



State of
New Hampshire

HOUSE RECORD

First Year of the 163rd General Court

Calendar and Journal of the 2013 Session

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Vol. 35

Concord, N.H.

Thursday, March 21, 2013

No. 29

HOUSE JOURNAL No. 11 (Cont.)

Wednesday, March 20, 2013

Rep. Kaen moved that the House adjourn.
Adopted.

HOUSE JOURNAL No. 12

Thursday, March 21, 2013

The House assembled at 9:00 a.m., the hour to which it stood adjourned, and was called to order by the Speaker.

Her Excellency, Governor Margaret Wood Hassan, joined the Speaker on the rostrum for the day's opening ceremonies.

Prayer was offered by House Chaplain, Reverend Jared A. Rardin, Pastor of the South Congregational Church in Concord.

Go now to your work in a spirit of peace. Be of good courage. Hold fast to that which will serve the greater good. Render no fellow Representative evil for evil. Strengthen the fainthearted. Support the weak. Comfort the afflicted. Collaborate. Though your thoughts be on the technical details, do not lose sight of the loftier things or the grander schemes. When tempted to preach from the party line, teach instead from the heart. Honor one another in words and in deeds as the children of God that each of you are. And, when this Session has ended, may you be able to look at one another in the eye and say, "We were not alone in our work today; God also has been in this place." Amen.

Representative Leigh Webb, member from Franklin, led the Pledge of Allegiance.

The National Anthem was sung by Michael Hayes of Pittsfield, a Doorkeeper for the New Hampshire House of Representatives.

LEAVES OF ABSENCE

Reps. Bishop, Flanders, Massimilla and Amy Perkins, the day, illness.

Reps. Azarian, Bailey, Beaudoin, Booras, Burdwood, Burtis, Crawford, DeSimone, Richard Eaton, Fink, Friel, Hess, Hinch, Hoell, Holmes, Jane Hunt, Kolodziej, Marston, McMahon, Mullen, Myler, William O'Brien, O'Hearne, Oligny, Peckham, Reed, Rokas, Sapareto, Sweeney, Tucker and Vail, the day, important business. Reps. Hayes, Gary Hopper, Timothy Soucy and Ulery, the day, illness in the family.

INTRODUCTION OF GUESTS

Jake Jasinski and Kenneth Weitzman, students at Lebanon High School, Pages for the day.

REGULAR CALENDAR - PART II (CONT'D FROM 3-20-13)

HCR 3, affirming States' powers based on the Constitution for the United States and the Constitution of New Hampshire. **WITHOUT RECOMMENDATION.**

Statement in support of Ought to Pass: Rep. Lars Christiansen.

The only jurisdiction the federal government has is in interstate commerce. Any dealing with the Fed is in equity law to receive federal funds which binds you to the contract, and the federal auditors enforce the contract.

Statement in support of Inexpedient to Legislate: Rep. Cynthia Sweeney.

This legislation blurs the lines between state and federal authority. As such it brings into question what State rights are with regard to Federal legislation. It is well documented, in the U.S. Constitution, the rights of the individual states and that of the federal government without pushing boundaries. For these reasons a substantial number of the committee wishes to render this bill Inexpedient to Legislate (ITL).

Rep. Baldasaro moved Ought to Pass.

Rep. Itse spoke in favor.

Rep. Timothy Smith spoke against.

LAI D ON THE TABLE

Rep. Vaillancourt moved that **HCR 3**, affirming States' powers based on the Constitution for the United States and the Constitution of New Hampshire, be laid on the table.

On a division vote, 215 members having voted in the affirmative and 91 in the negative, the motion was adopted.

REGULAR CALENDAR - PART II (CONT'D)

HB 665-FN-A-L, relative to video lottery and table gaming. **INEXPEDIENT TO LEGISLATE.**

Rep. Patricia T. Lovejoy for Ways and Means: This bill contains a number of significant defects. First, the bill would allow two casinos in consideration for a flat licensing fee fixed at the very low, arbitrary amount of \$10M each for a video slot license and \$10M for a table game license. In Massachusetts, which is targeting substantially the same market, the minimum bid must be at least \$85M. There is no competitive bid process as in many other states. This bill specifies where these two casinos must be located, "one in the White Mountains and one in a county bordering Massachusetts." The bill does not define which towns would be included in the definition of "white mountain." The prime sponsor did circulate a map showing the towns he thought should be included. The bill does not specify how many video slot machines and gambling table games are permitted, nor does it require a minimum number of each. The bill does set the state's take at a reasonable competitive rate of 49 percent of net machine income. Although the bill talks in terms of "destination casinos," it requires a minimum capital investment of only \$10M per casino – barely enough to construct or renovate a so-called "slots barn." Timelines in the bill are unreasonable – only 60 days for the Attorney General to conduct all background checks. The Lottery Commission has to issue the licenses for the casinos within 180 days after the application deadline whether or not it has adopted either final or interim rules. There is no specific provision for either regulation of, or law enforcement involvement in, the casino operations – only generic statements to the effect that the lottery commission shall adopt rules relative to "establishing standards." The committee believes the NH House will have further opportunity to discuss and debate the possibility of casinos in New Hampshire later in this session. The minority on the committee was not in favor of ought to pass but wanted to retain the bill. Vote 12-6.

Rep. Weyler spoke against.

Rep. Lovejoy spoke in favor.

Rep. Gionet spoke against, yielded to questions and requested a roll call; sufficiently seconded.

YEAS 249 - NAYS 65

YEAS 249

BELKNAP

Arsenault, Beth
DiMartino, Lisa
Raymond, Ian
Worsman, Colette

Burchell, Richard
Greemore, Robert Jr
Sylvia, Michael

Comtois, Guy
Gulick, Ruth
Tilton, Franklin

Cormier, Jane
Huot, David
Vadney, Herbert

CARROLL

Butler, Edward
Nelson, Bill

Chandler, Gene
Ticehurst, Susan

Cordelli, Glenn
Wright, Donald

Lavender, Tom

CHESHIRE

Ames, Richard
Eaton, Daniel
Ley, Douglas
Roberts, Kris
Tatro, Bruce

Berch, Paul
Emerson, Susan
Mann, John
Robertson, Timothy
Weber, Lucy

Burridge, Delmar
Hunt, John
Parkhurst, Henry
Sad, Tara
Weed, Charles

Chase, Cynthia
Lerandeau, Alfred
Phillips, Larry
Shepardson, Marjorie
Young, Harry

COOS

Enman, Larry
Rideout, Leon

Hammon, Marcia
Theberge, Robert

Moynihan, Wayne

Rappaport, Laurence

GRAFTON

Almy, Susan
Cooney, Mary
Harding, Laurie
Mulholland, Catherine
Shackett, Jeffrey
White, Andrew

Benn, Bernard
Doolan, Ralph Jr
Higgins, Patricia
Nordgren, Sharon
Smith, Suzanne

Bradley, Lester
Ford, Susan
Lauer, Linda
Pastor, Beatriz
Sykes, George

Brown, Rebecca
Friedrich, Carol
Lovett, Sid
Piper, Wendy
Townsend, Charles

HILLSBOROUGH

Backus, Robert
Brown, Pamela
Cebrowski, John
Cote, David
Gage, Ruth
Goley, Jeffrey
Hammond, Jill
Hikel, John
LeBrun, Donald
MacKay, Mariellen
Murphy, Keith
O'Brien, Michael Sr
Porter, Marjorie
Sanborn, Laurie
Smith, Timothy
Sullivan, Peter
Villeneuve, Moe
Williams, Kermit

Barry, Richard
Byron, Frank
Chandley, Shannon
Daniels, Gary
Gagne, Larry
Grady, Brenda
Hansberry, Daniel
Jack, Martin
Leishman, Peter
McCloskey, David
Murphy, Kelleigh
Palmer, Stephen
Pratt, Calvin
Sandblade, Emily
Spratt, Stephen
Sweeney, Shawn
Warden, Mark
Woodbury, David

Boehm, Ralph
Campbell, David
Coffey, James
Danielson, David
Gale, Sylvia
Graham, John
Hansen, Peter
Jasper, Shawn
LeVasseur, Richard
McNamara, Richard
Nelson, Mary
Parison, James
Renzullo, Andrew
Schmidt, Janice
Straight, Philip
Takesian, Charlene
Willette, Robert

Boisvert, Ronald
Carroll, Douglas
Connor, Evelyn
DiSilvestro, Linda
Gargas, Carolyn
Hackel, Paul
Heden, Ruth
Knowles, Mary Ann
Levesque, Melanie
Meaney, Richard
Notter, Jeanine
Peterson, Lenette
Rowe, Robert
Shattuck, Gilman
Stroud, Kathleen
Vaillancourt, Steve
Williams, Carol

MERRIMACK

Alicea, Caroletta
Carey, Lorrie
Frambach, Mary
Henle, Paul
Kidder, David
McGuire, Dan
Richardson, Gary
Smith, Todd
Watrous, Rick

Andrews, Christopher
Carson, Clyde
Frazer, June
Hirsch, Geoffrey
Lockwood, Priscilla
Moffett, Howard
Schamberg, Thomas
Turcotte, Alan
Webb, Leigh

Bartlett, Christy
Davis, Frank
French, Barbara
Karrick, David Jr
MacKay, James
Patten, Dick
Schuett, Dianne
Walsh, Thomas IV

Burns, Scott
Ebel, Karen
Gile, Mary
Kelly, Sally
McGuire, Carol
Rice, Chip
Shurtleff, Stephen
Walz, Mary Beth

ROCKINGHAM

Abrami, Patrick
Cahill, Michael
Copeland, Timothy
Dumaine, Dudley
Flockhart, Eileen
Hagan, Joseph
Hodgdon, Bruce
Lovejoy, Patricia
Milz, David
Sanders, Elisabeth
Till, Mary

Andrews-Ahearn, E. Elaine
Cali-Pitts, Jacqueline
Cushing, Robert Jr
Emerick, J. Tracy
Garcia, Bianca
Harris, Jeffrey
Hoelzel, Kathleen
Lundgren, David
Moody, Marcia
Schlachman, Donna
Ward, Gerald

Bick, Patrick
Chirichiello, Brian
Dana, Romeo
Emerson-Brown, Rebecca
Garcia, Marilinda
Heffron, Frank
Itse, Daniel
Major, Norman
Muns, Chris
Sherman, Thomas
Wazlaw, Brian

Birdsell, Regina
Comerford, Timothy
Duarte, Joe
Fesh, Robert
Gordon, Richard
Helmstetter, Barbara
Kappler, Lawrence
McKinney, Betsy
Pantelakos, Laura
Tamburello, Daniel
Whittemore, Lisa

STRAFFORD

Baber, William
Burke, Rachel
Gray, James
Hubbard, Pamela
Menear, H. Robert III
Rogers, Rose Marie
Spainhower, Dale
Wall, Janet

Berube, Roger
Gardner, Janice
Groen, Warren
Jones, Laura
Parsons, Robbie
Rollo, Deanna
Spang, Judith

Bickford, David
Ginsburg, Philip
Grossman, Kenneth
Kaen, Naida
Perry, Robert
Schmidt, Peter
Stevens, Audrey

Bixby, Peter
Grassie, Anne
Hooper, Dorothea
Malloy, Dennis
Pitre, Joseph
Smith, Marjorie
Verschueren, James

SULLIVAN

Gottling, Suzanne
Tanner, Linda

Lefebvre, Benjamin

Rollins, Skip

Schmidt, Andrew

**NAYS 65
BELKNAP**

Fields, Dennis

CARROLL

Buco, Thomas
Umberger, Karen

McConkey, Mark
White, Syndi

Morrow, Harry

Schmidt, Stephen

CHESHIRE

Butynski, William

Johnsen, Gladys

COOS

Coulombe, Gary

Richardson, Herbert

Thomas, Yvonne

GRAFTON

Gionet, Edmond

Ladd, Rick Jr

HILLSBOROUGH

Beaulieu, Jane
Gidge, Kenneth
Infantine, William
McCarthy, Michael
Pellegrino, Tony
Winters, Joel

Belanger, James
Gorman, Mary
Kurk, Neal
Murotake, David
Shaw, Barbara

Burt, John
Haefner, Robert
Long, Patrick
O'Flaherty, Tim
Sullivan, Daniel

Flanagan, Jack
Harriott-Gathright, Linda
Manley, Jonathan Sr
Ober, Russell III
Walsh, Robert Jr

MERRIMACK

Kotowski, Frank

Ratzki, Mario

Rogers, Katherine

Tilton, Joy

ROCKINGHAM

Allen, Mary
Devine, James
Mann, Maureen
St.James, Kevin
Webb, James Sr

Baldasaro, Alfred
Elliott, Robert
O'Connor, John
Thompson, David
Weyler, Kenneth

Belanger, Ronald
Ferrante, Beverly
Priestley, Anne
Tremblay, Stella

Charron, Gene
Griffin, Mary
Sedensky, John
Waterhouse, Kevin

STRAFFORD

Horrigan, Timothy

Miller, David

SULLIVAN

Cloutier, John
Smith, Steven

Gagnon, Raymond
Sweeney, Cynthia

Grenier, James

Irwin, Virginia

and the committee report was adopted.

Reps. Kurk and Burt voted Nay and intended to vote Yea.

Rep. Jane Johnson did not vote and notified the Clerk that she wished to be recorded in favor.

HB 678-FN-A-L, relative to games of chance and establishing a gaming oversight authority and video lottery gaming. **INEXPEDIENT TO LEGISLATE.**

Rep. Patricia T. Lovejoy for Ways and Means: This bill provides for six video slot parlors, limited to no more than one in any county, thereby spreading video slots gaming throughout the state. Four of these facilities shall have 600 video lottery machines and two facilities with 1300 video lottery machines. The State of NH will be the gaming operator. There would be licensees who would provide the space and receive 19 percent of the net machine income as a gross lease payment. These licensees would pay an application fee of \$150,000 upon approval of the license. The licensee could offer charity gaming next door to provide a full casino experience. The committee was concerned about the spread of video slots statewide. The NH House will have additional opportunity to consider a casino later in this session. The minority of the committee was interested in retaining this bill for further study. Vote 12-6.

Rep. Vaillancourt spoke against and yielded to questions.

LAID ON THE TABLE

Rep. Kurk moved that **HB 678-FN-A-L**, relative to games of chance and establishing a gaming oversight authority and video lottery gaming, be laid on the table.

On a division vote, 170 members having voted in the affirmative and 160 in the negative, the motion was adopted.

REGULAR CALENDAR - PART II (CONT'D)

HB 536, revising the child support guidelines based on foster care reimbursement rates. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Deanna S. Rollo for the Majority of Children and Family Law: This bill provides that the total child support obligation shall be no greater than the applicable foster care rate. Foster care rates do not reflect the actual cost of raising a child because the foster home is already intact. This bill fails to address the varying ability of parents to support their children. It is contrary to the best interest of the child. Vote 14-4.

Rep. Daniel C. Itse for the Minority of Children and Family Law: The minority believes that understanding the effects of the new child support guidelines to take effect on July 1, 2013 combined with the federally mandated fourth year review of our child support guidelines in 2013 justify retaining this bill for the purpose of organizing an effective and timely review by the legislature.

Majority committee report adopted.

HB 538, relative to the calculation of child support based on residential responsibility. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Kelleigh D. Murphy for the Majority of Children and Family Law: This bill would have prohibited the court from ordering a parent with primary residential responsibility to pay child support to the parent who

does not have primary residential responsibility. The majority of the committee was concerned that this bill failed to account for situations where a parent with primary residential responsibility was designated even though both parents had nearly equal parenting time with the children, but where there was a large income disparity between the parties. Vote 14-4.

Rep. Robert L. Nigrello for the Minority of Children and Family Law: The minority believes judges in setting child support, need to insure the support is appropriate for the parenting plan agreed to by the parents or so ordered by the court. Approval of the bill eliminates child support for a parent without primary residential responsibility. Not ordering support for the parent without primary residential responsibility allows the parent with primary residential responsibility additional funds to insure adequate care for the child. Majority committee report adopted.

HB 578, relative to the determination of parental rights based on the best interest of the child. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Mary Beth E. Walz for the Majority of Children and Family Law: This bill would significantly change the standard used in determining parental rights and responsibilities for children. "Best interests of the child" is an nationally-accepted standard for determining a family's future. It ensures that the courts determine what is best for the child rather than base it's determination on the desire of the parents. The bill would effectively eliminate many factors used by the courts to determining parenting time with a child. Gone would be a consideration of the child's relationship with each parent, each parent's ability to provide for and care for the child, and whether contact between the parent and child is likely to harm the child. This bill also fails to incorporate domestic violence considerations into its vision of a "best interest" analyses. There is a long-time national and state-wide consensus that the current "best interests" language is the best standard to be used in determining a child's time with each parent. Testimony suggested that abandoning this language could have disastrous consequences. Vote 12-4.

Rep. Jeffrey D. Oigny for the Minority of Children and Family Law: The bill removes the subjective language which allows the family court to remove children's fit parents from their lives in matters of child custody or divorce. Current law (RSA 46-1-A:6) allows the court to consider "any other additional factors the court deems relevant" in deciding whether or not to remove fit parents from children's lives. Other adequate statutes exist to protect children from bona-fide cases of real abuse or neglect. Removing children's fit and loving parents from their lives is not good public policy and costs the state to provide parenting that is inferior to their actual parent.

MOTION TO LAY ON THE TABLE

Rep. Lambert moved that **HB 578**, relative to the determination of parental rights based on the best interest of the child, be laid on the table.

Rep. Lambert requested a roll call; sufficiently seconded.

YEAS 101 NAYS 230

YEAS 101 BELKNAP

Burchell, Richard
Greemore, Robert Jr
Worsman, Colette

Comtois, Guy
Luther, Robert

Cormier, Jane
Sylvia, Michael

Fields, Dennis
Vadney, Herbert

CARROLL

Chandler, Gene
Schmidt, Stephen

Cordelli, Glenn
Wright, Donald

Lavender, Tom

Nelson, Bill

CHESHIRE

Hunt, John

Johnson, Jane

COOS

Enman, Larry

Rappaport, Laurence

Rideout, Leon

GRAFTON

Gionet, Edmond

HILLSBOROUGH

Boehm, Ralph
Daniels, Gary
Hansen, Peter
Martel, Andre
Murphy, Keith
Ober, Russell III

Burt, John
Flanagan, Jack
Hikel, John
McCarthy, Michael
Murphy, Kelleigh
Palmer, Stephen

Byron, Frank
Graham, John
Infantine, William
Meaney, Richard
Notter, Jeanine
Parison, James

Coffey, James
Haefner, Robert
Lambert, George
Murotake, David
O'Flaherty, Tim
Peterson, Lenette

Pratt, Calvin
Sandblade, Emily
Warden, Mark

Renzullo, Andrew
Straight, Philip
Willette, Robert

Rowe, Robert
Stroud, Kathleen

Sanborn, Laurie
Villeneuve, Moe

MERRIMACK

McGuire, Carol

McGuire, Dan

ROCKINGHAM

Abrami, Patrick
Birdsell, Regina
Danaïs, Romeo
Ferrante, Beverly
Gordon, Richard
Harris, Jeffrey
Major, Norman
Schroadter, Adam
Tasker, Kyle
Webb, James Sr

Allen, Mary
Charron, Gene
Devine, James
Fesh, Robert
Grace, Curtis
Hodgdon, Bruce
O'Connor, John
Sedensky, John
Thompson, David
Weyler, Kenneth

Belanger, Ronald
Chirichiello, Brian
Duarte, Joe
Garcia, Bianca
Griffin, Mary
Itse, Daniel
Priestley, Anne
Sytek, John
Tremblay, Stella

Bick, Patrick
Comerford, Timothy
Elliott, Robert
Garcia, Marilinda
Hagan, Joseph
Kappler, Lawrence
Sanders, Elisabeth
Tamburello, Daniel
Waterhouse, Kevin

STRAFFORD

Bickford, David
Pitre, Joseph

Groen, Warren

Horrigan, Timothy

Parsons, Robbie

SULLIVAN

Rollins, Skip

NAYS 230

BELKNAP

Arsenault, Beth
Raymond, Ian

DiMartino, Lisa
Tilton, Franklin

Gulick, Ruth

Huot, David

CARROLL

Buco, Thomas
Ticehurst, Susan

Butler, Edward
Umberger, Karen

McConkey, Mark
White, Syndi

Merrrow, Harry

CHESHIRE

Ames, Richard
Chase, Cynthia
Lerandeau, Alfred
Phillips, Larry
Tatro, Bruce

Berch, Paul
Eaton, Daniel
Ley, Douglas
Robertson, Timothy
Weber, Lucy

Burridge, Delmar
Emerson, Susan
Mann, John
Sad, Tara
Weed, Charles

Butynski, William
Johnsen, Gladys
Parkhurst, Henry
Shepardson, Marjorie
Young, Harry

COOS

Coulombe, Gary
Richardson, Herbert

Hammon, Marcia
Theberge, Robert

Hatch, William
Thomas, Yvonne

Moynihan, Wayne

GRAFTON

Almy, Susan
Cooney, Mary
Harding, Laurie
Lovett, Sid
Piper, Wendy
Sykes, George

Benn, Bernard
Doolan, Ralph Jr
Higgins, Patricia
Mulholland, Catherine
Reilly, Harold Sr
Townsend, Charles

Bradley, Lester
Ford, Susan
Ladd, Rick Jr
Nordgren, Sharon
Shackett, Jeffrey
White, Andrew

Brown, Rebecca
Friedrich, Carol
Lauer, Linda
Pastor, Beatriz
Smith, Suzanne

HILLSBOROUGH

Backus, Robert
Boisvert, Ronald
Cebrowski, John
Danielson, David
Gale, Sylvia
Gorman, Mary
Hansberry, Daniel
Jasper, Shawn
Kurk, Neal
LeVasseur, Richard
Manley, Jonathan Sr
O'Brien, Michael Sr
Schmidt, Janice
Spratt, Stephen
Takesian, Charlene
Williams, Kermit

Barry, Richard
Brown, Pamela
Chandley, Shannon
DiSilvestro, Linda
Gargas, Carolyn
Grady, Brenda
Harriott-Gathright, Linda
Judy, Jean
LeBrun, Donald
Levesque, Melanie
McCloskey, David
Pellegrino, Tony
Shattuck, Gilman
Sullivan, Daniel
Vaillancourt, Steve
Winters, Joel

Beaulieu, Jane
Campbell, David
Connor, Evelyn
Gage, Ruth
Gidge, Kenneth
Hackel, Paul
Heden, Ruth
Knowles, Mary Ann
Leishman, Peter
Long, Patrick
McNamara, Richard
Porter, Marjorie
Shaw, Barbara
Sullivan, Peter
Walsh, Robert Jr
Woodbury, David

Belanger, James
Carroll, Douglas
Cote, David
Gagne, Larry
Goley, Jeffrey
Hammond, Jill
Jack, Martin
Kopka, Angeline
Levasseur, Nickolas
MacKay, Mariellen
Nelson, Mary
Rosenwald, Cindy
Smith, Timothy
Sweeney, Shawn
Williams, Carol

MERRIMACK

Alicea, Caroletta
 Carey, Lorrie
 Frambach, Mary
 Henle, Paul
 Kidder, David
 Moffett, Howard
 Richardson, Gary
 Shurtleff, Stephen
 Walsh, Thomas IV

Andrews, Christopher
 Carson, Clyde
 Frazer, June
 Hirsch, Geoffrey
 Kotowski, Frank
 Patten, Dick
 Rogers, Katherine
 Tilton, Joy
 Walz, Mary Beth

Bartlett, Christy
 Davis, Frank
 French, Barbara
 Karrick, David Jr
 Lockwood, Priscilla
 Ratzki, Mario
 Schamberg, Thomas
 Turcotte, Alan
 Watrous, Rick

Burns, Scott
 Ebel, Karen
 Gile, Mary
 Kelly, Sally
 MacKay, James
 Rice, Chip
 Schuett, Dianne
 Wallner, Mary Jane
 Webb, Leigh

ROCKINGHAM

Andrews-Ahearn, E. Elaine
 Cali-Pitts, Jacqueline
 Emerson-Brown, Rebecca
 Hoelzel, Kathleen
 Mann, Maureen
 Muns, Chris
 Schlachman, Donna
 Ward, Gerald

Baldasaro, Alfred
 Copeland, Timothy
 Flockhart, Eileen
 Khan, Aboul
 McKinney, Betsy
 Nigrello, Robert
 Sherman, Thomas
 Wazlaw, Brian

Borden, David
 Cushing, Robert Jr
 Heffron, Frank
 Lovejoy, Patricia
 Milz, David
 Pantelakos, Laura
 St.James, Kevin
 Whittemore, Lisa

Cahill, Michael
 Emerick, J. Tracy
 Helmstetter, Barbara
 Lundgren, David
 Moody, Marcia
 Perkins, Lawrence
 Till, Mary

STRAFFORD

Baber, William
 Gardner, Janice
 Grossman, Kenneth
 Kaen, Naida
 Perry, Robert
 Smith, Marjorie
 Verschueren, James

Berube, Roger
 Ginsburg, Philip
 Hooper, Dorothea
 Malloy, Dennis
 Rogers, Rose Marie
 Spainhower, Dale
 Wall, Janet

Bixby, Peter
 Grassie, Anne
 Hubbard, Pamela
 Menear, H. Robert III
 Rollo, Deanna
 Spang, Judith
 Ward, Kenneth

Burke, Rachel
 Gray, James
 Jones, Laura
 Miller, David
 Schmidt, Peter
 Stevens, Audrey

SULLIVAN

Cloutier, John
 Irwin, Virginia
 Sweeney, Cynthia

Gagnon, Raymond
 Lefebvre, Benjamin
 Tanner, Linda

Gottling, Suzanne
 Schmidt, Andrew

Grenier, James
 Smith, Steven

and the motion failed.

