandt, Matt
Smith, William
Weare, Everett

Bailey, Clinton
Bettencourt, David
Case, Frank
DeSimone, Debra
Elliott, Robert
Flanders, John Sr
Hagan, Joseph
Introne, Robert
McKinney, Betsy
Perkins, Amy
Reagan, John
Stiles, Nancy
Welch, David

Baldasaro, Alfred
Bishop, Franklin
Charron, Gene
Devine, James
Emiro, Frank
Garritty, James
Hoelzel, Kathleen
Itse, Daniel
McMahon, Charles
Perkins, Lawrence
Sapareto, Frank
Sullivan, James
Weyler, Kenneth

Bates, David
Bridle, Russell
Comerford, Timothy
Dowling, Patricia
Ferrante, Beverly
Gould, Kenneth
Howard, Doreen
Kappler, L. Mike
Nevins, Chris
Priestley, Anne
Sedensky, John
Tucker, Pamela

STRAFFORD

Groen, Warren

Vita, Carol

SULLIVAN

Cunningham, Steven

Howard, Thomas

Osgood, Joe

Rodeschin, Beverly

NAYS 187

BELKNAP

Arsenault, Beth
Reever, Judith

Johnson, William
Stuart, Richard

Miller, Kate

Pilliod, James

CARROLL

Bridgham, Robert

Buco, Thomas

Butler, Edward

Wiley, Susan

CHESHIRE

Allen, Peter
Eaton, Daniel
Mitchell, Bonnie
Sad, Tara

Butterworth, Timothy
Lerandeau, Alfred
Richardson, Barbara
Sterling, Franklin Jr

Butynski, William
Lindsey, Steven
Roberts, Kris
Weber, Lucy

Carr, Daniel
Meador, David
Robertson, Timothy

COOS

Mears, Lucy
Theberge, Robert

Merrick, Evalyn
Thomas, Yvonne

Rappaport, Laurence

Remick, William

GRAFTON

Aguiar, James
Ford, Susan
Laliberte, Suzanne

Almy, Susan
Friedrich, Carol
Mulholland, Catherine

Benn, Bernard
Gould, Franklin
Nordgren, Sharon

Cooney, Mary
Harding, Laurie
Pastor, Beatriz

Pierce, David
Townsend, Charles

Preston, Philip
White, Andrew

Smith, Suzanne

Taylor, Kathleen

HILLSBOROUGH

Baroody, Benjamin
Bergin, Peter
Chase, Claudia
Farley, Michael
Gorman, Mary
Hardy, Valerie
Hodges, Kevin
Knowles, Mary Ann
Leishman, Peter
Mack, Ron

Beauchamp, Roger
Boisvert, Ronald
Chininis, Alexis
Flurey, Joan
Graham, John
Harvey, Philip
Holden, Rip
Komi, Richard
Levasseur, Nickolas
Marshall, Seth

Beaulieu, Jane
Campbell, David
Cote, David
Garritty, Patrick
Haley, Robert
Harvey, Suzanne
Judy, Jean
Kopka, Angeline
Levesque, Melanie
Matarazzo, Anthony
Sr

Beck, Catriona
Chandley, Shannon
Craig, James
Ginsburg, Ruth
Hammond, Jill
Hebert, Roger
Knowles, John
Kurk, Neal
Long, Patrick
Movsesian, Lori

Nixon, David
Ramsey, Peter
Shattuck, Gilman
Thompson, Robert

O'Brien, Michael Sr
Rokas, Theodoros
Shaw, Barbara
Walsh, Robert Jr

Pilotte, Maurice
Rosenwald, Cindy
Soucy, Timothy
Williams, Carol

Poznanski, Brian
Schulze, Joan
Sullivan, Daniel
Winters, Joel

MERRIMACK

Bartlett, Michael
Foose, Robert
Kelly, Sally
Potter, Frances
Stetson, William
Walz, Mary Beth

Brown, Carole
French, Barbara
McMahon, Patricia
Richardson, Gary
Tilton, Joy
Watrous, Rick

Davis, Frank
Gile, Mary
Owen, Derek
Schuett, Dianne
Tupper, Frank
Webb, Leigh

DeStefano, Stephen
Hamm, Christine
Porter, Margaret
Shurtleff, Stephen
Wallner, Mary Jane
Yeaton, Charles

ROCKINGHAM

Abbott, Dennis
Cushing, Robert
Henson, John
McCarthy, Barbara
Pantelakos, Laura
Splaine, James

Borden, David
Day, Judith
Kepner, Susan
McEachern, Paul
Petterson, Don
Webber, Carolyn

Brown, C. Pennington
DiFruscia, Anthony
Lyons, Melissa
Moody, Marcia
Read, Robin Jr

Casey, Kimberley
DiPentima, Rich
Mann, Maureen
Nord, Susi
Schlachman, Donna

STRAFFORD

Berube, Roger
Burke, Rachel
Horrigan, Timothy
Lewis, Robert
Rollo, Deanna
Smith, Marjorie
Wall, Janet

Brennan, William
Cyr, James
Kaen, Naida
Perry, Robert
Rous, Emma
Spang, Judith
Ward, Kenneth

Brown, Larry
Grassie, Anne
Keans, Sandra
Price, Susan
Ryder, Mark
Sprague, Dale
Watters, David

Browne, Brendon
Hofemann, Roland
Lauterborn, Elaine
Rogers, Rose Marie
Schmidt, Peter
Vachon, Dennis

SULLIVAN

Cloutier, John
Harris, Sandra

Donovan, Thomas Jr
Houde-Quimby,
Charlotte

Gagnon, Raymond
McClammer, Jim

Gottling, Suzanne
Skinder, Carla

Sweeney, Cynthia
and the motion failed.

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

Rep. Cooney requested a roll call; sufficiently seconded.

YEAS 180 NAYS 155

YEAS 180

BELKNAP

Arsenault, Beth
Stuart, Richard

Miller, Kate

Pilliod, James

Reever, Judith

CARROLL

Bridgham, Robert

Butler, Edward

Wiley, Susan

CHESHIRE

Allen, Peter
Eaton, Daniel
Mitchell, Bonnie
Sad, Tara

Butterworth, Timothy
Lerandeau, Alfred
Richardson, Barbara
Sterling, Franklin Jr

Butynski, William
Lindsey, Steven
Roberts, Kris
Weber, Lucy

Carr, Daniel
Meador, David
Robertson, Timothy

COOS

Mears, Lucy
Theberge, Robert

Merrick, Evalyn
Thomas, Yvonne

Rappaport, Laurence

Remick, William

GRAFTON

Aguiar, James
Ford, Susan
Laliberte, Suzanne
Pierce, David
White, Andrew

Almy, Susan
Friedrich, Carol
Mulholland, Catherine
Smith, Suzanne

Benn, Bernard
Gould, Franklin
Nordgren, Sharon
Taylor, Kathleen

Cooney, Mary
Harding, Laurie
Pastor, Beatriz
Townsend, Charles

HILLSBOROUGH

Baroody, Benjamin
Bergin, Peter
Chase, Claudia
Day, Russell
Ginsburg, Ruth
Hardy, Valerie
Hodges, Kevin
Komi, Richard
Levesque, Melanie
Matarazzo, Anthony Sr
Pilotte, Maurice
Rosenwald, Cindy
Soucy, Timothy
Williams, Carol

Beauchamp, Roger
Boisvert, Ronald
Chininis, Alexis
Farley, Michael
Gorman, Mary
Harvey, Philip
Jeudy, Jean
Kopka, Angeline
Long, Patrick
Movsesian, Lori
Poznanski, Brian
Schulze, Joan
Sullivan, Daniel
Winters, Joel

Beaulieu, Jane
Campbell, David
Cote, David
Flurey, Joan
Haley, Robert
Harvey, Suzanne
Knowles, John
Leishman, Peter
Mack, Ron
Nixon, David

Ramsey, Peter
Shattuck, Gilman
Thompson, Robert

Beck, Catriona
Chandley, Shannon
Craig, James
Garrity, Patrick
Hammond, Jill
Hebert, Roger
Knowles, Mary Ann
Levasseur, Nickolas
Marshall, Seth
O'Brien, Michael Sr

Rokas, Theodoros
Shaw, Barbara
Walsh, Robert Jr

MERRIMACK

Bartlett, Michael
French, Barbara

Brown, Carole
Gile, Mary

Davis, Frank
Hamm, Christine

Foose, Robert
Kelly, Sally

McMahon, Patricia
Richardson, Gary
Tupper, Frank
Webb, Leigh

Owen, Derek
Schuett, Dianne
Wallner, Mary Jane
Yeaton, Charles

Porter, Margaret
Shurtleff, Stephen
Walz, Mary Beth

Potter, Frances
Tilton, Joy
Watrous, Rick

ROCKINGHAM

Abbott, Dennis
Casey, Kimberley
DiPentima, Rich
McCarthy, Barbara
Pantelakos, Laura
Splaine, James

Borden, David
Cushing, Robert
Henson, John
McEachern, Paul
Pettersen, Don
Webber, Carolyn

Brown, C. Pennington
Day, Judith
Kepner, Susan
Moody, Marcia
Read, Robin Jr

Cali-Pitts, Jacqueline
DiFruscia, Anthony
Mann, Maureen
Nord, Susi
Schlachman, Donna

STRAFFORD

Berube, Roger
Burke, Rachel
Horrigan, Timothy
Lewis, Robert
Rollo, Deanna
Smith, Marjorie
Wall, Janet

Brennan, William
Cyr, James
Kaen, Naida
Perry, Robert
Rous, Emma
Spang, Judith
Ward, Kenneth

Brown, Larry
Grassie, Anne
Keans, Sandra
Price, Susan
Ryder, Mark
Sprague, Dale
Watters, David

Browne, Brendon
Hofemann, Roland
Lauterborn, Elaine
Rogers, Rose Marie
Schmidt, Peter
Vachon, Dennis

SULLIVAN

Cloutier, John
Harris, Sandra

Sweeney, Cynthia

Donovan, Thomas Jr
Houde-Quimby,
Charlotte

Gagnon, Raymond
McClammer, Jim

Gottling, Suzanne
Skinder, Carla

NAYS 155

BELKNAP

Bolster, Peter
Millham, Alida
Swinford, Elaine

Boyce, Laurie
Nedeau, Stephen
Wendelboe, Fran

Fields, Dennis
Russell, David

Johnson, William
St. Cyr, Jeffrey

CARROLL

Ahlgren, Christopher
Knox, J. David
Umberger, Karen

Buco, Thomas
McConkey, Mark

Chandler, Gene
Patten, Betsey

Fleck, Joseph
Stevens, Stanley

CHESHIRE

Emerson, Susan
Parkhurst, Henry

Hunt, John

Johnson, Jane

Laurent, John

COOS

Richardson, Herbert

GRAFTON

Bulis, Lyle
Maybeck, Margie

Gionet, Edmond
Preston, Philip

Ingbretson, Paul
Ward, Brien

Ladd, Rick Jr
Williams, Burton

HILLSBOROUGH

Batula, Peter	Belvin, William	Boehm, Ralph	Cebrowski, John
Christensen, Chris	Christiansen, Lars	Daniels, Gary	Doherty, Shaun
Drisko, Richard	Elliott, Nancy	Emerton, Larry	Gagne, Larry
Gandia, Laura	Graham, John	Haefner, Robert	Hawkins, Ken
Hikel, John	Hinch, Richard	Hinkle, Peyton	Hogan, Edith
Holden, Frank	Holden, Rip	Hopper, Gary	Jasper, Shawn
Kurk, Neal	L'Heureux, Robert	LaPlante, Roland	McCarthy, Michael
Mead, Robert	Messier, Irene	O'Brien, William	Ober, Lynne
Ober, Russell III	Palmer, Stephen	Pellegrino, Tony	Pepino, Leo
Peterson, Andrew	Pratt, Calvin	Price, Pamela	Renzullo, Andrew
Rowe, Robert	Ryder, Donald	Seidel, Carl	Silva, Peter
Soucy, Connie	Spaulding, Jayne	Ulery, Jordan	Vaillancourt, Steve
Villeneuve, Moe	Willette, Robert		

MERRIMACK

Anderson, Eric	Blankenbeker, Lynne	Clarke, Claire	Coffey, Jennifer
DeStefano, Stephen	Hess, David	Kidder, David	Kotowski, Frank
Lockwood, Priscilla	McGuire, Carol	Palfrey, David	Reed, Dennis
Smith, Todd	Stetson, William		

ROCKINGHAM

Allen, Mary	Bailey, Clinton	Baldasaro, Alfred	Bates, David
Belanger, Ronald	Bettencourt, David	Bishop, Franklin	Bridle, Russell
Case, Frank	Charron, Gene	Comerford, Timothy	Crisler, Margaret
DeSimone, Debra	Devine, James	Dowling, Patricia	Dumaine, Dudley
Elliott, Robert	Emiro, Frank	Ferrante, Beverly	Fesh, Robert
Flanders, John Sr	Garrity, James	Gleason, John	Gould, Kenneth
Griffin, Mary	Hagan, Joseph	Hoelzel, Kathleen	Howard, Doreen
Ingram, Russell	Introne, Robert	Itse, Daniel	Kappler, L. Mike
Katsakiores, Phyllis	Lyons, Melissa	McKinney, Betsy	McMahon, Charles
Nevins, Chris	Packard, Sherman	Perkins, Amy	Perkins, Lawrence
Priestley, Anne	Quandt, Matt	Reagan, John	Sapareto, Frank
Sedensky, John	Smith, William	Stiles, Nancy	Sullivan, James
Tucker, Pamela	Weare, Everett	Welch, David	Weyler, Kenneth

STRAFFORD

Groen, Warren	Vita, Carol
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SULLIVAN

Cunningham, Steven	Howard, Thomas	Osgood, Joe	Rodeschin, Beverly
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and the majority committee report was adopted.
Ordered to third reading.
Rep. Bettencourt voted Nay and intended to vote Yea.

MOTION TO PRINT DEBATE

Rep. Kurk moved that the debate on **HB 1554**, allowing municipalities to establish energy efficiency and clean energy districts, be printed in the Permanent Journal.
Adopted.

DEBATE ON HB 1554

Speaker Norelli: The question before the House is the majority committee report of Ought to Pass as amended on HB 1554. The Chair recognizes the member from Moultonborough, Rep. Patten.

Rep. Patten: Thank you, Madam Speaker. Good morning everyone. I stand before you today in opposition to the majority report of Ought to Pass with Amendment. This bill allows municipalities to create property assessment clean energy districts that allows the towns, if they so choose, this is enabling, to incur debt for the purpose of providing financing to property owners in the district so that the loan granted for home improvements that lessen energy use will be paid back to the municipality. This sets up a subsidy by default because if there is a foreclosure or the taxpayer cannot pay the assessment, in the end the town has created a debt that constitutes a pledge of the municipality's full faith and credit to pay. Please listen to that last statement. The whole town, all of the other taxpayers will be paying for the home improvements of one taxpayer if that person cannot pay the assessment or cannot pay his taxes. Doing home improvements to lessen fuel oil, lessen our fuel oil use or any other fuel, is an admirable objective. The minority is not against lower fuel consumption, just against the primary funding source which is the municipal bonding or using general municipal revenues. There are other means of funding available, however, they are not the first in primary ones as you can see on page 1213 in our calendar. Municipal funding is proposed because the interest rate is lower for the municipalities than it is for private funding. I want to thank the sponsors and the lobbyists for working on most of our issues of the municipality, however, the minority would like to refer this bill back to the committee to remove municipal funding. Thank you, Madam Speaker.

Speaker Norelli: Will the member yield to a question? The member yields. Rep. Belvin, you may inquire.

Rep. Belvin: Thank you, Madam Speaker. Thank you, Representative for taking my question. I seek some clarity. If I'm a local regulated New Hampshire community bank, currently providing home improvement loans for all purposes, including energy efficiency, would this bill propose to allow municipalities and districts to use their tax authority, presumably at a lower interest rate to raise public money for this exact same purpose? Isn't this need already being met without this legislation using public money for a private purpose?

Rep. Patten: Thank you for the question, Representative. I agree with your assessment of the situation. The municipality will be able to borrow at a lower rate as we just heard before to be able to do this funding, but it is public money even though the amendment says this is in the public good, I still do not believe that we should be in competition with our private businesses. Thank you, Madam Speaker.

Speaker Norelli: The question before the House is the majority committee report of Ought to Pass as Amended on HB 1554. The Chair recognizes the member from Lyme, Rep. Pastor.

