

HOUSE RECORD

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Concord, N. H.

Tuesday, February 15, 2011

No. 17

HOUSE JOURNAL No. 5 (cont.)

Wednesday, February 9, 2011

Rep. Tucker moved that the House adjourn.
Adopted.

HOUSE JOURNAL No. 6

Tuesday, February 15, 2011

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 Roger Boucher of Gilmanton Iron Works. Heavenly Lord, we ask for Your strength again today, for our task is not always envious in the challenging and foggy climate of subjective opinion. We need the wisdom found in the truth of things, to comfort, encourage and guide us. We seek to be respected not merely as men and women of expediency or in expediency, but people of vision who will prevail, by law, against the forces of disintegration which daily threaten our civility. This is what we need, Lord. Guide us, then, by the strength of Your wisdom, that we may critically persuade with our arguments in a civil manner, for our goal is at all times to establish and maintain the permanent things that bestow life, liberty and the pursuit of happiness. We ask this in Your name. Amen.

Representative Robert Williams, member from Concord, led the Pledge of Allegiance.

Representative James Garritty of Atkinson led the singing of the National Anthem.

LEAVES OF ABSENCE

Reps. Ronald Belanger, Berube, Julie Brown and Mirski, the day, illness.
Reps. Beattie, Benn, Bouchard, Ginsburg, Merrick, Oigny and Michael Reed, the day,
important business.
Reps. Knox and Rhodes, the day, illness in the family.

INTRODUCTION OF GUESTS

The Honorable Laurie Boyce, former member from Alton, guest of Rep. Blankenbeker.
William Vaillancourt, student at ConVal Regional High School, Page for the day.

RESOLUTION

Reps. Bettencourt and Norelli moved that the House notify the Honorable Senate that it is ready to meet in Joint Convention for the purpose of hearing the Budget Address by his Excellency, Governor John H. Lynch.
Adopted.

SENATE MESSAGE

The Senate is ready to meet in Joint Convention for the purpose of hearing Governor John H. Lynch deliver his budget address.

INTRODUCTION OF SENATE

The Sergeant-at-Arms introduced the Honorable Senate and Senate President, Peter Bragdon of Milford.

JOINT CONVENTION

(Speaker O'Brien presiding)

The Sergeant-at-Arms introduced the following special guests: Administrative Judge for the Probate Courts, the Honorable David King; Administrative Judge for the District Courts and Family Division, the Honorable Edwin W. Kelly; Chief Justice of the New Hampshire Supreme Court, the Honorable Linda S. Dalianis; Executive Councilor for District 2, the Honorable Daniel St. Hilaire and Executive Councilor for District 4, the Honorable Raymond J. Wiczorek.

The Sergeant-at-Arms introduced Governor John H. Lynch and Dr. Susan Lynch.

BUDGET ADDRESS

His Excellency, Governor John H. Lynch, addressed the Joint Convention.

Mr. Speaker, Mr. Senate President, Madam Chief Justice, honorable members of the House, Senate and Executive Council and my fellow citizens of New Hampshire, let me take a moment to thank and introduce my wife, and our great first lady, Dr. Susan Lynch for all she has done for us. Across our state, we are seeing signs of economic recovery, businesses starting to expand, investing once again in people and investing in equipment. People are going back to work. Our unemployment rate has steadily fallen over the past year and is now one of the lowest in the nation. The Federal Reserve Bank predicts New Hampshire will have the strongest economic growth in the nation in the coming months. State revenues are showing signs of recovery, coming in ahead of last year and trending on plan. Because of our careful stewardship, New Hampshire is better positioned than most of the states to emerge from this recession. New Hampshire is strong and with careful and thoughtful cooperation, and with a responsible budget, we will make it even stronger for the future. Over the decades, our state has developed a strategy that has made us a national leader in almost

every area. Today, I present a balanced budget for 2012 and 2013. It is a budget that reflects the continued economic challenges that our state and our families face. It also is a budget that protects our state's strategy for success, keeping taxes low and making smart investments in education, health care, public safety and economic development. Over the past two years, we received \$380 million in federal stimulus funds for Medicaid and for education. In one of the worst economic times in many of our memories, we used stimulus dollars to maintain services and spending that were critical for helping our citizens and our economy weather this difficult recession. Those funds also served as an important bridge, giving us time to make smart and real reductions. We used the buffer of stimulus funds to thoughtfully close and transition programs, such as moving children with behavioral issues to community-based programs. We closed the Lakes Region prison. We've accelerated other reforms, such as a new computer system at the Department of Revenue Administration that will allow us to cut spending even further in 2012 and 2013. The hard choices and reductions we've made over the last several years will provide us significant cost savings over the next two years, but one of the challenges of this budget was to account for the loss of federal stimulus funds without decimating core functions and services for our citizens. At the same time, demand and costs for some of these services are increasing. Achieving that balance required significant reductions of programs and services across state government. With this budget, we continue re-thinking every aspect of state government. We have pored over every line in every budget. We've asked not only whether a program was worthy, but also whether it was the most important thing for us to continue to do as a state. For programs that we believe should continue, we asked how they could be done more efficiently and more effectively. This budget restructures many parts of state government, changing what we do and how we do it. It cuts programs, facilities and positions across state government. We are making these changes for a number of reasons. Some we would propose no matter what the economic times. Some are financially necessary. Some choices were made so we could protect higher priorities, priorities core to our state's strategy for economic success – education, health care and public safety. The budget I present today cuts spending by significantly reducing the state's cost structure. This budget spends \$160 million or 5.5 percent less than the state spent in general funds in 2008 and 2009. Across state government, this budget eliminates 1,100 positions, reducing our state employee position count by almost 10 percent. It eliminates 255 currently filled positions, a difficult but necessary move to ensure we can meet our basic responsibilities. We eliminated almost all vacant positions. This budget assumes modest economic and revenue recovery, estimates lower than some outside experts and lower than those of some of our neighboring states. For 2012, this budget assumes that revenues will still be below 2008 levels. This budget proposes neither new taxes nor tax increases. It doubles the research and development tax credit and it repeals the tax on gaming winnings. We are asking our agencies to do business differently so that they can do more with less, but with this budget, we are also making it clear that there are areas where state government will simply do less. We must be honest and clear about the impact that this budget will have on the lives of our citizens. Some programs that people and businesses currently rely on will no longer be there or will operate differently. There are programs that provide real value to our citizens that we simply can no longer afford. We will be using technology to make state government more efficient, and as result, we will be closing offices and facilities and reducing personnel. These changes provide real benefits and real savings, but change is hard and the protests will be loud. None of us can say, cut state government spending, but don't close the office in my town or don't change my program. That is how state government grew to have too many costly offices and facilities in the first place. Parochial interests must give way to the best interests of the state as a whole. We must all join together and be clear that we cannot afford to business as usual here in New Hampshire. We must make these hard choices so that we can direct our limited taxpayer funds to our core responsibilities and that is what this budget does. With a few exceptions, such as the Judicial Branch and the Veterans Home, almost every agency

will spend less than they spent in 2011. The only major agency to receive an increase over general and stimulus fund spending is the Department of Corrections. It is not an increase that I like, but it is a necessary investment in public safety. We made major changes and reductions across state government so we could replace stimulus dollars and maintain adequacy aid to our schools; so that the Department of Justice could continue to prosecute crimes and protect consumers; so that the Department of Safety could put more troopers on the road; and so that we could protect the safety net for our most vulnerable citizens. Today, I would like to walk you through the highlights of those changes. This will be longer than a typical budget speech, but the changes we are proposing today are so significant to our state that I believe it is important to spend time talking about the choices we made, why we made them and what the changes mean for the citizens of New Hampshire. So, settle back and get comfortable. Let me start with the Department of Health and Human Services. It accounts for nearly 30 percent of our state spending and it touches in some ways the lives of hundreds of thousands of residents here in New Hampshire. For the last two years, we used stimulus funds to artificially reduce the Health and Human Services general fund budget. The stimulus funds paid for costs that otherwise would have been paid for by general funds. The recession also caused its caseloads to grow significantly. Although that growth is leveling off, we do not expect a decline in caseloads over the next biennium. This budget reduces the department's spending below its combined general and stimulus fund spending in 2011. I had four major goals for the Department. First, safeguarding health care to our most vulnerable citizens, seniors, children and people with disabilities. Second, providing a helping hand to our neediest citizens to get those who are physically able back to work and to minimize cost-shifting to local welfare agencies. Third, protecting the public's overall health and safety through functions such as juvenile justice, child and elder protective services, food safety and our public health programs and finally preserving, to the extent possible, services to those already receiving them, rather than adding new services or new people to programs. We looked at everything the department does to determine not only what programs added value, but what spending contributed to the highest value to meeting those goals. We considered what programs had other funding sources and options. We changed programs to deliver services more efficiently. We eliminated or reduced funding for a number of programs, including the catastrophic illness program, reimbursements to hospitals for medical education and diversion incentive funding. We chose to privatize the Tirrell House, our substance abuse program for men in Manchester, a change that will also provide opportunities to potentially expand services. Combined, these changes will save an estimated \$8.5 million over the next two years. In the past biennium, we provided an extra \$20 million in general funds to serve an additional 1,300 people with developmental disabilities and acquired brain disorders. In this budget, we made the difficult decision to protect ongoing quality services rather than expanding these programs further. This budget provides \$250 million in general funds to serve people with acquired brain disorders and development disabilities, but it does not provide separate funds for waitlists. We tightened eligibility for people with other sources of income. This change allows us to continue to provide financial help to people with the greatest needs. It also allows us to continue to provide the child care funds that help parents move from welfare to work. Following the recommendations of a legislative study committee, this budget moves some shelter and youth programs to unused spaces at the Sununu Center. This change moves young people closer to their families. It puts them closer to a broader range of services. It ends duplication of services and it will save an estimated \$11.3 million over the next biennium. The Department of Health and Human Services is also changing how it does business. For example, the Department began a pilot program to use technology to improve its services. The staff of the former Salem District Office now moves around the district. The Department will expand its efforts to go where the people are. As a result, we will close an additional four district offices over the next two years, saving an estimated \$1.9 million. We are demanding those same types of efficiencies from the organizations that we contract with to provide care. To reduce

administrative costs, the department will continue to move toward issuing regional contracts for an array of services, instead of individual contracts for specific service. These changes will save an estimated \$10.5 million over the biennium. State government provides more than 90 percent of the funding for the Community Mental Health Centers and for the Area Agencies for Developmental Disabilities. We need to keep those services within the communities, but we do not need to pay the high overhead of the current system, where every agency has an executive director, a chief financial officer and so forth. With this budget, we will reduce the number of administrative units for the Community Mental Health Centers by three and the number of administrative units for the developmental disability agencies by another three. Combined, these changes will save \$3.6 million in 2013 while still maintaining local services. With this budget, we are reforming the state's Medicaid program and putting our limited dollars where we will get the highest return. As a state, we've already made a number of changes to control the growth in Medicaid costs. We have reduced provider rates; we have limited access to the most-expensive care networks; and we began bulk buying for certain items, such as diabetic supplies, a change that will save nearly \$2 million over the next two years. Last year, we made the decision to limit in-patient care at Children's Hospital in Boston to only those services that could not be provided in New Hampshire. But Children's, like so many other hospitals, has bought up or launched its own physician practices in our state of New Hampshire. It is now referring patients to Boston for routine out-patient care, care that is available less expensively here in New Hampshire. We are eliminating Children's Hospital from our Medicaid network, except when it is the only option available, for a savings of \$10 million over the biennium. In the past year, the Department of Health and Human Services has been working diligently on plans for a Medicaid managed care program that will include children, women, people with disabilities and the elderly. They expect to issue requests for proposals from outside vendors by this summer. It is important to recognize that the Department on its own has already instituted a number of the tenets of managed care. For example, requiring prior authorization for expensive services and instituting a prescription drug management system. Consequently, the savings for our new managed care program will not be as great as those of states that have not previously acted to control costs, but there will be savings. We expect to institute a Medicaid managed care program by the fourth quarter of fiscal year 2012, a change that will save \$32 million, net of start-up costs, over the biennium. In 2013, that equates to a 5 percent savings over anticipated spending. These changes will also improve people's care by focusing on prevention and outcomes through strategies such as medical homes and accountable care organizations. Ensuring all of our children have access to affordable health care has been one of our state's major priorities. That's because children with access to quality health care stay healthier, do better in school and have a better chance of succeeding later in life. The costs are low and the dividends are truly immense. Through a partnership with the Healthy Kids Corporation, we've provided affordable health care to tens of thousands of New Hampshire children. It's been an important partnership. But even worthy programs must be reviewed to ensure that they are still the best and the most efficient option. As we worked to reduce the Health and Human Services budget, we looked at two alternative proposals for savings in children's health insurance. The first option was to cap enrollment in the program, for a savings of \$1.8 million in general funds over the biennium, but at a cost of denying 1,600 children access to affordable health care. We rejected that option. The second option was to end our partnership with Healthy Kids and bring that program in-house. That will save \$6.6 million in general funds over the biennium and allow us to provide affordable health insurance to more children. I chose the second option. I chose to lower costs and to insure more of our children here in New Hampshire. As we made reductions in the Department of Health and Human Services, we were cognizant of the fact that almost every dollar cut translates into a \$2 reduction when federal matching funds are taken into account. We had to think carefully about what parts of our health care system could best bear the reductions. We considered what reductions would have the least

impact on the lives of our citizens here in New Hampshire and we worked to focus on investments that meet our long-term goals of reducing the growth in health care costs by keeping people healthier. As we worked to reduce general fund costs, we considered eliminating Medicaid optional services for adults, for seniors and people with disabilities, but at the end of the day, I don't believe that there is anything really optional about prescription drugs for seniors, nursing services or wheelchairs. Cutting Medicaid optional services would hurt more than 40,000 people. It would result in sicker people, and even, potentially, deaths and it would drive up our health care costs. Without access to prescription drugs or other so-called optional services, people would end up using more expensive health care - ambulances, emergency rooms and long-term hospital stays. We looked at reducing provider rates, but the federal government has made it clear that it will likely reject reductions to provider rates, so we chose a third option. We are redirecting \$20 million in uncompensated care payments the state now makes to hospitals to help maintain Medicaid optional services. As the biggest providers of care, and now the owners of many physician practices, the hospitals would experience a financial impact if we chose to reduce provider rates or cut benefits. Our hospitals in New Hampshire provide excellent service to our citizens. The doctors, nurses and other staff members working at our hospitals provide high-quality care comparable to that offered anywhere in the country, but from a financial perspective, the hospitals can afford this change. Hospitals get millions of dollars in tax breaks for being nonprofits. According to their latest public filings, the top 200 executives of our 24 non-profit hospitals made a collective \$60 million. Collectively, New Hampshire's nonprofit hospitals generated cash over expenses of more than \$200 million, so instead of using that excess cash to reduce health care costs, hospitals spend it on advertising, trying to attract market share from each other or buying physician and laboratory practices across the state and then increasing overhead charges to patients. They are pouring revenues into multi-million dollar new facilities. In the last five years, hospitals have launched \$500 million in capital projects. Another \$50 million worth of projects are currently pending before the certificate of need board. Most of these expansions are discretionary and these facilities are driving up utilization and driving up our health care costs here in New Hampshire. These are costs that we all see in our ever-increasing health insurance premiums. To that, I say enough. That is why, in addition to this change, I call on the certificate of need board to institute a moratorium on the construction of new facilities by hospitals. We are overbuilding, and if we want to control health care costs, we need a comprehensive review to determine what our state's true health care facility needs are. I will direct the Department of Insurance, in conjunction with Health and Human Services, to undertake that review over the next two years. We took the same hard look at our long-term care system. We offer two main systems of care here in New Hampshire, home-and-community based care and nursing home services. Our seniors prefer to stay in their homes. They prefer to stay in their communities. That is also the most cost-efficient option for our taxpayers. We must preserve important home-and-community based services for seniors, services like meals on wheels and visiting nurses. This budget redirects \$8.5 million in supplemental payments to nursing homes to support home-and-community based care. A quality mental health care system is just as important as the rest of our health care system. Mental health care helps keep people employed, reduces homelessness and even reduces corrections costs. Through this budget, we are making fundamental changes to our mental health care system, moving it in the direction outlined by our state's 10-year mental health plan. As part of Medicaid managed care, we will move to a new payment system for community mental health services that will provide a more stable funding stream, allowing local centers to focus on improving quality, giving consumers more choices and promoting innovation. We will use our resources wisely, providing video conferencing capabilities so that the psychiatrists available 24-hours a day at the State Hospital can also conduct emergency assessments for community mental health centers, improving patient care and saving nearly \$700,000. With this budget, we will provide better and more-cost efficient services to people within their own communities. This

budget closes an additional unit at New Hampshire Hospital and invests those savings in creating two additional teams aimed at helping people with mental illnesses live productive lives right in their own communities. We will also privatize the transitional housing units at New Hampshire Hospital and replace them with community-based housing, housing that will help people integrate back into their homes and back into their lives. These changes will save us money over the biennium, but equally important, they will improve mental health care in New Hampshire, meeting our state's long-term goal. We made a number of difficult choices to reduce spending at the Department of Health and Human Services, and at the same time, to meet an increased demand for services, but with this proposal, we are using our dollars more efficiently and directing those dollars to where they will do the most good for people. I firmly believe that education is the most important investment we make as a state in our future economic growth. Providing our children with quality education opens new doors and new opportunities for them. The education of our workforce and the strength of our schools attract businesses to our state. I believe in higher education and I believe in working to make higher education more affordable and more accessible to our families here in New Hampshire. With this budget, we are re-directing higher education dollars to where they will have the most widespread impact. As a state, we've been spending millions of dollars through the Post-Secondary Education Commission and the Unique College administration fund on thousands of small-dollar scholarships and to build endowments at colleges and universities, some of which are private. Through the Post-Secondary Education Commission alone, we were spending \$500,000 to administer just \$3.5 million in scholarship money. That is not the most efficient use of our resources, not given the challenges we face. So with this budget, state government is getting out of the financial aid business and redirecting those funds to support our community college and university systems. We are eliminating the Post-Secondary Education Commission as a stand-alone agency and consolidating its remaining functions, including overseeing veterans' education, regulation, and ensuring access to college transcripts, within the Department of Education. We will continue to support funding for the New England Board of Higher Education, which is a cooperative agreement that allows our students to access in-state tuition rates for some programs at other New England schools. The Post-Secondary Education Commission has long paid to reserve spots for medical and veterinary students from New Hampshire. It is an investment, however, with no guaranteed return. It does not require the students to work here in New Hampshire. That is why I am eliminating the program and instead maintaining our loan repayment program, which helps bring doctors to work in under-served rural areas of New Hampshire. Our University and Community College systems are tremendous resources to our state and our clearly worthy of our investments. They educate thousands of New Hampshire young people and adults. They provide research that helps businesses grow and create new jobs. They are our engines of our economic future. The restructuring of Unique and the Post-Secondary Education Commission will allow us to fund the community college and university systems at 95 percent of their current levels. The Community College System will also receive an additional \$2 million a year to create an advanced composite manufacturing program, which will help make possible the expansion of Albany International here in New Hampshire and attract additional businesses in this growing field. Through Albany International alone, this investment over the next eight years will directly and indirectly create 1,000 jobs and generate more than \$100 million in economic activity. In addition, this budget invests \$2 million a year in job training both for unemployed workers and to help companies improve the skills of their existing workforce. This investment will help keep those good jobs right here in New Hampshire. Since 2002, through the KEEP program, we've invested \$175 million in improving the facilities at our University System. Those investments have helped ensure the University System can keep up with modern educational demands, including in science and technology. The capital budget provides nearly \$35 million to fund the remaining portion of KEEP and provides \$5 million to begin funding the University System's deferred maintenance plan. Our community college system