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

YEAS 251 NAYS 81**YEAS 251****BELKNAP**

Arsenault, Beth
 Huot, David

DiMartino, Lisa
 Luther, Robert

Fields, Dennis
 Raymond, Ian

Gulick, Ruth
 Tilton, Franklin

CARROLL

Buco, Thomas
 Merrow, Harry
 Umberger, Karen

Butler, Edward
 Nelson, Bill
 White, Syndi

Lavender, Tom
 Schmidt, Stephen
 Wright, Donald

McConkey, Mark
 Ticehurst, Susan

CHESHIRE

Ames, Richard
 Chase, Cynthia
 Johnsen, Gladys
 Parkhurst, Henry
 Shepardson, Marjorie
 Young, Harry

Berch, Paul
 Eaton, Daniel
 Lerandeau, Alfred
 Phillips, Larry
 Tatro, Bruce

Burridge, Delmar
 Emerson, Susan
 Ley, Douglas
 Robertson, Timothy
 Weber, Lucy

Butynski, William
 Hunt, John
 Mann, John
 Sad, Tara
 Weed, Charles

COOS

Coulombe, Gary
 Moynihan, Wayne
 Thomas, Yvonne

Enman, Larry
 Richardson, Herbert

Hammon, Marcia
 Rideout, Leon

Hatch, William
 Theberge, Robert

GRAFTON

Almy, Susan
 Doolan, Ralph Jr
 Higgins, Patricia
 Mulholland, Catherine
 Smith, Suzanne

Benn, Bernard
 Ford, Susan
 Ladd, Rick Jr
 Nordgren, Sharon
 Sykes, George

Brown, Rebecca
 Friedrich, Carol
 Lauer, Linda
 Pastor, Beatriz
 Townsend, Charles

Cooney, Mary
 Harding, Laurie
 Lovett, Sid
 Piper, Wendy
 White, Andrew

HILLSBOROUGH

Backus, Robert
Boisvert, Ronald
Chandley, Shannon
DiSilvestro, Linda
Gidge, Kenneth
Graham, John
Harriott-Gathright, Linda
Jeudy, Jean
Leishman, Peter
Long, Patrick
McCloskey, David
Murphy, Kelleigh
Peterson, Lenette
Rowe, Robert
Smith, Timothy
Sullivan, Peter
Williams, Carol

Barry, Richard
Brown, Pamela
Connor, Evelyn
Gage, Ruth
Goley, Jeffrey
Hackel, Paul
Heden, Ruth
Knowles, Mary Ann
Levasseur, Nickolas
MacKay, Mariellen
McNamara, Richard
Nelson, Mary
Porter, Marjorie
Schmidt, Janice
Spratt, Stephen
Takesian, Charlene
Williams, Kermit

Beaulieu, Jane
Campbell, David
Cote, David
Gale, Sylvia
Gorman, Mary
Hammond, Jill
Jack, Martin
Kopka, Angeline
LeVasseur, Richard
Manley, Jonathan Sr
Meaney, Richard
O'Brien, Michael Sr
Pratt, Calvin
Shattuck, Gilman
Straight, Philip
Vaillancourt, Steve
Winters, Joel

Belanger, James
Carroll, Douglas
Danielson, David
Gargas, Carolyn
Grady, Brenda
Hansberry, Daniel
Jasper, Shawn
Kurk, Neal
Levesque, Melanie
Martel, Andre
Murphy, Keith
O'Flaherty, Tim
Rosenwald, Cindy
Shaw, Barbara
Sullivan, Daniel
Walsh, Robert Jr
Woodbury, David

MERRIMACK

Alicea, Caroletta
Carey, Lorrie
Frambach, Mary
Henle, Paul
Kidder, David
Moffett, Howard
Richardson, Gary
Shurtleff, Stephen
Walsh, Thomas IV

Andrews, Christopher
Carson, Clyde
Frazer, June
Hirsch, Geoffrey
Kotowski, Frank
Patten, Dick
Rogers, Katherine
Tilton, Joy
Walz, Mary Beth

Bartlett, Christy
Davis, Frank
French, Barbara
Karrick, David Jr
Lockwood, Priscilla
Ratzki, Mario
Schamberg, Thomas
Turcotte, Alan
Watrous, Rick

Burns, Scott
Ebel, Karen
Gile, Mary
Kelly, Sally
MacKay, James
Rice, Chip
Schuett, Dianne
Wallner, Mary Jane
Webb, Leigh

ROCKINGHAM

Abrami, Patrick
Cahill, Michael
Cushing, Robert Jr
Emerson-Brown, Rebecca
Heffron, Frank
Khan, Aboul
Milz, David
O'Connor, John
Sherman, Thomas
Till, Mary

Allen, Mary
Cali-Pitts, Jacqueline
Danais, Romeo
Flockhart, Eileen
Helmstetter, Barbara
Lovejoy, Patricia
Moody, Marcia
Pantelakos, Laura
St.James, Kevin
Ward, Gerald

Andrews-Ahearn, E. Elaine
Charron, Gene
Duarte, Joe
Grace, Curtis
Hodgdon, Bruce
Mann, Maureen
Muns, Chris
Priestley, Anne
Sytek, John
Wazlaw, Brian

Borden, David
Copeland, Timothy
Emerick, J. Tracy
Griffin, Mary
Hoelzel, Kathleen
McKinney, Betsy
Nigrello, Robert
Schlachman, Donna
Tasker, Kyle
Whittemore, Lisa

STRAFFORD

Baber, William
Gardner, Janice
Grossman, Kenneth
Jones, Laura
Miller, David
Rollo, Deanna
Spang, Judith
Ward, Kenneth

Berube, Roger
Ginsburg, Philip
Hooper, Dorothea
Kaen, Naida
Perry, Robert
Schmidt, Peter
Stevens, Audrey

Bixby, Peter
Grassie, Anne
Horrigan, Timothy
Malloy, Dennis
Pitre, Joseph
Smith, Marjorie
Verschueren, James

Burke, Rachel
Gray, James
Hubbard, Pamela
Menear, H. Robert III
Rogers, Rose Marie
Spainhower, Dale
Wall, Janet

SULLIVAN

Cloutier, John
Lefebvre, Benjamin
Tanner, Linda

Gagnon, Raymond
Rollins, Skip

Gottling, Suzanne
Schmidt, Andrew

Grenier, James
Sweeney, Cynthia

**NAYS 81
BELKNAP**

Burchell, Richard
Sylvia, Michael

Comtois, Guy
Vadney, Herbert

Cormier, Jane
Worsman, Colette

Greemore, Robert Jr

CARROLL

Chandler, Gene

Cordelli, Glenn

CHESHIRE

Johnson, Jane

COOS

Rappaport, Laurence

GRAFTON

Bradley, Lester

Gionet, Edmond

Reilly, Harold Sr

Shackett, Jeffrey

HILLSBOROUGH

Boehm, Ralph
Coffey, James
Haefner, Robert
Lambert, George
Notter, Jeanine
Pellegrino, Tony
Stroud, Kathleen
Willette, Robert

Burt, John
Daniels, Gary
Hansen, Peter
LeBrun, Donald
Ober, Russell III
Renzullo, Andrew
Sweeney, Shawn

Byron, Frank
Flanagan, Jack
Hikel, John
McCarthy, Michael
Palmer, Stephen
Sanborn, Laurie
Villeneuve, Moe

Cebrowski, John
Gagne, Larry
Infantine, William
Murotake, David
Parison, James
Sandblade, Emily
Warden, Mark

MERRIMACK

McGuire, Carol

McGuire, Dan

ROCKINGHAM

Baldasaro, Alfred
Chirichiello, Brian
Elliott, Robert
Garcia, Marilinda
Itse, Daniel
Perkins, Lawrence
Tamburello, Daniel
Webb, James Sr

Belanger, Ronald
Comerford, Timothy
Ferrante, Beverly
Gordon, Richard
Kappler, Lawrence
Sanders, Elisabeth
Thompson, David
Weyler, Kenneth

Bick, Patrick
Devine, James
Fesh, Robert
Hagan, Joseph
Lundgren, David
Schroadter, Adam
Tremblay, Stella

Birdsell, Regina
Dumaine, Dudley
Garcia, Bianca
Harris, Jeffrey
Major, Norman
Sedensky, John
Waterhouse, Kevin

STRAFFORD

Bickford, David

Groen, Warren

Parsons, Robbie

SULLIVAN

Irwin, Virginia

Smith, Steven

and the majority committee report was adopted.

HB 346, establishing a committee to study low-profit limited liability companies. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Laura M. Jones for Commerce and Consumer Affairs: This bill establishes a study committee to determine the desirability of allowing companies with charitable or educational purposes to register and designate themselves as low-profit limited liability companies. Many believe that this designation is needed because it allows these companies more choice when it comes to financing, and traditional options are not currently meeting their needs. In addition, the bill's prime sponsor testified that the low-profit limited liability company designation, also known as L3C, could provide a tool for communities to use for economic development. Since 2008, nine states have adopted laws allowing this designation, and seven others have introduced legislation this year to permit the formation of low-profit limited liability companies. The majority believes this is an option we should study, and the amendment merely changes the composition of the members of the study committee to four members of the House of Representatives and one member of the Senate. Vote 14-4.

Amendment (0722h)

Amend paragraph I of section 2 of the bill by replacing it with the following:

I. The members of the committee shall be as follows:

(a) Four members of the house of representatives, appointed by the speaker of the house of representatives.

(b) One member of the senate, appointed by the president of the senate.

Amend the bill by replacing section 4 with the following:

4 Chairperson; Quorum. The members of the study committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the first-named house member. The first meeting of the committee shall be held within 45 days of the effective date of this section. Three members of the committee shall constitute a quorum.

Amendment adopted.

Committee report adopted and ordered to third reading.

HB 390, allowing companion dogs in the outdoor areas of restaurants. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Donna L. Schlachman for Commerce and Consumer Affairs: Most state laws are mute on the subject of dogs in outdoor restaurant areas. Currently, some New Hampshire restaurant owners do allow dogs on their patios, and the local code enforcement people choose to turn a blind eye. As amended, this bill enables restaurant owners with outdoor patios to allow a disciplined and leashed companion dog to accompany its owner. There was great concern on the part of committee members that the safety and rights of individuals using service animals not be put at risk just for the sake of people who like to travel with their pets. In an effort to

place the rights of service animal users over the convenience of companion animal owners, the bill requires that a sign be prominently displayed at all entrances to an outdoor patio stating that "to preserve the rights of patrons with service animals, patrons with companion dogs shall be asked to move if the presence of that companion dog interferes with the service animals ability to obey commands or assist its handler." Vote 15-3.

Amendment (0729h)

Amend RSA 466:44, III as inserted by section 1 of the bill by replacing it with the following:

III. A restaurant owner may allow properly disciplined and leashed companion dogs of restaurant patrons onto any outdoor patio areas owned by the restaurant. Such dogs shall not be allowed in food preparation or production areas, and there shall be no more than one dog per patron. The restaurant owner shall prominently display a sign at all outdoor patio entrances advising patrons as follows: "To preserve the rights of patrons with service animals, patrons with companion dogs shall be asked to move if the presence of that companion dog interferes with the service animal's ability to obey commands or assist its handler."

Amendment adopted.

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

Rep. Jones requested a roll call; sufficiently seconded.

YEAS 307 NAYS 25

YEAS 307

BELKNAP

Arsenault, Beth
DiMartino, Lisa
Huot, David
Tilton, Franklin

Burchell, Richard
Fields, Dennis
Luther, Robert
Vadney, Herbert

Comtois, Guy
Greemore, Robert Jr
Raymond, Ian

Cormier, Jane
Gulick, Ruth
Sylvia, Michael

CARROLL

Buco, Thomas
Lavender, Tom
Schmidt, Stephen
Wright, Donald

Butler, Edward
McConkey, Mark
Ticehurst, Susan

Chandler, Gene
Merrow, Harry
Umberger, Karen

Cordelli, Glenn
Nelson, Bill
White, Syndi

CHESHIRE

Ames, Richard
Eaton, Daniel
Johnson, Jane
Phillips, Larry
Tatro, Bruce

Burridge, Delmar
Emerson, Susan
Lerandeau, Alfred
Robertson, Timothy
Weber, Lucy

Butynski, William
Hunt, John
Mann, John
Sad, Tara
Weed, Charles

Chase, Cynthia
Johnsen, Gladys
Parkhurst, Henry
Shepardson, Marjorie
Young, Harry

COOS

Coulombe, Gary
Moynihan, Wayne
Thomas, Yvonne

Enman, Larry
Rappaport, Laurence

Hammon, Marcia
Richardson, Herbert

Hatch, William
Rideout, Leon

GRAFTON

Almy, Susan
Cooney, Mary
Harding, Laurie
Lovett, Sid
Piper, Wendy
Sykes, George

Benn, Bernard
Ford, Susan
Higgins, Patricia
Mulholland, Catherine
Reilly, Harold Sr
Townsend, Charles

Bradley, Lester
Friedrich, Carol
Ladd, Rick Jr
Nordgren, Sharon
Shackett, Jeffrey
White, Andrew

Brown, Rebecca
Gionet, Edmond
Lauer, Linda
Pastor, Beatriz
Smith, Suzanne

HILLSBOROUGH

Backus, Robert
Boehm, Ralph
Byron, Frank
Coffey, James
Danielson, David
Gale, Sylvia
Graham, John
Hansberry, Daniel
Jack, Martin
Lambert, George
LeVasseur, Richard
Martel, Andre
Meaney, Richard
Nelson, Mary
Ober, Russell III
Peterson, Lenette

Barry, Richard
Boisvert, Ronald
Campbell, David
Connor, Evelyn
DiSilvestro, Linda
Gargas, Carolyn
Hackel, Paul
Harriott-Gathright, Linda
Knowles, Mary Ann
LeBrun, Donald
Levesque, Melanie
McCarthy, Michael
Murotake, David
Notter, Jeanine
Palmer, Stephen
Porter, Marjorie

Beaulieu, Jane
Brown, Pamela
Cebrowski, John
Cote, David
Gage, Ruth
Goley, Jeffrey
Haefner, Robert
Hikel, John
Kopka, Angeline
Leishman, Peter
Long, Patrick
McCloskey, David
Murphy, Keith
O'Brien, Michael Sr
Parison, James
Pratt, Calvin

Belanger, James
Burt, John
Chandley, Shannon
Daniels, Gary
Gagne, Larry
Grady, Brenda
Hammond, Jill
Infantine, William
Kurk, Neal
Levasseur, Nickolas
MacKay, Mariellen
McNamara, Richard
Murphy, Kelleigh
O'Flaherty, Tim
Pellegrino, Tony
Renzullo, Andrew

Rosenwald, Cindy
Schmidt, Janice
Spratt, Stephen
Sweeney, Shawn
Walsh, Robert Jr
Williams, Kermit

Rowe, Robert
Shattuck, Gilman
Straight, Philip
Takesian, Charlene
Warden, Mark
Winters, Joel

Sanborn, Laurie
Shaw, Barbara
Stroud, Kathleen
Vaillancourt, Steve
Willette, Robert
Woodbury, David

Sandblade, Emily
Smith, Timothy
Sullivan, Daniel
Villeneuve, Moe
Williams, Carol

MERRIMACK

Alicea, Caroletta
Carey, Lorrie
Frambach, Mary
Henle, Paul
Kidder, David
McGuire, Dan
Rice, Chip
Shurtleff, Stephen
Wallner, Mary Jane

Andrews, Christopher
Carson, Clyde
Frazer, June
Hirsch, Geoffrey
Kotowski, Frank
Moffett, Howard
Richardson, Gary
Smith, Todd
Walz, Mary Beth

Bartlett, Christy
Davis, Frank
French, Barbara
Karrick, David Jr
MacKay, James
Patten, Dick
Rogers, Katherine
Tilton, Joy
Watrous, Rick

Burns, Scott
Ebel, Karen
Gile, Mary
Kelly, Sally
McGuire, Carol
Ratzki, Mario
Schuett, Dianne
Turcotte, Alan
Webb, Leigh

ROCKINGHAM

Abrami, Patrick
Belanger, Ronald
Cahill, Michael
Comerford, Timothy
Devine, James
Emerick, J. Tracy
Flockhart, Eileen
Hagan, Joseph
Hodgdon, Bruce
Khan, Aboul
Mann, Maureen
O'Connor, John
Rice, Frederick
Sedensky, John
Tasker, Kyle
Ward, Gerald
Whittemore, Lisa

Allen, Mary
Bick, Patrick
Cali-Pitts, Jacqueline
Copeland, Timothy
Duarte, Joe
Emerson-Brown, Rebecca
Gordon, Richard
Harris, Jeffrey
Hoelzel, Kathleen
Lovejoy, Patricia
Milz, David
Pantelakos, Laura
Sanders, Elisabeth
Sherman, Thomas
Thompson, David
Waterhouse, Kevin

Andrews-Ahearn, E. Elaine
Birdsell, Regina
Charron, Gene
Cushing, Robert Jr
Dumaine, Dudley
Ferrante, Beverly
Grace, Curtis
Heffron, Frank
Itse, Daniel
Lundgren, David
Moody, Marcia
Perkins, Lawrence
Schlachman, Donna
Sytek, John
Till, Mary
Webb, James Sr

Baldasaro, Alfred
Borden, David
Chirichiello, Brian
Danaïs, Romeo
Elliott, Robert
Fesh, Robert
Griffin, Mary
Helmstetter, Barbara
Kappler, Lawrence
Major, Norman
Nigrello, Robert
Priestley, Anne
Schroadter, Adam
Tamburello, Daniel
Tremblay, Stella
Weyler, Kenneth

STRAFFORD

Baber, William
Burke, Rachel
Gray, James
Hubbard, Pamela
Menear, H. Robert III
Pitre, Joseph
Smith, Marjorie
Verschueren, James

Berube, Roger
Gardner, Janice
Groen, Warren
Jones, Laura
Miller, David
Rogers, Rose Marie
Spainhower, Dale
Wall, Janet

Bickford, David
Ginsburg, Philip
Grossman, Kenneth
Kaen, Naida
Parsons, Robbie
Rollo, Deanna
Spang, Judith
Ward, Kenneth

Bixby, Peter
Grassie, Anne
Horrigan, Timothy
Malloy, Dennis
Perry, Robert
Schmidt, Peter
Stevens, Audrey

SULLIVAN

Cloutier, John
Irwin, Virginia
Tanner, Linda

Gagnon, Raymond
Lefebvre, Benjamin

Gottling, Suzanne
Rollins, Skip

Grenier, James
Smith, Steven

NAYS 25 BELKNAP

Worsman, Colette

CARROLL

None

CHESHIRE

Berch, Paul

Ley, Douglas

COOS

Theberge, Robert

GRAFTON

Doolan, Ralph Jr

HILLSBOROUGH

Carroll, Douglas
Heden, Ruth
Sullivan, Peter

Flanagan, Jack
Jasper, Shawn

Gidge, Kenneth
Jeudy, Jean

Gorman, Mary
Manley, Jonathan Sr

MERRIMACK

Lockwood, Priscilla

Schamberg, Thomas

Walsh, Thomas IV

ROCKINGHAMGarcia, Bianca
St.James, KevinGarcia, Marilinda
Wazlaw, Brian

McKinney, Betsy

Muns, Chris

STRAFFORD

Hooper, Dorothea

SULLIVAN

Schmidt, Andrew

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

HB 467, relative to purchasing alliances. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Richard D. McNamara for the Majority of Commerce and Consumer Affairs: This bill wanted to reduce the number of enrollees currently permitted by a qualified purchasing alliance from 3000 to 250 enrollees. If this bill were to pass it would make the risk pool too small and lead to adverse selection. Also, in light of changes due to the implementation of the affordable Healthcare Act, this change would not be relevant. Vote 18-1.

Rep. Pamela Z. Tucker for the Minority of Commerce and Consumer Affairs: This bill allows groups such as businesses that are mid-to-large-size to obtain better value in purchasing health insurance by consolidating purchasing responsibilities and resources. Currently very large employers or groups can form a purchasing alliance that not only can shop around for better insurance values, but also lower the administrative cost of health plan contracting, enrollment, premium collection, and payment. Because this bill doesn't require that a group be very large to begin with, it enables far more employers to enter into purchasing alliances that will level the insurance cost playing field for them and their employees. This will often result in lower overall insurance costs for many employees.

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

Rep. Baldasaro requested a roll call; sufficiently seconded.

