

State of New Hampshire HOUSE RECORD

First Year of the 162nd General Court
Calendar and Journal of the 2011 Session

Vol. 33

Concord, N. H.

Wednesday, April 27, 2011

No. 40

HOUSE JOURNAL No. 15 (cont.)

Wednesday, April 13, 2011

Rep. Silva moved that the House adjourn.
Adopted.

HOUSE JOURNAL No. 16

Wednesday, April 27, 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.

Dear Lord, in this season when many have celebrated the liberation of Passover and the resurrection of Easter, we pray that You stand by us too as we proclaim attitudes of joy and peace in our work to legislate to secure the common good. Give us an appreciation of the dignity bestowed on all things new and perishable. We ask for restored health to those who are ill, to Representative Tony Pellegrino, to those who cannot be with us, those who are disenfranchised and those in harm's way. We still rely on Your intercession Lord, in what we think is a self-made world to keep us attentive to the beauty of new life that springs from the earth, to the vital love which comes from caring for each other as well as the preservation of the living ideals of those who wish and deserve freedom. Keep us focused today on the ultimate benefit of those we serve in the great State of New Hampshire. We pray this in Your Holy name. Amen.

Representative Kathleen Taylor, member from Franconia, led the Pledge of Allegiance.

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

LEAVES OF ABSENCE

Reps. Ronald Belanger, Champagne, Charron, Fleck, Hofemann, Karen Hutchinson, Ladd, Levasseur, Messier, Pellegrino, Rosenwald and Soltani, the day, illness.
Reps. Beattie, Bolster, Brendon Browne, Copeland, Coughlin, Garcia, Gary Hopper, Introne, Lefebvre, Leonard, Lovejoy, Lovett, Marcus, Bruce MacMahon, Nordgren, William O'Connor, Peckham, Pelletier, Amy Perkins, Lawrence Perkins, Michael Reed, Kevin Sullivan, Summers, Thomas and Tucker, the day, important business.
Rep. Pantelakos, the day, death in the family.

INTRODUCTION OF GUESTS

Ellamae Hess, mother of Rep. Hess. Lori, Aiden and Kieran Cox, wife and sons of Rep. Cox. Mary Simard, wife of Rep. Simard. Phyllis Burt, wife of Rep. Burt. Seamus Alukonis, guest of Rep. Silva. Nina DeJong, Judith Messenger and Susan Long, mother and aunts of Rep. DeJong. Barbara Dupont and Michael Bradley, sister and guest of Rep. Porter. Jack Kennedy and the Honorable Martha McLeod, former member from Franconia, husband and guest of Rep. Taylor. Karen and Kevin Hayes, daughter and son-in-law of Rep. Erickson. Rhonda, Stephanie, Rebecca and Emily Lambert and Samantha Harrison, wife, daughters and guest of Rep. Lambert. Becca Peterson, daughter of Rep. Peterson.

Brianna Hartford of Littleton High School and Matthew Geason of Hanover High School, Pages for the day.

DECLARATION

In Recognition of Bob Lawton

WHEREAS, Bob Lawton recently celebrated his 80th birthday on March 2nd, 2011; and **WHEREAS**, in 1952 at the age of 21, Bob Lawton borrowed \$750.00 from his grandmother, Mary Long to purchase The Weirs Sport Center at the Weirs, which later was relocated north of Weirs Beach and renamed Funspot. To this day he continues to work 7 days a week; and the center is certified by The Guinness Book of World Records as the largest arcade in the world, and

WHEREAS, having served a total of 8 terms in the New Hampshire Legislature from 1969 to 1980, and again from 1995 to 1998. During his 1969-1970 term, Bob Lawton was the sole sponsor of a bill to have the new state motto "Live Free or Die" replace the word "scenic" on our license plates; and

WHEREAS, "Live Free or Die" was a toast written by General John Stark on July 31, 1809, and in 2003 Bob Lawton's son David was a member of the Legislature when he sponsored a bill so that we now celebrate General John Stark Day on the 4th Monday in April; now therefore, be it

DECLARED, by the Speaker of the New Hampshire House of Representatives, that Bob Lawton be congratulated on his many accomplishments and that best wishes be extended to him and his family for continued good health and much enjoyment.

Offered by Rep. Gene Chandler and current and former members from the Lakes Region.

INTRODUCTION OF SPECIAL GUESTS

The Honorable Robert Lawton, former member from Meredith and the Honorable David Lawton, former member from Meredith, guests of the House.

PETITION

Petitioner Representative Al Baldasaro of Londonderry, on behalf of David Johnson, seeks redress relative to a dispute with the State of New Hampshire, two marital masters, three judges, a guardian ad litem, and the Administrative Director of the Family Division of the court.

The Speaker referred the Petition to the Committee on Redress of Grievances.

SENATE MESSAGES

REQUESTS CONCURRENCE WITH AMENDMENTS

SB 444-FN, relative to the commemoration of General John Stark Day. (Amendment printed SJ 4-13-11)

Rep. Carol McGuire moved that the House concur and spoke in favor.
Adopted.

HB 71, authorizing establishment of pharmaceutical drug take-back programs. (Amendment printed SJ 4-20-11)

Rep. Reagan moved that the House concur and spoke in favor.
Adopted.

HB 464-FN, requiring the transfer of certain retirement system group II special account funds to the state annuity accumulation fund. (Amendment printed SJ 4-13-11)

Rep. Hawkins moved that the House concur and spoke in favor.
Adopted.

CONSENT CALENDAR

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

SB 152-FN, relative to participation in state employees' group insurance by members of the general court, removed by Rep. Antosz.

SB 173, proclaiming January 24, 2012 as Granny D. Day, removed by Rep. DeLemus.
Consent Calendar adopted.

SB 54, relative to the definition of declarant under the condominium act and the duties of the committee to study laws relating to condominium and homeowners' associations.

OUGHT TO PASS.

Rep. Donna L. Schlachman for Commerce and Consumer Affairs: This bill changes language in existing statute to enable more timely transfers of foreclosed properties by exempting the mortgage holders from the lengthy process of re-registering the property with the attorney general's office. The bill also adds to the duties of the "committee to study the laws related to condominium and homeowners associations" that was established in 2010 and has already submitted a preliminary report. Vote 17-0.

Referred to the Committee on Judiciary.

SB 62, relative to persons participating in the return to work program. **OUGHT TO PASS.**

Rep. Donna C. Mauro for Commerce and Consumer Affairs: This bill exempts all individuals who participate in the New Hampshire return to work program from the definition of employment and allows placement of any individual in a 6 week on-the-job program that benefits both the individual and the company. Vote 17-0.

SB 40, making technical corrections to meals and rooms tax laws. **OUGHT TO PASS.**

Rep. Peter T. Hansen for Executive Departments and Administration: This bill addresses the department's need to reflect changes in the rooms and meals tax and creates remedies for

non-compliant tax remitters. It also defines when a license is in effect during an appeal, defines policy changes for the licensing and renewal licenses of establishments which have been revoked and addresses non compliance remedies of the agency rules. Vote 10-0. Referred to the Committee on Ways and Means.

SB 92, establishing an economic strategic commission to review the relationship between business and government. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Kenneth Hawkins for Executive Departments and Administration: This bill sets up a commission to review the relationship between business and government, with the goal of improving the business climate in New Hampshire. The commission includes members of the business community, experts in business law, commissioners of agencies that deal with businesses, and the judicial office of mediation. It will examine the implementation of the “one door” interface with government, the appeal process from administrative rulings, and New Hampshire business laws and regulations, then make recommendations for legislation. The commission sunsets in December, 2012. Vote 12-1.

Amendment (1513h)

Amend RSA 359-K:1, I as inserted by section 1 of the bill by replacing it with the following:

I. The general court finds that public policies are urgently required to restore the strength and sustain growth of the New Hampshire economy, in order to create new job opportunities, reduce under-employment, and enhance the opportunity to re-establish the philosophy that the New Hampshire advantage is predicated on a belief that the business to government relationship is best served when government embraces responsible business success and nurtures good behavior. This belief is meant to increase the prosperity and enhance the opportunities of the people of New Hampshire. The general court finds that such public policies must be pursued in a coherent, consistent, and comprehensive manner, both to meet the immediate economic and social challenges and to serve as the foundation for future interests of the state and its people. The general court charges the commission established in this chapter to examine all aspects of the business to government relationship and establish measures to further economic development, capital formation, business assistance, infrastructure development, physical and intellectual protections, and equal due process in conflict resolution through legislative initiatives.

Amend RSA 359-K:3, I as inserted by section 1 of the bill by inserting after subparagraph (d) the following:

(e) Three commissioners of New Hampshire departments, one of whom shall be appointed by the governor, one of whom shall be appointed by the senate president, and one of whom shall be appointed by the speaker of the house of representative.

Amend RSA 359-K:4, III(b) as inserted by section 1 of the bill by replacing it with the following:

(b) Examine existing New Hampshire laws, in comparison to the laws of other states, to determine New Hampshire’s competitiveness and recommend legislation to re-position New Hampshire as the preeminent state in America to start and operate a business.

Amend RSA 359-K:5 as inserted by section 1 of the bill by replacing it with the following:

359-K:5 Chairperson; Quorum. The members of the commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the first-named senate member. The first meeting of the commission shall be held within 30 days of the effective date of this section. Thirteen members of the commission shall constitute a quorum.

SB 161-FN, relative to procedures for adoption of agency rules under the administrative procedures act. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Maurice L. Pilotte for Executive Departments and Administration: This bill is the result of a LEAN process analysis by stakeholders on how to streamline the administrative

rules process. It makes several changes: shortens the public comment period following a public hearing from 10 to 5 days, provides for electronic publication of the rules register, authorizes agencies to hold a second public hearing when substantive changes are made in response to public comments at the initial public hearing, expands the life-span of rules from 8 to 10 years, makes provisions for allowing incorporation by reference of Internet content, allows emergency rules to be adopted when substantial fiscal harm could occur if not addressed expeditiously, and requires the director of legislative services to develop a process for expedited re-adoption of rules which contain no substantive changes. The amendment changes the due date for the development of an expedited re-adoption process from November 1, 2011, to November 1, 2012 and changes the window for the introduction of a joint resolution by the joint committee on administrative rules from 10 to 20 business days. Vote 13-0.

Amendment (1442h)

Amend the bill by replacing section 14 with the following:

14 Expedited Process for Readoption of Rules. The director of legislative services shall develop an expedited process for readopting rules which contain no changes or contain only minor changes. Minor changes shall include renumbering, updating internal references, references to documents incorporated by reference, date and year changes, typographical or grammatical errors, and other editorial changes. The director shall consult with agency staff as necessary. The director shall provide a report on an expedited process and any proposals for legislation to the chairperson of the joint legislative committee on administrative rules not later than November 1, 2012.

Amend the bill by inserting after section 15 the following and renumbering the original sections 16-17 to read as 17-18, respectively:

16 Review by the Joint Legislative Committee on Administrative Rules; Introduction of Joint Resolution. Amend RSA 541-A:13, VII(c) to read as follows:

(c) If the committee votes to sponsor a joint resolution pursuant to subparagraph VII(b), the joint resolution shall be introduced in the house of representatives or senate within ~~[10]~~ **20** business days of such vote when the general court is in session and ~~[10]~~ **20** business days of the start of the following legislative session if such vote occurs when the general court is not in session. If a joint resolution is not introduced within this time frame, the agency may adopt the rule. If a joint resolution is introduced within this time frame, the agency shall be prevented from adopting and filing such rule until final legislative action is taken on the resolution or the passage of 90 consecutive calendar days during which the general court shall have been in session, whichever occurs first. The 90 calendar day period shall commence on the date such joint resolution has been introduced. If the session of the general court adjourns prior to the sixtieth calendar day after such joint resolution has been introduced, then the agency shall be prevented from adopting and filing such rule until 90 calendar days, beginning with the next session of the general court, have passed.

AMENDED ANALYSIS

This bill:

- I. Shortens the public comment period after a public hearing.
- II. Gives the director of legislative services limited discretion in the publication of rulemaking notices.
- III. Provides for electronic copies of the rulemaking register.
- IV. Allows agencies to hold a second public hearing on proposed rules.
- V. Extends the expiration date of rules to 10 years and allows for extending rules by filing readoption of currently effective rules.
- VI. Allows for incorporation by reference of Internet content.
- VII. Modifies procedures for interim and emergency rulemaking.
- VIII. Requires the director of legislative services to develop a process for expedited readoption of rules.

IX. Extends the date for introduction of a joint resolution by the joint legislative committee on administrative rules.
Referred to the Committee on Finance.

SB 104, relative to certain agricultural operations and certain bonds for excavation and driveways. **OUGHT TO PASS.**

Rep. John A. Burt for Municipal and County Government: This bill does three things. It requires municipalities be equitable and reasonable when they require that a business or individual post a bond to use a municipal road. This will help protect those businesses and individuals required to post such bonds by insuring they do not pay for someone else's damage to the road. Secondly, SB 104 encourages municipalities to preserve agricultural operations when adopting zoning ordinances. Currently, municipalities are encouraged to adopt zoning ordinances to preserve agricultural buildings and lands. Extending this to include the agricultural operation is important because it is the agricultural operation or business that ultimately supports the buildings and land. Thirdly, SB 104 clarifies that planning boards do not have review or regulatory authority over timber harvests. Arguably this is already in law, but, due to a number of recent instances where Planning Boards are attempting to regulate timber harvesting, the law needs to be clearer. SB 104 provides this clarity. SB 104 was broadly supported by the New Hampshire Timberland Owners Association, New Hampshire Farm Bureau Federation, New Hampshire Municipal Association, New Hampshire Division of Forest and Lands and the Society for the Protection of New Hampshire's Forests. Vote 17-0.

SB 144, relative to extending certain permits and approvals. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Andrew Renzullo for Resources, Recreation and Development: Through a drafting error, SB 144, which is a bill containing subject matter within the purview of the Municipal and County Government Committee, also had attached to it a section nearly identical to that contained within SB 38, a bill the Resources, Recreation and Development Committee heard the previous week. Accordingly, R R & D amended SB 144 to remove this identical section and passed the remainder of the bill with the expectation that this now clean bill, dealing with planning board activities, would be referred to the proper committee. Vote 13-0.

Amendment (1393h)

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

AN ACT relative to extending permits and approvals for subdivision of land.

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

AMENDED ANALYSIS

This bill extends certain permits and approvals for subdivision of land.

Referred to the Committee on Municipal and County Government.

SB 42, relative to the declaration of consideration for purposes of the real estate transfer tax. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Gary S. Azarian for Ways and Means: This bill was brought about by a request of the department of revenue administration. The purpose of the bill is to separate the sensitive information of the buyer and seller during the closing of real estate transactions. Vote 18-0.

Amendment (1350h)

Amend RSA 78-B:10, I(b) as inserted by section 1 of the bill by replacing it with the following:

(b) Contain a space immediately below the statement in subparagraph (a) for the dated and witnessed [~~signatures of both buyer and seller~~] **signature of the purchaser, grantee, assignee, or transferee** of the deeded real estate **on their respective**

declaration of consideration and for the dated and witnessed signature of the seller, grantor, assignor, or transferor of the deeded real estate on their respective declaration of consideration.

Amend RSA 78-B:10, IV as inserted by section 1 of the bill by replacing it with the following:

IV. The ~~[declaration]~~ ***declarations*** required by this section shall be filed ~~[with the department of revenue administration]~~ ***separately*** by the purchaser, grantee, assignee, or transferee, ***and the seller, grantor, assignor, or transferor with the department of revenue administration***, no later than 30 days from the recording of the deed at the registry of deeds or transfer of real estate, whichever is later.

SB 56-FN, authorizing the department of revenue administration to accept credit card and debit card payments of taxes. **OUGHT TO PASS.**

Rep. Keith Murphy for Ways and Means: This bill authorizes the department of revenue administration to accept credit and debit cards when collecting taxes. It provides a convenience to taxpayers that choose to use it and the department anticipates some savings due to the ease of processing electronic payments compared to the 265,000 paper checks currently processed annually. Implementation will cost the state nothing and processing fees will be paid by the taxpayer to the chosen payment processor. This same method has been used for years by the secretary of state with great success. Vote 19-0. Referred to the Committee on Finance.

SB 130-FN-A, repealing the tax on gambling winnings. **INEXPEDIENT TO LEGISLATE.**

Rep. Frank V. Sapareto for Ways and Means: This bill is the Senate version of the repeal on gambling tax winnings. At this time both bodies have passed HB 157, the House version. This bill has become redundant and unnecessary. With the consent of the Senate, it was agreed to ITL this bill. Vote 20-0.

REGULAR CALENDAR

SB 57, relative to regulation of title loan lenders. **MAJORITY: OUGHT TO PASS.**

MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Kenneth N. Gidge for the Majority of Commerce and Consumer Affairs: The committee has historically supported providing credit options for New Hampshire consumers. These options have included title loans. Title loans are short term (30 day), small dollar loans based on a percentage of the value of fully paid off car, which is used for collateral. Since the loans are based on the value of the car and the borrower's ability to pay (credit scores are not checked), title loans often have higher interest rates. SB 57 allows for title lending in New Hampshire again. It is an industry that provided over 48,000 consumer loans in the state with only 12 complaints to the NH Banking Department. There are consumer protections in law regarding disclosures and limits. We believe that a consumer has the right and the ability to make financial decisions without government intrusion. Vote 16-2.

Rep. Donna L. Schlachman for the Minority of Commerce and Consumer Affairs: This bill creates public policy that allows a business to prey on people's desperation. The minority does not believe this is the direction NH should be moving especially in a time when we know many families are turning to public agencies for assistance to meet their basic needs. The committee heard testimony from the director of NH's consumer protection bureau and from NH Legal Assistance against this bill. In addition, the committee learned that the NH Community Loan fund, which works with individuals and groups to foster financial self-sufficiency, is developing a low-interest loan program. The minority believes it is good public policy and in the best interest of NH's citizens to wait for a more appropriate product to become available.

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

Rep. Vaillancourt offered floor amendment (1549h).

Floor Amendment (1549h)

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

AN ACT relative to regulation of title loan lenders, and reducing the interest rate on late and delinquent property tax payments, subsequent payments, and other unpaid taxes.

Amend the bill by inserting after section 2 the following and renumbering the original section 3 to read as 16:

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

(1) Interest shall accrue on the unpaid taxes at a rate of ~~[18]~~ **9** percent per annum from the due date until such taxes are paid;

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

72-B:6 Unpaid Taxes. The taxes which are not paid when due pursuant to RSA 72-B:4 shall bear interest at the rate of ~~[18]~~ **9** percent per year computed from the due date. Interest and penalties on the tax shall be collected by the tax collector and deposited in the general fund of the municipality. In addition to the interest due, a penalty for failure to pay may be assessed against the owner as provided in RSA 21-J:33.