is growing. It offers countless adults the opportunity to improve their skills to compete for better jobs. Young people turn to the community college system to prepare them for the workforce, or as a way to save money as they work to earn a four-year degree. The system is facing increasing demands for new services and programs and this capital budget provides the community colleges with \$18 million to construct and maintain the facilities needed by our businesses and needed by our citizens. These funds will help build a new academic building in the Lakes Region for health sciences, improve computer science and welding facilities in Manchester, upgrade the automotive repair programs at White Mountains, Nashua and Manchester and improve technology and health science offerings at River Valley. Now, as a state, I do not believe we should micro-manage the spending of either the community college system or the University System, but I do think that we should demand the same efficiencies from both that we are demanding from the rest of state government. Over time, higher education has spent its funds in certain ways because that is the tradition, but programs become outdated, bureaucracies grow and so does spending. That is why I am creating a commission to review public higher education spending to ensure that it is as efficient as possible. I will ask the commission to make recommendations on the University and the Community College system offices to ensure that they are as lean as possible, to review whether there is unnecessary duplication between the two systems and to consider how we can continue to improve coordination and integration of the community college and the university systems. We must make sure that both systems are doing everything possible to keep college affordable and accessible for our families here in New Hampshire. The largest chunk of the state budget, nearly 50 percent, goes out as state aid to local schools and communities. All of our children deserve the opportunity for a quality education so that they can learn and succeed later in life. That is why this budget invests more than \$2 billion in education over the next two years. In just five years, we've cut in half our high school dropout rate and preliminary estimates show that there was another significant decrease just last year. That is why this budget continues to support our dropout prevention programs. This small investment now will save our state money in the future. High school graduates are less likely to end up in prison or on state assistance. More importantly, these funds are making it possible for more of our young people to have better lives and get good jobs in the future. At a time when states across the nation are cutting funding to local school districts, this budget provides level funding to school districts. Now, let's be clear, this is not a cut. For 2012 and 2013, school districts will receive in adequacy aid exactly that which they received in 2011. This is not a cut. Just three months ago, we distributed an additional \$20 million in federal stimulus funds to schools, funds that most school districts are reserving for the 2012 school budget, but even as we maintain adequacy funding levels, we cannot do business as usual. I continue to support placing a constitutional amendment on the ballot that allows us greater flexibility to target aid to communities and children with greater needs, but we need additional reforms as well. Over the past decade, as the state's commitment to education went from \$50 million in 1999 to \$945 million today, we've seen a move away from multi-community cooperation on education. That is why this budget provides \$1 million in grant funds to support cooperative efforts by school districts to work together to reduce costs and improve the quality of the delivery of education. In just 10 years, school building aid costs have more than doubled. The money hasn't always gone where it is needed the most. Some communities have built grand new facilities. Others are still putting buckets under leaky roofs. Instead of equalizing opportunities for our children, these funds have too often only exacerbated the differences between and among our schools. There have been several attempts over the last few years to re-consider the building aid formula, but they haven't gotten far. Well it's time for all of us to be honest about what we can afford and what makes sense for our state. We cannot afford to double school building aid again over the next decade. In recognition of the state's financial situation, this budget provides \$20 million for school building aid payments in 2012 and restores the funding to 100 percent or nearly \$50 million in 2013. This budget also continues the moratorium on state

funding for new school building projects, except in cases of emergency, until we can develop a common-sense new system with controllable and sustainable costs and a system that makes its first priority ensuring basic, safe school facilities for all our children. As we looked at this budget, we also re-examined the state support for local schools that pre-dated the creation of the adequacy formula. For example, the school funding formula that began this biennium includes enhanced aid of \$1,856 per pupil for special education students. In all, the formula dedicates \$50 million to special education funding. That is why this budget reforms the catastrophic aid formula, which also provides special education aid, to limit assistance to cases costing more than 10 times the state average. We all know that one of the challenges of this budget was replacing lost federal stimulus dollars. I mentioned that before. With this budget, the amount of state tax dollars going out in aid to local schools and communities will actually increase over what we are spending today. When we compare general, education and stimulus spending, overall aid to schools and communities will be about 94 percent of what we spent in 2010-2011, comparable to the reduction in general and stimulus fund spending for the rest of state government. For municipalities, we are level funding meals and rooms distributions in 2012 and increasing it by \$5 million in 2013. We will provide more than \$70 million in direct grants for local road and bridge projects. In the Department of Environmental Services, we will continue to pay for wastewater, water treatment and solid waste projects already enrolled in the State Aid program, but we will not add additional projects. Each and every day our public employees, state workers, teachers, police officers and firefighters, some of whom are here today, respond to the needs of New Hampshire. Their efforts deserve our thanks and our recognition. Together we work to ensure the State of New Hampshire, local communities and schools provide the level of service our citizens require, while staying within our financial means. It is important that we honor the commitments that we have made to our public employees and to their retirement. Employee retirement costs are increasing for the state and for our communities. We must recognize that this is not the fault of our employees or the result of some new benefit. Rather, we are seeing the result of shortsighted decisions made two decades ago that allowed the state and the local employers to deliberately underfund the true costs of the retirement benefits that were promised to employees. Over the last few years, we took major steps to reform the retirement system, beginning with a new accounting method that honestly accounts for our outstanding liabilities and we put in place a plan that pays down those liabilities over the next 27 years. Let's be clear, today's retirement system is not on the verge of insolvency or bankruptcy. That said, we must continue working together to enact reasonable and responsible policies to ensure the benefits we promise future employees are affordable for the long term. As we developed the budget, we examined a number of programs that have been driving state cost increases for a number of years. Most made sense when they were launched, but I suspect no one at the time knew how quickly they would grow. The state subsidy for local retirement costs falls into that category, which is why this budget eliminates that subsidy, but I am also proposing a series of retirement benefit reforms for new public employees, which over the long term, will reduce costs for the state, communities and for the school districts. This package increases the retirement age for police and firefighters to 25 years of service and age 50 and increases the retirement age for other employees to age 65. Two years ago, we increased the retirement contribution for new state employees. Now I am proposing increasing that contribution for all other groups from 5 percent to 7 percent for group 1 and 9.3 percent to 11.3 percent for group 2. This package will no longer allow for end-of-career payouts that artificially increase compensation and it increases the time period for calculating the average end-of-career pay from three years to five years. Together, these reforms will help lower the rates that employers, the state, municipalities and school districts pay. These changes will save employers an estimated \$1.5 billion over the next 20 years and help keep our retirement system on a sound footing. Public safety is also one of our top priorities as a state. This budget level funds the Department of Safety in order to meet our core responsibilities. There will be no layoffs of

state troopers, but to preserve trooper positions at a time of higher costs, we are making changes across the department. The Division of Motor Vehicles has launched an on-line licensing renewal system and will soon allow for online payment of traffic tickets. For most people, these changes mean they will only have to visit a Motor Vehicle office once every 10 years. As a result, we will close four substations and reduce personnel, saving \$1.2 million. The Department of Safety currently spends \$2 million a year to subsidize driver's education, with most of the money going to private driving schools under contract to public schools. This budget eliminates that subsidy and re-directs the funds to a higher priority, funding the detectives' bureau at the Department of Safety. Both the Department of Safety and Department of Education currently regulate drivers' education. We are eliminating that function within the Department of Education, saving an estimated \$175,000 over the biennium. Several years ago, we merged Highway Patrol and State Police. It is a move that has given us more flexibility, allowing the Colonel of State Police to put more troopers on the road during bad weather and major events. With this budget, we continue that integration and focus on putting more of our law enforcement resources to work where they have the highest value. Right now, some members of Troop G, the former highway patrol, perform mechanical inspections of commercial vehicles at weigh stations and they inspect car dealerships. This budget hires eight mechanics to perform those functions and puts those troopers on the road across New Hampshire. Our Corrections System is also critical to ensuring the safety of our citizens. The Department of Corrections, as I mentioned before, is the only major state agency to see an increase in funding over general and stimulus spending in 2010-2011. While it is an important and necessary investment in public safety, it is not an investment in New Hampshire's future. It is not an area where I want to spend more money. I would rather spend the money on higher education. That's an investment that will help our economy grow. The cost of corrections would be even higher if we had not closed the Lakes Region Facility and also passed the Justice Reinvestment Act. Our prison population is decreasing, but Corrections is mostly fixed costs. The budget does assume some savings from incidental costs, food, medical care and uniforms that result from the changes made through that legislation. Greater savings will come in 2014-2015 when we are able to close housing units as we reduce the number of people returned to prison for committing crimes. Before we passed the Justice Reinvestment Act, 50 percent of inmates returned to state prison within three years for new crimes. The simple fact is we cannot make lasting and meaningful reductions to corrections spending if we don't make changes to our corrections system aimed at lowering the number of released inmates that go ahead and commit new offenses. That is why we are recommending changes to the Justice Reinvestment Act, but preserving its core reforms. These reforms will save taxpayers money and also ensure public safety. Even with the savings from these reforms, the cost of our corrections' system in New Hampshire is not sustainable. For example, the age of the Concord state prison makes it inefficient to run. That is why we have issued requests for information about new options for our prison system, including potential public-private or multi-state partnerships. The deadline for those responses was yesterday. Our intention is to review those proposals, and to present any viable alternative options for our corrections system to the legislature during the budget process. High-quality roads and bridges are essential to the quality of life of our citizens and to the economic development of our state. With this budget, we reduce the Department of Transportation's operating budget by \$12 million from 2011 and we level fund spending on road and bridge projects. We level fund appropriations from the Highway Fund to other agencies, including the Department of Safety. This budget transfers administration of the state's welcome centers to the Department of Resources and Economic Development and provides for the redevelopment of the Hooksett and Interstate 95 welcome centers. Our goal is to make our rest areas more than pit stops, but areas that truly welcome people to our great state and promote our tourism industry. This budget maintains existing revenues for the Highway and Turnpike Fund to pay for nearly \$90 million in betterment and state aid road and bridge projects; to provide \$70 million directly to communities to support their own

road and bridge work and to pay for the next two years of the state's 10-year transportation plan. This is a budget that will allow us and our municipalities to keep up with basic maintenance of our roads and bridges, and to continue to move forward with important projects. It is not, however, a long-term solution for our state's highway needs. I remain committed to working with all of you on alternatives, including a potential consolidation of our highway and turnpike systems, to allow us to fully fund the 10-year plan, including expanding Interstate 93 all the way to Manchester. While the areas I've already discussed account for the majority of state government spending, there are also significant changes in other agencies. This budget eliminates programs such as the OSHA consultation program for businesses run by the Department of Environmental Services. It also consolidates the administration of the Department of Environmental Services lab with the state Public Health Lab, for a savings of more than \$300,000 over the biennium. It eliminates the requirement that the state pay for mediators and guardian ad litem in divorce cases. That change allows us to fund legal assistance and CASA, as well as put forward a realistic budget for indigent defense. It consolidates the administration of the Boards of Accountancy, Real Estate Appraisers and Manufactured Housing into the Joint Board. It also begins the process of saving on the administration of health boards by providing the capital funds to move them under one roof at the State Office Park South. It moves the Arts Council into the same state-owned space as the Division of Historical Resources to save on rental and administrative costs. The McAuliffe-Shepard Discovery Center is a great tribute to two New Hampshire space pioneers. It offers meaningful and important learning opportunities to children and adults and is inspiring a new generation to explore the universe, but it is also time for the Center to move toward greater self-reliance. When the legislature authorized the Center's expansion, it was with the understanding that the Center's board would raise the funds to pay the debt service. That hasn't happened. Instead, for the last several years, the Center has overspent its appropriations by about \$250,000 a year. This budget provides the planetarium with the equivalent of 95 percent of its appropriations, not expenditures, for the upcoming biennium, but in recognition of its difficulties, those payments are frontloaded in 2012. This budget requires the planetarium and its staff to consider new options, including becoming an independent nonprofit or increasing fundraising to reduce its general fund expenditures to \$225,000 in 2013. This budget makes changes at the Lottery and the Liquor Commission, both of which generate revenue to fund important state priorities. With this budget, we are providing both agencies with more flexibility to act as businesses, including allowing them to provide financial rewards to state employees for work that contributes to increased revenue. We cut spending at the Department of Resources and Economic Development to 95 percent of current year levels, with the exception of the Division of Travel and Tourism. In this division, we are keeping the commitment that we made to the travel and tourism industry. This budget dedicates 3.15 percent of rooms and meals revenue to travel and tourism promotion. It's an investment that returns tens of millions of dollars to our businesses, to our communities and to our state. Our state parks are one of our most valuable tourism assets and provide countless New Hampshire families with access to affordable recreation. They are treasures and this budget continues to invest in protecting and improving them. First, I believe we must recognize the remarkable strides the park system has made in improving its management. It's actually turning a profit, but for a number of years previously, the system ran a deficit and the general fund made up the difference by paying the Park's bills at the end of the fiscal year. The actual debts have long since been paid, but the park system is still required to turn any profits it makes back to the general fund. This budget proposes to erase the state park system's debt to the general fund so that it can invest its profits in improving services going forward. In addition, we will invest nearly \$4 million in capital funds for repairs at parks across the state. The budget of the Department of Information Technology also shows an increase, but as you know the Department is funded by other agencies and while it has reduced the cost of its shared services, the flat rate that every agency pays, there is an increase in the cost of agency-

specific projects. That is because instead of cutting the department directly, we allowed agencies to make their own choices in developing their own reduced budgets. Many agencies chose to cut elsewhere in order to invest in technology that will provide short- and long-term savings to taxpayers. As the legislature reviews the Information Technology budget, I urge caution. Across-the-board cuts to this Department and to capital budget technology investments could eliminate savings in the operating budgets of departments and undercut our ability to deliver long-term savings to the taxpayers of New Hampshire. This budget also moves forward with a number of initiatives that will cut costs across state government. With our new state financial system and a new online human resources system funded in the capital budget, we are able to move state government away from paper and labor intensive processes. With this budget, we will begin consolidating human resources and payroll functions. The state currently has about 400 people, or 170 full-time equivalents, involved in processing payroll and in human resources. With this budget, we will begin consolidating payroll and human resources across state government, a change that will conservatively save \$1.8 million over the next two years. We will also move forward with the consolidation of state back office functions, examining how we do accounting and finance, collections and other cross-government services. These changes will save an estimated \$1.3 million over the next biennium. To expedite these reforms, we will in the next few months issue a request for proposals for outside expertise, fund a position within the Department of Administrative Services to lead the consolidation efforts and give the commissioner of Administrative Services the authority to move positions and eliminate positions, across state government to achieve these expected savings. For our state employees we will spend \$188 million in 2011 on health care. We were estimating a \$50 million increase in health care costs for the next biennium. We cannot afford that cost increase. For our retirees under age 65, this budget proposes increasing the monthly premium to \$100, about the same premium that retirees over age 65 currently pay for Medicare. That change will reduce the state cost for retirees' health insurance by \$10 million in 2012. For our current state employees, this budget level funds health care costs and that change applies to employees at all state agencies, not just those funded by general funds. I call on our state employees to work in partnership with us to re-design our health care system to reduce costs. Working together within this budget, we must make practical, common-sense changes to health care benefits to ensure that our employees have access to quality health care at a price they and our taxpayers can afford. Some of these changes would need to be negotiated with our state employee union, but change is not an option. We can choose together how to reach this goal, but there is no choice about the goal. As Governor, I can only make recommendations on the overall funding levels, but not the line item budgets for the legislative and judicial branches of government. For the legislative branch, I have recommended a budget that is 95 percent of 2011. The same funding level as most executive agencies, including the Governor's office. With this budget, I am also proposing a change in law that would bring the legislature in line with the rest of state government. At the end of each fiscal year, almost every agency returns unspent money to the general fund. The legislative branch does not do that. The legislature has built up a surplus account that currently holds more than \$5 million. This budget proposes that the legislature return that money to the general fund at the end of this fiscal year and no longer be allowed to carry that appropriation. This budget level funds the Judicial Branch at 2011 spending. It funds almost all existing courthouses, with the exception of the Nashua District Court, which will be moved into the Hillsborough South Courthouse once the renovations to Hillsborough North are complete. The current district court building will then be sold with the proceeds dedicated to the Rainy Day Fund. In addition, we are funding the capital projects necessary to implement the 2012-2013 phase of the recommendations of the Judicial Branch innovations commission. I want to take a moment to applaud Chief Justice Linda Dalianis and the other members of the judicial branch for taking a hard look at how they do business and how they can do it better in the future. Thank you, Chief Justice, for what you are doing. In addition to the changes in this budget, agencies are already working

on a number of other initiatives that will improve efficiency and reduce costs. Currently, Department of Safety staff manually enters into computers more than 100,000 tickets a year. Then, once people enter pleas or the court issues verdicts, they manually match tickets and checks and enter all of that data as well. Over the course of the next two years, the Department will move to electronic ticketing for both state and local police, which will reduce future operating costs. The new system will also help us move forward with an Administrative Traffic Court, which will further reduce costs for the Judicial Branch and save the state and local communities hundreds of thousands of dollars annually in police overtime. The Department of Health and Human Services has launched a pilot project using speech-to-text software and recorders so that caseworkers can spend less time entering data in reports and more time in the field, which will reduce the need to add people to meet the demands of a growing population. The Internet is making it possible for us to cut costs across state government, but our increased shift to online applications is putting a severe strain on the state's already fragile technology infrastructure, the pipes that carry that data from state office to state office. Through the capital budget, we will upgrade that infrastructure so that we can move to a voice over internet protocol. This investment will prevent the very real possibility of a collapse in our state's technology infrastructure. It will also allow us to achieve greater efficiencies in state government. By adopting a voice over internet protocol, we will be able to easily share information or share work across state government. For example, the Division of Motor Vehicles has already made the switch. Motor Vehicles can now track and reduce waiting times for calls. This technology also allows them to easily shift calls and documents from one location to another. So, for example, if the switchboard in Concord is overloaded, it can move those calls to the office in Berlin. This capital budget also funds the creation of a new online Business One-Stop. This phased project will provide one on-line place for companies to find the information they need to do business in and with the state of New Hampshire. It will integrate computer systems to save agencies from duplicative work. And it will allow us to move to an online and integrated permitting system. Finally, this budget proposes to rebuild the Rainy Day fund to a minimum of \$30 million. In addition to the \$21 million surplus we expect at the end of 2013, this budget proposes selling facilities that we no longer need and that are costly to maintain, such as the Lakes Region campus and putting those proceeds in the Rainy Day Fund, the proceeds of which would be over and above the \$30 million. It also proposes to move forward with the leasing of the welcome centers on Interstate 95 and dedicating those proceeds to the Rainy Day Fund as well. Now you can see, I think that there has been a lot of work putting this budget together and the budget was possible because of the hard work of our agency heads and our state employees and the innovations they have begun over the last six years. They recognized early that there would be no quick return to business as usual. If you can join with me in taking a minute, let us take a moment to thank the department heads and employees for the work they have done. I also want to thank my budget director, John Beardmore. Many of you have worked with him and he really has done an outstanding job as well. He is standing right over there. Let's give him a round of applause. Well deserved. So, where are we? This budget is balanced. It uses no one-time funds. It lowers state government's overall cost structure so that it is sustainable for future years. This is a budget that invests in maintaining the strategy that has made New Hampshire the envy of the nation. As we have addressed the immediate fiscal challenges of the last several years, we've also worked to launch a long-term transformation of state services. Transformations that will save taxpayers' money in the next two years and into the future. With this budget, obviously we've also made some difficult choices, choices that will impact the services some of our citizens and businesses that they currently receive. Few of these choices were easy, but these choices were necessary to ensure that we could protect public safety, public health and education. This budget includes almost no back-of-the-budget cuts, except for the reduction in health care spending, which must be bargained with our employees. We made our choices clear and I ask and I urge the legislature to do the same, avoid across-the-board reductions

that don't specify what programs you wish to cut. As we enter the next phase of the budget process, I recognize and respect that the legislature may have different ideas and different priorities and I am absolutely committed to working with you throughout this process. Our final product will not be the governor's budget or the house's budget or the senate's budget, but the budget of New Hampshire, a budget for the people of New Hampshire. Let us work together to meet our responsibility to them. As we work through this process, we must remember that in spite of the challenges we face, this is still a great state, a strong state, a state that is leading the nation's recovery. Together, through the choices we make this year, I know that we can make New Hampshire even stronger. I look forward to working with you to ensure a responsible, balanced budget that meets the needs of the people of our great state. Thank you very much for all that you do. Thank you.

