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HOUSE RECORD

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Calendar and Journal of the 2013 Session

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Concord, N.H.

Wednesday, May 8, 2013

No. 41

HOUSE JOURNAL No. 15 (Cont.)

Wednesday, April 24, 2013

Rep. Shurtleff moved that the House adjourn.
Adopted.

HOUSE JOURNAL No. 16

Wednesday, May 8, 2013

The House assembled at 10:00 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.

O God, we tend to seek You in the glamorous, the glorious, and the grandiose things in life: sunsets, glaciers, canyons and milky ways. And they are indeed reflections of Your infinite creativity. What we forget is that even the smallest moments, the most mundane of things are imbued with You. You are there with us in the car as we inch our way through traffic to get our kids to school or our parents to a doctor. You are there when we pause to take a deep breath when it's 11:30 at night and the dishes still aren't done and there are a pile of emails to respond to. You will be there when we ponder the wide-ranging scope of bills we need to deliberate on here today. Help us to remember: to remember the gift of an occasional pause; to remember the humanity, the aspirations, the losses and the beauty in each and every person here; to remember that what we do here is not merely about programs or projects, but about real people with real lives. Be with all in this body who are ill or facing surgery. And be especially with the people who live at the margins of our society: the homeless, the jobless, the lonely, the isolated, the maligned, the forgotten, and the disliked. Let our work today in some way lift them up. In Your Holy name we pray. Amen.

Representative James MacKay, member from Concord, led the Pledge of Allegiance.

The National Anthem was sung by Paige Bradley, a 14 year-old from Plymouth and the granddaughter of Rep. Bradley.

LEAVES OF ABSENCE

Reps. Andrews, Beaudoin, Bishop, Boisvert, Booras, DeSimone, Harriott-Gathright, Nicholas Levasseur, Mc- Carthy, Parsons, Chip Rice, Tanner and Thompson, the day, illness.

Reps. Andrews-Ahern, Azarian, Bailey, Dumaine, Henle, Kaen, Sally Kelly, Lerandeau, McKinney, Pelletier, Ramsey, Jeffrey Shackett, Timothy Smith, Takesian, Tremblay, Thomas Walsh and Kenneth Ward, the day, important business.

Reps. Kelleigh Murphy and Thomas, the day, illness in the family.

Rep. James Webb, the day, death in the family.

INTRODUCTION OF GUESTS

Sharon, Nathan and Cindy Bradley, A. J. Sousa and Annie Deppe; family and guests of Rep. Bradley and our singer. Fourth graders from the Epping Elementary School, guests of the Rockingham District 9 delegation. Suzanne Dakoulas, guest of Rep. Beaulieu. Arthur McDonald, son of Rep. Carol Williams. Charlie Bean, Jed and James Hounsell and The Honorable Mark Hounsell, former Senator from Conway, guests of Reps. Bucu and Umberger. Carole Appel, guest of the House.

Lee Nordyke of Campbell High School and Oscar Reid and Sarah Libby of Kearsarge Regional High School, Pages for the day.

MEMORIAL DECLARATION

Dr. Kenneth I. Appel

October 8, 1932 – April 19, 2013

WHEREAS, it is with great reverence that the New Hampshire House of Representatives honors the life of Dr. Kenneth I. Appel of Dover; and

WHEREAS, Kenneth Appel, born in Brooklyn, New York, had a long and distinguished career as a world-renowned mathematician, in addition to being a beloved professor, Army veteran, community volunteer, and wonderful family man; and

WHEREAS, Kenneth Appel, having earned a Ph.D. in Mathematics from the University of Michigan in 1959, later became a math professor at the University of Illinois in Urbana; and

WHEREAS, in 1976, Dr. Appel collaborated with Dr. Wolfgang Haken to prove the long-held “four color” mathematical theorem that four colors are enough to fill in any map without any two regions of the same color touching; and

WHEREAS, this historical feat was accomplished by logging 1,200 hours on the University’s IBM 370-168 computer, forever changing the field of mathematics and resulting in Dr. Appel and Dr. Haken being awarded the Delbert Ray Fulkerson prize by the American Mathematical Society and the Mathematical Programming Society in 1979; and

WHEREAS, New Hampshire is privileged that Dr. Appel later moved to New Hampshire where he chaired the UNH Mathematics Department, retiring as Professor Emeritus in 2003; now therefore be it

DECLARED, that the New Hampshire House of Representatives, by virtue of the Speaker’s signature inscribed below, extends its prayers and heartfelt sympathy to Dr. Appel’s wife Carole, his loving family, his former students and colleagues, and his multitude of friends.

Terie Norelli, Speaker of the House

Offered by the New Hampshire House of Representatives this 8th day of May, 2013.

MOMENT OF SILENCE

A moment of silence was observed in memory of Dr. Kenneth I. Appel.

(Rep. Daniel Eaton in the Chair)

SENATE MESSAGES

REQUESTS CONCURRENCE WITH AMENDMENTS

HB 232, relative to the membership of the governor’s commission on alcohol and drug abuse prevention, intervention, and treatment. (Amendment printed SJ 4-18-13)

Rep. James MacKay moved that the House concur and spoke in favor.

Adopted.

HB 556, establishing a committee to study the resolution of barriers to the use of telehealth technology in New Hampshire. (Amendment printed SJ 4-18-13)

Rep. James MacKay moved that the House concur and spoke in favor.

Adopted.

HB 488-FN, changing the definition of “cigarette” under the tobacco tax to match the definition of “cigarette” under the Master Settlement Agreement. (Amendment printed SJ 4-18-13)

Rep. Almy moved that the House concur and spoke in favor.

Adopted.

CONSENT CALENDAR

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

SB 170, relative to advance directives pertaining to life-sustaining treatment, removed by Rep. Peterson.

SB 194-FN, requiring the department of health and human services to implement the Medicaid family planning expansion, removed by Rep. Comerford.

SB 119-FN-A, directing the joint legislative historical committee to conduct a study of state house flag restoration and preservation, removed by Rep. Gary Richardson.

SB 155-FN-A, requiring revenue from commemorative liquor bottles to be used for the preservation of state house Civil War battle flags, removed by Rep. Notter.

SB 11-L, relative to water and sewer utility districts and water or sewer utility districts, removed by Rep. Hoell.

SB 101, relative to collocation and modification of personal wireless services facilities, removed by Rep. Borden.
Consent Calendar adopted.

SB 129-FN, relative to court-ordered placements in shelter care facilities and at the Sununu Youth Services Center, relative to the children in need of services (CHINS) program, and establishing a committee to study programs for children in need. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Daniel C. Itse for Children and Family Law: This bill clarifies the definition and purpose of shelter care facilities and the youth development center (YDC) and ensures that juveniles can not be committed to YDC unless it is proven by clear and convincing evidence that they are a danger to themselves or the community. It further prevents unnecessary detention by requiring eligibility for parole review every six months with an exception for violent crimes; there is an opportunity for waivers. The amendment makes two changes. First, it removes a study committee that is the subject of HB 418 which has been passed by the House and the Senate. Second, it removes a definition of CHINS that conflicts with the House position in HB 260 which has passed the House twice. The House position provides that services may be provided prior to adjudication. Vote 16-0.

Amendment (1378h)

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

AN ACT relative to court-ordered placements in shelter care facilities and at the Sununu Youth Services Center.

Amend the bill by replacing all after section 8 with the following:

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

AMENDED ANALYSIS

This bill:

I. Limits the commitment of children to the youth development center to cases where a court is presented with evidence that a juvenile is dangerous.

II. Provides a definition for shelter care facility in cases involving juvenile delinquency and children in need of services.

III. Requires that the department make treatment available in both non-secure and secure settings.

IV. Creates a presumption of parole after 6 months for children at the youth development center for non-violent offenses.

V. Provides for a right to counsel for children facing revocation of their parole from the youth development center, which cannot be waived if the child has a disability.

VI. Provides for periodic court review of cases where a juvenile is held at the youth development center for more than 6 months.

Referred to the Committee on Finance.

SB 173, relative to criminal background checks for individuals volunteering or applying for employment at licensed child care facilities. **OUGHT TO PASS.**

Rep. Ruth P. Gulick for Children and Family Law: The kind of assiduous investigation and rigorous licensing procedure applied to foster homes would now apply to residential care institutions and child placement agencies with the passage of this bill. It involves fingerprinting, criminal record check and, importantly, a records check through the FBI. The national scope of the investigation may reveal "red flags" occurring outside the state of New Hampshire. It applies to individuals over the age of 17 living in any residence whether they are the primary caregiver or not. Licensees are obligated to remove any person deemed to be a potential threat to children. Failure to comply with the provisions of this act will result in revocation of the provider's license. Vote 15-1.

Referred to the Committee on Criminal Justice and Public Safety.

SB 38, relative to pharmacy rights during an audit. **OUGHT TO PASS.**

Rep. John B. Hunt for Commerce and Consumer Affairs: This agreed-upon bill by both the pharmacies and the pharmacy managers, establishes the rights and procedures for the conduct of audits of the records with pharmacies. The bill sets up the timing and the recurrences of audits. It also includes an appeal process. Finally the law will not affect audits due to alleged fraud or abuse and does not apply to Medicare or Medicaid funds. Vote 18-0.

SB 51, relative to the definition of "professional service." **OUGHT TO PASS WITH AMENDMENT.**

Rep. Pamela Z. Tucker for Commerce and Consumer Affairs: The original purpose of this bill was to add two more professions to the definition of professional services for both professional corporations and professional LLC's. The bill was amended to broaden the definition to include any profession that is regulated by state statute instead of the limiting it to specific professions. The amendment also codifies the language with the uniform partnership act. The larger scope of the definition of professional service will eliminate the need for future legislation to add new professions that were not previously listed. Vote 18-0.

Amendment (1479h)

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

1 Professional Corporations; Definitions; Professional Service. Amend RSA 294-A:1, VI to read as follows:

VI. "Professional service" means [any service which may lawfully be rendered only by certified public accountants, public accountants, architects, attorneys, podiatrists, chiropractors, dentists, pharmacists, professional engineers, land surveyors, registered professional nurses, optometrists, physicians and surgeons, physician assistants, psychologists, veterinarians, and all other professionals licensed, registered, certified, or otherwise authorized and permitted to practice independently under the provisions of RSA 309-B, 310-A, 311, 315, 316-A, 317-A, 318, 326-B, 327, 328-D, 329, 329-B, 330-A, or 332-B and which may not lawfully be rendered by a corporation organized under the law of this state applicable to business corporations] **a type of highly skilled and educated, technical, and specialized personal service rendered to the public by persons who are licensed or certified, and regulated by state statute.**

2 Professional Limited Liability Companies; Definitions; Professional Service. Amend RSA 304-D:1, VI to read as follows:

VI. "Professional service" means [any service which may lawfully be rendered only by certified public accountants, public accountants, architects, attorneys, podiatrists, chiropractors, dentists, pharmacists, professional engineers, land surveyors, registered professional nurses, optometrists, physicians and surgeons, psychologists, veterinarians, and all other professionals licensed, registered, certified, or otherwise authorized and permitted to practice independently under the provisions of RSA 309-B, 310-A, 311, 315, 316-A, 317-A, 318, 326-B, 327, 329, 329-B, 330-A, or 332-B] **a type of highly skilled and educated, technical, and specialized personal service rendered to the public by persons who are licensed or certified, and regulated by state statute.**

3 Uniform Partnership Act; Definitions; Professional Service. Amend RSA 304-A:2, IX to read as follows:

IX. "Professional service" means [any service which may lawfully be rendered only by certified public accountants, public accountants, architects, attorneys, podiatrists, chiropractors, dentists, pharmacists, professional engineers, land surveyors, registered professional nurses, optometrists, physicians and surgeons, physician assistants, psychologists, and veterinarians licensed, registered, certified, or otherwise authorized under the provisions of RSA 309-B, 310-A, 311, 315, 316-A, 317-A, 318, 326-B, 327, 328-D, 329, 329-B, 330-A, or 332-B] **a type of highly skilled and educated, technical, and specialized personal service rendered to the public by persons who are licensed or certified, and regulated by state statute.**

4 Effective Date. This act shall take effect July 1, 2013, at 12:01 a.m.

AMENDED ANALYSIS

This bill modifies the definition of "professional service" as it applies to professional corporations, professional limited liability companies, and partnerships.

SB 94, relative to portable electronics insurance. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Laura M. Jones for Commerce and Consumer Affairs: This bill clarifies the applicability of the law regulating insurance claims adjusters as it applies to portable electronics insurance claims. SB 94 allows licensed insurance claims adjusters or producers to supervise up to 25 persons using a preprogrammed computer system to process claims, and enables the New Hampshire insurance department to enforce state laws if a problem arises. The amendment replaces unnecessary language with the definition of the automated claims adjudication system that is utilized when individuals file an insurance claim. Vote 18-0.

Amendment (1451h)

Amend RSA 402-B:2, II(d)(1) as inserted by section 1 of the bill by replacing it with the following:

(1) "Automated claims adjudication system" means a preprogrammed computer system that is utilized only by licensed insurance claims adjusters, licensed insurance producers, or supervised individuals operating pursuant to this subparagraph, designed for the collection, data entry, calculation, and final resolution and settlement of claims with respect to portable electronics insurance in compliance with the claims settlement requirements of the insurance laws of this state.

SB 117-FN, establishing a commission to study the regulation of pharmacy benefits managers. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Edward A. Butler for Commerce and Consumer Affairs: A pharmacy benefit manager (PBM) is a third party administrator of prescription drug programs. PBMs act as an intermediary between the payor and everyone else in the health-care system. Their contracts can include incentives for cutting costs. They are primarily responsible for processing and paying prescription drug claims. PBMs fall somewhere in between an insurance service and a pharmacy entity but are regulated by neither. This bill, as amended, will establish a legislative study committee to determine if regulation is needed. Vote 18-0.

Amendment (1311h)

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

AN ACT establishing a committee to study the regulation of pharmacy benefits managers.

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

1 Committee Established. There is established a committee to study the regulation of pharmacy benefits managers.

2 Membership and Compensation.

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

(a) Three 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.

II. The committee shall solicit information from the following:

(a) The insurance department.

(b) The department of administrative services.

(c) The pharmacy board.

(d) The New Hampshire Medical Society.

(e) The New Hampshire Nurses' Association

(f) A large pharmacy chain.

(g) An independent pharmacy.

(h) A pharmacy benefit manager who is neither employed by a pharmacy or has any ownership interest in a pharmacy.

(i) A private employer that utilizes the services of a pharmacy benefit manager.

III. Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.

3 Duties. The committee shall study the regulation of pharmacy benefits managers. The committee's study shall include, but not be limited to, whether pharmacy benefits managers should be regulated by the state and how and when the regulation should be implemented.

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.

5 Report. The committee shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2013.

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

AMENDED ANALYSIS

This bill establishes a committee to study the regulation of pharmacy benefits managers.

SB 184-FN, excluding conservation officers of the fish and game department from requirements for emergency medical and trauma services. **OUGHT TO PASS.**

Rep. Carol M. McGuire for Executive Departments and Administration: This bill exempts fish and game department officers from state licenses for emergency medical care providers. The department requires appropriate training and certification as "wilderness first responders" as well as CPR and first aid, but the emergency medical care provider license is redundant for the type of emergency medical care they provide. In addition, the licensing is on a two year cycle, while the department training is on a three year cycle, causing additional paperwork and cost. Fish and game officers who actually are EMTs (currently one) will continue to maintain their licenses for this more advanced care. Vote 19-0.

Referred to the Committee on Finance.

SB 24, relative to Medicaid rates. **OUGHT TO PASS.**

Rep. Barbara S. Helmstetter for Health, Human Services and Elderly Affairs: This bill eliminates the requirement for the department of health and human services to produce a report on Medicaid reimbursement rates before each biennial legislative session. This report is produced at great expense of time to the department and of money to the taxpayer. The information is all publicly available and the report has not served its intended purpose. Vote 17-2.

SB 166, relative to critical incident stress management and crisis intervention services. **OUGHT TO PASS.** Rep. James R. MacKay for Health, Human Services and Elderly Affairs: This legislation addresses management of the acute and cumulative psychological trauma that is part of critical incident that police experience. It forms a trained crisis intervention team. It is natural that police personnel would find peer counseling more acceptable than other counselors. This is a major step forward in recognizing and counseling those impacted by work experienced trauma. Stress management team members have specialized training and are licensed peer counselors. Vote 18-1.

Referred to the Committee on Judiciary.

SB 171, relative to the council for children and adolescents with chronic health conditions. **OUGHT TO PASS.**

Rep. Mariellen J. MacKay for Health, Human Services and Elderly Affairs: The council for children and adolescents with chronic health conditions was established in 1990. Senate Bill 171 changes the name to council for youth with chronic conditions. It adds one council member who is less than 30 years of age. Children with chronic health conditions are living longer with the benefits of today's advancements in medicine. The council helps to support the families and the children through resources and advocacy. Vote 18-0.

SB 95, relative to choice of pharmacy under workers' compensation. **OUGHT TO PASS.**

Rep. Michael D. Cahill for Labor, Industrial and Rehabilitative Services: This bill serves to codify current practice allowing injured workers to select a pharmacy of their own choosing, just as workers are allowed to select their own physician under workers' compensation law. Vote 18-0.

SB 147-FN, relative to prescription drugs in workers' compensation cases. **OUGHT TO PASS.**

Rep. Charles F. Weed for Labor, Industrial and Rehabilitative Services: The committee agreed with the merit of this bill and notes that the workers compensation advisory council unanimously endorsed this legislation. The committee hearing and deliberation discussed the requirements and regulation of generics are such that active ingredients and amounts are largely identical to brand name drugs. Some were aware of contraindications caused by binders and coloring agents which when discovered to be problematic for a patient leads to prescription of brand name medications. Vote 18-0.

SB 49, relative to appeals of planning board decisions. **OUGHT TO PASS WITH AMENDMENT.**

Rep. David A. Bickford for Municipal and County Government: This bill requires appeals of planning board decisions concerning a subdivision or site plan to go to the board of adjustment prior to appeal to the superior court. Presently appeals can go to the court or board of adjustment and sometime get filed with both simultaneously. This bill will create an orderly flow of appeals. Vote 15-0.

Amendment (1264h)

Amend RSA 677:15, I-a(b) as inserted by section 1 of the bill by replacing it with the following:

(b) If, upon an appeal to the superior court under this section, the court determines, on its own motion within 30 days after delivery of proof of service of process upon the defendants, or on motion of any party made within the same period, that any matters contained in the appeal should have been appealed to the board of adjustment under RSA 676:5, III, the court shall issue an order to that effect, and shall stay proceedings on any remaining matters until final resolution of all matters before the board of adjustment. Upon such a determination by the superior court, the party who brought the appeal shall have 30 days to present such matters to the board of adjustment under RSA 676:5, III. Except as provided in this paragraph, no matter contained in the appeal shall be dismissed on the basis that it should have been appealed to the board of adjustment under RSA 676:5, III.

SB 50, relative to expiration of variances and special exceptions. **OUGHT TO PASS.**

Rep. James P. Belanger for Municipal and County Government: Currently there is a lack of uniformity among NH municipalities as to when a special exception that is not exercised expires. This legislation provides that all variances and special exceptions expire in (2) two years from date of final approval unless exercised through construction pursuant to permission granted by the ZBA. This also permits a municipality to modify the duration of a variance or special exception by local zoning regulation when good cause dictates a longer period of time. Enacting a standard variance and special exception duration limitation promotes uniformity and predictability in land use decisions. Vote 15-0.

