



State of
New Hampshire

HOUSE RECORD

First Year of the 163rd General Court

Calendar and Journal of the 2013 Session

Web Site Address: www.gencourt.state.nh.us

Vol. 35

Concord, N.H.

Wednesday, June 5, 2013

No. 49

HOUSE JOURNAL No. 18 (Cont.)

Wednesday, May 29, 2013

Rep. Shurtleff moved that the House adjourn.
Adopted.

HOUSE JOURNAL No. 19

Wednesday, June 5, 2013

The House assembled at 10:00 a.m.

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 gather on this beautiful Wednesday morning to do the business of this body: to ponder bills for group net metering, programs for children with disabilities, court-ordered placements in shelter care facilities and many other topics affecting people across the socio-economic spectrum. As we lift our voices in support of various issues and concerns, keep our ears, minds and hearts tuned to Your voice, and in so doing, let us not forget that this is not a beautiful Wednesday for everyone across the state. Many are struggling to make ends meet, worried about their health or education, or languishing somewhere on the margins of our society, and many of whom would do anything they could to contribute to their own betterment if they had the chance. May Your spirit infuse our gathering, whether in debate, in sidebar conversations, or over ice cream later today, and may it inspire us to true leadership. Make us bold in compassion, fair in distribution, quick in justice, and creative in embracing things which might seem initially impossible. Make us instruments of Your compassionate will. Hear our prayers today for those members of this body, or their families, who are sick or facing surgery, who are struggling with depression or loneliness, or who are experiencing undue challenge. Especially this morning, we offer up our prayers for the family members of Rep. Leon Rideout, who were injured in a car accident last night. We pray for their healing and for the well-being of all in this Chamber and for the privilege of doing this work which You entrust to our care, we thank You. In Your Holy, healing name we pray. Amen.

Representative George Sykes, member from Lebanon, led the Pledge of Allegiance.

POSTING OF COLORS

Members of The White Mountains Regional High School Army JROTC Color Guard posted the Colors. Members included Cadets Morgan Gilman, Brianna-Lyn Mckeage, Chris Cass, Jamie Morris and Zeke Radcliff.

The National Anthem was sung by Cadet Zeke Radcliff, a member of the Army JROTC at The White Mountains Regional High School.

LEAVES OF ABSENCE

Reps. Andrews-Ahearn, Arsenault, Bishop, Boisvert, Pamela Brown, Friel, Helmstetter, Miller, O'Hearne, Parsons, Amy Perkins, Phillips, Turcotte and Young, the day, illness.

Reps. Booras, Hinch, Thomas Katsiantonis, Sally Kelly, Lerandean, O'Neil, Olinny, Palangas, Renzullo, Rokas, Todd Smith, Tasker, Kenneth Ward, Wazlaw and Carol Williams, the day, important business.

Reps. Lawrence Perkins and Rideout, the day, illness in the family.

Reps. Fesh and Gordon, the day, death in the family.

INTRODUCTION OF GUESTS

Order of the Purple Heart, guest of Reps. Bouchard and Shurtleff. Arthur, Matthew, Solveig and Tala Hammon and Heather Burkham, husband, son, grandchildren and daughter-in-law of Rep. Hammon. Moira McNamara and Molly MacDonald, daughter and guest of Rep. McNamara. Joan Rice, wife of Rep. Frederick Rice. The Honorable Hal Lynde, former member from Pelham, guest of Rep. Takesian. Molly Root and Peter Adelfio, daughter and guest of Rep. Ebel. Mark Osborn, guest of Rep. James Webb. Michael Pedersen, guest of Rep. Vail. Fourth graders from the Chichester Central School, guests of the Merrimack District 20 Delegation. Ensign Andrew Neault, United States Navy, grandson of Rep. James Belanger. Monadnock Regional Middle-High School Varsity Football Team, 2012 NHIAA Division V State Champions, Monadnock Regional Middle-High School Varsity Fall Spirit Team, 2012 NHIAA Division III State Champions and the Monadnock Regional Middle-High School Varsity Girls Track & Field, 2013 NHIAA Division III State Champions, accompanied by their coaches, guests of the Cheshire Districts 12 and 15 Delegations.