YEAS 224 NAYS 107

YEAS 224**BELKNAP**Arsenault, Beth
Luther, RobertDiMartino, Lisa
Raymond, IanFields, Dennis
Tilton, Franklin

Huot, David

CARROLLBuco, Thomas
Merrow, HarryButler, Edward
Schmidt, StephenChandler, Gene
Ticehurst, SusanLavender, Tom
White, Syndi**CHESHIRE**Ames, Richard
Chase, Cynthia
Johnsen, Gladys
Mann, John
Robertson, Timothy
Weber, LucyBerch, Paul
Eaton, Daniel
Johnson, Jane
Parkhurst, Henry
Sad, Tara
Weed, CharlesBurridge, Delmar
Emerson, Susan
Lerandeau, Alfred
Phillips, Larry
Shepardson, Marjorie
Young, HarryButynski, William
Hunt, John
Ley, Douglas
Roberts, Kris
Tatro, Bruce**COOS**Coulombe, Gary
Moynihan, WayneEnman, Larry
Theberge, RobertHammon, Marcia
Thomas, Yvonne

Hatch, William

GRAFTONAlmy, Susan
Cooney, Mary
Harding, Laurie
Lovett, Sid
Piper, Wendy
White, AndrewBenn, Bernard
Doolan, Ralph Jr
Higgins, Patricia
Mulholland, Catherine
Smith, SuzanneBradley, Lester
Ford, Susan
Ladd, Rick Jr
Nordgren, Sharon
Sykes, GeorgeBrown, Rebecca
Friedrich, Carol
Lauer, Linda
Pastor, Beatriz
Townsend, Charles**HILLSBOROUGH**Backus, Robert
Brown, Pamela
Connor, Evelyn
Gage, Ruth
Goley, JeffreyBeaulieu, Jane
Campbell, David
Cote, David
Gale, Sylvia
Gorman, MaryBelanger, James
Carroll, Douglas
Danielson, David
Gargas, Carolyn
Grady, BrendaBoisvert, Ronald
Chandley, Shannon
DiSilvestro, Linda
Gidge, Kenneth
Graham, John

Hackel, Paul
Heden, Ruth
Kopka, Angeline
Levesque, Melanie
McCloskey, David
Porter, Marjorie
Shaw, Barbara
Sullivan, Daniel
Williams, Carol

Hammond, Jill
Jack, Martin
Leishman, Peter
Long, Patrick
McNamara, Richard
Rosenwald, Cindy
Smith, Timothy
Sullivan, Peter
Williams, Kermit

Hansberry, Daniel
Jasper, Shawn
Levasseur, Nickolas
MacKay, Mariellen
Nelson, Mary
Schmidt, Janice
Spratt, Stephen
Takesian, Charlene
Winters, Joel

Harriott-Gathright, Linda
Knowles, Mary Ann
LeVasseur, Richard
Manley, Jonathan Sr
O'Brien, Michael Sr
Shattuck, Gilman
Stroud, Kathleen
Walsh, Robert Jr
Woodbury, David

MERRIMACK

Alicea, Caroletta
Carey, Lorrie
Frazer, June
Karrick, David Jr
MacKay, James
Rice, Chip
Schuett, Dianne
Turcotte, Alan
Webb, Leigh

Andrews, Christopher
Carson, Clyde
French, Barbara
Kelly, Sally
Moffett, Howard
Richardson, Gary
Shurtleff, Stephen
Wallner, Mary Jane

Bartlett, Christy
Davis, Frank
Henle, Paul
Kidder, David
Patten, Dick
Rogers, Katherine
Smith, Todd
Walz, Mary Beth

Burns, Scott
Frambach, Mary
Hirsch, Geoffrey
Lockwood, Priscilla
Ratzki, Mario
Schamberg, Thomas
Tilton, Joy
Watrous, Rick

ROCKINGHAM

Abrami, Patrick
Borden, David
Copeland, Timothy
Flockhart, Eileen
Helmstetter, Barbara
Mann, Maureen
Pantelakos, Laura
Sherman, Thomas
Waterhouse, Kevin

Allen, Mary
Cahill, Michael
Cushing, Robert Jr
Grace, Curtis
Hoelzel, Kathleen
Moody, Marcia
Priestley, Anne
Sytek, John
Wazlaw, Brian

Andrews-Ahearn, E. Elaine
Cali-Pitts, Jacqueline
Devine, James
Griffin, Mary
Lovejoy, Patricia
Muns, Chris
Sanders, Elisabeth
Till, Mary
Whitemore, Lisa

Belanger, Ronald
Charron, Gene
Emerson-Brown, Rebecca
Heffron, Frank
Major, Norman
Nigrello, Robert
Schlachman, Donna
Ward, Gerald

STRAFFORD

Baber, William
Gardner, Janice
Horrigan, Timothy
Menear, H. Robert III
Rollo, Deanna
Spang, Judith
Ward, Kenneth

Berube, Roger
Ginsburg, Philip
Hubbard, Pamela
Miller, David
Schmidt, Peter
Stevens, Audrey

Bixby, Peter
Grassie, Anne
Kaen, Naida
Perry, Robert
Smith, Marjorie
Verschueren, James

Burke, Rachel
Hooper, Dorothea
Malloy, Dennis
Rogers, Rose Marie
Spainhower, Dale
Wall, Janet

SULLIVAN

Cloutier, John
Irwin, Virginia
Tanner, Linda

Gagnon, Raymond
Lefebvre, Benjamin

Gottling, Suzanne
Schmidt, Andrew

Grenier, James
Sweeney, Cynthia

NAYS 107

BELKNAP

Burchell, Richard
Sylvia, Michael

Comtois, Guy
Vadney, Herbert

Cormier, Jane
Worsman, Colette

Greemore, Robert Jr

CARROLL

Cordelli, Glenn
Wright, Donald

McConkey, Mark

Nelson, Bill

Umberger, Karen

CHESHIRE

COOS

Rappaport, Laurence

Richardson, Herbert

Rideout, Leon

GRAFTON

Gionet, Edmond

Reilly, Harold Sr

Shackett, Jeffrey

HILLSBOROUGH

Barry, Richard
Cebrowski, John
Gagne, Larry
Jeudy, Jean
Martel, Andre
Murphy, Keith

Boehm, Ralph
Coffey, James
Haefner, Robert
Kurk, Neal
McCarthy, Michael
Murphy, Kelleigh

Burt, John
Daniels, Gary
Hikel, John
Lambert, George
Meaney, Richard
Notter, Jeanine

Byron, Frank
Flanagan, Jack
Infantine, William
LeBrun, Donald
Murotake, David
O'Flaherty, Tim

Ober, Russell III
 Peterson, Lenette
 Sanborn, Laurie
 Vaillancourt, Steve

Palmer, Stephen
 Pratt, Calvin
 Sandblade, Emily
 Villeneuve, Moe

Parison, James
 Renzullo, Andrew
 Straight, Philip
 Warden, Mark

Pellegrino, Tony
 Rowe, Robert
 Sweeney, Shawn
 Willette, Robert

MERRIMACK

Ebel, Karen
 Walsh, Thomas IV

Kotowski, Frank

McGuire, Carol

McGuire, Dan

ROCKINGHAM

Baldasaro, Alfred
 Comerford, Timothy
 Elliott, Robert
 Garcia, Bianca
 Harris, Jeffrey
 Khan, Aboul
 O'Connor, John
 Sedensky, John
 Thompson, David

Bick, Patrick
 Danais, Romeo
 Emerick, J. Tracy
 Garcia, Marilinda
 Hodgdon, Bruce
 Lundgren, David
 Perkins, Lawrence
 St.James, Kevin
 Tremblay, Stella

Birdsell, Regina
 Duarte, Joe
 Ferrante, Beverly
 Gordon, Richard
 Itse, Daniel
 McKinney, Betsy
 Rice, Frederick
 Tamburello, Daniel
 Webb, James Sr

Chirichiello, Brian
 Dumaine, Dudley
 Fesh, Robert
 Hagan, Joseph
 Kappler, Lawrence
 Milz, David
 Schroadter, Adam
 Tasker, Kyle
 Weyler, Kenneth

STRAFFORD

Bickford, David
 Parsons, Robbie

Gray, James
 Pitre, Joseph

Groen, Warren

Jones, Laura

SULLIVAN

Rollins, Skip

Smith, Steven

and the majority committee report was adopted.

HB 468, establishing a committee to study wine purchasing and pricing. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Kenneth N. Gidge for the Majority of Commerce and Consumer Affairs: The sole duty of the study committee "is to include an evaluation of whether the requirement in RSA 176:17 that the liquor commission purchase from manufacturers should be modified to allow wine purchases through brokers." The committee felt that since brokers represent the liquor manufactures and vineyards by contract, there is no need to modify RSA 176:17. The brokers are contracted by the liquor manufactures and vineyards for the purpose of distributing, marketing and delivering the liquor and wine to our warehouse. In some cases, the commission is able to make special buys separately with liquor manufactures and by pass the brokers, but that is usually only for special large purchases and with an agreement between the liquor manufacture and their broker. Since legislators really have no way to evaluate the contractual relationship the brokers have with the liquor manufactures and the vineyards, this study is not appropriate. Vote 16-2.

Rep. Emily C. Sandblade for the Minority of Commerce and Consumer Affairs: The minority believes a study committee is necessary because RSA 176:17 states "the liquor commission shall purchase all liquor, wine, and beverages from primary sources." Testimony in the committee stated that the vast majority of our wine is purchased through brokers, not directly from primary sources. The liquor commission felt using brokers was a cost saver; however, a study committee would confirm this statement and assure if this relationship with brokers provides the best pricing both to the state and ultimately to the consumers.

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

On a division vote, 211 members having voted in the affirmative and 121 in the negative, the majority committee report was adopted.

HB 530-FN, relative to annual reporting requirements for business entities. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Ruth S. Heden for the Majority of Commerce and Consumer Affairs: This bill changes the timing for business reporting of financial fiscal information to the secretary of state from annual reporting to every 3 years. The department of state indicated that this bill would decrease its annual returns by 2/3 and would increase customer service calls due to longer intervals. This bill would result in the underfunding of the corporate division by \$1 million and would decrease the state general fund by \$4 million. Vote 15-3.

Rep. Emily C. Sandblade for the Minority of Commerce and Consumer Affairs: This bill reduces the frequency that corporations, LLCs, and consumer co-ops must make a report to the secretary of state. The committee heard some testimony that, in a small number of cases, the primary benefit of reporting is to report a new address if there is one. State law already requires that these entities report a change of address within 60 days, so the extra report just costs everybody more money, and requires thousands of hours of personnel time in the secretary of state's office to process them each year. This bill would cut the state processing time by two-thirds and release those funds for more urgent needs.

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

Rep. Jones requested a roll call; sufficiently seconded.

YEAS 220 NAYS 107**YEAS 220
BELKNAP**

Arsenault, Beth
Huot, David

DiMartino, Lisa
Luther, Robert

Fields, Dennis
Raymond, Ian

Gulick, Ruth
Tilton, Franklin

CARROLL

Buco, Thomas
Schmidt, Stephen

Butler, Edward
Ticehurst, Susan

Lavender, Tom
White, Syndi

Merrow, Harry

CHESHIRE

Ames, Richard
Chase, Cynthia
Johnsen, Gladys
Parkhurst, Henry
Shepardson, Marjorie
Young, Harry

Berch, Paul
Eaton, Daniel
Lerandeau, Alfred
Phillips, Larry
Tatro, Bruce

Burridge, Delmar
Emerson, Susan
Ley, Douglas
Robertson, Timothy
Weber, Lucy

Butynski, William
Hunt, John
Mann, John
Sad, Tara
Weed, Charles

COOS

Coulombe, Gary
Moynihan, Wayne

Enman, Larry
Richardson, Herbert

Hammon, Marcia
Theberge, Robert

Hatch, William
Thomas, Yvonne

GRAFTON

Almy, Susan
Friedrich, Carol
Ladd, Rick Jr
Nordgren, Sharon
Smith, Suzanne

Benn, Bernard
Gionet, Edmond
Lauer, Linda
Pastor, Beatriz
Sykes, George

Cooney, Mary
Harding, Laurie
Lovett, Sid
Piper, Wendy
Townsend, Charles

Ford, Susan
Higgins, Patricia
Mulholland, Catherine
Reilly, Harold Sr
White, Andrew

HILLSBOROUGH

Backus, Robert
Campbell, David
Coffey, James
DiSilvestro, Linda
Gargas, Carolyn
Grady, Brenda
Hansberry, Daniel
Jack, Martin
Kopka, Angeline
Levesque, Melanie
McCloskey, David
Porter, Marjorie
Shaw, Barbara
Sullivan, Peter
Williams, Kermit

Beaulieu, Jane
Carroll, Douglas
Connor, Evelyn
Flanagan, Jack
Gidge, Kenneth
Graham, John
Harriott-Gathright, Linda
Jasper, Shawn
Leishman, Peter
Long, Patrick
McNamara, Richard
Rosenwald, Cindy
Smith, Timothy
Takesian, Charlene
Woodbury, David

Boisvert, Ronald
Cebrowski, John
Cote, David
Gage, Ruth
Goley, Jeffrey
Hackel, Paul
Heden, Ruth
Judy, Jean
Levasseur, Nickolas
MacKay, Mariellen
Nelson, Mary
Schmidt, Janice
Spratt, Stephen
Walsh, Robert Jr

Brown, Pamela
Chandley, Shannon
Danielson, David
Gale, Sylvia
Gorman, Mary
Hammond, Jill
Infantine, William
Knowles, Mary Ann
LeVasseur, Richard
Manley, Jonathan Sr
O'Brien, Michael Sr
Shattuck, Gilman
Sullivan, Daniel
Williams, Carol

MERRIMACK

Alicea, Caroletta
Carson, Clyde
French, Barbara
Kidder, David
Patten, Dick
Rogers, Katherine
Tilton, Joy
Watrous, Rick

Andrews, Christopher
Davis, Frank
Hirsch, Geoffrey
Lockwood, Priscilla
Ratzki, Mario
Schamberg, Thomas
Turcotte, Alan
Webb, Leigh

Bartlett, Christy
Frambach, Mary
Karrick, David Jr
MacKay, James
Rice, Chip
Schuett, Dianne
Wallner, Mary Jane

Burns, Scott
Frazer, June
Kelly, Sally
Moffett, Howard
Richardson, Gary
Shurtleff, Stephen
Walz, Mary Beth

ROCKINGHAM

Andrews-Ahearn, E. Elaine
Cali-Pitts, Jacqueline
Cushing, Robert Jr
Griffin, Mary
Khan, Aboul
McKinney, Betsy
Perkins, Lawrence
Sherman, Thomas
Ward, Gerald

Belanger, Ronald
Charron, Gene
Devine, James
Heffron, Frank
Lovejoy, Patricia
Moody, Marcia
Priestley, Anne
St.James, Kevin
Whittemore, Lisa

Bick, Patrick
Chirichiello, Brian
Elliott, Robert
Helmstetter, Barbara
Major, Norman
Muns, Chris
Sanders, Elisabeth
Sytek, John

Cahill, Michael
Copeland, Timothy
Flockhart, Eileen
Hoelzel, Kathleen
Mann, Maureen
Pantelakos, Laura
Schlachman, Donna
Till, Mary

STRAFFORD

Baber, William
Gardner, Janice

Berube, Roger
Ginsburg, Philip

Bixby, Peter
Grassie, Anne

Burke, Rachel
Grossman, Kenneth

Hooper, Dorothea
Malloy, Dennis
Rollo, Deanna
Spang, Judith
Ward, Kenneth

Horrigan, Timothy
Miller, David
Schmidt, Peter
Stevens, Audrey

Hubbard, Pamela
Perry, Robert
Smith, Marjorie
Verschueren, James

Kaen, Naida
Rogers, Rose Marie
Spainhower, Dale
Wall, Janet

Cloutier, John
Irwin, Virginia
Tanner, Linda

Gagnon, Raymond
Lefebvre, Benjamin

Gottling, Suzanne
Schmidt, Andrew

Grenier, James
Smith, Steven

SULLIVAN

NAYS 107

BELKNAP

Burchell, Richard
Vadney, Herbert

Comtois, Guy
Worsman, Colette

Cormier, Jane

Sylvia, Michael

CARROLL

Chandler, Gene
Umberger, Karen

Cordelli, Glenn
Wright, Donald

McConkey, Mark

Nelson, Bill

CHESHIRE

Johnson, Jane

COOS

Rappaport, Laurence

Rideout, Leon

GRAFTON

Bradley, Lester

Brown, Rebecca

Doolan, Ralph Jr

Shackett, Jeffrey

HILLSBOROUGH

Barry, Richard
Byron, Frank
Hansen, Peter
LeBrun, Donald
Murotake, David
O'Flaherty, Tim
Pellegrino, Tony
Rowe, Robert
Stroud, Kathleen
Warden, Mark

Belanger, James
Daniels, Gary
Hikel, John
Martel, Andre
Murphy, Keith
Ober, Russell III
Peterson, Lenette
Sanborn, Laurie
Sweeney, Shawn
Willette, Robert

Boehm, Ralph
Gagne, Larry
Kurk, Neal
McCarthy, Michael
Murphy, Kelleigh
Palmer, Stephen
Pratt, Calvin
Sandblade, Emily
Vaillancourt, Steve
Winters, Joel

Burt, John
Haefner, Robert
Lambert, George
Meaney, Richard
Notter, Jeanine
Parison, James
Renzullo, Andrew
Straight, Philip
Villeneuve, Moe

MERRIMACK

Carey, Lorrie
McGuire, Dan

Ebel, Karen
Walsh, Thomas IV

Kotowski, Frank

McGuire, Carol

ROCKINGHAM

Abrami, Patrick
Borden, David
Dumaine, Dudley
Fesh, Robert
Grace, Curtis
Itse, Daniel
Nigrello, Robert
Sedensky, John
Waterhouse, Kevin

Allen, Mary
Comerford, Timothy
Emerick, J. Tracy
Garcia, Bianca
Hagan, Joseph
Kappler, Lawrence
O'Connor, John
Tamburello, Daniel
Wazlaw, Brian

Baldasaro, Alfred
Danais, Romeo
Emerson-Brown, Rebecca
Garcia, Marilinda
Harris, Jeffrey
Lundgren, David
Rice, Frederick
Thompson, David
Webb, James Sr

Birdsell, Regina
Duarte, Joe
Ferrante, Beverly
Gordon, Richard
Hodgdon, Bruce
Milz, David
Schroadter, Adam
Tremblay, Stella
Weyler, Kenneth

STRAFFORD

Bickford, David
Parsons, Robbie

Gray, James
Pitre, Joseph

Groen, Warren

Jones, Laura

SULLIVAN

Rollins, Skip

and the majority committee report was adopted.

HB 575, relative to hours of sales of on-premises liquor licensees. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Emily C. Sandblade for the Majority of Commerce and Consumer Affairs: This bill aligns the closing hours of New Hampshire on-premises licensees with the 2 a.m. closing hours in the surrounding states. This will result in larger rooms-and-meals-tax revenues for New Hampshire towns and cities as well as a significant increase in employment in the state. In addition, this bill, as amended, creates a strong incentive for business

owners to be more responsible in the operation of their establishments. Those business owners who don't comply with RSA 179:5, which prohibit sales to underage or inebriated people, will not be allowed to remain open for the extra hour of operation if the licensee has a violation within the last three years. The amendment allows cities and towns local control to decide if they wish to allow the extra hour of operation. Vote 11-8.

Rep. Ruth S. Heden for the Minority of Commerce and Consumer Affairs: The minority opposes extending hours to sell beverages or liquor. NH is an alcohol control state but we have been unable to control alcohol consumption by youth in our communities. According to the NH governor's commission on alcohol and drug abuse prevention, intervention, and treatment, NH is 1st in the nation in alcohol use by 12 to 20 year olds (34%) and 3rd in the nation in binge drinking by this age group (22%). We have a problem. College leaders at UNH and Keene State, and Durham police deal with these issues and recommend those hours not be increased. They expressed concerns about higher consumption, the drain on over-stretched services, more arrests or protective custody needs, and the impact on their communities. Keene State College's program to educate and counsel students about alcohol use has seen significant gains and they do not want to see a reversal of these trends. The governor's commission asks NH leaders to increase public awareness of the problem and inform about harm and risks. Research findings indicate that binge pattern alcohol consumption has neural consequences. And with our younger teens, early onset of alcohol use results in a 5x risk of an alcoholic use disorder. Failing to address these needs will result in higher health care costs. We need to work with the commission and college communities to support their efforts. And we need prevention programs for our children and youth. It is the opinion of the minority that NH's ratings for alcohol use by our youth are unacceptable and must not be ignored by this body. Extending hours to sell more alcohol at this time sends the wrong message.

Majority Amendment (0668h)

Amend the bill by replacing section 1 with the following:

1 Hours of Sales; On-Premises Liquor Licensees. Amend RSA 179:17, II(b) to read as follows:

(b) On-premises licensees may sell from 6:00 a.m. to ~~1:00~~ **2:00** a.m., 7 days a week. ***If the legislative body of a city or town adopts an ordinance prohibiting sales by on-premises licensees after 1:00 a.m., the licensee shall comply with such ordinance.***

AMENDED ANALYSIS

This bill allows on-premises liquor licensees to sell beverages or liquor until 2:00 a.m., unless prohibited from selling after 1:00 a.m. by local ordinance.

Majority committee amendment adopted.

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

Rep. Heden spoke against.

Rep. Sandblade spoke in favor and yielded to questions.

Rep. Flanagan requested a roll call; sufficiently seconded.