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

76:13 Interest. Interest at ~~[12]~~ **6** percent per annum shall be charged upon all taxes except resident taxes, except as otherwise provided by statute, not paid on or before December 1 after their assessment, which shall be collected from that date with the taxes as incident thereto, except in the case where a tax bill sent to the taxpayer on or after November 2 and before April 1 of the following year interest shall not be charged until 30 days after the bills are mailed. Interest due in an amount up to \$25 may be waived by the collector, with the approval and consent of the board of selectmen and the board of assessors, if in the collector's judgment the administrative and collection costs involved do not warrant collection of the amount due. The tax collector shall state on the tax bill the date from which interest will be charged and such date shall be determined by the day the collector sends out the last tax bill on the list. The collector shall notify the board of tax and land appeals in writing of the date on which the last tax bill was sent.

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

IV. Interest at the rate of ~~[12]~~ **6** percent per annum shall be charged on all taxes not paid on or before their due dates or 30 days after mailing, whichever is later.

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

79:4-a Unpaid Taxes. The taxes which are not paid when due pursuant to RSA 79:3 shall bear interest at the rate of ~~[18]~~ **9** percent per year computed from the due date. Interest and penalties on the tax shall be collected by the tax collector and deposited in the general fund of the town. In addition to the interest due, a penalty for failure to pay may be assessed against the owner as provided in RSA 21-J:33.

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

(d) Payment of the land use change tax, together with the recording fees due the register of deeds, shall be due not later than 30 days after mailing of the tax bills for such tax, and interest at the rate of ~~[18]~~ **9** percent per annum shall be due thereafter on any taxes not paid within the 30-day period.

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

(d) Payment of the consideration shall be due not later than 30 days after the mailing of the bill. Interest at the rate of ~~[18]~~ **9** percent per annum shall be due thereafter on any consideration not paid within the 30-day period.

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

(d) Payment of the consideration shall be due not later than 30 days after the mailing of the bill. Interest at the rate of ~~[18]~~ **9** percent per annum shall be due thereafter on any consideration not paid within the 30-day period.

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

(d) Payment shall be due not later than 30 days after the mailing of the bill. Interest at the rate of ~~[18]~~ **9** percent per annum shall be due thereafter on any amount not paid within the 30-day period. Interest at ~~[12]~~ **6** percent per annum shall be charged upon all taxes that would have been due and payable on or before December 1 of each tax year as if no tax relief had been granted.

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

80:32 Redemption. Any person with a legal interest in land so sold may redeem the same by paying or tendering to the collector, or in his **or her** absence, at his **or her** usual place of abode, at any time before a deed thereof is given by the collector, the amount for which the land was sold, with interest at ~~[18]~~ **9** percent per annum upon the whole amount for which the land was sold from the time of sale to the time of payment in full, except that in the case of partial payments in redemption made under RSA 80:33-a, the interest shall be computed on the unpaid balance, together with redemption costs and costs for notifying the mortgagees, if any. In case the tax collector who sold the property in question shall have died, become incapacitated, been removed from office or removed from the town or city, or shall have been discharged from his **or her** bond by the selectmen or assessors, then the person with the legal interest in redeeming the property may tender such sums to the tax collector then in office of said city or town. Upon advice from the selectmen or assessors that the amount tendered is the correct amount due, the tax collector shall accept said amount for the redemption of the property.

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

80:37 Payment of Subsequent Tax. For purposes of this section, "subsequent tax" shall mean any tax assessed upon the real estate subsequent to that for which it was sold by a municipality, a county, or the state. The purchaser of real estate at any tax sale may pay to the collector any subsequent tax and the collector shall, within 30 days after such payment, notify the register of deeds thereof, giving the date and the amount of such payment and the name of the person so paying together with the date of the tax sale, the name of the person taxed, and a description of the property sold as shown in the report of sale recorded in the registry of deeds. The collector of taxes shall receive \$1 for such notice to the register of deeds of the payment of subsequent tax plus \$1 to be paid to the register of deeds. The purchaser, within 30 days of payment of the subsequent tax, shall personally, or by certified mail, notify in writing any mortgagee who was notified of his **or her** purchase at the tax sale of this payment of the subsequent tax. The purchaser paying the subsequent tax shall receive the same fees prescribed for notifying the mortgagee of his **or her** purchase at the tax sale to be included in his **or her** costs to be paid by the person making redemption, except that when a town is a purchaser at a tax sale and the town pays a subsequent tax and the selectmen direct the collector of taxes as agent for the town to give notice of payment of a subsequent tax to any mortgagee who was notified of the purchase by the town at the tax sale, the collector shall be paid the sum of \$5 for this service. Any amounts so paid on account of subsequent taxes, together with interest thereon at the rate of ~~[18]~~ **9** percent per annum from the date of payment shall, in addition to the purchase price at the time of sale with accrued interest and costs, be paid by the person making redemption.

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

80:69 Redemption. Any person with a legal interest in land subject to a real estate tax lien may redeem the same by paying or tendering to the collector, at any time before a deed thereof is given by the collector, the amount of the real estate lien, with interest at ~~[18]~~ **9** percent per annum upon the whole amount of the recorded lien from the date of execution to the time of payment in full, except that in the case of partial payments in redemption made

under RSA 80:71, the interest shall be computed on the unpaid balance, together with redemption costs and costs for identifying and notifying the mortgagees, if any. In case the tax collector who executed the tax lien against the property in question shall have died, become incapacitated, been removed from office or removed from the town or city, or shall have been discharged from his *or her* bond by the selectmen or assessors, then the person with the legal interest in redeeming the property may tender such sums to the tax collector then in office of said city or town. Upon advice from the selectmen or assessors that the amount tendered is the correct amount due, the tax collector shall accept said amount for the redemption of the property.

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

III. When a municipality is the lienholder and the municipality pays a subsequent tax and the selectmen direct the collector of taxes, as agent of the municipality, to give such notice of said payment to any owner and to any mortgagee as provided above, the collector of taxes shall receive the same fees provided for the lienholder for his *or her* service. The amount of subsequent taxes paid, together with interest on such taxes at the rate of ~~[18]~~ **9** percent per annum from the date of payment shall, in addition to the tax lien amount at the time of execution with interest and costs, be paid by the person making redemption.

AMENDED ANALYSIS

This bill:

I. Increases the maximum percentage of interest allowed to be charged by title loan lenders annually.

II. Reduces the number of additional pay periods for which a lender may allow a title loan to be renewed.

III. Requires a borrower whose title loan has been renewed to pay at least 10 percent of the loan's original principal balance at the time of renewal.

This bill also lowers the interest rates applicable to late and delinquent property tax payments, subsequent payments, and other unpaid taxes enforced through the lien procedure.

Rep. Vaillancourt spoke in favor.

Reps. Betsey Patten and Hunt spoke against.

Rep. Vaillancourt requested a roll call; sufficiently seconded.

YEAS 134 NAYS 213

YEAS 134

BELKNAP

Comtois, Guy
Simpson, Tyler

Kingsbury, Robert
Tilton, Franklin

Malone, Robert

Pilliod, James

CARROLL

Babson, David Jr

Scala, Dino

CHESHIRE

Carr, Daniel

Cartwright, Anne

Chase, Cynthia

Hawkes, Samuel

COOS

Coulombe, Gary

Daugherty, Duffy

Merrick, Evalyn

GRAFTON

Gionet, Edmond
Taylor, Kathleen

Ingbretson, Paul
Townsend, Charles

Reilly, Harold Sr

Sova, Charles

HILLSBOROUGH

Avard, Kevin
Barry, J. Gail
Brunelle, Michael
DeJong, Cameron
Garrity, Patrick
Holden, Frank
Kurk, Neal
Mecheski, Holly
Ober, Lynne
Rowe, Robert
Souza, Kathleen
Ulery, Jordan

Balboni, Michael
Bergevin, Jerry
Burt, John
Donovan, Daniel
Greazzo, Phil
Hutchinson, Winfred
Lambert, George
Moran, Edward
Ober, Russell III
Scotsas, Lisa
Sullivan, Daniel
Vaillancourt, Steve

Ball, J. Michael
Brown, Kevin
Daniels, Gary
Erickson, Duane
Hinch, Richard
Katsiantonis, Thomas
Maltz, Jonathan
Murphy, Keith
Palmer, Stephen
Shaw, Barbara
Swank, Matthew
Willette, Robert

Baroody, Benjamin
Brownrigg, Randall Jr
Day, Russell
Fredette, Robert
Hogan, Edith
Krasucki, Joseph
McClarren, Donald
Notter, Jeanine
Peterson, Lenette
Simmons, Tammy
Twombly, Timothy

MERRIMACK

Cox, Sean
Kreis, Kenneth Sr
Potter, Frances
Richardson, Jon
Winter, Steven

Frazer, June
Lindsley, Mark
Reed, Dennis
Sanborn, Laurie

Giuda, J. Brandon
McDonnell, John
Rice, Chip
Wallner, Mary Jane

Hoell, J.R.
McGuire, Dan
Richardson, Gary
Williams, Robert

ROCKINGHAM

Abrami, Patrick
Davenport, Joshua
Elliott, Robert
Itse, Daniel
Murphy, Brian
Reagan, John
Sedensky, John
Tasker, Kyle

Birdsell, Regina
DiPentima, Rich
Gould, Kenneth
Kolodziej, Walter
Okerman, Richard
Rice, Frederick
Sheffert, Kenneth
Tremblay, Stella

Cali-Pitts, Jacqueline
Dowling, Patricia
Hagan, Joseph
Lundgren, David
Oligny, Jeffrey
Sanders, Elisabeth
Shuler, Wyman III
Webb, James

Comerford, Timothy
Duarte, Joe
Hoelzel, Kathleen
Manuse, Andrew
Read, Robin Jr
Schlachman, Donna
Tamburello, Daniel
Weyler, Kenneth

STRAFFORD

Andolina, Donald
Horrigan, Timothy
Parsons, Robbie
Vita, Lucien

Cataldo, Sam
Jones, Kyle
Pitre, Joseph
Weeden, Michael

Grassie, Anne
Jones, Laura
Spang, Judith

Groen, Warren
Larsen, Kirsten
Vita, Carol

SULLIVAN

Bowers, Spec

Cloutier, John

LaCasse, Paul Sr

NAYS 213

BELKNAP

Accornero, Harry
Luther, Robert
Swinford, Elaine

Fields, Dennis
Millham, Alida
Tobin, William

Flanders, Donald
Russell, David
Worsman, Colette

Greemore, Robert
St. Cyr, Jeffrey

CARROLL

Ahlgren, Christopher
McConkey, Mark
Schmidt, Stephen

Chandler, Gene
Merrow, Harry
Tregenza, Norman

Knox, J. David
Patten, Betsey
Umberger, Karen

McCarthy, Frank
Pettengill, Laurie

CHESHIRE

Butynski, William
Hunt, John
Meader, David
Roberts, Kris
Tatro, Bruce

Byrnes, John
Johnsen, Gladys
Moore, Charles
Sad, Tara
Weber, Lucy

Dwinell, Richard
Johnson, Jane
Moore, Robert Jr
Smith, Edwin
Weed, Charles

Emerson, Susan
Lerandeau, Alfred
Parkhurst, Henry
Sterling, Franklin Jr

COOS

Hatch, William
Theberge, Robert

Rappaport, Laurence
Tholl, John Jr

Remick, William
Thomas, Yvonne

Richardson, Herbert
Tremblay, Marc

GRAFTON

Aguiar, James
Brosseau, Charles
Gould, Franklin
Pierce, David
Sorg, Gregory

Almy, Susan
Bulis, Lyle
Harding, Laurie
Shackett, Jeffrey
White, Andrew

Benn, Bernard
Cooney, Mary
Mirski, Paul
Simard, Paul

Bradley, Lester
Eaton, Stephanie
Pastor, Beatriz
Smith, Suzanne

HILLSBOROUGH

Barry, Richard
Buxton, Michael

Belanger, James
Campbell, David

Belvin, William
Cebrowski, John

Boehm, Ralph
Christensen, D.L.
Chris

Christiansen, Lars
Cusson-Cail, Kathleen
Gagne, Larry
Gimas, John
Graham, John
Hawkins, Kenneth
LeBrun, Donald
Palmer, Barry
Porter, Marjorie
Rhodes, Brian
Soucy, Connie
Villeneuve, Moe

Coffey, James
Doherty, Shaun
Gandia, Laura
Goley, Jeffrey
Haefner, Robert
Hikel, John
Long, Patrick
Parison, James
Pratt, Calvin
Robbins, David
Stepanek, Stephen
Warden, Mark

Condra, William
Emerton, Larry
Gargas, Carolyn
Gonzalez, Carlos
Hansen, Peter
Infantine, William
McGuinness, Sean
Pepino, Leo
Proulx, Mark
Seidel, Carl
Stroud, Kathleen
Whitehead, Randall

Cote, David
Flanagan, Jack
Gidge, Kenneth
Gorman, Mary
Hardwick, Harry
Jeudy, Jean
Ohm, Bill
Pilotte, Maurice
Renzullo, Andrew
Silva, Peter
Terrio, Ross

MERRIMACK

Blankenbeker, Lynne
Deloge, Helen
Hess, David
Kotowski, Frank
McGuire, Carol
Seaworth, G. Brian
Watrous, Rick

Bouchard, Candace
DeStefano, Stephen
Hill, Gregory
Lauer-Rago, Kathleen
Owen, Derek
Shurtleff, Stephen

Coffey, Jennifer
Foose, Robert
Keane, Thomas
Lockwood, Priscilla
Palfrey, David
Smith, Molly

Cohn, Seth
Gile, Mary
Kidder, David
MacKay, James
Patten, Dick
Smith, Todd

ROCKINGHAM

Allen, Mary
Bates, David
Chirichiello, Brian

Antosz, Jason
Bettencourt, David
DeSimone, Debra

Azarian, Gary
Brown, Paul
Ferrante, Beverly

Baldasaro, Alfred
Case, Frank
Fesh, Robert

Garrity, James
Katsakiores, Phyllis
McMahon, Charles
O'Connor, John
Quandt, Matt
Sapienza, Marie
Sytek, John
Welch, David

Griffin, Mary
Major, Norman
Moody, Marcia
Packard, Sherman
Reichard, Kevin
Serlin, Christopher
Waddell, James

Headd, James
Mauro, Donna
Nevins, Chris
Powers, James
Ritter, Glenn
Smith, William
Ward, Joanne

Kappler, Lawrence
McKinney, Betsy
Norelli, Terie
Quandt, Marshall
Sapareto, Frank
Sullivan, James
Waterhouse, Kevin

STRAFFORD

Berube, Roger
Hooper, Dorothea
Munck, Philip
Schmidt, Peter
Watters, David

Brown, Julie
Kaen, Naida
Newton, Clifford
Spainhower, Dale

DeLemus, Susan
Keans, Sandra
Panek, William
Sprague, Dale

Ginsburg, Philip
Leonard, Frederick Jr
Roberts, Jenna
Wall, Janet

SULLIVAN

Cunningham, Steven
Osgood, Joe
and floor amendment (1549h) failed.

Gagnon, Raymond
Rodeschin, Beverly

Howard, Thomas
Schmidt, Andrew

Laware, Thomas
Smith, Steven

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

Rep. Schlachman spoke against and yielded to questions.

Reps. Bergevin, Flanagan and Webb spoke against.

Rep. Gidge spoke in favor.

Rep. Hunt spoke in favor and yielded to questions.

Rep. Bergevin requested a roll call; sufficiently seconded.

YEAS 180 NAYS 171

YEAS 180

BELKNAP

Accornero, Harry
Greemore, Robert
Swinford, Elaine

Comtois, Guy
Luther, Robert
Tilton, Franklin

Fields, Dennis
Malone, Robert

Flanders, Donald
Simpson, Tyler

CARROLL

Ahlgren, Christopher
Scala, Dino

Chandler, Gene
Schmidt, Stephen

Patten, Betsey
Tregenza, Norman

Pettengill, Laurie
Umberger, Karen

CHESHIRE

Dwinell, Richard
Sterling, Franklin Jr

Hunt, John

Moore, Charles

Smith, Edwin

COOS

Daugherty, Duffy

Richardson, Herbert

Tholl, John Jr

Tremblay, Marc

GRAFTON

Bradley, Lester
Mirski, Paul

Eaton, Stephanie
Shackett, Jeffrey

Gionet, Edmond
Sorg, Gregory

Ingbretson, Paul
Sova, Charles

HILLSBOROUGH

Balboni, Michael	Ball, J. Michael	Barry, Richard	Belvin, William
Boehm, Ralph	Brown, Kevin	Brownrigg, Randall Jr	Burt, John
Buxton, Michael	Cebrowski, John	Christensen, D.L.	Christiansen, Lars
		Chris	
Coffey, James	Daniels, Gary	DeJong, Cameron	Doherty, Shaun
Donovan, Daniel	Erickson, Duane	Gagne, Larry	Gandia, Laura
Gidge, Kenneth	Gorman, Mary	Graham, John	Greazzo, Phil
Haefner, Robert	Hawkins, Kenneth	Hikel, John	Hinch, Richard
Hogan, Edith	Holden, Frank	Hutchinson, Winfred	Infantine, William
Krasucki, Joseph	Maltz, Jonathan	McCarthy, Michael	McClarren, Donald
McGuinness, Sean	Murphy, Keith	Ober, Lynne	Ober, Russell III
Ohm, Bill	Palmer, Stephen	Parison, James	Pepino, Leo
Peterson, Lenette	Pratt, Calvin	Renzullo, Andrew	Robbins, David
Scotsas, Lisa	Seidel, Carl	Silva, Peter	Simmons, Tammy
Stepanek, Stephen	Swank, Matthew	Vaillancourt, Steve	Villeneuve, Moe
Warden, Mark	Whitehead, Randall	Willette, Robert	

MERRIMACK

Blankenbeker, Lynne	Coffey, Jennifer	Cohn, Seth	Cox, Sean
DeStefano, Stephen	Giuda, J. Brandon	Hess, David	Hill, Gregory
Hoell, J.R.	Keane, Thomas	Kreis, Kenneth Sr	Lauer-Rago, Kathleen
McGuire, Carol	McGuire, Dan	Palfrey, David	Sanborn, Laurie
Seaworth, G. Brian	Smith, Molly	Winter, Steven	