Rep. Tucker and Sen. Bradley moved that the Joint Convention arise.

Adopted.

The Joint Convention adjourned.

HOUSE SESSION

The Speaker reconvened the House session.

MOTION TO SUSPEND HOUSE RULES

Rep. Lynne Ober moved that House Rules be so far suspended as to allow for late drafting and introduction of a bill to allow school districts to call a district meeting to accommodate a change in education funding.

Adopted.

CONSENT CALENDAR

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

HB 65, relative to the advisory board on private investigative agencies and security services, and firearms proficiency for armed security guards, private investigators, and bail enforcement agents, removed by Rep. Ulery.

HB 124-FN, allowing any person to request conviction information regarding public officials, removed by Rep. Ulery.

HB 109, relative to residential fire sprinklers, removed by Rep. Ferrante.
Consent Calendar adopted.

HB 47, relative to inactive license status for real estate brokers and salespersons. **OUGHT TO PASS.**

Rep. James M. Sullivan for Commerce and Consumer Affairs: This bill clarifies the real estate commission's procedures for placing a license on inactive status. The changes simplify the method of requesting a change of status. This would help those licensees who are experiencing the downturn in the real estate market. Vote 13-0.

HB 61, relative to daylight saving time. **OUGHT TO PASS.**

Rep. Donna C. Mauro for Commerce and Consumer Affairs: The bill provides that daylight savings time in New Hampshire shall correspond with federal law. Vote 14-0.

HB 107, relative to the creation of express trusts for payment of claims for materials and services in building projects. **INEXPEDIENT TO LEGISLATE.**

Rep. Donna C. Mauro for Commerce and Consumer Affairs: This bill seeks to establish express trust to ensure payment to suppliers when a contractor or subcontractor files for bankruptcy before paying for supplies. The extent of the problem was not well defined and

the proposed remedies created undesirable consequences. Vote 12-1.

HB 169, relative to the regulation of wood stove, wood pellet, and fireplace dealers.
INEXPEDIENT TO LEGISLATE.

Rep. James M. Sullivan for Commerce and Consumer Affairs: The bill sought to relieve problems with dealers' agreements, inventory repurchase criteria and business transfer procedures by inserting dealers in these products into provisions of RSA 347-A1,II that covered farm, utility tractors and other types of heavy or industrial equipment. The existing provisions did not seem to fit the nature of wood stove, pellet or fireplace equipment, as to the nature of the inventory and its repair part valuation, and the lack of formal distribution agreements. Vote 13-0.

HB 174, relative to insurance coverage for court-ordered counseling in divorce proceedings.
OUGHT TO PASS WITH AMENDMENT.

Rep. Matt J. Quandt for Commerce and Consumer Affairs: This bill provides that if parties to a divorce proceeding are insured and are required to participate in counseling, the parties may select a counselor who accepts direct payment from the parties health insurance carrier. Vote 13-0.

Amendment (0109h)

Amend the bill by replacing sections 1-3 with the following:

1 Causes for Divorce; Reconciliation; Counseling. Amend RSA 458:7-b to read as follows:

458:7-b Reconciliation. Whenever, before or during a hearing but before a final decree, the court shall determine that there is a likelihood for rehabilitation of the marriage relationship, the court shall refer the parties to an appropriate counseling agency within its jurisdiction, which referral may be made according to RSA 167-B or as the parties request, with the approval of the court. If the court determines that there is a reasonable possibility of reconciliation, the court shall continue the proceedings and require that both parties submit to marriage counseling. ***If the parties are insured, the court shall give due consideration to selecting a counselor who accepts direct payment from the parties' health insurance carrier.***

2 Marriage Counseling Referral Service. Amend RSA 167-B:1 to read as follows:

167-B:1 Service Established; Court Referrals. Whenever a petition for divorce or petition for legal separation has been filed with the superior court the presiding justice or his ***or her*** authorized representative, subject to rules to be established by the superior court, pending a hearing upon the merits, shall exercise his ***or her*** discretion to determine if the matter before the court shall be referred for marriage counseling to an approved family service agency within the jurisdiction of the court. ***If the parties are insured, the referral shall be made with due consideration to identifying a counselor who accepts direct payment from the parties' health insurance carrier.*** Any such referral shall be binding upon the petitioner and upon any petitionee who enters an appearance or otherwise submits himself ***or herself*** to the court's jurisdiction.

3 New Paragraph; Parental Rights and Responsibilities. Amend RSA 461-A:4 by inserting after paragraph II the following new paragraph:

III. If the parties are insured and the parenting plan directs the parties to participate in counseling, the court shall give due consideration to selecting a counselor who accepts direct payment from the parties' health insurance carrier.

AMENDED ANALYSIS

This bill provides that if the court orders the parties to a divorce or parental rights case to participate in counseling, the court shall give due consideration to selecting a counselor who accepts direct payment from the parties' health insurance carrier.

HB 203-FN, relative to mandatory motor vehicle liability insurance. **INEXPEDIENT TO**

LEGISLATE.

Rep. James F. Headd for Commerce and Consumer Affairs: This bill requires proof of motor vehicle liability insurance in order to register a motor vehicle. Additionally, it also increases the minimum liability limits for motor vehicle policies. This would place an undue financial burden on our citizens as the premium increases could be extreme in some cases. Even though New Hampshire does not now demand auto insurance, we have one of the highest percentages of insured operators in the country. Our uninsured rate is in the 7% area; 93% of our drivers are insured. Additionally, all policies bought in the state do have mandatory uninsured motorist protection at a very reasonable rate. Further, once an individual has an uninsured accident, the state has mandatory financial responsibility rules in place so the uninsured operator has the potential of losing his or her operators license until certain financial responsibilities are met. Contrary to common belief, an individual's insurance rates will not be increased due to an accident with an uninsured motorist. Rates are only increased if a driver is deemed at fault, not just for simple involvement. Vote 13-0.

HB 53, requiring the inclusion of certain offenses against adults on the public sexual offender list. **INEXPEDIENT TO LEGISLATE.**

Rep. Kyle J. Tasker for Criminal Justice and Public Safety: This bill is not sufficiently thought out and a strong enough case was not made to the committee for adding every person guilty of a sex offense onto an already crowded registry. Vote 14-2.

HB 80, eliminating the rank of corporal in the division of state police. **OUGHT TO PASS WITH AMENDMENT.**

Rep. David A. Welch for Criminal Justice and Public Safety: This bill is a housekeeping measure which removes a reference to the rank of corporal within the state police. The rank has not been filled for several years and the amendment reflects the existence of seven troop commanders and assistant troop commanders instead of the six currently in statute. Vote 16-0.

Amendment (0034h)

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

AN ACT relative to ranks in the division of state police.

Amend the bill by replacing section 1 with the following:

1 Division of State Police; Ranks. Amend RSA 106-B:4 to read as follows:

106-B:4 Ranks and Qualifications; Establishment. The director of state police shall hold the rank of colonel. Within the division of state police there shall be not less than one major, 2 field officers with the rank of captain, [6] 7 troop commanders with the rank of lieutenant, [6] **and 7** assistant troop commanders with the rank of sergeant [~~and 6 corporals-at-large~~]. Every police employee shall have had not less than 2 years' service within the division to become eligible for promotion of any type except from probationary status to trooper. No member of the division shall be eligible for promotion in any event unless his **or her** record is free from the commission of any major infraction of divisional discipline within the last 7 consecutive years of such service. In addition to the foregoing, the personnel commission, with the advice of the director, shall establish suitable classification for additional grades, positions and ranks and for each classification shall fix standards of health, education, training and experience, as well as the conduct and manner of taking of competitive examinations for promotion within the division.

AMENDED ANALYSIS

This bill eliminates the rank of corporal in the division of state police and makes other changes to reflect the current ranks within the division.

This bill was requested by the department of safety.

HB 82, relative to the annulment of criminal records. **OUGHT TO PASS.**

Rep. David A. Welch for Criminal Justice and Public Safety: This legislation is the result of a study committee established by HB 1533, Chapter 307, Laws of 2010. This committee agrees with the study committee's findings that the current statute regarding the annulment of criminal records is outdated. The committee recognizes that the internet further complicates the intent of criminal annulment, creating a new record of the incident which is all but impossible to retract. Annulments of criminal record have increased in recent years, according to statistics provided by representatives of the media, from about 800 criminal cases in 1997 to about 4,000 in 2009. The committee agrees that the purpose of a criminal record annulment is to give the person a "fresh start," however there is further agreement that the practical effect of an annulment does not make the underlying facts disappear, nor should it prevent the dissemination of those facts. The bill will clarify which records are eligible for annulment, make the fact of an annulment a public document, and based upon the principles of our right-to-know law and court cases determined upon free speech, removes liability for disclosing the contents on annulled record in certain circumstances. Vote 16-0.

HB 103, requiring law enforcement agencies to take proper care of firearms seized pursuant to a domestic violence order for relief. **INEXPEDIENT TO LEGISLATE.**

Rep. Kenneth Kreis for Criminal Justice and Public Safety: The committee did not feel that HB 103 and testimony given required the change as this is already covered in RSA 173-B:5, (c) and (d). Vote 16-0.

HB 122, establishing a commission to study the effectiveness of the sex offender registry. **INEXPEDIENT TO LEGISLATE.**

Rep. Stephen J. Shurtleff for Criminal Justice and Public Safety: The committee felt that a study of the sexual offender registry was not needed at this time. The current sexual offender registry, as now constituted, came in to effect on January 1, 2010, after a lengthy joint committee hearing that made changes to the sexual offender registry in order for New Hampshire to come in to compliance with the federal "Adam Walsh Act." Vote 14-0.

HB 177, relative to the probation and parole status of offenders in motor vehicle records. **INEXPEDIENT TO LEGISLATE.**

Rep. Jason P. Antosz for Criminal Justice and Public Safety: The committee voted to recommend "ITL" on this bill at the request of the sponsor. Vote 14-0.

HB 307, relative to the authority of the superintendent of a county correctional facility. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Mark Warden for Criminal Justice and Public Safety: The committee felt that this bill has the potential to reduce a burden on the court system by allowing the superintendent – in addition to the court – to recommend release to a work program, or home confinement. Vote 14-0.

Amendment (0188h)

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

AMENDED ANALYSIS

This bill permits the superintendent of the county correctional facility to recommend a prisoner for release in order to obtain gainful employment, perform uncompensated public service, or serve the sentence under home confinement.

HB 308, relative to the authority of the superintendent of a county correctional facility to order the removal or transfer of prisoners. **INEXPEDIENT TO LEGISLATE.**

Rep. Robbie L. Parsons for Criminal Justice and Public Safety: Sponsor requested to ITL based on another bill similar, HB 115. Vote 14-0.

HB 433-FN-A, relative to the exhumation and testing of victims of the so-called Connecticut River Killer and making an appropriation therefor. **INEXPEDIENT TO LEGISLATE.**
Rep. Larry G. Gagne for Criminal Justice and Public Safety: The sponsor requested ITL because he realizes that the funding for the cold case unit might not be able to cover the extra expense that would be incurred by the unit. Vote 13-0.

HB 473-FN, relative to fees added to the late payment of fees to bail commissioners. **INEXPEDIENT TO LEGISLATE.**

Rep. Mark Warden for Criminal Justice and Public Safety: The committee agreed that there is not a significant problem with the current system, and the proposed legislation would add additional bureaucracy and cost to the court system. Vote 13-0.

HB 615, creating a database of New Hampshire grown genetically modified crops. **INEXPEDIENT TO LEGISLATE.**

Rep. Laura J. Gandia for Environment and Agriculture: The sponsor of this bill requested that the committee issue a recommendation of ITL because the supporters of this bill were unable to appear and testify. Vote 18-0.

HB 326-FN-L, eliminating the automatic continuation requirement for public employee collective bargaining agreements. **INEXPEDIENT TO LEGISLATE.**

Rep. Gary L. Daniels for Labor, Industrial and Rehabilitative Services: This bill was the same as SB 1, the evergreen bill. The committee chose to use SB 1 as the vehicle for bringing this issue to the full House. This bill then is not needed. Vote 17-0.

HB 585, proclaiming the third Friday in October as New Hampshire history day. **OUGHT TO PASS.**

Rep. Timothy P. Comerford for Legislative Administration: Our state is steeped in tradition and is rich in history. The first shots of the Revolution were actually fired here. New Hampshire has been the cradle of liberty ever since the adoption of its first in the nation Bill of Rights. Thomas Jefferson said that the price of liberty is eternal vigilance, and this includes having a citizenry that is properly cognizant of its history and traditions. Vote 15-0.

HB 54, relative to service in a qualifying war or conflict for purposes of the veterans property tax credit. **INEXPEDIENT TO LEGISLATE.**

Rep. James E. Coffey for Municipal and County Government: This bill would allow a person with as little as one day of service during a qualifying period to receive the veteran's tax credit. The present 90 day standard has been in place for decades and is a well recognized standard. Passage of this bill could lead to increased veteran's tax credits which would raise the municipal property tax rate. Vote 15-0.

HB 115, relative to the temporary removal or transfer of prisoners from a county correctional facility. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Philip L. Munck for Municipal and County Government: This bill gives formal authority to superintendents of county departments of corrections to transfer prisoners for emergency or public safety purposes without specific prior approval of the county commissioners which would require a posted meeting to comply with RSA 91-A. Review of such transfers would be made by the commissioners at their next regular meeting. Vote 16-0.

Amendment (0148h)

Amend the bill by inserting after section 1 the following and renumbering the original section 2 to read as 4:

2 Removal of Prisoners for Public Safety or Emergency Reasons or Because of Epidemic or Repairs to Facility. Amend RSA 30-B:22 to read as follows:

30-B:22 Removal of Prisoners *for Public Safety or Emergency Reasons or* Because of Epidemic or Repairs to Facility.

I. Whenever the prevalence of disease, or the rebuilding or repairing of a correctional facility or for other cause, the ~~[county commissioners]~~ **superintendent of the county department of corrections** shall think it expedient that the prisoners be removed therefrom, the county commissioners may authorize the superintendent to remove the prisoners to some other facility in the same or another county location, there to be detained, in the same manner and by the same process as in the correctional facility from which they were so removed, until removed by similar process or discharged according to law.

II. *The superintendent may remove a prisoner, without the approval of the county commissioners, if the superintendent determines the removal is necessary for public safety or emergency reasons. The county commissioners shall review any such removal at their next regular meeting. If the county commissioners reject the removal, the prisoner shall be returned to the facility from which the prisoner came as soon as practicable.*

3 Department of Corrections; Powers and Duties of Commissioner. Amend RSA 21-H:8, VI to read as follows:

VI. The commissioner may enter into contracts with the state's counties, the governments of other states, and the federal government, and appropriate private agencies or facilities and make proper and necessary arrangements with them for the transfer and reception of inmates and allow transfers to state prisons of any person. Any person who is confined awaiting trial on a felony charge may be transferred to the state prison from the county correctional facility, upon the recommendation of the superintendent of the county department of corrections, and with the approval of the county commissioners of said county. *The superintendent may transfer a prisoner, without the approval of the county commissioners, if the superintendent determines the transfer is necessary for public safety or emergency reasons. The county commissioners shall review any such transfer at their next regular meeting. If the county commissioners reject the transfer, the prisoner shall be returned to the facility from which the prisoner came as soon as practicable.*

HB 226-FN-L, relative to identification of certain publicly owned vehicles. **INEXPEDIENT TO LEGISLATE.**

Rep. Franklin W. Sterling for Municipal and County Government: The intention of this bill was to amend RSA 261:92 to require all vehicles owned by any governmental subdivision to affix signage to the vehicle that was visible from 25 ft identifying the government agency to which it was registered. The committee was of the opinion that this would make a cost that was not funded and therefore was in violation of part I of article 28-A of the state constitution. Vote 16-0.

HB 204-FN, granting motor vehicles with special number plates for veterans toll-free use of the turnpike system. **INEXPEDIENT TO LEGISLATE.**

Rep. Franklin T. Tilton for Public Works and Highways: The committee has great respect and gratitude for the dedicated service of our veterans. There currently are a number of ways in which the State of New Hampshire honors its veterans and expresses its gratitude to them; however, granting this privilege would ignore other very worthy groups including those who have purple heart plates. Additionally, this bill would reduce state revenues by more than \$500,000 annually. Vote 15-0.