SB 58, relative to the taxation of water works or flood control land held in another town or city. **OUGHT TO PASS.**

Rep. James E. Coffey for Municipal and County Government: This bill promotes negotiations between municipalities regarding water works or flood control land owned by one town but situated in another. It promotes constructive discussion about payment in lieu of taxes without setting any specific requirements. Vote 18-0.

SB 111, permitting municipalities to establish a capital reserve plan for expenditure of capital reserve funds and relative to electronic billing by municipal utilities. **OUGHT TO PASS.**

Rep. James P. Belanger for Municipal and County Government: This bill permits municipalities to appropriate funds for more than one year by a super majority vote to avoid costs of bonding. Multiple year appropriations for long term projects (such as road rebuilding) will guarantee that a project can continue until completed in more than one year although there is a provision to rescind such funding by majority vote in a future legislative session. This bill also permits municipal utility bills for notices to be in electronic form if specifically requested by the recipient. Vote 14-1.

SB 172-FN-L, relative to public funds. **OUGHT TO PASS.**

Rep. Kathleen M. Stroud for Municipal and County Government: This bill modifies the investment options of the state treasurer and the treasurers of the political subdivisions of the state. This legislation builds on existing programs and allows for easier access to funds. Vote 15-0.

SB 197, relative to the inclusion of a default budget in separate warrant articles submitted by sewer commissions. **OUGHT TO PASS WITH AMENDMENT.**

Rep. James E. Coffey for Municipal and County Government: This bill correctly separates the water and sewer operations from the general fund budget of a municipality that is subject to default budgets to allow a separate default for water and sewer operations, when they are presented as separate articles. These operations are required to be held in separate funds and are normally funded by user fees. Vote 15-0.

Amendment (1448h)

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

AN ACT relative to the inclusion of a default budget in separate warrant articles submitted by sewer and water commissions.

Amend the bill by replacing section 1 with the following:

1 Sewer Funds; Separate Warrant Article; Default Budget. Amend RSA 149-I:10, II and III to read as follows:

II. Except when a capital reserve fund is established pursuant to paragraph III, all sewer funds shall be held in the custody of the municipal treasurer. Estimates of anticipated sewer rental revenues and anticipated expenditures from the sewer fund shall be submitted to the governing body as set forth in RSA [32:6] **32:4** if applicable, and shall be included *either* as part of the municipal *operating* budget *or as a separate warrant article* submitted to the local legislative body for approval. ***In a town or district that has adopted the official ballot referendum form of meeting, any such separate warrant article shall include a default amount as provided in RSA 40:13, XI-a.*** If the municipality has a properly-established board of sewer commissioners, then notwithstanding RSA 41:29 or RSA 48:16, the treasurer shall pay out amounts from the sewer fund only upon order of the board of sewer commissioners. Expenditures shall be within amounts appropriated by the local legislative body. The sewer commission shall also remit to the municipality those costs incurred by the municipality in support of sewer operations, including but not limited to financial audit, facility insurance, treasurer compensation, and office support.

III. At the option of the local governing body, or of the board of sewer commissioners if any, all or part of any surplus in the sewer fund may be placed in one or more capital reserve funds and [placed] **held** in the custody of the trustees of trust funds pursuant to RSA 35:7. If such a reserve fund is created, then the governing body, or board of sewer commissioners if any, may expend such funds pursuant to RSA 35:15 without prior approval or appropriation by the local legislative body, but all such expenditures shall be reported to the municipality pursuant to RSA 149-I:25. This section shall not be construed to prohibit the establishment of other capital reserve funds for any lawful purpose relating to municipal water systems.

Amend the bill by replacing all after section 2 with the following:

3 Water Funds; Separate Warrant Article; Default Budget. Amend RSA 38:29, II and III to read as follows:

II. Except when a capital reserve fund is established pursuant to paragraph III, all water funds shall be held in the custody of the municipal treasurer. Estimates of anticipated water rate revenues and anticipated expenditures from the water fund shall be prepared and submitted to the governing body as set forth in RSA [32:3] **32:4**, if applicable, and shall be included *either* as part of the municipal *operating* budget *or as a separate warrant article* submitted to the local legislative body for approval. ***In a town or district that has adopted the official ballot referendum form of meeting, any such separate warrant article shall include a default amount as provided in RSA 40:13, XI-a.*** If the municipality has a properly established board of water commissioners, then notwithstanding RSA 41:29 or RSA 48:16, the treasurer shall pay out amounts from the water fund only upon order of the board of water commissioners. Expenditures shall be within amounts appropriated by the local legislative body. ***The water commission shall also remit to the municipality those costs incurred by the municipality in support of water operations, including but not limited to financial audit, facility insurance, treasurer compensation, and office support.***

III. At the option of the local governing body, or of the board of water commissioners, if any, all or part of any surplus in the water fund may be placed in one or more capital reserve funds held in the custody of the trustees of trust funds pursuant to RSA 35:7. If such a reserve fund is created, then the governing body, or board of water commissioners, if any, may expend such funds pursuant to RSA 35:15 without prior approval or appropriation by the local legislative body, but all such expenditures shall be reported to the municipality pursuant to RSA 38:21. This [paragraph] **section** shall not be construed to prohibit the establishment of other capital reserve funds for any lawful purpose relating to municipal water systems.

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

AMENDED ANALYSIS

This bill permits water and sewer commissions to submit separate warrant articles, which include default budgets, for approval by the legislative body of towns.

SB 84, relative to road toll administration, relative to motor vehicles carrying property for hire, and relative to administration of the international registration plan. **OUGHT TO PASS.**

Rep. Martin L. Jack for Public Works and Highways: This bill makes several technical corrections that affect the road toll bureau as requested by the department of safety. First, it clarifies that fuel distributor licenses are on a July to June schedule with the initial license expiring the following June. Second, it reduces from \$50 to \$10 the penalty for failing to report a fuel delivery, since existing law is considered to be excessively punitive. Third, it authorizes the department to write off unpaid road toll as bad debt if it is determined to be uncollectible. Fourth, it repeals an obsolete statute on registration of intrastate-only motor carriers. No

carrier is currently registered under this statute and it has been superseded by using federal interstate operating authority or federal unified carrier registration. Finally, only the audit function of administering the international registration plan is retained in the road toll bureau. Vote 16-0.

SB 188-FN, relative to municipally-owned utilities. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John A. Graham for Public Works and Highways: This bill clarifies provisions of RSA 228:22. Currently, if state highway work requires a municipally owned utility to relocate underground facilities, then the state bears the cost of the relocation. In 2012 the city of Nashua purchased Pennichuck Corp and retained the existing corporation, making Pennichuck a non-profit corporation which is municipally owned. Pennichuck provides water service to 29 communities in New Hampshire from Conway to Pelham. This bill, as amended, provides the same level of relief for the ratepayers of Pennichuck that are enjoyed by other municipal water utilities under existing law. The amendment requires that the utility must be owned in its "entirety" by a municipality. Vote 15-2.

Amendment (1252h)

Amend the bill by replacing section 1 with the following:

1 Transportation; Cost of Retrenching for Relocation of Underground Facilities. Amend RSA 228:22 to read as follows:

228:22 Cost of Trenching for Relocation of Underground Utilities. When the commissioner shall determine that a highway reconstruction, relocation, or maintenance project financed in whole or in part by state funds and conducted under department of transportation supervision or control necessitates the relocation of any municipally-owned subterranean utilities facilities, any trenching and backfilling required for such relocation shall be part of the cost of such reconstruction, relocation, or maintenance and shall be provided by the governmental agency which is carrying out such highway work at no cost to the municipally-owned utility, and the governmental agency shall pay the municipality for the book value (original cost less allowable depreciation) at the time the municipally-owned subterranean facility is retired. Provided, however, that if a public utility other than a municipally-owned utility makes use of a relocation trench provided for in this section, said utility shall pay the governmental agency carrying out such work its proportionate share of the cost of such trenching and backfilling. ***For purposes of this section, the term "municipally-owned utility" means any utility that is owned in its entirety, directly or indirectly, by a municipality or by a department, instrumentality, company, or corporation that is owned in its entirety, directly or indirectly, by a municipality. For purposes of this section, the term "municipally-owned subterranean facility" means any subterranean facility that is owned, directly or indirectly, by a municipality or by a department, instrumentality, company, or corporation that is owned, directly or indirectly, by a municipality.***

SB 192-FN-L, establishing a committee to study the establishment of a state infrastructure bank. **OUGHT TO PASS.**

Rep. John R. Cloutier for Public Works and Highways: This bill would create a six-member legislative study committee, consisting of three senators and three representatives, to examine the idea of establishing a state infrastructure bank. Such a bank is a financial vehicle that would encourage private and local participation in surface transportation projects and has already been created in 39 other states, according to the bill's sponsors.

The above-described participation could also include leveraging federal funds. The overwhelming committee majority believes this innovative idea to help pay for our crumbling infrastructure is worth studying. Vote 15-3.

Referred to the Committee on Finance.

SB 14, relative to the rulemaking authority of and administrative fine authority for the department of resources and economic development. **OUGHT TO PASS.**

Rep. Sid Lovett for Resources, Recreation and Development: This bill repeals the sunset of the authority of the department of resources and economic development (DRED) to adopt rules on assessing administrative fines. By written agreement by the commissioner of DRED any authorized municipal official may utilize the summons procedure under RSA 31:39d to cite individuals for violations of state park administrative rules or forest and land administration or both. Authorized municipalities shall retain 100% of any fine collected in accordance with DRED schedule. Vote 18-1.

Referred to the Committee on Ways and Means.

SB 131-FN-L, relative to a permitting process for the removal of submerged logs from certain great ponds. **OUGHT TO PASS.**

Rep. Shannon E. Chandley for Resources, Recreation and Development: This bill allows the governor and executive council to grant municipalities the right to remove submerged logs from certain great ponds. Currently, there is no procedure in place to authorize the removal of these logs. Authorization may be granted if the logs pose a hazard to navigation, public safety or the environment provided that the municipality demonstrates that removal does not create a greater hazard than if the logs were left in place. Vote 19-1.

SB 175, relative to crossing public waters of the state for public utility purposes. **OUGHT TO PASS.**

Rep. Robert A. Backus for Science, Technology and Energy: The bill will permit utilities and other providers to cross public waters or lands on existing poles without having to pursue the same permitting procedures required for new pole installations. Providers will still have to provide an affidavit to the PUC that the attachment and crossing complies with the National Electric Safety Code and they have a valid attachment agreement. The bill does not apply to gas or new electrical line crossings. It will save expense without any diminishment of safety or other areas of public concern. Vote 15-0.

SB 30, making technical corrections to tax laws. **OUGHT TO PASS.**

Rep. Gilman C. Shattuck for Ways and Means: This bill, a request of the department of revenue administration, makes four simple corrections to tax law: defines what information may be exchanged with the United States department of treasury and the United States food and drug administration; defines willful disclosure of confidential or privileged information and penalties thereof, using language consistent with federal law; defines the obligation of a taxpayer to report to the department changes made by the United States internal revenue service and the obligation of the department to notice the taxpayer of its review of the taxpayer's return; fees applicable to a check drawn on a foreign bank shall be paid by person tendering check. Vote 16-0.

REGULAR CALENDAR

SB 25, relative to the treatment of medical support in child support cases. **OUGHT TO PASS.**

Rep. Carolyn M. Gargas for Children and Family Law: This bill clarifies calculation of the medical support obligation in child support cases. Under current law medical costs are to be based on medical insurances; however, the residential parent could be liable for uninsured medical expenses. This bill corrects this situation. The bill is in response to a court decision and is at the request of the department of health and human services. Vote 14-2.

Committee report adopted and ordered to third reading.

SB 137-FN, relative to sibling visitation rights. **INEXPEDIENT TO LEGISLATE.**

Rep. Cynthia L. Chase for Children and Family Law: While the committee felt great sympathy for the circumstances which prompted this bill, according to *Troxel v Granville*, United States Supreme Court 2000, this bill is clearly unconstitutional. Vote 16-0.

Committee report adopted.

SB 104, establishing a commission to study the current community-based system of commodities reporting by junk or scrap metal dealers in New Hampshire. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Kermit R. Williams for the Majority of Commerce and Consumer Affairs: Metal theft is a serious problem in New Hampshire. A solution for that problem is not simple. Thefts often happen at unoccupied construction sites or vacant houses. Thieves will try to sell quickly, before the police are on their trail. Most scrap metal dealers want to do the right thing and purchase only legitimately obtained metal, but need help to identify potential stolen goods. Because metal prices change constantly, a dealer wants to sell quickly before the price drops, but it can take a long time for police to identify stolen property. Some cities and towns in the state have their own systems to track potentially stolen secondhand merchandise, including not only scrap metal but jewelry and other goods sold through pawn shops or other methods. Other towns have no system, so smart thieves will choose a place to sell where they are not tracked. The scrap industry is strongly motivated to help the state create a comprehensive system to catch metal thieves and identify stolen merchandise, without being included in a general stolen-goods tracking system, such as those for pawn shops. This bill creates a commission with members from the legislature, industry and law enforcement whose goal will be to find ways to protect theft victims and catch thieves without hurting the legitimate recycling business. Vote 11-7. Rep. Pamela Z. Tucker for the Minority of Commerce and Consumer Affairs: This bill, while well intended, is to create yet another study committee where one is not needed. We heard in testimony that the data base needed already exists. The various parties listed in the bill can already meet without legislative authority and may be better served without state intervention by just having interested and knowledgeable parties involved. We are opposed to creating this committee because it will result in the creation of another fee on businesses, as stated in the text of the bill.

Majority committee report adopted and ordered to third reading.

SB 134-FN, relative to the division of higher education and the higher education commission. **OUGHT TO PASS WITH AMENDMENT.**

Rep. June M. Frazer for Education: This bill addresses the following: it amends the duties and membership of the higher education commission and revises the application and approval process for institutions of higher learning to seek and receive approval from the higher education commissions; and establishes the higher education commission fund and repeals department of education rulemaking authority for tuition waiver and scholarship programs for children of firefighters, police officers and foster children. Lastly, it places approval of out-of-state branches of institutions of higher learning within the authority of the higher education commission. Vote 18-0.

Amendment (1426h)

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

1 Division of Higher Education. RSA 21-N:8-a is repealed and reenacted to read as follows:

21-N:8-a Division of Higher Education.

I. There is hereby established within the department the division of higher education, under the supervision of an unclassified director of higher education who shall be responsible for providing support to the higher education commission established in paragraph II.

II.(a) There is hereby established a higher education commission which shall consist of the following members:

(1) The president of the university of New Hampshire, the president of Keene state college, the president of Plymouth state university, and the president of Granite State college.

(2) Two presidents from institutions within the community college system of New Hampshire, to be chosen by the board of trustees of the community college system.

(3) The chancellor of the university system of New Hampshire.

(4) The chancellor of the community college system of New Hampshire.

(5) The commissioner of the department of education.

(6) Six representatives of the private 4-year colleges in New Hampshire appointed by the governor and council on recommendation by the New Hampshire College and University Council, with no more than one representative from any one college.

(7) One member to be appointed by the governor and council as a representative from a for-profit college or university not a member of the New Hampshire College and University Council.

(8) Four members to be appointed by the governor and council who shall be residents of the state and of the lay public, having no official connection with any college, university, or private postsecondary career school as an employee, trustee, or member on a board of directors.

(9) Two members to be appointed by the governor and council, on recommendation by the New Hampshire Council for Professional Education, who shall be residents of the state and shall represent private postsecondary career schools.

(b) The terms of appointed members, except as otherwise indicated above, shall be for 5 years and until a successor is appointed and qualified. Vacancies shall be filled for the unexpired term.

(c) Commission appointments shall be made in such a way as to preserve broad and equitable representation on the basis of gender, ethnicity, and socioeconomic groups in the state.

(d) The members of the commission shall serve without compensation, but may be reimbursed for actual travel and other expenses incurred in the performance of their duties on the commission from funds appropriated to the department of education specifically for this purpose.

(e) The commission shall:

(1) Regulate institutions of higher education pursuant to RSA 292:8-b through RSA 292:8-kk. The commission may accept accreditation by a recognized accrediting association in place of its own independent evaluation.

(2) Administer financial aid programs as provided in state and federal law for students attending higher education institutions, except as otherwise provided by law.

(3) Apply for, accept, and expend state, federal, or other grants.

(4) Oversee the functions of the Veterans Education Services as authorized by Congress.

(5) Establish and collect reasonable annual fees related to the performance of statutory duties.

(6) Enter into cooperative interstate or international agreements to further operating efficiencies, student access, and educational opportunities.

(7) Be the designee for the integrated postsecondary education data system as developed by the United States Department of Education.

(8) Adopt rules, pursuant to RSA 541-A relative to:

(A) Organization and operation of the higher education commission established in this section.

(B) Approval and regulation of institutions of higher education pursuant to RSA 292:8-b through RSA 292:8-kk.

(C) Administration of financial aid programs for institutions of higher education, except as otherwise provided by law.

(D) Establishment and collection of reasonable fees for functions performed by the division of higher education and the higher education commission as required in this section.

(9) Assume other responsibilities as may be provided in state or federal law.

III. There is hereby established in the office of the treasury the higher education fund to be administered by the higher education commission. The fund shall be nonlapsing and continually appropriated to the higher education commission for the purposes established in this chapter. All fees collected by the commission relative to the performance of its duties shall be deposited into the fund.

2 Scholarships for Orphans of Veterans. Amend RSA 193:21 to read as follows:

193:21 Payment. The amounts payable to recipients shall be determined by the department of education, division of higher education. The [department] **higher education commission established in RSA 21-N:8-a** shall determine the eligibility in accordance with rules adopted under RSA 541-A of the children who make application for the benefits provided for in this subdivision.

3 Higher Education Corporations; Organization. Amend RSA 292:8-c through RSA 292:8-h to read as follows:

292:8-c Organization. The articles of agreement for the purpose of organizing a corporation for the establishment of an institution [~~for postsecondary education or~~] **of higher learning** shall be submitted to the commission for its consent for said incorporation.

292:8-d Approval. No articles of agreement for the incorporation of institutions [~~for postsecondary or higher education~~] **of higher learning** shall be recorded in the office of the secretary of state unless or until consent for said incorporation has been obtained from the commission.

292:8-e General Statement. The commission shall approve as a corporation of higher learning only such institutions as have been evaluated according to procedures and standards established by the commission.

The commission may accept accreditation or program approval by a recognized accrediting body in place of its own independent evaluation.

292:8-ee Freedom From Liability. No employee of the division, member of the commission, or any member of an evaluation committee established under any provision of this subdivision shall be held personally liable, either as an individual or as a member of a group [~~for any loss which may accrue to an educational institution as a result of the denial of degree granting authority under any section of this subdivision~~], so long as said employee or member was acting in good faith in the furtherance of duties as an employee of the division or member of the commission or an evaluation committee. All such members shall be entitled to the protections afforded by RSA 99-D.

292:8-f Submission of Plans. Any person **or entity** desiring to establish an institution of higher learning shall submit to the commission [~~at the time approval is requested for its articles of incorporation,~~] its plans, which shall be evaluated by the commission [~~prior to granting its certificate~~]. Such evaluation shall include among other things the adequacy of the buildings or proposed buildings, instructional facilities and provisions for safety and well-being of its students, the qualifications of the faculty, the character of the program of studies and the adequacy of financial resources. **All fees collected by the commission under this section shall be deposited into the higher education fund established in RSA 21-N:8-a, III.**

292:8-ff Continuing Review.