ROCKINGHAM

Abrami, Patrick	Allen, Mary	Antosz, Jason	Baldasaro, Alfred
Bettencourt, David	Birdsell, Regina	Brown, Paul	Comerford, Timothy
Davenport, Joshua	DeSimone, Debra	Duarte, Joe	Ferrante, Beverly
Griffin, Mary	Headd, James	Itse, Daniel	Kappler, Lawrence
Katsakiores, Phyllis	Kolodziej, Walter	Major, Norman	Manuse, Andrew
Mauro, Donna	McKinney, Betsy	McMahon, Charles	Murphy, Brian
Nevins, Chris	O'Connor, John	Okerman, Richard	Oligny, Jeffrey
Packard, Sherman	Quandt, Marshall	Quandt, Matt	Reagan, John
Ritter, Glenn	Sapareto, Frank	Sapienza, Marie	Sedensky, John
Shuler, Wyman III	Smith, William	Sullivan, James	Sytek, John
Tamburello, Daniel	Tasker, Kyle	Tremblay, Stella	Ward, Joanne
Waterhouse, Kevin	Welch, David	Weyler, Kenneth	

STRAFFORD

Cataldo, Sam	DeLemus, Susan	Groen, Warren	Jones, Kyle
Jones, Laura	Kaen, Naida	Larsen, Kirsten	Leonard, Frederick Jr
Newton, Clifford	Panek, William	Parsons, Robbie	Vita, Carol
Vita, Lucien	Weeden, Michael		

SULLIVAN

Bowers, Spec	Cunningham, Steven	Howard, Thomas	Laware, Thomas
Osgood, Joe	Rodeschin, Beverly		

BELKNAP

Kingsbury, Robert
St. Cyr, Jeffrey

Millham, Alida
Tobin, William

Pilliod, James
Worsman, Colette

Russell, David

CARROLL

Babson, David Jr
Morrow, Harry

Knox, J. David

McCarthy, Frank

McConkey, Mark

CHESHIRE

Butynski, William
Chase, Cynthia
Johnson, Jane
Parkhurst, Henry
Weber, Lucy

Byrnes, John
Emerson, Susan
Lerandean, Alfred
Roberts, Kris
Weed, Charles

Carr, Daniel
Hawkes, Samuel
Meador, David
Sad, Tara

Cartwright, Anne
Johnsen, Gladys
Moore, Robert Jr
Tatro, Bruce

COOS

Coulombe, Gary
Remick, William

Hatch, William
Theberge, Robert

Merrick, Evalyn
Thomas, Yvonne

Rappaport, Laurence

GRAFTON

Aguiar, James
Bulis, Lyle
Pastor, Beatriz
Smith, Suzanne

Almy, Susan
Cooney, Mary
Pierce, David
Taylor, Kathleen

Benn, Bernard
Gould, Franklin
Reilly, Harold Sr
Townsend, Charles

Brosseau, Charles
Harding, Laurie
Simard, Paul
White, Andrew

HILLSBOROUGH

Avard, Kevin
Bergevin, Jerry
Cote, David
Flanagan, Jack
Gimas, John
Hardwick, Harry
Lambert, George
Moran, Edward
Porter, Marjorie
Rokas, Ted
Souza, Kathleen
Twombly, Timothy

Baroody, Benjamin
Brunelle, Michael
Cusson-Cail, Kathleen
Fredette, Robert
Goley, Jeffrey
Jeudy, Jean
LeBrun, Donald
Notter, Jeanine
Proulx, Mark
Rowe, Robert
Stroud, Kathleen
Ulery, Jordan

Barry, J. Gail
Campbell, David
Day, Russell
Gargasz, Carolyn
Gonzalez, Carlos
Katsiantonis, Thomas
Long, Patrick
Palmer, Barry
Ramsey, Peter
Shaw, Barbara
Sullivan, Daniel

Belanger, James
Condra, William
Emerton, Larry
Garritty, Patrick
Hansen, Peter
Kurk, Neal
Mecheski, Holly
Pilotte, Maurice
Rhodes, Brian
Soucy, Connie
Terrio, Ross

MERRIMACK

Bouchard, Candace
Gile, Mary
Lindsley, Mark
Owen, Derek
Rice, Chip
Smith, Todd

Deloge, Helen
Hamm, Christine
Lockwood, Priscilla
Patten, Dick
Richardson, Gary
Wallner, Mary Jane

Foose, Robert
Kidder, David
MacKay, James
Potter, Frances
Richardson, Jon
Watrous, Rick

Frazer, June
Kotowski, Frank
McDonnell, John
Reed, Dennis
Shurtleff, Stephen
Williams, Robert

ROCKINGHAM

Azarian, Gary
Chirichiello, Brian
Fesh, Robert

Bates, David
DiPentima, Rich
Garritty, James

Cali-Pitts, Jacqueline
Dowling, Patricia
Gould, Kenneth

Case, Frank
Elliott, Robert
Hagan, Joseph

Hoelzel, Kathleen
Powers, James
Sanders, Elisabeth
Waddell, James

Lundgren, David
Read, Robin Jr
Schlachman, Donna
Webb, James

Moody, Marcia
Reichard, Kevin
Serlin, Christopher

Norelli, Terie
Rice, Frederick
Sheffert, Kenneth

STRAFFORD

Andolina, Donald
Grassie, Anne
Munck, Philip
Spainhower, Dale
Watters, David

Berube, Roger
Hooper, Dorothea
Pitre, Joseph
Spang, Judith

Brown, Julie
Horrigan, Timothy
Roberts, Jenna
Sprague, Dale

Ginsburg, Philip
Keans, Sandra
Schmidt, Peter
Wall, Janet

SULLIVAN

Cloutier, John
Smith, Steven

Gagnon, Raymond

LaCasse, Paul Sr

Schmidt, Andrew

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

MOTION TO SPECIAL ORDER

Rep. Baldasaro moved that ***SB 156-FN-L***, authorizing retail vehicle dealers to act as agents of the division of motor vehicles for vehicle registrations and title applications, be made a Special Order to the end of today's calendar.

Rep. Baldasaro spoke in favor.

On a division vote, 102 members having voted in the affirmative and 242 in the negative, the motion failed.

REGULAR CALENDAR (CONT'D)

SB 156-FN-L, authorizing retail vehicle dealers to act as agents of the division of motor vehicles for vehicle registrations and title applications. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Jennifer R. Coffey for the Majority of Commerce and Consumer Affairs: New Hampshire state government has been taking a number of incremental steps forward technologically such as bringing innovation to the court system, as we did in HB 609 and as we have done by moving more information onto the state's legislative website. SB 156 proposes to bring to car registration the same innovative principles. Currently, auto dealers often hire "runners" to bring title applications and car registrations to the division of motor vehicles (DMV) for approval. This legislation would allow a pilot program where dealers could connect directly with the DMV for these tasks, by essentially "outstationing" DMV to the dealers' facility. Right now, dealers already can register off-road vehicles, snowmobiles, boats and heavy duty trucks, so this is a logical step forward building on a platform that already works. This also means car buyers can purchase and take delivery of their cars faster. Cities and towns will continue to get the information about buyers, just like they have through the DMV today. They will also continue to get payments for the work done by the dealers, without incurring the cost of registering and doing title application in person. This is a needed step forward into the 21st century and will make government far more user-friendly for our citizens. Vote 14-4.

Rep. Frederick C. Rice for the Minority of Commerce and Consumer Affairs: Although the opportunity to eliminate inconvenience to NH residents is an attractive one, there are multiple issues and problems in the implementation of this program that do not support its adoption in this form. Among these are: it would force a mandate on cities and towns that they could not opt out of; it would allow local revenues to be controlled by auto dealerships; it would remove town and city treasurers' delegation of deposit authority; it would circumvent statutory deposit requirements; it would delay receipt of local funds; it would increase state

and local expenses for audits, error correction and meeting expenses; and would not be consistent with current House efforts to curtail the broad rulemaking powers of state agencies and their ability to establish new fees without appropriate legislative reviews and approval.

Majority Amendment (1534h)

Amend RSA 261:74-o as inserted by section 5 of the bill by replacing it with the following:

261:74-o Optional Electronic Vehicle Registration Charge. Each dealer agent may collect a charge from the consumer to transmit electronically the registration and title data and the fees collected required to register a motor vehicle, issue a permit for registration, transfer a motor vehicle registration, or title a motor vehicle. This optional charge is in addition to other dealership fees or charges and the fees otherwise required to register a motor vehicle, issue a permit for registration, transfer a motor vehicle registration, or title a motor vehicle. The charge shall be separately stated and identified as "optional EVR charge" on the purchase agreement between the customer and the dealer agent and shall be disclosed on a separate document signed by the customer. If a customer declines to pay the optional electronic vehicle registration charge, the dealer agent is not required to register the vehicle, issue a permit for registration, title the vehicle, or collect the required fees.

Amend RSA 261:74-s, III as inserted by section 5 of the bill by replacing it with the following:

III. To ensure the EVR integrator and dealer agents are accurately calculating the applicable fees and properly transmitting the fees and data, and that towns and cities may integrate the data and fees into the software used by towns and cities to transmit registration data to the state, the EVR program shall be implemented as follows:

(a) The first year of the EVR program shall involve a limited number of dealers and towns and cities as determined by the director and a single EVR integrator to ensure that the EVR program is successfully implemented. The director shall select which towns, cities, and dealers shall participate during the first year from a list of desiring volunteers submitted to the director by the senate president and the speaker of the house of representatives within 60 days of the effective date of this section. The director shall select the participants after obtaining the input of the New Hampshire City and Town Clerks' Association and the New Hampshire Automobile Dealers Association. The director shall ensure that a combination of large and small municipalities and large and small dealers are included in the initial group.

(b) After the EVR program has operated for 270 days, the director shall seek formal input from the EVR advisory group established in paragraph IV and towns, cities, and dealer agents involved in the program as to whether or not the EVR integrator and dealer agents are properly calculating and assessing applicable fees, properly transmitting the fees and data, and properly integrating data and moneys into the software used by towns and cities to transmit registration data to the state.

(c) After no more than 365 days of operation, the director, with consultation from the EVR advisory group established in paragraph IV, shall determine if the EVR program has achieved material compliance with the requirements set forth in RSA 261:74-h through RSA 261:74-s.

(d) The director, upon determining under subparagraph (c) that the EVR program has either achieved material compliance or has not achieved material compliance, shall report the basis for the determination to the president of the senate, the speaker of the house of representatives, and the senate and house standing committees with jurisdiction over commerce, and shall include any recommendations for statutory changes that may be necessary, in his or her opinion, to facilitate material compliance.

(e) If the director determines that there is a failure of the EVR program to materially comply with the requirements, he or she may, upon consultation with the EVR advisory group established in paragraph IV, authorize an additional 180 days of operation of the program to allow the achievement of material compliance with the requirements. No

later than the one hundred eightieth day of the extension, the director shall, with consultation with the EVR advisory group, determine if material compliance with the requirements has been achieved. If material compliance has not been achieved by the end of the extension, the program shall end.

(f) Upon achievement of material compliance with the requirements of the EVR program, the director, upon consultation with the EVR advisory group established in paragraph IV, shall develop a plan to bring all remaining towns and cities who are municipal agents under RSA 261:74-a into the EVR program and allow additional dealer agents to apply for inclusion in the program. Any municipality that is not a municipal agent shall not be required to participate in the EVR program.

(g) One year after the incorporation of the remaining municipal agents into the EVR program, the department may enter into agreements with additional EVR integrators.

(h) After the incorporation of all municipal agents into the EVR program, the director shall evaluate on a periodic basis, no less than annually, whether the EVR integrators and dealer agents are properly calculating and assessing applicable fees, properly transmitting the fees and data, and properly integrating data and moneys into the software used by towns and cities to transmit registration data to the state.

Rep. Hunt yielded to questions.

Majority committee amendment adopted.

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

Rep. Keith Murphy offered floor amendment (1609h).

Floor Amendment (1609h)

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

AN ACT authorizing retail vehicle dealers to act as agents of the division of motor vehicles for vehicle registrations and title applications and relative to motor vehicle inspections.

Amend the bill by replacing all after section 5 with the following:

6 Vehicle Inspection; Frequency. Amend RSA 266:1, II to read as follows:

II. Any vehicle registered under this title, except an OHRV, snowmobile, moped, or other exempt vehicle, shall be inspected once ~~[a]~~ **every second** year, during the month in which the birth date of the owner is observed, if the owner is a natural person. ~~[An inspection sticker shall be valid for the same duration as the vehicle's registration, which shall not exceed 16 months. If the month in which the anniversary of the owner's birth occurs will be one of the next 4 months, an inspection sticker may be issued, with an expiration date of the birth month in the following year, of the first person named on the title application.]~~ Nothing in this paragraph shall require any person who has registered and had inspected a vehicle with temporary plates to have the vehicle reinspected upon receipt of permanent motor vehicle plates. An inspection sticker shall not expire when a vehicle is transferred to a licensed dealer.

7 Motor Vehicle Inspections; Dates. Amend RSA 266:1, III to read as follows:

III. If the owner of the vehicle is a company or corporation or other than a natural person, the ~~[annual]~~ **biennial** inspection shall be made during the month designated by the director as the registration month for such legal entity. ~~[Vehicles registered as antique motor vehicles and antique motorcycles and which are 40 years old and over shall be inspected biennially.]~~ Antique motor vehicles and custom vehicles shall be inspected in the month of April. Without regard to the owner's birth date or registration month, motorcycles and recreational vehicles shall be inspected ~~[annually]~~ **of every second year**.

8 Motor Vehicle Inspections; Fees. Amend RSA 266:2 to read as follows:

266:2 Fees. The fee for inspection stickers shall be ~~[\$3.25]~~ **\$6.50** for each sticker furnished an approved inspection station. The division shall transfer ~~[\$.25]~~ **\$.50** of each fee collected under this section to the motor vehicle air pollution abatement fund established by

RSA 125-S:3 and [~~\$2.25~~] **\$6.50** of each fee collected under this section to the general fund. All unused stickers returned by the approved inspection station to the division shall be refundable at the rate of [~~\$3.25~~] **\$6.50** each, except that unused stickers purchased from the division for a fee of \$2.50 shall be refundable at the rate of \$2.50 each ***and unused stickers purchased from the division for a fee of \$3.25 shall be refundable at the rate of \$3.25 each.***

9 Effective Date.

I. Sections 6-8 of this act shall take effect January 1, 2012.

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

AMENDED ANALYSIS

This bill authorizes retail vehicle dealers to act as agents of the division of motor vehicles for vehicle registrations and title applications. This bill changes the annual motor vehicle inspection requirement to a biennial requirement. This bill also raises the fee for inspection stickers from \$3.25 to \$6.50.

Reps. Keith Murphy and Tamburello spoke in favor.

Rep. Vaillancourt spoke in favor and yielded to questions.

Reps. Frederick Rice, Packard and Hunt spoke against.

Rep. Tamburello requested a roll call; sufficiently seconded.

YEAS 130 NAYS 218

YEAS 130

BELKNAP

Comtois, Guy
Malone, Robert

Greemore, Robert
Swinford, Elaine

Kingsbury, Robert

Luther, Robert

CARROLL

Babson, David Jr
Scala, Dino

Knox, J. David

McCarthy, Frank

Pettengill, Laurie

CHESHIRE

Butynski, William

Cartwright, Anne

Sad, Tara

COOS

Daugherty, Duffy

Tremblay, Marc

GRAFTON

Aguiar, James
Gould, Franklin
Pastor, Beatriz

Benn, Bernard
Harding, Laurie
Sorg, Gregory

Brosseau, Charles
Ingbretson, Paul
Sova, Charles

Gionet, Edmond
Mirski, Paul
Taylor, Kathleen

HILLSBOROUGH

Avard, Kevin
Boehm, Ralph
Buxton, Michael
Gagne, Larry
Holden, Frank
Kurk, Neal
Moran, Edward
Ohm, Bill

Balboni, Michael
Brown, Kevin
DeJong, Cameron
Greazzo, Phil
Hutchinson, Winfred
Lambert, George
Murphy, Keith
Parison, James

Ball, J. Michael
Brunelle, Michael
Donovan, Daniel
Hardwick, Harry
Katsiantonis, Thomas
Maltz, Jonathan
Notter, Jeanine
Peterson, Lenette

Bergevin, Jerry
Burt, John
Fredette, Robert
Hogan, Edith
Krasucki, Joseph
Mecheski, Holly
Ober, Russell III
Pilotte, Maurice

Pratt, Calvin
Simmons, Tammy
Vaillancourt, Steve

Robbins, David
Souza, Kathleen
Warden, Mark

Rowe, Robert
Swank, Matthew

Scotsas, Lisa
Terrio, Ross

MERRIMACK

Cohn, Seth
Keane, Thomas
McGuire, Dan
Wallner, Mary Jane

Cox, Sean
Kreis, Kenneth Sr
Richardson, Jon
Winter, Steven

Hill, Gregory
McDonnell, John
Seaworth, G. Brian

Hoell, J.R.
McGuire, Carol
Shurtleff, Stephen

ROCKINGHAM

Abrami, Patrick
Brown, Paul
Dowling, Patricia
Manuse, Andrew
Quandt, Marshall
Sheffert, Kenneth
Tamburello, Daniel
Welch, David

Baldasaro, Alfred
Cali-Pitts, Jacqueline
Duarte, Joe
Murphy, Brian
Quandt, Matt
Shuler, Wyman III
Tasker, Kyle

Bates, David
Comerford, Timothy
Hoelzel, Kathleen
Okerman, Richard
Reichard, Kevin
Smith, William
Tremblay, Stella

Birdsell, Regina
Davenport, Joshua
Itse, Daniel
Oigny, Jeffrey
Sapareto, Frank
Sytek, John
Webb, James

STRAFFORD

DeLemus, Susan
Keans, Sandra
Panek, William
Weeden, Michael

Groen, Warren
Larsen, Kirsten
Parsons, Robbie

Jones, Kyle
Leonard, Frederick Jr
Pitre, Joseph

Jones, Laura
Munck, Philip
Vita, Carol

SULLIVAN

Bowers, Spec

Cunningham, Steven

Howard, Thomas

Schmidt, Andrew

NAYS 218

BELKNAP

Accornero, Harry
Pilliod, James
Tilton, Franklin

Fields, Dennis
Russell, David
Tobin, William

Flanders, Donald
Simpson, Tyler
Worsman, Colette

Millham, Alida
St. Cyr, Jeffrey

CARROLL

Ahlgren, Christopher
Schmidt, Stephen

McConkey, Mark
Tregenza, Norman

Merrow, Harry
Umberger, Karen

Patten, Betsey

CHESHIRE

Byrnes, John
Emerson, Susan
Johnson, Jane
Moore, Robert Jr
Sterling, Franklin Jr

Carr, Daniel
Hawkes, Samuel
Lerandeau, Alfred
Parkhurst, Henry
Tatro, Bruce

Chase, Cynthia
Hunt, John
Meader, David
Roberts, Kris
Weber, Lucy

Dwinell, Richard
Johnsen, Gladys
Moore, Charles
Smith, Edwin
Weed, Charles

COOS

Coulombe, Gary
Richardson, Herbert

Merrick, Evalyn
Theberge, Robert

Rappaport, Laurence
Tholl, John Jr

Remick, William
Thomas, Yvonne

GRAFTON

Almy, Susan	Bradley, Lester	Bulis, Lyle	Cooney, Mary
Eaton, Stephanie	Pierce, David	Reilly, Harold Sr	Shackett, Jeffrey
Simard, Paul	Smith, Suzanne	Townsend, Charles	White, Andrew