HB 363-L, relative to Depot Street in the town of Andover. **OUGHT TO PASS.**

Rep. David B. Campbell for Public Works and Highways: As a result of the rerouting of a

section of NH Route 4 in Andover, NH department of transportation (DOT) was prepared to abandon approximately 1200 feet of state road. The Town of Andover has voted to assume ownership and maintenance of this 1200 foot section of road. This bill reclassifies this portion of road from Class I (state road) to Class V (municipal road). Vote 14-0.

HB 266-FN, relative to the submission of plans for sewage and waste disposal systems. **INEXPEDIENT TO LEGISLATE.**

Rep. Peter S. Bolster for Resources, Recreation and Development: The bill seeks to allow replacement of septic systems in residences built before 1989 without waiver from the department of environmental services (DES) in spite of the number of bedrooms. The committee felt that this is not appropriate and that septic replacement should be based on current assessing records. All new septic systems should be built appropriately to the soil conditions and the present residence capacity. Vote 15-0.

HJR 1, directing the department of transportation and the department of environmental services to study the prevention of further erosion of the east bank of the Exeter River. **INEXPEDIENT TO LEGISLATE.**

Rep. Laurie P. Pettengill for Resources, Recreation and Development: This resolution would direct the department of transportation (DOT) and the department of environmental services (DES) to study the prevention of further erosion of the east bank of the Exeter River. The sponsor alleges that a bridge built ten years ago by the town in conjunction with the DOT, shifted the erosion from one bank of the river to the other bank, causing damage to the property of a local business. The sponsor feels the engineering design was faulty. The DOT maintains that the town is the primary entity constructing the bridge and that the engineer was hired and supervised by the town. The committee heard testimony from DES that there are many factors that could contribute to bank erosion, including the flooding of recent years. Conspicuously absent was testimony from the town and from the property owner. This resolution is really asking the committee to adjudicate a liability dispute. We are not equipped to do that and thus cannot grant what the resolution requests. It should be noted, however, that DES did volunteer to meet with town officials should they request it. Vote 15-0.

HB 302-FN, modifying the laws relative to renewable energy portfolios. **INEXPEDIENT TO LEGISLATE.**

Rep. Laurence M. Rappaport for Science, Technology and Energy: The committee felt that this bill may be premature, and will take a second look at the renewable portfolio standard (RPS) in cooperation with the 2011 RPS review currently being conducted at the Public Utilities Commission. Vote 15-0.

HCR 7, urging Congress to expedite the entry of political dissidents from Iraq and Afghanistan to the United States. **INEXPEDIENT TO LEGISLATE.**

Rep. Lynne F. Blankenbeker for State-Federal Relations and Veterans Affairs: While this is a nice, feel-good resolution, our federal government already has provisions for a process to do what this resolution proposes. Furthermore, this resolution would call for head-of-the-line privileges for entry into the U.S. by political and religious dissidents. Some of these dissidents may have various religions and political beliefs and factions that may have adverse intentions against our nation. Vote 10-1.

HB 83, relative to vessel registration. **OUGHT TO PASS.**

Rep. John R. Cloutier for Transportation: This bill simply adds language to New Hampshire RSA 270-E:3, and requires any vessel, capable of being propelled by a motor, to be registered as required under current law, even if the vessel is just to be put or placed in state waters. Such waters include tidal, coastal and inland waters. Current law solely requires

registration for the above described vessels operating in these waters. This bill is at the request of the department of safety. Vote 10-1.
Referred to the Committee on Ways and Means.

HB 188, relative to division responsibility for road toll administration, hazardous waste transport, truck weight enforcement, and the international registration plan by the department of safety and relative to clerical support for the advisory board of fire control. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John R. Cloutier for Transportation: This bill, as amended, has four provisions. First, it would transfer responsibility for road toll administration and enforcement of the international fuel tax agreement from the division of motor vehicles to the division of administration, and makes the division of administration responsible for the international registration plan. Second, it would transfer the road toll administrator position from the motor vehicles to administration division. Third, it would transfer responsibility for hazardous waste transport and truck weight enforcement from the motor vehicles to state police division. Fourth, it would direct the safety division rather than the administration to provide clerical support to the fire control advisory board. The amendment simply inserts the word “international” before the phrase “fuel tax agreement.” This bill is at the request of the department of safety. Vote 12-0.

Amendment (0071h)

Amend RSA 21-P:6, VIII as inserted by section 1 of the bill by replacing it with the following:

VIII. Collection of fuel taxes and administration of road tolls, the international fuel tax agreement, and the international registration plan under RSA 260.

HB 68, establishing a committee to study reducing the rate of the interest and dividends tax for New Hampshire residents over 65 years of age. **INEXPEDIENT TO LEGISLATE.**

Rep. Patrick F. Abrami for Ways and Means: The committee had concern that the word “rate” might not pass constitutional scrutiny because it implies different rates for different groups of citizens. Our concern was sent to house legal counsel for opinion. The reply from counsel was that, “it is likely that the New Hampshire Supreme Court would rule that such legislation is unconstitutional on the grounds that, by imposing different interest and dividends tax rates on taxpayers over 65 years old and tax payers under 65 years old, the legislation classifies taxpayers for purposes of taxation, which the court has ruled is unconstitutional.” With that opinion, the committee unanimously decided that it would be prudent not to move a bill forward that would be in conflict with the New Hampshire Constitution. Vote 20-0.

HB 215-FN-A, establishing a credit for gambling losses against the tax on gambling winnings. **INEXPEDIENT TO LEGISLATE.**

Rep. Bill Ohm for Ways and Means: The prime sponsor recommends ITL as he prefers passage of HB 229-FN-A (repealing the tax on gambling winnings) or HB 201-FN-A (deductions of gambling losses). HB 201 is essentially similar to this bill. Vote 18-0.

REGULAR CALENDAR

HB 125-FN, relative to lawful commerce in firearms, including manufacture and sale, in New Hampshire. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Joshua C Davenport for the Majority of Constitutional Review and Statutory Recodification: This bill exempts firearms, fire arm accessories, and ammunition manufactured in New Hampshire from federal law and regulation. Testimony emphasized the importance of commerce clause limitations on federal power. The US Republic has internal checks and balances. For example, the legislative and executive branches are

granted separate powers in order to keep each in check. If an organ of the executive attempts to overreach, the legislature, controlling the purse strings, may defund the organ. This primary check on power is internal to how the two branches are connected, and does not rely on the 3rd branch, the courts, for effectiveness. In the same manner, power is divided between the states and the central government. The commerce clause grants to the central government the right to regulate trade between states. As the central government attempts to over extend its power by regulating intra-state trade, it is up to the states to check that usurpation. States exercise this primary check by defending their own intra-state regulatory domain. This method of checking federal power was advocated by the authors of the constitution and has a long history of use: the state of NH previously removed the coast guard from Lake Winnepesaukee, because regulation of that space belongs to the people of NH. HB 125 is well within the historical norm for this mechanism and ought to pass. The people of NH chose to be their own masters. Vote 8-4.
Rep. Gary B. Richardson for the Minority of Constitutional Review and Statutory Recodification: This bill would make a state or federal official, who enforced a lawful federal regulation, guilty of a misdemeanor or felony. This bill is in direct conflict with the National Firearms Act and is clearly unconstitutional.

The question being adoption of the majority committee report of Ought to Pass.
Rep. Gary Richardson spoke against and yielded to questions.
Rep. Davenport spoke in favor and yielded to questions.
Rep. Cohn requested a roll call; sufficiently seconded.

YEAS 240 NAYS 120

YEAS 240

BELKNAP

Accornero, Harry	Comtois, Guy	Fields, Dennis	Flanders, Donald
Greemore, Robert	Kingsbury, Robert	Luther, Robert	Malone, Robert
Russell, David	Simpson, Tyler	Swinford, Elaine	Tilton, Franklin
Tobin, William	Worsman, Colette		

CARROLL

Ahlgren, Christopher	Babson, David Jr	Chandler, Gene	Fleck, Joseph
McCarthy, Frank	McConkey, Mark	Merrow, Harry	Patten, Betsey
Pettengill, Laurie	Schmidt, Stephen	Trogenza, Norman	

CHESHIRE

Byrnes, John	Cartwright, Anne	Dwinell, Richard	Emerson, Susan
Johnson, Jane	Moore, Charles	Moore, Robert Jr	Smith, Edwin
Sterling, Franklin Jr			

COOS

Daugherty, Duffy	Rappaport, Laurence	Tremblay, Marc
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GRAFTON

Bradley, Lester	Brosseau, Charles	Bulis, Lyle	Eaton, Stephanie
Gionet, Edmond	Ingbertson, Paul	Simard, Paul	Sorg, Gregory
Sova, Charles			

HILLSBOROUGH

Avard, Kevin	Balboni, Michael	Ball, J. Michael	Barry, J. Gail
Barry, Richard	Belanger, James	Belvin, William	Bergevin, Jerry
Boehm, Ralph	Brown, Kevin	Burt, John	Buxton, Michael
Cebrowski, John	Christensen, D.L.	Christiansen, Lars	Coffey, James
	Chris		
Condra, William	Cusson-Cail, Kathleen	Daniels, Gary	Day, Russell
DeJong, Cameron	Doherty, Shaun	Donovan, Daniel	Erickson, Duane
Flanagan, Jack	Gagne, Larry	Gandia, Laura	Gimas, John
Gonzalez, Carlos	Graham, John	Greazzo, Phil	Haefner, Robert
Hansen, Peter	Hardwick, Harry	Hawkins, Kenneth	Hikel, John
Hinch, Richard	Hogan, Edith	Holden, Frank	Hopper, Gary
Krasucki, Joseph	Lambert, George	LeBrun, Donald	Maltz, Jonathan
McCarthy, Michael	McClarren, Donald	McGuinness, Sean	Mecheski, Holly
Messier, Irene	Murphy, Keith	Notter, Jeanine	Ober, Lynne
Ober, Russell III	Ohm, Bill	Palmer, Barry	Palmer, Stephen
Parison, James	Pellegrino, Tony	Pepino, Leo	Peterson, Lenette
Pratt, Calvin	Proulx, Mark	Renzullo, Andrew	Robbins, David
Rowe, Robert	Scontsas, Lisa	Seidel, Carl	Silva, Peter
Simmons, Tammy	Soucy, Connie	Souza, Kathleen	Stepanek, Stephen
Stroud, Kathleen	Summers, James	Swank, Matthew	Twombly, Timothy
Ulery, Jordan	Vaillancourt, Steve	Villeneuve, Moe	Warden, Mark
Whitehead, Randall	Willette, Robert		

MERRIMACK

Blankenbeker, Lynne	Coffey, Jennifer	Cohn, Seth	Cox, Sean
Giuda, J. Brandon	Hill, Gregory	Hoell, J.R.	Keane, Thomas
Kotowski, Frank	Kreis, Kenneth Sr	Lauer-Rago, Kathleen	Lindsley, Mark
McDonnell, John	McGuire, Carol	McGuire, Dan	Reed, Dennis
Sanborn, Laurie	Seaworth, G. Brian	Smith, Todd	Winter, Steven

ROCKINGHAM

Abrami, Patrick	Allen, Mary	Antosz, Jason	Azarian, Gary
Baldasaro, Alfred	Bates, David	Bettencourt, David	Birdsell, Regina
Brown, Paul	Charron, Gene	Chirichiello, Brian	Comerford, Timothy
Davenport, Joshua	Duarte, Joe	Elliott, Robert	Ferrante, Beverly
Fesh, Robert	Garcia, Marilinda	Griffin, Mary	Headd, James
Hoelzel, Kathleen	Introne, Robert	Itse, Daniel	Kappler, Lawrence
Katsakiores, Phyllis	Kolodziej, Walter	Lundgren, David	MacMahon, Bruce
Major, Norman	Manuse, Andrew	Mauro, Donna	McKinney, Betsy
McMahon, Charles	O'Connor, John	Okerman, Richard	Packard, Sherman
Peckham, Michele	Perkins, Amy	Perkins, Lawrence	Quandt, Marshall
Quandt, Matt	Reagan, John	Reichard, Kevin	Rice, Frederick
Ritter, Glenn	Sanders, Elisabeth	Sapienza, Marie	Schroadter, Adam
Sedensky, John	Sheffert, Kenneth	Shuler, Wyman III	Smith, William
Sullivan, James	Sullivan, Kevin	Sytek, John	Tamburello, Daniel
Tasker, Kyle	Tremblay, Stella	Tucker, Pamela	Waddell, James
Ward, Joanne	Waterhouse, Kevin	Webb, James	Welch, David
Weyler, Kenneth	Wheaton, Gary		

STRAFFORD

Andolina, Donald	Cataldo, Sam	DeLemus, Susan	Groen, Warren
Jones, Kyle	Jones, Laura	Larsen, Kirsten	Leonard, Frederick Jr
Munck, Philip	Newton, Clifford	O'Connor, William	Panek, William

Parsons, Robbie
Weeden, Michael

Pitre, Joseph

Vita, Carol

Vita, Lucien

SULLIVAN

Bowers, Spec
Laware, Thomas
Smith, Steven

Cunningham, Steven
Lovett, Charlene

Howard, Thomas
Osgood, Joe

LaCasse, Paul Sr
Rodeschin, Beverly

NAYS 120

BELKNAP

Bolster, Peter

Millham, Alida

Pilliod, James

St. Cyr, Jeffrey

CARROLL

Scala, Dino

Umberger, Karen

CHESHIRE

Butynski, William
Johnsen, Gladys
Parkhurst, Henry
Weed, Charles

Carr, Daniel
Lerandean, Alfred
Sad, Tara

Chase, Cynthia
Lindsey, Steven
Tatro, Bruce

Hawkes, Samuel
Meador, David
Weber, Lucy

COOS

Coulombe, Gary
Theberge, Robert

Hatch, William
Thomas, Yvonne

Remick, William

Richardson, Herbert

GRAFTON

Aguiar, James
Harding, Laurie
Pierce, David
Taylor, Kathleen

Almy, Susan
Ladd, Rick Jr
Reilly, Harold Sr
Townsend, Charles

Cooney, Mary
Nordgren, Sharon
Shackett, Jeffrey
White, Andrew

Gould, Franklin
Pastor, Beatriz
Smith, Suzanne

HILLSBOROUGH

Baroody, Benjamin
Cote, David
Gidge, Kenneth
Infantine, William
Levasseur, Nickolas
Porter, Marjorie
Shaw, Barbara

Brownrigg, Randall Jr
Drisko, Richard
Goley, Jeffrey
Jeudy, Jean
Long, Patrick
Ramsey, Peter
Sullivan, Daniel

Brunelle, Michael
Fredette, Robert
Gorman, Mary
Katsiantonis, Thomas
Moran, Edward
Rokas, Theodoros
Terrio, Ross

Campbell, David
Garrity, Patrick
Hutchinson, Winfred
Kurk, Neal
Pilotte, Maurice
Rosenwald, Cindy
Thomas, Joseph

MERRIMACK

Deloge, Helen
Hamm, Christine
Owen, Derek
Rice, Chip
Watrous, Rick

DeStefano, Stephen
Kidder, David
Palfrey, David
Richardson, Gary
Williams, Robert

Frazer, June
Lockwood, Priscilla
Patten, Dick
Shurtleff, Stephen

Gile, Mary
MacKay, James
Potter, Frances
Wallner, Mary Jane

ROCKINGHAM

Cali-Pitts, Jacqueline

Case, Frank

Copeland, Timothy

DiPentima, Rich

Dowling, Patricia
Moody, Marcia
Pantelakos, Laura
Serlin, Christopher

Garrity, James
Murphy, Brian
Powers, James

Gould, Kenneth
Nevins, Chris
Read, Robin Jr

Lovejoy, Patricia
Norelli, Terie
Schlachman, Donna

STRAFFORD

Browne, Brendon
Hooper, Dorothea
Schmidt, Peter
Wall, Janet

Domingo, Baldwin
Horrigan, Timothy
Spainhower, Dale
Watters, David

Grassie, Anne
Keans, Sandra
Spang, Judith

Hofemann, Roland
Roberts, Jenna
Sprague, Dale

SULLIVAN

Gagnon, Raymond Lefebvre, Benjamin Schmidt, Andrew
and the majority committee report was adopted.
Referred to the Committee on Commerce and Consumer Affairs.

ENROLLED BILL REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled Senate Bill numbered 11.

Rep. Kidder, Sen. Bradley for the Committee

REGULAR CALENDAR (CONT'D)

HB 110, requiring professional safety and security services personnel to report certain criminal offenses. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Stephen J. Shurtleff for the Majority of Criminal Justice and Public Safety: This bill requires college security personnel who have observed a felony, or had a felony revealed to them, to report that felony to their closet law enforcement agency. The bill, as amended, has an exception to the notification requirement: if the victim is 18 or older, has been the victim of a sexual assault offense or abuse as defined in RSA 173-B:1, and if the victim objects to the release of any information to the local law enforcement agency. Currently on some New Hampshire campuses not all felonies are reported. They are handled administratively by the school. Local law enforcements are never notified of these felonious crimes. Furthermore, the sub-committee on this bill was informed by one police chief that the college in his community was sometimes less than helpful in assisting felony investigations. The committee felt that there is a long held New Hampshire belief in the premise of "equal justice under the law" that there should not be one legal standard for NH citizens and another for college students. Vote 14-2.

Rep. Mark Warden for the Minority of Criminal Justice and Public Safety: The minority feels that this bill creates new regulations where none are needed. The bill would tie the hands of colleges and universities to deal with discipline on campus in the way they deem best. Requiring a college to report victimless crimes, even where there is no complainant, could lead to needlessly harming the futures of young people by tagging them with criminal records. This new level of bureaucracy will further hamper law enforcement efforts on colleges and universities.

Majority Amendment (0133h)

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

1 Detective Agencies and Security Services; Exceptions. Amend RSA 106-F:2, IV to read as follows:

IV. Any unarmed security employee who is a direct employee of a business which is not a security guard agency and who is employed by that business to secure its premises

while so employed, including but not limited to store [~~detective~~] **detectives** and watchmen. ***This exclusion shall not apply to any security guard or security guard service furnished by a college or university operating in the state of New Hampshire.***

2 Detective Agencies and Security Services; Definitions. Amend RSA 106-F:4, XIV to read as follows:

XIV. "Security guard service" or "***security guard agency***" means any business entity, except as provided in RSA 106-F:2, that furnishes or employs security guards or other persons for the protection of individuals or their property from injury or theft and includes, but is not limited to, services providing for the safe transport of money or valuable documents and security patrols of homes, businesses, ***colleges, universities, or other postsecondary educational institutions***, or industrial plants. Such service may use the terms "security," "safety," "control" or like terms leading the public to look to the individual as a person of authority. A person engaged in so-called "executive protection" or providing body guard services shall be classified as a security guard.