I. The commission shall conduct periodic reevaluations of educational institutions incorporated under this chapter [~~and of any degree granting authority under RSA 292:8-h~~].

II. The commission shall conduct a special reevaluation of any educational institution, if:

- (a) The institution is sold or transferred to, or merged with, another entity; or
- (b) There is a substantial change in the governance of the institution.

III. The commission shall suspend or revoke the [~~accreditation~~] **approval** or degree granting authority of any institution which no longer meets the standards established by rule under RSA 21-N:8-a, II(e).

IV. Any institution which has not conducted regular instruction for 3 consecutive years and whose charter has not been repealed shall, before announcing a resumption of instruction, submit plans **to the commission** and be evaluated and approved under RSA 292:8-f.

V. Any institution which has not awarded a particular degree for 4 years shall seek and receive approval by the commission before **resuming the** awarding **of** that degree.

292:8-g Limitation on Name. Notwithstanding the provisions of RSA 292:3 no person, school, association or corporation shall use in any way the term "junior college" or "college" or "university" in connection with an institution, or use any other name, title or descriptive matter tending to designate that it is an institution of higher learning unless it has been incorporated under the provisions of this chapter. [~~The provisions of this section shall not apply to a person, school, association or corporation which has been authorized to use said terms by law prior to January 1, 1965.~~] Any person, school, association or corporation authorized by a special act of the legislature shall not change its name to include any of said terms under the provisions of RSA 292:8-l unless its amendment therefor shall be submitted to and approved by the commission prior to being filed in the office of the secretary of state.

292:8-h Granting of Degrees.

I. This section shall apply to all educational institutions within the state granting degrees or seeking to do so, except the following:

- (a) Any institution now granting degrees which has been in continuous operation since before 1775;
- (b) [Repealed.]

(c) [~~Publicly supported institutions placed by the legislature under the authority of the state board of education~~] **Institutions of the university system of New Hampshire pursuant to RSA 187-A and institutions of the community college system of New Hampshire pursuant to RSA 188-F.**

II. No educational institution shall grant degrees unless authorized by name to do so by an act of the legislature.

III. The commission shall specify the degrees an institution may grant, and the commission may renew, for a set term of years, degree granting authority ~~[granted by the legislature. The commission's actions shall be subject to biennial certification by the legislature].~~ The commission shall report its ~~[action]~~ **activity** by January 31 of each odd-numbered year to both the house and senate standing committees on education.

IV. Any out-of-state institution of higher learning planning to establish a branch campus or offer courses, programs, or degrees in this state, shall apply to the commission for evaluation and approval of its plans. If such plans are not approved or if approval is withdrawn by the commission, all operations and publicity of the out-of-state institution shall cease without delay.

4 University System of New Hampshire; Tuition Waivers. Amend RSA 187-A:20-a and RSA 187-A:20-b to read as follows:

187-A:20-a Tuition Waived for Children of Certain Firefighters and Police Officers; Room and Board Scholarships.

I. A person who is a New Hampshire resident, who is under 25 years of age, and who enrolls in a program leading to a certificate, associate, or bachelor degree at any public postsecondary institution within the state~~;~~ ~~approved by the department of education, division of higher education,~~ shall not be required to pay tuition for attendance at such institution if he or she is the child of a firefighter or police officer who died while in performance of his or her duties, and whose death was found to be compensable pursuant to RSA 281-A.

II.(a) Any person entitled to a waiver of tuition under this section may apply for a room and board scholarship while attending the institution, to the extent of available funds. ~~[Applications for a room and board scholarship shall be filed annually with the director of the division of higher education. The department of education shall adopt rules, pursuant to RSA 541-A,~~ **The board of trustees of the university system of New Hampshire and the board of trustees of the community college system of New Hampshire shall have the authority to develop policies for their respective institutions** relative to the development of criteria for awarding scholarships, development of scholarship application forms, application deadlines, scholarship amounts, provisions for continuing eligibility, and other procedures necessary to administer the room and board scholarships.

(b) There is hereby established in the office of the state treasurer a nonlapsing fund to be known as the room and board scholarship fund. The state treasurer shall invest the fund pursuant to RSA 6:8 and earnings shall be added to the fund. The fund shall be continually appropriated to the ~~[division of higher education]~~ **university system of New Hampshire** for the purpose of providing room and board scholarships as provided in this section, and shall not be diverted or used for any other purpose. The ~~[director of the division of higher education]~~ **board of trustees of the university system of New Hampshire and the board of trustees of the community college system of New Hampshire** may apply for and accept gifts, grants, and donations from any source to be used for the purpose of providing room and board scholarships as provided in this section.

187-A:20-b Tuition Waiver for Children in State Foster Care or Guardianship.

I. An eligible individual who enrolls full-time in a program leading to a certificate, associate, or bachelor degree at any public postsecondary institution within the state ~~[that is approved by the department of education, division of higher education,~~ shall not be required to pay tuition or fees for attendance at such institution.

II. In this section, an eligible individual is a person who is less than 23 years of age and who is or was:

- (a) In state foster care for the immediate 6-month period prior to his or her 18th birthday;
- (b) In state guardianship or custody at the time of his or her 18th birthday;
- (c) Adopted while in state guardianship or adopted from the care, custody, and control of the department following a surrender of parental rights; or
- (d) In an out-of-home placement under the supervision of the division for juvenile justice services at the time of his or her 17th birthday.

III.(a) Eligible individuals interested in a tuition waiver shall annually apply ~~[to the division of higher education on a form]~~ **on forms** provided ~~[by the division of higher education]~~ and within the deadlines established by the ~~[division of higher education]~~ **university system of New Hampshire and the community college system of New Hampshire for their respective institutions.** No more than ~~[20]~~ **10** tuition waivers per year shall be granted **by the university system of New Hampshire and no more than 10 tuition waivers per year shall be granted by the community college system of New Hampshire.** The ~~[department of education shall adopt rules, pursuant to RSA 541-A, relative to the development of]~~ **university system of New Hampshire and the community college system of New Hampshire shall have the authority to develop** eligibility criteria **for their respective institutions** designed to give the children with the greatest financial need first priority in the tuition waiver program ~~[, the creation of an application form, application deadlines, and provisions].~~ **Such eligibility criteria shall also include provisions** for continuing eligibility ~~[which require]~~ **based on** continued full-time enrollment ~~[as provided in this section]~~ and ~~[maintaining]~~ satisfactory academic progress as defined by the institution.

(b) Beginning November 1, 2008, and no later than November 1 each year thereafter, the division of children, youth, and families shall submit a report to the health and human services oversight committee, established in RSA 126-A:13, and the house children and family law committee, or their successor committees, detailing the status of the tuition waiver program.

IV. An eligible individual may also apply for a room and board scholarship under the provisions of RSA 187-A:20-a, II without having to comply with the provisions of RSA 187-A:20-a, I.

5 Higher Education Corporations; Reports Required. Amend RSA 292:8-kk to read as follows:
292:8-kk Reports Required.

I. When any institution of higher learning ceases the regular conduct of instruction, ~~[either temporarily or permanently, whether or not the corporation is dissolved, the original written academic record, or a legible, certified copy thereof as defined by the institution, of]~~ **2 certified transcripts and an electronic copy of the same for** each student who ~~[has been]~~ **was** registered for instruction at the institution shall be forwarded to the commission together with **a course catalogue for each year in which the institution operated, and** an explanation of the institution's credit and grading system. The commission shall preserve these records and upon request of the individual concerned, shall furnish a certified copy ~~[, or reasonable number of such copies,]~~ of the individual's record. The fee for each record so furnished to be paid to the commission shall be sufficient to cover related costs.

II. All transcript request fees collected by the commission under this section shall be deposited into ~~[a nonlapsing, revolving fund to be used for managing the storage, maintenance, and retrieval of closed school transcripts]~~ **the higher education fund established in RSA 21-N:8-a, III.**

6 New Subparagraph; Application of Receipts; Higher Education Fund. Amend RSA 6:12, I(b) by inserting after subparagraph (310) the following new subparagraph:

(311) The higher education fund established in RSA 21-N:8-a, III.

7 Repeal. The following are repealed:

I. RSA 21-N:9, III, relative to department of education rulemaking for tuition waiver and scholarship programs for children of firefighters, police officers, and foster children, is repealed.

II. RSA 186:13-b, relative to approval of branches of out-of-state institutions.

III. RSA 186:13-c, relative to penalties for establishing an unapproved branch of an out-of-state institution.

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

AMENDED ANALYSIS

This bill:

I. Revises the duties and membership of the higher education commission.

II. Revises the application and approval process for institutions of higher learning to seek and receive approval from the higher education commission.

III. Establishes the higher education fund.

IV. Transfers rulemaking authority for tuition waiver and scholarship programs for children of firefighters and police officers, and for foster children from the department of education to the university system of New Hampshire and the community college system of New Hampshire.

V. Places approval of out-of-state branches of institutions of higher learning within the authority of the higher education commission.

Amendment adopted.

Committee report adopted and referred to the Committee on Ways and Means.

SB 162-FN, repealing the student tuition guaranty fund and making provisions for the disbursement of remaining funds, and relative to the membership of the higher education commission. **OUGHT TO PASS WITH AMENDMENT.**

Rep. June M. Frazer for Education: This bill repeals the student tuition guaranty fund which was funded from an annual fee established by rule and assessed against each school duly licensed by the commission and all applicants for a license under RSA 188-G:2. The bill further requires the higher education commission to disburse all remaining funds except accrued interest to the private postsecondary career schools responsible for contributing the funds. The interest will go to the general fund. Vote 18-0.

Amendment (1401h)

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

AN ACT repealing the student tuition guaranty fund and making provisions for the disbursement of remaining funds.

Amend the bill by deleting section 5 and renumbering the original section 6 to read as 5.

AMENDED ANALYSIS

This bill repeals the student tuition guaranty fund and requires the higher education commission to disburse all remaining funds to the private postsecondary career school responsible for contributing the funds. Amendment adopted. Committee report adopted and referred to the Committee on Finance.

SB 189-FN, relative to the licensure of fuel gas fitters and plumbers by a mechanical licensing board established within the department of safety and transferring regulation of plumbers to the mechanical licensing board. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Dianne E. Schuett for the Majority of Executive Departments and Administration: The bill, as amended, revises standards for licensure of fuel gas fitters and places those trades along with the plumbing trades into the mechanical licensing board under the supervision of the department of safety. The committee worked with the fire marshal's office in the department of safety and the various trades and their current governing boards to craft an amendment that addressed the changing nature of these fields. The committee amendment defines the various trades dealing with heating oil, liquefied propane and natural gas and describes the specific duties which can be performed by each title from installation of pipes or appliances to service, repair or even demolition of complete systems. The amendment also requires the following qualifying standards: a fuel gas installation technician must have 1,000 hours of field experience, or equivalent in an approved educational setting installing, servicing or repairing gas appliances or equipment within 60-months and may count up to 500 hours installing, servicing or repairing heating oil fired appliances or equipment to meet the 1,000 hours; a fuel gas service technician must have 2,000 hours of field experience, or equivalent in an approved educational setting installing, servicing or repairing gas appliances or equipment, or gas piping within 60-months and may count up to 750 hours installing, servicing or repairing heating oil fired appliances or equipment to meet the 2,000 hours; a fuel gas piping installer must have 1,000 hours of field experience, or equivalent in an approved educational setting installing gas piping within 60-months and may count up to 500 hours installing, servicing or repairing heating oil fired appliances or equipment to meet the 1,000 hours. The amendment further changes the expiration of all licenses under this section to the end of January every two years for conformity. It also allows for a licensed business entity to apply for and receive permits so that the tradesman does not use work time to do so. Finally, it spells out exemptions for students in high school vocational programs, employees of public water systems and certain welders working under the supervision of a licensed fuel gas fitter or master plumber. The majority of the committee believes that the bill, as amended, provides appropriate competency in these licensed trades to ensure the safety of the citizens of our state. Vote 17-2.

Rep. Daniel C. Hansberry for the Minority of Executive Departments and Administration: This bill reduces the training hours currently required to be a licensed fuel gas service technician from 5,000 to 2,000. Additionally, it permits 750 of the 2,000 hours to be fulfilled while servicing oil fired appliances. This results in only 1250 hours of the trainee's experience being completed while working on gas fired equipment. The net effect is a 75% reduction in the number of hours presently required for training on gas fired equipment in order to be licensed. The minority acknowledges that there is a shortage of gas service technicians, however, it does not believe the way to address it is by lowering the standards for licensure. Utilizing such an approach lowers the quality of service provided to the consumer and potentially compromises public safety.

Majority Amendment (1464h)

Amend the bill by replacing section 5 with the following:

5 Definitions. RSA 153:27 is repealed and reenacted to read as follows:

153:27 Definitions. In this subdivision:

- I. "Board" means the mechanical licensing board established in RSA 153:27-a.
- II. "Domestic appliance technician" means any person engaged in the installation, servicing, and repair of liquefied propane or natural gas domestic appliances designed specifically for residential use, limited to residential clothes dryers and their venting systems, domestic stove tops, cook stoves and ranges and their venting systems, or outdoor cooking equipment and pool heaters.
- III. "Fuel gas fitter" means a hearth system installation and service technician, a fuel gas installation technician, a fuel gas service technician, or a fuel gas piping installer regulated by this subdivision.
- IV. "Fuel gas fitting" means the installation, repair, alteration, service, demolition or removal of pipes, fixtures, fittings, appliances, or apparatus necessary for supplying natural gas or propane for residential or non-residential use from the point of delivery and all gas piping before connection to the combustion zone and including the applicable venting of flue gases to the outside atmosphere and the provisions for air for combustion and ventilation.
- V. "Fuel gas installation technician" means any person engaged in the installation of inside and outside piping from the outlet of the gas meter or first stage regulator or residential and non-residential heating equipment systems or water heating systems using liquefied propane gas or natural gas.
- VI. "Fuel gas piping installer" means any person engaged in the installation of liquefied propane gas or natural gas piping or who is a New Hampshire licensed plumber, approved by the board through affidavit, experience, education or training in the use of NFPA 54, national fuel gas code as adopted pursuant to RSA 153:5 in the state fire code.
- VII. "Fuel gas service technician" means any person engaged in the servicing and repair of inside and outside piping from the outlet of the gas meter or first stage regulator or residential and non-residential heating equipment systems or water heating systems using liquefied propane gas or natural gas.
- VIII. "Fuel gas trainee" means any person engaged in the process of meeting the licensing requirements of this subdivision, who shall work under the supervision of a licensed fuel gas fitter in the repair or instal-

lation of inside and outside piping from a gas meter or first stage regulator, and the repair or installation of residential and nonresidential heating equipment systems, hot water heating systems, or hearth equipment systems utilizing liquefied propane gas or natural gas.

IX. "Hearth system installation and service technician" means any person engaged in the installation, servicing, and repair of liquefied propane or natural gas hearth appliances and venting systems.

X. "Journeyman plumber" means any person who customarily performs the work of installing, maintaining, and repairing plumbing and drainage under the direction of a master plumber.

XI. "License" means any license issued pursuant to this subdivision.

XII. "Master plumber" means any person, firm, corporation, or limited liability company that, as a business, hires or employs a person or persons to do plumbing work, or, without hiring any person, does that work as a principal business or as auxiliary to a principal business for its own account.

XIII. "Person" means an individual, natural person.

XIV. "Plumbing" means the practice, materials, and fixtures used in the installing, maintenance, extension, and alteration of all piping, fixtures, plumbing appliances, and plumbing appurtenances within or adjacent to any structure, in connection with sanitary drainage or storm drainage facilities; venting systems; and public or private water systems. For the purposes of this subdivision, the term "plumbing" shall not apply beyond the first fitting beyond the foundation wall of the building or 5 feet of pipe from the building.

XV. "Plumbing apprentice" means any person who is engaged in learning and assisting in the installation of plumbing and drainage under an apprenticeship program that meets the requirements of the state apprenticeship advisory council established in RSA 278.

XVI. "Water treatment system" means any apparatus for treating or processing water to modify, enhance, or improve its quality or to meet a specific water quality need, desire, or standard, and the pipes, fittings, and other components servicing such apparatus.

XVII. "Water treatment technician" means any person who installs, maintains, or repairs water treatment systems.

XVIII. "Water treatment trainee" means any person who is engaged in learning about and assisting in installing, maintaining, or repairing water treatment systems under the direct supervision of a water treatment technician certified under this subdivision.

Amend RSA 153:27-a as inserted by section 6 of the bill by inserting after paragraph V the following new paragraph:

VI. The secretary of the board shall receive at least monthly an accounting from the department of all moneys derived under the provisions of this subdivision.

Amend the bill by replacing section 7 with the following:

7 Rulemaking Mechanical Licensing Board. RSA 153:28 is repealed and reenacted to read as follows:
153:28 Rulemaking.

I. Notwithstanding RSA 21-G:9, the board, with an affirmative vote of at least 4 of the appointed board members, in consultation with the state fire marshal and with the approval of the commissioner of safety, shall adopt rules, pursuant to under RSA 541-A, necessary for the proper implementation of the licensure requirements established in this subdivision, which shall include the following:

(a) Standards regarding requirements for education or its equivalent, field experience or its equivalent in an approved educational setting, and testing for applicants for initial licensure for the following specialty licenses:

(1) Hearth system installation and service technician.

(2) Fuel gas installation technician; provided that the standards adopted in rules shall require 1,000 hours of field experience, or its equivalent in an approved educational setting, within a 60-month period relevant to the installation, servicing, and repair of gas appliances or equipment and that up to 500 hours of relevant field experience installing, servicing, or repairing heating oil fired appliances or equipment within the 60-month period may be used to meet the required 1,000 hours.

(3) Fuel gas service technician; provided that the standards adopted in rules shall require 2,000 hours of field experience, or its equivalent in an approved educational setting, within a 60-month period relevant to the installation, servicing, and repair of gas appliances, equipment, or gas piping and that up to 750 hours of relevant field experience installing, servicing, or repairing heating oil fired appliances or equipment within the 60-month period may be used to meet the required 2,000 hours.

(4) Fuel gas piping installer; provided that the standards adopted in rules shall require 1,000 hours of field experience, or its equivalent in an approved educational setting, within a 60-month period relevant to the installation of gas piping and that up to 500 hours of relevant field experience installing, servicing, or repairing heating oil fired appliances or equipment within the 60-month period may be used to meet the required 1,000 hours.

(5) Fuel gas trainee.

(6) Domestic appliance technician.

(7) Master plumber.

(8) Journeyman plumber.

(9) Apprentice plumber.

(b) Standards for license renewal and continuing education requirements. Continuing education requirements may be fulfilled in full or in part by training programs approved by the board. The rules shall address the number of hours of continuing education for each specialty license, and education applicable to holders of multiple specialty licenses.

(c) The implementation of reciprocity agreements entered into pursuant to paragraph V.