YEAS 208 NAYS 123

YEAS 208

BELKNAP

Arsenault, Beth
Fields, Dennis
Sylvia, Michael

Burchell, Richard
Greemore, Robert Jr
Vadney, Herbert

Comtois, Guy
Gulick, Ruth

Cormier, Jane
Luther, Robert

CARROLL

Buco, Thomas
McConkey, Mark
Wright, Donald

Butler, Edward
Merrow, Harry

Chandler, Gene
Schmidt, Stephen

Cordelli, Glenn
Umberger, Karen

CHESHIRE

Berch, Paul
Johnsen, Gladys
Roberts, Kris
Weber, Lucy

Burridge, Delmar
Johnson, Jane
Robertson, Timothy

Eaton, Daniel
Lerandeau, Alfred
Sad, Tara

Hunt, John
Ley, Douglas
Tatro, Bruce

COOS

Coulombe, Gary
Theberge, Robert

Rappaport, Laurence

Richardson, Herbert

Rideout, Leon

GRAFTON

Doolan, Ralph Jr
Ladd, Rick Jr
White, Andrew

Ford, Susan
Lauer, Linda

Friedrich, Carol
Piper, Wendy

Gionet, Edmond
Reilly, Harold Sr

HILLSBOROUGH

Backus, Robert
Boisvert, Ronald
Carroll, Douglas
Daniels, Gary
Gagne, Larry
Haefner, Robert
Jasper, Shawn
Kurk, Neal
Levasseur, Nickolas
McNamara, Richard
Murphy, Kelleigh
Ober, Russell III
Peterson, Lenette
Renzullo, Andrew
Sandblade, Emily
Stroud, Kathleen
Takesian, Charlene
Willette, Robert

Barry, Richard
Burt, John
Cebrowski, John
Danielson, David
Gale, Sylvia
Hansen, Peter
Jeudy, Jean
Lambert, George
Martel, Andre
Meaney, Richard
Notter, Jeanine
Palmer, Stephen
Porter, Marjorie
Rosenwald, Cindy
Schmidt, Janice
Sullivan, Daniel
Vaillancourt, Steve
Williams, Carol

Belanger, James
Byron, Frank
Coffey, James
DiSilvestro, Linda
Gorman, Mary
Hikel, John
Knowles, Mary Ann
LeBrun, Donald
McCarthy, Michael
Murotake, David
O'Brien, Michael Sr
Parison, James
Pratt, Calvin
Rowe, Robert
Shaw, Barbara
Sullivan, Peter
Villeneuve, Moe
Williams, Kermit

Boehm, Ralph
Campbell, David
Cote, David
Gage, Ruth
Graham, John
Infantine, William
Kopka, Angeline
Leishman, Peter
McCloskey, David
Murphy, Keith
O'Flaherty, Tim
Pellegrino, Tony
Ramsey, Peter
Sanborn, Laurie
Straight, Philip
Sweeney, Shawn
Warden, Mark
Winters, Joel

MERRIMACK

Andrews, Christopher
Karrick, David Jr
McGuire, Dan
Shurtleff, Stephen

Carson, Clyde
Kotowski, Frank
Ratzki, Mario
Turcotte, Alan

Frambach, Mary
Lockwood, Priscilla
Richardson, Gary
Walsh, Thomas IV

Hirsch, Geoffrey
McGuire, Carol
Schamberg, Thomas
Watrous, Rick

ROCKINGHAM

Abrami, Patrick
Bick, Patrick
Comerford, Timothy
Duarte, Joe
Ferrante, Beverly
Gordon, Richard
Harris, Jeffrey
Itse, Daniel
McKinney, Betsy
Pantelakos, Laura
Sanders, Elisabeth
Sytek, John
Tremblay, Stella

Andrews-Ahearn, E. Elaine
Birdsell, Regina
Cushing, Robert Jr
Dumaine, Dudley
Fesh, Robert
Grace, Curtis
Helmstetter, Barbara
Kappler, Lawrence
Milz, David
Perkins, Lawrence
Schroadter, Adam
Tamburello, Daniel
Waterhouse, Kevin

Baldasaro, Alfred
Charron, Gene
Danaïs, Romeo
Emerick, J. Tracy
Garcia, Bianca
Griffin, Mary
Hodgdon, Bruce
Lovejoy, Patricia
Nigrello, Robert
Priestley, Anne
Sedensky, John
Tasker, Kyle
Webb, James Sr

Belanger, Ronald
Chirichiello, Brian
Devine, James
Emerson-Brown, Rebecca
Garcia, Marilinda
Hagan, Joseph
Hoelzel, Kathleen
Major, Norman
O'Connor, John
Rice, Frederick
St.James, Kevin
Thompson, David
Weyler, Kenneth

STRAFFORD

Berube, Roger
Groen, Warren
Malloy, Dennis
Schmidt, Peter

Bickford, David
Grossman, Kenneth
Parsons, Robbie
Spainhower, Dale

Burke, Rachel
Jones, Laura
Pitre, Joseph
Stevens, Audrey

Gray, James
Kaen, Naida
Rogers, Rose Marie
Verschueren, James

SULLIVAN

Cloutier, John
Smith, Steven

Grenier, James
Tanner, Linda

Lefebvre, Benjamin

Rollins, Skip

NAYS 123**BELKNAP**

DiMartino, Lisa

Huot, David

Raymond, Ian

Tilton, Franklin

CARROLL

Lavender, Tom

Nelson, Bill

Ticehurst, Susan

White, Syndi

CHESHIRE

Ames, Richard
Mann, John
Weed, Charles

Butynski, William
Parkhurst, Henry
Young, Harry

Chase, Cynthia
Phillips, Larry

Emerson, Susan
Shepardson, Marjorie

COOS

Enman, Larry
Thomas, Yvonne

Hammon, Marcia

Hatch, William

Moynihan, Wayne

GRAFTON

Almy, Susan
Cooney, Mary

Benn, Bernard
Harding, Laurie

Bradley, Lester
Higgins, Patricia

Brown, Rebecca
Lovett, Sid

Mulholland, Catherine
Smith, Suzanne

Nordgren, Sharon
Sykes, George

Pastor, Beatriz
Townsend, Charles

Shackett, Jeffrey

HILLSBOROUGH

Beaulieu, Jane
Flanagan, Jack
Grady, Brenda
Heden, Ruth
Long, Patrick
Shattuck, Gilman
Woodbury, David

Brown, Pamela
Gargas, Carolyn
Hammond, Jill
Jack, Martin
MacKay, Mariellen
Smith, Timothy

Chandlee, Shannon
Gidge, Kenneth
Hansberry, Daniel
LeVasseur, Richard
Manley, Jonathan Sr
Spratt, Stephen

Connor, Evelyn
Goley, Jeffrey
Harriott-Gathright, Linda
Levesque, Melanie
Nelson, Mary
Walsh, Robert Jr

MERRIMACK

Alicea, Caroletta
Davis, Frank
Gile, Mary
Patten, Dick
Smith, Todd
Webb, Leigh

Bartlett, Christy
Ebel, Karen
Kidder, David
Rice, Chip
Tilton, Joy

Burns, Scott
Frazer, June
MacKay, James
Rogers, Katherine
Wallner, Mary Jane

Carey, Lorrie
French, Barbara
Moffett, Howard
Schuett, Dianne
Walz, Mary Beth

ROCKINGHAM

Allen, Mary
Copeland, Timothy
Khan, Aboul
Muns, Chris
Wazlaw, Brian

Borden, David
Elliott, Robert
Lundgren, David
Schlachman, Donna
Whittemore, Lisa

Cahill, Michael
Flockhart, Eileen
Mann, Maureen
Sherman, Thomas

Cali-Pitts, Jacqueline
Heffron, Frank
Moody, Marcia
Till, Mary

STRAFFORD

Baber, William
Grassie, Anne
Menear, H. Robert III
Smith, Marjorie

Bixby, Peter
Hooper, Dorothea
Miller, David
Spang, Judith

Gardner, Janice
Horrigan, Timothy
Perry, Robert
Wall, Janet

Ginsburg, Philip
Hubbard, Pamela
Rollo, Deanna
Ward, Kenneth

SULLIVAN

Gagnon, Raymond
Sweeney, Cynthia

Gottling, Suzanne

Irwin, Virginia

Schmidt, Andrew

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

HB 606-FN, relative to community rating. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Edward A. Butler for the Majority of Commerce and Consumer Affairs: This bill would have made significant changes to New Hampshire's market rules as they relate to the small group health insurance market. However, any such changes would be preempted by the new market rules that will take effect as of January 1, 2014 under the federal Affordable Care Act. Thus, pursuing changes to the New Hampshire standards does not make sense at this time. Vote 15-4.

Rep. Pamela Z. Tucker for the Minority of Commerce and Consumer Affairs: This bill increases underwriting in the small group health insurance market. At one time, New Hampshire had a competitive market for health insurance with many insurance companies and some of the lowest rates in the country. Then we instituted severe restrictions, such as community rating and guaranteed issue. Today the number of insurance carriers can be counted on one hand, and our rates are among the highest in the country. HB 606 restores a bit of the free market to health insurance by expanding the community rating ratio to 6 from 3.5, and allowing underwriting on more criteria such as group health status. By increasing flexibility our market will be more attractive to insurance companies, expanding supply, and by allowing underwriting prices will be more attractive to consumers, expanding demand.

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

On a division vote, 236 members having voted in the affirmative and 96 in the negative, the majority committee report was adopted.

HB 135, relative to physical force in defense of a person and relative to the definition of non-deadly force. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Steve Vaillancourt for the Majority of Criminal Justice and Public Safety: This bill, which has been a focus of much attention and a lengthy hearing in Reps Hall, came to the committee with three sections. The committee, in an attempt to reach compromise which balances rights of freedom with safety interests of society, always a delicate balance, accepted an amendment which eliminates two of the three sections of the bill. All that remains is section one which repeals what is widely referred to as the stand your ground provision which was passed last year. This bill does not prevent anyone from owning or carrying guns. It simply takes us back to the practice that was in effect for more than three decades (and was never challenged in court)

which affirms that a person is not justified in using deadly force on another if he or she can retreat from the encounter. Note that nothing about the bill prevents one from using deadly force if retreat is not deemed possible. Also note that the person is not required to retreat if the incident occurs on his or her private property. Thus, the castle doctrine is left intact. The committee believes a legitimate difference can and should be drawn between actions in defense of one's home and actions in common or public areas. The committee amendment removes the controversial section (two), referred to by some as the "brandishing" section in recognition of the Ward Bird case. In other words, what Ward Bird did in the famous case would still be legal because it was in regard to his own property. The committee, in concurrence with the sponsor, also removed section three which would have repealed a statute relative to civil immunity for the use of force. In other words, civil immunity will remain for those using force. Many reasons were stated for retaining section one of the bill, the most salient being that ours would be a safer society if people are not encouraged to use guns on the street as a first resort. Some committee members thought of times when they ran into problems on the street, problems which were resolved but could well have escalated had they or those around them attempted to draw weapons. The majority understands that some will not be happy with passage of even a single section of this bill, but the amendment should be seen as a compromise that most should be able to live with. Vote 12-6. Rep. Kyle J. Tasker for the Minority of Criminal Justice and Public Safety: The minority feels this bill has no demonstrable merit and it would be foolish to change the law every two years without giving current law a chance to demonstrate results. This body is not so fickle as to remove a right once granted.

Majority Amendment (0341h)

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

AMENDED ANALYSIS

This bill eliminates the provision allowing a person to use deadly force anywhere he or she has a right to be.

MOTION TO SPECIAL ORDER

Rep. Shurtleff moved that **HB 135**, relative to physical force in defense of a person and relative to the definition of non-deadly force, be made a Special Order for the next Session day in its Regular Calendar order. Reps. Shurtleff and Chandler spoke in favor.

Motion adopted.

REGULAR CALENDAR - PART II (CONT'D)

(Rep. Kaen in the Chair)

HB 264-FN, relative to simple assault. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Delmar D. Burrige for the Majority of Criminal Justice and Public Safety: This bill provides that an assault which does not result in harm to another shall be charged as a violation and not a misdemeanor. Representatives from the attorney general's office, the coalition against domestic violence and sexual violence offered compelling testimony against this proposal that decriminalizes an assault by contact such as abuser kicks, shoves, slaps, grabs, or spits in the face of another and does not cause a visible injury to the victim, the perpetrator would only be charged with a violation level offense. The penalty for these acts would be \$100 or just 10-hours community service. These noted behaviors begin the slope towards fear, terror and, if unchecked early on by current law, homicide. Vote 16-4.

Rep. Mark Warden for the Minority of Criminal Justice and Public Safety: This bill would reduce the penalty for purposely causing unprivileged physical contact to another from misdemeanor to violation when there is no harm or injury. The committee heard testimony from witnesses who said there are many crowded places where people bump into each other, and to criminalize incidental contact is an inappropriate penalty. The minority believes this bill would lead to reduced expenditures by the state and local law enforcement.

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

Reps. Sweeney and Tamburello spoke against and yielded to questions.

Rep. Pantelakos spoke in favor.

Rep. Burt requested a roll call; sufficiently seconded.

YEAS 218 NAYS 111

YEAS 218

BELKNAP

Arsenault, Beth
Huot, David

DiMartino, Lisa
Raymond, Ian

Fields, Dennis

Gulick, Ruth

CARROLL

Buco, Thomas
Merrow, Harry

Butler, Edward
Ticehurst, Susan

Lavender, Tom
Umberger, Karen

McConkey, Mark
White, Syndi

CHESHIRE

Ames, Richard
Chase, Cynthia
Lerandeau, Alfred
Phillips, Larry
Shepardson, Marjorie
Young, Harry

Berch, Paul
Eaton, Daniel
Ley, Douglas
Roberts, Kris
Tatro, Bruce

Burridge, Delmar
Emerson, Susan
Mann, John
Robertson, Timothy
Weber, Lucy

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

COOS

Coulombe, Gary
Theberge, Robert

Enman, Larry
Thomas, Yvonne

Hammon, Marcia

Moynihan, Wayne

GRAFTON

Almy, Susan
Cooney, Mary
Higgins, Patricia
Nordgren, Sharon
Shackett, Jeffrey
White, Andrew

Benn, Bernard
Ford, Susan
Lauer, Linda
Pastor, Beatriz
Smith, Suzanne

Bradley, Lester
Gionet, Edmond
Lovett, Sid
Piper, Wendy
Sykes, George

Brown, Rebecca
Harding, Laurie
Mulholland, Catherine
Reilly, Harold Sr
Townsend, Charles

HILLSBOROUGH

Backus, Robert
Campbell, David
DiSilvestro, Linda
Goley, Jeffrey
Hansberry, Daniel
Jasper, Shawn
Kurk, Neal
MacKay, Mariellen
McCloskey, David
Pellegrino, Tony
Schmidt, Janice
Spratt, Stephen
Walsh, Robert Jr

Beaulieu, Jane
Chandley, Shannon
Gage, Ruth
Gorman, Mary
Harriott-Gathright, Linda
Judy, Jean
Leishman, Peter
Manley, Jonathan Sr
McNamara, Richard
Porter, Marjorie
Shattuck, Gilman
Sullivan, Daniel
Williams, Carol

Boisvert, Ronald
Connor, Evelyn
Gale, Sylvia
Grady, Brenda
Heden, Ruth
Knowles, Mary Ann
Levesque, Melanie
Martel, Andre
Nelson, Mary
Ramsey, Peter
Shaw, Barbara
Sullivan, Peter
Woodbury, David

Brown, Pamela
Cote, David
Gargas, Carolyn
Hammond, Jill
Jack, Martin
Kopka, Angeline
Long, Patrick
McCarthy, Michael
O'Brien, Michael Sr
Rosenwald, Cindy
Smith, Timothy
Vaillancourt, Steve

MERRIMACK

Alicea, Caroletta
Carey, Lorrie
Frambach, Mary
Henle, Paul
Kidder, David
Patten, Dick
Rogers, Katherine
Smith, Todd
Walsh, Thomas IV

Andrews, Christopher
Carson, Clyde
Frazer, June
Hirsch, Geoffrey
Kotowski, Frank
Ratzki, Mario
Schamberg, Thomas
Tilton, Joy
Walz, Mary Beth

Bartlett, Christy
Davis, Frank
French, Barbara
Karrick, David Jr
MacKay, James
Rice, Chip
Schuett, Dianne
Turcotte, Alan
Watrous, Rick

Burns, Scott
Ebel, Karen
Gile, Mary
Kelly, Sally
Moffett, Howard
Richardson, Gary
Shurtleff, Stephen
Wallner, Mary Jane
Webb, Leigh

ROCKINGHAM

Andrews-Ahearn, E. Elaine
Charron, Gene
Elliott, Robert
Grace, Curtis
Khan, Aboul
McKinney, Betsy
O'Connor, John
Sherman, Thomas
Wazlaw, Brian

Borden, David
Copeland, Timothy
Emerson-Brown, Rebecca
Griffin, Mary
Lovejoy, Patricia
Milz, David
Pantelakos, Laura
St.James, Kevin
Whittemore, Lisa

Cahill, Michael
Cushing, Robert Jr
Fesh, Robert
Heffron, Frank
Major, Norman
Moody, Marcia
Priestley, Anne
Till, Mary

Cali-Pitts, Jacqueline
Devine, James
Flockhart, Eileen
Helmstetter, Barbara
Mann, Maureen
Muns, Chris
Schlachman, Donna
Ward, Gerald

STRAFFORD

Baber, William
Gardner, Janice
Hooper, Dorothea
Menear, H. Robert III
Rollo, Deanna
Spang, Judith
Ward, Kenneth

Berube, Roger
Ginsburg, Philip
Horrigan, Timothy
Miller, David
Schmidt, Peter
Stevens, Audrey

Bixby, Peter
Grassie, Anne
Hubbard, Pamela
Perry, Robert
Smith, Marjorie
Verschuere, James

Burke, Rachel
Grossman, Kenneth
Malloy, Dennis
Rogers, Rose Marie
Spainhower, Dale
Wall, Janet

SULLIVAN

Cloutier, John
Irwin, Virginia
Sweeney, Cynthia

Gagnon, Raymond
Lefebvre, Benjamin
Tanner, Linda

Gottling, Suzanne
Schmidt, Andrew

Grenier, James
Smith, Steven

NAYS 111 BELKNAP

Burchell, Richard
Luther, Robert
Worsman, Colette

Comtois, Guy
Sylvia, Michael

Cormier, Jane
Tilton, Franklin

Greemore, Robert Jr
Vadney, Herbert

CARROLL

Cordelli, Glenn

Nelson, Bill

Schmidt, Stephen

Wright, Donald

CHESHIRE

Hunt, John

Johnson, Jane

COOS

Rappaport, Laurence

Richardson, Herbert

Rideout, Leon

GRAFTON

Doolan, Ralph Jr

Friedrich, Carol

Ladd, Rick Jr

HILLSBOROUGH

Barry, Richard
Byron, Frank
Daniels, Gary
Graham, John
Infantine, William
LeVasseur, Richard
Murphy, Kelleigh
Palmer, Stephen
Renzullo, Andrew
Stroud, Kathleen
Warden, Mark

Belanger, James
Carroll, Douglas
Danielson, David
Haefner, Robert
Lambert, George
Meaney, Richard
Notter, Jeanine
Parison, James
Rowe, Robert
Sweeney, Shawn
Willette, Robert

Boehm, Ralph
Cebrowski, John
Flanagan, Jack
Hansen, Peter
LeBrun, Donald
Murotake, David
O'Flaherty, Tim
Peterson, Lenette
Sandblade, Emily
Takesian, Charlene
Williams, Kermit

Burt, John
Coffey, James
Gagne, Larry
Hikel, John
Levasseur, Nickolas
Murphy, Keith
Ober, Russell III
Pratt, Calvin
Straight, Philip
Villeneuve, Moe
Winters, Joel

MERRIMACK

Lockwood, Priscilla

McGuire, Carol

McGuire, Dan

ROCKINGHAM

Abrami, Patrick
Birdsell, Regina
Duarte, Joe
Garcia, Bianca
Harris, Jeffrey
Kappler, Lawrence
Rice, Frederick
Sytek, John
Tremblay, Stella

Allen, Mary
Chirichiello, Brian
Dumaine, Dudley
Garcia, Marilinda
Hodgdon, Bruce
Lundgren, David
Sanders, Elisabeth
Tamburello, Daniel
Waterhouse, Kevin

Baldasaro, Alfred
Comerford, Timothy
Emerick, J. Tracy
Gordon, Richard
Hoelzel, Kathleen
Nigrello, Robert
Schroadter, Adam
Tasker, Kyle
Webb, James Sr

Bick, Patrick
Danaïs, Romeo
Ferrante, Beverly
Hagan, Joseph
Itse, Daniel
Perkins, Lawrence
Sedensky, John
Thompson, David
Weyler, Kenneth

STRAFFORD

Bickford, David
Parsons, Robbie

Gray, James
Pitre, Joseph

Groen, Warren

Jones, Laura

SULLIVAN

Rollins, Skip

and the majority committee report was adopted.

HB 290-FN, prohibiting unlicensed persons from openly carrying a pistol or revolver in a public building.
INEXPEDIENT TO LEGISLATE.

Rep. Kyle J. Tasker for Criminal Justice and Public Safety: This bill is ill conceived as it attaches a class B felony to what has always been legal and if concealed without a pistol/revolver license a first offense is only a misdemeanor. On a side note, long guns are not addressed so someone without a pistol/revolver license would be free to carry an AR-15 or shotgun openly or concealed in a public building. Vote 14-4.

Rep. Baldasaro requested a roll call; sufficiently seconded.