Rep. Pastor: Thank you, Madam Speaker. Honorable members of this House, you have in front of you two excellent blurbs, one from the majority and one from the minority. They describe in detail and fair terms most of what HB 1554 does. You also have probably the yellow/gold standard that we all pick up at the door and you may have read what the Union Leader wrote yesterday about HB 1554. I will respond to these issues raised by the gold standard and by the Union Leader during the question period if anybody has any questions, but just in a nutshell, they're out to lunch. They do not understand the bill. It's a total misrepresentation of everything this bill does. Now, the two blurbs are excellent and they summarize what HB 1554 does by saying that it is enabling legislation that allows municipalities to help people help themselves by making energy efficiency and clean energy improvement and that's what the bill does. The two contexts for this bill, there is the big picture and there is the small picture. The big picture has to do with global climate change. It has to do with clean air in the state where we live. It has to do with controlling emissions and carbon footprint. It has to do with improving the economy of our state at a point where we all realize that lowering our energy costs would be very good for the economy and not just

for each one of us. Then there is the little picture and the little picture has to do with a different set of issues. It has to do with being able to live in a house that it is well heated, has good hot water without paying half your income for those comforts. It has to do with the ability to retrofit your house so that you can live well in that house while cutting your energy bills and increasing your energy efficiency. The big picture is about the state and about global issues. The small picture is about us. It's about you and me. It's about someone like any of us who maybe near or past retirement age and lives in a house that they very much love and that house could use some changes, it could use some retrofit, it's drafty, it forces us to turn the thermostat up, our energy bills go up and we would very much like to solve those problems, increase our energy efficiency and lower our energy costs. We don't do it. It has to do with maybe one of your sons or daughters. They have their first home, they are paying a mortgage, they love their home, and they would like to lower their energy bills. They could do it if they could invest \$12, \$20, maybe \$30,000 in retrofitting their home, but they are not doing it. Why is that happening? Because in spite of the fact that the issues in the big picture and the issues in the small picture are different, they share one common goal. The common goal is to increase our energy efficiency so that we can lower our energy costs and lower our consumption of energy. They also share a major obstacle to achieving that goal. The major obstacle is cost in the big picture and cost in the small picture. What would you think about an energy efficiency program that would allow people, those who choose to do so, it would allow them to improve their energy efficiency, lower their energy costs at no cost to anybody other than those who choose to do that because that's what the bill does. Those who pay for it are those who choose to participate in the program. That's precisely what HB 1554 allows municipalities to do. If you ask me what I think of this bill, I'll tell you. I think it's a great bill. I think it's a classic "have your cake and eat it" bill. I'm not sure that's a legal category. I'm not sure that's a parliamentary category, but that's exactly what the bill is and I will show you how it works. There is a magic formula to it and it's actually quite simple. Step one, the municipality sets up a fund and a mechanism to help property owners finance the necessary energy efficiency and clean energy improvements they need in their house. It allows them to retrofit. Step two, the property owners pay the municipality back in the form of a special property tax assessment that is attached to the individual home, not to the district and not to the town. It's an individual contract between the municipality and the homeowner in every case and it takes into account how much money the property owner is borrowing based on an audit. It takes into account what the total cost of the retrofitting is going to be and it sets a timeline so that it generates a positive cash flow and I'll explain that. There are two bottom lines to that magic formula. The first one is that it has to generate a positive cash flow and what that means is that the owner, the property owner who enters the program will be paying back the municipality in amounts that are always smaller than the amount of money they save in energy costs. That's the first bottom line. The second bottom line is that the total cost of the program is always going to be smaller than the energy savings accrued by the property owner who enters the agreement or by subsequent property owners who may be buying the house and picking up the special assessment attached to the property. That's the magic formula. Remember one thing. This is enabling legislation. It is totally voluntary for the individual and for the municipality. One question that we have to ask ourselves and it has already come up, is this legislation necessary. As legislators, we don't want to come up with bills that are redundant or that don't accomplish anything. There are many reasons why this legislation is necessary, but I will give you just two main reasons. The first one has to do with eligibility. There is that notion out there that there is just lots of money available for retrofitting, weatherization and energy efficiency improvements. The truth of the matter is that there is some money there. There is federal money and state money, but it is money for weatherization programs, for low income residents. It does not cover most of the population. There are also already some weatherization and energy efficiency programs that have been set up by the public utilities. The electrical utilities have had a program that works with a cash positive flow formula but

it is also available for industrial and for electric. The bottom line is that there is precious little money for the middle classes and that's what this bill addresses. The second major reason why this bill is necessary has to do with a big mismatch. It's the mismatch between the goals that we have set for ourselves as a state in terms of energy efficiency and if you are familiar with the Governor's climate change action plan or if you listen to New Hampshire Public Radio just three days ago when they had Tom Burack talking about the same thing, this has a whole set of goals. One of the goals is to retrofit 30,000 houses per year, increasing the energy efficiency level by 60%. Do you have any idea of how many houses they have really been retrofitting so far? 600 house per year. There is also the stimulus money and with the stimulus money it has gone up. Now, we are doing close to 1,000 per year instead of 30,000. The bottom line is that no amount of grant money, no amount of federal or state money can pay for such a broad set of goals. We have to bring in private money and that's what the magic formula in HB 1554 does. In the end, it is the property owner who pays for the retrofitting of the house, but he pays for the retrofitting without increasing his debt because the cash positive flow guarantees that not only will he be paying for the improvements that he needs, but that every month he will actually be putting a little more money in his pocket than he used to before he retrofitted. That's where we are with this bill. That's what the bill really does. We can ask ourselves who benefits from that bill. Certainly the property owner benefits. He gets a more comfortable living situation with probably no drafts, lower thermostat, a lower energy bill, the good feeling of lowering the emissions and lowering the dependency, individual and state-wide, on fossil fuels and foreign oil which is also an issue within the big picture. Who else benefits? The municipality benefits because if anything the property values are going to go up because when people buy houses, they are more and more attentive not just to how high the property taxes are or how many bedrooms you have and how many bathrooms, they are also very attentive to your oil bill for the year, your energy bill for the year. How much does it cost to run the energy in this house? Also, it benefits the municipality because this is really an empowering piece of legislation for the municipalities. It gives them the authority to make those decisions by vote of their members and it also allows them to revitalize the local job market. The jobs that will be dealing with those retrofits are local jobs. In many instances, the people who will be financing those improvements will also be local banks so that the economy benefits, the municipality benefits and the individual benefits. When I became a legislator a year ago, I made two vows. The first vow was that I will try not to miss, ever, any opportunity to help the people of this state. The second vow was I will try to, in every possible opportunity, work with the whole house, with my colleagues on both sides of the aisle. I think that HB 1554 gives us all an opportunity to fulfill those vows. We can do it together. We can help the people of this state together. In addition to that, I could say that this bill is in the best spirit and tradition of this state. In that tradition is that of solving a problem, not by appealing to a higher authority, not by creating a bigger bureaucracy, but by helping people help themselves.

Speaker Norelli: Will the member yield to a question? The member yields. Rep. Borden, you may inquire.

Rep. Borden: Living on the east coast of New Hampshire, I find the west coast accent very interesting. It came up earlier that this might be competing with banks and I'm wondering do the bankers view this as competition.

Rep. Pastor: Thank you for the question, Representative Borden. It's a very good question because this bill is not an improvisation. We have worked very hard at crafting the bill. We worked first with a team of bi-partisan legislators and then we worked with the Municipal and County Government committee. We've had many study sessions and many conversations and discussions with the banks. The banks have stated repeatedly and unequivocally that they do not see this as competition. They have other concerns. They had concerns about liens and over the course of our negotiations we reach a compromise that, in the words of the representatives of the New Hampshire Banking Association, they were not jumping up and down, but they could certainly live with.

Speaker Norelli: Will the member yield to a follow up? The member yields.

Rep. Borden: \$300 million gallons of fossil fuel oil was consumed last year in the state and household consumption was about twice what it is in Europe in the same climate in Northern Europe. I am wondering if this will help local households, particularly middle income households, to be able to reduce their consumption.

Rep. Pastor: Thank you for your question. That is precisely the goal of this bill. It's aimed at the average household. The goal is to reduce drastically the consumption of fossil fuels. Our state is particularly dependent on fossil fuels. I believe 85% of our heating comes from fossil fuels. Enacting this legislation would have a really dramatic effect on energy consumption in the state. Let me just say that we are not the first ones to come up with this legislation. There are already 13 states that have enacted legislation along those lines. The Vice President's middle class task force recommends legislation along those lines. The state of Vermont passed similar legislation last year and I understand that they already have several hundred houses that are signing up for one of those districts. It would definitely have a major effect on our energy consumption and dependency on fossil fuels.

Speaker Norelli: Will the member yield to another question? The member yields. Rep. (William) Johnson, you may inquire.

Rep. William Johnson: Thank you, Madam Speaker. Thank you, Representative, for taking my question. My question is a little bit different and my concern is a little bit different. The majority blurb contains a couple of sentences dealing with cash flow. I think I am probably as green as anybody in this audience, so I had a contractor come out to my house last year and I wanted to look at a proposal to switch to solar energy. He came out with all of his equipment that is very specialized. He came back to me with a proposal that basically said that it would take me about 17 years to see, not a return, but a return of my principle investment. That did not factor in any financing costs which this would envision because of the loan from the town. If I were to factor in some kind of financing or return on investment cost in there, I'm probably over 20 years before I see my ability to not only pay off the loan but pay off any financing costs. I know what my age is and if I add 20 years to it, I'd like to see a return to me and not to my estate. My question and my concern is, if you can deal with this, is that if other people realize this type of situation, the town is going to be in trouble, the person taking out the loan is going to be in trouble and aren't we all in trouble if that's the case?

Rep. Pastor: Thank you for your excellent question. This bill enables municipalities to set up programs for energy efficiency, but remember one thing. We are not talking about luxury programs. We are talking about cost effective programs. The way the magic formula works is that you apply for a retrofit and an audit is conducted and the audit determines what kind of improvements your house needs. If you live in a really well insulated house, but you decide that you'd like very much to have a geothermal heating system, that is not going to be cost effective at this point in time. Guess what? The big savings in oil consumption and the big savings in energy consumption don't come from those fancy improvements. They come from the very basic improvements. I'm going to refer to a few figures, not many, from an actual case. Similar legislation has been implemented in the state of New York. If you look at the chart, you see that of the improvements that have been requested, 34% were heating system replacement, not with fancy geothermal, but with basic better boilers. The second group is added air sealing and insulation, 32%. Then you have basement insulation. Then you have wall insulation. In other words, this legislation is aimed at people who are going to be getting the biggest bang for the buck. If you show up at the municipality with a proposal like the one we just heard about, you know what's going to happen? You're not going to qualify for the program because the program bases the eligibility on the ability to solve the problem by retrofitting and generating positive cash flow. If the improvement is of such nature that you don't get the biggest bang for the buck, that you are really getting into the fancy more expensive stuff and a very small reduction in energy consumption or energy costs, you will not qualify. The vast majority of the people in this state are not in that privileged category,

they are in the category of people who need to do basic retrofitting and who are going to be getting the biggest bang for the buck.

Speaker Norelli: Will the member yield to another question? The member does not yield. The question before the House is on the majority committee report of Ought to Pass as Amended on HB 1554. The Chair recognizes the member from Rindge, Rep. Hunt.

Rep. Hunt: Thank you, Madam Speaker. No, I did not change committees. I'm on two now and I don't need any more. However, I do have a couple concerns with this bill that if it had come to Commerce, we would have had a little more pause.

Speaker Norelli: Would the member please suspend? It is very noisy in here. Members have a right to hear the speaker. I would ask you to please be courteous and if you have conversations, take them to the anteroom. You may proceed.

Rep. Hunt: There are really just two things so I will be brief. The most important thing that I want to take away is that we have done a lot to insure the financial integrity of a person who is taking out a loan. We have raised the standard in terms of our loan requirements for our financial institutions. As I read this bill, all I see is one word that says the town shall have criteria. There is nobody overlooking that criteria. The bank department, the bank commissioner would not have any authority to ensure the safety and soundness of these loans. I don't understand why we would suddenly be passing all this legislation the last couple of years to address these problems of people who are taking loans and they can't afford to pay them back, and we want to create a loan program that has no oversight. I am absolutely in support of re-referring this bill so that we can at least step back and look at that language. I don't want to kill the bill. I am certainly interested in the concept of helping people get loans. At the same time, let's not rush this through and disregard something that is very important to the taxpayers of the town when they start to ask who is getting this loan and how do I know they are going to pay it back. The second issue is somewhat esoteric, but it is important because it is something the commerce committee dealt with this year. That is liens. We had a condo bill in which condo associations want to make sure that they can get their fees paid back when there is foreclosure. The commerce committee struggled over this issue and the resolution was it could only be on future loans, mortgages on a property. You can't retroactively, there is plenty of case law, constitutional, but there is plenty of case law that you can't retroactively put in a super lien. This legislation has a super lien in it. Please, let's fix this before we pass it. Please support the minority of re-refer.

Speaker Norelli: The question before the House is the majority committee report of Ought to Pass as Amended on HB 1554. The Chair recognizes the member from Colebrook, Rep. Rappaport.

Rep. Rappaport: Thank you, Madam Speaker. Thank you, members of the House. Municipalities should not compete with private industry. This is something that we all agree on. During hearings, the banks, who would be the potential competition, stated repeatedly and emphatically that they did not see the municipalities as competing with them in HB 1554. At the end of negotiations, the banks were okay with a compromise regarding foreclosure scenarios. Municipalities should not use municipal revenues as a source of funding their energy efficiency program. We feel that perhaps they should because we want to get this thing done and perhaps that's the only way we're going to get it done. The fact that municipalities should not use municipal revenues as a source of funding for this energy efficiency program, bear in mind, this is enabling legislation. It does not require the municipalities to do anything. The municipalities have to opt into this and that choice would be, if they so decide, that choice is subject to the same rules and voting requirements as any other appropriation by a municipal body. They either have to approve it at town meeting first or if you are an SB 2 town, it would be approved appropriately there. One of my colleagues earlier talked about an investment in solar as being ridiculously long and it is. Solar panels are manufactured of crystal and silicone and even though silicone is basically sand and is essentially free, the energy that's required to heat them up to make crystals is

literally staggering and that's the essence of the cost. However, this bill isn't concerned with solar. This bill is concerned solely with pellets or with mini wood chips or outside wood furnaces burning logs. The bill is enabling and I would expect that nobody is going to borrow money to do something really stupid because one, the town won't let them, they won't qualify and two, the payback would be enormous and it wouldn't make any financial sense. I ask for your support for HB 1554 based on the fact that I believe that people will look for this sort of thing if it makes financial sense to them. They are not going to do it if it doesn't make sense. No, I won't take questions.

Speaker Norelli: The member does not yield to questions. The question before the House is the majority committee report of Ought to Pass as Amended on HB 1554. The Chair recognizes the member from Atkinson, Rep. James Garrity.

Rep. James Garrity: Thank you, Madam Speaker. I'm speaking to you as a member of the energy efficiency and sustainable energy board and the science and technology committee. I have a huge amount of respect for my colleagues who did such hard work on this bill. What I want to do for you is sort of talk about realism. The goal here is to try to help achieve the goals of the governor's climate change action plan. One of those goals is if we are going to reduce the carbon footprint from residential and commercial, we need to retrofit, deep retrofit, 30,000 homes a year. The EESE board that I'm a member of as a subcommittee is studying how do we reach these goals and what's it going to cost? We had a briefing last month from that subcommittee and they said that to do a deep retrofit on your average house, we are not just talking about putting plastic on your windows or a little bit of insulation, but deep retrofit which includes maybe structural changes to your house. This cost anywhere between \$50 and \$100,000 per home. Let's use a conservative estimate and call it \$50,000. If we wanted to reach this goal, take 30,000 homes times \$50,000 per year, that's \$1.5 billion per year to get these retrofits done and if we assume that we'd use this PACE program to do it, that means that our municipalities around the state will have to go out and try to bond \$1.5 billion every year to establish these loan funds. If you look at my little town and let's say 100 people in my town wanted to do this, that's \$50,000 times 100 at \$5 million. My little town bonding \$5 million is a pipe dream. It took us 3 years to bond \$2 million for a new library that everybody wanted. I just want to bring a little bit of reality back to the picture. The towns have to bond the money to establish the cash trunk that you are going to borrow from them and then pay back through taxes over the years. Another interesting thing is Berkeley, CA. They did this and I read in The Economist last month that Berkeley had a surprising experience. They figured they were going to do this and be able to loan money cheaper than the banks and it ended up that because there was more risk in this program, it cost them more to bond than it cost the banks to lend. In that case, if you wanted to borrow money from Berkeley to do energy efficiency, you'd have to pay a higher interest rate than you would with a commercial bank that does this already. I appreciate the goals. They are lofty. I think they are probably realistically unachievable and I don't see where our towns are going to bond \$1.5 billion every year. Can you just listen to the town meeting debates? We just need \$5 million more bucks this year on warrant article 27. Come on, these people can't even pay their taxes and are paying 18%. So, just to throw a little cold water on the great dreams, vote as you want, but vote with a little realism.

Speaker Norelli: Will the member yield to a question? The member yields. Rep. Groen, you may inquire.

Rep. Groen: Thank you, Madam Speaker. Thank you, Representative, for taking my question. I do agree that the goal is laudable here, but I question the mechanism. My question would be is sustainability of the retrofits taken into account? By that I mean, I was at an energy seminar where there was a presentation on solar energy and a \$17,000 system only cost me \$4200 out of my pocket, but that was after subsidies from all different levels of government and the program would never stand alone on its own. It's like pouring ethanol on your house, in a sense. It has to be subsidized in order for you to be able to afford to use

it. Is that sustainability taken into account when evaluating who gets to retrofit and what equipment they get to retrofit with?

Rep. James Garrity: I'm sorry, I don't know. I think the sponsors could probably tell you that, but I don't know the answer.

Rep. Groen: Thank you, sir.

Speaker Norelli: The question before the House is the majority committee report of Ought to Pass as Amended on HB 1554. A roll call has been requested. This is the final speaker. The Chair recognizes the member from Plymouth, Rep. Cooney.