II. Notwithstanding RSA 21-G:9, the board, with an affirmative vote of at least 4 of the appointed board members, in consultation with the state fire marshal and with the approval of the commissioner of safety, shall establish application fees for licensure, for renewal, for late renewal, and for reinstatement of licenses under this subdivision pursuant to RSA 541-A. Such licensing fees including any endorsements shall not exceed \$500 per individual. The board shall also adopt fees for replacement licenses, for certified copies and reports, for inspections done pursuant to this subdivision, for letters of verification requested by individuals or jurisdictions relating to licensure and certification, and for transcribing and transferring records and other services. The fee for examination by third parties shall be separate from the fees established by the board. Fees shall be sufficient to produce estimated revenues equal to 125 percent of the direct operating expenses of the previous fiscal year. Fees collected shall be deposited in the general fund.

III. Notwithstanding RSA 21-G:9, the board, with an affirmative vote of at least 4 of the appointed board members, in consultation with the state fire marshal and with the approval of the commissioner of safety, shall adopt technical standards for fuel gas fitting and plumbing by rule under RSA 541-A. The board shall use applicable codes as adopted by the state of New Hampshire.

IV. The state fire marshal shall assist and support the board in administering and enforcing the provisions of this subdivision.

V. The board may enter into reciprocity agreements which shall permit the licensing of fuel gas fitters and plumbers from states which have a mutual mechanical licensing reciprocity agreement with this state, for all mechanical licenses listed in paragraph I(a) provided the board determines that the requirements for licensure in that state are equivalent to, or greater than, those established by this subdivision.

Amend RSA 153:29-a, I and II as inserted by section 8 of the bill by replacing them with the following:

I. The ~~[commissioner]~~ **board** may issue a business entity a ~~[gas fitter]~~ license without examination or continuing education requirements to corporations, partnerships, or limited liability companies engaged in fuel gas fitting **and/or plumbing**, provided one or more officers of the corporation, or designee, or one or more members of the partnership, or designee, or one or more managing members of the limited liability company, or designee, hold an active and current license as a ~~[liquefied propane service technician or natural]~~ **fuel gas service technician or master plumber for the appropriate mechanical business entity license, or any combination thereof, provided that the licensee of record is properly licensed for each of the business entities listed by the applicant** under this subdivision. Within 30 days after the death or withdrawal of the licensed person as a corporate officer, or designee, or member of the partnership, or designee, or one or more managing members of the limited liability company, or designee, the licensed person, corporation, partnership, or limited liability company shall give notice thereof to the ~~[commissioner]~~ **board** and, if no other officer, partner, manager or designee, is licensed as a ~~[liquefied propane service technician or natural]~~ **fuel gas service technician or master plumber**, the corporation, or partnership, or limited liability company shall not act as a fuel gas fitter **or plumber** until some other officer, member, or designee, has obtained a license as a ~~[liquefied propane service technician or natural]~~ **fuel gas service technician or master plumber**. Notwithstanding any other provision of law, the ~~[commissioner]~~ **board** shall not require a fee for a ~~[corporation]~~ **business entity** engaged in fuel gas fitting **and/or plumbing** where a licensed ~~[liquefied propane service technician or natural]~~ **fuel gas service technician or master plumber** is the sole ~~[shareholder]~~ **individual holding the license** of the ~~[corporation]~~ **business entity**.

II. All licenses issued under this section shall expire every 2 years on the last day of ~~[December]~~ **January**. The ~~[commissioner]~~ **board** shall renew a valid license issued under this section on receipt of an application for renewal and the required fee before the expiration date of the license.

Amend RSA 153:29-a as inserted by section 8 of the bill by inserting after paragraph IV the following new paragraph:

V. A licensed business entity may apply for and receive a permit from any municipality within the state.

Amend RSA 153:35 as inserted by section 8 of the bill by replacing it with the following:

153:35 Local Enforcement. The rules adopted **by the mechanical licensing board** pursuant to RSA 153:28, may be enforced by the building inspection department or by any officer designated by the administrative authority of the city or town~~;~~ ~~provided, however, that a city or town may adopt and enforce ordinances more stringent than the rules adopted under this subdivision~~.

Amend RSA 153:36, III through V as inserted by section 8 of the bill by replacing them with the following:

III. The license requirements of this subdivision shall not apply to any plumbing or fuel gas fitting installations in residential buildings performed by students enrolled in a high school vocational plumbing or fuel gas fitting program approved by the department of education or an approved postsecondary vocational plumbing or fuel gas fitting program, provided such work is performed under the supervision of either a person holding a valid license for the trade that he or she is supervising or by a licensed plumber or fuel gas fitter who is a supervisor of students in cooperative education placements from such programs; and in those cases where the installation is in a new building being constructed as a part of the vocational program, that the installation will be inspected and approved by an individual or group of individuals chosen by the local school districts from persons nominated by the mechanical licensing board. Any person nominated by the board shall hold a master plumber's, fuel gas installation technician, fuel gas service technician, or piping installer license issued by the board.

IV. The license requirements of this subdivision shall not apply to employees of public drinking water systems and public water system operators certified by the department of environmental services for drinking water treatment.

V. The license requirements of this subdivision shall not apply to any welder who shall hold a current and valid certification for welding as authorized by the American Society of Mechanical Engineers (ASME), who is supervised by a licensed fuel gas fitter or master plumber, for the sole purpose of joining pipe and pipe fittings, through the appropriate certified welding processes, to piping systems, under the direct supervision of the licensed fuel gas fitter or master plumber.

Amend the bill by replacing section 14 with the following:

14 Application of Act; Transition; Licensure; Rules.

I. Plumbers licensed by the board established in RSA 329-A, prior to repeal by this act, shall continue to be validly licensed until expiration, suspension, or revocation of the license by the mechanical licensing board according to RSA 153:27-37 as amended by this act.

II. Rules of the plumbers board adopted under the provisions of RSA 329-A shall continue to be effective until amended, replaced, superseded, or repealed by the mechanical licensing board pursuant to RSA 153:28.

III. Water treatment technicians certified by the plumbers board prior to the repeal of the plumbers board by this act shall continue to be validly certified until expiration, suspension, or revocation of the certification by the mechanical licensing board according to RSA 153:38 as inserted by this act.

IV. Gas fitters licensed by the department of safety under RSA 153:27-37 prior to the effective date of this act shall continue to be validly licensed until expiration, suspension, or revocation of the license by the mechanical licensing board according to RSA 153:27-37 as amended by this act.

V. Rules adopted by the department of safety under the provisions of RSA 153:28 prior to the effective date of this act shall continue to be effective until amended, replaced, superseded, or repealed by the mechanical licensing board pursuant to RSA 153:28.

VI. Individuals involved in the installation of residential and non-residential heating equipment systems, water heating systems, or appliances using heating oil and individuals involved in the servicing and repair of heating equipment, water heating systems, or appliances using heating oil, certified by the department of safety under RSA 153:16-b prior to the effective date of this act, shall continue to be validly certified until the expiration, suspension, or revocation of the certification by the mechanical licensing board under RSA 153:16-b as amended by this act.

VII. Rules adopted by the department of safety for the voluntary certification program under RSA 153:16-b prior to the effective date of this act shall continue to be effective until amended, replaced, superseded, or repealed by the mechanical licensing board pursuant to RSA 153:16-b as amended by this act.

Majority committee amendment adopted.

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

Rep. Hansberry spoke against and yielded to questions.

Rep. Danais spoke in favor.

On a division vote, 294 members having voted in the affirmative and 53 in the negative, the majority committee report was adopted and referred to the Committee on Ways and Means.

SB 45, relative to electronic prescriptions. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Laurie Harding for the Majority of Health, Human Services and Elderly Affairs: This bill begins to address a problem related to the ability of the consumer to obtain a prescription in a timely fashion. Current law requires that the health benefit plan maintain an approval process that does not exceed 48 hours "by which covered persons may obtain coverage for a medically necessary nonformulary prescription drug." The language in SB 45 states that the drug will be considered approved if the exception process exceeds 48 hours. This bill was recommended by a prescription drug study committee in 2012 and has full support of all the involved stakeholders. Vote 16-2.

Rep. Richard E. Meaney for the Minority of Health, Human Services and Elderly Affairs: People will not be denied access to medications if this bill fails, since it solely focuses on third party payment for prescriptions. This bill could promote increased rates of denial of patients' prescriptions by insurance companies because of 48 hour approval period is too short. Insurance companies could automatically deny requests in order to better evaluate the safety, cost and quality of care of the requested medications. The National Committee for Quality Alliance recommends that health plans make decisions within 72 hours for urgent requests. The timeline in this bill is unreasonable and places a greater burden on the already over-regulated and over-burdened health insurance industry.

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

Rep. Meaney spoke against and yielded to questions.

Rep. DiMartino spoke in favor.

On a division vote, 247 members having voted in the affirmative and 101 in the negative, the majority committee report was adopted and ordered to third reading.

SB 64, relative to public informational meetings on dams. **OUGHT TO PASS.**

Rep. Leigh A. Webb for Resources, Recreation and Development: This bill, supported by the department of environmental services (DES) and the New Hampshire municipal association, eliminates the requirement that municipalities pay for the notice of a public informational meeting when a private dam owner wishes to conduct unscheduled breach or lowering of water level. The committee heard testimony that the existing requirement was unduly burdensome to certain communities and may, in fact, constitute an unfunded mandate. The responsibility for the notice is, instead, shifted to the dam owner. The bill recognizes the municipality's interest in the information process by stipulating that the local governing body will cooperate with the dam owner in holding a public meeting. In addition, the bill specifies that the public informational meeting be held at least 15 days prior to the breaching of the dam or lowering of the water level of the pond or lake. Vote 13-3.

Committee report adopted and ordered to third reading.

Rep. John Hunt declared a conflict of interest and did not participate.

SB 124-FN, establishing an integrated land development permit. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Suzanne H. Gottling for the Majority of Resources, Recreation and Development: This bill establishes a voluntary alternative process for any project requiring two or more permits from the department of environmental services (DES). This integrated land development permit encompasses four programs: terrain alteration, wetlands, sewage disposal systems and shoreland water quality protection. An applicant may consult with DES before participating. After applying, there is an extensive pre-application technical review followed by a final review. The program allows for early notification to and involvement of all interested parties such as municipalities, regional commissions, state divisions and departments and federal entities. It significantly shortens the time for completion of the state permitting process. The amendment specifies how a municipality is included in the entire process and sunsets the two positions needed for initial implementation of the program. Vote 14-5.

Rep. Andrew Renzullo for the Minority of Resources, Recreation and Development: This bill establishes an integrated land development permit designed to consolidate four separate permits. The minority supports this concept. Unfortunately, the bill (as amended) contains wording establishing two additional positions in the department of environmental services (DES). The minority cannot support this increase in the size of state government, especially as the integrated permit is designed to be an efficiency program.

Majority Amendment (1501h)

Amend RSA 489:3, II as inserted by section 1 of the bill by replacing it with the following:

II. Municipalities may review materials, engage in discussions with the department, conduct independent site visits with the consent of the property owner and the applicant, if other than the property owner, and provide written comment to the department during any or all phases of the integrated land development permit process. Municipalities may attend site visits, attend meetings or participate in discussions between the applicant and the department in accordance with the following:

(a) Municipalities may participate in meetings or other discussions between the department and the applicant during the conceptual and pre-application phases of the integrated land development permit process under RSA 489:5 and RSA 489:6 with the consent of the applicant.

(b) Municipalities may participate in site visits conducted by state or federal regulatory agencies during the conceptual and pre-application phases of the integrated land development permit process under RSA 489:5 and RSA 489:6 with the consent of the property owner and the applicant, if other than the property owner.

(c) If the department concludes that it would promote the efficient and timely consideration of a final application under RSA 489:7, the department may invite the municipality in which the subject property is located to participate in meetings or other discussions between the department and the applicant or attend site visits conducted by state or federal regulatory agencies.

(d) To the extent practicable, site visits by municipalities for the purposes of commenting on a permit application or permit issued under this chapter shall be coordinated with entry upon the property by state or federal regulatory agencies under RSA 489:3, VI.

Amend subparagraph II(b) as inserted by section 2 of the bill by replacing it with the following:

(b) An Environmentalist IV (LG 27) position to be supported by general funds, to provide technical, multi-disciplinary expertise in the permitting review of large, complex projects under the integrated land development permit program.

Amend RSA 489:6, V as inserted by section 1 of the bill by replacing it with the following:

V. The department may invite any state or federal entities notified under paragraph I to participate in pre-application technical review discussions. Other persons or entities may be included at the request of the applicant.

Amend the bill by replacing all after section 7 with the following:

8 Repeal. Paragraph II of section 2 of this act, relative to positions established within the department of environmental services, is repealed.

9 Effective Date.

I. Sections 1, 6, and 7 of this act shall take effect January 1, 2015.

II. Sections 3-5 of this act shall take effect 60 days after its passage.

III. Section 8 of this act shall take effect June 30, 2015.

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

Majority committee amendment adopted.

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

Rep. Renzullo spoke against.

(Speaker Norelli in the Chair)

Rep. Gottling spoke in favor.

Rep. Ebel requested a roll call; sufficiently seconded.

YEAS 218 - NAYS 137

YEAS 218

BELKNAP

Arsenault, Beth
Huot, David

DiMartino, Lisa
Raymond, Ian

Fields, Dennis

Gulick, Ruth

CARROLL

Ahlgren, Christopher
Merrow, Harry
White, Syndi

Buco, Thomas
Nelson, Bill

Butler, Edward
Schmidt, Stephen

Lavender, Tom
Ticehurst, Susan

CHESHIRE

Ames, Richard
Chase, Cynthia
Ley, Douglas
Sad, Tara
Weed, Charles

Berch, Paul
Eaton, Daniel
Mann, John
Shepardson, Marjorie
Young, Harry

Burridge, Delmar
Hunt, John
Phillips, Larry
Tatro, Bruce

Butynski, William
Johnsen, Gladys
Robertson, Timothy
Weber, Lucy

COOS

Coulombe, Gary
Theberge, Robert

Hammon, Marcia

Hatch, William

Moynihan, Wayne

GRAFTON

Aguiar, James
Cooney, Mary
Higgins, Patricia
Mulholland, Catherine
Smith, Suzanne

Almy, Susan
Ford, Susan
Lauer, Linda
Nordgren, Sharon
Sykes, George

Benn, Bernard
Friedrich, Carol
Lovett, Sid
Pastor, Beatriz
Townsend, Charles

Brown, Rebecca
Harding, Laurie
Massimilla, Linda
Piper, Wendy
White, Andrew

HILLSBOROUGH

Backus, Robert
Campbell, David
Cote, David
Gage, Ruth
Gorman, Mary
Hansberry, Daniel
Jeudy, Jean
Levesque, Melanie

Beaulieu, Jane
Carroll, Douglas
Culbert, Patrick
Gale, Sylvia
Grady, Brenda
Heden, Ruth
Knowles, Mary Ann
Long, Patrick

Booras, Efstathia
Chandley, Shannon
DiSilvestro, Linda
Gidge, Kenneth
Hackel, Paul
Infantine, William
Kopka, Angeline
MacKay, Mariellen

Brown, Pamela
Connor, Evelyn
Eaton, Richard
Goley, Jeffrey
Hammond, Jill
Jack, Martin
Leishman, Peter
Manley, Jonathan Sr

McCloskey, David
Porter, Marjorie
Sanborn, Laurie
Soucy, Timothy
Sullivan, Peter
Williams, Carol

Nelson, Mary
Rhodes, Brian
Schmidt, Janice
Souza, Kathleen
Vail, Suzanne
Williams, Kermit

O'Brien, Michael Sr
Rokas, Ted
Shattuck, Gilman
Spratt, Stephen
Walsh, Robert Jr
Woodbury, David

O'Neil, William
Rosenwald, Cindy
Shaw, Barbara
Sullivan, Daniel
Willette, Robert

MERRIMACK

Alicea, Caroletta
Carey, Lorrie
Frambach, Mary
Hirsch, Geoffrey
Lockwood, Priscilla
Patten, Dick
Schamberg, Thomas
Turcotte, Alan
Webb, Leigh

Bartlett, Christy
Carson, Clyde
Frazer, June
Hunt, Jane
MacKay, James
Ratzki, Mario
Schuett, Dianne
Wallner, Mary Jane

Bouchard, Candace
Davis, Frank
French, Barbara
Karrick, David Jr
Moffett, Howard
Richardson, Gary
Shurtleff, Stephen
Walz, Mary Beth

Burns, Scott
Ebel, Karen
Gile, Mary
Kidder, David
Myler, Mel
Rogers, Katherine
Tilton, Joy
Watrous, Rick

ROCKINGHAM

Allen, Mary
Burtis, Elizabeth Jr
Elliott, Robert
Helmstetter, Barbara
Mann, Maureen
Pantelakos, Laura
Schlachman, Donna
Sweeney, Joe
Wazlaw, Brian

Belanger, Ronald
Cahill, Michael
Emerson-Brown, Rebecca
Kolodziej, Walter
Moody, Marcia
Peckham, Michele
Schroadter, Adam
Till, Mary
Whittemore, Lisa

Borden, David
Cali-Pitts, Jacqueline
Flockhart, Eileen
Lovejoy, Patricia
Muns, Chris
Sanders, Elisabeth
Sherman, Thomas
Ward, Gerald

Briden, Steven
Cushing, Robert
Heffron, Frank
Lundgren, David
Nigrello, Robert
Scarlotta, Joe
St.James, Kevin
Waterhouse, Kevin

STRAFFORD

Baber, William
Burdwood, Greg
Grassie, Anne
Horrigan, Timothy
Menear, H. Robert III
Marie
Rollo, Deanna
Spang, Judith

Berube, Roger
Burke, Rachel
Gray, James
Hubbard, Pamela
Miller, David

Bickford, David
Gardner, Janice
Grossman, Kenneth
Ketel, Stephen
Perry, Robert

Bixby, Peter
Ginsburg, Philip
Hooper, Dorothea
Malloy, Dennis
Rogers, Rose

Schmidt, Peter
Stevens, Audrey

Smith, Marjorie
Verschueren, James

Spainhower, Dale
Wall, Janet

SULLIVAN

Cloutier, John
Irwin, Virginia
Schmidt, Andrew

Gagnon, Raymond
Lefebvre, Benjamin
Sweeney, Cynthia

Gottling, Suzanne
O'Hearne, Andrew

Grenier, James
Rollins, Skip

NAYS 137

BELKNAP

Burchell, Richard
Flanders, Donald
Sylvia, Michael

Comtois, Guy
Greemore, Robert Jr
Tilton, Franklin

Cormier, Jane
Holmes, Stephen
Vadney, Herbert

Fink, Charles
Luther, Robert
Worsman, Colette

CARROLL

Chandler, Gene
Umberger, Karen

Cordelli, Glenn
Wright, Donald

Crawford, Karel

McConkey, Mark

CHESHIRE

Emerson, Susan

Johnson, Jane

Parkhurst, Henry

COOS

Rappaport, Laurence

Richardson, Herbert

Rideout, Leon

GRAFTON

Bradley, Lester
Reilly, Harold Sr

Doolan, Ralph Jr

Gionet, Edmond

Ladd, Rick Jr

HILLSBOROUGH

Barry, Richard
Byron, Frank
Daniels, Gary
Gagne, Larry
Hansen, Peter
Jasper, Shawn

Belanger, James
Cebrowski, John
Danielson, David
Garcia, Michael
Hikel, John
Katsiantonis, Thomas

Boehm, Ralph
Christiansen, Lars
Dobson, Jeremy
Graham, John
Hinch, Richard
Kurk, Neal

Burt, John
Coffey, James
Flanagan, Jack
Haefner, Robert
Hopper, Gary
Lambert, George

LeBrun, Donald

LeVasseur, Richard

Marston, Dick

Martel, Andre

Meaney, Richard
O'Brien, William
Palmer, Stephen
Pratt, Calvin
Straight, Philip
Villeneuve, Moe

Murotake, David
O'Flaherty, Tim
Parison, James
Renzullo, Andrew
Stroud, Kathleen
Warden, Mark

Murphy, Keith
Ober, Lynne
Pellegrino, Tony
Rowe, Robert
Ulery, Jordan
Winters, Joel

Notter, Jeanine
Ober, Russell III
Peterson, Lenette
Sandblade, Emily
Vaillancourt, Steve

MERRIMACK

Hess, David
McGuire, Dan

Hoell, J.R.
Reed, Dennis

Kotowski, Frank
Smith, Todd

McGuire, Carol

ROCKINGHAM

Abrami, Patrick
Charron, Gene
Danaïs, Romeo
Ferrante, Beverly
Garcia, Marilinda
Hagan, Joseph
Hoelzel, Kathleen
Khan, Aboul
O'Connor, John
Perkins, Lawrence
Sedensky, John
Weyler, Kenneth

Baldasaro, Alfred
Chirichiello, Brian
Devine, James
Fesh, Robert
Gordon, Richard
Harris, Jeffrey
Introne, Robert
Major, Norman
Oligny, Jeffrey
Priestley, Anne
Sytek, John

Bick, Patrick
Comerford, Timothy
Duarte, Joe
Friel, William
Grace, Curtis
Hayes, Jack
Itse, Daniel
McMahon, Charles
Packard, Sherman
Rice, Frederick
Tamburello, Daniel

Birdsell, Regina
Copeland, Timothy
Emerick, J. Tracy
Garcia, Bianca
Griffin, Mary
Hodgdon, Bruce
Kappler, Lawrence
Milz, David
Perkins, Amy
Sapareto, Frank
Tucker, Pamela

STRAFFORD

Groen, Warren

Jones, Laura

Mullen, John Jr

Pitre, Joseph

SULLIVAN

Smith, Steven

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

SB 163, establishing a commission to recommend legislation to prepare for projected sea level rise and other coastal and coastal watershed hazards. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Brian Wazlaw for Resources, Recreation and Development: The bill establishes a commission that will recommend legislation, rules and other actions to address the risks certain hazards pose. The commission will bring together state agencies, environmental organizations, scientists, businesses and insurers to examine projected sea level rise, coastal watershed hazards such as storms, river flooding and storm water run off and the risks such hazards pose to municipalities and the state of New Hampshire. The commission will review national oceanic and atmospheric administration and other scientific agency projections of coastal storm inundation and flood risk to determine the appropriate information, data and property risks. The amendment corrects the names of two regional planning boards. Vote 12-8.