HILLSBOROUGH

Baroody, Benjamin	Barry, J. Gail	Barry, Richard	Belanger, James
Belvin, William	Brownrigg, Randall Jr	Campbell, David	Cebrowski, John
Christensen, D.L.	Christiansen, Lars	Coffey, James	Condra, William
Chris			
Cote, David	Cusson-Cail, Kathleen	Daniels, Gary	Day, Russell
Doherty, Shaun	Emerton, Larry	Erickson, Duane	Flanagan, Jack
Gandia, Laura	Gargas, Carolyn	Garrity, Patrick	Gidge, Kenneth
Gimas, John	Goley, Jeffrey	Gonzalez, Carlos	Gorman, Mary
Graham, John	Haefner, Robert	Hansen, Peter	Hawkins, Kenneth
Hikel, John	Hinch, Richard	Infantine, William	Jeudy, Jean
LeBrun, Donald	Long, Patrick	McCarthy, Michael	McClarren, Donald
McGuinness, Sean	Ober, Lynne	Palmer, Barry	Palmer, Stephen
Pepino, Leo	Porter, Marjorie	Proulx, Mark	Ramsey, Peter
Renzullo, Andrew	Rhodes, Brian	Rokas, Ted	Seidel, Carl
Shaw, Barbara	Silva, Peter	Soucy, Connie	Stepanek, Stephen
Stroud, Kathleen	Sullivan, Daniel	Twombly, Timothy	Ulery, Jordan
Villeneuve, Moe	Whitehead, Randall	Willette, Robert	

MERRIMACK

Blankenbeker, Lynne	Bouchard, Candace	Coffey, Jennifer	Deloge, Helen
DeStefano, Stephen	Foose, Robert	Frazer, June	Gile, Mary
Giuda, J. Brandon	Hamm, Christine	Hess, David	Kidder, David
Kotowski, Frank	Lauer-Rago, Kathleen	Lindsley, Mark	Lockwood, Priscilla
MacKay, James	Owen, Derek	Palfrey, David	Patten, Dick
Potter, Frances	Reed, Dennis	Rice, Chip	Richardson, Gary
Sanborn, Laurie	Smith, Molly	Smith, Todd	Watrous, Rick
Williams, Robert			

ROCKINGHAM

Allen, Mary	Antosz, Jason	Azarian, Gary	Case, Frank
Chirichiello, Brian	DeSimone, Debra	DiPentima, Rich	Elliott, Robert
Ferrante, Beverly	Fesh, Robert	Garrity, James	Gould, Kenneth
Griffin, Mary	Hagan, Joseph	Headd, James	Kappler, Lawrence
Katsakiores, Phyllis	Kolodziej, Walter	Lundgren, David	Major, Norman
Mauro, Donna	McKinney, Betsy	McMahon, Charles	Moody, Marcia
Nevins, Chris	Norelli, Terie	O'Connor, John	Packard, Sherman
Powers, James	Read, Robin Jr	Reagan, John	Rice, Frederick
Ritter, Glenn	Sanders, Elisabeth	Sapienza, Marie	Schlachman, Donna
Sedensky, John	Serlin, Christopher	Sullivan, James	Waddell, James
Ward, Joanne	Waterhouse, Kevin	Weyler, Kenneth	

STRAFFORD

Andolina, Donald	Berube, Roger	Brown, Julie	Cataldo, Sam
Ginsburg, Philip	Grassie, Anne	Hooper, Dorothea	Horriggan, Timothy
Kaen, Naida	Newton, Clifford	Roberts, Jenna	Schmidt, Peter
Spainhower, Dale	Spang, Judith	Sprague, Dale	Vita, Lucien
Wall, Janet	Watters, David		

SULLIVAN

Cloutier, John	Gagnon, Raymond	LaCasse, Paul Sr	Laware, Thomas
Osgood, Joe	Rodeschin, Beverly	Smith, Steven	

and floor amendment (1609h) failed.

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

Reps. Fields and Russell spoke against.

Rep. Frederick Rice spoke against and yielded to questions.

Reps. Dan McGuire and Daugherty spoke in favor.

MOTION TO LAY ON THE TABLE

Rep. Steven Smith moved that ***SB 156-FN-L***, authorizing retail vehicle dealers to act as agents of the division of motor vehicles for vehicle registrations and title applications, be laid on the table.

Rep. LaCasse requested a roll call; sufficiently seconded.

YEAS 97 NAYS 249

YEAS 97

BELKNAP

Fields, Dennis	Kingsbury, Robert	Swinford, Elaine	Tilton, Franklin
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CARROLL

McCarthy, Frank	Merrow, Harry	Patten, Betsey	Schmidt, Stephen
Tregenza, Norman			

CHESHIRE

Carr, Daniel	Cartwright, Anne	Chase, Cynthia	Hawkes, Samuel
Lerandeau, Alfred	Parkhurst, Henry	Roberts, Kris	Sad, Tara
Tatro, Bruce	Weber, Lucy	Weed, Charles	

COOS

Merrick, Evalyn	Remick, William	Richardson, Herbert	Theberge, Robert
Thomas, Yvonne			

GRAFTON

Aguiar, James	Almy, Susan	Gould, Franklin	Ingbretson, Paul
Pastor, Beatriz	Pierce, David	Taylor, Kathleen	Townsend, Charles
White, Andrew			

HILLSBOROUGH

Balboni, Michael	Belvin, William	Bergevin, Jerry	Christensen, D.L.
			Chris
Cote, David	Fredette, Robert	Gandia, Laura	Garrity, Patrick
Hogan, Edith	Judy, Jean	Katsiantonis, Thomas	Kurk, Neal
LeBrun, Donald	Moran, Edward	Ober, Lynne	Pilotte, Maurice
Porter, Marjorie	Rokas, Ted	Rowe, Robert	Soucy, Connie
Twombly, Timothy			

MERRIMACK

DeStefano, Stephen	Hamm, Christine	Hill, Gregory	Hoell, J.R.
Kidder, David	MacKay, James	Patten, Dick	Potter, Frances
Rice, Chip	Richardson, Gary	Shurtleff, Stephen	Williams, Robert

ROCKINGHAM

Cali-Pitts, Jacqueline	DiPentima, Rich	Gould, Kenneth	Itse, Daniel
McKinney, Betsy	Read, Robin Jr	Sapienza, Marie	Sedensky, John
Tamburello, Daniel	Weyler, Kenneth		

STRAFFORD

Cataldo, Sam	Hooper, Dorothea	Horrigan, Timothy	Jones, Kyle
Jones, Laura	Kaen, Naida	Keans, Sandra	Pitre, Joseph
Roberts, Jenna	Spainhower, Dale	Spang, Judith	Sprague, Dale
Vita, Lucien	Wall, Janet		

SULLIVAN

Cloutier, John	Cunningham, Steven	Gagnon, Raymond	Laware, Thomas
Schmidt, Andrew	Smith, Steven		

NAYS 249

BELKNAP

Accornero, Harry	Comtois, Guy	Flanders, Donald	Greemore, Robert
Luther, Robert	Malone, Robert	Millham, Alida	Pilliod, James
Russell, David	Simpson, Tyler	St. Cyr, Jeffrey	Tobin, William
Worsman, Colette			

CARROLL

Ahlgren, Christopher	Babson, David Jr	Knox, J. David	McConkey, Mark
Pettengill, Laurie	Scala, Dino	Umberger, Karen	

CHESHIRE

Butynski, William	Byrnes, John	Dwinell, Richard	Emerson, Susan
Hunt, John	Johnsen, Gladys	Johnson, Jane	Meador, David
Moore, Charles	Moore, Robert Jr	Smith, Edwin	Sterling, Franklin Jr

COOS

Coulombe, Gary	Daugherty, Duffy	Rappaport, Laurence	Tholl, John Jr
Tremblay, Marc			

GRAFTON

Benn, Bernard	Bradley, Lester	Brosseau, Charles	Bulis, Lyle
Cooney, Mary	Eaton, Stephanie	Gionet, Edmond	Harding, Laurie
Mirski, Paul	Reilly, Harold Sr	Shackett, Jeffrey	Simard, Paul
Smith, Suzanne	Sorg, Gregory	Sova, Charles	

HILLSBOROUGH

Avard, Kevin	Ball, J. Michael	Baroody, Benjamin	Barry, J. Gail
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Barry, Richard
Brownrigg, Randall Jr
Cebrowski, John
Cusson-Cail, Kathleen
Doherty, Shaun
Flanagan, Jack
Gimas, John
Graham, John
Hardwick, Harry
Holden, Frank
Lambert, George
McClarren, Donald
Notter, Jeanine
Palmer, Stephen
Pratt, Calvin
Rhodes, Brian
Shaw, Barbara
Stepanek, Stephen
Terrio, Ross
Warden, Mark

Belanger, James
Burt, John
Christiansen, Lars
Daniels, Gary
Donovan, Daniel
Gagne, Larry
Goley, Jeffrey
Greazzo, Phil
Hawkins, Kenneth
Hutchinson, Winfred
Long, Patrick
McGuinness, Sean
Ober, Russell III
Parison, James
Proulx, Mark
Robbins, David
Silva, Peter
Stroud, Kathleen
Ulery, Jordan
Whitehead, Randall

Boehm, Ralph
Buxton, Michael
Coffey, James
Day, Russell
Emerton, Larry
Gargas, Carolyn
Gonzalez, Carlos
Haefner, Robert
Hikel, John
Infantine, William
Maltz, Jonathan
Mecheski, Holly
Ohm, Bill
Pepino, Leo
Ramsey, Peter
Scontsas, Lisa
Simmons, Tammy
Sullivan, Daniel
Vaillancourt, Steve
Willette, Robert

Brown, Kevin
Campbell, David
Condra, William
DeJong, Cameron
Erickson, Duane
Gidge, Kenneth
Gorman, Mary
Hansen, Peter
Hinch, Richard
Krasucki, Joseph
McCarthy, Michael
Murphy, Keith
Palmer, Barry
Peterson, Lenette
Renzullo, Andrew
Seidel, Carl
Souza, Kathleen
Swank, Matthew
Villeneuve, Moe

MERRIMACK

Blankenbeker, Lynne
Cox, Sean
Gile, Mary
Kotowski, Frank
Lockwood, Priscilla
Owen, Derek
Sanborn, Laurie
Wallner, Mary Jane

Bouchard, Candace
Deloge, Helen
Giuda, J. Brandon
Kreis, Kenneth Sr
McDonnell, John
Palfrey, David
Seaworth, G. Brian
Winter, Steven

Coffey, Jennifer
Foose, Robert
Hess, David
Lauer-Rago, Kathleen
McGuire, Carol
Reed, Dennis
Smith, Molly

Cohn, Seth
Frazer, June
Keane, Thomas
Lindsley, Mark
McGuire, Dan
Richardson, Jon
Smith, Todd

ROCKINGHAM

Abrami, Patrick
Baldasaro, Alfred
Brown, Paul
Davenport, Joshua
Elliott, Robert
Griffin, Mary
Kappler, Lawrence
Manuse, Andrew
Murphy, Brian
Okerman, Richard
Quandt, Marshall
Rice, Frederick
Schlachman, Donna
Smith, William
Tremblay, Stella
Webb, James

Allen, Mary
Bates, David
Case, Frank
DeSimone, Debra
Ferrante, Beverly
Hagan, Joseph
Katsakiores, Phyllis
Mauro, Donna
Nevins, Chris
Oigny, Jeffrey
Quandt, Matt
Ritter, Glenn
Serlin, Christopher
Sullivan, James
Waddell, James
Welch, David

Antosz, Jason
Bettencourt, David
Chirichiello, Brian
Dowling, Patricia
Fesh, Robert
Headd, James
Kolodziej, Walter
McMahon, Charles
Norelli, Terie
Packard, Sherman
Reagan, John
Sanders, Elisabeth
Sheffert, Kenneth
Sytek, John
Ward, Joanne

Azarian, Gary
Birdsell, Regina
Comerford, Timothy
Duarte, Joe
Garrity, James
Hoelzel, Kathleen
Lundgren, David
Moody, Marcia
O'Connor, John
Powers, James
Reichard, Kevin
Sapareto, Frank
Shuler, Wyman III
Tasker, Kyle
Waterhouse, Kevin

STRAFFORD

Andolina, Donald
Ginsburg, Philip
Leonard, Frederick Jr
Parsons, Robbie

Berube, Roger
Grassie, Anne
Munck, Philip
Schmidt, Peter

Brown, Julie
Groen, Warren
Newton, Clifford
Vita, Carol

DeLemus, Susan
Larsen, Kirsten
Panek, William
Watters, David

Weeden, Michael

SULLIVAN

Bowers, Spec	Howard, Thomas	LaCasse, Paul Sr	Osgood, Joe
Rodeschin, Beverly			
and the motion failed.			

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

Reps. Mauro and Tobin spoke against.

Rep. Hunt spoke in favor and yielded to questions.

Rep. Jennifer Coffey spoke in favor.

Rep. Frederick Rice requested a roll call; sufficiently seconded.

YEAS 176 NAYS 166

YEAS 176

BELKNAP

Comtois, Guy	Greemore, Robert	Worsman, Colette
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CARROLL

Ahlgren, Christopher	Babson, David Jr	Pettengill, Laurie	Scala, Dino
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CHESHIRE

Butynski, William	Hawkes, Samuel	Hunt, John	Lerandean, Alfred
Meador, David	Moore, Robert Jr	Smith, Edwin	Sterling, Franklin Jr

COOS

Daugherty, Duffy	Rappaport, Laurence
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GRAFTON

Benn, Bernard	Bradley, Lester	Cooney, Mary	Ingbretson, Paul
Mirski, Paul	Pastor, Beatriz	Sorg, Gregory	Sova, Charles

HILLSBOROUGH

Avard, Kevin	Barry, J. Gail	Barry, Richard	Belanger, James
Brown, Kevin	Brunelle, Michael	Burt, John	Buxton, Michael
Campbell, David	Cebrowski, John	Coffey, James	Daniels, Gary
Day, Russell	DeJong, Cameron	Donovan, Daniel	Erickson, Duane
Gagne, Larry	Gidge, Kenneth	Goley, Jeffrey	Gonzalez, Carlos
Graham, John	Greazzo, Phil	Haefner, Robert	Hawkins, Kenneth
Hikel, John	Holden, Frank	Hutchinson, Winfred	Krasucki, Joseph
Kurk, Neal	Lambert, George	LeBrun, Donald	Long, Patrick
Maltz, Jonathan	McCarthy, Michael	McClarren, Donald	McGuinness, Sean
Mecheski, Holly	Murphy, Keith	Notter, Jeanine	Ober, Lynne
Ober, Russell III	Ohm, Bill	Palmer, Barry	Palmer, Stephen
Parison, James	Pepino, Leo	Pratt, Calvin	Proulx, Mark
Ramsey, Peter	Renzullo, Andrew	Rhodes, Brian	Robbins, David
Scotsas, Lisa	Seidel, Carl	Shaw, Barbara	Silva, Peter
Simmons, Tammy	Souza, Kathleen	Stepanek, Stephen	Sullivan, Daniel

Swank, Matthew
Whitehead, Randall

Terrio, Ross

Vaillancourt, Steve

Warden, Mark

MERRIMACK

Blankenbeker, Lynne
Cox, Sean
Keane, Thomas
McDonnell, John
Patten, Dick
Seaworth, G. Brian
Williams, Robert

Bouchard, Candace
Deloge, Helen
Kotowski, Frank
McGuire, Carol
Rice, Chip
Smith, Molly
Winter, Steven

Coffey, Jennifer
Gile, Mary
Kreis, Kenneth Sr
McGuire, Dan
Richardson, Gary
Smith, Todd

Cohn, Seth
Hess, David
MacKay, James
Palfrey, David
Sanborn, Laurie
Wallner, Mary Jane

ROCKINGHAM

Abrami, Patrick
Bates, David
Chirichiello, Brian
Ferrante, Beverly
Kolodziej, Walter
Nevins, Chris
Oligny, Jeffrey
Quandt, Matt
Schlachman, Donna
Sullivan, James
Ward, Joanne

Antosz, Jason
Bettencourt, David
Comerford, Timothy
Fesh, Robert
Manuse, Andrew
Norelli, Terie
Packard, Sherman
Reichard, Kevin
Serlin, Christopher
Sytek, John
Waterhouse, Kevin

Azarian, Gary
Brown, Paul
DiPentima, Rich
Garrity, James
McMahon, Charles
O'Connor, John
Powers, James
Ritter, Glenn
Shuler, Wyman III
Tamburello, Daniel

Baldasaro, Alfred
Cali-Pitts, Jacqueline
Duarte, Joe
Kappler, Lawrence
Murphy, Brian
Okerman, Richard
Quandt, Marshall
Sapareto, Frank
Smith, William
Tasker, Kyle

STRAFFORD

Andolina, Donald
Groen, Warren
Newton, Clifford
Watters, David

DeLemus, Susan
Larsen, Kirsten
Panek, William
Weeden, Michael

Ginsburg, Philip
Leonard, Frederick Jr
Parsons, Robbie

Grassie, Anne
Munck, Philip
Schmidt, Peter

SULLIVAN

Bowers, Spec

Howard, Thomas

Osgood, Joe

Rodeschin, Beverly

NAYS 166

BELKNAP

Accornero, Harry
Luther, Robert
Russell, David
Tilton, Franklin

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

Flanders, Donald
Millham, Alida
St. Cyr, Jeffrey

Kingsbury, Robert
Pilliod, James
Swinford, Elaine

CARROLL

Knox, J. David
Patten, Betsey

McCarthy, Frank
Schmidt, Stephen

McConkey, Mark
Tregenza, Norman

Merrow, Harry
Umberger, Karen

CHESHIRE

Byrnes, John
Dwinell, Richard
Moore, Charles
Tatro, Bruce

Carr, Daniel
Emerson, Susan
Parkhurst, Henry
Weber, Lucy

Cartwright, Anne
Johnsen, Gladys
Roberts, Kris
Weed, Charles

Chase, Cynthia
Johnson, Jane
Sad, Tara

COOS

Coulombe, Gary
Theberge, Robert

Merrick, Evalyn
Tholl, John Jr

Remick, William
Thomas, Yvonne

Richardson, Herbert
Tremblay, Marc

GRAFTON

Aguiar, James
Eaton, Stephanie
Pierce, David
Smith, Suzanne

Almy, Susan
Gionet, Edmond
Reilly, Harold Sr
Taylor, Kathleen

Brosseau, Charles
Gould, Franklin
Shackett, Jeffrey
Townsend, Charles

Bulis, Lyle
Harding, Laurie
Simard, Paul
White, Andrew

HILLSBOROUGH

Balboni, Michael
Brownrigg, Randall Jr

Belvin, William
Christensen, D.L.
Chris

Bergevin, Jerry
Condra, William

Boehm, Ralph
Cote, David

Cusson-Cail, Kathleen
Fredette, Robert
Gimas, John
Hinch, Richard
Moran, Edward
Rokas, Ted
Twombly, Timothy