YEAS 322 NAYS 9

YEAS 322 BELKNAP

Arsenault, Beth
DiMartino, Lisa
Huot, David
Tilton, Franklin

Burchell, Richard
Fields, Dennis
Luther, Robert
Vadney, Herbert

Comtois, Guy
Greemore, Robert Jr
Raymond, Ian
Worsman, Colette

Cormier, Jane
Gulick, Ruth
Sylvia, Michael

CARROLL

Ahlgren, Christopher
Lavender, Tom
Schmidt, Stephen
Wright, Donald

Buco, Thomas
McConkey, Mark
Ticehurst, Susan

Butler, Edward
Merrow, Harry
Umberger, Karen

Cordelli, Glenn
Nelson, Bill
White, Syndi

CHESHIRE

Ames, Richard
Chase, Cynthia
Johnsen, Gladys
Mann, John
Sad, Tara
Young, Harry

Berch, Paul
Eaton, Daniel
Johnson, Jane
Parkhurst, Henry
Shepardson, Marjorie

Burridge, Delmar
Emerson, Susan
Lerandeau, Alfred
Phillips, Larry
Tatro, Bruce

Butynski, William
Hunt, John
Ley, Douglas
Roberts, Kris
Weber, Lucy

COOS

Coulombe, Gary
Rappaport, Laurence
Thomas, Yvonne

Enman, Larry
Richardson, Herbert

Hammon, Marcia
Rideout, Leon

Moynihan, Wayne
Theberge, Robert

GRAFTON

Almy, Susan
Cooney, Mary
Gionet, Edmond
Lauer, Linda
Pastor, Beatriz
Smith, Suzanne

Benn, Bernard
Doolan, Ralph Jr
Harding, Laurie
Lovett, Sid
Piper, Wendy
Sykes, George

Bradley, Lester
Ford, Susan
Higgins, Patricia
Mulholland, Catherine
Reilly, Harold Sr
Townsend, Charles

Brown, Rebecca
Friedrich, Carol
Ladd, Rick Jr
Nordgren, Sharon
Shackett, Jeffrey
White, Andrew

HILLSBOROUGH

Backus, Robert
Boehm, Ralph
Byron, Frank
Chandley, Shannon
Daniels, Gary
Gage, Ruth
Goley, Jeffrey
Haefner, Robert
Harriott-Gathright, Linda
Jack, Martin
Kopka, Angeline
Leishman, Peter
Long, Patrick
McCloskey, David
Murphy, Keith
O'Brien, Michael Sr
Parison, James
Pratt, Calvin
Rowe, Robert
Shattuck, Gilman
Straight, Philip
Sweeney, Shawn
Walsh, Robert Jr
Williams, Kermit

Barry, Richard
Boisvert, Ronald
Campbell, David
Coffey, James
Danielson, David
Gagne, Larry
Gorman, Mary
Hammond, Jill
Heden, Ruth
Jasper, Shawn
Kurk, Neal
Levasseur, Nickolas
MacKay, Mariellen
McNamara, Richard
Murphy, Kelleigh
O'Flaherty, Tim
Pellegrino, Tony
Ramsey, Peter
Sanborn, Laurie
Shaw, Barbara
Stroud, Kathleen
Takesian, Charlene
Warden, Mark
Winters, Joel

Beaulieu, Jane
Brown, Pamela
Carroll, Douglas
Connor, Evelyn
DiSilvestro, Linda
Gale, Sylvia
Grady, Brenda
Hansberry, Daniel
Hikel, John
Judy, Jean
Lambert, George
LeVasseur, Richard
Martel, Andre
Meaney, Richard
Nelson, Mary
Ober, Russell III
Peterson, Lenette
Renzullo, Andrew
Sandblade, Emily
Smith, Timothy
Sullivan, Daniel
Vaillancourt, Steve
Willette, Robert
Woodbury, David

Belanger, James
Burt, John
Cebrowski, John
Cote, David
Flanagan, Jack
Gargas, Carolyn
Graham, John
Hansen, Peter
Infantine, William
Knowles, Mary Ann
LeBrun, Donald
Levesque, Melanie
McCarthy, Michael
Murotake, David
Notter, Jeanine
Palmer, Stephen
Porter, Marjorie
Rosenwald, Cindy
Schmidt, Janice
Spratt, Stephen
Sullivan, Peter
Villeneuve, Moe
Williams, Carol

MERRIMACK

Alicea, Caroletta
Carson, Clyde
Frazer, June
Hirsch, Geoffrey
Kotowski, Frank
McGuire, Dan
Rice, Chip
Schuett, Dianne
Turcotte, Alan
Watrous, Rick

Andrews, Christopher
Davis, Frank
French, Barbara
Karrick, David Jr
Lockwood, Priscilla
Moffett, Howard
Richardson, Gary
Shurtleff, Stephen
Wallner, Mary Jane
Webb, Leigh

Bartlett, Christy
Ebel, Karen
Gile, Mary
Kelly, Sally
MacKay, James
Patten, Dick
Rogers, Katherine
Smith, Todd
Walsh, Thomas IV

Burns, Scott
Frambach, Mary
Henle, Paul
Kidder, David
McGuire, Carol
Ratzki, Mario
Schamberg, Thomas
Tilton, Joy
Walz, Mary Beth

ROCKINGHAM

Abrami, Patrick
Birdsell, Regina
Charron, Gene
Cushing, Robert Jr
Dumaine, Dudley

Allen, Mary
Borden, David
Chirichiello, Brian
Danais, Romeo
Elliott, Robert

Andrews-Ahearn, E. Elaine
Cahill, Michael
Comerford, Timothy
Devine, James
Emerick, J. Tracy

Bick, Patrick
Cali-Pitts, Jacqueline
Copeland, Timothy
Duarte, Joe
Ferrante, Beverly

Fesh, Robert
Gordon, Richard
Harris, Jeffrey
Hoelzel, Kathleen
Lovejoy, Patricia
Milz, David
Pantelakos, Laura
Sanders, Elisabeth
Sherman, Thomas
Tasker, Kyle
Ward, Gerald
Weyler, Kenneth

Flockhart, Eileen
Grace, Curtis
Heffron, Frank
Itse, Daniel
Lundgren, David
Muns, Chris
Perkins, Lawrence
Schlachman, Donna
St.James, Kevin
Thompson, David
Waterhouse, Kevin
Whittemore, Lisa

Garcia, Bianca
Griffin, Mary
Helmstetter, Barbara
Kappler, Lawrence
Major, Norman
Nigrello, Robert
Priestley, Anne
Schroadter, Adam
Sytek, John
Till, Mary
Wazlaw, Brian

Garcia, Marilinda
Hagan, Joseph
Hodgdon, Bruce
Khan, Aboul
Mann, Maureen
O'Connor, John
Rice, Frederick
Sedensky, John
Tamburello, Daniel
Tremblay, Stella
Webb, James Sr

STRAFFORD

Baber, William
Burke, Rachel
Gray, James
Horrigan, Timothy
Menear, H. Robert III
Pitre, Joseph
Smith, Marjorie
Wall, Janet

Berube, Roger
Gardner, Janice
Groen, Warren
Hubbard, Pamela
Miller, David
Rogers, Rose Marie
Spainhower, Dale
Ward, Kenneth

Bickford, David
Ginsburg, Philip
Grossman, Kenneth
Jones, Laura
Parsons, Robbie
Rollo, Deanna
Stevens, Audrey

Bixby, Peter
Grassie, Anne
Hooper, Dorothea
Malloy, Dennis
Perry, Robert
Schmidt, Peter
Verschueren, James

SULLIVAN

Cloutier, John
Irwin, Virginia
Smith, Steven

Gagnon, Raymond
Lefebvre, Benjamin
Sweeney, Cynthia

Gottling, Suzanne
Rollins, Skip
Tanner, Linda

Grenier, James
Schmidt, Andrew

NAYS 9 BELKNAP

None

CARROLL

None

CHESHIRE

Robertson, Timothy

Weed, Charles

COOS

None

GRAFTON

None

HILLSBOROUGH

Manley, Jonathan Sr

MERRIMACK

Carey, Lorrie

ROCKINGHAM

Baldasaro, Alfred

Emerson-Brown, Rebecca

McKinney, Betsy

Moody, Marcia

STRAFFORD

Spang, Judith

SULLIVAN

None

and the committee report was adopted.

Rep. Baldasaro voted Nay and intended to vote Yea.

HB 381, relative to citizen complaints against a police officer. **INEXPEDIENT TO LEGISLATE.**

Rep. Laura C. Pantelakos for Criminal Justice and Public Safety: The committee felt that there are very strong policies in place in police departments throughout the state to take care of citizen's complaints. We had a former police officer testify that officers are fired for telling lies. Vote 15-5.

Committee report adopted.

(Speaker Norelli in the Chair)

HB 443-FN, prohibiting prison privatization. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Laura C. Pantelakos for the Majority of Criminal Justice and Public Safety: The majority of the committee believes that prison privatization is not good for the state because our constitution says that we are supposed to rehabilitate. The committee recognizes that prisoners are not the only ones affected by privatization and those family members also feel the effects. Many reports regarding privatization of prisons show the negative aspects of privatization. The amendment allows the commissioner the flexibility to move inmates in a case of emergency. Vote 13-5.

Rep. Steve Vaillancourt for the Minority of Criminal Justice and Public Safety: The state has spent a great deal of money studying privatization of prisons; in fact the results are not yet in. That's why the minority is bewildered at the rush to pass this bill which would in fact prohibit privatization. The bill is a classic example of putting the cart before the horse; those who oppose privatization should make their case when and if a bill calling for that ever comes forward. What this bill does is allow people to stand on a soap box and sound off before all the results are in. The bill is virtually meaningless because one legislature cannot bind a future legislature with a bill; only a constitutional amendment can be so binding. Thus, whether or not this bill passes, a legislature elected in 2014 could simply ignore it. The minority is perplexed by the certainty with which proponents of this bill state that private prisons are denying rights of prisoners and deny rehabilitation programs. If in fact the state could save millions of dollars with privatization—and again, no decision has yet been made—we would conceivably have more dollars to spend for the very same programs the majority claims to champion. Most disturbing is a statement from a member in the majority who said she would not favor privatization even if the state realized \$20 million in savings. At a time when we are hard pressed to fund necessary programs, such statements send a very bad signal indeed. Other than making some people feel good about demonizing private enterprise, this bill accomplishes nothing and could be harmful indeed. For example, there is no evidence to the majorities' contention that private facilities would absolutely scrimp on food and basic services like heat to prisoners. There is evidence, however, that some corrections officers at state-run prisons make more in benefits than they do in salary, a long-term structural concern that must be addressed. Whether or not privatization is the answer, a ban on even studying the concept is certainly not the answer.

Majority Amendment (0563h)

Amend RSA 21-H:8, VII as inserted by section 2 of the bill to read as follows:

VII.(a) The commissioner may order the assignment and transfer of persons committed to his *or her* custody to correctional facilities of the department or *correctional facilities operated by state governments in other jurisdictions, or public* facilities under contract with the department. *The commissioner shall not enter into a contract with a private or for-profit entity for the custody of state or county inmates.*

(b) Notwithstanding subparagraph (a), if the governor, upon recommendation of the commissioner, declares by executive order that a corrections emergency exists that requires the commissioner to enter into a temporary contract with a private or for-profit entity to secure provisional housing for displaced inmates, the commissioner may enter into such a contract, pending approval of the governor and the council. Any such contract shall be for no more than 3 months and may be extended, with executive council approval, for no more than 3 months at a time and for no more than 21 months after the governor first determines that the prison emergency exists. Temporary contracts entered into under this section shall not permanently or indefinitely replace New Hampshire department of corrections correctional facilities or contracts with other publicly-operated facilities.

AMENDED ANALYSIS

This bill prohibits the department of corrections from transferring custody of prisoners to a correctional facility operated by a private or for-profit entity, except when the governor, upon recommendation of the commissioner of the department of corrections, declares by executive order that a corrections emergency exists. Majority committee amendment adopted.

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

Rep. Cushing spoke in favor and yielded to questions.

Rep. Dan McGuire spoke against.

MOTION TO LAY ON THE TABLE

Rep. Rideout moved that **HB 443-FN**, prohibiting prison privatization, be laid on the table.

Rep. Rideout requested a roll call; sufficiently seconded.

YEAS 144 NAYS 189

YEAS 144
BELKNAP

Burchell, Richard
Luther, Robert
Worsman, Colette

Comtois, Guy
Sylvia, Michael

Cormier, Jane
Tilton, Franklin

Greemore, Robert Jr
Vadney, Herbert

CARROLL

Ahlgren, Christopher
McConkey, Mark
Umberger, Karen

Chandler, Gene
Merrow, Harry
Wright, Donald

Cordelli, Glenn
Nelson, Bill

Lavender, Tom
Schmidt, Stephen

CHESHIRE

Butynski, William
Lerandeau, Alfred

Emerson, Susan
Roberts, Kris

Hunt, John

Johnson, Jane

COOS

Rappaport, Laurence

Richardson, Herbert

Rideout, Leon

Theberge, Robert

GRAFTON

Bradley, Lester
Reilly, Harold Sr

Brown, Rebecca
Shackett, Jeffrey

Doolan, Ralph Jr

Ladd, Rick Jr

HILLSBOROUGH

Barry, Richard
Byron, Frank
Daniels, Gary
Haefner, Robert
Kurk, Neal
LeVasseur, Richard
Notter, Jeanine
Parison, James
Ramsey, Peter
Sandblade, Emily
Vaillancourt, Steve

Belanger, James
Carroll, Douglas
Flanagan, Jack
Hansen, Peter
Lambert, George
Martel, Andre
Ober, Lynne
Pellegrino, Tony
Renzullo, Andrew
Stroud, Kathleen
Villeneuve, Moe

Boehm, Ralph
Cebrowski, John
Gagne, Larry
Hikel, John
LeBrun, Donald
McCarthy, Michael
Ober, Russell III
Peterson, Lenette
Rowe, Robert
Sweeney, Shawn
Warden, Mark

Burt, John
Coffey, James
Graham, John
Jasper, Shawn
Levasseur, Nickolas
Meaney, Richard
Palmer, Stephen
Pratt, Calvin
Sanborn, Laurie
Takesian, Charlene
Willette, Robert

MERRIMACK

Carson, Clyde
McGuire, Carol

Kidder, David
McGuire, Dan

Kotowski, Frank
Smith, Todd

Lockwood, Priscilla
Walsh, Thomas IV

ROCKINGHAM

Abrami, Patrick
Birdsell, Regina
Comerford, Timothy
Dumaine, Dudley
Fesh, Robert
Grace, Curtis
Hodgdon, Bruce
Khan, Aboul
Milz, David
Priestley, Anne
Sedensky, John
Tremblay, Stella

Allen, Mary
Cali-Pitts, Jacqueline
Copeland, Timothy
Elliott, Robert
Garcia, Bianca
Griffin, Mary
Hoelzel, Kathleen
Lundgren, David
Nigrello, Robert
Rice, Frederick
St.James, Kevin
Waterhouse, Kevin

Baldasaro, Alfred
Charron, Gene
Devine, James
Emerick, J. Tracy
Garcia, Marilinda
Hagan, Joseph
Itse, Daniel
Major, Norman
O'Connor, John
Sanders, Elisabeth
Sytek, John
Webb, James Sr

Bick, Patrick
Chirichiello, Brian
Duarte, Joe
Ferrante, Beverly
Gordon, Richard
Harris, Jeffrey
Kappler, Lawrence
McKinney, Betsy
Perkins, Lawrence
Schroadter, Adam
Tamburello, Daniel
Weyler, Kenneth

STRAFFORD

Bickford, David
Parsons, Robbie

Gray, James
Pitre, Joseph

Groen, Warren
Verschueren, James

Jones, Laura

SULLIVAN

Rollins, Skip

Smith, Steven

NAYS 189**BELKNAP**

Arsenault, Beth
Huot, David

DiMartino, Lisa
Raymond, Ian

Fields, Dennis

Gulick, Ruth

CARROLL

Buco, Thomas

Butler, Edward

Ticehurst, Susan

White, Syndi

CHESHIRE

Ames, Richard
Eaton, Daniel
Parkhurst, Henry
Shepardson, Marjorie
Young, Harry

Berch, Paul
Johnsen, Gladys
Phillips, Larry
Tatro, Bruce

Burridge, Delmar
Ley, Douglas
Robertson, Timothy
Weber, Lucy

Chase, Cynthia
Mann, John
Sad, Tara
Weed, Charles

COOS

Coulombe, Gary
Moynihan, Wayne

Enman, Larry
Thomas, Yvonne

Hammon, Marcia

Hatch, William

GRAFTON

Almy, Susan
Friedrich, Carol
Lauer, Linda
Pastor, Beatriz
Townsend, Charles

Benn, Bernard
Gionet, Edmond
Lovett, Sid
Piper, Wendy
White, Andrew

Cooney, Mary
Harding, Laurie
Mulholland, Catherine
Smith, Suzanne

Ford, Susan
Higgins, Patricia
Nordgren, Sharon
Sykes, George

HILLSBOROUGH

Backus, Robert
Campbell, David
Danielson, David
Gargas, Carolyn
Hammond, Jill
Infantine, William
Kopka, Angeline
MacKay, Mariellen
Murotake, David
O'Brien, Michael Sr
Schmidt, Janice
Spratt, Stephen
Williams, Carol

Beaulieu, Jane
Chandlee, Shannon
DiSilvestro, Linda
Goley, Jeffrey
Hansberry, Daniel
Jack, Martin
Leishman, Peter
Manley, Jonathan Sr
Murphy, Keith
O'Flaherty, Tim
Shattuck, Gilman
Sullivan, Daniel
Williams, Kermit

Boisvert, Ronald
Connor, Evelyn
Gage, Ruth
Gorman, Mary
Harriott-Gathright, Linda
Judy, Jean
Levesque, Melanie
McCloskey, David
Murphy, Kelleigh
Porter, Marjorie
Shaw, Barbara
Sullivan, Peter
Winters, Joel

Brown, Pamela
Cote, David
Gale, Sylvia
Grady, Brenda
Heden, Ruth
Knowles, Mary Ann
Long, Patrick
McNamara, Richard
Nelson, Mary
Rosenwald, Cindy
Smith, Timothy
Walsh, Robert Jr
Woodbury, David

MERRIMACK

Alicea, Caroletta
Carey, Lorrie
Frazer, June
Hirsch, Geoffrey
MacKay, James
Rice, Chip
Schuett, Dianne
Wallner, Mary Jane

Andrews, Christopher
Davis, Frank
French, Barbara
Hunt, Jane
Moffett, Howard
Richardson, Gary
Shurtleff, Stephen
Walz, Mary Beth

Bartlett, Christy
Ebel, Karen
Gile, Mary
Karrick, David Jr
Patten, Dick
Rogers, Katherine
Tilton, Joy
Watrous, Rick

Burns, Scott
Frambach, Mary
Henle, Paul
Kelly, Sally
Ratzki, Mario
Schamberg, Thomas
Turcotte, Alan
Webb, Leigh

ROCKINGHAM

Andrews-Ahearn, E. Elaine
Emerson-Brown, Rebecca
Lovejoy, Patricia
Pantelakos, Laura
Till, Mary

Borden, David
Flockhart, Eileen
Mann, Maureen
Schlachman, Donna
Ward, Gerald

Cahill, Michael
Heffron, Frank
Moody, Marcia
Sherman, Thomas
Wazlaw, Brian

Cushing, Robert Jr
Helmstetter, Barbara
Muns, Chris
Thompson, David
Whittemore, Lisa

STRAFFORD

Baber, William
Gardner, Janice
Hooper, Dorothea
Malloy, Dennis
Rogers, Rose Marie
Spainhower, Dale
Ward, Kenneth

Berube, Roger
Ginsburg, Philip
Horriggan, Timothy
Menear, H. Robert III
Rollo, Deanna
Spang, Judith

Bixby, Peter
Grassie, Anne
Hubbard, Pamela
Miller, David
Schmidt, Peter
Stevens, Audrey

Burke, Rachel
Grossman, Kenneth
Kaen, Naida
Perry, Robert
Smith, Marjorie
Wall, Janet

SULLIVAN

Cloutier, John
Irwin, Virginia
Tanner, Linda

Gagnon, Raymond
Lefebvre, Benjamin

Gottling, Suzanne
Schmidt, Andrew

Grenier, James
Sweeney, Cynthia

and the motion failed.

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

YEAS 197 NAYS 136**YEAS 197
BELKNAP**

Arsenault, Beth
Huot, David

DiMartino, Lisa
Raymond, Ian

Fields, Dennis

Gulick, Ruth

CARROLL

Buco, Thomas

Butler, Edward

Ticehurst, Susan

White, Syndi

CHESHIRE

Ames, Richard
Eaton, Daniel
Ley, Douglas
Robertson, Timothy
Weber, Lucy

Berch, Paul
Emerson, Susan
Mann, John
Sad, Tara
Weed, Charles

Burridge, Delmar
Johnsen, Gladys
Parkhurst, Henry
Shepardson, Marjorie
Young, Harry

Chase, Cynthia
Lerandeau, Alfred
Phillips, Larry
Tatro, Bruce

COOS

Coulombe, Gary
Moynihan, Wayne

Enman, Larry
Thomas, Yvonne

Hammon, Marcia

Hatch, William

GRAFTON

Almy, Susan
Friedrich, Carol
Lauer, Linda
Pastor, Beatriz
Sykes, George

Benn, Bernard
Gionet, Edmond
Lovett, Sid
Piper, Wendy
Townsend, Charles

Cooney, Mary
Harding, Laurie
Mulholland, Catherine
Reilly, Harold Sr
White, Andrew

Ford, Susan
Higgins, Patricia
Nordgren, Sharon
Smith, Suzanne

HILLSBOROUGH

Backus, Robert
Campbell, David
Cote, David
Gorman, Mary
Harriott-Gathright, Linda
Knowles, Mary Ann
Levesque, Melanie
McCarthy, Michael
Nelson, Mary
Rosenwald, Cindy
Smith, Timothy
Walsh, Robert Jr
Winters, Joel

Beaulieu, Jane
Carroll, Douglas
DiSilvestro, Linda
Grady, Brenda
Heden, Ruth
Kopka, Angeline
Long, Patrick
McCloskey, David
O'Brien, Michael Sr
Schmidt, Janice
Spratt, Stephen
Warden, Mark
Woodbury, David

Boisvert, Ronald
Chandley, Shannon
Gale, Sylvia
Hammond, Jill
Jack, Martin
Leishman, Peter
MacKay, Mariellen
McNamara, Richard
O'Flaherty, Tim
Shattuck, Gilman
Sullivan, Daniel
Williams, Carol

Brown, Pamela
Connor, Evelyn
Goley, Jeffrey
Hansberry, Daniel
Judy, Jean
Levasseur, Nickolas
Manley, Jonathan Sr
Murotake, David
Porter, Marjorie
Shaw, Barbara
Sullivan, Peter
Williams, Kermit

MERRIMACK

Alicea, Caroletta
Carey, Lorrie
Frambach, Mary
Henle, Paul
Kelly, Sally
Patten, Dick
Rogers, Katherine
Tilton, Joy
Watrous, Rick

Andrews, Christopher
Carson, Clyde
Frazer, June
Hirsch, Geoffrey
Lockwood, Priscilla
Ratzki, Mario
Schamberg, Thomas
Turcotte, Alan
Webb, Leigh

Bartlett, Christy
Davis, Frank
French, Barbara
Hunt, Jane
MacKay, James
Rice, Chip
Schuett, Dianne
Wallner, Mary Jane

Burns, Scott
Ebel, Karen
Gile, Mary
Karrick, David Jr
Moffett, Howard
Richardson, Gary
Shurtleff, Stephen
Walz, Mary Beth

ROCKINGHAM

Andrews-Ahearn, E. Elaine
Comerford, Timothy
Flockhart, Eileen
Lovejoy, Patricia
Pantelakos, Laura
Sytek, John
Whittemore, Lisa

Borden, David
Copeland, Timothy
Heffron, Frank
Mann, Maureen
Perkins, Lawrence
Till, Mary

Cahill, Michael
Cushing, Robert Jr
Helmstetter, Barbara
Moody, Marcia
Schlachman, Donna
Ward, Gerald

Cali-Pitts, Jacqueline
Emerson-Brown, Rebecca
Itse, Daniel
Muns, Chris
Sherman, Thomas
Wazlaw, Brian

STRAFFORD

Baber, William
Ginsburg, Philip
Horrigan, Timothy
Menear, H. Robert III
Rollo, Deanna
Spang, Judith
Ward, Kenneth

Berube, Roger
Grassie, Anne
Hubbard, Pamela
Miller, David
Schmidt, Peter
Stevens, Audrey

Bixby, Peter
Grossman, Kenneth
Kaen, Naida
Perry, Robert
Smith, Marjorie
Verschueren, James

Burke, Rachel
Hooper, Dorothea
Malloy, Dennis
Rogers, Rose Marie
Spainhower, Dale
Wall, Janet

SULLIVAN

Cloutier, John
Irwin, Virginia
Tanner, Linda

Gagnon, Raymond
Lefebvre, Benjamin

Gottling, Suzanne
Schmidt, Andrew

Grenier, James
Sweeney, Cynthia

NAYS 136**BELKNAP**

Burchell, Richard
Luther, Robert
Worsman, Colette

Comtois, Guy
Sylvia, Michael

Cormier, Jane
Tilton, Franklin

Greemore, Robert Jr
Vadney, Herbert

CARROLL

Ahlgren, Christopher
McConkey, Mark
Umberger, Karen

Chandler, Gene
Merrow, Harry
Wright, Donald

Cordelli, Glenn
Nelson, Bill

Lavender, Tom
Schmidt, Stephen

CHESHIRE

Butynski, William

Hunt, John

Johnson, Jane

Roberts, Kris

COOS

Rappaport, Laurence

Richardson, Herbert

Rideout, Leon

Theberge, Robert

GRAFTONBradley, Lester
Shackett, Jeffrey

Brown, Rebecca

Doolan, Ralph Jr

Ladd, Rick Jr

HILLSBOROUGHBarry, Richard
Byron, Frank
Danielson, David
Gargas, Carolyn
Hikel, John
Lambert, George
Meaney, Richard
Ober, Lynne
Pellegrino, Tony
Renzullo, Andrew
Stroud, Kathleen
Villeneuve, MoeBelanger, James
Cebrowski, John
Flanagan, Jack
Graham, John
Infantine, William
LeBrun, Donald
Murphy, Keith
Ober, Russell III
Peterson, Lenette
Rowe, Robert
Sweeney, Shawn
Willette, RobertBoehm, Ralph
Coffey, James
Gage, Ruth
Haefner, Robert
Jasper, Shawn
LeVasseur, Richard
Murphy, Kelleigh
Palmer, Stephen
Pratt, Calvin
Sanborn, Laurie
Takesian, CharleneBurt, John
Daniels, Gary
Gagne, Larry
Hansen, Peter
Kurk, Neal
Martel, Andre
Notter, Jeanine
Parison, James
Ramsey, Peter
Sandblade, Emily
Vaillancourt, Steve**MERRIMACK**Kidder, David
Smith, ToddKotowski, Frank
Walsh, Thomas IV

McGuire, Carol

McGuire, Dan

ROCKINGHAMAbrami, Patrick
Birdsell, Regina
Duarte, Joe
Ferrante, Beverly
Gordon, Richard
Harris, Jeffrey
Khan, Aboul
Milz, David
Rice, Frederick
St.James, Kevin
Waterhouse, KevinAllen, Mary
Charron, Gene
Dumaine, Dudley
Fesh, Robert
Grace, Curtis
Hodgdon, Bruce
Lundgren, David
Nigrello, Robert
Sanders, Elisabeth
Tamburello, Daniel
Webb, James SrBaldasaro, Alfred
Chirichiello, Brian
Elliott, Robert
Garcia, Bianca
Griffin, Mary
Hoelzel, Kathleen
Major, Norman
O'Connor, John
Schroadter, Adam
Thompson, David
Weyler, KennethBick, Patrick
Devine, James
Emerick, J. Tracy
Garcia, Marilinda
Hagan, Joseph
Kappler, Lawrence
McKinney, Betsy
Priestley, Anne
Sedensky, John
Tremblay, Stella**STRAFFORD**Bickford, David
Jones, LauraGardner, Janice
Parsons, RobbieGray, James
Pitre, Joseph

Groen, Warren

SULLIVAN

Rollins, Skip

Smith, Steven

and the majority committee report was adopted and ordered to third reading.
Rep. Danaïs declared a conflict of interest and did not participate.