Amendment (1367h)

Amend RSA 483-E:2, I(q)-(r) as inserted by section 1 of the bill by replacing them with the following:

(q) A representative of the Strafford regional planning board, appointed by that body.

(r) A representative of the Rockingham regional planning board, appointed by that body.

Amendment adopted.

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

Rep. Renzullo spoke against.

Reps. Wazlaw, Muns and Frederick Rice spoke in favor and yielded to questions.

Rep. Tamburello requested a roll call; sufficiently seconded.

YEAS 228 - NAYS 124

YEAS 228

BELKNAP

Arsenault, Beth
Raymond, Ian

DiMartino, Lisa

Gulick, Ruth

Huot, David

CARROLL

Buco, Thomas
Nelson, Bill

Butler, Edward
Ticehurst, Susan

Crawford, Karel
White, Syndi

Lavender, Tom
Wright, Donald

CHESHIRE

Ames, Richard
Chase, Cynthia
Ley, Douglas
Robertson, Timothy
Weber, Lucy

Berch, Paul
Eaton, Daniel
Mann, John
Sad, Tara
Weed, Charles

Burridge, Delmar
Emerson, Susan
Parkhurst, Henry
Shepardson, Marjorie
Young, Harry

Butynski, William
Johnsen, Gladys
Phillips, Larry
Tatro, Bruce

COOS

Coulombe, Gary
Richardson, Herbert

Hammon, Marcia
Theberge, Robert

Hatch, William

Moynihan, Wayne

GRAFTON

Aguiar, James
Cooney, Mary
Higgins, Patricia
Mulholland, Catherine
Smith, Suzanne

Almy, Susan
Ford, Susan
Lauer, Linda
Nordgren, Sharon
Sykes, George

Benn, Bernard
Friedrich, Carol
Lovett, Sid
Pastor, Beatriz
Townsend, Charles

Brown, Rebecca
Harding, Laurie
Massimilla, Linda
Piper, Wendy
White, Andrew

HILLSBOROUGH

Backus, Robert
Campbell, David
Coffey, James
DiSilvestro, Linda
Gale, Sylvia
Grady, Brenda
Hansberry, Daniel
Katsiantonis, Thomas
Levesque, Melanie
Sr
McCloskey, David
O'Brien, Michael Sr
Rhodes, Brian
Shaw, Barbara
Sullivan, Peter
Williams, Carol

Beaulieu, Jane
Carroll, Douglas
Connor, Evelyn
Dobson, Jeremy
Gidge, Kenneth
Graham, John
Heden, Ruth
Knowles, Mary Ann
Long, Patrick

McNamara, Richard
O'Neil, William
Rosenwald, Cindy
Soucy, Timothy
Vail, Suzanne
Williams, Kermit

Booras, Efstathia
Chandley, Shannon
Cote, David
Eaton, Richard
Goley, Jeffrey
Hackel, Paul
Jack, Martin
Kopka, Angeline
MacKay, Mariellen

Murotake, David
Porter, Marjorie
Schmidt, Janice
Spratt, Stephen
Walsh, Robert Jr
Winters, Joel

Brown, Pamela
Christiansen, Lars
Culbert, Patrick
Gage, Ruth
Gorman, Mary
Hammond, Jill
Jeudy, Jean
Leishman, Peter
Manley, Jonathan

Nelson, Mary
Pratt, Calvin
Shattuck, Gilman
Sullivan, Daniel
Willette, Robert
Woodbury, David

MERRIMACK

Alicea, Caroletta
Carey, Lorrie
Frambach, Mary
Hirsch, Geoffrey
MacKay, James
Ratzki, Mario
Thomas
Schuett, Dianne
Wallner, Mary Jane

Bartlett, Christy
Carson, Clyde
Frazer, June
Hunt, Jane
Moffett, Howard
Richardson, Gary

Shurtleff, Stephen
Walz, Mary Beth

Bouchard, Candace
Davis, Frank
French, Barbara
Karrick, David Jr
Myler, Mel
Rogers, Katherine

Tilton, Joy
Watrous, Rick

Burns, Scott
Ebel, Karen
Gile, Mary
Kidder, David
Patten, Dick
Schamberg,

Turcotte, Alan
Webb, Leigh

ROCKINGHAM

Abrami, Patrick
Briden, Steven
Jacqueline
Copeland, Timothy
Rebecca
Flockhart, Eileen
Helmstetter, Barbara
Mann, Maureen
Oligny, Jeffrey
Perkins, Lawrence
Schroadter, Adam
Till, Mary
Whittemore, Lisa

Allen, Mary
Burtis, Elizabeth

Cushing, Robert Jr

Harris, Jeffrey
Khan, Aboul
Moody, Marcia
Pantelakos, Laura
Rice, Frederick
Sherman, Thomas
Ward, Gerald

Bick, Patrick
Cahill, Michael

Emerick, J. Tracy

Hayes, Jack
Lovejoy, Patricia
Muns, Chris
Peckham, Michele
Scarlottio, Joe
Sweeney, Joe
Waterhouse, Kevin

Borden, David
Cali-Pitts,

Emerson-Brown,

Heffron, Frank
Lundgren, David
Nigrello, Robert
Perkins, Amy
Schlachman, Donna
Sytek, John
Wazlaw, Brian

STRAFFORD

Baber, William
Burdwood, Greg
Grassie, Anne
Hubbard, Pamela
Menear, H. Robert III
Marie
Rollo, Deanna
Spang, Judith

Berube, Roger
Burke, Rachel
Grossman, Kenneth
Jones, Laura
Miller, David

Schmidt, Peter
Stevens, Audrey

Bickford, David
Gardner, Janice
Hooper, Dorothea
Ketel, Stephen
Perry, Robert

Smith, Marjorie
Verschueren, James

Bixby, Peter
Ginsburg, Philip
Horriggan, Timothy
Malloy, Dennis
Rogers, Rose

Spainhower, Dale
Wall, Janet

SULLIVAN

Cloutier, John
Irwin, Virginia
Sweeney, Cynthia

Gagnon, Raymond
Lefebvre, Benjamin

Gottling, Suzanne
O'Hearne, Andrew

Grenier, James
Schmidt, Andrew

Burchell, Richard
Fink, Charles
Luther, Robert
Worsman, Colette

Comtois, Guy
Flanders, Donald
Sylvia, Michael

Cormier, Jane
Greemore, Robert Jr
Tilton, Franklin

Fields, Dennis
Holmes, Stephen
Vadney, Herbert

CARROLLAhlgren, Christopher
Morrow, HarryChandler, Gene
Schmidt, StephenCordelli, Glenn
Umberger, Karen

McConkey, Mark

CHESHIRE

Hunt, John

Johnson, Jane

COOS

Rappaport, Laurence

Rideout, Leon

GRAFTONBradley, Lester
Reilly, Harold Sr

Doolan, Ralph Jr

Gionet, Edmond

Ladd, Rick Jr

HILLSBOROUGHBarry, Richard
Byron, Frank
Flanagan, Jack
Hansen, Peter
Jasper, Shawn
LeVasseur, Richard
Murphy, Keith
Ober, Lynne
Pellegrino, Tony
Sanborn, Laurie
Stroud, Kathleen
Villeneuve, MoeBelanger, James
Cebrowski, John
Gagne, Larry
Hikel, John
Kurk, Neal
Marston, Dick
Notter, Jeanine
Ober, Russell III
Peterson, Lenette
Sandblade, Emily
Sweeney, Shawn
Warden, MarkBoehm, Ralph
Daniels, Gary
Garcia, Michael
Hinch, Richard
Lambert, George
Martel, Andre
O'Brien, William
Palmer, Stephen
Renzullo, Andrew
Souza, Kathleen
Ulery, JordanBurt, John
Danielson, David
Haefner, Robert
Infantine, William
LeBrun, Donald
Meaney, Richard
O'Flaherty, Tim
Parison, James
Rowe, Robert
Straight, Philip
Vaillancourt, Steve**MERRIMACK**Hess, David
McGuire, CarolHoell, J.R.
McGuire, DanKotowski, Frank
Reed, Dennis

Lockwood, Priscilla

ROCKINGHAMBaldasaro, Alfred
Comerford, Timothy
Elliott, Robert
Garcia, Bianca
Griffin, Mary
Introne, Robert
Major, Norman
Packard, Sherman
Sedensky, JohnBelanger, Ronald
Dana, Romeo
Ferrante, Beverly
Garcia, Marilinda
Hagan, Joseph
Itse, Daniel
McMahon, Charles
Priestley, Anne
St.James, KevinCharron, Gene
Devine, James
Fesh, Robert
Gordon, Richard
Hodgdon, Bruce
Kappler, Lawrence
Milz, David
Sanders, Elisabeth
Tamburello, DanielChirichiello, Brian
Duarte, Joe
Friel, William
Grace, Curtis
Hoelzel, Kathleen
Kolodziej, Walter
O'Connor, John
Sapareto, Frank
Tucker, Pamela**STRAFFORD**

Gray, James

Groen, Warren

Mullen, John Jr

Pitre, Joseph

SULLIVAN

Rollins, Skip

Smith, Steven

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

SB 164, authorizing coastal management provisions in master plans. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Suzanne J. Smith for the Majority of Resources, Recreation and Development: This bill, as amended, allows municipalities to include a coastal management section in their master plans. Municipalities who choose this option can then address planning needs resulting from projected coastal property or habitat loss due to increased frequency of storm surge or flooding. Vote 11-9.

Rep. Andrew Renzullo for the Minority of Resources, Recreation and Development: This bill authorizes coastal management provisions in master plans based on projected coastal risks and increased frequency of storm surge, flooding and inundation. The bill is very specific. These risks and frequency are not happening at present, but are based solely on someone's theory. Whereas local ordinances are based on a master plan, and whereas local ordinances limit property uses, this bill authorizes the limitation on property rights based on a theory and not fact. In addition, a related bill, SB 163, has passed the committee which establishes a commission to recommend legislation to prepare for projected sea level rise. As the SB 163 commission has yet to do its work, it is reasonable to argue that the provisions of this bill (SB 164) are, at best, premature as they are not based on a recommendation of the SB 163 commission who have not yet rigorously vetted the science behind the theory.

Amendment (1366h)

Amend the bill by deleting section 1 and renumbering the original sections 2-3 to read as 1-2, respectively. Amendment adopted.

MOTION TO LAY ON THE TABLE

Rep. Renzullo moved that **SB 164**, authorizing coastal management provisions in master plans, be laid on the table. On a division vote, 156 members having voted in the affirmative and 194 in the negative, the motion failed.

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

Rep. Renzullo spoke against.

Rep. Suzanne Smith spoke in favor and yielded to questions.

Rep. Baldasaro requested a roll call; sufficiently seconded.

YEAS 210 - NAYS 143**YEAS 210****BELKNAP**

Arsenault, Beth
Raymond, Ian

DiMartino, Lisa
Tilton, Franklin

Gulick, Ruth
Vadney, Herbert

Huot, David

CARROLL

Buco, Thomas
White, Syndi

Butler, Edward

Lavender, Tom

Ticehurst, Susan

CHESHIRE

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

Berch, Paul
Eaton, Daniel
Parkhurst, Henry
Shepardson, Marjorie
Young, Harry

Burridge, Delmar
Johnsen, Gladys
Phillips, Larry
Tatro, Bruce

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

COOS

Coulombe, Gary
Theberge, Robert

Hatch, William

Moynihan, Wayne

Richardson, Herbert

GRAFTON

Aguiar, James
Cooney, Mary
Higgins, Patricia
Mulholland, Catherine
Smith, Suzanne

Almy, Susan
Ford, Susan
Lauer, Linda
Nordgren, Sharon
Sykes, George

Benn, Bernard
Friedrich, Carol
Lovett, Sid
Pastor, Beatriz
Townsend, Charles

Brown, Rebecca
Harding, Laurie
Massimilla, Linda
Piper, Wendy
White, Andrew

HILLSBOROUGH

Backus, Robert
Campbell, David
Cote, David
Dobson, Jeremy
Gidge, Kenneth
Hackel, Paul
Jack, Martin
Leishman, Peter
Manley, Jonathan Sr
O'Brien, Michael Sr
Rhodes, Brian
Shaw, Barbara
Sullivan, Peter
Williams, Kermit

Beaulieu, Jane
Carroll, Douglas
Culbert, Patrick
Eaton, Richard
Goley, Jeffrey
Hammond, Jill
Judy, Jean
Levesque, Melanie
McCloskey, David
O'Flaherty, Tim
Rosenwald, Cindy
Soucy, Timothy
Vail, Suzanne
Woodbury, David

Booras, Efstathia
Chandley, Shannon
Danielson, David
Gage, Ruth
Gorman, Mary
Hansberry, Daniel
Katsiantonis, Thomas
Long, Patrick
McNamara, Richard
O'Neil, William
Schmidt, Janice
Spratt, Stephen
Walsh, Robert Jr

Brown, Pamela
Connor, Evelyn
DiSilvestro, Linda
Gale, Sylvia
Grady, Brenda
Heden, Ruth
Knowles, Mary Ann
MacKay, Mariellen
Nelson, Mary
Porter, Marjorie
Shattuck, Gilman
Sullivan, Daniel
Williams, Carol

MERRIMACK

Alicea, Caroletta
Carey, Lorrie
Frambach, Mary
Hirsch, Geoffrey
Moffett, Howard
Richardson, Gary
Shurtleff, Stephen
Walz, Mary Beth

Bartlett, Christy
Carson, Clyde
Frazer, June
Hunt, Jane
Myler, Mel
Rogers, Katherine
Tilton, Joy
Watrous, Rick

Bouchard, Candace
Davis, Frank
French, Barbara
Karrick, David Jr
Patten, Dick
Schamberg, Thomas
Turcotte, Alan
Webb, Leigh

Burns, Scott
Ebel, Karen
Gile, Mary
MacKay, James
Ratzki, Mario
Schuett, Dianne
Wallner, Mary Jane

ROCKINGHAM

Belanger, Ronald
Cahill, Michael
Elliott, Robert
Griffin, Mary

Borden, David
Cali-Pitts, Jacqueline
Emerick, J. Tracy
Hayes, Jack

Briden, Steven
Copeland, Timothy
Emerson-Brown, Rebecca
Heffron, Frank

Burtis, Elizabeth
Cushing, Robert Jr
Flockhart, Eileen
Helmstetter, Barbara

Khan, Aboul
Muns, Chris
Perkins, Lawrence
Sytek, John
Whittemore, Lisa

Lovejoy, Patricia
Pantelakos, Laura
Priestley, Anne
Till, Mary

Mann, Maureen
Peckham, Michele
Schlachman, Donna
Ward, Gerald

Moody, Marcia
Perkins, Amy
Sherman, Thomas
Wazlaw, Brian

STRAFFORD

Baber, William
Burdwood, Greg
Grassie, Anne
Hubbard, Pamela
Miller, David
Schmidt, Peter
Stevens, Audrey

Berube, Roger
Burke, Rachel
Grossman, Kenneth
Ketel, Stephen
Perry, Robert
Smith, Marjorie
Verschueren, James

Bickford, David
Gardner, Janice
Hooper, Dorothea
Malloy, Dennis
Rogers, Rose Marie
Spainhower, Dale
Wall, Janet

Bixby, Peter
Ginsburg, Philip
Horrigan, Timothy
Menear, H. Robert III
Rollo, Deanna
Spang, Judith

SULLIVAN

Cloutier, John
Irwin, Virginia
Smith, Steven

Gagnon, Raymond
Lefebvre, Benjamin
Sweeney, Cynthia

Gottling, Suzanne
O'Hearne, Andrew

Grenier, James
Schmidt, Andrew

NAYS 143

BELKNAP

Burchell, Richard
Fink, Charles
Luther, Robert

Comtois, Guy
Flanders, Donald
Sylvia, Michael

Cormier, Jane
Greemore, Robert Jr
Worsman, Colette

Fields, Dennis
Holmes, Stephen

CARROLL

Ahlgren, Christopher
McConkey, Mark
Umberger, Karen

Chandler, Gene
Morrow, Harry
Wright, Donald

Cordelli, Glenn
Nelson, Bill

Crawford, Karel
Schmidt, Stephen

CHESHIRE

Emerson, Susan

Hunt, John

Johnson, Jane

COOS

Rappaport, Laurence

Rideout, Leon

GRAFTON

Bradley, Lester
Reilly, Harold Sr

Doolan, Ralph Jr

Gionet, Edmond

Ladd, Rick Jr

HILLSBOROUGH

Barry, Richard
Byron, Frank
Daniels, Gary
Graham, John
Hinch, Richard
Kurk, Neal
Marston, Dick
Murphy, Keith
Ober, Russell III
Peterson, Lenette
Sanborn, Laurie
Stroud, Kathleen
Villeneuve, Moe

Belanger, James
Cebrowski, John
Flanagan, Jack
Haefner, Robert
Hopper, Gary
Lambert, George
Martel, Andre
Notter, Jeanine
Palmer, Stephen
Pratt, Calvin
Sandblade, Emily
Sweeney, Shawn
Warden, Mark

Boehm, Ralph
Christiansen, Lars
Gagne, Larry
Hansen, Peter
Infantine, William
LeBrun, Donald
Meaney, Richard
O'Brien, William
Parison, James
Renzullo, Andrew
Souza, Kathleen
Ulery, Jordan
Willette, Robert

Burt, John
Coffey, James
Garcia, Michael
Hikel, John
Jasper, Shawn
LeVasseur, Richard
Murotake, David
Ober, Lynne
Pellegrino, Tony
Rowe, Robert
Straight, Philip
Vaillancourt, Steve
Winters, Joel

MERRIMACK

Hess, David
Lockwood, Priscilla
Smith, Todd

Hoell, J.R.
McGuire, Carol

Kidder, David
McGuire, Dan

Kotowski, Frank
Reed, Dennis

ROCKINGHAM

Abrami, Patrick
Birdsell, Regina
Danais, Romeo
Friel, William
Grace, Curtis
Hoelzel, Kathleen
Kolodziej, Walter
Milz, David
Packard, Sherman

Allen, Mary
Charron, Gene
Duarte, Joe
Garcia, Bianca
Hagan, Joseph
Introne, Robert
Lundgren, David
Nigrello, Robert
Rice, Frederick

Baldasaro, Alfred
Chirichiello, Brian
Ferrante, Beverly
Garcia, Marilinda
Harris, Jeffrey
Itse, Daniel
Major, Norman
O'Connor, John
Sanders, Elisabeth

Bick, Patrick
Comerford, Timothy
Fesh, Robert
Gordon, Richard
Hodgdon, Bruce
Kappler, Lawrence
McMahon, Charles
Oligny, Jeffrey
Sapareto, Frank

Scarlotto, Joe
Sweeney, Joe
Weyler, Kenneth

Schroadter, Adam
Tamburello, Daniel

Sedensky, John
Tucker, Pamela

St.James, Kevin
Waterhouse, Kevin

STRAFFORD

Gray, James
Pitre, Joseph

Groen, Warren

Jones, Laura

Mullen, John Jr

SULLIVAN

Rollins, Skip

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

The House recessed at 12:05 p.m.