Rep. Cooney: Thank you, Madam Speaker. No one could be opposed to the goals of this legislation which will encourage every homeowner to make their home more energy efficient. This bill will allow them to join with others in their own community to become part of an energy district. As has been stated, all the programs directed at energy efficiency have not been terribly effective on a large scale of reducing energy consumption. This bill will enable municipalities to create a locally financed option giving homeowners the ability to make their homes energy efficient while spending less than they would have on energy bills without the improvements. Through the vetting process outlined in the bill the homeowner will save more in energy efficiency than the cost of the loan. The office of energy and planning has received an increasing number of inquiries from municipalities, community leaders and local energy committees asking for resources their communities could employ to encourage energy efficiency and renewable energy. Often homeowners face a difficult choice in deciding whether to make their homes more energy efficient. The cost of a short term loan is a barrier. Perhaps the homeowner has other priorities, kids, and college expenses, maybe they are retired or maybe the homeowner doesn't know how long he will be living in his home. This bill allows the homeowner to finance energy improvements over a variable length of time depending on the improvement and tie it to the property rather than to themselves. Depending on the municipality this could be accomplished by adding it onto a property tax bill or municipal service bill, not as a property tax, but as an energy loan. This is not a property tax, but a loan which will be paid off over the term of the loan depending on the project selected by the homeowner through the energy audit process. By the standards set forth in the bill the dollar amount saved on energy use would have to be more than the payments made on the loan just in the first year, a positive cash flow. Upon sale of the home, the energy loan would stay with the property unless it was negotiated as part of the sale. Municipal and county government committee worked very hard to address concerns of all the stakeholders, the NH municipal association, the NH bankers association, the NH municipal bond bank, the department of revenue and the office of energy and planning. The greatest concern between several of the parties involved was the priority lien. Both the municipalities and the mortgage holders felt they should hold the priority lien. We addressed the concerns from the NH bankers association to be sure the mortgage holders maintained their position in the lien process, 2nd after the property lien, the energy lien would take 3rd position and that is on page 1213, IV if you want to look at the priority lien positions. In an effort to allay fears of default and to protect taxpayers, there are safeguards in the bill. The total loans on the property in relation to value would not exceed 85% of assessed value multiplied by the municipality equalization ratio nor would the energy improvement loan exceed 15% of the value of the property. A minimum loan would be \$5,000 and a maximum \$35,000. A commercial building limit would be \$60,000 or 15% of the assessed value whichever is less. Property owners would have to be current on mortgage and property taxes for 3 years as long as the property has been owned. In addition, the municipality may offer further standards to qualify the property owner. Municipalities will have various options on how to finance the loans for their energy district. It may be made by the municipality through a bonding process or a third party lender licensed by the state of New Hampshire which could be either banks or economic development corporations. It may be with the federal energy efficiency and conservation block grants or grant funds from many federal, state, private or other source. The use of municipal funds would have to be approved

by a special warrant article and would require a loss reserve account. The majority of the committee feels that all of these options, including municipal funding, should be options available to all communities. Cities may want to use the municipal funding since they might have an ability to dedicate an amount for that purpose. The loss reserve account would be tapped in the event of a non payment of the energy loan or foreclosure for the interim amount of the energy loan payments missed. Upon the sale of the property, the remaining loan would stay with the property. In the event of the redemption of the tax lien the homeowner would also be responsible for the energy loan payments that were missed by paying the loss reserve and delinquent amount due. Some municipalities may want to establish a revolving loan account to achieve the self-sustaining loan fund. Many communities will employ the services of a county or other economic development organization to administer the program. The US Dept. of Energy has strongly encouraged states, counties and municipalities to consider implementing PACE, Property Assessed Clean Energy financing mechanisms and will provide assistance to states in designing programs. This legislation will provide New Hampshire municipalities with a template for implementing energy conservation programs. It will enable towns and cities to access grants and implant energy saving initiatives which will assist the state in meeting the ambitious goals outlined in the New Hampshire Climate Action Plan. In accordance with these goals, the office of energy and planning has applied to the US Dept. of Energy for retrofit ramp up program that would seek to invest \$20 million in federal funding along with \$100 million in leveraged private financing to implement the beacon communities project in 3 New Hampshire communities. These communities would then serve as models to other communities to implement similar programs. Jobs will be created with the implementation of this program. There will be a need for energy auditors, installers of energy saving products and inspectors to make sure the work is completed as contracted. This bill will allow municipalities to join with others or act on their own to participate in this innovative program designed to serve the public benefit by conserving energy and at the same time, save homeowners significant energy costs. I urge you to support HB 1554 and Madam Speaker, I request a roll call.

Speaker Norelli: Will the member yield to a question? The member yields. Rep. Kurk, you may inquire.

Rep. Kurk: Thank you, Madam Speaker and I thank the Representative from Plymouth for taking my question. Are there any circumstances whatsoever, including the loss ratio or loss reserve, that the taxpayers of the town that approve this and enter into the project would have to pay because some particular individual went bankrupt, got sick, lost his job, house foreclosed upon, house under water? Are there any circumstances under this program in which taxpayers would have to pick up losses in a particular loan?

Rep. Cooney: Thank you for the question. No, they would not because the loss reserve fund would pick up any interim amount on that loan due that was unable to be paid. If in the case of redemption of a tax lien and the owner said that now they can pay them, they have a job now, they would pay back, besides their delinquent taxes, they could pay the loss reserve account. If in the case of a third party lender, the way the bill is written, it would be up to them to decide if they needed to hold a loss reserve account, otherwise, they would be the losers, not the taxpayers.

Rep. Kurk: Further question, Madam Speaker.

Speaker Norelli: Will the member yield to a follow up. The member yields.

Rep. Kurk: Thank you for accepting the question. When this article appears upon the ballot in SB 2 towns in their deliberative sessions, may the town meeting amend the article?

Rep. Cooney: I do not believe so because we did not allow petition articles to be presented in this. It would have to come from the governing body and so it could not be amended.

Rep. Kurk: Thank you. Thank you, Madam Speaker.

Speaker Norelli: Will the member yield to another question? The member yields. Rep. Jasper, you may inquire.

Rep. Jasper: I have two. Hopefully somebody else will yield. I call your attention to page 1214 in the House Record. On this bill, it is 53 F:7 Financing Terms, and it says that improvements shall be financed pursuant to an agreement under this chapter only on such terms that the property owner experiences a positive cash flow impact during the first year. So, after the first year and there has been a negative cash impact, what happens? Is the financing withdrawn? What does this mean?

Rep. Cooney: The reason the positive cash flow was put in for the first year was because, as we all know, energy costs vary greatly from year to year. During the energy audit, it would be determined that the energy saved would be more than the cost of the loan, but it would be almost impossible to predict. The energy savings obviously would go on, but in many cases, if the costs go up for your fuel oil, you're going to get a bigger savings than what you would have paid without the energy retrofit.

Speaker Norelli: Will the member yield to a follow up? The member yields.

Rep. Jasper: I'm trying to understand that, but if there is not a positive cash flow, what happens?

Rep. Cooney: I think the decision is made based on the audit and I don't see how that could possibly happen if the audit were correct.

Rep. Jasper: Thank you. I would like another follow up question to the speaker or if the speaker doesn't someone else.

Speaker Norelli: Will the member yield? The member yields.

Rep. Jasper: Thank you. The next section, section 2, talks about the municipality that provides financing shall establish a loss reserve account and maintain funds in such account at a level.....yadda yadda yadda. Where do these funds come from? They don't seem to be part of the bond. Would a municipality have to take funds out of its other cash reserves to fund this?

Rep. Cooney: No, there were many ways that they could do that. Very likely there might be some administration fee attached to the loan which could then help fund the loss reserve account or it could be through grants or other possibilities.

Rep. Jasper: Thank you.

Speaker Norelli: Will the member yield to another question? The member does not yield. The question before the House is the majority committee report of Ought to Pass as Amended on HB 1554. Rep. Kappler wishes to make a motion. Please state your motion.

Rep. Kappler: Thank you, Madam Chair. Hearing a very long debate on this and some controversial answering of various questions as I see it in the amendment, I don't think this body is prepared to vote on this today so I make a motion to lay on the table and ask for a roll call vote.

Speaker Norelli: Rep. Kappler moves that HB 1554 be laid on the table. Rep. Kappler has requested a roll call. Is that sufficiently seconded? It is sufficiently seconded. Will members please take their seats? This will be a roll call vote. The question before the House is the motion to lay HB 1554 on the table. This is a roll call vote. If you're in favor, you'll be pressing the green button. If you're opposed, you'll be pressing the red button. Voting stations are open for 30 seconds. The House will be attentive to the state of the vote. 146 having voted in the affirmative, 187 in the negative, the motion fails. The question before the House is the majority committee report of Ought to Pass as Amended on HB 1554. Rep. Cooney has requested a roll call. Is that sufficiently seconded? It is sufficiently seconded. This will be a roll call vote. Will members please take their seats? The question before the House is the majority committee report of Ought to Pass as Amended on HB 1554. This is a roll call vote. If you're in favor, you'll be pressing the green button. If you're opposed, you'll be pressing the red button. Voting stations are open for 30 seconds. The House will be attentive to the state of the vote. 180 having voted in the affirmative, 155 in the negative, the majority committee report is adopted. Rep. Kurk is recognized for a motion.

Rep. Kurk: Thank you, Madam Speaker. Madam Speaker, I move that the debate on HB 1554 be placed in the Permanent Journal.

Speaker Norelli: Rep. Kurk moves that the debate on HB 1554 be printed in the Permanent Journal. Are you ready for the question? All those in favor, say Aye. All those opposed, Nay. The Ayes have it and the debate will be printed.

REGULAR CALENDAR – SPECIAL ORDERS (CONT'D)

HB 1510, relative to grounds for divorce for persons with minor children. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: REFER FOR INTERIM STUDY.**

Rep. Deanna S. Rollo for the Majority of Children and Family Law: This bill would create a policy that would force couples with minor children to stay married or seek a fault divorce. The majority of the committee felt that forcing parents to stay in a marriage or to state a reason for the separation for the record was not in the best interest of their children. Vote 15-3.

Rep. Edward P. Moran for the Minority of Children and Family Law: While this bill has inherent problems, the committee as a whole is very concerned about the inability of so many adults to sustain successful marital relationships and the minority felt this could be a vehicle for productive discussion.

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

Rep. Groen spoke against and yielded to questions.

Rep. Marshall spoke in favor and yielded to questions.

Rep. William O'Brien spoke against.

Reps. DiFruscia and Gile spoke in favor.

Rep. William O'Brien requested a roll call; sufficiently seconded.

YEAS 248 NAYS 81

YEAS 248

BELKNAP

Arsenault, Beth	Bolster, Peter	Fields, Dennis	Johnson, William
Miller, Kate	Millham, Alida	Nedeau, Stephen	Pilliod, James
Reever, Judith	Russell, David	Stuart, Richard	Swinford, Elaine

CARROLL

Ahlgren, Christopher	Bridgham, Robert	Buco, Thomas	Butler, Edward
Knox, J. David	McConkey, Mark	Patten, Betsey	Stevens, Stanley
Umberger, Karen	Wiley, Susan		

CHESHIRE

Allen, Peter	Butcher, Suzanne	Butterworth, Timothy	Butynski, William
Carr, Daniel	Eaton, Daniel	Hunt, John	Johnson, Jane
Lerandeau, Alfred	Lindsey, Steven	Meador, David	Mitchell, Bonnie
Parkhurst, Henry	Richardson, Barbara	Roberts, Kris	Robertson, Timothy
Sad, Tara	Sterling, Franklin Jr	Weber, Lucy	

COOS

Mears, Lucy	Merrick, Evalyn	Richardson, Herbert	Theberge, Robert
Thomas, Yvonne			

GRAFTON

Aguiar, James	Almy, Susan	Benn, Bernard	Cooney, Mary
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Ford, Susan
Harding, Laurie
Nordgren, Sharon
Smith, Suzanne

Friedrich, Carol
Ladd, Rick Jr
Pastor, Beatriz
Taylor, Kathleen

Gionet, Edmond
Laliberte, Suzanne
Pierce, David
Townsend, Charles

Gould, Franklin
Mulholland, Catherine
Preston, Philip
White, Andrew

HILLSBOROUGH

Baroody, Benjamin
Belvin, William
Chase, Claudia
Craig, James
Farley, Michael
Gorman, Mary
Hardy, Valerie
Hodges, Kevin
Jeudy, Jean
Kopka, Angeline
Levesque, Melanie
Matarazzo, Anthony Sr
O'Brien, Michael Sr
Pilotte, Maurice
Rokas, Theodoros
Shattuck, Gilman
Sullivan, Daniel
Winters, Joel

Beauchamp, Roger
Bergin, Peter
Chininis, Alexis
Day, Russell
Flurey, Joan
Graham, John
Harvey, Philip
Holden, Frank
Knowles, John
LaPlante, Roland
Long, Patrick
Messier, Irene

Ober, Lynne
Pratt, Calvin
Rosenwald, Cindy
Shaw, Barbara
Thompson, Robert

Beaulieu, Jane
Boisvert, Ronald
Christensen, Chris
Drisko, Richard
Garritty, Patrick
Haley, Robert
Harvey, Suzanne
Holden, Rip
Knowles, Mary Ann
Leishman, Peter
Mack, Ron
Movsesian, Lori

Ober, Russell III
Price, Pamela
Ryder, Donald
Soucy, Timothy
Walsh, Robert Jr

Beck, Catriona
Chandley, Shannon
Cote, David
Emerton, Larry
Ginsburg, Ruth
Hammond, Jill
Hebert, Roger
Jasper, Shawn
Komi, Richard
Levasseur, Nickolas
Marshall, Seth
Nixon, David

Peterson, Andrew
Ramsey, Peter
Schulze, Joan
Spaulding, Jayne
Williams, Carol

MERRIMACK

Bartlett, Michael
DeStefano, Stephen
Hamm, Christine
Lockwood, Priscilla
Richardson, Gary
Tilton, Joy
Watrous, Rick

Brown, Carole
Foose, Robert
Hess, David
Owen, Derek
Schuett, Dianne
Tupper, Frank
Webb, Leigh

Clarke, Claire
French, Barbara
Kelly, Sally
Porter, Margaret
Shurtleff, Stephen
Wallner, Mary Jane
Yeaton, Charles

Coffey, Jennifer
Gile, Mary
Kidder, David
Potter, Frances
Stetson, William
Walz, Mary Beth

ROCKINGHAM

Abbott, Dennis
Brown, C. Pennington
Charron, Gene
DeSimone, Debra
Elliott, Robert
Gould, Kenneth
Hoelzel, Kathleen
Kepner, Susan
McEachern, Paul
Pantelakos, Laura
Priestley, Anne
Schlachman, Donna
Webber, Carolyn

Allen, Mary
Cali-Pitts, Jacqueline
Crisler, Margaret
DiFruscia, Anthony
Ferrante, Beverly
Griffin, Mary
Howard, Doreen
Lyons, Melissa
Moody, Marcia
Perkins, Amy
Read, Robin Jr
Splaine, James
Welch, David

Borden, David
Case, Frank
Cushing, Robert
DiPentima, Rich
Flanders, John Sr
Hagan, Joseph
Ingram, Russell
Mann, Maureen
Nord, Susi
Perkins, Lawrence
Russell, Trinkia
Sullivan, James

Bridle, Russell
Casey, Kimberley
Day, Judith
Dowling, Patricia
Gleason, John
Henson, John
Katsakiores, Phyllis
McCarthy, Barbara
Packard, Sherman
Pettersson, Don
Sapareto, Frank
Weare, Everett

STRAFFORD

Berube, Roger
Burke, Rachel
Kaen, Naida

Brennan, William
Grassie, Anne
Keans, Sandra

Brown, Larry
Hofemann, Roland
Lauterborn, Elaine

Browne, Brendon
Horriggan, Timothy
Lewis, Robert

Perry, Robert
Rous, Emma
Spang, Judith
Ward, Kenneth

Price, Susan
Ryder, Mark
Sprague, Dale
Watters, David

Rogers, Rose Marie
Schmidt, Peter
Vachon, Dennis

Rollo, Deanna
Smith, Marjorie
Wall, Janet

SULLIVAN

Cloutier, John
Harris, Sandra

Skinder, Carla

Donovan, Thomas Jr
Houde-Quimby,
Charlotte
Sweeney, Cynthia

Gagnon, Raymond
McClammer, Jim

Gottling, Suzanne
Rodeschin, Beverly

NAYS 81

BELKNAP

Boyce, Laurie

St. Cyr, Jeffrey

Wendelboe, Fran

CARROLL

Chandler, Gene

Fleck, Joseph

CHESHIRE

Emerson, Susan

Laurent, John

COOS

Rappaport, Laurence

Remick, William

GRAFTON

Bulis, Lyle
Williams, Burton

Ingbertson, Paul

Maybeck, Margie

Ward, Brien

HILLSBOROUGH

Batula, Peter
Daniels, Gary
Gandia, Laura
Hinch, Richard
Kurk, Neal
O'Brien, William
Renzullo, Andrew
Soucy, Connie
Willette, Robert

Boehm, Ralph
Doherty, Shaun
Haefner, Robert
Hinkle, Peyton
L'Heureux, Robert
Palmer, Stephen
Rowe, Robert
Ulery, Jordan

Cebrowski, John
Elliott, Nancy
Hawkins, Ken
Hogan, Edith
McCarthy, Michael
Pellegrino, Tony
Seidel, Carl
Vaillancourt, Steve

Christiansen, Lars
Gagne, Larry
Hikel, John
Hopper, Gary
Mead, Robert
Pepino, Leo
Silva, Peter
Villeneuve, Moe

MERRIMACK

Anderson, Eric
Palfrey, David

Blankenbeker, Lynne
Reed, Dennis

Kotowski, Frank
Smith, Todd

McGuire, Carol

ROCKINGHAM

Bailey, Clinton
Comerford, Timothy
Fesh, Robert
Kappler, L. Mike
Quandt, Matt

Baldasaro, Alfred
Devine, James
Garrity, James
McKinney, Betsy
Reagan, John

Bates, David
Dumaine, Dudley
Introne, Robert
McMahon, Charles
Sedensky, John

Bettencourt, David
Emiro, Frank
Itse, Daniel
Nevins, Chris
Smith, William

Stiles, Nancy

Tucker, Pamela

Weyler, Kenneth

STRAFFORD

Groen, Warren

Vita, Carol

SULLIVAN

Cunningham, Steven Osgood, Joe
and the majority committee report was adopted.