The House recessed at 12:15 p.m.

RECESS

The House reconvened at 1:30 p.m.

(Rep. Kaen in the Chair)

HB 451-FN, repealing the license requirement for carrying a concealed pistol or revolver. **INEXPEDIENT TO LEGISLATE.**

Rep. Laura C. Pantelakos for Criminal Justice and Public Safety: The majority of the committee believes this bill is unnecessary because current law regarding the issuance of concealed carry permits is sufficient. The present system ensures that local police departments do not issue licenses to persons that should not have them. Vote 14-4.

MOTION TO SPECIAL ORDER

Rep. Itse moved that **HB 451-FN**, repealing the license requirement for carrying a concealed pistol or revolver, be made a Special Order for the next Session day in its Regular Calendar order.

Rep. Itse spoke in favor.

Motion adopted.

REGULAR CALENDAR – PART II (CONT'D)

HB 621-FN, decriminalizing possession of less than one ounce of marijuana. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Linda Harriott-Gathright for the Majority of Criminal Justice and Public Safety: According to the national institute on drug abuse (NIDA), marijuana is an illicit drug, not legally permitted or authorized; unlicensed; unlawful in New Hampshire and most states within the United States. The national institute of health (NIH) says men who use marijuana may increase their risk for developing testicular cancer. Contrary to common belief, marijuana is habit forming, it's downright addictive. Long-time users trying to quit report that withdrawal symptoms such as irritability, sleeplessness, decreased appetite, anxiety and drug craving are experienced. Marijuana seriously impairs judgment and motor coordination and more than doubles a driver's risk of being in an accident. Under this bill, youth under the age of 18, with one ounce (20-30 joints) will be fined \$100.00 and ordered to attend drug rehabilitation training. Those who fail to attend the training will be fined \$1,000-2,000 dollars depending on the classification of A or B misdemeanor charge. Ultimately it's the parent's responsibility to pay the fine. Marijuana is the drug of choice amongst our young people in comparison to alcohol and even cigarettes. Finally, it should not be forgotten or ignored that the federal government continues to list marijuana as an illegal drug. Vote 12-6.

Rep. Steve Vaillancourt for the Minority of Criminal Justice and Public Safety: Although the committee has retained another bill (HB 492) dealing with legalization and regulation of marijuana, the minority believes that the least we should do in the meantime is pass this bill for decriminalization of small amounts (up to an ounce) immediately. Experience has proven the war on drugs has been lost, and we need to refocus our efforts, concentrating on truly harmful drugs and leaving those who possess small amounts of marijuana alone. All studies indicate that marijuana is far less harmful to the individual and to society than the legal substances of alcohol and tobacco. We are wasting millions of taxpayer dollars on both enforcement and incarceration (\$35,000 per person per year), which could be put to better use elsewhere. Counterintuitively, decriminalization may in fact lead to less usage. Data reveals, for example, that marijuana use in the United States is approximately twice as great (ten versus five percent) as in the Netherlands where the substance is legal and readily available. By margins of 55-45 percent, voters in both Colorado and Washington last November decided to legalize marijuana. These are not opinion polls, but actual votes. Most valid pollsters have found a dramatic increase in support for legalization, from heavily opposed to slightly in favor at this time. The trend is continuing in favor on a regular basis, and while we should never legislate based solely on polling data, we need to be cognizant when mores of society change. Passage of this bill will save the state millions of dollars, and it will stop making criminals of individuals who are otherwise law abiding citizens. While information is being gained this summer regarding legalization, regulation and yes, taxation, we should pass this decriminalization bill today.

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

(Speaker Norelli in the Chair)

Reps. Vaillancourt and Robertson spoke against and yielded to questions.

Rep. Harriott-Gathright spoke in favor.

Rep. Pantelakos requested a roll call; sufficiently seconded.

YEAS 136 NAYS 193**YEAS 136
BELKNAP**

Cormier, Jane
Sylvia, Michael

Fields, Dennis
Tilton, Franklin

Huot, David

Raymond, Ian

CARROLL

Ahlgren, Christopher
Lavender, Tom
Umberger, Karen

Buco, Thomas
McConkey, Mark

Chandler, Gene
Morrow, Harry

Cordelli, Glenn
Nelson, Bill

CHESHIRE

Burridge, Delmar
Mann, John

Butynski, William
Parkhurst, Henry

Emerson, Susan

Johnson, Jane

COOS

Enman, Larry
Rideout, Leon

Hammon, Marcia
Thomas, Yvonne

Rappaport, Laurence

Richardson, Herbert

GRAFTON

Bradley, Lester
Harding, Laurie
Piper, Wendy

Cooney, Mary
Ladd, Rick Jr
Reilly, Harold Sr

Doolan, Ralph Jr
Lauer, Linda
Sykes, George

Ford, Susan
Nordgren, Sharon

HILLSBOROUGH

Boehm, Ralph
 Connor, Evelyn
 Gale, Sylvia
 Graham, John
 Harriott-Gathright, Linda
 Knowles, Mary Ann
 LeVasseur, Richard
 Palmer, Stephen
 Rowe, Robert

Brown, Pamela
 Cote, David
 Gargas, Carolyn
 Haefner, Robert
 Heden, Ruth
 Kopka, Angeline
 Manley, Jonathan Sr
 Pellegrino, Tony
 Sanborn, Laurie

Byron, Frank
 Daniels, Gary
 Goley, Jeffrey
 Hansberry, Daniel
 Jasper, Shawn
 LeBrun, Donald
 McCarthy, Michael
 Peterson, Lenette
 Spratt, Stephen

Cebrowski, John
 Flanagan, Jack
 Grady, Brenda
 Hansen, Peter
 Jeudy, Jean
 Leishman, Peter
 Nelson, Mary
 Rosenwald, Cindy
 Straight, Philip

MERRIMACK

Burns, Scott
 Frambach, Mary
 MacKay, James
 Rogers, Katherine
 Tilton, Joy

Carey, Lorrie
 Frazer, June
 Moffett, Howard
 Schuett, Dianne
 Webb, Leigh

Davis, Frank
 Kelly, Sally
 Patten, Dick
 Shurtleff, Stephen

Ebel, Karen
 Kotowski, Frank
 Richardson, Gary
 Smith, Todd

ROCKINGHAM

Abrami, Patrick
 Copeland, Timothy
 Garcia, Bianca
 Hagan, Joseph
 Kappler, Lawrence
 Pantelakos, Laura
 Tamburello, Daniel
 Weyler, Kenneth

Allen, Mary
 Dumaine, Dudley
 Garcia, Marilinda
 Harris, Jeffrey
 Khan, Aboul
 Perkins, Lawrence
 Thompson, David

Bick, Patrick
 Elliott, Robert
 Gordon, Richard
 Hodgdon, Bruce
 Major, Norman
 Priestley, Anne
 Wazlaw, Brian

Birdsell, Regina
 Fesh, Robert
 Griffin, Mary
 Hoelzel, Kathleen
 Mann, Maureen
 Sanders, Elisabeth
 Webb, James Sr

STRAFFORD

Berube, Roger
 Kaen, Naida
 Stevens, Audrey

Gray, James
 Malloy, Dennis
 Wall, Janet

Groen, Warren
 Rollo, Deanna

Hubbard, Pamela
 Smith, Marjorie

SULLIVAN

Gagnon, Raymond
 Sweeney, Cynthia

Rollins, Skip

Schmidt, Andrew

Smith, Steven

NAYS 193**BELKNAP**

Arsenault, Beth
 Greemore, Robert Jr
 Worsman, Colette

Burchell, Richard
 Gulick, Ruth

Comtois, Guy
 Luther, Robert

DiMartino, Lisa
 Vadney, Herbert

CARROLL

Butler, Edward
 Wright, Donald

Schmidt, Stephen

Ticehurst, Susan

White, Syndi

CHESHIRE

Ames, Richard
 Johnsen, Gladys
 Robertson, Timothy
 Weber, Lucy

Berch, Paul
 Ley, Douglas
 Sad, Tara
 Weed, Charles

Chase, Cynthia
 Phillips, Larry
 Shepardson, Marjorie
 Young, Harry

Eaton, Daniel
 Roberts, Kris
 Tatro, Bruce

COOS

Coulombe, Gary

Moynihan, Wayne

Theberge, Robert

GRAFTON

Almy, Susan
 Gionet, Edmond
 Shackett, Jeffrey

Benn, Bernard
 Higgins, Patricia
 Smith, Suzanne

Brown, Rebecca
 Lovett, Sid
 Townsend, Charles

Friedrich, Carol
 Mulholland, Catherine
 White, Andrew

HILLSBOROUGH

Backus, Robert
 Burt, John
 Coffey, James
 Gagne, Larry
 Jack, Martin
 Levesque, Melanie
 McNamara, Richard
 Murphy, Kelleigh

Barry, Richard
 Campbell, David
 Danielson, David
 Hammond, Jill
 Kurk, Neal
 Long, Patrick
 Meaney, Richard
 Notter, Jeanine

Beaulieu, Jane
 Carroll, Douglas
 DiSilvestro, Linda
 Hikel, John
 Lambert, George
 MacKay, Mariellen
 Murotake, David
 O'Brien, Michael Sr

Belanger, James
 Chandley, Shannon
 Gage, Ruth
 Infantine, William
 Levasseur, Nickolas
 McCloskey, David
 Murphy, Keith
 O'Flaherty, Tim

Ober, Lynne
 Renzullo, Andrew
 Shattuck, Gilman
 Sullivan, Daniel
 Willeneuve, Moe
 Williams, Carol

Ober, Russell III
 Rhodes, Brian
 Shaw, Barbara
 Sullivan, Peter
 Walsh, Robert Jr
 Williams, Kermit

Porter, Marjorie
 Sandblade, Emily
 Smith, Timothy
 Takesian, Charlene
 Warden, Mark
 Winters, Joel

Pratt, Calvin
 Schmidt, Janice
 Stroud, Kathleen
 Vaillancourt, Steve
 Willette, Robert
 Woodbury, David

MERRIMACK

Alicea, Caroletta
 Carson, Clyde
 Hirsch, Geoffrey
 Lockwood, Priscilla
 Rice, Chip
 Walz, Mary Beth

Andrews, Christopher
 French, Barbara
 Hunt, Jane
 McGuire, Carol
 Schamberg, Thomas
 Watrous, Rick

Bartlett, Christy
 Gile, Mary
 Karrick, David Jr
 McGuire, Dan
 Turcotte, Alan

Bouchard, Candace
 Henle, Paul
 Kidder, David
 Ratzki, Mario
 Walsh, Thomas IV

ROCKINGHAM

Andrews-Ahearn, E. Elaine
 Cahill, Michael
 Comerford, Timothy
 Duarte, Joe
 Flockhart, Eileen
 Itse, Daniel
 Milz, David
 O'Connor, John
 Sedensky, John
 Tasker, Kyle
 Waterhouse, Kevin

Baldasaro, Alfred
 Cali-Pitts, Jacqueline
 Cushing, Robert Jr
 Emerick, J. Tracy
 Grace, Curtis
 Lovejoy, Patricia
 Moody, Marcia
 Rice, Frederick
 Sherman, Thomas
 Till, Mary
 Whittemore, Lisa

Belanger, Ronald
 Charron, Gene
 Danaïs, Romeo
 Emerson-Brown, Rebecca
 Heffron, Frank
 Lundgren, David
 Muns, Chris
 Schlachman, Donna
 St.James, Kevin
 Tremblay, Stella

Borden, David
 Chirichiello, Brian
 Devine, James
 Ferrante, Beverly
 Helmstetter, Barbara
 McKinney, Betsy
 Nigrello, Robert
 Schroadter, Adam
 Sytek, John
 Ward, Gerald

STRAFFORD

Baber, William
 Gardner, Janice
 Hooper, Dorothea
 Miller, David
 Pitre, Joseph
 Spang, Judith

Bickford, David
 Ginsburg, Philip
 Horrigan, Timothy
 Parsons, Robbie
 Rogers, Rose Marie
 Verschueren, James

Bixby, Peter
 Grassie, Anne
 Jones, Laura
 Pelletier, Marsha
 Schmidt, Peter
 Ward, Kenneth

Burke, Rachel
 Grossman, Kenneth
 Menear, H. Robert III
 Perry, Robert
 Spainhower, Dale

SULLIVAN

Cloutier, John
 Lefebvre, Benjamin

Gottling, Suzanne
 Tanner, Linda

Grenier, James

Irwin, Virginia

and the majority committee report failed.

Rep. Winters moved the minority committee report of Ought to Pass and offered floor amendment (1079h).

Floor Amendment (1079h)

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

AN ACT decriminalizing possession of one quarter of an ounce or less of marijuana.

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

1 New Section; Controlled Drug Act; Personal Possession of Small Amounts of Marijuana. Amend RSA 318-B by inserting after section 2-b the following new section:

318-B:2-c Personal Possession of Small Amounts of Marijuana.

I. Any person possessing 1/4 ounce or less of marijuana, including any adulterants or dilutants, for personal use, shall be guilty of a violation.

II.(a) Any person 18 years of age or older who is in possession of 1/4 ounce or less of marijuana, including any adulterants or dilutants, and who engages in any conduct prohibited under RSA 318-B:2 shall be guilty of a violation and subject to a fine not to exceed \$200 and forfeiture of the marijuana.

(b) Any person under 18 years of age who is in possession of 1/4 ounce or less of marijuana, including any adulterants or dilutants, and who engages in any conduct prohibited under RSA 318-B:2 shall be guilty of a violation and subject to a fine not to exceed \$200 and forfeiture of the marijuana. The offender's parents or legal guardians shall be notified of the offense. The court shall order the offender to complete an approved drug awareness program, at the offender's expense, within one year of the date of the offense. Further, the court shall order the offender to participate in community service which shall be completed within one year of the date of the offense. The offender shall furnish the court with evidence of completion of both an approved drug awareness program and community service. An offender who fails to complete either a drug awareness program or community service, or both, shall be subject to a fine of \$1,000.

2 Controlled Drug Act; Penalties. Amend RSA 318-B:26, II(d) to read as follows:

(d) In the case of marijuana *in a quantity of 1/4 ounce or less*, including any adulterants or dilutants[~~-or~~], *the person shall be guilty of a violation. In the case of 5 grams or less of hashish*, the person shall be guilty of a class A misdemeanor.

3 Controlled Drug Act; Penalties. Amend RSA 318-B:26, III(a) to read as follows:

(a) Controls any premises or vehicle where he knows a controlled drug or its analog is illegally kept or deposited, ***provided that this subparagraph shall not apply if the controlled drug is 1/4 ounce or less of marijuana as provided in RSA 318-B:2-c;***

4 Effective Date. This act shall take effect January 1, 2014.

AMENDED ANALYSIS

This bill provides that any person who possesses 1/4 of an ounce of marijuana or less shall be guilty of a violation and shall be subject to a fine of up to \$200.

Reps. Winters and Vaillancourt spoke in favor.

Rep. Jasper spoke against and yielded to questions.

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

On a division vote, 229 members having voted in the affirmative and 100 in the negative, floor amendment (1079h) was adopted.

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

On a division vote, 214 members having voted in the affirmative and 115 in the negative, the minority committee report was adopted and ordered to third reading.

REMOVED FROM THE TABLE

Rep. Pantelakos moved that ***HB 619-FN***, prohibiting images of a person's residence to be taken from the air, be removed from the table.

On a division vote, 187 members having voted in the affirmative and 136 in the negative, the motion was adopted.

MOTION TO SPECIAL ORDER

Rep. Pantelakos moved that ***HB 619-FN***, prohibiting images of a person's residence to be taken from the air, be made a Special Order for the next Session day in its Regular Calendar order.

Rep. Pantelakos spoke in favor.

Adopted.

REGULAR CALENDAR – PART II (CONT'D)

HB 661-FN, allocating a portion of proceeds from forfeiture of items used in connection with a drug offense to the cold case homicide unit. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Steve Vaillancourt for the Majority of Criminal Justice and Public Safety: While sympathetic with the work of the cold case homicide unit, the majority does not believe this bill represents the proper way to fund it. The bill (and its amendments) represents an end run around the budgetary process by creating special funding for this unit. The committee heard that the governor has in fact allocated funds for this unit in her budget, and thus it will be discussed in the normal budgetary process. The original bill would have deposited ten percent of drug forfeiture funds into a fund for the cold case homicide unit. Aside from the wisdom of earmarking funds by legislation, the committee also heard that such an approach is most likely not possible. The commissioner of the department of safety wrote the committee, "The use of supplanted funds from federally shared forfeitures is not allowed. The funds must be used to increase and not replace agency funding." Various members of the committee have run into similar obstacles when using drug forfeiture funds at the county level. In fact, Hillsborough County received a legal opinion to that effect last year. An amendment to the bill would have forced the attorney general to transfer \$500,000 from drug forfeiture funds to the cold case unit, an even more questionable tactic. Aside from those concerns, some of the committee believed we should focus our law enforcement dollars on solving or preventing crimes which are currently negatively impacting our citizenry. Thus even if we could transfer these funds, there was no consensus that we should. The Finance Committee is the best place for these arguments as it puts the state budget together in the coming weeks. Vote 14-6.

Rep. Brenda E. Grady for the Minority of Criminal Justice and Public Safety: In 2009 legislation was passed to establish a Cold Case Homicide Unit to try to solve the over 100 unsolved murders in the state. Money to fund the work of this unit for 3 years came from a federal grant. To date no general fund dollars have been used to support this important specialized criminal justice work. HB 661 would use a small portion of the proceeds of the sale of items or property used in connection with a drug offense to investigate unsolved murders that involved the use, possession, sale or distribution of illegal drugs. If enacted, ten percent of the proceeds from the sale of property forfeited under RSA 319-B:17 would be deposited into the Cold Case Homicide Unit Fund established last year by the legislature in HB 138. The Minority recognizes the governor has included money in the budget she submitted to the legislature includes some funding for the Cold Case Homicide Unit and is supportive of that line item. HB 661 seeks to provide a source of money to expand the work of the Cold Case Homicide unit with a focus on drug related murders. The minority acknowledges that

some in the Majority do not see the value in spending money pursuing the killers from murders committed years ago, and oppose the Cold Case Homicide Unit. The Minority believes that just as New Hampshire has no statute of limitations on the crime of murder, there should be no time limit on the state trying to bring murderers to justice. Failing to try to solve unsolved killings, including those involving illegal drugs, sends a message that some people can get away with murder and the state of New Hampshire won't care. The Criminal Justice and Public Safety Committee heard testimony in support of HB 661 from family members of unsolved homicides who shared painful details about their experience with murder and feeling abandoned by the state, knowing that the person who killed their loved one remained at large and was able to kill again. The Coalition Against Domestic and Sexual Violence supported HB 661. The Minority urges passage of the bill with the Minority Amendment to signal to the 115 families whose murdered loved one appears on Cold Case Homicide Unit List of Victims that New Hampshire is committed to justice, and to send a clear message to those who kill that the state of New Hampshire is committed to seeing that no one gets away with murder.

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

Reps. Carol Williams and Cushing spoke against.

Rep. Vaillancourt spoke in favor.

Rep. Andrews-Ahern requested a roll call; not sufficiently seconded.

On a division vote, 257 members having voted in the affirmative and 56 in the negative, the majority committee report was adopted.

HB 603-FN, relative to the administration of the university system of New Hampshire. **INEXPEDIENT TO LEGISLATE.**

Rep. Barbara E. Shaw for Education: The committee appreciates the spirit of this bill, but the majority deems it unnecessary at this time. A comprehensive study by the Huron consulting firm completed in July 2012 helped the university to identify and develop a number of recommendations supporting a well-coordinated system focused on maximizing efficiencies. The steps are being implemented and efficiencies are being realized. Students, parents and taxpayers would be better served if the university system is allowed to continue to respond itself to the priorities and needs of our state. Vote 13-7.

MOTION TO LAY ON THE TABLE

Rep. Cordelli moved that **HB 603-FN**, relative to the administration of the university system of New Hampshire, be laid on the table.

On a division vote, 125 members having voted in the affirmative and 178 in the negative, the motion failed.

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

Rep. Parsons spoke against.

Rep. Shaw spoke in favor and yielded to questions.

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

On a division vote, 193 members having voted in the affirmative and 110 in the negative, the committee report was adopted.

HB 624-FN, waiving the residency requirement for in-state tuition rates for veterans attending the university system of New Hampshire. **OUGHT TO PASS WITH AMENDMENT.**

Rep. James L. Grenier for Education: This bill, as amended, will waive the residency requirement for veterans and allow them to be eligible for in-state tuition rates when attending the University System of New Hampshire. The original bill required a veteran to establish residency within one year of separation from service. The majority of members of the committee agreed that veterans should be eligible for in-state tuition whenever in their lives they choose to attend this state's university system. Any citizen of this country may move to New Hampshire, establish residency and wait twelve months to be eligible for in-state tuition when attending the university system of New Hampshire. This bill, as amended, gives veterans time; New Hampshire will forgive veterans that twelve month wait. Many have attended programs recognizing the service of our veterans. It is often said, "We will always remember and honor your sacrifice." HB 624 is an opportunity to make certain these words will ring true in New Hampshire by resolve and statute. Vote 17-3.