3 Detective Agencies and Security Services; License Required. Amend RSA 106-F:5, I to read as follows:

I. No person shall engage in the business of a private investigative agency, security guard agency, or bail enforcement agency without obtaining a private investigative, security guard, or bail enforcement agency license from the commissioner of safety and no person shall engage in the business of a security guard service or bail enforcement service without obtaining a security guard service or bail enforcement service license from the commissioner of safety. ***The license requirement set forth in this paragraph shall not apply to security guards or security guard services furnished by a college or university operating in the state of New Hampshire.***

4 Detective Agencies and Security Services; Obligation to Report Certain Criminal Violations. Amend RSA 106-F:13-a, I to read as follows:

I. All felonies observed or revealed by or to persons licensed under this chapter, ***or to any security guard or security guard service furnished by a college or university operating in the state of New Hampshire***, shall be immediately reported to the New Hampshire state police, the closest law enforcement agency having jurisdiction, or the attorney general's office, ***unless the victim:***

(a) Is 18 years of age or older;

(b) Has been the victim of a sexual assault offense or abuse as defined in RSA 173-B:1; and

(c) Objects to the release of any information to the local law enforcement agency.

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

AMENDED ANALYSIS

This bill requires security guards and security guard services furnished by a college or university operating in the state of New Hampshire to report felonies to law enforcement officials. The bill exempts security guards or security guard services furnished by a college or university operating in New Hampshire from the licensing requirements of RSA 106-F. Majority committee amendment adopted. Majority committee report adopted and ordered to third reading.

The House recessed at 12:05 p.m.

RECESS

(Speaker O'Brien in the Chair)

The House reconvened at 1:05 p.m.

REGULAR CALENDAR (CONT'D)

HB 84, establishing a statutory commission on motor vehicle recycling issues. **MAJORITY:**

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

Rep. J. David Knox for the Majority of Environment and Agriculture: Each year over 150 motor vehicle salvage yards are dismantling end of life vehicles for reuse of parts and recycling of scrap material. Some of these yards are poorly operated and contaminate the environment. A previous study commission has brought the stakeholders of the industry and the various state departments together to work on solutions, but problems still exist, and the bill would have this work continue through the creation of a statutory commission. The department of environmental services and the department of transportation support the passage of this bill as do the Auto and Truck Recyclers Association of New Hampshire and other representatives of the industry. Vote 10-7.

Rep. Guy Comtois for the Minority of Environment and Agriculture: The auto recycling industry is “well” regulated. We don’t need another commission to study regulations, unless the goal is to deregulate.

Majority Amendment (0113h)

Amend section 3 of the bill by replacing paragraph I with the following:

I. Section 2 of this act shall take effect November 1, 2013.

Majority committee amendment adopted.

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

Rep. Dan McGuire spoke against.

Rep. Peter Schmidt spoke in favor.

Rep. Dan McGuire requested a roll call; sufficiently seconded.

YEAS 121 NAYS 237

YEAS 121

BELKNAP

Millham, Alida

Pilliod, James

CARROLL

Babson, David Jr

Umberger, Karen

CHESHIRE

Carr, Daniel
Hawkes, Samuel
Meador, David
Weber, Lucy

Chase, Cynthia
Johnson, Jane
Parkhurst, Henry
Weed, Charles

Dwinell, Richard
Lerandeau, Alfred
Sad, Tara

Emerson, Susan
Lindsey, Steven
Tatro, Bruce

COOS

Coulombe, Gary

Theberge, Robert

Thomas, Yvonne

GRAFTON

Aguiar, James
Harding, Laurie
Taylor, Kathleen

Almy, Susan
Pastor, Beatriz
Townsend, Charles

Cooney, Mary
Reilly, Harold Sr
White, Andrew

Gould, Franklin
Smith, Suzanne

HILLSBOROUGH

Baroody, Benjamin

Coffey, James
Flanagan, Jack
Gidge, Kenneth
Haefner, Robert
Levasseur, Nickolas
Pilotte, Maurice
Rosenwald, Cindy

Belvin, William

Cote, David
Fredette, Robert
Gimas, John
Hansen, Peter
Long, Patrick
Porter, Marjorie
Shaw, Barbara

Brunelle, Michael

Day, Russell
Gagne, Larry
Goley, Jeffrey
Jeudy, Jean
Messier, Irene
Proulx, Mark
Sullivan, Daniel

Christensen, D.L.
Chris

Donovan, Daniel
Garritty, Patrick
Gorman, Mary
Katsiantonis, Thomas
Parison, James
Rokas, Theodoros
Terrio, Ross

MERRIMACK

Deloge, Helen
Hamm, Christine
MacKay, James
Potter, Frances
Wallner, Mary Jane

Foose, Robert
Kidder, David
McDonnell, John
Rice, Chip
Watrous, Rick

Frazer, June
Lindsley, Mark
Owen, Derek
Richardson, Gary
Williams, Robert

Gile, Mary
Lockwood, Priscilla
Patten, Dick
Shurtleff, Stephen

ROCKINGHAM

Allen, Mary
Lovejoy, Patricia
Norelli, Terie
Peckham, Michele
Schlachman, Donna

Cali-Pitts, Jacqueline
McMahon, Charles
O'Connor, John
Powers, James
Serlin, Christopher

DiPentima, Rich
Moody, Marcia
Packard, Sherman
Read, Robin Jr

Gould, Kenneth
Murphy, Brian
Pantelakos, Laura
Sapareto, Frank

STRAFFORD

Browne, Brendon
Hooper, Dorothea
Pelletier, Marsha
Spang, Judith

Domingo, Baldwin
Horrigan, Timothy
Roberts, Jenna
Sprague, Dale

Grassie, Anne
Keans, Sandra
Schmidt, Peter
Wall, Janet

Hofemann, Roland
Munck, Philip
Spainhower, Dale
Watters, David

SULLIVAN

Cloutier, John

Gagnon, Raymond

Lefebvre, Benjamin

Schmidt, Andrew

NAYS 237

BELKNAP

Accornero, Harry
Flanders, Donald
Russell, David
Tilton, Franklin

Bolster, Peter
Greemore, Robert
Simpson, Tyler
Tobin, William

Comtois, Guy
Luther, Robert
St. Cyr, Jeffrey
Worsman, Colette

Fields, Dennis
Malone, Robert
Swinford, Elaine

CARROLL

Ahlgren, Christopher
Merrow, Harry
Schmidt, Stephen

Fleck, Joseph
Patten, Betsey
Tregenza, Norman

McCarthy, Frank
Pettengill, Laurie

McConkey, Mark
Scala, Dino

CHESHIRE

Byrnes, John
Moore, Robert Jr

Cartwright, Anne
Smith, Edwin

Hunt, John
Sterling, Franklin Jr

Moore, Charles

COOS

Daugherty, Duffy
Tholl, John Jr

Rappaport, Laurence
Tremblay, Marc

Remick, William

Richardson, Herbert

GRAFTON

Bradley, Lester
Gionet, Edmond
Sova, Charles

Brosseau, Charles
Shackett, Jeffrey

Bulis, Lyle
Simard, Paul

Eaton, Stephanie
Sorg, Gregory

HILLSBOROUGH

Avard, Kevin
Barry, Richard
Brown, Kevin
Cebrowski, John

Balboni, Michael
Belanger, James
Brownrigg, Randall Jr
Christiansen, Lars

Ball, J. Michael
Bergevin, Jerry
Burt, John
Condra, William

Barry, J. Gail
Boehm, Ralph
Buxton, Michael
Cusson-Cail,
Kathleen
Drisko, Richard
Gonzalez, Carlos
Hikel, John
Hopper, Gary
Krasucki, Joseph
Maltz, Jonathan
Mecheski, Holly
Ober, Russell III
Pellegrino, Tony
Robbins, David
Silva, Peter
Stepanek, Stephen
Thomas, Joseph
Villeneuve, Moe

Daniels, Gary
Erickson, Duane
Graham, John
Hinch, Richard
Hutchinson, Winfred
Kurk, Neal
McCarthy, Michael
Murphy, Keith
Ohm, Bill
Pepino, Leo
Rowe, Robert
Simmons, Tammy
Stroud, Kathleen
Twombly, Timothy
Warden, Mark

DeJong, Cameron
Gandia, Laura
Greazzo, Phil
Hogan, Edith
Infantine, William
Lambert, George
McClarren, Donald
Notter, Jeanine
Palmer, Barry
Pratt, Calvin
Scontsas, Lisa
Soucy, Connie
Summers, James
Ulery, Jordan
Whitehead, Randall

Doherty, Shaun
Gargas, Carolyn
Hardwick, Harry
Holden, Frank
Jasper, Shawn
LeBrun, Donald
McGuinness, Sean
Ober, Lynne
Palmer, Stephen
Renzullo, Andrew
Seidel, Carl
Souza, Kathleen
Swank, Matthew
Vaillancourt, Steve
Willette, Robert

MERRIMACK

Blankenbeker, Lynne
Giuda, J. Brandon
Keane, Thomas
McGuire, Carol
Richardson, Jon
Smith, Todd

Cohn, Seth
Hess, David
Kotowski, Frank
McGuire, Dan
Sanborn, Laurie
Soltani, Tony

Cox, Sean
Hill, Gregory
Kreis, Kenneth Sr
Palfrey, David
Seaworth, G. Brian
Winter, Steven

DeStefano, Stephen
Hoell, J.R.
Lauer-Rago, Kathleen
Reed, Dennis
Smith, Molly

ROCKINGHAM

Abrami, Patrick
Bates, David
Case, Frank
Copeland, Timothy
Duarte, Joe
Garcia, Marilinda
Headd, James
Kappler, Lawrence
MacMahon, Bruce
McKinney, Betsy
Perkins, Lawrence
Reichard, Kevin
Sapienza, Marie
Shuler, Wyman III
Sytek, John

Antosz, Jason
Bettencourt, David
Charron, Gene
Davenport, Joshua
Elliott, Robert
Garrity, James
Hoelzel, Kathleen
Katsakiores, Phyllis
Major, Norman
Nevins, Chris
Quandt, Marshall
Rice, Frederick
Schroadter, Adam
Smith, William
Tamburello, Daniel

Azarian, Gary
Birdsell, Regina
Chirichiello, Brian
Devine, James
Ferrante, Beverly
Griffin, Mary
Introne, Robert
Kolodziej, Walter
Manuse, Andrew
Okerman, Richard
Quandt, Matt
Ritter, Glenn
Sedensky, John
Sullivan, James
Tasker, Kyle

Baldasaro, Alfred
Brown, Paul
Comerford, Timothy
Dowling, Patricia
Fesh, Robert
Hagan, Joseph
Itse, Daniel
Lundgren, David
Mauro, Donna
Perkins, Amy
Reagan, John
Sanders, Elisabeth
Sheffert, Kenneth
Sullivan, Kevin
Tremblay, Stella

Tucker, Pamela
Webb, James

Waddell, James
Welch, David

Ward, Joanne
Weyler, Kenneth

Waterhouse, Kevin
Wheaton, Gary

STRAFFORD

Andolina, Donald
Jones, Kyle
O'Connor, William
Vita, Carol

Cataldo, Sam
Jones, Laura
Panek, William
Vita, Lucien

DeLemus, Susan
Leonard, Frederick Jr
Parsons, Robbie
Weeden, Michael

Groen, Warren
Newton, Clifford
Pitre, Joseph

SULLIVAN

Bowers, Spec
Laware, Thomas
Smith, Steven

Cunningham, Steven
Lovett, Charlene

Howard, Thomas
Osgood, Joe

LaCasse, Paul Sr
Rodeschin, Beverly

and the majority committee report failed.

Rep. Jasper moved Inexpedient to Legislate.

On a division vote, 260 members having voted in the affirmative and 101 in the negative, the motion was adopted.

HB 60-FN-L*, repealing the moratorium on school building aid projects. **INEXPEDIENT TO LEGISLATE.*

Rep. William B. Smith for Finance: The committee felt that the current budget situation is highly unlikely to provide the opportunity to remove the moratorium on school building aid in the next biennium. Further study may be needed to address long term issues, but this bill does not provide the basis for such study. Vote 25-0.

Committee report adopted.

HB 113, prohibiting the university system of New Hampshire from using state appropriations to fund public television. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Karen C. Umberger for Finance: This bill with amendment eliminates any state general funds from being provided to New Hampshire Public Television. The university system had been providing general fund money to support New Hampshire Public Television. The committee believed this was not the proper way to spend taxpayer dollars. Vote 19-6.

Amendment (0243h)

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

AN ACT prohibiting the use of state funds for New Hampshire public television.

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

1 New Section; Budget and Appropriations; Funding Limitation. Amend RSA 9 by inserting after section 17-f the following new section:

9:17-g Funding for Public Television Prohibited. No state general funds shall be appropriated or expended for the purpose of funding New Hampshire public television.

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

AMENDED ANALYSIS

This bill prohibits the use of state general funds for New Hampshire public television.
Amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment.
Rep. Cohn requested a roll call; sufficiently seconded.

YEAS 263 NAYS 102

YEAS 263

BELKNAP

Accornero, Harry
Flanders, Donald
Malone, Robert
Swinford, Elaine

Bolster, Peter
Greemore, Robert
Pilliod, James
Tilton, Franklin

Comtois, Guy
Kingsbury, Robert
Russell, David
Tobin, William

Fields, Dennis
Luther, Robert
Simpson, Tyler
Worsman, Colette

CARROLL

Ahlgren, Christopher
Merrow, Harry
Schmidt, Stephen

Fleck, Joseph
Patten, Betsey
Tregenza, Norman

McCarthy, Frank
Pettengill, Laurie
Umberger, Karen

McConkey, Mark
Scala, Dino

CHESHIRE

Byrnes, John
Hunt, John
Smith, Edwin

Cartwright, Anne
Johnson, Jane
Sterling, Franklin Jr

Dwinell, Richard
Moore, Charles

Emerson, Susan
Moore, Robert Jr

COOS

Daugherty, Duffy
Theberge, Robert

Rappaport, Laurence
Tholl, John Jr

Remick, William
Tremblay, Marc

Richardson, Herbert

GRAFTON

Bradley, Lester
Gionet, Edmond
Simard, Paul

Brosseau, Charles
Ingbretson, Paul
Sorg, Gregory

Bulis, Lyle
Reilly, Harold Sr
Sova, Charles

Eaton, Stephanie
Shackett, Jeffrey

HILLSBOROUGH

Avard, Kevin
Barry, Richard
Boehm, Ralph
Buxton, Michael

Balboni, Michael
Belanger, James
Brown, Kevin
Cebrowski, John

Ball, J. Michael
Belvin, William
Brownrigg, Randall Jr
Christensen, D.L.
Chris

Barry, J. Gail
Bergevin, Jerry
Burt, John
Christiansen, Lars

Coffey, James

Condra, William

Cusson-Cail,
Kathleen

Daniels, Gary

Day, Russell
Erickson, Duane
Gandia, Laura
Greazzo, Phil
Hawkins, Kenneth
Holden, Frank
Jasper, Shawn
LeBrun, Donald
McClarren, Donald
Moran, Edward
Ohm, Bill
Pellegrino, Tony
Renzullo, Andrew
Seidel, Carl
Soucy, Connie
Summers, James
Twombly, Timothy
Warden, Mark

DeJong, Cameron
Flanagan, Jack
Gimas, John
Haefner, Robert
Hikel, John
Hopper, Gary
Krasucki, Joseph
Levasseur, Nickolas
McGuinness, Sean
Murphy, Keith
Palmer, Barry
Pepino, Leo
Robbins, David
Shaw, Barbara
Souza, Kathleen
Swank, Matthew
Ulery, Jordan
Whitehead, Randall

Doherty, Shaun
Fredette, Robert
Gonzalez, Carlos
Hansen, Peter
Hinch, Richard
Hutchinson, Winfred
Kurk, Neal
Maltz, Jonathan
Mecheski, Holly
Notter, Jeanine
Palmer, Stephen
Pratt, Calvin
Rowe, Robert
Silva, Peter
Stepanek, Stephen
Terrio, Ross
Vaillancourt, Steve
Willette, Robert

Donovan, Daniel
Gagne, Larry
Graham, John
Hardwick, Harry
Hogan, Edith
Infantine, William
Lambert, George
McCarthy, Michael
Messier, Irene
Ober, Lynne
Parison, James
Proulx, Mark
Scontsas, Lisa
Simmons, Tammy
Stroud, Kathleen
Thomas, Joseph
Villeneuve, Moe

MERRIMACK

Blankenbeker, Lynne	Cohn, Seth	Cox, Sean	Giuda, J. Brandon
Hess, David	Hill, Gregory	Hoell, J.R.	Keane, Thomas
Kotowski, Frank	Kreis, Kenneth Sr	Lauer-Rago, Kathleen	Lindsley, Mark
McDonnell, John	McGuire, Carol	McGuire, Dan	Palfrey, David
Reed, Dennis	Richardson, Jon	Sanborn, Laurie	Seaworth, G. Brian
Smith, Molly	Smith, Todd	Soltani, Tony	Winter, Steven

ROCKINGHAM

Abrami, Patrick	Antosz, Jason	Azarian, Gary	Baldasaro, Alfred
Bates, David	Bettencourt, David	Birdsell, Regina	Brown, Paul
Chirichiello, Brian	Comerford, Timothy	Copeland, Timothy	Davenport, Joshua
Devine, James	Dowling, Patricia	Duarte, Joe	Elliott, Robert
Ferrante, Beverly	Fesh, Robert	Garcia, Marilinda	Garritty, James
Gould, Kenneth	Griffin, Mary	Hagan, Joseph	Headd, James
Hoelzel, Kathleen	Introne, Robert	Itse, Daniel	Kappler, Lawrence
Katsakiores, Phyllis	Kolodziej, Walter	Lundgren, David	Major, Norman
Manuse, Andrew	Mauro, Donna	McKinney, Betsy	McMahon, Charles
Nevins, Chris	O'Connor, John	Okerman, Richard	Packard, Sherman
Peckham, Michele	Perkins, Amy	Perkins, Lawrence	Quandt, Marshall
Quandt, Matt	Reagan, John	Reichard, Kevin	Rice, Frederick
Ritter, Glenn	Sanders, Elisabeth	Sapareto, Frank	Sedensky, John
Sheffert, Kenneth	Shuler, Wyman III	Smith, William	Sullivan, James
Sullivan, Kevin	Sytek, John	Tamburello, Daniel	Tasker, Kyle
Tremblay, Stella	Tucker, Pamela	Ward, Joanne	Waterhouse, Kevin
Webb, James	Welch, David	Weyler, Kenneth	Wheaton, Gary