MOTION TO VACATE

Rep. Harding moved that the House vacate the reference of **SB 428**, establishing a committee to study dispatch times within the enhanced 911 system to the Committee on Executive Departments and Administration.
Adopted.

The Speaker referred **SB 428** to the Committee on Science, Technology and Energy.

UNANIMOUS CONSENT

Rep. Susan Price addressed the House.

MOTION TO PRINT REMARKS

Rep. Eaton moved that the remarks made by Rep. Susan Price be printed in the Permanent Journal.
Adopted.

REMARKS BY REPRESENTATIVE SUSAN PRICE

Rep. Susan Price: Thank you, Madam Speaker and ladies and gentlemen. I'll be brief and thanks for the lunchtime unanimous consent. One of the rewards of representing district 3, Strafford County is the ability to recognize the contributions of our young people to our community. Today the House has been served by Nicholas Landry and his sister, Margaret, as Pages. In the fall of 2009, Nicholas, at the age of 17, organized a fundraiser called Barrington Bikes, which occurred on September 26, 2009 in the towns of Barrington and Strafford. The donations raised by this event were to support the Barrington food pantry and Strafford County homeless shelter. In preparation for the event, Nick met with police and fire officials to organize the route for safety and traffic control. He rallied more than 60 of his peers and I'm sure his sister was helping him out on this, too, as well as adults to serve as volunteers. He designed 40 and 20 mile adult bike routes along with a 2 mile family ride for the little ones, organized a children's fun tent, I exceeded the weight requirement for that, provided lunch for cyclists and volunteers, obtained promotional assistance from the Barrington Chamber of Commerce and in his spare time he designed a t-shirt for the event. The weather cooperated and on the day of the event more than 60 cyclists, including this Representative, turned out for the ride which began and ended at the Barrington First Congregational Church. The ride would ultimately go on to raise (net) \$4,200 for our food pantry and our county homeless shelter. I think Nick is a shining example of a young person inspiring his community to unite toward a common good to help those less fortunate than themselves. In October, shortly after this event, I wrote to the Governor and requested a citizen's commendation, which the Governor provided and I was able to present Nick with his commendation later in the year. His service has, and I'm sure it will continue, to inspire and unite those within our community, and I hope yours, to place the needs of those who are truly less fortunate above our own. Please join me in showing our appreciation for Nicholas Landry. Thank you.

The House recessed at 12:45 p.m.

RECESS

(Speaker Norelli in the Chair)

The House reconvened at 1:40 p.m.

REGULAR CALENDAR – SPECIAL ORDERS (CONT'D)

HB 1248, prohibiting the state from doing business with any banking institution that requires fingerprints or bodily fluids from any person in order to complete a banking transaction. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Stephen T. DeStefano for the Majority of Commerce and Consumer Affairs: If enacted, the state treasurer believes that, as stated in testimony, the state would have to look to all banks and all their affiliates, both nationally and internationally, to determine which, if any, of these institutions require fingerprinting or the leaving of other bodily fluids. To the extent that any such banks or their affiliates have such requirements, the state would then have to cease all current business and exclude them from any future business. Other questions which have arisen are whether the state could invest in any national or international banks that engage, or if their affiliates engage, in fingerprinting? If not, would the state need to divest of such investments? Would the state somehow be required to exclude investment firms affiliated with banks that fingerprint from buying or even holding state debt? Vote 11-6.

Rep. Joel F. Winters for the Minority of Commerce and Consumer Affairs: Under the minority amendment, the state would not conduct any commercial business transaction with a bank which requires fingerprints to complete a banking transaction in the state of New Hampshire. Recently Bank of America ceased this practice in our state, so this legislation would serve as a strong disincentive for them bringing this privacy invading practice back to New Hampshire.

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

Rep. Kurk spoke against and yielded to questions.

Rep. Winters spoke against.

Rep. DeStefano spoke in favor.

On a division vote, 207 members having voted in the affirmative and 77 in the negative, the majority committee report was adopted.

HB 1409, banning biometrics for state or privately issued identification cards and as a condition of doing business. **INEXPEDIENT TO LEGISLATE.**

Rep. John B. Hunt for Commerce and Consumer Affairs: This bill bans biometrics for state or privately issued identification cards and as a condition of doing business. Biometrics are defined by 9 different human characteristics such as fingerprints, palm prints, facial features pattern characteristics, characteristics of a handwritten signature, such as shape, speed, pressure, pen angle, or sequence, voice data used for comparing live speech with a previously-created speech model of a person's voice, iris recognition data containing color or texture patterns or codes, and even keystroke dynamics, measuring pressure applied to key pads. An amendment to make this ban apply only to the state failed because even the state currently uses biometrics when it records birth certificates that contain the baby's footprint. Vote 11-6.

Rep. Kurk spoke against and yielded to questions.

Rep. Hunt spoke in favor.

On a division vote, 267 members having voted in the affirmative and 39 in the negative, the committee report was adopted.

HB 1475, relative to indoor smoking. **MAJORITY: INEXPEDIENT TO LEGISLATE.**
MINORITY: OUGHT TO PASS WITH AMENDMENT.

Rep. Joel F. Winters for the Majority of Commerce and Consumer Affairs: Indoor smoking would be further restricted under this bill, which the majority feels is not necessary. The minority amendment would prohibit smoking in every indoor workplace, which might look good on paper. Yet this would mean that a business owner with no employees could be fined for smoking in front of herself in her own office. Vote 12-7.

Rep. Susi Nord for the Minority of Commerce and Consumer Affairs: It is the opinion of the minority that all employees deserve the right to breathe clean air. Currently approximately 15 – 20% of the workers in New Hampshire are exposed to second-hand smoke in the workplace. This bill will eliminate most of the exemptions in our current Indoor Smoking Act to greatly reduce that number. No one should have to choose between their health and earning a living. This bill will create a level playing field and treat all businesses and employees equally. Secondhand smoke is a known toxin and it is one of the leading causes of preventable disease. Utilization of healthcare services to treat preventable disease is by far the largest factor driving increased healthcare costs. This bill is both good public health policy and good workplace safety policy.

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

Rep. Nord spoke against and yielded to questions.

Rep. Baldasaro spoke in favor and yielded to questions.

Rep. Nevins spoke against.

Rep. Winters spoke in favor.

Rep. Butler spoke in favor and yielded to questions.

Rep. Nord requested a roll call; sufficiently seconded.

YEAS 226 NAYS 88

YEAS 226

BELKNAP

Arsenault, Beth
Nedeau, Stephen
Swinford, Elaine

Boyce, Laurie
Reever, Judith
Wendelboe, Fran

Fields, Dennis
Russell, David

Millham, Alida
St. Cyr, Jeffrey

CARROLL

Ahlgren, Christopher
Fleck, Joseph
Stevens, Stanley

Buco, Thomas
Knox, J. David
Umberger, Karen

Butler, Edward
McConkey, Mark
Wiley, Susan

Chandler, Gene
Patten, Betsey

CHESHIRE

Butterworth, Timothy
Johnson, Jane
Roberts, Kris

Eaton, Daniel
Laurent, John
Sterling, Franklin Jr

Emerson, Susan
Lindsey, Steven
Weber, Lucy

Hunt, John
Parkhurst, Henry

COOS

Hatch, William
Richardson, Herbert

Mears, Lucy
Theberge, Robert

Rappaport, Laurence

Remick, William

GRAFTON

Aguiar, James

Benn, Bernard

Ford, Susan

Friedrich, Carol

Gionet, Edmond
Pierce, David
Williams, Burton

Ladd, Rick Jr
Smith, Suzanne

Laliberte, Suzanne
Taylor, Kathleen

Maybeck, Margie
Ward, Brien

HILLSBOROUGH

Baroody, Benjamin
Belvin, William
Campbell, David
Christiansen, Lars
Day, Russell
Flurey, Joan
Haefner, Robert
Hikel, John
Hogan, Edith
Jasper, Shawn
Kurk, Neal
Mead, Robert
O'Brien, William
Pellegrino, Tony
Renzullo, Andrew
Seidel, Carl
Spaulding, Jayne
Villeneuve, Moe

Batula, Peter
Bergin, Peter
Cebrowski, John
Cote, David
Doherty, Shaun
Gagne, Larry
Haley, Robert
Hinch, Richard
Holden, Frank
Judy, Jean
L'Heureux, Robert
Messier, Irene
Ober, Lynne
Pepino, Leo
Rosenwald, Cindy
Shaw, Barbara
Thompson, Robert
Willette, Robert

Beauchamp, Roger
Boehm, Ralph
Chininis, Alexis
Craig, James
Elliott, Nancy
Gorman, Mary
Harvey, Suzanne
Hinkle, Peyton
Holden, Rip
Komi, Richard
Leishman, Peter
Movsesian, Lori
Ober, Russell III
Peterson, Andrew
Rowe, Robert
Soucy, Connie
Ulery, Jordan
Winters, Joel

Beaulieu, Jane
Boisvert, Ronald
Christensen, Chris
Daniels, Gary
Emerton, Larry
Graham, John
Hawkins, Ken
Hodges, Kevin
Hopper, Gary
Kopka, Angeline
Levesque, Melanie
O'Brien, Michael Sr
Palmer, Stephen
Pratt, Calvin
Ryder, Donald
Soucy, Timothy
Vaillancourt, Steve

MERRIMACK

Anderson, Eric
Coffey, Jennifer
Hess, David
McMahon, Patricia
Reed, Dennis
Stetson, William
Webb, Leigh

Bartlett, Michael
DeStefano, Stephen
Kelly, Sally
Owen, Derek
Schuett, Dianne
Tupper, Frank
Yeaton, Charles

Blankenbeker, Lynne
Foose, Robert
Lockwood, Priscilla
Palfrey, David
Shurtleff, Stephen
Wallner, Mary Jane

Clarke, Claire
Hamm, Christine
McGuire, Carol
Porter, Margaret
Smith, Todd
Walz, Mary Beth

ROCKINGHAM

Allen, Mary
Bettencourt, David
Casey, Kimberley
Devine, James
Emiro, Frank
Garrity, James
Henson, John
Itse, Daniel
Mann, Maureen
Pantelakos, Laura
Quandt, Matt
Smith, William
Weare, Everett

Bailey, Clinton
Bridle, Russell
Charron, Gene
Dowling, Patricia
Ferrante, Beverly
Gleason, John
Hoelzel, Kathleen
Kappler, L. Mike
McKinney, Betsy
Perkins, Amy
Reagan, John
Stiles, Nancy
Welch, David

Baldasaro, Alfred
Brown, C. Pennington
Comerford, Timothy
Dumaine, Dudley
Fesh, Robert
Griffin, Mary
Ingram, Russell
Katsakiores, Phyllis
McMahon, Charles
Perkins, Lawrence
Schlachman, Donna
Sullivan, James
Weyler, Kenneth

Bates, David
Cali-Pitts, Jacqueline
DeSimone, Debra
Elliott, Robert
Flanders, John Sr
Hagan, Joseph
Introne, Robert
Lyons, Melissa
Packard, Sherman
Priestley, Anne
Sedensky, John
Tucker, Pamela

STRAFFORD

Berube, Roger
Burke, Rachel
Hofemann, Roland
Perry, Robert
Wall, Janet

Bickford, David
Cyr, James
Horrigan, Timothy
Rous, Emma
Ward, Kenneth

Brennan, William
Domingo, Baldwin
Kaen, Naida
Ryder, Mark
Watters, David

Browne, Brendon
Groen, Warren
Lewis, Robert
Vita, Carol

SULLIVAN

Cunningham, Steven
McClammer, Jim

Gagnon, Raymond
Osgood, Joe

Gottling, Suzanne
Rodeschin, Beverly

Harris, Sandra
Sweeney, Cynthia

NAYS 88

BELKNAP

Bolster, Peter
Stuart, Richard

Johnson, William

Miller, Kate

Pilliod, James

CARROLL

Bridgham, Robert

CHESHIRE

Allen, Peter
Meador, David
Sad, Tara

Butcher, Suzanne
Mitchell, Bonnie

Butynski, William
Richardson, Barbara

Carr, Daniel
Robertson, Timothy

COOS

Merrick, Evalyn

Thomas, Yvonne

GRAFTON

Almy, Susan
Harding, Laurie
Townsend, Charles

Bulis, Lyle
Mulholland, Catherine

Cooney, Mary
Nordgren, Sharon

Gould, Franklin
Preston, Philip

HILLSBOROUGH

Beck, Catriona
Farley, Michael
Harvey, Philip
Mack, Ron

Chandley, Shannon
Gandia, Laura
Knowles, John
Marshall, Seth

Chase, Claudia
Hammond, Jill
Knowles, Mary Ann
Matarazzo, Anthony
Sr

Drisko, Richard
Hardy, Valerie
Long, Patrick
Nixon, David

Pilotte, Maurice
Walsh, Robert Jr

Rokas, Theodoros
Williams, Carol

Schulze, Joan

Shattuck, Gilman

MERRIMACK

Brown, Carole
Potter, Frances

French, Barbara
Richardson, Gary

Gile, Mary
Tilton, Joy

Kotowski, Frank
Watrous, Rick

ROCKINGHAM

Abbott, Dennis
Cushing, Robert
Gould, Kenneth
Moody, Marcia
Read, Robin Jr

Borden, David
Day, Judith
Kepner, Susan
Nevins, Chris
Russell, Trink

Case, Frank
DiFruscia, Anthony
McCarthy, Barbara
Nord, Susi
Splaine, James

Crisler, Margaret
DiPentima, Rich
McEachern, Paul
Petterson, Don
Webber, Carolyn

STRAFFORD

Brown, Larry
Rogers, Rose Marie

Grassie, Anne
Schmidt, Peter

Keans, Sandra
Spang, Judith

Lauterborn, Elaine
Vachon, Dennis

SULLIVAN

Cloutier, John	Donovan, Thomas Jr	Houde-Quimby, Charlotte	Skinder, Carla
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and the majority committee report was adopted.

HB 1433, relative to lawful commerce in firearms, including manufacture and sale, in New Hampshire. **INEXPEDIENT TO LEGISLATE.**

Rep. Stanley E. Stevens for Criminal Justice and Public Safety: This bill contains no policy issues within the purview of the Criminal Justice and Public Safety Committee and contains no penalties for consideration. Vote 16-4.

Reps. Hinkle and Itse spoke against and yielded to questions.

Rep. Shurtleff spoke in favor.

Rep. Hinkle requested a roll call; sufficiently seconded.

YEAS 205 NAYS 107

YEAS 205

BELKNAP

Arsenault, Beth	Bolster, Peter	Johnson, William	Miller, Kate
Millham, Alida	Nedeau, Stephen	Pilliod, James	Reever, Judith
Russell, David	Stuart, Richard		

CARROLL

Bridgham, Robert	Buco, Thomas	Butler, Edward	Knox, J. David
Patten, Betsey	Stevens, Stanley	Umberger, Karen	Wiley, Susan

CHESHIRE

Allen, Peter	Butcher, Suzanne	Butterworth, Timothy	Butynski, William
Carr, Daniel	Eaton, Daniel	Johnson, Jane	Lerandeau, Alfred
Lindsey, Steven	Meador, David	Mitchell, Bonnie	Richardson, Barbara
Roberts, Kris	Robertson, Timothy	Sad, Tara	Weber, Lucy

COOS

Hatch, William	Mears, Lucy	Merrick, Evalyn	Theberge, Robert
Thomas, Yvonne			

GRAFTON

Aguiar, James	Almy, Susan	Benn, Bernard	Cooney, Mary
Ford, Susan	Friedrich, Carol	Gould, Franklin	Harding, Laurie
Laliberte, Suzanne	Mulholland, Catherine	Nordgren, Sharon	Pierce, David
Preston, Philip	Smith, Suzanne	Taylor, Kathleen	Townsend, Charles

HILLSBOROUGH

Baroody, Benjamin	Beauchamp, Roger	Beaulieu, Jane	Beck, Catriona
Bergin, Peter	Boisvert, Ronald	Campbell, David	Chandley, Shannon
Chase, Claudia	Chininis, Alexis	Cote, David	Craig, James
Day, Russell	Emerton, Larry	Farley, Michael	Flurey, Joan
Gorman, Mary	Haley, Robert	Hammond, Jill	Hardy, Valerie
Harvey, Philip	Harvey, Suzanne	Hodges, Kevin	Holden, Rip

Jasper, Shawn
Komi, Richard
Long, Patrick

Messier, Irene
Pilotte, Maurice
Schulze, Joan
Sullivan, Daniel
Willette, Robert

Jeudy, Jean
Kopka, Angeline
Mack, Ron

Movsesian, Lori
Rokas, Theodoros
Shattuck, Gilman
Thompson, Robert
Williams, Carol

Knowles, John
Leishman, Peter
Marshall, Seth

Nixon, David
Rosenwald, Cindy
Shaw, Barbara
Vaillancourt, Steve

Knowles, Mary Ann
Levesque, Melanie
Matarazzo, Anthony
Sr
O'Brien, Michael Sr
Ryder, Donald
Soucy, Timothy
Walsh, Robert Jr

MERRIMACK

Bartlett, Michael
Foose, Robert
Kelly, Sally
Palfrey, David
Schuett, Dianne
Wallner, Mary Jane
Yeaton, Charles

Brown, Carole
French, Barbara
Lockwood, Priscilla
Porter, Margaret
Shurtleff, Stephen
Walz, Mary Beth