Doherty, Shaun
Gandia, Laura
Gorman, Mary
Hogan, Edith
Peterson, Lenette
Rowe, Robert
Ulery, Jordan

Emerton, Larry
Gargas, Carolyn
Hansen, Peter
Judy, Jean
Pilotte, Maurice
Soucy, Connie
Villeneuve, Moe

Flanagan, Jack
Garrity, Patrick
Hardwick, Harry
Katsiantonis, Thomas
Porter, Marjorie
Stroud, Kathleen
Willette, Robert

MERRIMACK

DeStefano, Stephen
Hill, Gregory
Lindsley, Mark
Reed, Dennis

Frazer, June
Hoell, J.R.
Lockwood, Priscilla
Richardson, Jon

Giuda, J. Brandon
Kidder, David
Owen, Derek
Shurtleff, Stephen

Hamm, Christine
Lauer-Rago, Kathleen
Potter, Frances

ROCKINGHAM

Allen, Mary
DeSimone, Debra
Griffin, Mary
Itse, Daniel
McKinney, Betsy
Rice, Frederick
Sheffert, Kenneth
Welch, David

Birdsell, Regina
Dowling, Patricia
Hagan, Joseph
Katsakiores, Phyllis
Moody, Marcia
Sanders, Elisabeth
Tremblay, Stella
Weyler, Kenneth

Case, Frank
Elliott, Robert
Headd, James
Lundgren, David
Read, Robin Jr
Sapienza, Marie
Waddell, James

Davenport, Joshua
Gould, Kenneth
Hoelzel, Kathleen
Mauro, Donna
Reagan, John
Sedensky, John
Webb, James

STRAFFORD

Berube, Roger
Horriggan, Timothy
Keans, Sandra
Spang, Judith
Wall, Janet

Brown, Julie
Jones, Kyle
Pitre, Joseph
Sprague, Dale

Cataldo, Sam
Jones, Laura
Roberts, Jenna
Vita, Carol

Hooper, Dorothea
Kaen, Naida
Spainhower, Dale
Vita, Lucien

SULLIVAN

Cloutier, John
Laware, Thomas

Cunningham, Steven
Schmidt, Andrew

Gagnon, Raymond
Smith, Steven

LaCasse, Paul Sr

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

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Bettencourt moved that the House reconsider its action whereby, on a roll call vote of 176-166, it adopted the majority committee report of Ought to Pass with Amendment on ***SB 156-FN-L***, authorizing retail vehicle dealers to act as agents of the division of motor vehicles for vehicle registrations and title applications.

Rep. Bettencourt spoke against.

Rep. Frederick Rice requested a roll call; sufficiently seconded.

YEAS 131 NAYS 211

YEAS 131

BELKNAP

Accornero, Harry
Russell, David
Tilton, Franklin

Fields, Dennis
Simpson, Tyler
Tobin, William

Kingsbury, Robert
St. Cyr, Jeffrey

Millham, Alida
Swinford, Elaine

CARROLL

Babson, David Jr

McCarthy, Frank

Patten, Betsey

Tregenza, Norman

CHESHIRE

Byrnes, John
Emerson, Susan
Parkhurst, Henry
Weber, Lucy

Carr, Daniel
Hawkes, Samuel
Roberts, Kris
Weed, Charles

Cartwright, Anne
Johnsen, Gladys
Sad, Tara

Chase, Cynthia
Moore, Charles
Tatro, Bruce

COOS

Coulombe, Gary
Theberge, Robert

Merrick, Evalyn
Tholl, John Jr

Remick, William
Thomas, Yvonne

Richardson, Herbert
Tremblay, Marc

GRAFTON

Aguiar, James
Gionet, Edmond
Shackett, Jeffrey
Townsend, Charles

Almy, Susan
Gould, Franklin
Simard, Paul
White, Andrew

Bulis, Lyle
Harding, Laurie
Smith, Suzanne

Eaton, Stephanie
Reilly, Harold Sr
Taylor, Kathleen

HILLSBOROUGH

Balboni, Michael

Belvin, William

Bergevin, Jerry

Christensen, D.L.
Chris

Condra, William
Gargas, Carolyn
Hardwick, Harry
Moran, Edward
Porter, Marjorie
Twombly, Timothy

Doherty, Shaun
Garrity, Patrick
Hinch, Richard
Notter, Jeanine
Rokas, Ted
Villeneuve, Moe

Flanagan, Jack
Gimas, John
Jeudy, Jean
Peterson, Lenette
Rowe, Robert
Willette, Robert

Fredette, Robert
Hansen, Peter
Katsiantonis, Thomas
Pilotte, Maurice
Stroud, Kathleen

MERRIMACK

DeStefano, Stephen
Lindsley, Mark

Hamm, Christine
Lockwood, Priscilla

Hoell, J.R.
Richardson, Jon

Lauer-Rago, Kathleen
Shurtleff, Stephen

ROCKINGHAM

Allen, Mary
DeSimone, Debra
Griffin, Mary
McKinney, Betsy
Rice, Frederick
Sheffert, Kenneth
Weyler, Kenneth

Birdsell, Regina
Dowling, Patricia
Hoelzel, Kathleen
Moody, Marcia
Sanders, Elisabeth
Tremblay, Stella

Cali-Pitts, Jacqueline
Elliott, Robert
Lundgren, David
Powers, James
Sapienza, Marie
Waddell, James

Case, Frank
Gould, Kenneth
Mauro, Donna
Read, Robin Jr
Sedensky, John
Welch, David

STRAFFORD

Berube, Roger
Jones, Kyle
Spainhower, Dale
Vita, Lucien

Brown, Julie
Jones, Laura
Spang, Judith
Wall, Janet

Cataldo, Sam
Kaen, Naida
Sprague, Dale

Horrigan, Timothy
Keans, Sandra
Vita, Carol

SULLIVAN

Cloutier, John
Laware, Thomas

Cunningham, Steven
Schmidt, Andrew
Gagnon, Raymond
Smith, Steven

LaCasse, Paul Sr

NAYS 211

BELKNAP

Comtois, Guy
Malone, Robert

Flanders, Donald
Pilliod, James

Greemore, Robert
Worsman, Colette

Luther, Robert

CARROLL

Ahlgren, Christopher
Pettengill, Laurie

Knox, J. David
Scala, Dino

McConkey, Mark
Schmidt, Stephen

Merrow, Harry
Umberger, Karen

CHESHIRE

Butynski, William
Lerandeau, Alfred
Sterling, Franklin Jr

Dwinell, Richard
Meader, David

Hunt, John
Moore, Robert Jr

Johnson, Jane
Smith, Edwin

COOS

Daugherty, Duffy

Rappaport, Laurence

GRAFTON

Benn, Bernard
Ingbreton, Paul
Sorg, Gregory

Bradley, Lester
Mirski, Paul
Sova, Charles

Brosseau, Charles
Pastor, Beatriz

Cooney, Mary
Pierce, David

HILLSBOROUGH

Avard, Kevin
Boehm, Ralph
Burt, John
Coffey, James

Barry, J. Gail
Brown, Kevin
Buxton, Michael
Cote, David

Barry, Richard
Brownrigg, Randall Jr
Campbell, David
Cusson-Cail,
Kathleen
Donovan, Daniel
Gandia, Laura
Gorman, Mary
Hawkins, Kenneth

Belanger, James
Brunelle, Michael
Cebrowski, John
Daniels, Gary
Emerton, Larry
Gidge, Kenneth
Graham, John
Hikel, John

Hogan, Edith
Kurk, Neal
Maltz, Jonathan
Mecheski, Holly
Ohm, Bill
Pepino, Leo
Renzullo, Andrew
Seidel, Carl
Soucy, Connie
Swank, Matthew
Warden, Mark

Holden, Frank
Lambert, George
McCarthy, Michael
Murphy, Keith
Palmer, Barry
Pratt, Calvin
Rhodes, Brian
Shaw, Barbara
Souza, Kathleen
Terrio, Ross
Whitehead, Randall

Hutchinson, Winfred
LeBrun, Donald
McClarren, Donald
Ober, Lynne
Palmer, Stephen
Proulx, Mark
Robbins, David
Silva, Peter
Stepanek, Stephen
Ulery, Jordan

Krasucki, Joseph
Long, Patrick
McGuinness, Sean
Ober, Russell III
Parison, James
Ramsey, Peter
Scotsas, Lisa
Simmons, Tammy
Sullivan, Daniel
Vaillancourt, Steve

MERRIMACK

Blankenbeker, Lynne
Cox, Sean
Giuda, J. Brandon
Kidder, David
McDonnell, John
Palfrey, David
Rice, Chip
Smith, Molly
Winter, Steven

Bouchard, Candace
Deloge, Helen
Hess, David
Kotowski, Frank
McGuire, Carol
Patten, Dick
Richardson, Gary
Smith, Todd

Coffey, Jennifer
Frazer, June
Hill, Gregory
Kreis, Kenneth Sr
McGuire, Dan
Potter, Frances
Sanborn, Laurie
Wallner, Mary Jane

Cohn, Seth
Gile, Mary
Keane, Thomas
MacKay, James
Owen, Derek
Reed, Dennis
Seaworth, G. Brian
Williams, Robert

ROCKINGHAM

Abrami, Patrick
Bates, David
Comerford, Timothy
Ferrante, Beverly
Headd, James
Kolodziej, Walter
Nevins, Chris
Oligny, Jeffrey
Reagan, John
Schlachman, Donna
Sullivan, James
Ward, Joanne

Antosz, Jason
Bettencourt, David
Davenport, Joshua
Fesh, Robert
Itse, Daniel
Manuse, Andrew
Norelli, Terie
Packard, Sherman
Reichard, Kevin
Serlin, Christopher
Sytek, John
Waterhouse, Kevin

Azarian, Gary
Brown, Paul
DiPentima, Rich
Garritty, James
Kappler, Lawrence
McMahon, Charles
O'Connor, John
Quandt, Marshall
Ritter, Glenn
Shuler, Wyman III
Tamburello, Daniel
Webb, James

Baldasaro, Alfred
Chirichiello, Brian
Duarte, Joe
Hagan, Joseph
Katsakiores, Phyllis
Murphy, Brian
Okerman, Richard
Quandt, Matt
Sapareto, Frank
Smith, William
Tasker, Kyle

STRAFFORD

Andolina, Donald
Groen, Warren
Munck, Philip
Pitre, Joseph
Weeden, Michael

DeLemus, Susan
Hooper, Dorothea
Newton, Clifford
Roberts, Jenna

Ginsburg, Philip
Larsen, Kirsten
Panek, William
Schmidt, Peter

Grassie, Anne
Leonard, Frederick Jr
Parsons, Robbie
Watters, David

SULLIVAN

Bowers, Spec
and the motion failed.

Howard, Thomas

Osgood, Joe

Rodeschin, Beverly

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Hunt moved that the House reconsider its action whereby, on a roll call vote of 180-171, it adopted the majority committee report of Ought to Pass on **SB 57**, relative to regulation of title loan lenders.
Rep. Hunt spoke against.

Motion failed.

REGULAR CALENDAR (CONT'D)

SB 157-FN, relative to the division of weights and measures and fees for licensing weighing devices and the definition of service technician. **OUGHT TO PASS WITH AMENDMENT.** Rep. Calvin D. Pratt for Executive Departments and Administration: For the majority of the last twenty years, the licensed and state-regulated weights and measures service technicians have been able to place state “seals” on the equipment they calibrate and maintain. During the state budget process two years ago this privilege was removed and transferred to state inspectors. This change required two service calls per vendor and added a delay to the process in the interim. In addition, the finance committee added additional registration fees to cover the cost of the four inspectors that were added to the staff. The fee increases were passed on to vendors and through them to customers. Last year, in SB 514, Chapter 358, Laws of 2010, these licensed service technicians were reinstated in part and allowed to place their professional “mark” on devices so they could be used until such time as the state inspectors could place a “seal.” For utility purposes, the mark and the seal performed the same function. SB 157 completes the process begun the year earlier and allows the licensed service technicians to calibrate, maintain and “seal” the registered devices (similar to the process used for car inspections). This bill will also return the registration fees to their previous levels since the four recent inspectors’ positions have been defunded in the current House-passed budget, thus reducing costs to vendors and customers. This is a plus in our current inflationary economy. The committee amendment requires the department to report annually on complaints, investigations and audits of these devices. Vote 11-3.

Amendment (1478h)

Amend the bill by inserting after section 2 the following and renumbering the original sections 3-4 to read as 4-5, respectively:

3 New Paragraph; Commissioner of Agriculture, Markets and Food; Annual Report.
Amend RSA 438:7 by inserting after paragraph VIII the following new paragraph:

IX. The commissioner shall make an annual report on October 1 of each year to the house and senate committees on executive departments and administration and to the house and senate clerks including the number of consumer complaints, the number of inspections, and the number of audits during the prior fiscal year for meters, scales, and other devices.

AMENDED ANALYSIS

This bill:

I. Eliminates the rulemaking authority of the commissioner of the department of agriculture, markets and food to set fees for licensing weighing devices.

II. Allows service technicians to issue state seals.

III. Sets a fee schedule for licensing weighing devices.

IV. Requires the commissioner of the department of agriculture, markets and food to make an annual report to the house and senate regarding consumer complaints, inspections, and audits.

Amendment adopted.

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

Rep. Peter Schmidt spoke against and yielded to questions.

Rep. Pratt spoke in favor.

Rep. Peter Schmidt requested a roll call; sufficiently seconded.

YEAS 234 NAYS 92

YEAS 234

BELKNAP

Accornero, Harry
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

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

CARROLL

Ahlgren, Christopher
Patten, Betsey
Tregenza, Norman

McCarthy, Frank
Pettengill, Laurie
Umberger, Karen

McConkey, Mark
Scala, Dino

Morrow, Harry
Schmidt, Stephen

CHESHIRE

Byrnes, John
Moore, Charles

Cartwright, Anne
Moore, Robert Jr

Hawkes, Samuel
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
Shackett, Jeffrey

Brosseau, Charles
Ingbretson, Paul
Simard, Paul

Bulis, Lyle
Mirski, Paul
Sorg, Gregory

Eaton, Stephanie
Reilly, Harold Sr
Sova, Charles

HILLSBOROUGH

Avard, Kevin
Belvin, William
Burt, John

Balboni, Michael
Bergevin, Jerry
Buxton, Michael

Barry, Richard
Boehm, Ralph
Cebrowski, John

Belanger, James
Brown, Kevin
Christensen, D.L.
Chris

Coffey, James
Doherty, Shaun
Fredette, Robert
Gimas, John
Hansen, Peter
Hinch, Richard
Krasucki, Joseph
Maltz, Jonathan
Mecheski, Holly
Ober, Lynne
Palmer, Stephen
Pratt, Calvin
Rowe, Robert
Soucy, Connie
Swank, Matthew
Villeneuve, Moe

Cusson-Cail, Kathleen
Donovan, Daniel
Gagne, Larry
Gonzalez, Carlos
Hardwick, Harry
Hogan, Edith
Kurk, Neal
McCarthy, Michael
Moran, Edward
Ober, Russell III
Parison, James
Proulx, Mark
Scotsas, Lisa
Souza, Kathleen
Twombly, Timothy
Warden, Mark

Daniels, Gary
Erickson, Duane
Gandia, Laura
Graham, John
Hawkins, Kenneth
Holden, Frank
Lambert, George
McClarren, Donald
Murphy, Keith
Ohm, Bill
Pepino, Leo
Renzullo, Andrew
Seidel, Carl
Stepanek, Stephen
Ulery, Jordan
Whitehead, Randall

DeJong, Cameron
Flanagan, Jack
Gargas, Carolyn
Haefner, Robert
Hikel, John
Hutchinson, Winfred
LeBrun, Donald
McGuinness, Sean
Notter, Jeanine
Palmer, Barry
Peterson, Lenette
Robbins, David
Simmons, Tammy
Stroud, Kathleen
Vaillancourt, Steve
Willette, Robert

MERRIMACK

Blankenbeker, Lynne
Giuda, J. Brandon
Kidder, David
Lockwood, Priscilla

Coffey, Jennifer
Hess, David
Kotowski, Frank
McDonnell, John

Cohn, Seth
Hill, Gregory
Lauer-Rago, Kathleen
McGuire, Carol

Cox, Sean
Keane, Thomas
Lindsley, Mark
McGuire, Dan

Palfrey, David
Seaworth, G. Brian

Reed, Dennis
Smith, Molly

Richardson, Jon
Winter, Steven

Sanborn, Laurie

ROCKINGHAM

Abrami, Patrick
Bates, David
Case, Frank
DeSimone, Debra
Ferrante, Beverly
Hagan, Joseph
Kappler, Lawrence
Manuse, Andrew
Murphy, Brian
Oligny, Jeffrey
Reichard, Kevin
Sapareto, Frank
Smith, William
Tasker, Kyle
Waterhouse, Kevin

Allen, Mary
Bettencourt, David
Chirichiello, Brian
Dowling, Patricia
Fesh, Robert
Headd, James
Katsakiores, Phyllis
Mauro, Donna
Nevins, Chris
Packard, Sherman
Rice, Frederick
Sedensky, John
Sullivan, James
Tremblay, Stella
Webb, James

Antosz, Jason
Birdsell, Regina
Comerford, Timothy
Duarte, Joe
Garritty, James
Hoelzel, Kathleen
Kolodziej, Walter
McKinney, Betsy
O'Connor, John
Quandt, Matt
Ritter, Glenn
Sheffert, Kenneth
Sytek, John
Waddell, James
Welch, David

Azarian, Gary
Brown, Paul
Davenport, Joshua
Elliott, Robert
Griffin, Mary
Itse, Daniel
Lundgren, David
McMahon, Charles
Okerman, Richard
Reagan, John
Sanders, Elisabeth
Shuler, Wyman III
Tamburello, Daniel
Ward, Joanne
Weyler, Kenneth

STRAFFORD

Andolina, Donald
Ginsburg, Philip
Leonard, Frederick Jr
Parsons, Robbie

Brown, Julie
Groen, Warren
Munck, Philip
Pitre, Joseph

Cataldo, Sam
Jones, Laura
Newton, Clifford

DeLemus, Susan
Larsen, Kirsten
Panek, William

SULLIVAN

Bowers, Spec
Laware, Thomas

Cunningham, Steven
Osgood, Joe

Howard, Thomas
Rodeschin, Beverly

LaCasse, Paul Sr
Smith, Steven

NAYS 92

BELKNAP

None

CARROLL

Babson, David Jr

CHESHIRE

Butynski, William
Emerson, Susan
Meader, David
Tatro, Bruce

Carr, Daniel
Johnsen, Gladys
Parkhurst, Henry
Weber, Lucy

Chase, Cynthia
Johnson, Jane
Roberts, Kris
Weed, Charles

Dwinell, Richard
Lerandeau, Alfred
Sad, Tara

COOS

Coulombe, Gary
Thomas, Yvonne

Hatch, William

Merrick, Evalyn

Theberge, Robert

GRAFTON

Aguiar, James
Gould, Franklin

Almy, Susan
Harding, Laurie

Benn, Bernard
Pastor, Beatriz

Cooney, Mary
Pierce, David

Smith, Suzanne

Townsend, Charles

White, Andrew

HILLSBOROUGH

Barry, J. Gail
Cote, David
Gorman, Mary
Pilotte, Maurice
Rokas, Ted

Brunelle, Michael
Emerton, Larry
Jeudy, Jean
Porter, Marjorie
Shaw, Barbara

Campbell, David
Gidge, Kenneth
Katsiantonis, Thomas
Ramsey, Peter
Sullivan, Daniel

Condra, William
Goley, Jeffrey
Long, Patrick
Rhodes, Brian
Terrio, Ross

MERRIMACK

Bouchard, Candace
Gile, Mary
Potter, Frances
Wallner, Mary Jane

Deloge, Helen
Hamm, Christine
Rice, Chip
Williams, Robert

DeStefano, Stephen
MacKay, James
Richardson, Gary

Frazer, June
Owen, Derek
Shurtleff, Stephen

ROCKINGHAM

Cali-Pitts, Jacqueline
Norelli, Terie
Schlachman, Donna

DiPentima, Rich
Powers, James
Serlin, Christopher

Gould, Kenneth
Quandt, Marshall

Moody, Marcia
Read, Robin Jr

STRAFFORD

Berube, Roger
Kaen, Naida
Spainhower, Dale
Watters, David

Grassie, Anne
Keans, Sandra
Spang, Judith

Hooper, Dorothea
Roberts, Jenna
Sprague, Dale

Horrigan, Timothy
Schmidt, Peter
Wall, Janet

SULLIVAN

Cloutier, John

Gagnon, Raymond

Schmidt, Andrew

and the committee report was adopted.