INTRODUCTION OF SPECIAL GUESTS

Barbara Campbell, the 2013 New Hampshire School Nurse of the Year. Debbie Laffond, the 2013 New Hampshire Children's Librarian of the Year. Nicole Mahogany, Jillian Fisher and Brett Rubin, Silver Medalists of the National Scholastic Art Award.

SENATE MESSAGES**REQUESTS CONCURRENCE WITH AMENDMENTS**

HB 229-FN, relative to a financial examination supervisor. (Amendment printed SJ 5-23-13)

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

Adopted.

HB 231, relative to reinsurance. (Amendment printed SJ 5-23-13)

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

Adopted.

HB 278, relative to voluntary installation of fire suppression sprinklers. (Amendment printed SJ 5-23-13)

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

Adopted.

HB 526-FN, relative to termination of activities and dissolution of the association created under RSA 404-G. (Amendment printed SJ 5-23-13)

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

On a division vote, 268 members having voted in the affirmative and 53 in the negative, the motion was adopted.

HB 575, relative to hours of sales of on-premises liquor licensees. (Amendment printed SJ 5-23-13)

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

Rep. Vaillancourt spoke against.

On a division vote, 220 members having voted in the affirmative and 109 in the negative, the motion was adopted.

HB 640, relative to the standard valuation law. (Amendment printed SJ 5-23-13)

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

Adopted.

HB 269-L, authorizing a city or town to conduct a special meeting necessitated by changes in adequate education funding. (Amendment printed SJ 5-23-13)

Reps. Gile and Wallner moved that the House concur.

Rep. Gile spoke in favor and yielded to questions.

Rep. Boehm yielded to questions.

On a division vote, 200 members having voted in the affirmative and 124 in the negative, the motion was adopted.

HB 225, relative to the rulemaking authority of the liquor commission. (Amendment printed SJ 5-23-13)

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

Adopted.

HB 342-FN, relative to reporting of compensation paid to retired members of the retirement system. (Amendments printed SJ 5-23-13)

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

On a division vote, 289 members having voted in the affirmative and 51 in the negative, the motion was adopted.

HB 686, relative to approval of liquor commission contracts. (Amendments printed SJ 5-23-13)

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

Adopted.

HB 528, relative to support and care costs for children with disabilities. (Amendment printed SJ 5-23-13)

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

Adopted.

HB 246, relative to falsity by employer. (Amendments printed SJ 5-30-13)

Reps. Andrew White and Pantelakos moved that the House concur.

Rep. Andrew White spoke in favor.

Adopted.

HB 410, establishing a commission to study and update the rules and procedures of the legislative ethics committee under RSA 14-B and the laws governing legislative ethics under RSA 15-B. (Amendment printed SJ 5-23-13)

Rep. Gary Richardson moved that the House concur and spoke in favor.

Adopted.

HB 602, establishing a commission to study general court policies and procedures relative to persons with disabilities. (Amendment printed SJ 5-23-13)

Rep. Gary Richardson moved that the House concur and spoke in favor.

Adopted.

HB 306, relative to New Hampshire's regional greenhouse gas initiative. (Amendment printed SJ 5-23-13)

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

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

YEAS 207 - NAYS 131

YEAS 207

BELKNAP

DiMartino, Lisa
Raymond, Ian

Fields, Dennis

Gulick, Ruth

Huot, David

CARROLL

Buco, Thomas
Morrow, Harry

Butler, Edward
Ticehurst, Susan

Crawford, Karel
Umberger, Karen

Lavender, Tom
White, Syndi

CHESHIRE

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

Berch, Paul
Emerson, Susan
Mann, John
Shepardson, Marjorie

Burridge, Delmar
Hunt, John
Roberts, Kris
Tatro, Bruce

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

COOS

Coulombe, Gary
Theberge, Robert

Enman, Larry

Hammon, Marcia

Moynihan, Wayne

GRAFTON

Aguar, James
Cooney, Mary
Gionet, Edmond
Lovett, Sid
Pastor, Beatriz
Sykes, George