RECESS

The House reconvened at 1:15 p.m.

(Speaker Norelli in the Chair)

REGULAR CALENDAR (CONT'D)

SCR 1, relative to special use permits in the White Mountain National Forest. **OUGHT TO PASS.**

Rep. Suzanne J. Smith for Resources, Recreation and Development: This resolution recognizes the White Mountain National Forest's economic and social importance and its unique environmental and natural characteristics. The legislature, through this resolution, recommends that the United States Department of Agriculture consider these critical elements when reviewing and deliberating on any special use permits for property located in the White Mountain National Forest. Vote 18-1.

Rep. Cushing offered floor amendment (1554h).

Floor Amendment (1554h)

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

A RESOLUTION relative to special use permits in the White Mountain National Forest, urging Congress to fund the development and implementation of a comprehensive health care delivery system to enhance the level of specialty care for New Hampshire's veterans, and requesting **Congress to begin the process for a constitutional amendment establishing that human beings, not corporations, are entitled to constitutional rights.**

Amend the resolution by replacing all after the title with the following:

Whereas, the New Hampshire general court has adopted numerous resolutions relative to the White Mountain National Forest over the last two decades, including HR 25 in the 1993 session, HJR 7 in the 1999 session, HR 9 in the 1999 session, HCR 25 in the 2000 session, SJR 1 in the 2000 session, and SCR 2 in 2012; and

Whereas, each of these resolutions has affirmed and communicated the strong support of the people of New Hampshire, through their elected representatives, for multiple use management in the White Mountain National Forest, including sustainable forest and wildlife habitat management, and traditional recreational uses such as hiking, fishing, hunting, downhill and cross-country skiing, and snowmobiling; and

Whereas, the White Mountain National Forest, established by the Weeks Act almost a century ago, through the efforts of New Hampshire citizens, represents the successful application of the principles of natural resource protection combined with multiple use; and

Whereas, conservation and preservation of the 800,000-acre Forest's lands, watersheds, wildlife habitats, natural scenic beauty, and resource use and recreation was the intent of the 1911 Weeks Act; and

Whereas, this approach has become a tradition and the ethic for the forest throughout its 100 plus years of successful service to the citizens of the north country, the state, and the country; and

Whereas, any diversion from this tradition and ethic will have an adverse effect on the forest's ability to continue to meet the needs of the communities of the north country and its 5,000,000 users per year, the American public; and

Whereas, New Hampshire is a proud and patriotic state with approximately 131,000 veterans with the majority over the age of 65 who have served their country bravely and risked their lives to preserve our country's freedom and democracy, and their sacrifices on our behalf are deserving of an upgraded medical delivery system to meet their health care needs; and

Whereas, New Hampshire is largely a rural state with limited access to the interstate highway system requiring veterans residing in many rural communities who may be ill and elderly to travel many miles to appointments for even minor procedures often placing undue and unnecessary stress on sick or injured veterans and their families; and

Whereas, many New Hampshire veterans residing in rural communities frequently miss essential checkups and therapies due to inclement weather and lack of proper transportation; and

Whereas, timely medical treatment would improve the overall health and quality of life of veterans by preventing numerous strokes, by-passes, amputations, and other costly but preventable conditions; and

Whereas, many New Hampshire veterans over the age of 65 do not have access to a primary care provider; and

Whereas, veterans residing in rural communities deserve the same level of care as veterans residing in other areas of the state; and

Whereas, New Hampshire is one of only 2 states in the nation without a full-service hospital, requiring veterans to travel to Vermont, Massachusetts, Maine, and Rhode Island for medical treatment; and

Whereas, adequate care of our veterans should be the concern of all Americans; and

Whereas, government was established to provide a social contract between naturally born persons; and

Whereas, the founders of the United States Constitution and Republic clearly and emphatically intended freedom of speech to mean freedom to communicate with and by natural born persons either directly or through the free press; and

Whereas, the United States Supreme Court ruled on January 21, 2010 in *Citizens United v. Federal Election Commission* that corporations have the same First Amendment rights as people, and that they can spend unlimited amounts of money on elections; and

Whereas, the Supreme Court is misguided in principle, and wrong on the law, because in a democracy, the people rule; now, therefore, be it

Resolved by the Senate, the House of Representatives concurring:

That the general court reaffirms its commitment to the principles underlying the Weeks Act, and supports continued management of the White Mountain National Forest for multiple uses as a part of the National Forest System; and

That consideration by the United States Department of Agriculture (USDA) Forest Service of any special use permit in the White Mountain National Forest should recognize the Forest's economic and social importance, its character and presence within the New England region, and its unique environmental and natural characteristics; and

That the New Hampshire general court respectfully urges the Congress of the United States and the Department of Veterans Affairs to fulfill the Department's goal of providing excellence in patient care by increasing the types of and access to specialty care at a full service VA Manchester Medical Center, or by developing a pilot program to utilize a veteran's medical card for use in New Hampshire's medical facilities in order to provide better care to veterans residing in rural areas, or by the establishment of additional community based outpatient clinics, outpatient clinics, or vet centers as justified by veterans' medical and mental health needs along with greater use of mobile clinics, and where cost effective, enter into contract services with the goal of increasing services and reducing travel time to ensure access to health care is available when it is needed; and

That the general court urges the New Hampshire congressional delegation to encourage and expedite a constitutional amendment to firmly establish:

I. That human beings, not corporations, are endowed with Constitutional rights protected by the First Amendment; and

II. That money is not speech, and therefore regulating political contributions and spending is not equivalent to limited political speech; and

III. That the freedoms of speech and the press, and the right to assemble peaceably and to petition the government for the redress of grievances, as protected by this Constitution, shall not encompass the speech, association, or other activities of any corporation or other artificial entity created for business purposes, except for a corporation or entity whose business is the publication or broadcasting of information, when such corporation or entity is engaged in that business. A corporation or other artificial entity created for business purposes includes a corporation or entity that, although not itself engaged in business pursuits, receives the majority of its funding from other corporations or artificial entities created for business purposes; and constitutional rights; and

That the house clerk forward official copies of this resolution to the President of the United States, the Speaker of the United States House of Representatives, the President of the United States Senate, the majority and minority leadership of the Senate, the Secretary of Veterans Affairs, to Thomas Tidwell, the chief of the USDA Forest Service, and to all the members of the New Hampshire congressional delegation with the request that this resolution be officially entered in the Congressional Record as a high priority for the Congress of the United States of America.

AMENDED ANALYSIS

This concurrent resolution:

I. Declares that the United States Department of Agriculture Forest Service shall consider certain unique characteristics of the White Mountain National Forest when reviewing and deliberating on any special use permit for property located in the White Mountain National Forest.

II. Urges Congress to fund the development and implementation of a comprehensive health care delivery system to enhance the level of specialty care for New Hampshire's veterans.

III. Urges the congressional delegation to begin the process for a constitutional amendment establishing that human beings, not corporations, are entitled to constitutional rights.

Rep. Cushing spoke in favor.

Rep. Baldasaro spoke against and yielded to questions.

MOTION TO LAY ON THE TABLE

Rep. John Hunt moved that **SCR 1**, relative to special use permits in the White Mountain National Forest, be laid on the table. On a division vote, 163 members having voted in the affirmative and 154 in the negative, the motion was adopted.

REGULAR CALENDAR CONT'D

SB 128-FN-L, relative to fees for vital records. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Mary R. Cooney for Ways and Means: The development of a centralized vital records system is in the public interest and has been made possible by the advance in computer technology. Housed in the secretary of state's office, the funding mechanism for this data base is through the collection of two vital records fees. There is a \$15.00 fee for original documents and \$10.00 for additional copies or correction documents. This

bill does not change the fee in either case but does change the allocation of the fees. In the first case \$8.00

to the vital records improvement fund in the secretary of state's office, \$4.00 to the municipalities, and \$3.00 to the general fund. In the second case, \$5.00 goes to the vital records fund, \$3.00 to the municipalities, and \$2.00 to the general fund. This bill changes the distribution of the total so that the general fund receives nothing, but that portion goes to the city and town clerks of the municipalities. This was the original intent of the fee and especially now with the access of municipalities to the statewide data base, cities in particular are experiencing a great increase in requests from citizens from outside their own municipality for these re- cords. Because this bill as written would impact the 2014-2015 budget by \$618,000, the committee amended the bill to make the effective date July 1, 2015 so there will be no impact to the 2014-2015 budget. Vote 14-1.

Amendment (1377h)

Amend the bill by replacing section 2 with the following:

2 Effective Date. This act shall take effect July 1, 2015.

Amendment adopted.

Committee report adopted and ordered to third reading.

BILLS REMOVED FROM THE CONSENT CALENDAR

SB 170, relative to advance directives pertaining to life-sustaining treatment. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Richard E. Meaney for Health, Human Services and Elderly Affairs: This bill removes a section of the state's advance directive law that people found confusing. Advance directives were difficult to complete because two references in the current law were contradictory concerning medically administered nutrition and hydration. This bill, as amended, removes contradictory language, but ensures that people who wish to address medically administered nutrition and hydration are prompted to do so in a clear manner within the body of the advance directive. Vote 19-0.

Amendment (1303h)

Amend RSA 137-J:20(B) by replacing the first sentence following the phrase ADDITIONAL INSTRUCTIONS with the following:

Here you may include any specific desires or limitations you deem appropriate, such as your preferences concerning medically administered nutrition and hydration, when or what life-sustaining treatment you would want used or withheld, or instructions about refusing any specific types of treatment that are inconsistent with your religious beliefs or are unacceptable to you for any other reason.

Amendment adopted.

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

Rep. Peterson spoke against.

Rep. Souza spoke against and yielded to questions.

MOTION TO LAY ON THE TABLE

Rep. Itse moved that **SB 170**, relative to advance directives pertaining to life-sustaining treatment, be laid on the table.

Rep. Hoell requested a roll call; sufficiently seconded.

YEAS 125 - NAYS 209**YEAS 125
BELKNAP**

Burchell, Richard
Flanders, Donald
Tilton, Franklin

Comtois, Guy
Greemore, Robert Jr
Vadney, Herbert

Cormier, Jane
Gulick, Ruth
Worsman, Colette

Fink, Charles
Sylvia, Michael

CARROLL

Cordelli, Glenn
Wright, Donald

Lavender, Tom

McConkey, Mark

Umberger, Karen

CHESHIRE

Butynski, William

Parkhurst, Henry

COOS

Rappaport, Laurence

Rideout, Leon

GRAFTON

Bradley, Lester

Gionet, Edmond

Massimilla, Linda

HILLSBOROUGH

Barry, Richard
Cebrowski, John
Haefner, Robert
Infantine, William
Marston, Dick
Nelson, Mary
Ober, Russell III
Peterson, Lenette
Rowe, Robert
Souza, Kathleen
Villeneuve, Moe

Belanger, James
Christiansen, Lars
Hansen, Peter
Lambert, George
Martel, Andre
Notter, Jeanine
Palmer, Stephen
Pratt, Calvin
Sanborn, Laurie
Straight, Philip
Warden, Mark

Boehm, Ralph
Daniels, Gary
Hikel, John
LeBrun, Donald
Meaney, Richard
O'Brien, William
Parison, James
Renzullo, Andrew
Sandblade, Emily
Sweeney, Shawn
Willette, Robert

Burt, John
Danielson, David
Hopper, Gary
LeVasseur, Richard
Murotake, David
Ober, Lynne
Pellegrino, Tony
Rosenwald, Cindy
Soucy, Timothy
Ulery, Jordan

MERRIMACK

Hoell, J.R.
Tilton, Joy

McGuire, Carol

McGuire, Dan

Patten, Dick

ROCKINGHAM

Allen, Mary
Cali-Pitts, Jacqueline
Cushing, Robert Jr
Friel, William
Grace, Curtis
Hodgdon, Bruce
Kappler, Lawrence
Milz, David
Peckham, Michele
Rice, Frederick
St.James, Kevin
Weyler, Kenneth

Baldasaro, Alfred
Charron, Gene
Duarte, Joe
Garcia, Bianca
Griffin, Mary
Hoelzel, Kathleen
Khan, Aboul
Nigrello, Robert
Perkins, Amy
Sanders, Elisabeth
Tamburello, Daniel

Bick, Patrick
Chirichiello, Brian
Elliott, Robert
Garcia, Marilinda
Hagan, Joseph
Introne, Robert
Kolodziej, Walter
O'Connor, John
Perkins, Lawrence
Sapareto, Frank
Tucker, Pamela

Birdsell, Regina
Comerford, Timothy
Emerick, J. Tracy
Gordon, Richard
Harris, Jeffrey
Itse, Daniel
Major, Norman
Oligny, Jeffrey
Priestley, Anne
Schroadter, Adam
Waterhouse, Kevin

STRAFFORD

Berube, Roger
Jones, Laura

Bickford, David
Mullen, John Jr

Groen, Warren
Pitre, Joseph

Hooper, Dorothea

SULLIVAN

Gagnon, Raymond

Smith, Steven

NAYS 209**BELKNAP**

DiMartino, Lisa
Raymond, Ian

Fields, Dennis

Holmes, Stephen

Huot, David

CARROLL

Ahlgren, Christopher
Merrow, Harry
White, Syndi

Buco, Thomas
Nelson, Bill

Butler, Edward
Schmidt, Stephen

Chandler, Gene
Ticehurst, Susan

CHESHIRE

Ames, Richard
Eaton, Daniel

Berch, Paul
Emerson, Susan

Burridge, Delmar
Hunt, John

Chase, Cynthia
Johnsen, Gladys

Johnson, Jane
Robertson, Timothy
Weber, Lucy

Ley, Douglas
Sad, Tara
Weed, Charles

Mann, John
Shepardson, Marjorie
Young, Harry

Phillips, Larry
Tatro, Bruce

COOS

Coulombe, Gary
Theberge, Robert

Hatch, William

Moynihan, Wayne

Richardson, Herbert

GRAFTON

Aguiar, James
Cooney, Mary
Higgins, Patricia
Nordgren, Sharon
Sykes, George

Almy, Susan
Ford, Susan
Ladd, Rick Jr
Pastor, Beatriz
Townsend, Charles

Benn, Bernard
Friedrich, Carol
Lauer, Linda
Piper, Wendy
White, Andrew

Brown, Rebecca
Harding, Laurie
Mulholland, Catherine
Smith, Suzanne

HILLSBOROUGH

Backus, Robert
Byron, Frank
Coffey, James
DiSilvestro, Linda
Gage, Ruth
Gidge, Kenneth
Graham, John
Heden, Ruth
Jeudy, Jean
Leishman, Peter
Manley, Jonathan Sr
O'Neil, William
Rokas, Ted
Spratt, Stephen
Vail, Suzanne
Winters, Joel

Beaulieu, Jane
Campbell, David
Connor, Evelyn
Dobson, Jeremy
Gagne, Larry
Goley, Jeffrey
Hackel, Paul
Hinch, Richard
Katsiantonis, Thomas
Levesque, Melanie
McCloskey, David
Porter, Marjorie
Schmidt, Janice
Stroud, Kathleen
Vaillancourt, Steve
Woodbury, David

Booras, Efstathia
Carroll, Douglas
Cote, David
Eaton, Richard
Gale, Sylvia
Gorman, Mary
Hammond, Jill
Jack, Martin
Knowles, Mary Ann
Long, Patrick
McNamara, Richard
Ramsey, Peter
Shattuck, Gilman
Sullivan, Daniel
Walsh, Robert Jr

Brown, Pamela
Chandley, Shannon
Culbert, Patrick
Flanagan, Jack
Garcia, Michael
Grady, Brenda
Hansberry, Daniel
Jasper, Shawn
Kurk, Neal
MacKay, Mariellen
O'Brien, Michael Sr
Rhodes, Brian
Shaw, Barbara
Sullivan, Peter
Williams, Kermit

MERRIMACK

Bartlett, Christy
Carson, Clyde
French, Barbara
Karrick, David Jr
MacKay, James
Richardson, Gary
Shurtleff, Stephen
Webb, Leigh

Bouchard, Candace
Ebel, Karen
Gile, Mary
Kidder, David
Moffett, Howard
Rogers, Katherine
Turcotte, Alan

Burns, Scott
Frambach, Mary
Hirsch, Geoffrey
Kotowski, Frank
Myler, Mel
Schamberg, Thomas
Wallner, Mary Jane

Carey, Lorrie
Frazier, June
Hunt, Jane
Lockwood, Priscilla
Ratzki, Mario
Schuett, Dianne
Waltz, Mary Beth

ROCKINGHAM

Abrami, Patrick
Burtis, Elizabeth
Emerson-Brown, Rebecca
Lovejoy, Patricia
Muns, Chris
Schlachman, Donna
Sytek, John

Belanger, Ronald
Cahill, Michael
Flockhart, Eileen
Mann, Maureen
Packard, Sherman
Sedensky, John
Ward, Gerald

Borden, David
Copeland, Timothy
Heffron, Frank
McMahon, Charles
Pantelakos, Laura
Sherman, Thomas
Wazlaw, Brian

Briden, Steven
Danais, Romeo
Helmstetter, Barbara
Moody, Marcia
Scarlotto, Joe
Sweeney, Joe
Whittemore, Lisa

STRAFFORD

Baber, William
Gardner, Janice
Grossman, Kenneth
Malloy, Dennis
Rollo, Deanna
Spang, Judith

Bixby, Peter
Ginsburg, Philip
Horriggan, Timothy
Miller, David
Schmidt, Peter
Stevens, Audrey

Burdwood, Greg
Grassie, Anne
Hubbard, Pamela
Perry, Robert
Smith, Marjorie
Verschuere, James

Burke, Rachel
Gray, James
Ketel, Stephen
Rogers, Rose Marie
Spainhower, Dale
Wall, Janet

SULLIVAN

Cloutier, John
Lefebvre, Benjamin
Sweeney, Cynthia

Gottling, Suzanne
O'Hearne, Andrew

Grenier, James
Rollins, Skip

Irwin, Virginia
Schmidt, Andrew

and the motion failed.