Referred to the Committee on Ways and Means.

The House recessed at 1:05 p.m.

RECESS

(Speaker O'Brien in the Chair)

The House reconvened at 2:15 p.m.

REGULAR CALENDAR (CONT'D)

SB 91, relative to automatic fire suppression sprinklers. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. John A. Burt for the Majority of Municipal and County Government: The bill prohibits ordinances, regulations, codes and administrative practices requiring fire sprinklers in one and two family homes. This is a safeguard to personal liberty by preserving an individual's choice whether or not to purchase such a system for their home. The committee heard testimony regarding the considerable expense of the system, accessory components and ongoing maintenance costs associated with these systems, placing a significant financial burden on new home buyers. The recommendation of the committee to pass SB 91 follows the overwhelming and non-partisan support for HB 109 which prevents planning boards from requiring fire sprinklers and HB 1486, Chapter 282, Laws of 2010 removing fire sprinklers from the statewide building code. Passage of this bill is consumer friendly for NH home buyers. Vote 12-5.

Rep. Kris E. Roberts for the Minority of Municipal and County Government: This bill is not just an attempt to limit local control. SB 91 is a attempt to issue a state defined one-size fits all ban on the requirement of fire sprinkler systems for new single and two-family homes regardless of local conditions. What would work in some communities wouldn't and doesn't work in places like Keene where some homes are being built miles away from city water and require in excess of 15 minutes, longer in winter, travel time for fire equipment, nor in communities that don't have paid fire departments. SB 91, as amended, removing the word "enforce" leaves open to interpretation, if SB 91 would require any town or city currently having an ordinance requiring fire sprinkler systems to invalidate that ordinance. The sponsors have stated that this is about individual rights and limiting government control, but the government has the requirement to provide a certain level of public safety to every citizen regardless of the costs. One sponsor stated that some communities are buying larger fire equipment to provide fire protection to homes away from the town center, this at the cost of all other property owners in the community. Additionally, insurance companies develop community insurance overlays based on fire protection services and local fire codes, again affecting everyone's insurance costs. We shouldn't be using the power of the government to require the majority to assume the cost of the moral hazard. The sponsors of SB 91 stated that the high cost of installing sprinkler systems was having a serious negative effect on the construction trades in New Hampshire. Research has shown that the average nation-wide cost of home fire sprinkler systems in new construction is about 1.5%. Even if the NH rate was double the national average and a home fire sprinkler system added \$9,000 to a cost of a new \$300,000 home most realtors would confirm that the major components in home sales are quality of schools, community safety and property taxes. The property taxes on that same \$300,000 home would be \$3,000 in Moultonborough, \$6,000 in Hollis and \$9,000 in Keene. If someone is willing to pay in excess of \$180,000 in additional property taxes over the life of a thirty year mortgage by living in Keene rather than in Moultonborough, it is highly unlikely the cost of a \$4,500-\$9,000 home sprinkler system plays a factor in that person's home buying decision. The prime sponsors stated that SB 91 would reduce the cost of work force housing thus increasing the availability. Firstly there is very little if, any, work force housing built or being built outside the community water service. But most important: the House voted to end the state's mandate concerning work force housing to the local communities. Now we are being asked to strip local communities of local control by passing a state mandate prohibiting them from acting in the best interest and safety of their communities.

Majority Amendment (1415h)

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

1 New Paragraph; Power to Amend State Building Code and Establish Enforcement Procedures. Amend RSA 674:51 by inserting after paragraph IV the following new paragraph:

V. No municipality or local land use board as defined in RSA 672:7 shall adopt any ordinance, regulation, code, or administrative practice requiring the installation of automatic fire suppression sprinklers in any new or existing detached one- or 2-family dwelling unit in a structure used only for residential purposes.

2 Effective Date. This act shall take effect July 1, 2011.

Majority committee amendment adopted.

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

Reps. Kris Roberts and Condra spoke against.

Reps. Burt and Gimmas spoke in favor.

Rep. DeStefano spoke against and yielded to questions.

Rep. Sterling spoke in favor and yielded to questions.

Rep. Kris Roberts requested a roll call; sufficiently seconded.

YEAS 223 NAYS 91

YEAS 223

BELKNAP

Comtois, Guy	Fields, Dennis	Flanders, Donald	Greemore, Robert
Luther, Robert	Malone, Robert	Millham, Alida	Pilliod, James
Russell, David	Simpson, Tyler	Swinford, Elaine	Tilton, Franklin
Tobin, William	Worsman, Colette		

CARROLL

Ahlgren, Christopher	Babson, David Jr	Knox, J. David	McCarthy, Frank
McConkey, Mark	Morrow, Harry	Patten, Betsey	Pettengill, Laurie
Scala, Dino	Schmidt, Stephen	Umberger, Karen	

CHESHIRE

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

COOS

Daugherty, Duffy	Rappaport, Laurence	Remick, William	Richardson, Herbert
Tholl, John Jr	Tremblay, Marc		

GRAFTON

Benn, Bernard	Bradley, Lester	Brosseau, Charles	Bulis, Lyle
Eaton, Stephanie	Gionet, Edmond	Ingbretson, Paul	Mirski, Paul
Shackett, Jeffrey	Simard, Paul	Sorg, Gregory	Sova, Charles

HILLSBOROUGH

Avard, Kevin	Balboni, Michael	Baroody, Benjamin	Barry, J. Gail
Barry, Richard	Belanger, James	Belvin, William	Boehm, Ralph
Brown, Kevin	Burt, John	Campbell, David	Cebrowski, John
Christensen, D.L.	Christiansen, Lars	Coffey, James	Cusson-Cail,
Chris			Kathleen
Daniels, Gary	Day, Russell	DeJong, Cameron	Doherty, Shaun
Emerton, Larry	Erickson, Duane	Fredette, Robert	Gagne, Larry
Gargas, Carolyn	Gidge, Kenneth	Gimas, John	Gonzalez, Carlos
Graham, John	Haefner, Robert	Hansen, Peter	Hardwick, Harry
Hawkins, Kenneth	Hikel, John	Hinch, Richard	Hogan, Edith
Holden, Frank	Hutchinson, Winfred	Krasucki, Joseph	Kurk, Neal
Lambert, George	LeBrun, Donald	Maltz, Jonathan	McCarthy, Michael
McClarren, Donald	McGuinness, Sean	Murphy, Keith	Notter, Jeanine
Ober, Lynne	Ober, Russell III	Ohm, Bill	Palmer, Barry
Palmer, Stephen	Parison, James	Peterson, Lenette	Pratt, Calvin
Renzullo, Andrew	Rowe, Robert	Scontsas, Lisa	Seidel, Carl
Silva, Peter	Simmons, Tammy	Soucy, Connie	Souza, Kathleen
Twombly, Timothy	Ulery, Jordan	Vaillancourt, Steve	Villeneuve, Moe
Warden, Mark	Whitehead, Randall	Willette, Robert	

MERRIMACK

Blankenbeker, Lynne
Gile, Mary
Hoell, J.R.
Lockwood, Priscilla
Palfrey, David
Smith, Todd

Coffey, Jennifer
Giuda, J. Brandon
Kotowski, Frank
McDonnell, John
Sanborn, Laurie
Williams, Robert

Cohn, Seth
Hamm, Christine
Kreis, Kenneth Sr
McGuire, Carol
Seaworth, G. Brian
Winter, Steven

Cox, Sean
Hess, David
Lindsley, Mark
McGuire, Dan
Smith, Molly

ROCKINGHAM

Abrami, Patrick
Baldasaro, Alfred
Brown, Paul
DeSimone, Debra
Ferrante, Beverly
Hagan, Joseph
Kappler, Lawrence
McKinney, Betsy
Okerman, Richard
Quandt, Matt
Ritter, Glenn
Smith, William
Tasker, Kyle
Webb, James

Allen, Mary
Bates, David
Case, Frank
Dowling, Patricia
Fesh, Robert
Headd, James
Katsakiores, Phyllis
McMahon, Charles
Oigny, Jeffrey
Reagan, John
Sedensky, John
Sullivan, James
Tremblay, Stella
Welch, David

Antosz, Jason
Bettencourt, David
Comerford, Timothy
Duarte, Joe
Garritty, James
Hoelzel, Kathleen
Manuse, Andrew
Murphy, Brian
Packard, Sherman
Reichard, Kevin
Sheffert, Kenneth
Sytek, John
Ward, Joanne
Weyler, Kenneth

Azarian, Gary
Birdsell, Regina
Davenport, Joshua
Elliott, Robert
Griffin, Mary
Itse, Daniel
Mauro, Donna
Nevins, Chris
Quandt, Marshall
Rice, Frederick
Shuler, Wyman III
Tamburello, Daniel
Waterhouse, Kevin

STRAFFORD

Andolina, Donald
Domingo, Baldwin
Newton, Clifford
Vita, Carol

Brown, Julie
Groen, Warren
Parsons, Robbie
Vita, Lucien

Cataldo, Sam
Jones, Laura
Pitre, Joseph
Watters, David

DeLemus, Susan
Larsen, Kirsten
Sprague, Dale

SULLIVAN

Bowers, Spec
Laware, Thomas

Cunningham, Steven
Osgood, Joe

Howard, Thomas
Smith, Steven

LaCasse, Paul Sr

NAYS 91

BELKNAP

Accornero, Harry

Kingsbury, Robert

CARROLL

Tregenza, Norman

CHESHIRE

Butynski, William
Hawkes, Samuel
Parkhurst, Henry
Weber, Lucy

Carr, Daniel
Johnsen, Gladys
Roberts, Kris
Weed, Charles

Chase, Cynthia
Lerandeau, Alfred
Sad, Tara

Dwinell, Richard
Meador, David
Tatro, Bruce

COOS

Coulombe, Gary
Thomas, Yvonne

Hatch, William

Merrick, Evalyn

Theberge, Robert

GRAFTON

Aguiar, James	Almy, Susan	Cooney, Mary	Gould, Franklin
Harding, Laurie	Pastor, Beatriz	Pierce, David	Reilly, Harold Sr
Smith, Suzanne	Townsend, Charles	White, Andrew	

HILLSBOROUGH

Brunelle, Michael	Buxton, Michael	Condra, William	Cote, David
Donovan, Daniel	Drisko, Richard	Flanagan, Jack	Garrity, Patrick
Goley, Jeffrey	Gorman, Mary	Jeady, Jean	Long, Patrick
Pepino, Leo	Pilotte, Maurice	Porter, Marjorie	Rhodes, Brian
Robbins, David	Rokas, Ted	Shaw, Barbara	Stroud, Kathleen
Sullivan, Daniel			

MERRIMACK

Bouchard, Candace	Deloge, Helen	DeStefano, Stephen	Frazer, June
Lauer-Rago, Kathleen	Owen, Derek	Potter, Frances	Rice, Chip
Richardson, Jon	Shurtleff, Stephen	Wallner, Mary Jane	

ROCKINGHAM

Cali-Pitts, Jacqueline	Chirichiello, Brian	DiPentima, Rich	Gould, Kenneth
Moody, Marcia	Norelli, Terie	O'Connor, John	Powers, James
Read, Robin Jr	Schlachman, Donna	Waddell, James	

STRAFFORD

Berube, Roger	Grassie, Anne	Hoopar, Dorothea	Horriggan, Timothy
Kaen, Naida	Keans, Sandra	Munck, Philip	Schmidt, Peter
Spainhower, Dale	Spang, Judith	Wall, Janet	

SULLIVAN

Cloutier, John	Gagnon, Raymond	Rodeschin, Beverly	Schmidt, Andrew
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and the majority committee report was adopted.
Ordered to third reading.

SB 78-FN-A-L, relative to motor vehicle registration fees. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Karen C. Umberger for the Majority of Finance: This bill in its original form would have accelerated the sunset of the surcharge on motor vehicles of \$30 or more each year. While the Governor wanted to keep this unpopular surcharge, the proposed House budget eliminated it. As the bill is currently constructed, the only NH citizens to benefit are those with birthdays in May and June. The amendment provides an avenue to spread this benefit to all residents by proposing a 5 cent per gallon gas tax holiday from its effective date until 30 June 2011. The New Hampshire House is sensitive to the ever growing cost of gas and its burden on our citizens as well its drag on our economy. In addition to providing relief to the drivers of New Hampshire, this amendment will allow the state to attract out-of-state residents who will also likely purchase other goods like cigarettes, lottery tickets and liquor. The committee heard from a gas station owner who testified that in the competitive environment of that industry, stations will need to reduce their prices accordingly or lose volume to those other stations that do make the reduction. The effect on the highway fund is below the current operating surplus so no cuts in the 2011 highway budget are necessary. Ultimately this bill will make New Hampshire more competitive while helping our residents

who are now struggling with the soaring price of gasoline. Vote 20-6.

Rep. Robert A. Foose for the Minority of Finance: The minority believes that there has been extensive evidence from the work of the Public Works Committee over multiple biennia that the Highway Fund cannot survive within a revenue structure that does not contain an appropriate substitute for the registration surcharge. When the last Legislature completed its budget for this biennium it was with the understanding that the sunset of the surcharge would be coupled with action taken to replace the funds. Further, the Minority believes that the logic that the 5 cent temporary tax reduction would be seen by the consumer is purely speculative.

Majority Amendment (1519h)

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

AN ACT reducing the rate of the road toll.

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

1 Road Toll; Rate Reduced. For the period beginning on the effective date of this section and ending June 30, 2011, the road toll imposed pursuant to RSA 260:32 shall be \$.13 per gallon.

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

AMENDED ANALYSIS

This bill reduces the rate of the road toll from \$.18 per gallon to \$.13 per gallon through June 30, 2011.

Rep. Campbell spoke against and yielded to questions.

Rep. Weyler spoke in favor and yielded to questions.

Rep. Bettencourt requested a roll call; sufficiently seconded.