Amendment (0559h)

Amend RSA 187-A:20-c as inserted by section 1 of the bill by replacing it with the following:

187-A:20-c **Waver of Residency Requirement for In-State Tuition For Veterans.** A veteran of the armed forces who establishes a residence in New Hampshire shall immediately after establishing such residence be eligible for in-state tuition rates when attending the university system of New Hampshire.

Amendment adopted.

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

On a division vote, 281 members having voted in the affirmative and 28 in the negative, the committee report was adopted and ordered to third reading.

HB 287-FN, eliminating voter identification requirements. **INEXPEDIENT TO LEGISLATE.**

Rep. Gary B. Richardson for Election Law: This bill would have eliminated a number of voter identification requirements. A majority of the committee preferred the compromise contained in HB 595 that retains current law providing for a range of acceptable photo ID, but does not require election officials to photograph voters or limit the types of identification that is acceptable. The attorney general is reviewing the procedures followed during the last election and additional legislation may or may not be warranted when the results are known. Accordingly, the committee recommends that the bill be found inexpedient to legislate at this time. Vote 12-6. Rep. Horrigan spoke against and yielded to questions.

Rep. Gary Richardson spoke in favor.

Rep. Tamburello requested a roll call; sufficiently seconded.

YEAS 276 NAYS 38**YEAS 276****BELKNAP**

Cormier, Jane
Huot, David
Worsman, Colette

DiMartino, Lisa
Luther, Robert

Fields, Dennis
Sylvia, Michael

Greemore, Robert Jr
Tilton, Franklin

CARROLL

Ahlgren, Christopher
Cordelli, Glenn
Nelson, Bill
Wright, Donald

Buco, Thomas
Lavender, Tom
Schmidt, Stephen

Butler, Edward
McConkey, Mark
Umberger, Karen

Chandler, Gene
Morrow, Harry
White, Syndi

CHESHIRE

Ames, Richard
Eaton, Daniel
Parkhurst, Henry
Shepardson, Marjorie

Berch, Paul
Johnson, Jane
Roberts, Kris
Tatro, Bruce

Butynski, William
Ley, Douglas
Robertson, Timothy
Weber, Lucy

Chase, Cynthia
Mann, John
Sad, Tara
Young, Harry

COOS

Coulombe, Gary
Moynihan, Wayne
Thomas, Yvonne

Enman, Larry
Richardson, Herbert

Hammon, Marcia
Rideout, Leon

Hatch, William
Theberge, Robert

GRAFTON

Almy, Susan
Cooney, Mary
Gionet, Edmond
Mulholland, Catherine
Shackett, Jeffrey
White, Andrew

Benn, Bernard
Doolan, Ralph Jr
Harding, Laurie
Nordgren, Sharon
Smith, Suzanne

Bradley, Lester
Ford, Susan
Ladd, Rick Jr
Piper, Wendy
Sykes, George

Brown, Rebecca
Friedrich, Carol
Lovett, Sid
Reilly, Harold Sr
Townsend, Charles

HILLSBOROUGH

Backus, Robert
Boehm, Ralph
Campbell, David
Coffey, James
Danielson, David
Gagne, Larry
Graham, John
Hansen, Peter
Jasper, Shawn
Kurk, Neal
Levasseur, Nickolas
McCarthy, Michael
Murotake, David
Notter, Jeanine
Palmer, Stephen
Pratt, Calvin
Rosenwald, Cindy
Shaw, Barbara
Sweeney, Shawn
Walsh, Robert Jr

Barry, Richard
Brown, Pamela
Carroll, Douglas
Connor, Evelyn
DiSilvestro, Linda
Gale, Sylvia
Haefner, Robert
Heden, Ruth
Judy, Jean
Lambert, George
Levesque, Melanie
McCloskey, David
Murphy, Keith
O'Brien, Michael Sr
Pellegrino, Tony
Ramsey, Peter
Rowe, Robert
Spratt, Stephen
Takesian, Charlene
Willette, Robert

Beaulieu, Jane
Burt, John
Chandley, Shannon
Cote, David
Flanagan, Jack
Goley, Jeffrey
Hammond, Jill
Hikel, John
Knowles, Mary Ann
LeBrun, Donald
Long, Patrick
McNamara, Richard
Murphy, Kelleigh
Ober, Lynne
Peterson, Lenette
Renzullo, Andrew
Sandblade, Emily
Straight, Philip
Vaillancourt, Steve
Woodbury, David

Belanger, James
Byron, Frank
Christiansen, Lars
Daniels, Gary
Gage, Ruth
Grady, Brenda
Hansberry, Daniel
Infantine, William
Kopka, Angeline
Leishman, Peter
MacKay, Mariellen
Meaney, Richard
Nelson, Mary
Ober, Russell III
Porter, Marjorie
Rhodes, Brian
Shattuck, Gilman
Stroud, Kathleen
Villeneuve, Moe

MERRIMACK

Alicea, Caroletta
Carey, Lorrie

Andrews, Christopher
Carson, Clyde

Bouchard, Candace
Davis, Frank

Burns, Scott
Ebel, Karen

Frambach, Mary
Hunt, Jane
Lockwood, Priscilla
Patten, Dick
Schamberg, Thomas
Tilton, Joy
Walz, Mary Beth

Frazer, June
Karrick, David Jr
McGuire, Carol
Ratzki, Mario
Schuett, Dianne
Turcotte, Alan
Webb, Leigh

French, Barbara
Kelly, Sally
McGuire, Dan
Rice, Chip
Shurtleff, Stephen
Wallner, Mary Jane

Gile, Mary
Kotowski, Frank
Moffett, Howard
Richardson, Gary
Smith, Todd
Walsh, Thomas IV

ROCKINGHAM

Abrami, Patrick
Bick, Patrick
Cali-Pitts, Jacqueline
Copeland, Timothy
Elliott, Robert
Flockhart, Eileen
Griffin, Mary
Hodgdon, Bruce
Khan, Aboul
McKinney, Betsy
Nigrello, Robert
Priestley, Anne
Schroadter, Adam
Sytek, John
Waterhouse, Kevin

Allen, Mary
Birdsell, Regina
Charron, Gene
Danaïs, Romeo
Emerick, J. Tracy
Garcia, Bianca
Hagan, Joseph
Hoelzel, Kathleen
Lovejoy, Patricia
Milz, David
O'Connor, John
Rice, Frederick
Sedensky, John
Tamburello, Daniel
Webb, James Sr

Baldasaro, Alfred
Borden, David
Chirichiello, Brian
Duarte, Joe
Ferrante, Beverly
Garcia, Marilinda
Harris, Jeffrey
Itse, Daniel
Lundgren, David
Moody, Marcia
Pantelakos, Laura
Sanders, Elisabeth
Sherman, Thomas
Thompson, David
Weyler, Kenneth

Belanger, Ronald
Cahill, Michael
Comerford, Timothy
Dumaine, Dudley
Fesh, Robert
Gordon, Richard
Heffron, Frank
Kappler, Lawrence
Major, Norman
Muns, Chris
Perkins, Lawrence
Schlachman, Donna
St.James, Kevin
Tremblay, Stella
Whittemore, Lisa

STRAFFORD

Baber, William
Burke, Rachel
Groen, Warren
Malloy, Dennis
Pelletier, Marsha
Spainhower, Dale
Wall, Janet

Berube, Roger
Ginsburg, Philip
Hubbard, Pamela
Menear, H. Robert III
Pitre, Joseph
Spang, Judith

Bickford, David
Grassie, Anne
Jones, Laura
Miller, David
Rogers, Rose Marie
Stevens, Audrey

Bixby, Peter
Gray, James
Kaen, Naida
Parsons, Robbie
Smith, Marjorie
Verschueren, James

SULLIVAN

Gagnon, Raymond
Lefebvre, Benjamin
Sweeney, Cynthia

Gottling, Suzanne
Rollins, Skip
Tanner, Linda

Grenier, James
Schmidt, Andrew

Irwin, Virginia
Smith, Steven

NAYS 38 BELKNAP

Burchell, Richard

Comtois, Guy

Gulick, Ruth

Vadney, Herbert

CARROLL

CHESHIRE

COOS

GRAFTON

HILLSBOROUGH

Harriott-Gathright, Linda
Schmidt, Janice
Williams, Kermit

Jack, Martin
Smith, Timothy
Winters, Joel

Manley, Jonathan Sr
Sullivan, Daniel

O'Flaherty, Tim
Sullivan, Peter

MERRIMACK

Bartlett, Christy

Henle, Paul

Hirsch, Geoffrey

Rogers, Katherine

ROCKINGHAM

Cushing, Robert Jr
Till, Mary

Devine, James
Ward, Gerald

Emerson-Brown, Rebecca
Wazlaw, Brian

Mann, Maureen

STRAFFORD

Gardner, Janice
Perry, Robert

Grossman, Kenneth
Rollo, Deanna

Horrigan, Timothy
Schmidt, Peter

Ketel, Stephen

SULLIVAN

Cloutier, John

and the committee report was adopted.

HB 595-FN, relative to photo identification of voters. **MAJORITY: OUGHT TO PASS. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Gary B. Richardson for the Majority of Election Laws: This bill maintains current law with respect to the photo identification of voters, but eliminates provisions of the law that have not yet gone into effect. As such, it is a compromise between those who would repeal all forms of photo identification and those who would require election officials to photograph voters without a photo ID when they vote and want to significantly limit what would be acceptable proof of identification. This would constitute a governmental intrusion for the great majority of people who vote honestly but do not possess the limited forms of acceptable identification that the new law would allow. The existence of voter fraud is hotly disputed and remains controversial. Although current law calls for an investigation into voters who have been sent letters that have been returned as "undeliverable," a majority of the committee does not believe that the inability to deliver mail proves voter fraud. In addition, the committee received evidence from the secretary of state that purchasing digital cameras would cost the state approximately \$82,000 with maintenance expenditures of over \$60,000 annually to administer. In any event, the majority of the committee believes that it is premature to consider such governmental intrusion until the attorney general's investigation has been conducted and there is real evidence that voter fraud through false impersonation is actually occurring. Vote 11-7.

Rep. Shawn N. Jasper for the Minority of Election Law: The minority agrees with the majority on the issue of allowing the forms of identification that were acceptable in November to continue to be used in future elections. The minority and the majority disagree on the issue of having pictures taken of those who lack photo identification when registering to vote. The claim has been made for years that there is no voter fraud in New Hampshire; the simple fact of the matter is that until now we have never actively looked for it. This past election was the first election in which those individuals using two of the three types of affidavits, when registering to vote, were required to send back cards affirming the information sworn to. At this point we know that the attorney general will have to investigate 1690 individuals who gave addresses for which the letters sent to them were returned as undeliverable. Another 2200 cards have not been returned, as required by law and while the deadline for about 900 of those has not yet passed, it is not likely that the majority of them will be returned, resulting in additional investigations of no less than 1299 and up to a possible 2200. It is clear to the minority that it is too soon to say that there was no voter fraud in 2012; we believe that until the office of the attorney general issues a final report on the investigations we should do nothing to weaken the voter identification law. The minority understands that there is a cost associated with taking pictures of those who have no photo identification; the secretary of state has estimated that it would cost less than \$80,000 to purchase the equipment necessary to carry out the purposes of the bill. The secretary has stated that those funds are available within the unrestricted help America vote act (HAVA) fund. The minority amendment would move the requirement of having a picture taken when requesting a ballot without a picture id to when registering to vote without one. Those who lack a photo id will still be eligible to receive a photo id at no cost. It is unrealistic to think that people who register to vote without an photo id and do not have their picture taken will be easily located, if the affidavit is returned as undeliverable, taking a picture is not only a deterrent to fraud, but may also be the only means of finding an individual.

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

Rep. Jasper offered minority committee amendment (0615h).

Minority Amendment (0615h)

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

2 Determining Identity of Voter Registration Applicant; Photograph. Amend RSA 654:12, III to read as follows:

III.(a) To prove the qualifications set forth in paragraphs I and II, an applicant for registration as a voter must prove his or her identity to establish that the evidence used to prove age, citizenship, and domicile relate to the applicant. A person who has in his or her immediate possession a photo identification approved for use by paragraph II must present that identification when applying for registration. A person who does not have an approved photo identification with him or her may establish identity through completion of the qualified voter affidavit, which shall be retained in accordance with RSA 33-A:3-a. Residents of a nursing home or similar facility may prove their identity through verification of identity by the administrator of the facility or by his or her designee. For the purposes of this section, the application of a person whose identity has been verified by an official of a nursing home or similar facility shall be treated in the same manner as the application of a person who proved his or her identity with a photo identification.

(b) If the voter executes a qualified voter affidavit to prove his or her identity, the supervisors of the checklist or the town or city clerk shall take a photograph of the voter and immediately print

and attach the photograph to, and thus make it a part of, the affidavit form. The photograph shall be 2 inches by 2 inches, or larger, and be in color. The supervisor of the checklist or the town or city clerk who took the photograph and the voter shall then sign the challenged voter affidavit. The supervisor of the checklist or the town or city clerk shall delete the photograph from the camera in the presence of the voter. If a supervisor of the checklist or the town or city clerk is unable to take the voter's photograph due to equipment failure or other cause beyond the supervisor's or clerk's reasonable control, the voter may execute a qualified voter affidavit without a photograph. If the voter objects to the photograph requirement because of religious beliefs, he or she may execute an affidavit of religious exemption, which shall be attested to by an election officer and attached to the challenged voter affidavit. The affidavit of religious exemption shall be in the following form:

AFFIDAVIT OF RELIGIOUS EXEMPTION

Name: _____

Domicile Address: _____

Date of birth: _____

I hereby swear or affirm that because of my religious beliefs, I object to having my photograph taken and that I do not possess a form of identification that meets the requirements of the election laws of this state showing my photograph.

I hereby swear or affirm, under the penalties for voting fraud set forth below, that I am the identical person whom I represent myself to be and that to the best of my knowledge and belief the information above is true and correct.

(Signature of affiant)

In accordance with RSA 659:34, the penalty for knowingly or purposely providing false information when voting is a class A misdemeanor with a maximum sentence of imprisonment not to exceed one year and a fine not to exceed \$2,000. Fraudulently registering to vote or voting is subject to a civil penalty not to exceed \$5,000.

This affidavit was executed before us on the date shown and the person who subscribed his or her name to the foregoing affidavit swore that the facts contained in this affidavit are true to the best of his or her knowledge and belief.

(Name of Election Officer)

(Date)

(Signature of Election Officer)

(c) The secretary of state shall provide to each town or city the photography equipment, supplies, and printing device that are necessary to enable it to comply with the photography provision of subparagraph (b), along with instructions in their use.

AMENDED ANALYSIS

This bill repeals changes to laws requiring photo identification of voters scheduled to take effect September 1, 2013. This bill also requires that a person registering to vote be photographed if he or she does not present a photo identification to prove identity.

Rep. Jasper spoke in favor and yielded to questions.

Rep. Gary Richardson spoke against and yielded to questions.

Rep. LeBrun requested a roll call; sufficiently seconded.

YEAS 126 NAYS 180

YEAS 126

BELKNAP

Burchell, Richard
Greemore, Robert Jr
Worsman, Colette

Comtois, Guy
Sylvia, Michael

Cormier, Jane
Tilton, Franklin

Fields, Dennis
Vadney, Herbert

CARROLL

Ahlgren, Christopher
Morrow, Harry
Wright, Donald

Chandler, Gene
Nelson, Bill

Cordelli, Glenn
Schmidt, Stephen

McConkey, Mark
Umberger, Karen

CHESHIRE

Emerson, Susan

Johnson, Jane

COOS

Rideout, Leon

GRAFTON

Bradley, Lester
Reilly, Harold Sr

Doolan, Ralph Jr
Shackett, Jeffrey

Gionet, Edmond

Ladd, Rick Jr

HILLSBOROUGH

Barry, Richard
Byron, Frank
Danielson, David
Haefner, Robert
Kurk, Neal
Meaney, Richard
Notter, Jeanine
Pellegrino, Tony
Sandblade, Emily
Sweeney, Shawn

Belanger, James
Christiansen, Lars
Flanagan, Jack
Hansen, Peter
Lambert, George
Murotake, David
Ober, Lynne
Peterson, Lenette
Shaw, Barbara
Takesian, Charlene

Boehm, Ralph
Coffey, James
Gagne, Larry
Hikel, John
LeBrun, Donald
Murphy, Keith
Ober, Russell III
Pratt, Calvin
Straight, Philip
Villeneuve, Moe

Burt, John
Daniels, Gary
Graham, John
Jasper, Shawn
McCarthy, Michael
Murphy, Kelleigh
Palmer, Stephen
Rowe, Robert
Stroud, Kathleen
Willette, Robert

MERRIMACK

Kotowski, Frank
Smith, Todd

Lockwood, Priscilla
Walsh, Thomas IV

McGuire, Carol

McGuire, Dan

ROCKINGHAM

Abrami, Patrick
Birdsell, Regina
Copeland, Timothy
Dumaine, Dudley
Fesh, Robert
Griffin, Mary
Hoelzel, Kathleen
Lundgren, David
O'Connor, John
Sanders, Elisabeth
Tamburello, Daniel
Webb, James Sr

Baldasaro, Alfred
Charron, Gene
Danais, Romeo
Elliott, Robert
Garcia, Bianca
Hagan, Joseph
Itse, Daniel
Major, Norman
Perkins, Lawrence
Sedensky, John
Thompson, David
Weyler, Kenneth

Belanger, Ronald
Chirichiello, Brian
Devine, James
Emerick, J. Tracy
Garcia, Marilinda
Harris, Jeffrey
Kappler, Lawrence
McKinney, Betsy
Priestley, Anne
St.James, Kevin
Tremblay, Stella

Bick, Patrick
Comerford, Timothy
Duarte, Joe
Ferrante, Beverly
Gordon, Richard
Hodgdon, Bruce
Khan, Aboul
Milz, David
Rice, Frederick
Sytek, John
Waterhouse, Kevin

STRAFFORD

Gray, James
Pitre, Joseph

Groen, Warren

Jones, Laura

Parsons, Robbie

SULLIVAN

Grenier, James

Rollins, Skip

**NAYS 180
BELKNAP**

DiMartino, Lisa

Gulick, Ruth

Huot, David

CARROLL

Buco, Thomas
White, Syndi

Butler, Edward

Lavender, Tom

Ticehurst, Susan

CHESHIRE

Ames, Richard
Chase, Cynthia
Parkhurst, Henry
Tatro, Bruce

Berch, Paul
Eaton, Daniel
Robertson, Timothy
Weber, Lucy

Burridge, Delmar
Ley, Douglas
Sad, Tara
Young, Harry

Butynski, William
Mann, John
Shepardson, Marjorie

COOS

Coulombe, Gary
Moynihan, Wayne

Enman, Larry
Richardson, Herbert

Hammon, Marcia
Theberge, Robert

Hatch, William
Thomas, Yvonne

GRAFTON

Almy, Susan
Ford, Susan
Lauer, Linda
Piper, Wendy
White, Andrew

Benn, Bernard
Friedrich, Carol
Lovett, Sid
Smith, Suzanne

Brown, Rebecca
Harding, Laurie
Mulholland, Catherine
Sykes, George

Cooney, Mary
Higgins, Patricia
Nordgren, Sharon
Townsend, Charles

HILLSBOROUGH

Backus, Robert
Carroll, Douglas
DiSilvestro, Linda

Beaulieu, Jane
Chandley, Shannon
Gage, Ruth

Brown, Pamela
Connor, Evelyn
Gale, Sylvia

Campbell, David
Cote, David
Goley, Jeffrey

Grady, Brenda
Heden, Ruth
Kopka, Angeline
Long, Patrick
McNamara, Richard
Porter, Marjorie
Schmidt, Janice
Sullivan, Daniel
Williams, Kermit

Hammond, Jill
Jack, Martin
Leishman, Peter
MacKay, Mariellen
Nelson, Mary
Ramsey, Peter
Shattuck, Gilman
Sullivan, Peter
Winters, Joel

Hansberry, Daniel
Jeudy, Jean
Levasseur, Nickolas
Manley, Jonathan Sr
O'Brien, Michael Sr
Rhodes, Brian
Smith, Timothy
Vaillancourt, Steve
Woodbury, David

Harriott-Gathright, Linda
Knowles, Mary Ann
Levesque, Melanie
McCloskey, David
O'Flaherty, Tim
Rosenwald, Cindy
Spratt, Stephen
Walsh, Robert Jr

MERRIMACK

Alicea, Caroletta
Burns, Scott
Ebel, Karen
Gile, Mary
Kelly, Sally
Rice, Chip
Schuett, Dianne
Wallner, Mary Jane

Andrews, Christopher
Carey, Lorrie
Frambach, Mary
Henle, Paul
Moffett, Howard
Richardson, Gary
Shurtleff, Stephen
Walz, Mary Beth

Bartlett, Christy
Carson, Clyde
Frazer, June
Hirsch, Geoffrey
Patten, Dick
Rogers, Katherine
Tilton, Joy
Webb, Leigh

Bouchard, Candace
Davis, Frank
French, Barbara
Karrick, David Jr
Ratzki, Mario
Schamberg, Thomas
Turcotte, Alan

ROCKINGHAM

Allen, Mary
Cushing, Robert Jr
Lovejoy, Patricia
Pantelakos, Laura
Ward, Gerald

Borden, David
Emerson-Brown, Rebecca
Mann, Maureen
Schlachman, Donna
Wazlaw, Brian

Cahill, Michael
Flockhart, Eileen
Moody, Marcia
Sherman, Thomas
Whittemore, Lisa

Cali-Pitts, Jacqueline
Heffron, Frank
Muns, Chris
Till, Mary

STRAFFORD

Baber, William
Burke, Rachel
Grossman, Kenneth
Ketel, Stephen
Pelletier, Marsha
Schmidt, Peter
Verschuereen, James

Berube, Roger
Gardner, Janice
Horrigan, Timothy
Malloy, Dennis
Perry, Robert
Smith, Marjorie
Wall, Janet

Bickford, David
Ginsburg, Philip
Hubbard, Pamela
Menear, H. Robert III
Rogers, Rose Marie
Spang, Judith

Bixby, Peter
Grassie, Anne
Kaen, Naida
Miller, David
Rollo, Deanna
Stevens, Audrey

SULLIVAN

Cloutier, John
Lefebvre, Benjamin
Tanner, Linda

Gagnon, Raymond
Schmidt, Andrew

Gottling, Suzanne
Smith, Steven

Irwin, Virginia
Sweeney, Cynthia

and the minority committee amendment failed.