The question now being adoption of the committee report of Ought to pass with Amendment.
Rep. Sherman spoke in favor.

On a division vote, 244 members having voted in the affirmative and 90 in the negative, the committee report was adopted and ordered to third reading.

SB 194-FN, requiring the department of health and human services to implement the Medicaid family planning expansion. **OUGHT TO PASS.**

Rep. Laurie Harding for Health, Human Services and Elderly Affairs: This bill will allow thousands of men and women to receive services for family planning related medical services including well women exams, cancer screenings, breast exams, birth control, treatment for sexually transmitted diseases and health counseling. It will allow NH to access up to 4 million dollars in federal funds each year to support family planning interventions. One third of the births in NH are to Medicaid moms. The implementation of this program is projected to cut down on the births of 800 babies a year. NH will be the 27th state to sign onto this program. While the implementation of this program has been delayed, a public private partnership has enabled the department (DHHS) to move forward. The House put the money in the budget for this program with the assumption that it would provide a safety net for NH citizens and would avert devastating low birth weight babies and other complications that can result in long term and very expensive health problems. SB 194 is the policy side of this process and will direct the use of the federal dollars. Vote 17-2.

Reps. Notter, Souza and Groen spoke against.

Rep. Harding spoke in favor.

Rep. Bouchard requested a roll call; sufficiently seconded.

YEAS 212 - NAYS 120

YEAS 212 BELKNAP

DiMartino, Lisa

Gulick, Ruth

Huot, David

Raymond, Ian

CARROLL

Buco, Thomas
Merrow, Harry
White, Syndi

Butler, Edward
Schmidt, Stephen

Lavender, Tom
Ticehurst, Susan

McConkey, Mark
Umberger, Karen

CHESHIRE

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

COOS

Hatch, William

Moynihan, Wayne

Richardson, Herbert

Theberge, Robert

GRAFTON

Aguiar, James
Cooney, Mary
Harding, Laurie
Massimilla, Linda
Piper, Wendy
White, Andrew

Almy, Susan
Ford, Susan
Higgins, Patricia
Mulholland, Catherine
Smith, Suzanne

Benn, Bernard
Friedrich, Carol
Ladd, Rick Jr
Nordgren, Sharon
Sykes, George

Brown, Rebecca
Gionet, Edmond
Lauer, Linda
Pastor, Beatriz
Townsend, Charles

HILLSBOROUGH

Backus, Robert
Campbell, David
Cote, David
Gage, Ruth
Gorman, Mary
Hammond, Jill
Jack, Martin
Kurk, Neal
MacKay, Mariellen
Nelson, Mary
Ramsey, Peter
Schmidt, Janice
Spratt, Stephen
Vaillancourt, Steve

Beaulieu, Jane
Carroll, Douglas
DiSilvestro, Linda
Gale, Sylvia
Grady, Brenda
Hansberry, Daniel
Judy, Jean
Leishman, Peter
Manley, Jonathan Sr
O'Brien, Michael Sr
Rhodes, Brian
Shattuck, Gilman
Sullivan, Daniel
Walsh, Robert Jr

Booras, Efstathia
Chandley, Shannon
Dobson, Jeremy
Gidge, Kenneth
Graham, John
Heden, Ruth
Katsiantonis, Thomas
Levesque, Melanie
McCloskey, David
O'Neil, William
Rokas, Ted
Shaw, Barbara
Sullivan, Peter
Williams, Kermit

Brown, Pamela
Connor, Evelyn
Eaton, Richard
Goley, Jeffrey
Hackel, Paul
Infantine, William
Knowles, Mary Ann
Long, Patrick
McNamara, Richard
Porter, Marjorie
Rosenwald, Cindy
Soucy, Timothy
Vail, Suzanne
Woodbury, David

MERRIMACK

Alicea, Caroletta
Carey, Lorrie
Frazer, June
Hunt, Jane
Lockwood, Priscilla

Bartlett, Christy
Carson, Clyde
French, Barbara
Karrick, David Jr
MacKay, James

Bouchard, Candace
Ebel, Karen
Gile, Mary
Kidder, David
Moffett, Howard

Burns, Scott
Frambach, Mary
Hirsch, Geoffrey
Kotowski, Frank
Myler, Mel

Patten, Dick
Schamberg, Thomas
Turcotte, Alan

Ratzki, Mario
Schuett, Dianne
Wallner, Mary Jane

Richardson, Gary
Shurtleff, Stephen
Walz, Mary Beth

Rogers, Katherine
Tilton, Joy
Webb, Leigh

ROCKINGHAM

Abrami, Patrick
Burtis, Elizabeth
Copeland, Timothy
Rebecca
Flockhart, Eileen
Lovejoy, Patricia
Charles
Moody, Marcia
Schlachman, Donna
Wazlaw, Brian

Belanger, Ronald
Cahill, Michael
Cushing, Robert Jr

Heffron, Frank
Major, Norman

Muns, Chris
Sherman, Thomas
Whittemore, Lisa

Borden, David
Cali-Pitts, Jacqueline
Elliott, Robert

Helmstetter, Barbara
Mann, Maureen

Pantelakos, Laura
Sweeney, Joe

Briden, Steven
Charron, Gene
Emerson-Brown,

Khan, Aboul
McMahon,

Scarlotto, Joe
Ward, Gerald

STRAFFORD

Baber, William
Burke, Rachel
Grossman, Kenneth
Ketel, Stephen
Rogers, Rose Marie
Spainhower, Dale
Wall, Janet

Berube, Roger
Gardner, Janice
Hooper, Dorothea
Malloy, Dennis
Rollo, Deanna
Spang, Judith

Bixby, Peter
Ginsburg, Philip
Horrigan, Timothy
Miller, David
Schmidt, Peter
Stevens, Audrey

Burdwood, Greg
Grassie, Anne
Hubbard, Pamela
Perry, Robert
Smith, Marjorie
Verschueren, James

SULLIVAN

Cloutier, John
Irwin, Virginia
Schmidt, Andrew

Gagnon, Raymond
Lefebvre, Benjamin
Smith, Steven

Gottling, Suzanne
O'Hearne, Andrew
Sweeney, Cynthia

Grenier, James
Rollins, Skip

NAYS 120

BELKNAP

Burchell, Richard
Fink, Charles
Sylvia, Michael

Comtois, Guy
Flanders, Donald
Tilton, Franklin

Cormier, Jane
Greemore, Robert Jr
Vadney, Herbert

Fields, Dennis
Holmes, Stephen
Worsman, Colette

CARROLL

Ahlgren, Christopher

Cordelli, Glenn

Nelson, Bill

Wright, Donald

CHESHIRE

Johnson, Jane

COOS

Rappaport, Laurence

Rideout, Leon

GRAFTON

Bradley, Lester

HILLSBOROUGH

Barry, Richard
Byron, Frank
Culbert, Patrick
Gagne, Larry
Hikel, John
Lambert, George
Meaney, Richard
Ober, Lynne
Pellegrino, Tony
Rowe, Robert
Straight, Philip
Villeneuve, Moe

Belanger, James
Cebrowski, John
Daniels, Gary
Garcia, Michael
Hinch, Richard
LeBrun, Donald
Murotake, David
Ober, Russell III
Peterson, Lenette
Sanborn, Laurie
Stroud, Kathleen
Warden, Mark

Boehm, Ralph
Christiansen, Lars
Danielson, David
Haefner, Robert
Hopper, Gary
LeVasseur, Richard
Notter, Jeanine
Palmer, Stephen
Pratt, Calvin
Sandblade, Emily
Sweeney, Shawn
Willette, Robert

Burt, John
Coffey, James
Flanagan, Jack
Hansen, Peter
Jasper, Shawn
Marston, Dick
O'Brien, William
Parison, James
Renzullo, Andrew
Souza, Kathleen
Ulery, Jordan
Winters, Joel

MERRIMACK

Hess, David

Hoell, J.R.

McGuire, Carol

McGuire, Dan

ROCKINGHAM

Allen, Mary
Chirichiello, Brian
Friel, William
Grace, Curtis
Hodgdon, Bruce
Kappler, Lawrence

Baldasaro, Alfred
Comerford, Timothy
Garcia, Bianca
Griffin, Mary
Hoelzel, Kathleen
Kolodziej, Walter

Bick, Patrick
Dana, Romeo
Garcia, Marilinda
Hagan, Joseph
Introne, Robert
Milz, David

Birdsell, Regina
Emerick, J. Tracy
Gordon, Richard
Harris, Jeffrey
Itse, Daniel
Nigrello, Robert

O'Connor, John

Oligny, Jeffrey

Packard, Sherman

Peckham, Michele

Perkins, Amy
Sanders, Elisabeth
St.James, Kevin
Waterhouse, Kevin

Perkins, Lawrence
Sapareto, Frank
Sytek, John
Weyler, Kenneth

Priestley, Anne
Schroadter, Adam
Tamburello, Daniel

Rice, Frederick
Sedensky, John
Tucker, Pamela

STRAFFORD

Bickford, David
Mullen, John Jr

Gray, James
Pitre, Joseph

Groen, Warren

Jones, Laura

SULLIVAN

None

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

SB 119-FN-A, directing the joint legislative historical committee to conduct a study of state house flag restoration and preservation. **OUGHT TO PASS.**

Rep. Steven J. Briden for Legislative Administration: This bill will help protect our priceless collection of historical flags that are on display in the State House. The current display cases are not climate controlled, and they do not protect the flags from the elements. Their condition is deteriorating, and without intervention, future visitors to the State House will be deprived of seeing a great piece of New Hampshire history, and a great piece of U.S. history. The joint legislative historical committee will conduct a study to determine the condition of the flags, decide the best course of action for preserving and protecting them, and recommend best practices for making sure they are presented in a way that will protect them for future generations. The committee believes it is important to preserve these historical artifacts, and there will be no financial impact due to the fact that there is a \$6,100.00 balance in a fund set up for the flags in 1992. Vote 12-0.

Rep. Gary Richardson offered floor amendment (1574h)

Floor Amendment (1574h)

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

AN ACT directing the joint legislative historical committee to conduct a study of state house flag restoration and to acquire a portrait of suffragist Marilla Marks Ricker.

Amend the bill by inserting after section 1 the following and renumbering the original section 2 to read as 3: 2 Portrait of Suffragist Marilla Marks Ricker. In recognition of Marilla Marks Ricker's accomplishments as an early suffragist and the first woman in New Hampshire history to file for the office of governor, the joint legislative historical committee shall acquire a portrait of Marilla Marks Ricker. Within one year of the effective date of this section, the committee shall oversee the hanging of the portrait in a place of honor in

the state house complex befitting a heroine of historical stature in this state.

AMENDED ANALYSIS

This bill directs the joint legislative historical committee to conduct a study relative to the restoration and preservation of the flags displayed in the hall of flags of the state house. The bill also directs the committee to acquire and display a portrait of suffragist Marilla Marks Ricker.

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

On a division vote, 252 members having voted in the affirmative and 70 in the negative, floor amendment (1574h) was adopted.

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

Rep. Baldasaro requested a roll call; sufficiently seconded.

YEAS 284 - NAYS 39

YEAS 284

BELKNAP

Burchell, Richard
Fink, Charles
Holmes, Stephen

Cormier, Jane
Flanders, Donald
Huot, David

DiMartino, Lisa
Greemore, Robert Jr
Raymond, Ian

Fields, Dennis
Gulick, Ruth
Tilton, Franklin

CARROLL

Ahlgren, Christopher
Lavender, Tom
Schmidt, Stephen

Buco, Thomas
McConkey, Mark
Ticehurst, Susan

Chandler, Gene
Merrow, Harry
Umberger, Karen

Cordelli, Glenn
Nelson, Bill
White, Syndi

CHESHIRE

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

Berch, Paul
Eaton, Daniel
Johnson, Jane
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

Hatch, William
Theberge, Robert

Moynihan, Wayne

Richardson, Herbert

Rideout, Leon

GRAFTON

Aguiar, James
Cooney, Mary
Harding, Laurie
Massimilla, Linda
Piper, Wendy
White, Andrew

Almy, Susan
Ford, Susan
Higgins, Patricia
Mulholland, Catherine
Smith, Suzanne

Benn, Bernard
Friedrich, Carol
Ladd, Rick Jr
Nordgren, Sharon
Sykes, George

Brown, Rebecca
Gionet, Edmond
Lauer, Linda
Pastor, Beatriz
Townsend, Charles

HILLSBOROUGH

Backus, Robert
Brown, Pamela
Cebrowski, John
Cote, David
DiSilvestro, Linda
Gage, Ruth
Gidge, Kenneth
Graham, John
Hansberry, Daniel
Jack, Martin
Knowles, Mary Ann
Richard
Levesque, Melanie
Sr
Marston, Dick
Nelson, Mary
O'Neil, William
Pellegrino, Tony
Renzullo, Andrew
Sanborn, Laurie
Soucy, Timothy
Sullivan, Daniel
Vail, Suzanne
Woodbury, David

Beaulieu, Jane
Byron, Frank
Chandlee, Shannon
Culbert, Patrick
Dobson, Jeremy
Gagne, Larry
Goley, Jeffrey
Hackel, Paul
Heden, Ruth
Jasper, Shawn
Lambert, George

Belanger, James
Campbell, David
Coffey, James
Daniels, Gary
Eaton, Richard
Gale, Sylvia
Gorman, Mary
Haefner, Robert
Hinch, Richard
Judy, Jean
Leishman, Peter

Booras, Efstathia
Carroll, Douglas
Connor, Evelyn
Danielson, David
Flanagan, Jack
Garcia, Michael
Grady, Brenda
Hammond, Jill
Infantine, William
Katsiantonis, Thomas
LeVasseur,

Long, Patrick

MacKay, Mariellen

Manley, Jonathan

McNamara, Richard
Notter, Jeanine
Ober, Lynne
Porter, Marjorie
Rhodes, Brian
Schmidt, Janice
Spratt, Stephen
Sullivan, Peter
Walsh, Robert Jr

Meaney, Richard
O'Brien, Michael Sr
Ober, Russell III
Pratt, Calvin
Rokas, Ted
Shattuck, Gilman
Straight, Philip
Sweeney, Shawn
Williams, Kermit

Murotake, David
O'Brien, William
Parison, James
Ramsey, Peter
Rosenwald, Cindy
Shaw, Barbara
Stroud, Kathleen
Ulery, Jordan
Winters, Joel

MERRIMACK

Alicea, Caroletta
Carey, Lorrie
Frazer, June
Hirsch, Geoffrey
Kotowski, Frank
McGuire, Dan
Ratzki, Mario
Thomas
Schuett, Dianne
Wallner, Mary Jane

Bartlett, Christy
Carson, Clyde
French, Barbara
Hunt, Jane
Lockwood, Priscilla
Moffett, Howard
Richardson, Gary

Bouchard, Candace
Ebel, Karen
Gile, Mary
Karrick, David Jr
MacKay, James
Myler, Mel
Rogers, Katherine

Burns, Scott
Frambach, Mary
Hess, David
Kidder, David
McGuire, Carol
Patten, Dick
Schamberg,

Shurtleff, Stephen
Walz, Mary Beth

Tilton, Joy
Webb, Leigh

Turcotte, Alan

ROCKINGHAM

Abrami, Patrick
Birdsell, Regina
Cahill, Michael
Comerford, Timothy
Elliott, Robert
Gordon, Richard
Heffron, Frank
Introne, Robert
Mann, Maureen
O'Connor, John
Perkins, Amy
Sanders, Elisabeth
Sherman, Thomas
Till, Mary
Wazlaw, Brian

Allen, Mary
Borden, David
Cali-Pitts, Jacqueline
Copeland, Timothy
Emerson-Brown, Rebecca
Griffin, Mary
Helmstetter, Barbara
Itse, Daniel
Milz, David
Oligny, Jeffrey
Perkins, Lawrence
Sapareto, Frank
St.James, Kevin
Tucker, Pamela
Whittemore, Lisa

Belanger, Ronald
Briden, Steven
Charron, Gene
Cushing, Robert Jr
Flockhart, Eileen
Hagan, Joseph
Hodgdon, Bruce
Lovejoy, Patricia
Moody, Marcia
Packard, Sherman
Priestley, Anne
Scarlotto, Joe
Sweeney, Joe
Ward, Gerald

Bick, Patrick
Burtis, Elizabeth
Chirichiello, Brian
Danais, Romeo
Garcia, Marilinda
Harris, Jeffrey
Hoelzel, Kathleen
Major, Norman
Muns, Chris
Pantelakos, Laura
Rice, Frederick
Schroader, Adam
Sytek, John
Waterhouse, Kevin

STRAFFORD

Baber, William
Burke, Rachel
Grossman, Kenneth
Jones, Laura
Perry, Robert

Bickford, David
Gardner, Janice
Hooper, Dorothea
Ketel, Stephen
Rogers, Rose Marie

Bixby, Peter
Ginsburg, Philip
Horrigan, Timothy
Malloy, Dennis
Rollo, Deanna

Burdwood, Greg
Gray, James
Hubbard, Pamela
Miller, David
Schmidt, Peter

Smith, Marjorie
James
Wall, Janet

Spainhower, Dale

Stevens, Audrey

Verschueren,

SULLIVAN

Cloutier, John
Lefebvre, Benjamin
Smith, Steven

Gottling, Suzanne
O'Hearne, Andrew
Sweeney, Cynthia

Grenier, James
Rollins, Skip

Irwin, Virginia
Schmidt, Andrew

NAYS 39**BELKNAP**

Comtois, Guy

Sylvia, Michael

Vadney, Herbert

Worsman, Colette

CARROLL

Wright, Donald

CHESHIRE

None

COOS

Rappaport, Laurence

GRAFTON

Bradley, Lester

HILLSBOROUGH

Barry, Richard
Hikel, John
Palmer, Stephen
Souza, Kathleen
Willette, Robert

Boehm, Ralph
Hopper, Gary
Peterson, Lenette
Vaillancourt, Steve

Burt, John
Kurk, Neal
Rowe, Robert
Villeneuve, Moe

Hansen, Peter
LeBrun, Donald
Sandblade, Emily
Warden, Mark

MERRIMACK

Hoell, J.R.