Clarke, Claire
Gile, Mary
McMahon, Patricia
Potter, Frances
Stetson, William
Watrous, Rick

DeStefano, Stephen
Hamm, Christine
Owen, Derek
Richardson, Gary
Tilton, Joy
Webb, Leigh

ROCKINGHAM

Abbott, Dennis
Cali-Pitts, Jacqueline
Cushing, Robert
Dowling, Patricia
Garriy, James
Kepner, Susan
McEachern, Paul
Pettersen, Don
Schlachman, Donna
Webber, Carolyn

Allen, Mary
Case, Frank
Day, Judith
Emiro, Frank
Gleason, John
Lyons, Melissa
Moody, Marcia
Priestley, Anne
Splaine, James
Welch, David

Borden, David
Casey, Kimberley
DiFruscia, Anthony
Fesh, Robert
Gould, Kenneth
Mann, Maureen
Nord, Susi
Read, Robin Jr
Stiles, Nancy

Brown, C. Pennington
Charron, Gene
DiPentima, Rich
Flanders, John Sr
Henson, John
McCarthy, Barbara
Pantelakos, Laura
Russell, Trinkka
Weare, Everett

STRAFFORD

Berube, Roger
Browne, Brendon
Grassie, Anne
Lauterborn, Elaine
Rous, Emma
Spang, Judith

Bickford, David
Burke, Rachel
Horrigan, Timothy
Lewis, Robert
Ryder, Mark
Vachon, Dennis

Brennan, William
Cyr, James
Kaen, Naida
Perry, Robert
Schmidt, Peter
Wall, Janet

Brown, Larry
Domingo, Baldwin
Keans, Sandra
Rogers, Rose Marie
Smith, Marjorie
Watters, David

SULLIVAN

Cloutier, John
Harris, Sandra

Skinder, Carla

Donovan, Thomas Jr
Houde-Quimby,
Charlotte

Gagnon, Raymond
McClammer, Jim

Gottling, Suzanne
Osgood, Joe

NAYS 107

BELKNAP

Boyce, Laurie
Wendelboe, Fran

Fields, Dennis

St. Cyr, Jeffrey

Swinford, Elaine

CARROLL

Ahlgren, Christopher Chandler, Gene Fleck, Joseph McConkey, Mark

CHESHIRE

Emerson, Susan Laurent, John Parkhurst, Henry Sterling, Franklin Jr

COOS

Rappaport, Laurence Remick, William Richardson, Herbert

GRAFTON

Bulis, Lyle Gionet, Edmond Ladd, Rick Jr Maybeck, Margie
Ward, Brien White, Andrew Williams, Burton

HILLSBOROUGH

Batula, Peter	Belvin, William	Boehm, Ralph	Cebrowski, John
Christensen, Chris	Christiansen, Lars	Daniels, Gary	Doherty, Shaun
Elliott, Nancy	Gagne, Larry	Gandia, Laura	Graham, John
Haefner, Robert	Hawkins, Ken	Hikel, John	Hinkle, Peyton
Hogan, Edith	Holden, Frank	Hopper, Gary	Kurk, Neal
L'Heureux, Robert	McCarthy, Michael	Mead, Robert	Moran, Edward
O'Brien, William	Ober, Lynne	Ober, Russell III	Palmer, Stephen
Pellegrino, Tony	Peterson, Andrew	Pratt, Calvin	Renzullo, Andrew
Rowe, Robert	Seidel, Carl	Soucy, Connie	Spaulding, Jayne
Ulery, Jordan	Villeneuve, Moe	Winters, Joel	

MERRIMACK

Anderson, Eric Blankenbeker, Lynne Coffey, Jennifer Hess, David
Kotowski, Frank McGuire, Carol Reed, Dennis

ROCKINGHAM

Bailey, Clinton	Baldasaro, Alfred	Bates, David	Bettencourt, David
Bridle, Russell	Comerford, Timothy	Crisler, Margaret	DeSimone, Debra
Devine, James	Dumaine, Dudley	Elliott, Robert	Ferrante, Beverly
Griffin, Mary	Hagan, Joseph	Hoelzel, Kathleen	Ingram, Russell
Introne, Robert	Itse, Daniel	Kappler, L. Mike	Katsakiores, Phyllis
McKinney, Betsy	McMahon, Charles	Nevins, Chris	Packard, Sherman
Perkins, Amy	Perkins, Lawrence	Quandt, Matt	Reagan, John
Sedensky, John	Smith, William	Sullivan, James	Tucker, Pamela
Weyler, Kenneth			

STRAFFORD

Groen, Warren Hofemann, Roland Vita, Carol

SULLIVAN

Cunningham, Steven Rodeschin, Beverly
and the committee report was adopted.

HB 1667-FN, relative to possession of controlled substances obtained by valid prescription.
OUGHT TO PASS.

Rep. Laura C. Pantelakos for Criminal Justice and Public Safety: This bill repeals the law that made it a crime to put your prescription drug into another container, other than the

label bottle it came in from the pharmacy. Under current law, prescriptions must be kept in their original prescription bottle until they are to be used by the individual. Vote 14-3. Committee report adopted and ordered to third reading.

HB 1453, relative to notice to legal guardians of students. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Judith T. Reeve for the Majority of Education: This bill would have required schools to give notice to legal guardians regarding certain school programs and classes. Schools would give a 5 day notice to legal guardians when health, sex education, sexual orientation or gender identity or political activism were being discussed or taught. Currently RSA 186:11, 1X-b requires local school districts to adopt a policy allowing an exception for a unit of health or sex education, with a provision for alternative learning. The majority believes current law enables local decision making regarding parental opt outs. Vote 15-5.

Rep. Paul Ingbreton for the Minority of Education: This bill requires school districts to give five days notice to legal guardians of students before any activities which address the sensitive subjects of health and sex education as now but adds the subjects of sexual orientation, gender identity and political activism. It would disallow such activities without such notice. The minority believes this is overdue.

The question being adoption of the majority committee report of Inexpedient to Legislate. Rep. Bates requested a roll call; sufficiently seconded.

YEAS 195 NAYS 118

YEAS 195

BELKNAP

Arsenault, Beth
Pilliod, James

Johnson, William
Reever, Judith

Miller, Kate
Russell, David

Millham, Alida
Stuart, Richard

CARROLL

Ahlgren, Christopher
Knox, J. David

Bridgham, Robert
Umberger, Karen

Buco, Thomas
Wiley, Susan

Butler, Edward

CHESHIRE

Allen, Peter
Carr, Daniel
Meador, David
Roberts, Kris

Butcher, Suzanne
Eaton, Daniel
Mitchell, Bonnie
Robertson, Timothy

Butterworth, Timothy
Lerandeau, Alfred
Parkhurst, Henry
Sad, Tara

Butynski, William
Lindsey, Steven
Richardson, Barbara
Weber, Lucy

COOS

Hatch, William
Thomas, Yvonne

Mears, Lucy

Merrick, Evalyn

Theberge, Robert

GRAFTON

Aguiar, James
Ford, Susan
Laliberte, Suzanne
Preston, Philip
White, Andrew

Almy, Susan
Friedrich, Carol
Mulholland, Catherine
Smith, Suzanne
Williams, Burton

Benn, Bernard
Gould, Franklin
Nordgren, Sharon
Taylor, Kathleen

Cooney, Mary
Harding, Laurie
Pierce, David
Townsend, Charles

HILLSBOROUGH

Baroody, Benjamin	Beauchamp, Roger	Beaulieu, Jane	Beck, Catriona
Belvin, William	Bergin, Peter	Boisvert, Ronald	Campbell, David
Chandley, Shannon	Chase, Claudia	Chininis, Alexis	Cote, David
Craig, James	Day, Russell	Emerton, Larry	Farley, Michael
Flurey, Joan	Gorman, Mary	Haley, Robert	Hammond, Jill
Hardy, Valerie	Harvey, Philip	Harvey, Suzanne	Hodges, Kevin
Holden, Rip	Jeudy, Jean	Knowles, John	Knowles, Mary Ann
Komi, Richard	Kopka, Angeline	Kurk, Neal	Leishman, Peter
Levesque, Melanie	Long, Patrick	Mack, Ron	Marshall, Seth
Matarazzo, Anthony Sr	Messier, Irene	Movsesian, Lori	Nixon, David
O'Brien, Michael Sr	Peterson, Andrew	Pilotte, Maurice	Rokas, Theodoros
Rosenwald, Cindy	Schulze, Joan	Shattuck, Gilman	Shaw, Barbara
Soucy, Timothy	Spaulding, Jayne	Sullivan, Daniel	Thompson, Robert
Vaillancourt, Steve	Walsh, Robert Jr	Williams, Carol	Winters, Joel

MERRIMACK

Bartlett, Michael	Brown, Carole	Clarke, Claire	DeStefano, Stephen
Foose, Robert	French, Barbara	Gile, Mary	Hamm, Christine
Kelly, Sally	Lockwood, Priscilla	McMahon, Patricia	Owen, Derek
Porter, Margaret	Potter, Frances	Richardson, Gary	Schuett, Dianne
Shurtleff, Stephen	Stetson, William	Tilton, Joy	Tupper, Frank
Wallner, Mary Jane	Walz, Mary Beth	Watrous, Rick	Webb, Leigh
Yeaton, Charles			

ROCKINGHAM

Abbott, Dennis	Borden, David	Brown, C. Pennington	Cali-Pitts, Jacqueline
Case, Frank	Casey, Kimberley	Charron, Gene	Cushing, Robert
Day, Judith	DiPentima, Rich	Gleason, John	Gould, Kenneth
Henson, John	Kepner, Susan	Lyons, Melissa	Mann, Maureen
McCarthy, Barbara	McEachern, Paul	Moody, Marcia	Nord, Susi
Pantelakos, Laura	Petterson, Don	Priestley, Anne	Read, Robin Jr
Russell, Trinka	Schlachman, Donna	Splaine, James	Weare, Everett
Webber, Carolyn			

STRAFFORD

Berube, Roger	Brennan, William	Brown, Larry	Browne, Brendon
Burke, Rachel	Cyr, James	Domingo, Baldwin	Grassie, Anne
Horrigan, Timothy	Kaen, Naida	Keans, Sandra	Lauterborn, Elaine
Lewis, Robert	Perry, Robert	Rogers, Rose Marie	Rous, Emma
Ryder, Mark	Schmidt, Peter	Smith, Marjorie	Spang, Judith
Vachon, Dennis	Wall, Janet	Watters, David	

SULLIVAN

Cloutier, John	Donovan, Thomas Jr	Gagnon, Raymond	Gottling, Suzanne
Harris, Sandra	Houde-Quimby, Charlotte	McClammer, Jim	Skinder, Carla

NAYS 118

BELKNAP

Bolster, Peter
St. Cyr, Jeffrey

Boyce, Laurie
Swinford, Elaine

Fields, Dennis
Wendelboe, Fran

Nedeau, Stephen

CARROLL

Chandler, Gene
Stevens, Stanley

Fleck, Joseph

McConkey, Mark

Patten, Betsey

CHESHIRE

Emerson, Susan

Johnson, Jane

Laurent, John

Sterling, Franklin Jr

COOS

Rappaport, Laurence

Remick, William

Richardson, Herbert

GRAFTON

Bulis, Lyle
Ward, Brien

Gionet, Edmond

Ladd, Rick Jr

Maybeck, Margie

HILLSBOROUGH

Batula, Peter
Christiansen, Lars
Gagne, Larry
Hawkins, Ken
Holden, Frank
McCarthy, Michael
Ober, Lynne
Pratt, Calvin
Seidel, Carl
Willette, Robert

Boehm, Ralph
Daniels, Gary
Gandia, Laura
Hikel, John
Hopper, Gary
Mead, Robert
Ober, Russell III
Renzullo, Andrew
Soucy, Connie

Cebrowski, John
Doherty, Shaun
Graham, John
Hinkle, Peyton
Jasper, Shawn
Moran, Edward
Palmer, Stephen
Rowe, Robert
Ulery, Jordan

Christensen, Chris
Elliott, Nancy
Haefner, Robert
Hogan, Edith
L'Heureux, Robert
O'Brien, William
Pellegrino, Tony
Ryder, Donald
Villeneuve, Moe

MERRIMACK

Anderson, Eric
Kotowski, Frank

Blankenbeker, Lynne
McGuire, Carol

Coffey, Jennifer
Palfrey, David

Hess, David
Reed, Dennis

ROCKINGHAM

Allen, Mary
Bettencourt, David
DeSimone, Debra
Dumaine, Dudley
Fesh, Robert
Hagan, Joseph
Itse, Daniel
McMahon, Charles
Perkins, Lawrence
Smith, William
Welch, David

Bailey, Clinton
Bridle, Russell
Devine, James
Elliott, Robert
Flanders, John Sr
Hoelzel, Kathleen
Kappler, L. Mike
Nevins, Chris
Quandt, Matt
Stiles, Nancy
Weyler, Kenneth

Baldasaro, Alfred
Comerford, Timothy
DiFruscia, Anthony
Emiro, Frank
Garritty, James
Ingram, Russell
Katsakiores, Phyllis
Packard, Sherman
Reagan, John
Sullivan, James

Bates, David
Crisler, Margaret
Dowling, Patricia
Ferrante, Beverly
Griffin, Mary
Introne, Robert
McKinney, Betsy
Perkins, Amy
Sedensky, John
Tucker, Pamela

STRAFFORD

Bickford, David

Groen, Warren

Hofemann, Roland

Vita, Carol

SULLIVAN

Cunningham, Steven

Osgood, Joe

Rodeschin, Beverly

and the majority committee report was adopted.

HB 1479-FN, requiring that body mass index be assessed in all pupils in grades one, 4, 7 and 10. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Rick M. Ladd for the Majority of Education: In an effort to address obesity, this bill requires the body mass index (BMI) to be administered to all children in grades 1, 4, 7 and 10 whose parents have not requested an exception. The irony of well intended initiatives such as the BMI is that unintended consequences can compromise the desired outcome. First, there is an assumption that BMI is an accurate indication of a person's health. This is not the case as BMI ignores the critically important factors of body composition and frame size. The majority is further concerned that by implementing BMI, many healthy children will end up with their lives in turmoil because they don't fit an outdated, inaccurate tool administered and interpreted by an individual who may not be versed in proper nutritional and medical understandings. Harmful impacts that do result from BMI include: parent promotion of child dieting without medical guidance, increased stigmatization of obesity, lower self esteem, increased body dissatisfaction, eating disorders, and increased anxiety regarding body weight during growth years. Due to a child's physical, psychological and general well-being, the bi-partisan majority believes that this is an issue best addressed through the child's parent working directly with the family doctor, and should not be conducted in schools. Vote 16-4.

Rep. Nancy F. Stiles for the Minority of Education: This bill came as a result of the two year commission on overweight and obesity in children and is one of the fourteen recommendations to come forth from that commission. Overweight and obesity has reached epidemic proportions in this country and medical research tells us that this generation of children may be the first generation to have a shorter life expectancy than their parents. Overweight and obesity not only has severe consequences for the health of our population, but dramatically increases our health care costs. National medical costs are reported to be \$174 billion annually. The state of New Hampshire Medicaid program spent \$79 million in 2004 to treat medical problems associated with obesity and New Hampshire's public health currently reports our costs to be \$304 million annually. Schools have taken height and weight measurements for a number of years and are accepted as the most logical setting to collect this aggregate data on children. The proposed amendment clarified questions about procedures raised at the public hearing and respected local school district procedures for implementation. No personal identification would be attached to the collected aggregate data. More than 15,000 children in New Hampshire do not have regular access to a pediatric health provider nor is there a central site to collect that baseline data for the state. The bill included a provision for parents to have their student opt out. Overweight and obesity in children is a priority of New Hampshire's First Lady and most recently was announced as First Lady Michelle Obama's priority agenda.

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

Rep. Stiles spoke against.

Rep. Wiley spoke against and yielded to questions.

Rep. Ladd spoke in favor and yielded to questions.

Rep. Pastor requested a roll call; sufficiently seconded.