STRAFFORD

Andolina, Donald	Cataldo, Sam	DeLemus, Susan	Groen, Warren
Jones, Kyle	Jones, Laura	Keans, Sandra	Leonard, Frederick Jr
Munck, Philip	Newton, Clifford	O'Connor, William	Panek, William
Parsons, Robbie	Pitre, Joseph	Vita, Carol	Vita, Lucien
Weeden, Michael			

SULLIVAN

Bowers, Spec	Cunningham, Steven	Howard, Thomas	LaCasse, Paul Sr
Laware, Thomas	Lovett, Charlene	Osgood, Joe	Rodeschin, Beverly

NAYS 102

BELKNAP

Millham, Alida	St. Cyr, Jeffrey
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CARROLL

Babson, David Jr

CHESHIRE

Carr, Daniel	Chase, Cynthia	Hawkes, Samuel	Lerandeau, Alfred
Lindsey, Steven	Meador, David	Parkhurst, Henry	Sad, Tara
Tatro, Bruce	Weber, Lucy	Weed, Charles	

COOS

Coulombe, Gary	Hatch, William	Thomas, Yvonne
----------------	----------------	----------------

GRAFTON

Aguiar, James	Almy, Susan	Cooney, Mary	Gould, Franklin
Harding, Laurie	Ladd, Rick Jr	Nordgren, Sharon	Pastor, Beatriz
Pierce, David	Smith, Suzanne	Taylor, Kathleen	Townsend, Charles
White, Andrew			

HILLSBOROUGH

Baroody, Benjamin	Brunelle, Michael	Cote, David	Drisko, Richard
Gargas, Carolyn	Garrity, Patrick	Gidge, Kenneth	Goley, Jeffrey
Gorman, Mary	Jeudy, Jean	Katsiantonis, Thomas	Long, Patrick
Pilote, Maurice	Porter, Marjorie	Rokas, Theodoros	Rosenwald, Cindy
Sullivan, Daniel			

MERRIMACK

Deloge, Helen	DeStefano, Stephen	Foose, Robert	Frazer, June
Gile, Mary	Hamm, Christine	Kidder, David	Lockwood, Priscilla
MacKay, James	Owen, Derek	Patten, Dick	Potter, Frances
Rice, Chip	Richardson, Gary	Shurtleff, Stephen	Wallner, Mary Jane
Watrous, Rick	Williams, Robert		

ROCKINGHAM

Allen, Mary	Cali-Pitts, Jacqueline	Case, Frank	Charron, Gene
DiPentima, Rich	Lovejoy, Patricia	MacMahon, Bruce	Moody, Marcia
Murphy, Brian	Norelli, Terie	Pantelakos, Laura	Powers, James
Read, Robin Jr	Sapienza, Marie	Schlachman, Donna	Schroadter, Adam
Serlin, Christopher	Waddell, James		

STRAFFORD

Browne, Brendon	Domingo, Baldwin	Grassie, Anne	Hofemann, Roland
Hooper, Dorothea	Horriggan, Timothy	Pelletier, Marsha	Roberts, Jenna
Schmidt, Peter	Spainhower, Dale	Spang, Judith	Sprague, Dale
Wall, Janet	Watters, David		

SULLIVAN

Cloutier, John	Gagnon, Raymond	Lefebvre, Benjamin	Schmidt, Andrew
Smith, Steven			

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

HB 185-FN, relative to determining bargaining units for purposes of public employee collective bargaining. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Kevin P. Sullivan for the Majority of Labor, Industrial and Rehabilitative Services: It is the sense of the committee that it can be burdensome to towns to negotiate with groups smaller than ten. It was reported that when previous versions of this legislation were put forth, it was for the purpose of being eligible to join the state retirement system. It was brought up today that it was not the case. Hence, the committee feels it is no longer necessary to allow formation of units less than ten. Vote 13-4.

Rep. Jeffrey P. Goley for the Minority of Labor, Industrial and Rehabilitative Services: This legislation takes away the ability of a city or town governing body to recognize a public sector bargaining unit of less than ten. It no longer allows the governing body the decision that it feels may be in the best interest of its community. It takes away local control.

The question being adoption of the majority committee report of Ought to Pass.
Rep. Goley offered floor amendment (0325h).

Floor Amendment (0325h)

Amend RSA 273-A:8, I as inserted by section 1 of the bill by replacing it with the following:

I. The board or its designee shall determine the appropriate bargaining unit and shall certify the exclusive representative thereof when petitioned to do so under RSA 273-A:10. In making its determination the board should take into consideration the principle of community of interest. The community of interest may be exhibited by one or more of the following criteria, although it is not limited to such:

- (a) Employees with the same conditions of employment;
- (b) Employees with a history of workable and acceptable collective negotiations;
- (c) Employees in the same historic craft or profession;
- (d) Employees functioning within the same organizational unit.

A public employer may recognize a bargaining unit with 3-10 members, but in no case shall the board certify a bargaining unit of fewer than 10 employees with the same community of interest without the prior approval of the ~~[governing]~~ **legislative** body of the public employer. For purposes of this section, probationary employees shall be counted to satisfy the employee minimum number requirement. In no case shall such probationary employees vote in any election conducted under the provisions of this chapter to certify an employee organization as the exclusive representative of a bargaining unit.

AMENDED ANALYSIS

This bill requires the legislative body of a public employer to give prior approval for certification of a bargaining unit of fewer than 10 employees.

Reps. Goley and Daniels spoke in favor.

Rep. Brunelle requested a roll call; sufficiently seconded.

YEAS 314 NAYS 52

YEAS 314

BELKNAP

Accornero, Harry
Flanders, Donald
Malone, Robert
St. Cyr, Jeffrey

Bolster, Peter
Greemore, Robert
Pilliod, James
Swinford, Elaine

Comtois, Guy
Kingsbury, Robert
Russell, David
Tilton, Franklin

Fields, Dennis
Luther, Robert
Simpson, Tyler
Tobin, William

CARROLL

Ahlgren, Christopher
McCarthy, Frank
Scala, Dino

Babson, David Jr
Merrow, Harry
Schmidt, Stephen

Chandler, Gene
Patten, Betsey
Tregenza, Norman

Fleck, Joseph
Pettengill, Laurie
Umberger, Karen

CHESHIRE

Carr, Daniel
Hawkes, Samuel
Meader, David
Sad, Tara
Weed, Charles

Chase, Cynthia
Johnson, Jane
Moore, Charles
Smith, Edwin

Dwinell, Richard
Lerandeau, Alfred
Moore, Robert Jr
Tatro, Bruce

Emerson, Susan
Lindsey, Steven
Parkhurst, Henry
Weber, Lucy

COOS

Coulombe, Gary
Richardson, Herbert
Tremblay, Marc

Hatch, William
Theberge, Robert

Rappaport, Laurence
Tholl, John Jr

Remick, William
Thomas, Yvonne

GRAFTON

Aguiar, James
Cooney, Mary
Harding, Laurie
Pastor, Beatriz
Smith, Suzanne
Townsend, Charles

Almy, Susan
Eaton, Stephanie
Ingbretson, Paul
Pierce, David
Sorg, Gregory
White, Andrew

Bradley, Lester
Gionet, Edmond
Ladd, Rick Jr
Reilly, Harold Sr
Sova, Charles

Bulis, Lyle
Gould, Franklin
Nordgren, Sharon
Shackett, Jeffrey
Taylor, Kathleen

HILLSBOROUGH

Avard, Kevin
Barry, J. Gail
Brown, Kevin
Buxton, Michael

Balboni, Michael
Barry, Richard
Brownrigg, Randall Jr
Cebrowski, John

Ball, J. Michael
Belanger, James
Brunelle, Michael
Christensen, D.L.
Chris

Baroody, Benjamin
Belvin, William
Burt, John
Christiansen, Lars

Coffey, James
Daniels, Gary
Drisko, Richard
Gagne, Larry
Gidge, Kenneth
Gorman, Mary
Hansen, Peter
Holden, Frank
Katsiantonis, Thomas
Levasseur, Nickolas
McClarren, Donald
Notter, Jeanine
Parison, James
Porter, Marjorie
Robbins, David
Scontsas, Lisa
Simmons, Tammy
Stroud, Kathleen
Terrio, Ross
Villeneuve, Moe

Condra, William
Day, Russell
Erickson, Duane
Gandia, Laura
Gimas, John
Graham, John
Hikel, John
Hopper, Gary
Krasucki, Joseph
Long, Patrick
McGuinness, Sean
Ohm, Bill
Pellegrino, Tony
Pratt, Calvin
Rokas, Theodoros
Seidel, Carl
Soucy, Connie
Sullivan, Daniel
Thomas, Joseph
Warden, Mark

Cote, David
Doherty, Shaun
Flanagan, Jack
Gargasz, Carolyn
Goley, Jeffrey
Greazzo, Phil
Hinch, Richard
Infantine, William
Lambert, George
Maltz, Jonathan
Mecheski, Holly
Palmer, Barry
Pepino, Leo
Proulx, Mark
Rosenwald, Cindy
Shaw, Barbara
Souza, Kathleen
Summers, James
Twombly, Timothy
Whitehead, Randall

Cusson-Cail, Kathleen
Donovan, Daniel
Fredette, Robert
Garrity, Patrick
Gonzalez, Carlos
Haefner, Robert
Hogan, Edith
Judy, Jean
LeBrun, Donald
McCarthy, Michael
Murphy, Keith
Palmer, Stephen
Pilotte, Maurice
Renzullo, Andrew
Rowe, Robert
Silva, Peter
Stepanek, Stephen
Swank, Matthew
Ulery, Jordan
Willette, Robert

MERRIMACK

Blankenbeker, Lynne
Foose, Robert
Hamm, Christine
Kidder, David
MacKay, James
Palfrey, David
Rice, Chip
Smith, Molly
Watrous, Rick

Cox, Sean
Frazer, June
Hess, David
Kotowski, Frank
McDonnell, John
Patten, Dick
Richardson, Gary
Smith, Todd
Williams, Robert

Deloge, Helen
Gile, Mary
Hoell, J.R.
Lauer-Rago, Kathleen
McGuire, Dan
Potter, Frances
Richardson, Jon
Soltani, Tony
Winter, Steven

DeStefano, Stephen
Giuda, J. Brandon
Keane, Thomas
Lindsley, Mark
Owen, Derek
Reed, Dennis
Shurtleff, Stephen
Wallner, Mary Jane

ROCKINGHAM

Abrami, Patrick
Bates, David
Case, Frank
Copeland, Timothy
Elliott, Robert
Griffin, Mary
Katsakiores, Phyllis
MacMahon, Bruce
McMahon, Charles
Norelli, Terie
Pantelakos, Laura
Powers, James
Reagan, John
Sapienza, Marie
Sheffert, Kenneth
Sullivan, Kevin
Tucker, Pamela
Webb, James

Antosz, Jason
Bettencourt, David
Charron, Gene
Davenport, Joshua
Ferrante, Beverly
Introne, Robert
Kolodziej, Walter
Major, Norman
Moody, Marcia
O'Connor, John
Peckham, Michele
Quandt, Marshall
Rice, Frederick
Schlachman, Donna
Shuler, Wyman III
Sytek, John
Waddell, James
Welch, David

Azarian, Gary
Brown, Paul
Chirichiello, Brian
DiPentima, Rich
Garcia, Marilinda
Itse, Daniel
Lovejoy, Patricia
Mauro, Donna
Murphy, Brian
Okerman, Richard
Perkins, Amy
Quandt, Matt
Ritter, Glenn
Sedensky, John
Smith, William
Tamburello, Daniel
Ward, Joanne
Weyler, Kenneth

Baldasaro, Alfred
Cali-Pitts, Jacqueline
Comerford, Timothy
Dowling, Patricia
Gould, Kenneth
Kappler, Lawrence
Lundgren, David
McKinney, Betsy
Nevins, Chris
Packard, Sherman
Perkins, Lawrence
Read, Robin Jr
Sapareto, Frank
Serlin, Christopher
Sullivan, James
Tremblay, Stella
Waterhouse, Kevin

STRAFFORD

Browne, Brendon
Hofemann, Roland
Keans, Sandra
Panek, William
Schmidt, Peter
Vita, Carol
Weeden, Michael

Cataldo, Sam
Horrigan, Timothy
Munck, Philip
Parsons, Robbie
Spainhower, Dale
Vita, Lucien

Grassie, Anne
Jones, Kyle
Newton, Clifford
Pelletier, Marsha
Spang, Judith
Wall, Janet

Groen, Warren
Jones, Laura
O'Connor, William
Roberts, Jenna
Sprague, Dale
Watters, David

SULLIVAN

Bowers, Spec
LaCasse, Paul Sr
Rodeschin, Beverly

Cloutier, John
Laware, Thomas
Schmidt, Andrew

Cunningham, Steven
Lefebvre, Benjamin
Smith, Steven

Gagnon, Raymond
Lovett, Charlene

NAYS 52

BELKNAP

Millham, Alida

Worsman, Colette

CARROLL

McConkey, Mark

CHESHIRE

Byrnes, John

Cartwright, Anne

Hunt, John

Sterling, Franklin Jr

COOS

Daugherty, Duffy

GRAFTON

Brosseau, Charles

Simard, Paul

HILLSBOROUGH

Bergevin, Jerry
Hutchinson, Winfred
Moran, Edward

Boehm, Ralph
Jasper, Shawn
Ober, Lynne

DeJong, Cameron
Kurk, Neal
Ober, Russell III

Hardwick, Harry
Messier, Irene
Vaillancourt, Steve

MERRIMACK

Cohn, Seth
McGuire, Carol

Hill, Gregory
Sanborn, Laurie

Kreis, Kenneth Sr
Seaworth, G. Brian

Lockwood, Priscilla

ROCKINGHAM

Allen, Mary
Fesh, Robert
Hoelzel, Kathleen
Schroadter, Adam

Birdsell, Regina
Garrity, James
Manuse, Andrew
Tasker, Kyle

Devine, James
Hagan, Joseph
Reichard, Kevin
Wheaton, Gary

Duarte, Joe
Headd, James
Sanders, Elisabeth

STRAFFORD

Andolina, Donald
Leonard, Frederick Jr

DeLemus, Susan
Pitre, Joseph

Domingo, Baldwin

Hooper, Dorothea

SULLIVAN

Howard, Thomas
and floor amendment (0325h) was adopted.

Osgood, Joe

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Daniels moved that the House reconsider its action whereby, on a roll call vote of 314-52, it adopted floor amendment (0325h) on **HB 185-FN**, relative to determining bargaining units for purposes of public employee collective bargaining.

Rep. Daniels spoke in favor.

On a division vote, 250 members having voted in the affirmative and 116 in the negative, the motion was adopted.

The question now being adoption of floor amendment (0325h).

Rep. Jasper spoke against.

Rep. Goley spoke in favor and requested a roll call; sufficiently seconded.

YEAS 118 NAYS 251

YEAS 118

BELKNAP

None

CARROLL

None

CHESHIRE

Carr, Daniel
Lerandeau, Alfred
Parkhurst, Henry
Weed, Charles

Chase, Cynthia
Lindsey, Steven
Sad, Tara

Dwinell, Richard
Meador, David
Tatro, Bruce

Hawkes, Samuel
Moore, Robert Jr
Weber, Lucy

COOS

Coulombe, Gary	Hatch, William	Theberge, Robert	Thomas, Yvonne
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GRAFTON

Aguiar, James	Almy, Susan	Cooney, Mary	Gould, Franklin
Harding, Laurie	Ingbretson, Paul	Nordgren, Sharon	Pastor, Beatriz
Pierce, David	Smith, Suzanne	Taylor, Kathleen	Townsend, Charles
White, Andrew			

HILLSBOROUGH

Baroody, Benjamin	Belanger, James	Brunelle, Michael	Buxton, Michael
Campbell, David	Coffey, James	Cote, David	Gandia, Laura
Gargas, Carolyn	Garrity, Patrick	Gidge, Kenneth	Gimas, John
Goley, Jeffrey	Gorman, Mary	Infantine, William	Jeudy, Jean
Katsiantonis, Thomas	Levasseur, Nickolas	Long, Patrick	Maltz, Jonathan
McCarthy, Michael	Pepino, Leo	Pilotte, Maurice	Porter, Marjorie
Proulx, Mark	Rokas, Theodoros	Rosenwald, Cindy	Shaw, Barbara
Sullivan, Daniel			

MERRIMACK

Deloge, Helen	DeStefano, Stephen	Foose, Robert	Frazer, June
Gile, Mary	Hamm, Christine	MacKay, James	Owen, Derek
Patten, Dick	Potter, Frances	Rice, Chip	Richardson, Gary
Shurtleff, Stephen	Soltani, Tony	Wallner, Mary Jane	Watrous, Rick
Williams, Robert			

ROCKINGHAM

Bates, David	Cali-Pitts, Jacqueline	Case, Frank	Chirichiello, Brian
DiPentima, Rich	Lovejoy, Patricia	MacMahon, Bruce	Moody, Marcia
Norelli, Terie	Pantelakos, Laura	Perkins, Amy	Perkins, Lawrence
Powers, James	Quandt, Marshall	Quandt, Matt	Read, Robin Jr
Schlachman, Donna	Serlin, Christopher	Waddell, James	Webb, James

STRAFFORD

Browne, Brendon	Domingo, Baldwin	Grassie, Anne	Hofemann, Roland
Hooper, Dorothea	Horrigan, Timothy	Kaen, Naida	Keans, Sandra
Pelletier, Marsha	Roberts, Jenna	Schmidt, Peter	Spainhower, Dale
Spang, Judith	Sprague, Dale	Wall, Janet	Watters, David
Weeden, Michael			

SULLIVAN

Bowers, Spec	Cloutier, John	Gagnon, Raymond	Lefebvre, Benjamin
Schmidt, Andrew			

NAYS 251

BELKNAP

Accornero, Harry	Bolster, Peter	Comtois, Guy	Fields, Dennis
Flanders, Donald	Greemore, Robert	Kingsbury, Robert	Luther, Robert
Malone, Robert	Millham, Alida	Pilliod, James	Russell, David
Simpson, Tyler	St. Cyr, Jeffrey	Swinford, Elaine	Tilton, Franklin