YEAS 201 NAYS 108

YEAS 201

BELKNAP

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

CARROLL

Ahlgren, Christopher	Knox, J. David	McCarthy, Frank	Pettengill, Laurie
Scala, Dino	Schmidt, Stephen	Tregenza, Norman	Umberger, Karen

CHESHIRE

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

COOS

Daugherty, Duffy	Rappaport, Laurence	Remick, William	Tholl, John Jr
Tremblay, Marc			

GRAFTON

Bradley, Lester	Brosseau, Charles	Bulis, Lyle	Eaton, Stephanie
Gionet, Edmond	Ingbretson, Paul	Mirski, Paul	Reilly, Harold Sr
Simard, Paul	Sorg, Gregory	Sova, Charles	

HILLSBOROUGH

Avard, Kevin	Balboni, Michael	Barry, J. Gail	Barry, Richard
Belanger, James	Belvin, William	Boehm, Ralph	Burt, John
Buxton, Michael	Cebrowski, John	Christensen, D.L. Chris	Christiansen, Lars
Condra, William	Cusson-Cail, Kathleen	Daniels, Gary	Day, Russell
DeJong, Cameron	Doherty, Shaun	Donovan, Daniel	Drisko, Richard
Emerton, Larry	Erickson, Duane	Flanagan, Jack	Fredette, Robert
Gagne, Larry	Gonzalez, Carlos	Graham, John	Haefner, Robert
Hansen, Peter	Hardwick, Harry	Hawkins, Kenneth	Hikel, John
Hinch, Richard	Hogan, Edith	Holden, Frank	Hutchinson, Winfred
Krasucki, Joseph	Lambert, George	Maltz, Jonathan	McCarthy, Michael
McClarren, Donald	McGuinness, Sean	Murphy, Keith	Notter, Jeanine
Ober, Lynne	Ober, Russell III	Ohm, Bill	Palmer, Barry
Palmer, Stephen	Parison, James	Pepino, Leo	Peterson, Lenette
Renzullo, Andrew	Robbins, David	Rowe, Robert	Silva, Peter
Simmons, Tammy	Soucy, Connie	Souza, Kathleen	Twombly, Timothy
Ulery, Jordan	Vaillancourt, Steve	Villeneuve, Moe	Whitehead, Randall
Willette, Robert			

MERRIMACK

Blankenbeker, Lynne	Coffey, Jennifer	Cohn, Seth	Cox, Sean
Giuda, J. Brandon	Hoell, J.R.	Kotowski, Frank	Kreis, Kenneth Sr
Lauer-Rago, Kathleen	Lindsley, Mark	McDonnell, John	McGuire, Carol
McGuire, Dan	Palfrey, David	Sanborn, Laurie	Seaworth, G. Brian
Smith, Molly	Smith, Todd		

ROCKINGHAM

Abrami, Patrick	Allen, Mary	Antosz, Jason	Azarian, Gary
Baldasaro, Alfred	Bettencourt, David	Birdsell, Regina	Brown, Paul
Case, Frank	Comerford, Timothy	Davenport, Joshua	DeSimone, Debra
Dowling, Patricia	Duarte, Joe	Elliott, Robert	Ferrante, Beverly
Fesh, Robert	Garrity, James	Griffin, Mary	Hagan, Joseph
Headd, James	Hoelzel, Kathleen	Itse, Daniel	Kappler, Lawrence
Katsakiores, Phyllis	Manuse, Andrew	Mauro, Donna	McMahon, Charles
Murphy, Brian	Nevins, Chris	O'Connor, John	Okerman, Richard
Quandt, Marshall	Quandt, Matt	Reagan, John	Reichard, Kevin
Rice, Frederick	Ritter, Glenn	Sanders, Elisabeth	Sedensky, John
Sheffert, Kenneth	Shuler, Wyman III	Smith, William	Sullivan, James
Sytek, John	Tamburello, Daniel	Tasker, Kyle	Tremblay, Stella
Ward, Joanne	Waterhouse, Kevin	Webb, James	Welch, David
Weyler, Kenneth			

STRAFFORD

Andolina, Donald	Cataldo, Sam	DeLemus, Susan	Jones, Laura
Larsen, Kirsten	Newton, Clifford	Parsons, Robbie	Pitre, Joseph
Vita, Carol	Vita, Lucien		

SULLIVAN

Bowers, Spec	Cunningham, Steven	Howard, Thomas	LaCasse, Paul Sr
Laware, Thomas	Rodeschin, Beverly	Smith, Steven	

NAYS 108

BELKNAP

Millham, Alida

CARROLL

Babson, David Jr

McConkey, Mark

Merrow, Harry

CHESHIRE

Butynski, William
Hawkes, Samuel
Parkhurst, Henry
Weber, Lucy

Carr, Daniel
Johnsen, Gladys
Roberts, Kris
Weed, Charles

Chase, Cynthia
Lerandau, Alfred
Sad, Tara

Emerson, Susan
Meador, David
Tatro, Bruce

COOS

Coulombe, Gary
Theberge, Robert

Hatch, William
Thomas, Yvonne

Merrick, Evalyn

Richardson, Herbert

GRAFTON

Aguiar, James
Gould, Franklin
Shackett, Jeffrey

Almy, Susan
Harding, Laurie
Smith, Suzanne

Benn, Bernard
Pastor, Beatriz
Townsend, Charles

Cooney, Mary
Pierce, David
White, Andrew

HILLSBOROUGH

Baroody, Benjamin
Coffey, James
Gidge, Kenneth
Jeudy, Jean
Pilotte, Maurice
Scotsas, Lisa
Sullivan, Daniel

Brown, Kevin
Cote, David
Gimas, John
Kurk, Neal
Porter, Marjorie
Seidel, Carl

Brunelle, Michael
Gargas, Carolyn
Goley, Jeffrey
LeBrun, Donald
Rhodes, Brian
Shaw, Barbara

Campbell, David
Garrity, Patrick
Gorman, Mary
Long, Patrick
Rokas, Ted
Stroud, Kathleen

MERRIMACK

Bouchard, Candace
Gile, Mary
Potter, Frances
Wallner, Mary Jane

Deloge, Helen
Hamm, Christine
Rice, Chip
Williams, Robert

DeStefano, Stephen
Lockwood, Priscilla
Richardson, Jon
Winter, Steven

Frazer, June
Owen, Derek
Shurtleff, Stephen

ROCKINGHAM

Bates, David
McKinney, Betsy
Powers, James

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

DiPentima, Rich
Norelli, Terie
Schlachman, Donna

Gould, Kenneth
Packard, Sherman
Waddell, James

STRAFFORD

Berube, Roger
Groen, Warren
Keans, Sandra
Spang, Judith

Brown, Julie
Hooper, Dorothea
Munck, Philip
Sprague, Dale

Domingo, Baldwin
Horriggan, Timothy
Schmidt, Peter
Wall, Janet

Grassie, Anne
Kaen, Naida
Spainhower, Dale
Watters, David

SULLIVAN

Cloutier, John Gagnon, Raymond Osgood, Joe Schmidt, Andrew
and the majority committee amendment was adopted.

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

Reps. Chase and Kris Roberts spoke against.

Rep. Umberger spoke in favor and yielded to questions.

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

YEAS 208 NAYS 98

YEAS 208

BELKNAP

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

CARROLL

Ahlgren, Christopher	Knox, J. David	McCarthy, Frank	McConkey, Mark
Merrow, Harry	Pettengill, Laurie	Scala, Dino	Schmidt, Stephen
Tregenza, Norman	Umberger, Karen		

CHESHIRE

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

COOS

Daugherty, Duffy	Rappaport, Laurence	Remick, William	Tholl, John Jr
Tremblay, Marc			

GRAFTON

Bradley, Lester	Brosseau, Charles	Bulis, Lyle	Eaton, Stephanie
Gionet, Edmond	Ingbretson, Paul	Mirski, Paul	Reilly, Harold Sr
Simard, Paul	Sorg, Gregory	Sova, Charles	

HILLSBOROUGH

Avard, Kevin	Balboni, Michael	Barry, J. Gail	Barry, Richard
Belanger, James	Belvin, William	Boehm, Ralph	Burt, John
Buxton, Michael	Cebrowski, John	Christensen, D.L.	Christiansen, Lars
		Chris	
Coffey, James	Condra, William	Cusson-Cail,	Daniels, Gary
		Kathleen	
Day, Russell	DeJong, Cameron	Doherty, Shaun	Donovan, Daniel
Drisko, Richard	Emerton, Larry	Erickson, Duane	Flanagan, Jack
Fredette, Robert	Gagne, Larry	Gidge, Kenneth	Gimas, John
Gonzalez, Carlos	Haefner, Robert	Hansen, Peter	Hardwick, Harry
Hawkins, Kenneth	Hikel, John	Hinch, Richard	Hogan, Edith
Holden, Frank	Hutchinson, Winfred	Krasucki, Joseph	Lambert, George
Maltz, Jonathan	McCarthy, Michael	McClarren, Donald	McGuinness, Sean
Murphy, Keith	Notter, Jeanine	Ober, Lynne	Ober, Russell III

Ohm, Bill
Pepino, Leo
Rowe, Robert
Souza, Kathleen
Vaillancourt, Steve

Palmer, Barry
Peterson, Lenette
Silva, Peter
Stroud, Kathleen
Villeneuve, Moe

Palmer, Stephen
Renzullo, Andrew
Simmons, Tammy
Twombly, Timothy
Whitehead, Randall

Parison, James
Robbins, David
Soucy, Connie
Ulery, Jordan
Willette, Robert

MERRIMACK

Blankenbeker, Lynne
Giuda, J. Brandon
Kotowski, Frank
McDonnell, John
Sanborn, Laurie

Coffey, Jennifer
Hess, David
Kreis, Kenneth Sr
McGuire, Carol
Seaworth, G. Brian

Cohn, Seth
Hoell, J.R.
Lauer-Rago, Kathleen
McGuire, Dan
Smith, Molly

Cox, Sean
Keane, Thomas
Lindsley, Mark
Palfrey, David
Smith, Todd

ROCKINGHAM

Abrami, Patrick
Baldasaro, Alfred
Case, Frank
Duarte, Joe
Garrity, James
Hoelzel, Kathleen
Manuse, Andrew
Murphy, Brian
Packard, Sherman
Rice, Frederick
Sheffert, Kenneth
Sytek, John
Waddell, James
Welch, David

Allen, Mary
Bettencourt, David
Comerford, Timothy
Elliott, Robert
Griffin, Mary
Itse, Daniel
Mauro, Donna
Nevins, Chris
Quandt, Matt
Ritter, Glenn
Shuler, Wyman III
Tamburello, Daniel
Ward, Joanne
Weyler, Kenneth

Antosz, Jason
Birdsell, Regina
Davenport, Joshua
Ferrante, Beverly
Hagan, Joseph
Kappler, Lawrence
McKinney, Betsy
O'Connor, John
Reagan, John
Sanders, Elisabeth
Smith, William
Tasker, Kyle
Waterhouse, Kevin

Azarian, Gary
Brown, Paul
DeSimone, Debra
Fesh, Robert
Headd, James
Katsakiores, Phyllis
McMahon, Charles
Okerman, Richard
Reichard, Kevin
Sedensky, John
Sullivan, James
Tremblay, Stella
Webb, James

STRAFFORD

Andolina, Donald
Larsen, Kirsten
Vita, Carol

Cataldo, Sam
Newton, Clifford
Vita, Lucien

DeLemus, Susan
Parsons, Robbie

Jones, Laura
Pitre, Joseph

SULLIVAN

Bowers, Spec
Laware, Thomas

Cunningham, Steven
Osgood, Joe

Howard, Thomas
Rodeschin, Beverly

LaCasse, Paul Sr
Smith, Steven

NAYS 98

BELKNAP

Millham, Alida

CARROLL

Babson, David Jr

CHESHIRE

Butynski, William
Johnsen, Gladys
Roberts, Kris
Weed, Charles

Carr, Daniel
Lerandau, Alfred
Sad, Tara

Chase, Cynthia
Meader, David
Tatro, Bruce

Hawkes, Samuel
Parkhurst, Henry
Weber, Lucy

COOS

Coulombe, Gary
Theberge, Robert

Hatch, William
Thomas, Yvonne

Merrick, Evalyn

Richardson, Herbert

GRAFTON

Aguiar, James
Gould, Franklin
Shackett, Jeffrey

Almy, Susan
Harding, Laurie
Smith, Suzanne

Benn, Bernard
Pastor, Beatriz
Townsend, Charles

Cooney, Mary
Pierce, David
White, Andrew

HILLSBOROUGH

Baroody, Benjamin
Cote, David
Gorman, Mary
LeBrun, Donald
Rhodes, Brian
Shaw, Barbara

Brown, Kevin
Gargas, Carolyn
Graham, John
Long, Patrick
Rokas, Ted
Sullivan, Daniel

Brunelle, Michael
Garritty, Patrick
Judy, Jean
Pilotte, Maurice
Scontsas, Lisa

Campbell, David
Goley, Jeffrey
Kurk, Neal
Porter, Marjorie
Seidel, Carl

MERRIMACK

Bouchard, Candace
Gile, Mary
Potter, Frances
Wallner, Mary Jane

Deloge, Helen
Hamm, Christine
Rice, Chip
Williams, Robert

DeStefano, Stephen
Lockwood, Priscilla
Richardson, Jon
Winter, Steven

Frazer, June
Owen, Derek
Shurtleff, Stephen

ROCKINGHAM

Bates, David
Gould, Kenneth
Read, Robin Jr

Cali-Pitts, Jacqueline
Moody, Marcia
Schlachman, Donna

DiPentima, Rich
Norelli, Terie

Dowling, Patricia
Powers, James

STRAFFORD

Berube, Roger
Groen, Warren
Munck, Philip
Sprague, Dale

Brown, Julie
Horrigan, Timothy
Schmidt, Peter
Wall, Janet

Domingo, Baldwin
Kaen, Naida
Spainhower, Dale
Watters, David

Grassie, Anne
Keans, Sandra
Spang, Judith

SULLIVAN

Cloutier, John
and the majority committee report was adopted.
Ordered to third reading.

Gagnon, Raymond

Schmidt, Andrew

SB 147-FN, relative to Medicaid managed care. **OUGHT TO PASS WITH AMENDMENT.** Rep. Patrick F. Abrami for Ways and Means: Currently, the Medicaid program is structured predominantly as a fee-for-service program. It has been determined that this is a costly model to the state. This bill calls for the state to move to a less costly managed care model. In addition, this bill requires the commissioner of the department of health and human services to issue a 5-year request for proposal to enter into contracts with vendors who can support a managed care model. The committee unanimously endorsed the concept of moving our Medicaid program to a managed care model. Vote 20-0.

Amendment (1564h)

Amend RSA 126-A:5, XIX(a) as inserted by section 1 of the bill by replacing it with the following:

XIX.(a) The commissioner shall employ a managed care model for administering the Medicaid program and its enrollees to provide for managed care services for all Medicaid populations throughout New Hampshire consistent with the provisions of 42 U.S.C. 1396r-2. Models for managed care may include, but not be limited to, a traditional capitated managed care organization contract, an administrative services organization, an accountable care organization, or a primary care case management model, or a combination thereof, offering the best value, quality assurance, and efficiency, maximizing the potential for savings, and presenting the most innovative approach compared to other externally administered models. The department shall present the opportunities of the various models or combination of models with a recommendation for the best managed care model for New Hampshire, no later than July 15, 2011, to the fiscal committee of the general court which shall consult with the oversight committee on health and human services. Services to be managed within the model shall include all mandatory Medicaid covered services and may include, but shall not be limited to, care coordination, utilization management, disease management, pharmacy benefit management, provider network management, quality management, and customer services. The commissioner shall issue a 5-year request for proposals to enter into contracts with the vendors that demonstrate the greatest ability to satisfy the state's need for value, quality, efficiency, innovation, and savings. The request for proposals shall be released no later than October 15, 2011. The vendors of the managed care model or combination of models demonstrating the greatest ability to satisfy the state's need for value, quality, efficiency, innovation, and savings shall be selected no later than January 15, 2012 with final contracts submitted to the governor and council no later than March 15, 2012 unless this date is extended by the fiscal committee. After the bidding process, the commissioner shall establish a capitated rate based on the bids by the appropriate model for the contract that is full risk to the vendors. The capitated rate shall be broken down into rate cells for each population including, but not limited to, the persons eligible for temporary assistance to needy families (TANF), aid for the permanently and totally disabled (APTD), breast and cervical cancer program (BCCP), home care for children with severe disabilities (HC-CSD), and those residing in nursing facilities. The capitated rate shall be approved by the fiscal committee of the general court. The managed care model or models' selected vendors providing the Medicaid services shall establish medical homes and all Medicaid recipients shall receive their care through a medical home. In contracting for a managed care model and the various rate cells, the department shall ensure no reduction in the quality of care of services provided to enrollees in the managed care model and shall exercise all due diligence to maintain or increase the current level of quality of care provided. The target date for implementation of the contract is July 1, 2012. The commissioner may, in consultation with the fiscal committee, adopt rules, if necessary, to implement the provisions of this paragraph. The department shall seek, with the approval of the fiscal committee, all necessary and appropriate waivers to implement the provisions of this paragraph.

Amend RSA 126-A:5, XIX(c)(3) as inserted by section 1 of the bill by replacing it with the following:

(3) A "managed care organization" means an entity that is authorized by law to provide covered health services on a capitated risk basis and arranges for the provision of medical assistance services and supplies and coordinates the care of Medicaid recipients residing in all areas of the state, including the elderly, those meeting federal supplemental security income and state standards for disability, and those who are also currently enrolled in Medicare.

AMENDED ANALYSIS

This bill requires the commissioner of the department of health and human services to issue a 5-year request for proposals to enter into contracts with vendors of a managed care model to provide for managed care services to the Medicaid population. The commissioner,

in consultation with the fiscal committee of the general court, is granted rulemaking authority for the purposes of this bill.
Amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment.
Rep. Hess offered floor amendment (1610h).

Floor Amendment (1610h)

Amend RSA 126-A:5, XIX(a) as inserted by section 1 of the bill by replacing it with the following:

XIX.(a) The commissioner shall employ a managed care model for administering the Medicaid program and its enrollees to provide for managed care services for all Medicaid populations throughout New Hampshire consistent with the provisions of 42 U.S.C. 1396r-2. Models for managed care may include, but not be limited to, a traditional capitated managed care organization contract, an administrative services organization, an accountable care organization, or a primary care case management model, or a combination thereof, offering the best value, quality assurance, and efficiency, maximizing the potential for savings, and presenting the most innovative approach compared to other externally administered models. The department shall present the opportunities of the various models or combination of models with a recommendation for the best managed care model for New Hampshire, no later than July 15, 2011, to the fiscal committee of the general court which shall consult with the oversight committee on health and human services. Services to be managed within the model shall include all mandatory Medicaid covered services and may include, but shall not be limited to, care coordination, utilization management, disease management, pharmacy benefit management, provider network management, quality management, and customer services. The model shall not include mandatory dental services. The commissioner shall issue a 5-year request for proposals to enter into contracts with the vendors that demonstrate the greatest ability to satisfy the state's need for value, quality, efficiency, innovation, and savings. The request for proposals shall be released no later than October 15, 2011. The vendors of the managed care model or combination of models demonstrating the greatest ability to satisfy the state's need for value, quality, efficiency, innovation, and savings shall be selected no later than January 15, 2012 with final contracts submitted to the governor and council no later than March 15, 2012 unless this date is extended by the fiscal committee. After the bidding process, the commissioner shall establish a capitated rate based on the bids by the appropriate model for the contract that is full risk to the vendors. The capitated rate shall be broken down into rate cells for each population including, but not limited to, the persons eligible for temporary assistance to needy families (TANF), aid for the permanently and totally disabled (APTD), breast and cervical cancer program (BCCP), home care for children with severe disabilities (HC-CSD), and those residing in nursing facilities. The capitated rate shall be approved by the fiscal committee of the general court. The managed care model or models' selected vendors providing the Medicaid services shall establish medical homes and all Medicaid recipients shall receive their care through a medical home. In contracting for a managed care model and the various rate cells, the department shall ensure no reduction in the quality of care of services provided to enrollees in the managed care model and shall exercise all due diligence to maintain or increase the current level of quality of care provided. The target date for implementation of the contract is July 1, 2012. The commissioner may, in consultation with the fiscal committee, adopt rules, if necessary, to implement the provisions of this paragraph. The department shall seek, with the approval of the fiscal committee, all necessary and appropriate waivers to implement the provisions of this paragraph.
Reps. Hess, Kurk and Almy spoke in favor.
Floor amendment (1610h) adopted.
Committee report adopted and ordered to third reading.

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Hess moved that the House reconsider its action whereby, on a voice vote, it adopted the committee report of Ought to Pass with Amendment on ***SB 147-FN***, relative to Medicaid managed care.

Rep. Hess spoke against.

Motion failed.

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Hess moved that the House reconsider its action whereby, on a roll call vote of 208-98, it adopted the majority committee report of Ought to Pass with Amendment on ***SB 78-FN-A-L***, relative to motor vehicle registration fees.

Rep. Hess spoke against.

Motion failed.