YEAS 256 NAYS 58

YEAS 256

BELKNAP

Arsenault, Beth

Bolster, Peter

Boyce, Laurie

Fields, Dennis

Johnson, William
Russell, David
Wendelboe, Fran

Miller, Kate
St. Cyr, Jeffrey

Neddeau, Stephen
Stuart, Richard

Reever, Judith
Swinford, Elaine

CARROLL

Ahlgren, Christopher
McConkey, Mark

Buco, Thomas
Patten, Betsey

Chandler, Gene
Stevens, Stanley

Fleck, Joseph

CHESHIRE

Butynski, William
Laurent, John
Richardson, Barbara
Weber, Lucy

Eaton, Daniel
Lerandeau, Alfred
Roberts, Kris

Emerson, Susan
Meader, David
Sad, Tara

Johnson, Jane
Parkhurst, Henry
Sterling, Franklin Jr

COOS

Hatch, William
Theberge, Robert

Mears, Lucy
Thomas, Yvonne

Remick, William

Richardson, Herbert

GRAFTON

Aguiar, James
Ford, Susan
Harding, Laurie
Mulholland, Catherine
Ward, Brien

Almy, Susan
Friedrich, Carol
Ladd, Rick Jr
Nordgren, Sharon
White, Andrew

Benn, Bernard
Gionet, Edmond
Laliberte, Suzanne
Preston, Philip
Williams, Burton

Bulis, Lyle
Gould, Franklin
Maybeck, Margie
Taylor, Kathleen

HILLSBOROUGH

Baroody, Benjamin
Beck, Catriona
Boisvert, Ronald
Chininis, Alexis
Craig, James
Elliott, Nancy
Gagne, Larry
Graham, John
Harvey, Philip
Hinkle, Peyton
Holden, Rip
Knowles, John
Kurk, Neal
Long, Patrick
Moran, Edward
Ober, Russell III
Pratt, Calvin
Rosenwald, Cindy
Shattuck, Gilman
Spaulding, Jayne
Villeneuve, Moe

Batula, Peter
Belvin, William
Campbell, David
Christensen, Chris
Daniels, Gary
Emerton, Larry
Gandia, Laura
Haefner, Robert
Harvey, Suzanne
Hodges, Kevin
Hopper, Gary
Knowles, Mary Ann
L'Heureux, Robert
Mack, Ron
O'Brien, Michael Sr
Palmer, Stephen
Ramsey, Peter
Rowe, Robert
Shaw, Barbara
Sullivan, Daniel
Walsh, Robert Jr

Beauchamp, Roger
Bergin, Peter
Cebrowski, John
Christiansen, Lars
Day, Russell
Farley, Michael
Garrity, Patrick
Hammond, Jill
Hawkins, Ken
Hogan, Edith
Jasper, Shawn
Komi, Richard
Leishman, Peter
McCarthy, Michael
O'Brien, William
Pellegrino, Tony
Renzullo, Andrew
Ryder, Donald
Soucy, Connie
Ulery, Jordan
Willette, Robert

Beaulieu, Jane
Boehm, Ralph
Chandley, Shannon
Cote, David
Doherty, Shaun
Flurey, Joan
Gorman, Mary
Hardy, Valerie
Hikel, John
Holden, Frank
Jeudy, Jean
Kopka, Angeline
Levesque, Melanie
Mead, Robert
Ober, Lynne
Peterson, Andrew
Rokas, Theodoros
Seidel, Carl
Soucy, Timothy
Vaillancourt, Steve
Winters, Joel

MERRIMACK

Anderson, Eric
Clarke, Claire
Hamm, Christine

Bartlett, Michael
Coffey, Jennifer
Hess, David

Blankenbeker, Lynne
DeStefano, Stephen
Kelly, Sally

Brown, Carole
Gile, Mary
Kidder, David

Kotowski, Frank
Palfrey, David
Schuett, Dianne
Tilton, Joy
Yeaton, Charles

Lockwood, Priscilla
Porter, Margaret
Shurtleff, Stephen
Wallner, Mary Jane

McGuire, Carol
Reed, Dennis
Smith, Todd
Walz, Mary Beth

Owen, Derek
Richardson, Gary
Stetson, William
Webb, Leigh

ROCKINGHAM

Abbott, Dennis
Bates, David
Comerford, Timothy
Devine, James
Ferrante, Beverly
Gleason, John
Henson, John
Introne, Robert
Lyons, Melissa
McMahon, Charles
Perkins, Lawrence
Schlachman, Donna
Sullivan, James
Weyler, Kenneth

Allen, Mary
Bettencourt, David
Crisler, Margaret
Dowling, Patricia
Fesh, Robert
Gould, Kenneth
Hoelzel, Kathleen
Itse, Daniel
Mann, Maureen
Packard, Sherman
Priestley, Anne
Sedensky, John
Tucker, Pamela

Bailey, Clinton
Case, Frank
Day, Judith
Elliott, Robert
Flanders, John Sr
Griffin, Mary
Hutchinson, Karen
Kappler, L. Mike
McCarthy, Barbara
Pantelakos, Laura
Quandt, Matt
Smith, William
Weare, Everett

Baldasaro, Alfred
Charron, Gene
DeSimone, Debra
Emiro, Frank
Garrity, James
Hagan, Joseph
Ingram, Russell
Katsakiores, Phyllis
McKinney, Betsy
Perkins, Amy
Reagan, John
Splaine, James
Welch, David

STRAFFORD

Berube, Roger
Burke, Rachel
Groen, Warren
Lauterborn, Elaine
Sprague, Dale

Bickford, David
Cyr, James
Horrigan, Timothy
Rogers, Rose Marie
Vita, Carol

Brennan, William
Domingo, Baldwin
Kaen, Naida
Ryder, Mark
Wall, Janet

Browne, Brendon
Grassie, Anne
Keans, Sandra
Smith, Marjorie
Watters, David

SULLIVAN

Cloutier, John
Gottling, Suzanne

Osgood, Joe

Cunningham, Steven
Harris, Sandra

Rodeschin, Beverly

Donovan, Thomas Jr
Houde-Quimby,
Charlotte

Skinder, Carla

Gagnon, Raymond
McClammer, Jim

Sweeney, Cynthia

NAYS 58

BELKNAP

Millham, Alida

Pilliod, James

CARROLL

Bridgham, Robert

Butler, Edward

Umberger, Karen

Wiley, Susan

CHESHIRE

Allen, Peter
Lindsey, Steven

Butcher, Suzanne
Mitchell, Bonnie

Butterworth, Timothy
Robertson, Timothy

Carr, Daniel

COOS

Merrick, Evalyn

Rappaport, Laurence

GRAFTON

Cooney, Mary	Pierce, David	Smith, Suzanne	Townsend, Charles
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HILLSBOROUGH

Chase, Claudia	Haley, Robert	Marshall, Seth	Matarazzo, Anthony Sr
Messier, Irene Thompson, Robert	Movsesian, Lori Williams, Carol	Pilotte, Maurice	Schulze, Joan

MERRIMACK

Foose, Robert Tupper, Frank	French, Barbara Watrous, Rick	McMahon, Patricia	Potter, Frances
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ROCKINGHAM

Borden, David DiFruscia, Anthony Moody, Marcia Read, Robin Jr	Bridle, Russell DiPentima, Rich Nevins, Chris Russell, Trinka	Brown, C. Pennington Kepner, Susan Nord, Susi Stiles, Nancy	Cushing, Robert McEachern, Paul Petterson, Don Webber, Carolyn
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STRAFFORD

Brown, Larry Schmidt, Peter	Hofemann, Roland Spang, Judith	Perry, Robert Vachon, Dennis	Rous, Emma
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SULLIVAN

None
and the majority committee report was adopted.

HB 1206, adopting apple cider as the New Hampshire state beverage. **WITHOUT RECOMMENDATION.**

STATEMENT IN FAVOR OF OUGHT TO PASS: This piece of legislation seeks to have apple cider named as the official state drink of New Hampshire. There are various reasons to support apple cider as the state drink such as the numerous health benefits of apples, the many apple orchards enjoyed throughout the state, the travels of Johnny Appleseed, the farming and agriculture in the state, and the invention of the apple peeler by David Goodell, a former member of the New Hampshire House of Representatives from 1876-1879, a member of the state's board of agriculture from 1876-1883 and the governor of the State of New Hampshire from 1889-1891. Opposition to this bill came from those who would like to see milk as the official state drink. Eighteen other states already have milk as their state drink.

Rep. Laura J Gandia

STATEMENT IN FAVOR OF INEXPEDIENT TO LEGISLATE: We believe milk is very important to our state. One beverage is not better than the other. Compelling arguments can be made for both beverages. We also note that neither beverage is unique to New Hampshire, nor even a major product of our state's agriculture. A compromise would lessen the prestige of both drinks. Eighteen states already have milk as their state beverage. Cider has no states, but cider is certainly not unique to New Hampshire. Many states produce it. There are so many important issues for the legislature to address we don't know that we want to spend a lot of time on a state beverage. Others will argue that this is such a great learning for the kids to follow their bill through the legislative process. Having your bill die is part of the learning process. More than half of all bills are voted ITL. We all have had one or more of our bills fail to pass. The Spotted Newt, the Lady Bug, the Pumpkin...where does it end?

Rep. Robert H Haefner

Rep. Mitchell moved Ought to Pass.

Rep. Bolster spoke against.

MOTION TO LAY ON THE TABLE

Rep. McGuire moved that **HB 1206**, adopting apple cider as the New Hampshire state beverage, be laid on the table.

On a division vote, 103 members having voted in the affirmative and 192 in the negative the motion failed.

The question being adoption of the motion of Ought to Pass.

Rep. Mitchell spoke in favor and yielded to questions.

Rep. Lindsey spoke in favor.

On a division vote, 230 members having voted in the affirmative and 74 in the negative, the motion was adopted.

Ordered to third reading.

HB 1290, relative to unincorporated religious societies. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Gary B. Richardson for the Majority of Judiciary: This bill would increase the limit on annual income that an unincorporated religious society can receive from donations, gifts or grants from \$5,000 to \$500,000. The purpose of the limit is to protect the public from making gifts to organizations that have never registered as nonprofit organizations with the secretary of state. Registering with the secretary of state as a nonprofit organization is a relatively simple and inexpensive process. There was no justification offered to the committee as to why the current limit should be raised other than the fact that the limit has not been increased for many years. Vote 11-8.

Rep. William L. O'Brien for the Minority of Judiciary: This bill extends from \$5000 to \$500,000 the amount of income that an unincorporated religious society may receive. Testimony in committee was that the statute that established the \$5000 limit was passed in 1867 and has remained the same until the present. One might have in mind that the amendment to Part II, Article 15 of the New Hampshire Constitution setting representatives' salaries at \$200 for the term was adopted in 1889, 22 years after the \$5000 limit was enacted, to understand both why, and how much, this limit needs to be increased. In addition, it is clear that most religious societies require in excess of \$5000 to function and are likely taking in income greater than \$5000. We should adjust that amount to bring them into compliance with the law.

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

Rep. Itse spoke against and yielded to questions.

Rep. Gary Richardson spoke in favor and yielded to questions.

Rep. Itse requested a roll call; sufficiently seconded.

YEAS 206 NAYS 87

YEAS 206

BELKNAP

Arsenault, Beth
Miller, Kate
Reever, Judith

Bolster, Peter
Millham, Alida
Stuart, Richard

Fields, Dennis
Nedeau, Stephen

Johnson, William
Pilliod, James

CARROLL

Bridgham, Robert
Patten, Betsey

Buco, Thomas
Umberger, Karen

Butler, Edward
Wiley, Susan

Knox, J. David

CHESHIRE

Allen, Peter
Carr, Daniel
Mitchell, Bonnie
Robertson, Timothy

Butcher, Suzanne
Eaton, Daniel
Parkhurst, Henry
Sad, Tara

Butterworth, Timothy
Lerandeau, Alfred
Richardson, Barbara
Weber, Lucy

Butynski, William
Meador, David
Roberts, Kris

COOS

Hatch, William
Remick, William

Mears, Lucy
Richardson, Herbert

Merrick, Evalyn
Theberge, Robert

Rappaport, Laurence
Thomas, Yvonne

GRAFTON

Aguiar, James
Ford, Susan
Harding, Laurie
Pierce, David
Townsend, Charles

Almy, Susan
Friedrich, Carol
Laliberte, Suzanne
Preston, Philip
White, Andrew

Benn, Bernard
Gionet, Edmond
Mulholland, Catherine
Smith, Suzanne

Cooney, Mary
Gould, Franklin
Nordgren, Sharon
Taylor, Kathleen

HILLSBOROUGH

Baroody, Benjamin
Bergin, Peter
Chininis, Alexis
Farley, Michael
Graham, John
Harvey, Philip
Jasper, Shawn
Komi, Richard
Levesque, Melanie
Matarazzo, Anthony
Sr
Ramsey, Peter
Schulze, Joan
Sullivan, Daniel
Willette, Robert

Beauchamp, Roger
Campbell, David
Christensen, Chris
Flurey, Joan
Haley, Robert
Harvey, Suzanne
Judy, Jean
Kopka, Angeline
Long, Patrick
Movsesian, Lori

Beaulieu, Jane
Chandlee, Shannon
Cote, David
Garrity, Patrick
Hammond, Jill
Hodges, Kevin
Knowles, John
L'Heureux, Robert
Mack, Ron
Peterson, Andrew

Beck, Catriona
Chase, Claudia
Emerton, Larry
Gorman, Mary
Hardy, Valerie
Holden, Rip
Knowles, Mary Ann
Leishman, Peter
Marshall, Seth
Pilotte, Maurice

Rokas, Theodoros
Shattuck, Gilman
Thompson, Robert
Williams, Carol

Rosenwald, Cindy
Shaw, Barbara
Vaillancourt, Steve
Winters, Joel

Ryder, Donald
Spaulding, Jayne
Walsh, Robert Jr

MERRIMACK

Bartlett, Michael
Foose, Robert
Hess, David
Owen, Derek
Schuett, Dianne
Wallner, Mary Jane
Yeaton, Charles

Brown, Carole
French, Barbara
Kelly, Sally
Porter, Margaret
Shurtleff, Stephen
Walz, Mary Beth

Clarke, Claire
Gile, Mary
Kidder, David
Potter, Frances
Tilton, Joy
Watrous, Rick

DeStefano, Stephen
Hamm, Christine
McMahon, Patricia
Richardson, Gary
Tupper, Frank
Webb, Leigh

ROCKINGHAM

Abbott, Dennis
Crisler, Margaret
DiPentima, Rich
Flanders, John Sr

Allen, Mary
Cushing, Robert
Dowling, Patricia
Gleason, John

Borden, David
Day, Judith
Elliott, Robert
Gould, Kenneth

Casey, Kimberley
DiFruscia, Anthony
Fesh, Robert
Griffin, Mary

Henson, John
Mann, Maureen
Moody, Marcia
Pettersen, Don
Schlachman, Donna
Webber, Carolyn

Ingram, Russell
McCarthy, Barbara
Nevins, Chris
Priestley, Anne
Splaine, James

Kepner, Susan
McEachern, Paul
Nord, Susi
Read, Robin Jr
Stiles, Nancy

Lyons, Melissa
McKinney, Betsy
Packard, Sherman
Russell, Trink
Weare, Everett

STRAFFORD

Berube, Roger
Cyr, James
Kaen, Naida
Rogers, Rose Marie
Smith, Marjorie
Wall, Janet

Brennan, William
Domingo, Baldwin
Keans, Sandra
Rous, Emma
Spang, Judith
Watters, David

Brown, Larry
Grassie, Anne
Lauterborn, Elaine
Ryder, Mark
Sprague, Dale

Burke, Rachel
Horrigian, Timothy
Perry, Robert
Schmidt, Peter
Vachon, Dennis

SULLIVAN

Cloutier, John
Harris, Sandra

Donovan, Thomas Jr
Houde-Quimby,
Charlotte

Gagnon, Raymond
McClammer, Jim

Gottling, Suzanne
Rodeschin, Beverly

Skinder, Carla

NAYS 87

BELKNAP

Boyce, Laurie
Wendelboe, Fran

Russell, David

St. Cyr, Jeffrey

Swinford, Elaine

CARROLL

Ahlgren, Christopher

Fleck, Joseph

McConkey, Mark

Stevens, Stanley

CHESHIRE

Emerson, Susan

Johnson, Jane

Laurent, John

Sterling, Franklin Jr

COOS

None

GRAFTON

Bulis, Lyle

Ladd, Rick Jr

Maybeck, Margie

Ward, Brien

HILLSBOROUGH

Batula, Peter
Christiansen, Lars
Elliott, Nancy
Hikel, John
Hopper, Gary
O'Brien, William
Pratt, Calvin
Soucy, Connie

Belvin, William
Daniels, Gary
Gagne, Larry
Hinkle, Peyton
Kurk, Neal
Palmer, Stephen
Renzullo, Andrew
Ulery, Jordan

Boehm, Ralph
Day, Russell
Haefner, Robert
Hogan, Edith
Mead, Robert
Pellegrino, Tony
Rowe, Robert
Villeneuve, Moe

Cebrowski, John
Doherty, Shaun
Hawkins, Ken
Holden, Frank
Moran, Edward
Pepino, Leo
Seidel, Carl

MERRIMACK

Anderson, Eric
McGuire, Carol

Blankenbaker, Lynne
Palfrey, David

Coffey, Jennifer
Reed, Dennis

Kotowski, Frank

ROCKINGHAM

Baldasaro, Alfred
Brown, C. Pennington
Emiro, Frank
Hoelzel, Kathleen
Kappler, L. Mike
Quandt, Matt
Sullivan, James

Bates, David
Charron, Gene
Ferrante, Beverly
Hutchinson, Karen
Katsakiores, Phyllis
Reagan, John
Tucker, Pamela

Bettencourt, David
Comerford, Timothy
Garrity, James
Introne, Robert
Perkins, Amy
Sedensky, John
Welch, David

Bridle, Russell
Devine, James
Hagan, Joseph
Itse, Daniel
Perkins, Lawrence
Smith, William
Weyler, Kenneth

STRAFFORD

Groen, Warren

Vita, Carol

SULLIVAN

Cunningham, Steven Osgood, Joe
and the majority committee report was adopted.

HB 1356, relative to certain nonprofit corporations subject to the right-to-know law.

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

Rep. Rick H. Watrous for the Majority of Judiciary: This bill, as amended, would define a nonprofit corporation as a public agency subject to the right-to-know law if it receives more than 50% of its funding from state or local government and its annual total revenue is over \$100,000. As a public agency it would be subject to the RSA 91-A open records requirements but not the open meetings requirement. As local governments are outsourcing more and more of their functions and funds to nonprofit corporations, it is important that these agencies have the same transparency and direct accountability as our state and municipal agencies. Nonprofits which receive over 50% of their funding from local governmental sources would notify the attorney general's office which would maintain a list of these nonprofit public agencies. Existing privacy exemptions under RSA 91-A, plus new exemptions covering private donor, juvenile and client records would apply. The bi-partisan majority believes that this bill strengthens the right-to-know law and would result in more efficiency and public accountability, leading to substantial savings of state, county and municipal dollars. Vote 10-8.