Tobin, William

Worsman, Colette

CARROLL

Ahlgren, Christopher
McCarthy, Frank
Pettengill, Laurie
Umberger, Karen

Babson, David Jr
McConkey, Mark
Scala, Dino

Chandler, Gene
Morrow, Harry
Schmidt, Stephen

Fleck, Joseph
Patten, Betsey
Tregenza, Norman

CHESHIRE

Byrnes, John
Johnson, Jane

Cartwright, Anne
Moore, Charles

Emerson, Susan
Smith, Edwin

Hunt, John
Sterling, Franklin Jr

COOS

Daugherty, Duffy
Tholl, John Jr

Rappaport, Laurence
Tremblay, Marc

Remick, William

Richardson, Herbert

GRAFTON

Bradley, Lester
Gionet, Edmond
Simard, Paul

Brosseau, Charles
Ladd, Rick Jr
Sorg, Gregory

Bulis, Lyle
Reilly, Harold Sr
Sova, Charles

Eaton, Stephanie
Shackett, Jeffrey

HILLSBOROUGH

Avard, Kevin
Barry, Richard
Brown, Kevin
Christensen, D.L.
Chris
Daniels, Gary
Donovan, Daniel
Fredette, Robert
Greazzo, Phil
Hawkins, Kenneth
Holden, Frank
Krasucki, Joseph
McClarren, Donald
Moran, Edward
Ober, Russell III
Parison, James
Robbins, David
Silva, Peter
Stepanek, Stephen
Terrio, Ross
Vaillancourt, Steve
Willette, Robert

Balboni, Michael
Belvin, William
Brownrigg, Randall Jr
Christiansen, Lars

Day, Russell
Drisko, Richard
Gagne, Larry
Haefner, Robert
Hikel, John
Hopper, Gary
Kurk, Neal
McGuinness, Sean
Murphy, Keith
Ohm, Bill
Pellegrino, Tony
Rowe, Robert
Simmons, Tammy
Stroud, Kathleen
Thomas, Joseph
Villeneuve, Moe

Ball, J. Michael
Bergevin, Jerry
Burt, John
Condra, William
DeJong, Cameron
Erickson, Duane
Gonzalez, Carlos
Hansen, Peter
Hinch, Richard
Hutchinson, Winfred
Lambert, George
Mecheski, Holly
Notter, Jeanine
Palmer, Barry
Pratt, Calvin
Scontsas, Lisa
Soucy, Connie
Summers, James
Twombly, Timothy
Warden, Mark

Barry, J. Gail
Boehm, Ralph
Cebrowski, John
Cusson-Cail,
Kathleen
Doherty, Shaun
Flanagan, Jack
Graham, John
Hardwick, Harry
Hogan, Edith
Jasper, Shawn
LeBrun, Donald
Messier, Irene
Ober, Lynne
Palmer, Stephen
Renzullo, Andrew
Seidel, Carl
Souza, Kathleen
Swank, Matthew
Ulery, Jordan
Whitehead, Randall

MERRIMACK

Blankenbeker, Lynne
Hess, David
Kidder, David
Lindsley, Mark
McGuire, Dan
Sanborn, Laurie

Cohn, Seth
Hill, Gregory
Kotowski, Frank
Lockwood, Priscilla
Palfrey, David
Seaworth, G. Brian

Cox, Sean
Hoell, J.R.
Kreis, Kenneth Sr
McDonnell, John
Reed, Dennis
Smith, Molly

Giuda, J. Brandon
Keane, Thomas
Lauer-Rago, Kathleen
McGuire, Carol
Richardson, Jon
Smith, Todd

Winter, Steven

ROCKINGHAM

Abrami, Patrick	Allen, Mary	Antosz, Jason	Azarian, Gary
Baldasaro, Alfred	Bettencourt, David	Birdsell, Regina	Brown, Paul
Charron, Gene	Comerford, Timothy	Copeland, Timothy	Davenport, Joshua
Devine, James	Dowling, Patricia	Duarte, Joe	Elliott, Robert
Ferrante, Beverly	Fesh, Robert	Garcia, Marilinda	Garritty, James
Gould, Kenneth	Griffin, Mary	Hagan, Joseph	Headd, James
Hoelzel, Kathleen	Introne, Robert	Itse, Daniel	Kappler, Lawrence
Katsakiores, Phyllis	Kolodziej, Walter	Lundgren, David	Major, Norman
Manuse, Andrew	Mauro, Donna	McKinney, Betsy	McMahon, Charles
Murphy, Brian	Nevins, Chris	O'Connor, John	Okerman, Richard
Packard, Sherman	Peckham, Michele	Reagan, John	Reichard, Kevin
Rice, Frederick	Ritter, Glenn	Sanders, Elisabeth	Sapareto, Frank
Sapienza, Marie	Schroadter, Adam	Sedensky, John	Sheffert, Kenneth
Shuler, Wyman III	Smith, William	Sullivan, James	Sullivan, Kevin
Sytek, John	Tamburello, Daniel	Tasker, Kyle	Tremblay, Stella
Tucker, Pamela	Ward, Joanne	Waterhouse, Kevin	Welch, David
Weyler, Kenneth	Wheaton, Gary		

STRAFFORD

Andolina, Donald	Cataldo, Sam	DeLemus, Susan	Groen, Warren
Jones, Kyle	Jones, Laura	Leonard, Frederick Jr	Munck, Philip
Newton, Clifford	O'Connor, William	Panek, William	Parsons, Robbie
Pitre, Joseph	Vita, Carol	Vita, Lucien	

SULLIVAN

Cunningham, Steven	Howard, Thomas	LaCasse, Paul Sr	Laware, Thomas
Lovett, Charlene	Osgood, Joe	Rodeschin, Beverly	Smith, Steven

and floor amendment (0325h) failed.

The question now being adoption of the majority committee report of Ought to Pass.
Majority committee report adopted and ordered to third reading.

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Vaillancourt moved that the House reconsider its action whereby, on a voice vote, it adopted the majority committee report of Ought to Pass on **HB 113**, prohibiting the use of state funds for New Hampshire public television.

Rep. Vaillancourt spoke against.

On a division vote, 94 members having voted in the affirmative and 273 in the negative, the motion failed.

REGULAR CALENDAR (CONT'D)

HB 474-FN, relative to freedom of choice on whether to join a labor union. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Tammy A. Simmons for the Majority of Labor, Industrial and Rehabilitative Services: This bill increases personal freedoms and protects the rights of NH citizens by preventing an employer from terminating or otherwise discriminating against an employee because they choose to join or not join a labor union, or to pay dues, fees or other charges to a labor union. No other private organization in America insists on having the power to force membership on

unwilling people except labor unions. New Hampshire would join 22 other Right to Work states – states that have experienced a 23% faster rise in per capita income than non-Right to Work states in the 30 years preceding 2007. HB 474 would make NH more economically competitive, allowing us to be better able to attract new jobs to our great state while at the same time protecting individual workers' freedoms. The amendment removes the unions' obligation to represent those public sector employees who are not members of the union. Vote 10-7.

Rep. Charles F. Weed for the Minority of Labor, Industrial and Rehabilitative Services: The bi-partisan minority found several questions about which little information was provided. Specifically, will the changes made lead to requests by those leaving the union of the exclusive bargaining agent to demand minority bargaining units? Will affected employees in the public sector drop out when there are no problems and rejoin when they feel insecure or vulnerable? How will communities deal with budget issues if employees suddenly choose to rejoin the union in order to receive negotiated compensation and benefits? In other words, unresolved questions may lead to chaos in cities and towns. We also wondered why the majority of the committee discounted the super majority of those who testified against the bill, as well as those indicating that this was not a pressing need expressed by 2000 New Hampshire employers. Was right to work a solution looking for a problem?

Majority Amendment (0218h)

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

AN ACT relative to freedom of choice on whether to join a labor union and eliminating the duty of a public employee labor organization to represent employees who elect not to join the employee organization.

Amend the bill by inserting after section 1 the following and renumbering the original sections 2 and 3 to read as 3 and 4, respectively:

2 New Paragraph; Obligation to Bargain. Amend RSA 273-A:3 by inserting after paragraph IV the following new paragraph:

V. The employee organization certified by the board as the exclusive representative of the bargaining unit shall not be required to represent employees who elect not to join the employee organization. A collective bargaining agreement reached under this chapter shall apply only to public employees in the bargaining unit who are members of the employee organization.

AMENDED ANALYSIS

This bill prohibits collective bargaining agreements that require employees to join a labor union.

This bill also provides that no public employee labor organization shall be required to represent employees who elect not to join the employee organization.

Rep. Shurtleff spoke against.

Rep. Daniels spoke in favor and yielded to questions.

On a division vote, 240 members having voted in the affirmative and 110 in the negative, the majority committee amended was adopted.

Rep. Daniels offered floor amendment (0313h).

Floor Amendment (0313h)

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

AN ACT relative to freedom of choice on whether to join a labor union and eliminating the duty of a public employee labor organization to represent employees who elect not to join or to pay dues or fees to the employee organization.

Amend the bill by inserting after section 2 the following and renumbering the original section 3 to read as 4:

3 New Paragraph; Obligation to Bargain. Amend RSA 273-A:3 by inserting after paragraph IV the following new paragraph:

V. The employee organization certified by the board as the exclusive representative of the bargaining unit shall not be required to represent employees who elect not to join or to pay dues or fees to the employee organization. A collective bargaining agreement reached under this chapter shall apply only to public employees in the bargaining unit who are members of, or who elect to pay dues or fees to, the employee organization.

AMENDED ANALYSIS

This bill prohibits collective bargaining agreements that require employees to join a labor union.

This bill also provides that no public employee labor organization shall be required to represent employees who elect not to join or to pay dues or fees to the employee organization. Rep. Daniels spoke in favor.

Floor amendment (0313h) adopted.

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

Reps. Norelli, Long, Michael McCarthy, Gonzalez and Soltani spoke against.

Rep. Simmons spoke in favor and yielded to questions.

Reps. Baroody, Goley and Lee Quandt spoke against and yielded to questions.

Rep. Peter Schmidt requested a quorum call.

The Speaker declared a quorum present.

Rep. Bowers spoke in favor and yielded to questions.

Reps. Avard and Daniels spoke in favor.

Rep. Soltani requested a roll call; sufficiently seconded.

YEAS 221 NAYS 131

YEAS 221

BELKNAP

Accornero, Harry
Greemore, Robert
Swinford, Elaine

Comtois, Guy
Kingsbury, Robert
Tilton, Franklin

Fields, Dennis
Malone, Robert
Tobin, William

Flanders, Donald
Simpson, Tyler
Worsman, Colette

CARROLL

Ahlgren, Christopher
McCarthy, Frank
Pettengill, Laurie
Umberger, Karen

Babson, David Jr
McConkey, Mark
Scala, Dino

Chandler, Gene
Morrow, Harry
Schmidt, Stephen

Fleck, Joseph
Patten, Betsey
Tregenza, Norman

CHESHIRE

Byrnes, John
Johnson, Jane

Cartwright, Anne
Moore, Charles

Emerson, Susan
Moore, Robert Jr

Hunt, John
Smith, Edwin

COOS

Daugherty, Duffy

Rappaport, Laurence

GRAFTON

Bradley, Lester
Gionet, Edmond
Shackett, Jeffrey

Brosseau, Charles
Ingbretson, Paul
Simard, Paul

Bulis, Lyle
Ladd, Rick Jr
Sorg, Gregory

Eaton, Stephanie
Reilly, Harold Sr
Sova, Charles

HILLSBOROUGH

Avard, Kevin	Balboni, Michael	Ball, J. Michael	Barry, J. Gail
Barry, Richard	Belanger, James	Belvin, William	Brown, Kevin
Burt, John	Cebrowski, John	Christensen, D.L.	Christiansen, Lars
		Chris	
Coffey, James	Condra, William	Cusson-Cail,	Daniels, Gary
		Kathleen	
DeJong, Cameron	Doherty, Shaun	Donovan, Daniel	Drisko, Richard
Erickson, Duane	Flanagan, Jack	Fredette, Robert	Gargasz, Carolyn
Graham, John	Greazzo, Phil	Haefner, Robert	Hansen, Peter
Hardwick, Harry	Hawkins, Kenneth	Hikel, John	Hinch, Richard
Hogan, Edith	Holden, Frank	Hutchinson, Winfred	Jasper, Shawn
Krasucki, Joseph	Lambert, George	LeBrun, Donald	Maltz, Jonathan
McClarren, Donald	McGuinness, Sean	Mecheski, Holly	Moran, Edward
Murphy, Keith	Notter, Jeanine	Ober, Lynne	Ober, Russell III
Ohm, Bill	Palmer, Stephen	Parison, James	Pellegrino, Tony
Pratt, Calvin	Rowe, Robert	Scotsas, Lisa	Seidel, Carl
Silva, Peter	Simmons, Tammy	Soucy, Connie	Souza, Kathleen
Stepanek, Stephen	Summers, James	Swank, Matthew	Thomas, Joseph
Twombly, Timothy	Ulery, Jordan	Vaillancourt, Steve	Villeneuve, Moe
Warden, Mark	Whitehead, Randall	Willette, Robert	

MERRIMACK

Blankenbeker, Lynne	Coffey, Jennifer	Cohn, Seth	Cox, Sean
Giuda, J. Brandon	Hess, David	Hill, Gregory	Hoell, J.R.
Keane, Thomas	Kotowski, Frank	Kreis, Kenneth Sr	Lauer-Rago, Kathleen
Lindsley, Mark	McDonnell, John	McGuire, Carol	McGuire, Dan
Palfrey, David	Reed, Dennis	Richardson, Jon	Sanborn, Laurie
Seaworth, G. Brian	Smith, Molly	Smith, Todd	Winter, Steven

ROCKINGHAM

Abrami, Patrick	Allen, Mary	Antosz, Jason	Azarian, Gary
Baldasaro, Alfred	Bates, David	Bettencourt, David	Birdsell, Regina
Brown, Paul	Charron, Gene	Comerford, Timothy	Davenport, Joshua
Duarte, Joe	Elliott, Robert	Fesh, Robert	Garcia, Marilinda
Garrity, James	Griffin, Mary	Hagan, Joseph	Headd, James
Hoelzel, Kathleen	Introne, Robert	Itse, Daniel	Kappler, Lawrence
Kolodziej, Walter	Lundgren, David	MacMahon, Bruce	Major, Norman
Manuse, Andrew	Mauro, Donna	McMahon, Charles	Murphy, Brian
Nevins, Chris	O'Connor, John	Okerman, Richard	Packard, Sherman
Peckham, Michele	Reagan, John	Reichard, Kevin	Rice, Frederick
Ritter, Glenn	Sanders, Elisabeth	Schroadter, Adam	Sedensky, John
Sheffert, Kenneth	Shuler, Wyman III	Smith, William	Sullivan, James
Sullivan, Kevin	Tamburello, Daniel	Tasker, Kyle	Tremblay, Stella
Tucker, Pamela	Ward, Joanne	Wheaton, Gary	

STRAFFORD

Andolina, Donald	Cataldo, Sam	DeLemus, Susan	Groen, Warren
Jones, Kyle	Jones, Laura	Leonard, Frederick Jr	Munck, Philip
Newton, Clifford	O'Connor, William	Panek, William	Parsons, Robbie
Pitre, Joseph	Vita, Carol	Vita, Lucien	Weeden, Michael

SULLIVAN

Bowers, Spec
Lovett, Charlene

Cunningham, Steven
Osgood, Joe

Howard, Thomas
Rodeschin, Beverly

LaCasse, Paul Sr
Smith, Steven

NAYS 131

BELKNAP

Bolster, Peter
Russell, David

Luther, Robert
St. Cyr, Jeffrey

Millham, Alida

Pilliod, James

CARROLL

None

CHESHIRE

Carr, Daniel
Lerandeau, Alfred
Sad, Tara

Chase, Cynthia
Lindsey, Steven
Tatro, Bruce

Dwinell, Richard
Meador, David
Weber, Lucy

Hawkes, Samuel
Parkhurst, Henry
Weed, Charles

COOS

Coulombe, Gary
Theberge, Robert

Hatch, William
Tholl, John Jr

Remick, William
Thomas, Yvonne

Richardson, Herbert
Tremblay, Marc

GRAFTON

Aguiar, James
Harding, Laurie
Smith, Suzanne

Almy, Susan
Nordgren, Sharon
Townsend, Charles

Cooney, Mary
Pastor, Beatriz
White, Andrew

Gould, Franklin
Pierce, David

HILLSBOROUGH

Baroody, Benjamin
Campbell, David
Gidge, Kenneth
Gorman, Mary
Levasseur, Nickolas
Palmer, Barry
Proulx, Mark
Shaw, Barbara

Brownrigg, Randall Jr
Cote, David
Gimas, John
Hopper, Gary
Long, Patrick
Pepino, Leo
Ramsey, Peter
Stroud, Kathleen

Brunelle, Michael
Day, Russell
Goley, Jeffrey
Judy, Jean
McCarthy, Michael
Pilotte, Maurice
Rokas, Theodoros
Sullivan, Daniel

Buxton, Michael
Garritty, Patrick
Gonzalez, Carlos
Katsiantonis, Thomas
Messier, Irene
Porter, Marjorie
Rosenwald, Cindy
Terrio, Ross

MERRIMACK

Deloge, Helen
Gile, Mary
Owen, Derek
Richardson, Gary
Williams, Robert

DeStefano, Stephen
Hamm, Christine
Patten, Dick
Shurtleff, Stephen

Foose, Robert
Lockwood, Priscilla
Potter, Frances
Soltani, Tony

Frazer, June
MacKay, James
Rice, Chip
Wallner, Mary Jane

ROCKINGHAM

Cali-Pitts, Jacqueline
Devine, James
Gould, Kenneth
Moody, Marcia
Quandt, Marshall
Schlachman, Donna
Welch, David

Case, Frank
DiPentima, Rich
Katsakiores, Phyllis
Norelli, Terie
Quandt, Matt
Serlin, Christopher

Chirichiello, Brian
Dowling, Patricia
Lovejoy, Patricia
Pantelakos, Laura
Read, Robin Jr
Waddell, James

Copeland, Timothy
Ferrante, Beverly
McKinney, Betsy
Powers, James
Sapareto, Frank
Webb, James

STRAFFORD

Browne, Brendon
Hooper, Dorothea
Pelletier, Marsha
Spang, Judith

Domingo, Baldwin
Horrigan, Timothy
Roberts, Jenna
Sprague, Dale

Grassie, Anne
Kaen, Naida
Schmidt, Peter
Wall, Janet

Hofemann, Roland
Keans, Sandra
Spainhower, Dale
Watters, David

SULLIVAN

Cloutier, John

Gagnon, Raymond

Lefebvre, Benjamin

Schmidt, Andrew

and the majority committee report was adopted.

Ordered to third reading.

SPECIAL ORDERED

Without objection, the Speaker made the remaining bills on today's calendar Special Orders for Wednesday, February 16, 2011 in the their regular calendar order.

MOTION TO RECONSIDER

Rep. Gimas moved that the House reconsider its action whereby, on a roll call vote of 266-95 on February 9, 2011, the House adopted the motion of Ought to Pass on **HR 11**, affirming revenue estimates for fiscal years 2011, 2012, and 2013.

Reps. Gimas and Brunelle spoke in favor.