BILLS REMOVED FROM THE CONSENT CALENDAR

SB 152-FN, relative to participation in state employees' group insurance by members of the general court. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Maurice L. Pilotte for Executive Departments and Administration: This bill adds a new paragraph to RSA 14-A:6 stipulating that members of the general court who participate in the state employees' insurance but who fail to pay within 30 days of billing shall have their coverage terminated. Current members could re-enroll upon payment of outstanding bills. Former members who allow their payment to lapse would have their coverage permanently terminated. The amendment provides for proper notification to the member that coverage would be terminated within 10 business days unless payment is sent. The amendment also requires that an automatic payment option be available to minimize the likelihood of inadvertent termination of coverage. Vote 14-0.

Amendment (1483h)

Amend RSA 14-A:6, V as inserted by section 1 of the bill by replacing it with the following:

V. If a participant pursuant to paragraph II of this section fails to remit payment in full for participation within 30 days of billing, on the 30th day the participant shall be notified by certified or registered mail that he or she shall remit payment to the department within 10 business days of receiving the letter or his or her benefits shall be permanently terminated effective upon the 10th business day after receipt of the letter.

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

2 Department of Administrative Services; Automatic Payment Option. The department of administrative services shall implement a system of payment for participants in the group insurance plan under RSA 14-A:6 that allows for a participant to opt for automatic payment to the department from the participant's bank account.

AMENDED ANALYSIS

This bill allows the department of administrative services to invoice and collect payment for participation in the group insurance plan by members of the general court.

This bill also requires the department of administrative services to offer a form of automatic payment for participation in the group insurance plan.

Rep. Carol McGuire moved Recommit, spoke in favor and yielded to questions.

Motion adopted.

Recommitted to the Committee on Executive Departments and Administration.

SB 173, proclaiming January 24, 2012 as Granny D. Day. **OUGHT TO PASS.**

Rep. Kenneth Hawkins for Executive Departments and Administration: The committee is

unanimous in support of having the governor issue a proclamation on January 24, 2012 honoring Granny D for her walk at age 90 across America. Vote 15-0.
Rep. Horrigan requested a roll call; sufficiently seconded.

YEAS 240 NAYS 48

YEAS 240

BELKNAP

Accornero, Harry	Fields, Dennis	Flanders, Donald	Greemore, Robert
Luther, Robert	Malone, Robert	Millham, Alida	Pilliod, James
Russell, David	Swinford, Elaine	Tilton, Franklin	Tobin, William
Worsman, Colette			

CARROLL

Ahlgren, Christopher	Babson, David Jr	Knox, J. David	McConkey, Mark
Merrow, Harry	Pettengill, Laurie	Scala, Dino	Schmidt, Stephen
Tregenza, Norman	Umberger, Karen		

CHESHIRE

Butynski, William	Byrnes, John	Cartwright, Anne	Dwinell, Richard
Hawkes, Samuel	Hunt, John	Johnsen, Gladys	Johnson, Jane
Moore, Robert Jr	Parkhurst, Henry	Roberts, Kris	Sad, Tara
Smith, Edwin	Weber, Lucy	Weed, Charles	

COOS

Coulombe, Gary	Daugherty, Duffy	Hatch, William	Merrick, Evalyn
Rappaport, Laurence	Remick, William	Richardson, Herbert	Theberge, Robert
Tholl, John Jr	Thomas, Yvonne	Tremblay, Marc	

GRAFTON

Aguiar, James	Almy, Susan	Benn, Bernard	Bradley, Lester
Brosseau, Charles	Bulis, Lyle	Cooney, Mary	Eaton, Stephanie
Gould, Franklin	Harding, Laurie	Ingbretson, Paul	Mirski, Paul
Pastor, Beatriz	Pierce, David	Reilly, Harold Sr	Shackett, Jeffrey
Smith, Suzanne	Sova, Charles	Townsend, Charles	White, Andrew

HILLSBOROUGH

Baroody, Benjamin	Barry, Richard	Belanger, James	Belvin, William
Brown, Kevin	Brunelle, Michael	Burt, John	Buxton, Michael
Campbell, David	Cebrowski, John	Christensen, D.L.	Christiansen, Lars
		Chris	
Coffey, James	Condra, William	Cote, David	Cusson-Cail, Kathleen
Daniels, Gary	Day, Russell	Doherty, Shaun	Donovan, Daniel
Drisko, Richard	Emerton, Larry	Erickson, Duane	Flanagan, Jack
Gagne, Larry	Gargas, Carolyn	Gidge, Kenneth	Gimas, John
Goley, Jeffrey	Gonzalez, Carlos	Gorman, Mary	Graham, John
Haefner, Robert	Hansen, Peter	Hardwick, Harry	Hawkins, Kenneth
Hikel, John	Holden, Frank	Hutchinson, Winfred	Judy, Jean
Kurk, Neal	Lambert, George	LeBrun, Donald	Maltz, Jonathan
McCarthy, Michael	McClarren, Donald	McGuinness, Sean	Murphy, Keith
Ober, Lynne	Ohm, Bill	Palmer, Barry	Peterson, Lenette

Pilotte, Maurice
Rokas, Ted
Simmons, Tammy
Twombly, Timothy

Porter, Marjorie
Rowe, Robert
Souza, Kathleen
Vaillancourt, Steve

Rhodes, Brian
Scontsas, Lisa
Stroud, Kathleen
Whitehead, Randall

Robbins, David
Seidel, Carl
Sullivan, Daniel

MERRIMACK

Blankenbeker, Lynne
DeStefano, Stephen
Lauer-Rago, Kathleen
McGuire, Carol
Rice, Chip
Smith, Molly

Bouchard, Candace
Frazer, June
Lindsley, Mark
McGuire, Dan
Sanborn, Laurie
Wallner, Mary Jane

Coffey, Jennifer
Hamm, Christine
Lockwood, Priscilla
Palfrey, David
Seaworth, G. Brian
Williams, Robert

Cohn, Seth
Hess, David
McDonnell, John
Potter, Frances
Shurtleff, Stephen
Winter, Steven

ROCKINGHAM

Abrami, Patrick
Baldasaro, Alfred
Cali-Pitts, Jacqueline
DeSimone, Debra
Ferrante, Beverly
Griffin, Mary
Kappler, Lawrence
McKinney, Betsy
Norelli, Terie
Quandt, Matt
Schlachman, Donna
Sytek, John
Webb, James

Allen, Mary
Bettencourt, David
Case, Frank
DiPentima, Rich
Fesh, Robert
Headd, James
Katsakiores, Phyllis
Moody, Marcia
O'Connor, John
Reagan, John
Sedensky, John
Tamburello, Daniel
Welch, David

Antosz, Jason
Birdsell, Regina
Comerford, Timothy
Dowling, Patricia
Garritty, James
Hoelzel, Kathleen
Manuse, Andrew
Murphy, Brian
Packard, Sherman
Reichard, Kevin
Sheffert, Kenneth
Ward, Joanne

Azarian, Gary
Brown, Paul
Davenport, Joshua
Duarte, Joe
Gould, Kenneth
Itse, Daniel
Mauro, Donna
Nevins, Chris
Powers, James
Sanders, Elisabeth
Sullivan, James
Waterhouse, Kevin

STRAFFORD

Andolina, Donald
DeLemus, Susan
Jones, Laura
Munck, Philip
Schmidt, Peter
Wall, Janet

Berube, Roger
Domingo, Baldwin
Kaen, Naida
Newton, Clifford
Spainhower, Dale
Watters, David

Brown, Julie
Grassie, Anne
Keans, Sandra
Parsons, Robbie
Spang, Judith

Cataldo, Sam
Horriggan, Timothy
Larsen, Kirsten
Pitre, Joseph
Sprague, Dale

SULLIVAN

Bowers, Spec
Osgood, Joe

Cloutier, John
Rodeschin, Beverly

Gagnon, Raymond
Schmidt, Andrew

Laware, Thomas
Smith, Steven

NAYS 48

BELKNAP

Comtois, Guy

Kingsbury, Robert

CARROLL

McCarthy, Frank

CHESHIRE

None

COOS

None

GRAFTON

Gionet, Edmond Simard, Paul Sorg, Gregory

HILLSBOROUGH

Avard, Kevin	Balboni, Michael	Boehm, Ralph	DeJong, Cameron
Fredette, Robert	Hogan, Edith	Krasucki, Joseph	Notter, Jeanine
Ober, Russell III	Palmer, Stephen	Parison, James	Renzullo, Andrew
Soucy, Connie	Ulery, Jordan	Villeneuve, Moe	Willette, Robert

MERRIMACK

Cox, Sean	Deloge, Helen	Giuda, J. Brandon	Hoell, J.R.
Keane, Thomas	Kotowski, Frank	Kreis, Kenneth Sr	Richardson, Jon

ROCKINGHAM

Bates, David	Elliott, Robert	Hagan, Joseph	Okerman, Richard
Quandt, Marshall	Rice, Frederick	Ritter, Glenn	Shuler, Wyman III
Smith, William	Tasker, Kyle	Tremblay, Stella	Weyler, Kenneth

STRAFFORD

Groen, Warren Vita, Carol Vita, Lucien

SULLIVAN

Cunningham, Steven Howard, Thomas LaCasse, Paul Sr
and the committee report was adopted.
Ordered to third reading.

ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly Enrolled House Bills numbered 27, 46, 63, 69, 79, 80, 88, 95, 106, 111, 112, 170, 172, 185, 206, 229, 289, 333, 336, 364, 404, 491, 535, 570, House Joint Resolution numbered 3 and Senate Bills numbered 16, 26 and 35.

Rep. Kidder, Sen. Prescott for the Committee

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, May 4, 2011 at 10:00 a.m.

Adopted.

LATE SESSION

Third reading and final passage

SB 62, relative to persons participating in the return to work program.

SB 92, establishing an economic strategic commission to review the relationship between

business and government.

SB 104, relative to certain agricultural operations and certain bonds for excavation and driveways.

SB 42, relative to the declaration of consideration for purposes of the real estate transfer tax.

SB 57, relative to regulation of title loan lenders.

SB 156-FN-L, authorizing retail vehicle dealers to act as agents of the division of motor vehicles for vehicle registrations and title applications.

SB 91, relative to automatic fire suppression sprinklers.

SB 78-FN-A-L, relative to motor vehicle registration fees.

SB 147-FN, relative to Medicaid managed care.

SB 173, proclaiming January 24, 2012 as Granny D. Day.

UNANIMOUS CONSENT

Reps. Jennifer Coffey, Baldasaro and Norelli addressed the House.

MOTION TO PRINT REMARKS

Rep. Bettencourt moved that the remarks made by Rep. Jennifer Coffey be printed in the Permanent Journal.

Adopted.

REMARKS

Rep. Jennifer Coffey: Thank you, Mister Speaker and thank you to my colleagues for this moment. The Holocaust was the state-sponsored, systematic persecution and annihilation of European Jewry by Nazi Germany and its collaborators between 1933 and 1945. Six million Jews were murdered; Roma (Gypsies), people with disabilities, and Poles were also targeted for destruction or decimation for racial, ethnic, or national reasons; and millions more, including homosexuals, Jehovah's Witnesses, Soviet prisoners of war, and political dissidents, also suffered grievous oppression and death under Nazi tyranny. The history of the Holocaust offers an opportunity to reflect on the moral responsibilities of individuals, societies, and governments; and we the people of the State of New Hampshire should always remember the terrible events of the Holocaust and remain vigilant against hatred, persecution, and tyranny; and we the people of the State of New Hampshire should actively rededicate ourselves to the principles of individual freedom in a just society. The Days of Remembrance have been set aside for the people of the State of New Hampshire to remember the victims of the Holocaust as well as to reflect on the need for respect of all peoples; and pursuant to an Act of Congress October 7, 1980, the United States Holocaust Memorial Council designates the Days of Remembrance of the victims of the Holocaust to be Sunday, May 1 through Sunday, May 8, 2011, including the Day of Remembrance known as Yom Hashoah, May 1, 2011. I ask for a moment of silence to remember all of those who perished in the Holocaust.

MOMENT OF SILENCE

A moment of silence was observed in honor and in memory of those who perished in the Holocaust.

MOTION TO PRINT REMARKS

Rep. DiPentima moved that the remarks made by Rep. Baldasaro be printed in the Permanent Journal.

Adopted.

REMARKS

Rep. Baldasaro: Thank you, Mister Speaker. Mister Speaker, I would like to take this opportunity to talk about a young lieutenant from my town of Londonderry that we lost, Pete Sohm, whom I really didn't know much at all and so I didn't have a clue of what to say. All I knew of Pete was that in the many parades that I march, it was his music on the trumpet playing Taps. So I really thought about this and on such short notice, we have a writer in our town called Joe who writes a column called *Joe's Two Cents* and he actually knew Lieutenant Sohm. I asked him last night and he sent me over his story that he wrote about the Lieutenant and I thought I would share it with all.

Joe's Two Cents by Joe Paradis of Londonderry

It was a tradition in this high school band every Memorial Day. They'd march through the center of our quaint little town. All three hundred of them. Playing patriotic songs on their way to the town cemetery. Once there, three of the trumpeters would silently peel off and station themselves at different locations throughout the cemetery. One close to the gravesite where flowers were laid, one farther away at the edge of the woods, and the third a bit farther away over the hill. And when the time was right, and the speeches completed, they would play taps – one at a time, starting with the closest trumpeter - as a salute to America's fallen. As I recall during my time as a "Band Parent," Pete would start, the echo of his strong notes drifting over the warm breeze and into the hearts of those in attendance. Robert would echo those notes at the edge of the woods. And Fran would follow up from the farthest point. At the end of that two minutes, the crowd would solemnly disburse, each of us with either a lump in the throat or a tear in the eye from that magical mixture of five simple notes, played so eloquently by three high school students. Robert and Fran would tell you that Pete's was definitely the loudest trumpet. The purest sound. The strongest talent. They believed Pete was so good, that often as they were marching the many miles they covered each year with Londonderry's Marching Lancers, they wouldn't play at all. They called it a "short rest." That concept caught on with a lot of the other kids on the trumpet line. They all knew Pete's instrument was so strong, even on his own, that they could fake it for a few minutes. Pete didn't seem to mind. He was proud of that talent. And just like his talent, his shiny silver trumpet stood out among everyone else's brass instruments. I learned later that Pete had other talents. He'd been flying small airplanes for a number of years – he was all of seventeen when I learned that. He was goal-driven and seemed to know what he wanted to do with his life. He was a friendly kid, with a smile that didn't quit. All that talent landed him at the United States Air Force Academy, with a four-year college scholarship. On a journey that would earn him his gold bars and a commission as a 2nd Lieutenant in the U.S. Air Force, after four grueling years of study and hard work. To Pete, this seemed to be a fun journey. I met up with his mother one day during his first year. She told me how Pete had learned to be "innovative" in school – how he would cop a piece of tin foil from somewhere and use it to make toast over a candle in his room. A little snack that was apparently not allowed in the strict dorm room environment of one of America's toughest educational facilities. Where toast could probably get you expelled. But Pete had fun with it – and obviously never got caught. I last met Pete and his winning smile at the Manchester airport two years ago. He was between school years – summer break to us - and touring the country with an Air Force team, performing at air shows. He told me of the acrobatics he and his team would perform in small propeller-driven airplanes. Of the precision and reflexes it took to complete these aerial maneuvers – and above all, how much fun it was. We talked about the Air Force – just little things. I marveled

that he was allowed to wear fatigues in an airport – when I served, it was frowned upon to wear them anywhere in public while off duty. Besides, the public was just learning not to spit on its military in those days – but that’s another story. From Pete’s perspective, my experience was strange. I was happy that he was where he was at that point in time, when America appreciated those who were serving. We talked about toast, of course. And of other little antics he did to keep some sanity in his life at the Academy. But above all, we talked flying – and I learned right there why Pete’s talent with the trumpet would so easily transfer to this latest challenge he had presented himself. But it was soon time for his flight, so we shook hands and I hugged this kid who made me so proud. I can only imagine his parents’ pride. Then he walked down the ramp to his plane. I never saw Pete again. Last week, I heard about a small airplane crash near San Angelo, Texas. Two young off duty Air Force 2nd lieutenants, who, as the news told it, were taking their aircraft up to view the wildfires that had spread across Texas. There was one story of an eyewitness who saw a small single engine plane doing aerial maneuvers over the area where the plane went down. Regardless of the stories, I learned that one of those young men was Pete. No one can know the whole story of what happened over Texas that day. Experts will sift through that. All I know is that the Air Force lost two outstanding young pilots, one of them, a true high school friend of my own son. And I cannot even imagine the agony that is piercing the very souls of his mother, his father, and his sisters as they sort through this personal tragedy. But I do firmly believe that Heaven will benefit from Pete’s presence, where the sweet melodic notes of Pete’s silver trumpet can only enhance the trumpet section of the angels. Sailing through the sky, high above the clouds. In a place where Pete has always wanted to be. Thanks for sharing your life with us, Lieutenant. May your courage bring strength to the rest of us, who will miss your winning smile.

Thank you.

MOMENT OF SILENCE

A moment of silence was observed in honor and in memory of 2nd Lieutenant Peter Sohm of Londonderry.

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, enrolled bill reports and forming Committees of Conference.

Adopted.

The House recessed at 4:10 p.m.

RECESS

(Rep. Rowe in the Chair)

ENROLLED BILL AMENDMENTS

HB 142-FN, relative to sales of artificial flowers and miniature flags.

Amendment (1469-EBA)

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

1 Repeal. The subdivision heading preceding RSA 320:17 and RSA 320:17 through 320:19, relative

Adopted.

HB 571-FN, relative to lobster and crab licenses issued by the fish and game department.

Amendment (1480-EBA)

Amend RSA 211:18, III(c) as inserted by section 1 of the bill by replacing line 1 with the following:

(c) Any individual who possessed a valid limited commercial lobster and crab license prior to
Adopted.

SENATE MESSAGES

CONCURRENCE

HB 56, relative to proper observance of September 11, 2001.

HB 198, relative to the investment options for county funds.

HB 251, relative to absentee ballots.

HB 274-FN, relative to voting procedures.

HB 277-FN, relative to the deposit of fees collected under the Unified Carrier Registration System into the highway fund.

HB 331-FN, relative to posting agency expenditures on the state transparency website.

HB 426, adding certain entities to the unused prescription drug program.

HB 503, allowing a master electrician to have 2 apprentice electricians under his or her supervision.

NONCONCURRENCE

HB 572-FN, relative to official oppression.

RE-REFERRED TO COMMITTEE

HB 405, relative to dissolving corporations.

LAIID ON THE TABLE

HB 156-FN-A, reducing the rates of the tobacco tax.

HB 348-FN, transferring the duties of the racing and charitable gaming commission to the lottery commission and abolishing the racing and charitable gaming commission, and prohibiting new electronic gaming devices without statutory authorization.

RECESS