ROCKINGHAM

Baldasaro, Alfred
Grace, Curtis
Sedensky, John

Emerick, J. Tracy
Kappler, Lawrence
Weyler, Kenneth

Friel, William
Khan, Aboul

Garcia, Bianca
Nigrello, Robert

STRAFFORD

Groen, Warren

Mullen, John Jr

Pitre, Joseph

SULLIVAN

Gagnon, Raymond

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

SB 155-FN-A, requiring revenue from commemorative liquor bottles to be used for the preservation of state house Civil War battle flags. **OUGHT TO PASS.**

Rep. Brad Bailey for Legislative Administration: This bill would allow for commemorative liquor bottles to be created and the revenue from special markups to be kept in an historical fund. This historical fund will be overseen by the joint legislative historical committee (RSA 17-1:1) with said funds to be used exclusively for the preservation of Civil War battle flags displayed in the state house. Bottles created in the past through the consent of the NH legislature have become collectables, and the state liquor commission believes there is a market for this product. Vote 12-0.

Rep. Notter spoke in favor.

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

On a division vote, 292 members having voted in the affirmative and 34 in the negative, the committee report was adopted and referred to the Committee on Ways and Means.

SB 11-L, relative to water and sewer utility districts and water or sewer utility districts. **OUGHT TO PASS.** Rep. Kris E. Roberts for Municipal and County Government: The General Court has recognized that that New Hampshire's water supply is a limited and precious public resource. To ensure that our water supplies are to be protected, conserved, and managed in the interest of present and future generations, the state has enabled municipalities to protect water supplies and provide sewer utility services in compliance with fed-

eral, state, and local requirements by entering into agreements that provide for efficient means of collectively financing and operating such services. There are nearly a dozen different New Hampshire statutes that address mechanisms to expand water and sewer systems and service, assessing for those services, providing a clear and unified method of appealing those assessments, development of separate funds or combined utility funds that are non-lapsing or what type of governing body, to name a number of important issues. However, many of the existing statutes have their origins in the 1800's and have been amended to address the clean

water act. As a result of federal budget deficits, federal funding has been greatly reduced for water and sewer projects but not the legal and public health and safety requirements. Municipalities such as Stratham need to make upgrades, others need to replace their water and sewer systems, some over a hundred years in age, with limited federal and state funding thus requiring them to fund the majority of the cost through local users. Tinkering with the patchwork of existing statutes (RSA 31:120, 35:7, 38, 38-C, 53, & 149-1) will only serve to frustrate the communities abilities to be pro-active. SB 11 is enabling legislation allowing municipalities, particularly municipalities that have no legacy of providing these services, to choose a more concise and unified statutory framework that meets their need as a community rather than forcing towns and cities to adapt their needs to conform to an outdated statutory framework. SB 11 will enable municipalities to establish water and/or sewer utility districts to provide services at a more intensive level than is provided in the balance of the municipality. By doing so, it will provide funds for capital expenditures towards constructing, operating, and maintaining those utilities; and authorizes the establishment a system of fair charges to owners and users of property within such water and/or sewer utility districts. The bill also fosters regional approaches to providing these utility services in multiple municipalities should they mutually agree to do so by enabling municipalities to enter into inter-municipal agreements detailing the regional effort." Vote 18-0.

MOTION TO SPECIAL ORDER

Rep. Porter moved that **SB 11-L**, relative to water and sewer utility districts and water or sewer utility districts, be made a Special Order for the next Session in its Regular Calendar order.

Rep. Porter spoke in favor.

Motion adopted.

BILLS REMOVED FROM THE CONSENT CALENDAR (CONT'D)

SB 101, relative to collocation and modification of personal wireless services facilities. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jacqueline A. Cali-Pitts for Science, Technology and Energy: This bill simplifies the collocation application process for modification of existing personal wireless service facilities (cell towers). It defines "substantial modifications" which would require review by municipal planning, and thereby excludes lesser modification from such review. The amendment limits the modification to a total of ten percent. Vote 17-0.

Amendment (1357h)

Amend RSA 12-K:2, XXV as inserted by section 3 of the bill by replacing it with the following:

XXV. "Substantial modification" means the mounting of a proposed PWSF on a tower or mount which, as a result of a single collocation or modification application, or successive collocation or modification applications:

(a) Increases or results in the increase of the permitted vertical height of a tower, or the existing vertical height of a mount, by either more than 10 percent or the height of one additional antenna array with separation from the nearest existing antenna not to exceed 20 feet, whichever is greater; or

(b) Involves adding an appurtenance to the body of a tower or mount that protrudes horizontally from the edge of the tower or mount more than 20 feet, or more than the width of the tower or mount at the level of the appurtenance, whichever is greater, except where necessary to shelter the antenna from inclement weather or to connect the antenna to the tower or mount via cable; or

(c) Increases or results in the increase of the permitted square footage of the existing equipment compound by more than 2,500 square feet.

Amendment adopted.

Rep. Vadney offered floor amendment (1526h).

Floor Amendment (1526h)

Amend RSA 12-K:2, XVIII as inserted by section 3 of the bill by replacing it with the following:

XVIII. "Modification" means the replacement or alteration of an existing PWSF within a previously approved equipment compound or upon a previously approved mount. Routine maintenance of an approved PWSF shall not be considered a modification.

Amend RSA 12-K:2, XXV as inserted by section 3 of the bill by replacing it with the following:

XXV. "Substantial modification" means the mounting of a proposed PWSF on a tower or mount which, as a result of single or successive modification applications:

(a) Increases or results in the increase of the permitted vertical height of a tower, or the existing vertical height of a mount, by either more than 10 percent or the height of one additional antenna array with separation from the nearest existing antenna not to exceed 20 feet, whichever is greater; or

(b) Involves adding an appurtenance to the body of a tower or mount that protrudes horizontally from the edge of the tower or mount more than 20 feet, or more than the width of the tower or mount at the level of the appurtenance, whichever is greater, except where necessary to shelter the antenna from inclement weather or to connect the antenna to the tower or mount via cable; or

(c) Increases or results in the increase of the permitted square footage of the existing equipment compound by more than 2,500 square feet; or

(d) Adds to or modifies a camouflaged PWSF in a way that would defeat the effect of the camouflage. Rep. Vadney spoke in favor and yielded to questions.

Rep. Borden spoke in favor.

On a division vote, 306 members having voted in the affirmative and 6 in the negative, floor amendment (1526h) was adopted.

Committee report adopted and ordered to third reading.

SENATE MESSAGE

REQUESTS CONCURRENCE WITH AMENDMENT

HB 574, increasing the state limitations for OHRVs operating on state-owned trails in Coos and Grafton counties. (Amendment printed SJ 4-18-13)

Rep. Chandley moved that the House concur and spoke in favor.

Adopted.

REFERRAL DECLINED

Rep. Marjorie Smith, Chairman of the Committee on Judiciary, under the provisions of House Rule 46 (f), declined the referral of **SB 166**, relative to critical incident stress management and crisis intervention services.

HOUSE RESOLUTION NO. 9

Honoring the victims and heroes of the Boston Marathon Tragedy

WHEREAS, the New Hampshire House of Representatives shares the sorrow of the tragedy at this year's Boston Marathon with its victims, their families and friends; and

WHEREAS, Jeff Bauman, who lost both his legs in the bombings, helped to identify the suspects, which led to their capture and prevented further acts of violence; and

WHEREAS, first responders and law enforcement personnel acted without regard for their own personal safety to care for and save as many victims as possible and ensured the safety of all by bringing the suspects to justice; and

WHEREAS, recent remarks have taken the focus away from honoring the victims and celebrating the heroes of this tragedy; now, therefore, be it

RESOLVED, by the New Hampshire House of Representatives, in Regular Session convened:

That the House does hereby disavow any unfounded speculation or accusation that dishonors those affected by the tragic events in Boston; and

That the New Hampshire House of Representatives does hereby commend Jeff Bauman as a hero for his actions and wishes him a quick recovery; and

That the New Hampshire House of Representatives does hereby honor all the victims and celebrate all the heroes of the senseless tragedy at this year's Boston Marathon.

Offered by: Representatives Gene Chandler, Stephen Shurtleff and Speaker Terie Norelli

Rep. Shurtleff moved Ought to Pass and requested a roll call; sufficiently seconded.

YEAS 312 - NAYS 0

YEAS 312

BELKNAP

Burchell, Richard
Fields, Dennis
Gulick, Ruth
Tilton, Franklin

Comtois, Guy
Fink, Charles
Holmes, Stephen
Vadney, Herbert

Cormier, Jane
Flanders, Donald
Huot, David
Worsman, Colette

DiMartino, Lisa
Greemore, Robert Jr
Raymond, Ian

CARROLL

Ahlgren, Christopher
Lavender, Tom
Schmidt, Stephen

Buco, Thomas
McConkey, Mark
Ticehurst, Susan

Chandler, Gene
Merrow, Harry
Umberger, Karen

Cordelli, Glenn
Nelson, Bill
White, Syndi

CHESHIRE

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

Berch, Paul
Eaton, Daniel
Johnson, Jane
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

Hatch, William
Rideout, Leon

Moynihan, Wayne
Theberge, Robert

Rappaport, Laurence

Richardson, Herbert

GRAFTON

Aguiar, James
Brown, Rebecca
Gionet, Edmond
Lauer, Linda
Pastor, Beatriz
Townsend, Charles

Almy, Susan
Cooney, Mary
Harding, Laurie
Massimilla, Linda
Piper, Wendy
White, Andrew

Benn, Bernard
Ford, Susan
Higgins, Patricia
Mulholland, Catherine
Smith, Suzanne

Bradley, Lester
Friedrich, Carol
Ladd, Rick Jr
Nordgren, Sharon
Sykes, George

HILLSBOROUGH

Backus, Robert
Boehm, Ralph
Byron, Frank
Coffey, James
Daniels, Gary
Eaton, Richard
Gale, Sylvia
Gorman, Mary
Haefner, Robert
Heden, Ruth
Jasper, Shawn
Lambert, George
Levesque, Melanie Sr
Marston, Dick
Nelson, Mary
O'Neil, William
Parison, James
Ramsey, Peter
Rosenwald, Cindy
Schmidt, Janice
Souza, Kathleen
Sullivan, Daniel
Vail, Suzanne
Willette, Robert

Barry, Richard
Booras, Efstathia
Carroll, Douglas
Connor, Evelyn
Danielson, David
Flanagan, Jack
Garcia, Michael
Grady, Brenda
Hammond, Jill
Hikel, John
Judy, Jean
LeBrun, Donald
Long, Patrick

Beaulieu, Jane
Brown, Pamela
Cebrowski, John
Cote, David
DiSilvestro, Linda
Gage, Ruth
Gidge, Kenneth
Graham, John
Hansberry, Daniel
Hopper, Gary
Knowles, Mary Ann
Leishman, Peter
MacKay, Mariellen

Belanger, James
Burt, John
Chandley, Shannon
Culbert, Patrick
Dobson, Jeremy
Gagne, Larry
Goley, Jeffrey
Hackel, Paul
Hansen, Peter
Jack, Martin
Kurk, Neal
LeVasseur, Richard
Manley, Jonathan

McCloskey, David
Notter, Jeanine
Ober, Lynne
Pellegrino, Tony
Renzullo, Andrew
Rowe, Robert
Shattuck, Gilman
Spratt, Stephen
Sullivan, Peter
Vaillancourt, Steve
Williams, Kermit

McNamara, Richard
O'Brien, Michael Sr
Ober, Russell III
Peterson, Lenette
Rhodes, Brian
Sanborn, Laurie
Shaw, Barbara
Straight, Philip
Sweeney, Shawn
Villeneuve, Moe
Winters, Joel

Murotake, David
O'Brien, William
Palmer, Stephen
Porter, Marjorie
Rokas, Ted
Sandblade, Emily
Soucy, Timothy
Stroud, Kathleen
Ulery, Jordan
Walsh, Robert Jr
Woodbury, David

MERRIMACK

Alicea, Caroletta
Carey, Lorrie
Frazer, June
Hirsch, Geoffrey
Lockwood, Priscilla
Moffett, Howard
Richardson, Gary
Shurtleff, Stephen
Walz, Mary Beth

Bartlett, Christy
Carson, Clyde
French, Barbara
Hunt, Jane
MacKay, James
Myler, Mel
Rogers, Katherine
Tilton, Joy
Webb, Leigh

Bouchard, Candace
Ebel, Karen
Gile, Mary
Karrick, David Jr
McGuire, Carol
Patten, Dick
Schamberg, Thomas
Turcotte, Alan

Burns, Scott
Frambach, Mary
Hess, David
Kotowski, Frank
McGuire, Dan
Ratzki, Mario
Schuett, Dianne
Wallner, Mary Jane

ROCKINGHAM

Abrami, Patrick
Bick, Patrick
Burtis, Elizabeth
Timothy
Copeland, Timothy
Emerick, J. Tracy
Garcia, Bianca
Griffin, Mary
Helmstetter, Barbara
Itse, Daniel
Lovejoy, Patricia
Moody, Marcia
Oigny, Jeffrey
Perkins, Amy
Sanders, Elisabeth
Sherman, Thomas
Till, Mary
Wazlaw, Brian

Allen, Mary
Birdsell, Regina
Cahill, Michael
Cushing, Robert Jr
Emerson-Brown, Rebecca
Garcia, Marilinda
Hagan, Joseph
Hodgdon, Bruce
Kappler, Lawrence
Major, Norman
Muns, Chris
Packard, Sherman
Perkins, Lawrence
Sapareto, Frank
St.James, Kevin
Tucker, Pamela
Weyler, Kenneth

Baldasaro, Alfred
Borden, David
Cali-Pitts, Jacqueline
Danais, Romeo
Flockhart, Eileen
Gordon, Richard
Harris, Jeffrey
Hoelzel, Kathleen
Khan, Aboul
Mann, Maureen
Nigrello, Robert
Pantelakos, Laura
Priestley, Anne
Scarlotto, Joe
Sweeney, Joe
Ward, Gerald
Whittemore, Lisa

Belanger, Ronald
Briden, Steven
Comerford,

Elliott, Robert
Friel, William
Grace, Curtis
Heffron, Frank
Introne, Robert
Kolodziej, Walter
Milz, David
O'Connor, John
Peckham, Michele
Rice, Frederick
Sedensky, John
Sytek, John
Waterhouse, Kevin

STRAFFORD

Baber, William
Gardner, Janice
Grossman, Kenneth
Jones, Laura
Mullen, John Jr
Rollo, Deanna

Bixby, Peter
Ginsburg, Philip
Hooper, Dorothea
Ketel, Stephen
Perry, Robert
Schmidt, Peter

Burdwood, Greg
Gray, James
Horrigan, Timothy
Malloy, Dennis
Pitre, Joseph
Smith, Marjorie

Burke, Rachel
Groen, Warren
Hubbard, Pamela
Miller, David
Rogers, Rose Marie
Spainhower, Dale

Spang, Judith

Stevens, Audrey

Verschueren, James

Wall, Janet

SULLIVAN

Cloutier, John
Irwin, Virginia
Schmidt, Andrew

Gagnon, Raymond
Lefebvre, Benjamin
Smith, Steven

Gottling, Suzanne
O'Hearne, Andrew
Sweeney, Cynthia

Grenier, James
Rollins, Skip

NAYS 0**BELKNAP**

None

CARROLL

None

CHESHIRE

None

COOS

None

GRAFTON

None

HILLSBOROUGH

None

MERRIMACK

None

ROCKINGHAM

None

STRAFFORD

None

SULLIVAN

None

and the motion was adopted and ordered to third reading.

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, May 22, 2013 at 10:00 a.m.

Adopted.

LATE SESSION**Third reading and final passage**

SB 38, relative to pharmacy rights during an audit.

SB 51, relative to the definition of "professional service."

SB 94, relative to portable electronics insurance.

SB 117-FN, establishing a commission to study the regulation of pharmacy benefits managers.

SB 24, relative to Medicaid rates.

SB 171, relative to the council for children and adolescents with chronic health conditions.

SB 95, relative to choice of pharmacy under workers' compensation.

SB 147-FN, relative to prescription drugs in workers' compensation cases.

SB 49, relative to appeals of planning board decisions.

SB 50, relative to expiration of variances and special exceptions.

SB 58, relative to the taxation of water works or flood control land held in another town or city.

SB 111, permitting municipalities to establish a capital reserve plan for expenditure of capital reserve funds and relative to electronic billing by municipal utilities.

SB 172-FN-L, relative to public funds.

SB 197, relative to the inclusion of a default budget in separate warrant articles submitted by sewer commissions.

SB 84, relative to road toll administration, relative to motor vehicles carrying property for hire, and relative to administration of the international registration plan.

SB 188-FN, relative to municipally-owned utilities.

SB 131-FN-L, relative to a permitting process for the removal of submerged logs from certain great ponds. **SB 175**, relative to crossing public waters of the state for public utility purposes.

SB 30, making technical corrections to tax laws.

SB 25, relative to the treatment of medical support in child support cases.

SB 104, establishing a commission to study the current community-based system of commodities reporting by junk or scrap metal dealers in New Hampshire.

SB 45, relative to electronic prescriptions.

SB 64, relative to public informational meetings on dams.

SB 163, establishing a commission to recommend legislation to prepare for projected sea level rise and other coastal and coastal watershed hazards.

SB 164, authorizing coastal management provisions in master plans.

SB 128-FN-L, relative to fees for vital records.

SB 170, relative to advance directives pertaining to life-sustaining treatment.

SB 194-FN, requiring the department of health and human services to implement the Medicaid family planning expansion

SB 101, relative to collocation and modification of personal wireless services facilities.

SB 166, relative to critical incident stress management and crisis intervention services.

HR 9, honoring the victims and heroes of the Boston Marathon Tragedy.

UNANIMOUS CONSENT

Reps. Pamela Brown and Itse addressed the House.

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, enrolled bill reports and forming Committees of Conference. Adopted.

The House recessed at 3:00 p.m.

RECESS

(Rep. Horrigan in the Chair)

ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled Senate Bills numbered 93, 105 and 161.

Rep. Shurtleff, Sen. Prescott for the Committee

RECESS

(Rep. Kaen in the Chair)

ENROLLED BILL REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bill numbered 574.

Rep. Shurtleff, Sen. Bradley for the Committee

RECESS

(Rep. Shurtleff in the Chair)

ENROLLED BILL AMENDMENTS

SB 104, establishing a commission to study the current community-based system of commodities reporting by junk or scrap metal dealers in New Hampshire. (Amendment printed SJ 5-23-13)
Adopted.

SB 111, permitting municipalities to establish a capital reserve plan for expenditure of capital reserve funds and relative to electronic billing by municipal utilities. (Amendment printed SJ 5-23-13)
Adopted.

RECESS

(Rep. Kaen in the Chair)

ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 178, 184, 211, 221, 328, 359, 374, 375, 393, 429, 432, 440, 488, 510, 535, 547, 558, 607, 648 and 652 and Senate Bills numbered 24, 25, 30, 45, 50, 58, 64, 84, 95, 131, 166, 172 and 194.

Rep. Shurtleff, Sen. Prescott for the Committee

ENROLLED BILL AMENDMENTS

SB 38, relative to pharmacy rights during an audit. (Amendment printed SJ 5-23-13)
Adopted.

SB 147-FN, relative to prescription drugs in workers' compensation cases. (Amendment printed SJ 5-23-13) Adopted.

RECESS

(Rep. Weber in the Chair)

ENROLLED BILL AMENDMENT

SB 171, relative to the council for children and adolescents with chronic health conditions. (Amendment printed SJ 5-23-13)
Adopted.

RECESS