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

YEAS 184 NAYS 122

YEAS 184 BELKNAP

DiMartino, Lisa

Gulick, Ruth

Huot, David

CARROLL

Buco, Thomas
White, Syndi

Butler, Edward

Lavender, Tom

Ticehurst, Susan

CHESHIRE

Ames, Richard
Chase, Cynthia
Parkhurst, Henry
Tatro, Bruce

Berch, Paul
Eaton, Daniel
Robertson, Timothy
Weber, Lucy

Burridge, Delmar
Ley, Douglas
Sad, Tara
Young, Harry

Butynski, William
Mann, John
Shepardson, Marjorie

COOS

Coulombe, Gary
Moynihan, Wayne

Enman, Larry
Theberge, Robert

Hammon, Marcia
Thomas, Yvonne

Hatch, William

GRAFTON

Almy, Susan
Doolan, Ralph Jr
Higgins, Patricia
Nordgren, Sharon
Townsend, Charles

Benn, Bernard
Ford, Susan
Lauer, Linda
Piper, Wendy
White, Andrew

Brown, Rebecca
Friedrich, Carol
Lovett, Sid
Smith, Suzanne

Cooney, Mary
Harding, Laurie
Mulholland, Catherine
Sykes, George

HILLSBOROUGH

Backus, Robert
Campbell, David
Connor, Evelyn
Gale, Sylvia
Hansberry, Daniel
Jeudy, Jean
Levasseur, Nickolas
Manley, Jonathan Sr
O'Brien, Michael Sr
Rhodes, Brian
Shaw, Barbara
Sullivan, Peter
Winters, Joel

Beaulieu, Jane
Carroll, Douglas
Cote, David
Goley, Jeffrey
Harriott-Gathright, Linda
Knowles, Mary Ann
Levesque, Melanie
McCloskey, David
O'Flaherty, Tim
Rosenwald, Cindy
Smith, Timothy
Vaillancourt, Steve
Woodbury, David

Belanger, James
Chandley, Shannon
DiSilvestro, Linda
Grady, Brenda
Heden, Ruth
Kopka, Angeline
Long, Patrick
McNamara, Richard
Porter, Marjorie
Schmidt, Janice
Spratt, Stephen
Walsh, Robert Jr

Brown, Pamela
Christiansen, Lars
Gage, Ruth
Hammond, Jill
Jack, Martin
Leishman, Peter
MacKay, Mariellen
Nelson, Mary
Ramsey, Peter
Shattuck, Gilman
Sullivan, Daniel
Williams, Kermit

MERRIMACK

Alicea, Caroletta
Burns, Scott
Ebel, Karen
Gile, Mary
Kelly, Sally
Rice, Chip
Schuett, Dianne
Wallner, Mary Jane

Andrews, Christopher
Carey, Lorrie
Frambach, Mary
Henle, Paul
Moffett, Howard
Richardson, Gary
Shurtleff, Stephen
Walz, Mary Beth

Bartlett, Christy
Carson, Clyde
Frazer, June
Hirsch, Geoffrey
Patten, Dick
Rogers, Katherine
Tilton, Joy
Webb, Leigh

Bouchard, Candace
Davis, Frank
French, Barbara
Karrick, David Jr
Ratzki, Mario
Schamberg, Thomas
Turcotte, Alan

ROCKINGHAM

Borden, David
Emerson-Brown, Rebecca
Lovejoy, Patricia
Muns, Chris
Till, Mary

Cahill, Michael
Flockhart, Eileen
Mann, Maureen
Pantelakos, Laura
Ward, Gerald

Cali-Pitts, Jacqueline
Heffron, Frank
McKinney, Betsy
Schlachman, Donna
Wazlaw, Brian

Cushing, Robert Jr
Hoelzel, Kathleen
Moody, Marcia
Sherman, Thomas
Whittemore, Lisa

STRAFFORD

Baber, William
Gardner, Janice
Grossman, Kenneth
Ketel, Stephen
Pelletier, Marsha
Schmidt, Peter
Verschuere, James

Berube, Roger
Ginsburg, Philip
Horrigan, Timothy
Malloy, Dennis
Perry, Robert
Smith, Marjorie
Wall, Janet

Bixby, Peter
Grassie, Anne
Hubbard, Pamela
Menear, H. Robert III
Rogers, Rose Marie
Spang, Judith

Burke, Rachel
Gray, James
Kaen, Naida
Miller, David
Rollo, Deanna
Stevens, Audrey

SULLIVAN

Cloutier, John
Lefebvre, Benjamin
Tanner, Linda

Gagnon, Raymond
Schmidt, Andrew

Gottling, Suzanne
Smith, Steven

Irwin, Virginia
Sweeney, Cynthia

NAYS 122**BELKNAP**

Burchell, Richard
Greemore, Robert Jr
Worsman, Colette

Comtois, Guy
Sylvia, Michael

Cormier, Jane
Tilton, Franklin

Fields, Dennis
Vadney, Herbert

CARROLL

Ahlgren, Christopher
Merrow, Harry
Wright, Donald

Chandler, Gene
Nelson, Bill

Cordelli, Glenn
Schmidt, Stephen

McConkey, Mark
Umberger, Karen

CHESHIRE**COOS****GRAFTON**

Bradley, Lester
Shackett, Jeffrey

Gionet, Edmond

Ladd, Rick Jr

Reilly, Harold Sr

HILLSBOROUGH

Barry, Richard
Coffey, James
Gagne, Larry

Boehm, Ralph
Daniels, Gary
Graham, John

Burt, John
Danielson, David
Haefner, Robert

Byron, Frank
Flanagan, Jack
Hansen, Peter

Hikel, John
LeBrun, Donald
Murphy, Keith
Ober, Russell III
Pratt, Calvin
Stroud, Kathleen
Willette, Robert

Jasper, Shawn
McCarthy, Michael
Murphy, Kelleigh
Palmer, Stephen
Rowe, Robert
Sweeney, Shawn

Kurk, Neal
Meaney, Richard
Notter, Jeanine
Pellegrino, Tony
Sandblade, Emily
Takesian, Charlene

Lambert, George
Murotake, David
Ober, Lynne
Peterson, Lenette
Straight, Philip
Villeneuve, Moe

MERRIMACK

Kotowski, Frank
Smith, Todd

Lockwood, Priscilla
Walsh, Thomas IV

McGuire, Carol

McGuire, Dan

ROCKINGHAM

Abrami, Patrick
Bick, Patrick
Comerford, Timothy
Duarte, Joe
Ferrante, Beverly
Gordon, Richard
Hodgdon, Bruce
Lundgren, David
Perkins, Lawrence
Sedensky, John
Thompson, David
Weyler, Kenneth

Allen, Mary
Birdsell, Regina
Copeland, Timothy
Dumaine, Dudley
Fesh, Robert
Griffin, Mary
Itse, Daniel
Major, Norman
Priestley, Anne
St.James, Kevin
Tremblay, Stella

Baldasaro, Alfred
Charron, Gene
Danaïs, Romeo
Elliott, Robert
Garcia, Bianca
Hagan, Joseph
Kappler, Lawrence
Milz, David
Rice, Frederick
Sytek, John
Waterhouse, Kevin

Belanger, Ronald
Chirichiello, Brian
Devine, James
Emerick, J. Tracy
Garcia, Marilinda
Harris, Jeffrey
Khan, Aboul
O'Connor, John
Sanders, Elisabeth
Tamburello, Daniel
Webb, James Sr

STRAFFORD

Bickford, David
Pitre, Joseph

Groen, Warren

Jones, Laura

Parsons, Robbie

SULLIVAN

Grenier, James

Rollins, Skip

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

HB 124-FN, relative to the determination of gainful occupation for a group II member receiving an accidental disability retirement allowance from the retirement system. **WITHOUT RECOMMENDATION.**

Statement in support of Ought to Pass: Rep. Jeffrey P. Goley.

This bill allows a member of Group II who was injured on the job and retired on a disability pension, to earn an income without restriction once years of service combined with years of receiving pension benefits reaches the age and years of service requirements that would have been needed to retire as a Group II member. Currently, the disability payment must be returned dollar for dollar, after a certain cap on earnings is reached. Had the member not been injured on the job, he or she would not have a cap on earnings in addition to the person had they been able to work the necessary time required to retire. The language of this bill was in statute and in effect for 2009 and 2010 until it was repealed by HB 2 during the budget process and without a hearing in 2011. Supporters of the bill believe, as a matter of fundamental fairness, that a Group II member who is retired on disability should not have limitations on the income they earn just as those who have worked until retirement have no limitations on income they earn. Currently, the provision covers at most 13 persons, and there was concern about the treatment of these individuals who had been affected by multiple rules changes.

Statement in support of Inexpedient to Legislate: Rep. Carol McGuire.

Limiting outside earnings for individuals receiving disability pensions is normal practice, both in private disability pensions and the NHRS from its inception until 2009. This bill attempts to repeal this limit, completely and in perpetuity, for Group II disability pensioners who could be retired if they had not been disabled. While sensitive to the very few individuals who enjoyed a 2 year reprieve from this limit, opponents of the bill are concerned that having no limit is inappropriate. We need to explore a less than 1 for 1 clawback, limiting the exemption to current retirees, considering a cap on benefits, and other issues involved in disability retirements.

Rep. Goley moved Ought to Pass.

Rep. Carol McGuire spoke against.

Rep. Weyler spoke in favor and yielded to questions.

(Rep. Kaen in the Chair)

MOTION TO LAY ON THE TABLE

Rep. Hansen moved that **HB 124-FN**, relative to the determination of gainful occupation for a group II member receiving an accidental disability retirement allowance from the retirement system, be laid on the table. On a division vote, 93 members having voted in the affirmative and 183 in the negative, the motion failed.

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

On a division vote, 181 members having voted in the affirmative and 97 in the negative, the motion was adopted and ordered to third reading.

HB 141, relative to training for new executive branch commissioners. **INEXPEDIENT TO LEGISLATE.**

Rep. Lucy M. Weber for Executive Departments and Administration: This bill would have instructed the office of the governor to provide orientation and training materials in a number of listed areas to each new executive branch commissioner. The committee was persuaded by testimony that existing commissioners were working with each other and with the new governor to provide necessary training tailored to the needs and experience of each new commissioner. The majority was unpersuaded of the need for a new statutory mandate and was concerned about improper intrusion on the operations of the executive branch. Vote 13-4.

Committee report adopted.

HB 364, requiring New Hampshire retirement system employers to notify prospective part-time employees who are retired members of the limitations on part-time employment. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Howard M. Moffett for the Majority of Executive Departments and Administration: This bill is intended to reduce confusion among retired members of the retirement system who work part-time or apply to work part-time for a town or other participating employer, but who may not realize that part-time work in excess of the hourly limitations in RSA 100-A:1, XXXIV (32 hours/week, or up to 1300 hours/year) will jeopardize their existing retirement system benefits under RSA 100-A:7. The bill requires participating employers to provide notice to applicants for part-time employment prior to employment, and to existing part-time employees annually, if they are retired members of the retirement system. The form of the notice is to be provided by the retirement system. Participating employers who provide the required notice may not be held liable for any consequences to an employee resulting from the employee's restoration of service on account of exceeding the hourly limits in RSA 100-A:1, XXXIV. The retirement system itself is also required to provide notice annually to all retired members of the retirement system. Vote 12-7.

Rep. Frank A. Byron for the Minority of Executive Departments and Administration: The majority, by recommending this bill, have placed additional obligations on municipalities to notify New Hampshire Retirement System (NHRA) retirees of their work hours limitations. By creating this municipal obligation there is a potential liability owned by the municipality should a retiree violate the work limit requirements. This municipal liability would not exist without this bill.

Majority Amendment (0678h)

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

AN ACT relative to notice required concerning employment of a retired member of the New Hampshire retirement system of the limitations on part-time employment.

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

1 New Section; Retirement System; Part Time Employment; Notices Required. Amend RSA 100-A by inserting after section 7 the following new section:

100-A:7-a Certain Part-time Employment; Notices Required.

I. An employer shall provide written notice of the hourly limitations on part-time employment as defined in RSA 100-A:1, XXXIV and the potential effect that exceeding such hourly limitations could have on the retired member's retirement benefits because of restoration to service as required in RSA 100-A:7, as follows:

(a) Prior to employment and as part of employment documentation, to any prospective employee who is a retired member of the retirement system.

(b) Annually, to each existing part-time employee who is a retired member of the retirement system.

II. The executive director shall provide employers the form of such notices required in paragraph I.

III. An employer who provides the notices required in paragraph I shall not be held liable for any consequences to the employee resulting from the employee's restoration of service due to exceeding the hourly limitations on part-time employment as defined in RSA 100-A:1, XXXIV.

IV. The retirement system shall annually provide written notice to all retired members of the retirement system of the hourly limitations on part-time employment as defined in RSA 100-A:1, XXXIV and the potential effect that exceeding such hourly limitations could have on the retired member's retirement benefits because of restoration to service as required in RSA 100-A:7.

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

AMENDED ANALYSIS

This bill requires New Hampshire retirement system employers to notify existing and prospective part-time employees, who are retired members in the retirement system, of the annual limitations on hours for part-time employment. The bill also requires the retirement system to provide similar notice to all retired members.

Rep. Moffett spoke in favor and yielded to questions.

(Speaker Norelli in the Chair)

On a division vote, 242 members having voted in the affirmative and 38 in the negative, the majority committee amendment was adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.
Rep. Byron offered floor amendment (0898h).

Floor Amendment (0898h)

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

AN ACT relative to notice required concerning employment of a retired member of the New Hampshire retirement system of the limitations on part-time employment.

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

1 New Section; Retirement System; Part Time Employment; Notice Required. Amend RSA 100-A by inserting after section 7 the following new section:

100-A:7-a Certain Part-time Employment; Notice Required. The retirement system shall annually provide written notice to all retired members of the retirement system of the hourly limitations on part-time employment as defined in RSA 100-A:1, XXXIV and the potential effect that exceeding such hourly limitations could have on the retired member's retirement benefits because of restoration to service as required in RSA 100-A:7.

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

AMENDED ANALYSIS

This bill requires the New Hampshire retirement system to annually notify retired members in the retirement system of the annual limitations on hours for part-time employment with retirement system employers. Rep. Byron spoke in favor and yielded to questions.

Rep. Copeland spoke against.

On a division vote, 120 members having voted in the affirmative and 162 in the negative, floor amendment (8098h) failed.

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

YEAS 194 NAYS 89

YEAS 194

BELKNAP

DiMartino, Lisa
Worsman, Colette

Greemore, Robert Jr

Gulick, Ruth

Huot, David

CARROLL

Buco, Thomas
Ticehurst, Susan

Lavender, Tom
Umberger, Karen

McConkey, Mark
White, Syndi

Nelson, Bill

CHESHIRE

Ames, Richard
Eaton, Daniel
Parkhurst, Henry
Tatro, Bruce

Berch, Paul
Emerson, Susan
Robertson, Timothy
Weber, Lucy

Butynski, William
Ley, Douglas
Sad, Tara
Young, Harry

Chase, Cynthia
Mann, John
Shepardson, Marjorie

COOS

Coulombe, Gary
Moynihan, Wayne

Enman, Larry
Theberge, Robert

Hammon, Marcia
Thomas, Yvonne

Hatch, William

GRAFTON

Almy, Susan
Ford, Susan
Lovett, Sid
Smith, Suzanne

Benn, Bernard
Friedrich, Carol
Mulholland, Catherine
Sykes, George

Brown, Rebecca
Harding, Laurie
Nordgren, Sharon
Townsend, Charles

Cooney, Mary
Higgins, Patricia
Piper, Wendy
White, Andrew

HILLSBOROUGH

Backus, Robert
Campbell, David
Connor, Evelyn
Gage, Ruth
Grady, Brenda
Heden, Ruth
Kopka, Angeline
Long, Patrick
McCloskey, David
O'Brien, Michael Sr
Rosenwald, Cindy
Smith, Timothy
Sullivan, Peter
Winters, Joel

Barry, Richard
Carroll, Douglas
Cote, David
Gale, Sylvia
Hammond, Jill
Jack, Martin
Leishman, Peter
MacKay, Mariellen
Murotake, David
Palmer, Stephen
Schmidt, Janice
Spratt, Stephen
Takesian, Charlene
Woodbury, David

Beaulieu, Jane
Chandley, Shannon
Danielson, David
Garcia, Michael
Hansberry, Daniel
Judy, Jean
Levasseur, Nickolas
Manley, Jonathan Sr
Nelson, Mary
Porter, Marjorie
Shattuck, Gilman
Straight, Philip
Walsh, Robert Jr

Brown, Pamela
Christiansen, Lars
DiSilvestro, Linda
Goley, Jeffrey
Harriott-Gathright, Linda
Knowles, Mary Ann
Levesque, Melanie
McCarthy, Michael
Notter, Jeanine
Rhodes, Brian
Shaw, Barbara
Sullivan, Daniel
Williams, Kermit

MERRIMACK

Alicea, Caroletta	Andrews, Christopher	Bartlett, Christy	Bouchard, Candace
Burns, Scott	Carey, Lorrie	Carson, Clyde	Davis, Frank
Ebel, Karen	Frambach, Mary	Frazer, June	French, Barbara
Gile, Mary	Henle, Paul	Hirsch, Geoffrey	Karrick, David Jr
Kelly, Sally	McGuire, Carol	Moffett, Howard	Patten, Dick
Ratzki, Mario	Rice, Chip	Richardson, Gary	Rogers, Katherine
Schamberg, Thomas	Schuett, Dianne	Shurtleff, Stephen	Tilton, Joy
Turcotte, Alan	Wallner, Mary Jane	Walz, Mary Beth	Webb, Leigh

ROCKINGHAM

Borden, David	Cali-Pitts, Jacqueline	Copeland, Timothy	Cushing, Robert Jr
Dumaine, Dudley	Elliott, Robert	Ferrante, Beverly	Flockhart, Eileen
Hagan, Joseph	Heffron, Frank	Lovejoy, Patricia	Mann, Maureen
Moody, Marcia	Muns, Chris	O'Connor, John	Pantelakos, Laura
Perkins, Lawrence	Rice, Frederick	Schlachman, Donna	St.James, Kevin
Tamburello, Daniel	Till, Mary	Ward, Gerald	Wazlaw, Brian
Weyler, Kenneth	Whittemore, Lisa		

STRAFFORD

Baber, William	Bickford, David	Bixby, Peter	Burke, Rachel
Gardner, Janice	Ginsburg, Philip	Grassie, Anne	Grossman, Kenneth
Horrigan, Timothy	Kaen, Naida	Ketel, Stephen	Malloy, Dennis
Menear, H. Robert III	Miller, David	Parsons, Robbie	Pelletier, Marsha
Perry, Robert	Rogers, Rose Marie	Schmidt, Peter	Smith, Marjorie
Spang, Judith	Stevens, Audrey	Wall, Janet	

SULLIVAN

Cloutier, John	Gagnon, Raymond	Gottling, Suzanne	Irwin, Virginia
Lefebvre, Benjamin	Schmidt, Andrew	Smith, Steven	Sweeney, Cynthia
Tanner, Linda			

NAYS 89**BELKNAP**

Burchell, Richard	Comtois, Guy	Cormier, Jane	Fields, Dennis
Tilton, Franklin	Vadney, Herbert		

CARROLL

Ahlgren, Christopher	Chandler, Gene	Cordelli, Glenn	Morrow, Harry
Schmidt, Stephen	Wright, Donald		

CHESHIRE

Johnson, Jane

COOS

Rideout, Leon

GRAFTON

Bradley, Lester	Doolan, Ralph Jr	Gionet, Edmond	Ladd, Rick Jr
Lauer, Linda	Reilly, Harold Sr		

HILLSBOROUGH

Belanger, James	Boehm, Ralph	Burt, John	Byron, Frank
Coffey, James	Daniels, Gary	Flanagan, Jack	Gagne, Larry
Graham, John	Haefner, Robert	Hansen, Peter	Hikel, John
Jasper, Shawn	Kurk, Neal	LeBrun, Donald	Meaney, Richard
Murphy, Keith	Murphy, Kelleigh	Parison, James	Pellegrino, Tony
Pratt, Calvin	Sandblade, Emily	Sweeney, Shawn	Vaillancourt, Steve
Villeneuve, Moe	Willette, Robert		

MERRIMACK

Lockwood, Priscilla	McGuire, Dan	Walsh, Thomas IV
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ROCKINGHAM

Abrami, Patrick	Allen, Mary	Baldasaro, Alfred	Belanger, Ronald
Bick, Patrick	Birdsell, Regina	Charron, Gene	Chirichiello, Brian
Comerford, Timothy	Danaïs, Romeo	Devine, James	Duarte, Joe
Emerick, J. Tracy	Fesh, Robert	Garcia, Bianca	Garcia, Marilinda
Gordon, Richard	Griffin, Mary	Harris, Jeffrey	Hodgdon, Bruce
Hoelzel, Kathleen	Itse, Daniel	Kappler, Lawrence	Khan, Aboul
Major, Norman	Milz, David	Priestley, Anne	Sanders, Elisabeth
Sedensky, John	Sytek, John	Thompson, David	Tremblay, Stella
Waterhouse, Kevin	Webb, James Sr		

STRAFFORD

Gray, James

Groen, Warren

Jones, Laura

Pitre, Joseph

SULLIVAN

Grenier, James

Rollins, Skip

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

SPECIAL ORDERED

Without objection, the Speaker made the remainder of bills on today's calendar be Special Ordered to the next Session day in their Regular Calendar order.

RESOLUTION

Rep. Shurtleff offered the following: RESOLVED, that the House now adjourn from the early session, that the business of the late session be in order at the present time, that the reading of bills be by title only and resolutions by caption only and that all bills ordered to third reading be read a third time by this resolution, and that all titles of bills be the same as adopted, and that they be passed at the present time, and when the House adjourns today it be to meet Wednesday, March 27, 2013 at 10:00 a.m.

Adopted.

LATE SESSION**Third reading and final passage**

HB 346, establishing a committee to study low-profit limited liability companies.

HB 390, allowing companion dogs in the outdoor areas of restaurants.

HB 575, relative to hours of sales of on-premises liquor licensees.

HB 443-FN, prohibiting prison privatization.

HB 621-FN, decriminalizing possession of one quarter of an ounce or less of marijuana.

HB 624-FN, waiving the residency requirement for in-state tuition rates for veterans attending the university system of New Hampshire.

HB 595-FN, relative to photo identification of voters.

HB 124-FN, relative to the determination of gainful occupation for a group II member receiving an accidental disability retirement allowance from the retirement system.

HB 364, relative to notice required concerning employment of a retired member of the New Hampshire retirement system of the limitations on part-time employment.

UNANIMOUS CONSENT

Reps. Schuett and Harding addressed the House.

MOTION TO PRINT REMARKS

Rep. Gary Richardson moved that the remarks made by Rep. Schuett be printed in the Permanent Journal. Adopted.

REMARKS

Rep. Schuett: We are here to tell you something nice about someone that we see here every Session day. Someone you all know. Someone who's always telling us to "take our conversations out of the hall" or stopping us from rushing in, in the middle of a Roll Call, but always politely. This person happens to come from Pembroke, the District we represent. This person is John Theuner. Could you step over here? What you don't know about John is that he is the Assistant Fire Chief in Pembroke and he was recognized last Saturday at our Town Meeting for 50 years of service on our Fire Department. He would insist that we tell you that our Chief, Harold Paulsen was also recognized for 50 years of service. That's a total of 100 years of service from 2 great people. Pembroke is very lucky to have the two of them. Frank Davis has a small token of thanks for John and we just wanted you all to know that the folks who work here contribute to our towns and our state in many different ways.

RECESS MOTION

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

The House recessed at 4:45 p.m.

RECESS