Almy, Susan
Doolan, Ralph Jr
Harding, Laurie
Massimilla, Linda
Piper, Wendy
Townsend, Charles

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

Brown, Rebecca
Friedrich, Carol
Lauer, Linda
Nordgren, Sharon
Smith, Suzanne

HILLSBOROUGH

Backus, Robert
Carroll, Douglas
Danielson, David
Gale, Sylvia
Gorman, Mary
Hammond, Jill
Jack, Martin
Leishman, Peter
MacKay, Mariellen
Murotake, David

Beaulieu, Jane
Chandlee, Shannon
DiSilvestro, Linda
Gargas, Carolyn
Grady, Brenda
Hansberry, Daniel
Kelley, John
Levasseur, Nickolas
Manley, Jonathan Sr
Nelson, Mary

Belanger, James
Connor, Evelyn
Eaton, Richard
Gidge, Kenneth
Hackel, Paul
Harriott-Gathright, Linda
Knowles, Mary Ann
Levesque, Melanie
McCloskey, David
O'Brien, Michael Sr

Campbell, David
Cote, David
Gage, Ruth
Goley, Jeffrey
Haefner, Robert
Heden, Ruth
Kopka, Angeline
Long, Patrick
McNamara, Richard
Porter, Marjorie

Rhodes, Brian
Soucy, Timothy
Vail, Suzanne
Woodbury, David

Rosenwald, Cindy
Spratt, Stephen
Walsh, Robert Jr

Schmidt, Janice
Stroud, Kathleen
Williams, Kermit

Shattuck, Gilman
Sullivan, Peter
Winters, Joel

MERRIMACK

Alicea, Caroletta
Carey, Lorrie
Frambach, Mary
Hirsch, Geoffrey
Lockwood, Priscilla
Ratzki, Mario
Rogers, Katherine
Tilton, Joy
Webb, Leigh

Bartlett, Christy
Carson, Clyde
Frazer, June
Hunt, Jane
MacKay, James
Reed, Dennis
Schamberg, Thomas
Wallner, Mary Jane

Bouchard, Candace
Davis, Frank
French, Barbara
Karrick, David Jr
Myler, Mel
Rice, Chip
Schuett, Dianne
Walz, Mary Beth

Burns, Scott
Ebel, Karen
Gile, Mary
Kidder, David
Patten, Dick
Richardson, Gary
Shurtleff, Stephen
Watrous, Rick

ROCKINGHAM

Borden, David
Chirichiello, Brian
Flockhart, Eileen
Hoelzel, Kathleen
Major, Norman
Nigrello, Robert
Schlachman, Donna
Ward, Gerald

Briden, Steven
Copeland, Timothy
Griffin, Mary
Introne, Robert
Mann, Maureen
Pantelakos, Laura
Sherman, Thomas
Whittemore, Lisa

Cahill, Michael
Cushing, Robert Jr
Hayes, Jack
Khan, Aboul
Moody, Marcia
Priestley, Anne
Thompson, David

Cali-Pitts, Jacqueline
Emerson-Brown, Rebecca
Heffron, Frank
Lovejoy, Patricia
Muns, Chris
Scarlotto, Joe
Till, Mary

STRAFFORD

Baber, William
Burke, Rachel
Grossman, Kenneth
Ketel, Stephen
Perry, Robert
Smith, Marjorie
Verschuere, James

Bickford, David
Gardner, Janice
Horrigan, Timothy
Malloy, Dennis
Rogers, Rose Marie
Spainhower, Dale
Wall, Janet

Bixby, Peter
Ginsburg, Philip
Hubbard, Pamela
Meneer, H. Robert III
Rollo, Deanna
Spang, Judith

Burdwood, Greg
Grassie, Anne
Kaen, Naida
Pelletier, Marsha
Schmidt, Peter
Stevens, Audrey