Rep. Philip Preston for the Minority of Judiciary: The right-to-know law was enacted to give effect to the public's right under Part I, Article 8 of the NH Constitution, of "access to governmental proceedings and records." This bill would fundamentally change the right-to-know law, extending its coverage to a broad spectrum of private non-profit corporations, based not on any governmental function, but solely on their receipt of government funding. We heard significant testimony about the devastating effects on the ability of non-profits to continue to provide critically needed services and programs. The committee amendment has not had adequate review or comment by those organizations which would be most affected. The minority notes, at a minimum, the following concerns: First, the result will be to divert significant organizational resources away from the core charitable services provided by the organizations, because they will have to devote additional staff and resources to complying with the requirements of RSA 91-A. At a time of scarce funding, the result will be to deny services and programs to the neediest of our citizens. Second, non-profits are already required to make financial filings with the Charitable Trusts Division of the Attorney General's Office, and additional reporting could be required as a condition of the funding. Third, the bill, as amended, would subject all functions of a qualifying non-profit's activities to RSA 91-A, including those programs or portions of the organization's mission which are

privately funded. Finally, the minority is bemused by the majority's willingness to subject relatively transparent non-profits receiving government funding to the requirements of RSA 91-A, when the majority imposes no such burden on the far less transparent operations of for-profit corporations and other entities which receive their income through government contracts and funding.

Majority Amendment (0504h)

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

1 Right-to-Know Law; Definition of "Public Agency." Amend RSA 91-A:1-a, V to read as follows:

V. "Public agency" means any agency, authority, department, or office of the state or of any county, town, municipal corporation, school district, school administrative unit, chartered public school, or other political subdivision. ***"Public agency" shall also include any nonprofit corporation and its affiliates determined by the Internal Revenue Service to be a tax exempt organization pursuant to section 501(c)(3) whose annual total revenue exceeds \$100,000 and which is more than 50 percent funded by the state or a political subdivision or subdivisions of the state.***

2 New Section; Notification Required. Amend RSA 91-A by inserting after section 4 the following new section:

91-A:4-a Notification From Certain Nonprofit Corporations Required. Any nonprofit corporation identified as a public agency shall notify the attorney general, director of charitable trusts commencing the year following the effective date of this section that such corporation is subject to the provisions of this chapter. The director of charitable trusts, department of justice shall maintain a list of charities defined to be public agencies under the chapter.

3 New Paragraph; Records Exempt. Amend RSA 91-A:5 by inserting after paragraph IX the following new paragraph:

X. Natural person donor records, client-attorney records, and juvenile records of nonprofit corporations which are determined to be public agencies.

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

AMENDED ANALYSIS

This bill adds certain nonprofit corporations to the definition of "public agency" and requires such corporations to notify the attorney general's office that they are subject to the right-to-know law.

Majority committee amendment adopted.

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

Rep. William Johnson spoke against.

Rep. Watrous spoke in favor and yielded to questions.

Reps. Millham and Gary Richardson spoke against and yielded to questions.

Rep. Rowe spoke in favor.

Rep. Gary Richardson requested a roll call; sufficiently seconded.

YEAS 80 NAYS 214

YEAS 80

BELKNAP

Boyce, Laurie

Swinford, Elaine

CARROLL

Chandler, Gene

Fleck, Joseph

McConkey, Mark

Stevens, Stanley

Umberger, Karen

CHESHIRE

Emerson, Susan

Laurent, John

Parkhurst, Henry

Sterling, Franklin Jr

COOS

Rappaport, Laurence

Richardson, Herbert

GRAFTON

Bulis, Lyle
Ward, Brien

Gionet, Edmond

Ladd, Rick Jr

Maybeck, Margie

HILLSBOROUGH

Batula, Peter
Christiansen, Lars
Farley, Michael
Hogan, Edith
L'Heureux, Robert
Pratt, Calvin
Soucy, Connie
Villeneuve, Moe

Beauchamp, Roger
Daniels, Gary
Gagne, Larry
Holden, Frank
Mead, Robert
Renzullo, Andrew
Sullivan, Daniel
Winters, Joel

Boehm, Ralph
Day, Russell
Garrity, Patrick
Holden, Rip
O'Brien, William
Rowe, Robert
Ulery, Jordan

Cebrowski, John
Elliott, Nancy
Gorman, Mary
Hopper, Gary
Palmer, Stephen
Seidel, Carl
Vaillancourt, Steve

MERRIMACK

Blankenbeker, Lynne
McGuire, Carol

Brown, Carole
Reed, Dennis

Coffey, Jennifer
Watrous, Rick

Kotowski, Frank

ROCKINGHAM

Baldasaro, Alfred
Comerford, Timothy
Hutchinson, Karen
Kappler, L. Mike
Perkins, Lawrence

Bates, David
Devine, James
Ingram, Russell
Nevins, Chris
Quandt, Matt

Bettencourt, David
DiFruscia, Anthony
Introne, Robert
Packard, Sherman
Smith, William

Bridle, Russell
Emiro, Frank
Itse, Daniel
Perkins, Amy
Sullivan, James

STRAFFORD

Cyr, James

Groen, Warren

Vita, Carol

SULLIVAN

Cloutier, John

Cunningham, Steven

NAYS 214

BELKNAP

Arsenault, Beth
Miller, Kate
Reever, Judith
Wendelboe, Fran

Bolster, Peter
Millham, Alida
Russell, David

Fields, Dennis
Nedeau, Stephen
St. Cyr, Jeffrey

Johnson, William
Pilliod, James
Stuart, Richard

CARROLL

Ahlgren, Christopher
Knox, J. David

Bridgham, Robert
Patten, Betsey

Buco, Thomas
Wiley, Susan

Butler, Edward

CHESHIRE

Allen, Peter
Carr, Daniel
Lindsey, Steven
Roberts, Kris

Butcher, Suzanne
Eaton, Daniel
Meader, David
Robertson, Timothy

Butterworth, Timothy
Johnson, Jane
Mitchell, Bonnie
Sad, Tara

Butynski, William
Lerandeau, Alfred
Richardson, Barbara
Weber, Lucy

COOS

Hatch, William
Theberge, Robert

Mears, Lucy
Thomas, Yvonne

Merrick, Evalyn

Remick, William

GRAFTON

Aguiar, James
Ford, Susan
Laliberte, Suzanne
Preston, Philip
White, Andrew

Almy, Susan
Friedrich, Carol
Mulholland, Catherine
Smith, Suzanne
Williams, Burton

Benn, Bernard
Gould, Franklin
Nordgren, Sharon
Taylor, Kathleen

Cooney, Mary
Harding, Laurie
Pierce, David
Townsend, Charles

HILLSBOROUGH

Baroody, Benjamin
Bergin, Peter
Chase, Claudia
Doherty, Shaun
Haefner, Robert
Harvey, Philip
Jasper, Shawn
Komi, Richard
Levesque, Melanie
Matarazzo, Anthony
Sr
O'Brien, Michael Sr
Ramsey, Peter
Schulze, Joan
Thompson, Robert

Beaulieu, Jane
Boisvert, Ronald
Chininis, Alexis
Emerton, Larry
Haley, Robert
Harvey, Suzanne
Judy, Jean
Kopka, Angeline
Long, Patrick
Messier, Irene

Pellegrino, Tony
Rokas, Theodoros
Shattuck, Gilman
Walsh, Robert Jr

Beck, Catriona
Campbell, David
Christensen, Chris
Flurey, Joan
Hammond, Jill
Hawkins, Ken
Knowles, John
Kurk, Neal
Mack, Ron
Moran, Edward

Peterson, Andrew
Rosenwald, Cindy
Shaw, Barbara
Williams, Carol

Belvin, William
Chandlee, Shannon
Cote, David
Graham, John
Hardy, Valerie
Hodges, Kevin
Knowles, Mary Ann
Leishman, Peter
Marshall, Seth
Movsesian, Lori

Pilotte, Maurice
Ryder, Donald
Spaulding, Jayne

MERRIMACK

Anderson, Eric
Foose, Robert
Hess, David
McMahon, Patricia
Richardson, Gary
Tilton, Joy
Webb, Leigh

Bartlett, Michael
French, Barbara
Kelly, Sally
Palfrey, David
Schuett, Dianne
Tupper, Frank
Yeaton, Charles

Clarke, Claire
Gile, Mary
Kidder, David
Porter, Margaret
Shurtleff, Stephen
Wallner, Mary Jane

DeStefano, Stephen
Hamm, Christine
Lockwood, Priscilla
Potter, Frances
Stetson, William
Walz, Mary Beth

ROCKINGHAM

Abbott, Dennis
Casey, Kimberley
Day, Judith
Ferrante, Beverly
Gleason, John
Henson, John
Lyons, Melissa

Allen, Mary
Charron, Gene
DiPentima, Rich
Fesh, Robert
Gould, Kenneth
Hoelzel, Kathleen
McCarthy, Barbara

Borden, David
Crisler, Margaret
Dowling, Patricia
Flanders, John Sr
Griffin, Mary
Katsakiores, Phyllis
McEachern, Paul

Brown, C. Pennington
Cushing, Robert
Elliott, Robert
Garrity, James
Hagan, Joseph
Kepner, Susan
McKinney, Betsy

Moody, Marcia
Read, Robin Jr
Splaine, James
Webber, Carolyn

Nord, Susi
Russell, Trinka
Stiles, Nancy
Welch, David

Petterson, Don
Schlachman, Donna
Tucker, Pamela
Weyler, Kenneth

Priestley, Anne
Sedensky, John
Weare, Everett

STRAFFORD

Berube, Roger
Grassie, Anne
Lauterborn, Elaine
Ryder, Mark
Sprague, Dale

Brown, Larry
Horrigan, Timothy
Perry, Robert
Schmidt, Peter
Vachon, Dennis

Browne, Brendon
Kaen, Naida
Rogers, Rose Marie
Smith, Marjorie
Wall, Janet

Burke, Rachel
Keans, Sandra
Rous, Emma
Spang, Judith
Watters, David

SULLIVAN

Donovan, Thomas Jr
Houde-Quimby,
Charlotte
Skinder, Carla

Gagnon, Raymond
McClammer, Jim
Sweeney, Cynthia

Gottling, Suzanne
Osgood, Joe

Harris, Sandra
Rodeschin, Beverly

Rep. Gary Richardson moved Inexpedient to Legislate.
Minority committee report adopted.

(Rep. Eaton in the Chair)

HB 1413, relative to the deposit of weekly rental payments by a tenant during an eviction proceeding. **MAJORITY: REFER FOR INTERIM STUDY. MINORITY: OUGHT TO PASS.**

Rep. Anthony R. DiFruscia for the Majority of Judiciary: The proposed bill requires a tenant subject to eviction to be required to continue to pay weekly rent during the court process. There is some value in balancing the interests of both the tenant and landlord. A covenant of fair dealing between the parties in a rental agreement should be studied. The landlord's duty of providing safe, sanitary housing for the tenant must be balanced with the tenant's obligation of paying rent. Vote 11-8.

Rep. William B. Smith for the Minority of Judiciary: This bill provides some balance between the rights of landlords and those of their tenants. Currently, a tenant can withhold his/her rent during an eviction process, which can extend for several weeks. This interval could be in addition to a period of nonpayment even before the eviction process starts. In the meantime, the tenant has the benefit of living in the unit for free. The argument that payment by the tenant is required before justice can be pursued ignores that payment is not for the purpose of access to justice, but is for the services (i.e., living unit) received. The landlord's expenses (utilities, mortgage, insurance, etc.) do not stop during the eviction process. This extra burden on the landlord's business either makes the business less profitable or else is passed on to other renters, who are then burdened by higher rates. Such a situation is unfair to all, ultimately making it more expensive or impossible for tenants to find suitably priced rental property. The bill may also save court time because it will discourage using the eviction process to attain free interim living quarters.

The question being adoption of the majority committee report of Refer for Interim Study.
Reps. William Smith and Rowe spoke against.
Reps. DiFruscia and Lucy Weber spoke in favor.
Rep. William Smith requested a roll call; sufficiently seconded.

YEAS 191 NAYS 83

YEAS 191

BELKNAP

Bolster, Peter
Nedeau, Stephen
Stuart, Richard

Johnson, William
Pilliod, James
Swinford, Elaine

Miller, Kate
Russell, David

Millham, Alida
St. Cyr, Jeffrey

CARROLL

Ahlgren, Christopher
Knox, J. David

Bridgham, Robert
Umberger, Karen

Buco, Thomas
Wiley, Susan

Butler, Edward

CHESHIRE

Butcher, Suzanne
Lerandeau, Alfred
Richardson, Barbara
Weber, Lucy

Butterworth, Timothy
Lindsey, Steven
Roberts, Kris

Butynski, William
Meader, David
Robertson, Timothy

Carr, Daniel
Parkhurst, Henry
Sad, Tara

COOS

Hatch, William

Merrick, Evalyn

Rappaport, Laurence

Theberge, Robert

GRAFTON

Aguiar, James
Ford, Susan
Nordgren, Sharon
Taylor, Kathleen

Almy, Susan
Harding, Laurie
Pierce, David
Townsend, Charles

Benn, Bernard
Laliberte, Suzanne
Preston, Philip
White, Andrew

Cooney, Mary
Mulholland, Catherine
Smith, Suzanne
Williams, Burton

HILLSBOROUGH

Beaulieu, Jane
Cebrowski, John
Cote, David
Flurey, Joan
Hammond, Jill
Hodges, Kevin
Knowles, Mary Ann
Levesque, Melanie
Messier, Irene
Pilotte, Maurice
Rosenwald, Cindy
Sullivan, Daniel
Winters, Joel

Beck, Catriona
Chandley, Shannon
Day, Russell
Garrity, Patrick
Hardy, Valerie
Holden, Rip
Kopka, Angeline
Long, Patrick
Moran, Edward
Pratt, Calvin
Schulze, Joan
Thompson, Robert

Bergin, Peter
Chase, Claudia
Doherty, Shaun
Gorman, Mary
Harvey, Philip
Judy, Jean
Kurk, Neal
Mack, Ron
Movsesian, Lori
Ramsey, Peter
Shattuck, Gilman
Walsh, Robert Jr

Campbell, David
Chininis, Alexis
Emerton, Larry
Haley, Robert
Harvey, Suzanne
Knowles, John
Leishman, Peter
Marshall, Seth
O'Brien, Michael Sr
Rokas, Theodoros
Shaw, Barbara
Williams, Carol

MERRIMACK

Bartlett, Michael
Foose, Robert
Kelly, Sally
McMahon, Patricia
Schuett, Dianne
Tupper, Frank
Webb, Leigh

Brown, Carole
French, Barbara
Kidder, David
Porter, Margaret
Shurtleff, Stephen
Wallner, Mary Jane
Yeaton, Charles

Clarke, Claire
Gile, Mary
Lockwood, Priscilla
Potter, Frances
Stetson, William
Walz, Mary Beth

DeStefano, Stephen
Hamm, Christine
McGuire, Carol
Richardson, Gary
Tilton, Joy
Watrous, Rick

ROCKINGHAM

Abbott, Dennis
Casey, Kimberley
Day, Judith
Dowling, Patricia
Fesh, Robert
Griffin, Mary
Mann, Maureen
Nevins, Chris
Read, Robin Jr
Webber, Carolyn

Bettencourt, David
Charron, Gene
Devine, James
Elliott, Robert
Flanders, John Sr
Henson, John
McCarthy, Barbara
Nord, Susi
Schlachman, Donna
Welch, David

Borden, David
Crisler, Margaret
DiFruscia, Anthony
Emiro, Frank
Gleason, John
Kepner, Susan
McEachern, Paul
Petterson, Don
Splaine, James

Brown, C. Pennington
Cushing, Robert
DiPentima, Rich
Ferrante, Beverly
Gould, Kenneth
Lyons, Melissa
Moody, Marcia
Priestley, Anne
Stiles, Nancy

STRAFFORD

Berube, Roger
Grassie, Anne
Lauterborn, Elaine
Ryder, Mark
Vachon, Dennis

Brown, Larry
Horrigan, Timothy
Perry, Robert
Schmidt, Peter
Wall, Janet

Burke, Rachel
Kaen, Naida
Rogers, Rose Marie
Smith, Marjorie
Watters, David

Cyr, James
Keans, Sandra
Rous, Emma
Spang, Judith

SULLIVAN

Cloutier, John
Harris, Sandra
Skinder, Carla

Donovan, Thomas Jr
McClammer, Jim

Gagnon, Raymond
Osgood, Joe

Gottling, Suzanne
Rodeschin, Beverly

NAYS 83

BELKNAP

Boyce, Laurie

Fields, Dennis

Wendelboe, Fran

CARROLL

Chandler, Gene

Fleck, Joseph

McConkey, Mark

Stevens, Stanley

CHESHIRE

Emerson, Susan

Johnson, Jane

Sterling, Franklin Jr

COOS

Remick, William

Richardson, Herbert

GRAFTON

Bulis, Lyle

Gionet, Edmond

Ladd, Rick Jr

Maybeck, Margie

HILLSBOROUGH

Baroody, Benjamin
Christensen, Chris
Farley, Michael
Hikel, John
Hopper, Gary

Batula, Peter
Christiansen, Lars
Gagne, Larry
Hinkle, Peyton
Jasper, Shawn

Belvin, William
Daniels, Gary
Graham, John
Hogan, Edith
L'Heureux, Robert

Boehm, Ralph
Elliott, Nancy
Haefner, Robert
Holden, Frank
Matarazzo, Anthony
Sr

Mead, Robert
Peterson, Andrew
Seidel, Carl
Vaillancourt, Steve

O'Brien, William
Renzullo, Andrew
Soucy, Connie
Villeneuve, Moe

Palmer, Stephen
Rowe, Robert
Spaulding, Jayne
Willette, Robert

Pellegrino, Tony
Ryder, Donald
Ulery, Jordan

MERRIMACK

Anderson, Eric
Palfrey, David

Blankenbeker, Lynne
Reed, Dennis

Hess, David

Kotowski, Frank

ROCKINGHAM

Baldasaro, Alfred
Hagan, Joseph
Itse, Daniel
Packard, Sherman
Sedensky, John
Weare, Everett

Bates, David
Hoelzel, Kathleen
Kappler, L. Mike
Perkins, Amy
Smith, William
Weyler, Kenneth

Comerford, Timothy
Hutchinson, Karen
Katsakiores, Phyllis
Perkins, Lawrence
Sullivan, James

Garrity, James
Introne, Robert
McKinney, Betsy
Quandt, Matt
Tucker, Pamela

STRAFFORD

Groen, Warren

Sprague, Dale

Vita, Carol

SULLIVAN

Cunningham, Steven

and the majority committee report was adopted.