Rep. Stepanek spoke against.

Rep. Brunelle requested a roll call; sufficiently seconded.

YEAS 92 NAYS 259

YEAS 92

BELKNAP

None

CARROLL

None

CHESHIRE

Chase, Cynthia
Meador, David
Weber, Lucy

Hawkes, Samuel
Parkhurst, Henry
Weed, Charles

Lerandeau, Alfred
Sad, Tara

Lindsey, Steven
Tatro, Bruce

COOS

Coulombe, Gary

Hatch, William

Theberge, Robert

Thomas, Yvonne

GRAFTON

Aguiar, James
Harding, Laurie
Smith, Suzanne

Almy, Susan
Nordgren, Sharon
Townsend, Charles

Cooney, Mary
Pastor, Beatriz
White, Andrew

Gould, Franklin
Pierce, David

HILLSBOROUGH

Baroody, Benjamin
Garrity, Patrick

Brunelle, Michael
Gidge, Kenneth

Campbell, David
Gimas, John

Cote, David
Goley, Jeffrey

Gorman, Mary
Long, Patrick
Rokas, Theodoros

Jeudy, Jean
Pilotte, Maurice
Rosenwald, Cindy

Katsiantonis, Thomas
Porter, Marjorie
Shaw, Barbara

Levasseur, Nickolas
Ramsey, Peter
Sullivan, Daniel

MERRIMACK

Deloge, Helen
Gile, Mary
Patten, Dick
Shurtleff, Stephen

DeStefano, Stephen
Hamm, Christine
Potter, Frances
Soltani, Tony

Foose, Robert
MacKay, James
Rice, Chip
Wallner, Mary Jane

Frazer, June
Owen, Derek
Richardson, Gary
Williams, Robert

ROCKINGHAM

Cali-Pitts, Jacqueline
Moody, Marcia
Read, Robin Jr

Case, Frank
Norelli, Terie
Schlachman, Donna

DiPentima, Rich
Pantelakos, Laura
Serlin, Christopher

Lovejoy, Patricia
Powers, James

STRAFFORD

Browne, Brendon
Hooper, Dorothea
Pelletier, Marsha
Spang, Judith

Domingo, Baldwin
Horrigan, Timothy
Roberts, Jenna
Sprague, Dale

Grassie, Anne
Kaen, Naida
Schmidt, Peter
Wall, Janet

Hofemann, Roland
Keans, Sandra
Spainhower, Dale
Watters, David

SULLIVAN

Cloutier, John

Gagnon, Raymond

Lefebvre, Benjamin

Schmidt, Andrew

NAYS 259

BELKNAP

Accornero, Harry
Flanders, Donald
Malone, Robert
Simpson, Tyler
Tobin, William

Bolster, Peter
Greemore, Robert
Millham, Alida
St. Cyr, Jeffrey
Worsman, Colette

Comtois, Guy
Kingsbury, Robert
Pilliod, James
Swinford, Elaine

Fields, Dennis
Luther, Robert
Russell, David
Tilton, Franklin

CARROLL

Ahlgren, Christopher
McCarthy, Frank
Pettengill, Laurie
Umberger, Karen

Babson, David Jr
McConkey, Mark
Scala, Dino

Chandler, Gene
Morrow, Harry
Schmidt, Stephen

Fleck, Joseph
Patten, Betsey
Tregenza, Norman

CHESHIRE

Byrnes, John
Hunt, John
Smith, Edwin

Cartwright, Anne
Johnson, Jane

Dwinell, Richard
Moore, Charles

Emerson, Susan
Moore, Robert Jr

COOS

Daugherty, Duffy
Tholl, John Jr

Rappaport, Laurence
Tremblay, Marc

Remick, William

Richardson, Herbert

GRAFTON

Bradley, Lester

Brosseau, Charles

Bulis, Lyle

Eaton, Stephanie

Gionet, Edmond
Shackett, Jeffrey

Ingbretson, Paul
Simard, Paul

Ladd, Rick Jr
Sorg, Gregory

Reilly, Harold Sr
Sova, Charles

HILLSBOROUGH

Avard, Kevin
Barry, Richard
Brownrigg, Randall Jr
Christensen, D.L.
Chris
Daniels, Gary
Drisko, Richard
Gagne, Larry
Greazzo, Phil
Hawkins, Kenneth
Holden, Frank
Lambert, George
McClarren, Donald
Moran, Edward
Ober, Russell III
Parison, James
Proulx, Mark
Seidel, Carl
Souza, Kathleen
Swank, Matthew
Ulery, Jordan
Whitehead, Randall

Balboni, Michael
Belanger, James
Burt, John
Coffey, James

DeJong, Cameron
Erickson, Duane
Gargasz, Carolyn
Haefner, Robert
Hikel, John
Hopper, Gary
LeBrun, Donald
McGuinness, Sean
Murphy, Keith
Ohm, Bill
Pellegrino, Tony
Renzullo, Andrew
Silva, Peter
Stepanek, Stephen
Terrio, Ross
Vaillancourt, Steve
Willette, Robert

Ball, J. Michael
Belvin, William
Buxton, Michael
Condra, William

Doherty, Shaun
Flanagan, Jack
Gonzalez, Carlos
Hansen, Peter
Hinch, Richard
Hutchinson, Winfred
Maltz, Jonathan
Mecheski, Holly
Notter, Jeanine
Palmer, Barry
Pepino, Leo
Rowe, Robert
Simmons, Tammy
Stroud, Kathleen
Thomas, Joseph
Villeneuve, Moe

Barry, J. Gail
Brown, Kevin
Cebrowski, John
Cusson-Cail,
Kathleen
Donovan, Daniel
Fredette, Robert
Graham, John
Hardwick, Harry
Hogan, Edith
Krasucki, Joseph
McCarthy, Michael
Messier, Irene
Ober, Lynne
Palmer, Stephen
Pratt, Calvin
Scotsas, Lisa
Soucy, Connie
Summers, James
Twombly, Timothy
Warden, Mark

MERRIMACK

Blankenbeker, Lynne
Giuda, J. Brandon
Keane, Thomas
Lindsley, Mark
McGuire, Dan
Sanborn, Laurie
Winter, Steven

Coffey, Jennifer
Hess, David
Kotowski, Frank
Lockwood, Priscilla
Palfrey, David
Seaworth, G. Brian

Cohn, Seth
Hill, Gregory
Kreis, Kenneth Sr
McDonnell, John
Reed, Dennis
Smith, Molly

Cox, Sean
Hoell, J.R.
Lauer-Rago, Kathleen
McGuire, Carol
Richardson, Jon
Smith, Todd

ROCKINGHAM

Abrami, Patrick
Baldasaro, Alfred
Brown, Paul
Copeland, Timothy
Duarte, Joe
Garcia, Marilinda
Hagan, Joseph
Itse, Daniel
Lundgren, David
Mauro, Donna
Nevins, Chris
Peckham, Michele
Rice, Frederick
Schroadter, Adam
Smith, William
Tasker, Kyle
Ward, Joanne

Allen, Mary
Bates, David
Charron, Gene
Davenport, Joshua
Elliott, Robert
Garritty, James
Headd, James
Kappler, Lawrence
MacMahon, Bruce
McKinney, Betsy
O'Connor, John
Quandt, Marshall
Ritter, Glenn
Sedensky, John
Sullivan, James
Tremblay, Stella
Webb, James

Antosz, Jason
Bettencourt, David
Chirichiello, Brian
Devine, James
Ferrante, Beverly
Gould, Kenneth
Hoelzel, Kathleen
Katsakiores, Phyllis
Major, Norman
McMahon, Charles
Okerman, Richard
Quandt, Matt
Sanders, Elisabeth
Sheffert, Kenneth
Sullivan, Kevin
Tucker, Pamela
Welch, David

Azarian, Gary
Birdsell, Regina
Comerford, Timothy
Dowling, Patricia
Fesh, Robert
Griffin, Mary
Introne, Robert
Kolodziej, Walter
Manuse, Andrew
Murphy, Brian
Packard, Sherman
Reichard, Kevin
Sapareto, Frank
Shuler, Wyman III
Tamburello, Daniel
Waddell, James
Weyler, Kenneth

Wheaton, Gary

STRAFFORD

Andolina, Donald
Jones, Kyle
Newton, Clifford
Pitre, Joseph

Cataldo, Sam
Jones, Laura
O'Connor, William
Vita, Carol

DeLemus, Susan
Leonard, Frederick Jr
Panek, William
Vita, Lucien

Groen, Warren
Munck, Philip
Parsons, Robbie
Weeden, Michael

SULLIVAN

Bowers, Spec
Laware, Thomas
Smith, Steven
and the motion failed.

Cunningham, Steven
Lovett, Charlene

Howard, Thomas
Osgood, Joe

LaCasse, Paul Sr
Rodeschin, Beverly

MOTION TO RECONSIDER

Rep. William Smith moved that the House reconsider its action whereby, on a roll call vote of 221-131, the House adopted the majority committee report of Ought to Pass with Amendment on **HB 474-FN**, relative to freedom of choice on whether to join a labor union and eliminating the duty of a public employee labor organization to represent employees who elect not to join or to pay dues or fees to the employee organization.

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

YEAS 100 NAYS 248

YEAS 100

BELKNAP

Pilliod, James

St. Cyr, Jeffrey

CARROLL

None

CHESHIRE

Chase, Cynthia
Lindsey, Steven
Tatro, Bruce

Dwinell, Richard
Meador, David
Weber, Lucy

Hawkes, Samuel
Parkhurst, Henry
Weed, Charles

Lerandeau, Alfred
Sad, Tara

COOS

Coulombe, Gary
Tremblay, Marc

Hatch, William

Theberge, Robert

Thomas, Yvonne

GRAFTON

Aguiar, James
Harding, Laurie
Smith, Suzanne

Almy, Susan
Nordgren, Sharon
Townsend, Charles

Cooney, Mary
Pastor, Beatriz
White, Andrew

Gould, Franklin
Pierce, David

HILLSBOROUGH

Baroody, Benjamin
Cote, David
Goley, Jeffrey

Brunelle, Michael
Garrity, Patrick
Gorman, Mary

Buxton, Michael
Gidge, Kenneth
Katsiantonis, Thomas

Campbell, David
Gimas, John
McCarthy, Michael

Messier, Irene
Ramsey, Peter
Stroud, Kathleen

Pilotte, Maurice
Rokas, Theodoros
Sullivan, Daniel

Porter, Marjorie
Rosenwald, Cindy

Proulx, Mark
Shaw, Barbara

MERRIMACK

Deloge, Helen
Gile, Mary
Patten, Dick
Shurtleff, Stephen

DeStefano, Stephen
Hamm, Christine
Potter, Frances
Soltani, Tony

Foose, Robert
MacKay, James
Rice, Chip
Wallner, Mary Jane

Frazer, June
Owen, Derek
Richardson, Gary
Williams, Robert

ROCKINGHAM

Cali-Pitts, Jacqueline
Dowling, Patricia
Norelli, Terie
Read, Robin Jr

Chirichiello, Brian
Gould, Kenneth
Pantelakos, Laura
Sapareto, Frank

Copeland, Timothy
Lovejoy, Patricia
Powers, James
Schlachman, Donna

DiPentima, Rich
Moody, Marcia
Quandt, Matt
Serlin, Christopher

STRAFFORD

Browne, Brendon
Hooper, Dorothea
Pelletier, Marsha
Sprague, Dale

Domingo, Baldwin
Horrigan, Timothy
Schmidt, Peter

Grassie, Anne
Kaen, Naida
Spainhower, Dale

Hofemann, Roland
Keans, Sandra
Spang, Judith

SULLIVAN

Cloutier, John

Gagnon, Raymond

Lefebvre, Benjamin

Schmidt, Andrew

NAYS 248

BELKNAP

Accornero, Harry
Flanders, Donald
Malone, Robert
Swinford, Elaine

Bolster, Peter
Greemore, Robert
Millham, Alida
Tilton, Franklin

Comtois, Guy
Kingsbury, Robert
Russell, David
Tobin, William

Fields, Dennis
Luther, Robert
Simpson, Tyler
Worsman, Colette

CARROLL

Ahlgren, Christopher
McCarthy, Frank
Pettengill, Laurie
Umberger, Karen

Babson, David Jr
McConkey, Mark
Scala, Dino

Chandler, Gene
Morrow, Harry
Schmidt, Stephen

Fleck, Joseph
Patten, Betsey
Tregenza, Norman

CHESHIRE

Byrnes, John
Johnson, Jane

Cartwright, Anne
Moore, Charles

Emerson, Susan
Moore, Robert Jr

Hunt, John
Smith, Edwin

COOS

Daugherty, Duffy
Tholl, John Jr

Rappaport, Laurence

Remick, William

Richardson, Herbert

GRAFTON

Bradley, Lester
Gionet, Edmond

Brosseau, Charles
Ingretson, Paul

Bulis, Lyle
Ladd, Rick Jr

Eaton, Stephanie
Reilly, Harold Sr

Shackett, Jeffrey

Simard, Paul

Sorg, Gregory

Sova, Charles

HILLSBOROUGH

Avard, Kevin
Barry, Richard
Brownrigg, Randall Jr

Balboni, Michael
Belanger, James
Burt, John

Ball, J. Michael
Belvin, William
Cebrowski, John

Barry, J. Gail
Brown, Kevin
Christensen, D.L.
Chris

Coffey, James
DeJong, Cameron
Erickson, Duane
Gargas, Carolyn
Haefner, Robert
Hikel, John
Hopper, Gary
LeBrun, Donald
McGuinness, Sean
Notter, Jeanine
Palmer, Barry
Pepino, Leo
Scoutsas, Lisa
Soucy, Connie
Swank, Matthew
Ulery, Jordan
Whitehead, Randall

Condra, William
Doherty, Shaun
Flanagan, Jack
Gonzalez, Carlos
Hansen, Peter
Hinch, Richard
Hutchinson, Winfred
Long, Patrick
Mecheski, Holly
Ober, Lynne
Palmer, Stephen
Pratt, Calvin
Seidel, Carl
Souza, Kathleen
Terrio, Ross
Vaillancourt, Steve
Willette, Robert

Cusson-Cail, Kathleen
Donovan, Daniel
Fredette, Robert
Graham, John
Hardwick, Harry
Hogan, Edith
Krasucki, Joseph
Maltz, Jonathan
Moran, Edward
Ober, Russell III
Parison, James
Renzullo, Andrew
Silva, Peter
Stepanek, Stephen
Thomas, Joseph
Villeneuve, Moe

Daniels, Gary
Drisko, Richard
Gagne, Larry
Greazzo, Phil
Hawkins, Kenneth
Holden, Frank
Lambert, George
McClarren, Donald
Murphy, Keith
Ohm, Bill
Pellegrino, Tony
Rowe, Robert
Simmons, Tammy
Summers, James
Twombly, Timothy
Warden, Mark

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Kotowski, Frank
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Smith, Molly

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Hoell, J.R.
Lauer-Rago, Kathleen
McGuire, Carol
Richardson, Jon
Smith, Todd

Cox, Sean
Keane, Thomas
Lindsley, Mark
McGuire, Dan
Sanborn, Laurie
Winter, Steven

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Introne, Robert
Kolodziej, Walter
Manuse, Andrew
Murphy, Brian
Packard, Sherman
Rice, Frederick
Sedensky, John
Sullivan, James
Tremblay, Stella
Webb, James

Allen, Mary
Bates, David
Case, Frank
Devine, James
Fesh, Robert
Hagan, Joseph
Itse, Daniel
Lundgren, David
Mauro, Donna
Nevins, Chris
Peckham, Michele
Ritter, Glenn
Sheffert, Kenneth
Sullivan, Kevin
Tucker, Pamela
Welch, David

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Duarte, Joe
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Headd, James
Kappler, Lawrence
MacMahon, Bruce
McKinney, Betsy
O'Connor, John
Quandt, Marshall
Sanders, Elisabeth
Shuler, Wyman III
Tamburello, Daniel
Waddell, James
Weyler, Kenneth

Azarian, Gary
Birdsell, Regina
Comerford, Timothy
Elliott, Robert
Garritty, James
Hoelzel, Kathleen
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McMahon, Charles
Okerman, Richard
Reichard, Kevin
Schroadter, Adam
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Wheaton, Gary

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Cataldo, Sam
Jones, Laura

DeLemus, Susan
Leonard, Frederick Jr

Groen, Warren
Munck, Philip

Newton, Clifford
Pitre, Joseph
Wall, Janet

O'Connor, William
Roberts, Jenna
Watters, David

Panek, William
Vita, Carol
Weeden, Michael

Parsons, Robbie
Vita, Lucien

SULLIVAN

Bowers, Spec
Laware, Thomas
Smith, Steven
and the motion failed.

Cunningham, Steven
Lovett, Charlene

Howard, Thomas
Osgood, Joe

LaCasse, Paul Sr
Rodeschin, Beverly

RESOLUTION

Rep. Bettencourt 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, February 16, 2011 at 10:00 a.m.
Adopted.

LATE SESSION

Third reading and final passage

HB 47, relative to inactive license status for real estate brokers and salespersons.

HB 61, relative to daylight saving time.

HB 174, relative to insurance coverage for court-ordered counseling in divorce proceedings.

HB 80, relative to ranks in the division of state police.

HB 82, relative to the annulment of criminal records.

HB 307, relative to the authority of the superintendent of a county correctional facility.

HB 585, proclaiming the third Friday in October as New Hampshire history day.

HB 115, relative to the temporary removal or transfer of prisoners from a county correctional facility.

HB 363-L, relative to Depot Street in the town of Andover.

HB 188, relative to division responsibility for road toll administration, hazardous waste transport, truck weight enforcement, and the international registration plan by the department of safety and relative to clerical support for the advisory board of fire control.

HB 110, requiring professional safety and security services personnel to report certain criminal offenses.

HB 113, prohibiting the use of state funds for New Hampshire public television.

HB 185-FN, relative to determining bargaining units for purposes of public employee collective bargaining.

HB 474-FN, relative to freedom of choice on whether to join a labor union and eliminating the duty of a public employee labor organization to represent employees who elect not to join or to pay dues or fees to the employee organization.

RECESS MOTION

Rep. Bettencourt 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 3:50 p.m.

RECESS

COMMITTEE ASSIGNMENTS

The Speaker made the following changes to committee assignments:

Reps. Cohn and Willette on the Special Committee on Public Employee Pensions Reform.

Reps. Reagan and Blankenbeker off the Special Committee on Public Employee Pensions Reform.

Rep. Hawkins, Chairman of the Special Committee on Public Employee Pensions Reform.

Rep. Sedensky, Vice Chairman of the Special Committee on Public Employee Pensions Reform.

Rep. Bowers on the Special Committee on Redistricting.

Rep. Howard off the Special Committee on Redistricting.

RECESS