HB 1691, relative to the treatment of cable television as a protected utility service.

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

Rep. Rick H. Watrous for the Majority of Judiciary: This bill was submitted in response to a recent Supreme Court decision that found that cable television is a protected utility service under RSA 540-A:3, I. This statute provides, in part, that "No landlord shall willfully cause, directly or indirectly, the interruption or termination of any utility service being supplied to the tenant..." Many people now rely on cable service for telephone and internet service, as well as televised news and entertainment. These cable services are usually paid for by the tenant. The majority agrees with the supreme court that cable television should be treated as a protected utility not subject to a landlord's termination which is a form of retaliatory eviction. Vote 11-8.

Rep. Robert H. Rowe for the Minority of Judiciary: The laws for landlords as well as tenants must be balanced and fair so as not to discourage investment in rental real estate. To do otherwise would result in a reduction in rental properties, to the detriment of low and moderate income families who must rent. It is currently law (RSA 540-A3) that the landlord can not disrupt a tenancy by terminating certain necessary protected services such as water, heat, electricity, gas, telephone, sewerage, elevator, or refrigeration if the tenancy is in dispute. However, cable television is not included as a protected service. Nonetheless, the New Hampshire Supreme Court has ruled termination of cable television to be a violation of the tenancy. The minority believes that the termination of cable television should not be a protected service if it can be terminated without the severance of telephone service. Clearly the termination of cable television, if it would also terminate television service, would be a violation, but the minority believes that cable television alone can be eliminated without the termination of telephone services.

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

Rep. Renzullo spoke against.

Rep. Thompson spoke in favor.

Rep. Renzullo requested a roll call; sufficiently seconded.

YEAS 140 NAYS 129

YEAS 140

BELKNAP

Johnson, William	Miller, Kate	Pilliod, James	Stuart, Richard
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CARROLL

Bridgham, Robert	Buco, Thomas	Wiley, Susan
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CHESHIRE

Butcher, Suzanne	Butterworth, Timothy	Butynski, William	Carr, Daniel
Lerandean, Alfred	Lindsey, Steven	Meador, David	Richardson, Barbara
Roberts, Kris	Robertson, Timothy	Sad, Tara	Weber, Lucy

COOS

Hatch, William	Merrick, Evalyn	Theberge, Robert
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GRAFTON

Almy, Susan	Benn, Bernard	Cooney, Mary	Ford, Susan
Harding, Laurie	Laliberte, Suzanne	Mulholland, Catherine	Nordgren, Sharon
Pierce, David	Preston, Philip	Smith, Suzanne	Taylor, Kathleen
Townsend, Charles			

HILLSBOROUGH

Baroody, Benjamin	Beaulieu, Jane	Beck, Catriona	Bergin, Peter
Campbell, David	Chandley, Shannon	Chase, Claudia	Chininis, Alexis
Cote, David	Flurey, Joan	Garrity, Patrick	Gorman, Mary
Haley, Robert	Hammond, Jill	Hardy, Valerie	Harvey, Philip
Harvey, Suzanne	Hodges, Kevin	Judy, Jean	Knowles, John
Knowles, Mary Ann	Kopka, Angeline	Leishman, Peter	Levesque, Melanie
Long, Patrick	Mack, Ron	O'Brien, Michael Sr	Pilotte, Maurice
Ramsey, Peter	Rokas, Theodoros	Schulze, Joan	Shattuck, Gilman
Shaw, Barbara	Sullivan, Daniel	Thompson, Robert	Walsh, Robert Jr

MERRIMACK

Brown, Carole	Clarke, Claire	Foose, Robert	French, Barbara
Gile, Mary	Hamm, Christine	Kelly, Sally	Kidder, David
Lockwood, Priscilla	McMahon, Patricia	Porter, Margaret	Potter, Frances
Richardson, Gary	Schuetz, Dianne	Shurtleff, Stephen	Tilton, Joy
Tupper, Frank	Wallner, Mary Jane	Walz, Mary Beth	Watrous, Rick
Webb, Leigh	Yeaton, Charles		

ROCKINGHAM

Abbott, Dennis	Allen, Mary	Brown, C. Pennington	Casey, Kimberley
Cushing, Robert	Day, Judith	DiPentima, Rich	Dowling, Patricia
Gleason, John	Henson, John	Hutchinson, Karen	Kepner, Susan
Lyons, Melissa	Mann, Maureen	McCarthy, Barbara	McEachern, Paul
Nord, Susi	Petterson, Don	Read, Robin Jr	Schlachman, Donna
Splaine, James	Welch, David		

STRAFFORD

Berube, Roger
Grassie, Anne
Perry, Robert
Schmidt, Peter
Wall, Janet

Brown, Larry
Horrigan, Timothy
Rogers, Rose Marie
Smith, Marjorie
Watters, David

Burke, Rachel
Kaen, Naida
Rous, Emma
Spang, Judith

Cyr, James
Keans, Sandra
Ryder, Mark
Vachon, Dennis

SULLIVAN

Cloutier, John
Rodeschin, Beverly

Donovan, Thomas Jr
Skinder, Carla

Gottling, Suzanne
Sweeney, Cynthia

McClammer, Jim

NAYS 129

BELKNAP

Bolster, Peter
Nedeau, Stephen

Boyce, Laurie
Russell, David

Fields, Dennis
St. Cyr, Jeffrey

Millham, Alida
Wendelboe, Fran

CARROLL

Ahlgren, Christopher
Knox, J. David

Butler, Edward
McConkey, Mark

Chandler, Gene
Stevens, Stanley

Fleck, Joseph
Umberger, Karen

CHESHIRE

Emerson, Susan

Johnson, Jane

Parkhurst, Henry

Sterling, Franklin Jr

COOS

Rappaport, Laurence

Remick, William

Richardson, Herbert

GRAFTON

Aguiar, James
Maybeck, Margie

Bulis, Lyle
Williams, Burton

Gionet, Edmond

Ladd, Rick Jr

HILLSBOROUGH

Batula, Peter
Christensen, Chris
Doherty, Shaun
Gagne, Larry
Hinkle, Peyton
Hopper, Gary
Marshall, Seth

Belvin, William
Christiansen, Lars
Elliott, Nancy
Graham, John
Hogan, Edith
Jasper, Shawn
Matarazzo, Anthony
Sr

Boehm, Ralph
Daniels, Gary
Emerton, Larry
Haefner, Robert
Holden, Frank
Kurk, Neal
Mead, Robert

Cebrowski, John
Day, Russell
Farley, Michael
Hikel, John
Holden, Rip
L'Heureux, Robert
Messier, Irene

Moran, Edward
Pellegrino, Tony
Rosenwald, Cindy
Soucy, Connie
Villeneuve, Moe

Movsesian, Lori
Peterson, Andrew
Rowe, Robert
Spaulding, Jayne
Willette, Robert

O'Brien, William
Pratt, Calvin
Ryder, Donald
Ulery, Jordan
Winters, Joel

Palmer, Stephen
Renzullo, Andrew
Seidel, Carl
Vaillancourt, Steve

MERRIMACK

Anderson, Eric
Hess, David
Reed, Dennis

Bartlett, Michael
Kotowski, Frank
Stetson, William

Blankenbeker, Lynne
McGuire, Carol

DeStefano, Stephen
Palfrey, David

ROCKINGHAM

Baldasaro, Alfred	Bates, David	Bettencourt, David	Borden, David
Charron, Gene	Comerford, Timothy	Crisler, Margaret	Devine, James
Elliott, Robert	Emiro, Frank	Ferrante, Beverly	Fesh, Robert
Flanders, John Sr	Garrity, James	Gould, Kenneth	Griffin, Mary
Hagan, Joseph	Hoelzel, Kathleen	Introne, Robert	Itse, Daniel
Kappler, L. Mike	Katsakiores, Phyllis	McKinney, Betsy	Moody, Marcia
Nevins, Chris	Packard, Sherman	Priestley, Anne	Quandt, Matt
Sedensky, John	Smith, William	Stiles, Nancy	Sullivan, James
Tucker, Pamela	Weare, Everett	Webber, Carolyn	Weyler, Kenneth

STRAFFORD

Groen, Warren	Lauterborn, Elaine	Sprague, Dale	Vita, Carol
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SULLIVAN

Cunningham, Steven Gagnon, Raymond Osgood, Joe
and the majority committee report was adopted.

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Winters moved that the House reconsider its action whereby it adopted the committee report of Inexpedient to Legislate on **HB 1635**, prohibiting the open carrying of a firearm in a public building.

Rep. Winters spoke in favor and yielded to questions.

On a division vote, 40 members having voted in the affirmative and 212 in the negative, the motion failed.

(Speaker Norelli in the Chair)

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Emerson moved that the House reconsider its action whereby it adopted the majority committee report of Inexpedient to Legislate on **HB 1580**, relative to home schooling.

Rep. Groen spoke in favor.

Rep. Winters spoke against.

On a division vote, 74 members having voted in the affirmative and 174 in the negative, the motion failed.

RESOLUTION

Rep. Wallner 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 Wednesday, March 24, 2010 at 9:30 a.m.

Adopted.

LATE SESSION

Third reading and final passage

HB 1335, establishing a local option to authorize the governing body to set the interest rate on late and delinquent property tax payments, subsequent payments, and other unpaid taxes.

HB 1554, allowing municipalities to establish energy efficiency and clean energy districts.
HB 1667-FN, relative to possession of controlled substances obtained by valid prescription.
HB 1206, adopting apple cider as the New Hampshire state beverage.

UNANIMOUS CONSENT

Reps. Cloutier, Harris, Butler, Tucker and Suzanne Harvey addressed the House.

MOTION TO PRINT REMARKS

Rep. Packard moved that the remarks made by Reps. Cloutier and Harris be printed in the Permanent Journal.
Adopted.

REMARKS BY REPRESENTATIVE CLOUTIER

Rep. Cloutier: Thank you, Madam Speaker. Members of the House, I wanted to note that on March 5th, this House lost a distinguished alumnus and Claremont a valued citizen and I a former colleague and friend. Former Representative David Allison died at the age of 85 in his adopted home community after a long and productive life. Born and raised in Pennsylvania, he served honorably during World War II as most of his generation. After the war and after completing his education he moved to New York City to become a writer and editor for various publications. He married and had 4 children with his first wife, Harriette. He continued, as I said, with his second wife, Mary Elizabeth. He later bought a summer home in Claremont and they both made it their permanent home in 1977. Dave and Mary Elizabeth, better known as Mary Lib to all of us, became very involved in their community. They both served at various times on the library board of trustees. Dave served on the school board. He even coached our colleague, Rep. Donovan in softball. Basically, Dave and Mary Lib also became involved in politics, specifically the local Democratic Party. Finally in 1990, Dave took the plunge and ran for the House. He got elected on his first try and served for a total of 14 consecutive years, never losing a single election. Basically he came to this House and served on 4 different committees, first the Science, Technology and Energy Committee, then the Commerce and Consumer Affairs Committee, then Judiciary and finally the Children and Family Law Committee where he found his true calling advocating for our future. His many achievements included starting up critical state funding for the Claremont school districts' Parents as Teachers program, a program that helps young parents help better prepare their young children for later success in school. His achievements also included the naming of a beautiful stretch of Route 12 between Claremont and Plainfield the Maxfield Parrish Highway, but most importantly he served as a mentor to me and several other legislators, not just in Claremont, but throughout the entire state. He and I would often, in the early days of my House service, ride back and forth to Concord together. He was a wonderful story teller and a strong advocate for his point of view, which I would say is a strong liberal democratic point of view, by the way. I remember one day riding to Concord, he, another colleague and I. I got stopped for speeding because him and I and this colleague were actually involved in a very intense discussion on an important issue that we were going to decide in the House that day and I remember that also too he knew a lot of interesting people, including historian David McCullough. Probably Dave and I were some of the first people in America to find out that McCullough was just going to write a book solely about John Adams rather than a story of the friendship between Adams and Thomas Jefferson as McCullough had originally planned. Though a Democrat, he showed me the importance of working with Republican legislators on issues of common concern. He introduced me to several of his Republican friends and that really stuck out for me. He also was an optimist who quickly bounced back from various political and personal disappointments. They included prematurely losing one of his 4 children and also suffering a serious fall just minutes before he was sworn in for his final term and then losing his beloved Mary Lib just

six months later. David Allison, to me, left a very rich legacy of public service and he left a legacy to both past, present and hopefully future legislators, a legacy of which I am honored to be a small part of. Thank you and I will turn this over to Rep. Harris who will also talk about David Allison briefly.

Rep. Harris: Thank you, I know it is late. John did a very good job of talking about David. I'd like to talk about David and how I met him. I met him in Claremont. I was a school counselor there and I'd just come to town. I was upset because there was not a breakfast program at school and we were trying to raise scores and it's very important to have a breakfast program. We went through several superintendents and we went through several principals and I really wasn't getting anywhere. One day David met me at a meeting and he asked what I was up to and I told him I was up to this. He said, "Let me see if I can help you do that." Within a week, we had an appointment with the superintendent, we had an appointment with the principal, we sat down and the business manager explained to us how this could never ever happen. For about half an hour we talked about costs and then David said, "I haven't heard anyone at this meeting talk about the children and how important this is to them." There was silence and then the superintendent said, "Maybe we could start a pilot project." After that the pilot project worked into a breakfast program. That's when I saw for the first time what someone like David who was a State Rep. could actually do. David and I stayed friends. When Joe and I retired, we gallivanted around the world. We were very happy doing that and David emailed me in Hawaii and said, "You two are having entirely too much fun. It's time to come home and run for the State House." That's how we ended up here. Oh, it's fun. It's fun here today, isn't it? The other thing that stands out for the children of Claremont was that David was on the school board and he was relentless in working for the kids in Claremont. Here in Family and Children, I wasn't here yet, but I understand that in 1997, Family and Children was discontinued and that David went to see Donna Sytek and said that we really need this committee back and in 1999 the committee came back. David Allison was just an incredibly special person to so many of us and so many of the children. I thank you for your time.

RECESS MOTION

Rep. Wallner 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. Adopted.

The House recessed at 6:15 p.m.

RECESS

(Rep. Foster in the Chair)

RESOLUTION

Rep. Davis offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, Senate Bills numbered 311, 328, 380, 385, 412, 415, 416, 431, 436, 438, 444, 457, 478, 494, 501, 503, 508, 509, 510 and 512, Senate Concurrent Resolution numbered 3 and Senate Joint Resolution numbered 2 shall be by this resolution read a first and second time by the therein listed titles and referred to the therein designated committees. Adopted.

INTRODUCTION OF SENATE BILLS, SCR AND SJR

First, second reading and referral

SB 311, relative to special education services for persons incarcerated and persons attending Granite State high school. (Education)

SB 328, relative to approval procedures on plats. (Municipal and County Government)

SB 380, relative to the definition of permissible fireworks. (Criminal Justice and Public Safety)

SB 385-FN-A, relative to fees for low digit number plates. (Transportation)

SB 412, relative to the display of the POW-MIA flag. (State-Federal Relations and Veterans Affairs)

SB 415, relative to remedies against landlords. (Judiciary)

SB 416, relative to the state minimum hourly wage applicable to tipped restaurant employees. (Labor, Industrial and Rehabilitative Services)

SB 431, relative to housing and tenancy protections for victims of domestic violence, sexual assault, or stalking. (Judiciary)

SB 436, relative to health insurance open enrollment periods and establishing a commission relative to children's health insurance. (Commerce and Consumer Affairs)

SB 438, relative to procedures in small claims actions. (Judiciary)

SB 444, relative to the medical child support obligation. (Children and Family Law)

SB 457-FN, authorizing identifying decals for custom vehicles. (Transportation)

SB 478, relative to the appointments to the board of home inspectors, the administrative attachment of the plumbers' board, and retired status for licensed architects. (Executive Departments and Administration)

SB 494, relative to legislative study committees. (Legislative Administration)

SB 501-FN, relative to worksharing benefits under the unemployment compensation law, and relative to training grants. (Labor, Industrial and Rehabilitative Services)

SB 503, relative to unique pupil identification. (Education)

SB 508, establishing the state office of veterans services. (State-Federal Relations and Veterans Affairs)

SB 509, establishing the New Hampshire medal of honor fund and repealing the New Hampshire service award. (State-Federal Relations and Veterans Affairs)

SB 510, establishing a commission to evaluate the parity between oral and intravenous chemotherapy. (Health, Human Services and Elderly Affairs)

SB 512-FN, relative to the community college system of New Hampshire. (Education)

SCR 3, congratulating the Boy Scouts of America on the occasion of its 100th anniversary. (Education)

SJR 2, endorsing the establishment of a statewide retiree medical trust for public employee health care reimbursement benefits after retirement. (Executive Departments and Administration)

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