SULLIVAN

Cloutier, John
Schmidt, Andrew

Gottling, Suzanne
Sweeney, Cynthia

Grenier, James
Tanner, Linda

Irwin, Virginia

NAYS 131

BELKNAP

Burchell, Richard
Greemore, Robert Jr
Tilton, Franklin

Cormier, Jane
Holmes, Stephen
Vadney, Herbert

Fink, Charles
Luther, Robert
Worsman, Colette

Flanders, Donald
Sylvia, Michael

CARROLL

Ahlgren, Christopher
Schmidt, Stephen

Chandler, Gene
Wright, Donald

Cordelli, Glenn

Nelson, Bill

CHESHIRE

COOS

GRAFTON

Bailey, Brad

Bradley, Lester

Ladd, Rick Jr

Shackett, Jeffrey

HILLSBOROUGH

Barry, Richard
Cebrowski, John
Daniels, Gary
Hansen, Peter
Jasper, Shawn
LeVasseur, Richard
Meaney, Richard
O'Brien, William
Parison, James
Rowe, Robert
Souza, Kathleen
Vaillancourt, Steve

Boehm, Ralph
Christiansen, Lars
Flanagan, Jack
Hikel, John
Kurk, Neal
Marston, Dick
Murphy, Keith
O'Flaherty, Tim
Pellegrino, Tony
Sanborn, Laurie
Straight, Philip
Villeneuve, Moe

Burt, John
Coffey, James
Gagne, Larry
Hopper, Gary
Lambert, George
Martel, Andre
Murphy, Kelleigh
Ober, Russell III
Peterson, Lenette
Sandblade, Emily
Takesian, Charlene
Willette, Robert

Byron, Frank
Culbert, Patrick
Garcia, Michael
Infantine, William
LeBrun, Donald
McCarthy, Michael
Notter, Jeanine
Palmer, Stephen
Pratt, Calvin
Shaw, Barbara
Ulery, Jordan

MERRIMACK

Hess, David
McGuire, Dan

Hoell, J.R.
Walsh, Thomas IV

Kotowski, Frank

McGuire, Carol

ROCKINGHAM

Abrami, Patrick
Bick, Patrick
Danaïs, Romeo
Elliott, Robert
Garcia, Marilinda
Hodgdon, Bruce
McKinney, Betsy
Packard, Sherman
Sapareto, Frank
Sweeney, Joe
Tucker, Pamela

Allen, Mary
Birdsell, Regina
DeSimone, Debra
Emerick, J. Tracy
Grace, Curtis
Kappler, Lawrence
McMahon, Charles
Peckham, Michele
Schroadter, Adam
Sytek, John
Waterhouse, Kevin

Baldasaro, Alfred
Charron, Gene
Devine, James
Ferrante, Beverly
Hagan, Joseph
Kolodziej, Walter
Milz, David
Rice, Frederick
Sedensky, John
Tamburello, Daniel
Webb, James Sr

Belanger, Ronald
Comerford, Timothy
Duarte, Joe
Garcia, Bianca
Harris, Jeffrey
Lundgren, David
O'Connor, John
Sanders, Elisabeth
St.James, Kevin
Tremblay, Stella
Weyler, Kenneth

STRAFFORD

Beaudoin, Steven
Mullen, John Jr

Gray, James
Pitre, Joseph

Groen, Warren

Jones, Laura

SULLIVAN

Gagnon, Raymond

Rollins, Skip

Smith, Steven

and the motion was adopted.

Reps. Moffett and Itse declared conflicts of interest and did not participate.

HB 630-FN, relative to the use of proceeds from the regional greenhouse gas initiative program. (Amendment printed SJ 5-23-13)

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

Adopted.

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

HB 137, relative to special number plates for members of the national guard. (Amendment printed 5-30-13)

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

Adopted.

HB 253, relative to limitations on sales by nano breweries for consumption on the premises. (Amendment printed SJ 5-23-13)

Rep. Butler moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Schlachman, Scarlotto, John Hunt and Kermit Williams.

HB 472, relative to residential units in rooming houses. (Amendment printed SJ 5-23-13)

Rep. Butler moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Butler, Schlachman, Muns and Hammond.

HB 442, prohibiting residency restrictions for registered sex offenders and offenders against children. (Amendment printed SJ 5-23-13)

Rep. Pantelakos moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Ginsburg, Vaillancourt, Grady and Gagne.

HB 252, consolidating the property appraisal division and the municipal services division of the department of revenue administration. (Amendment printed SJ 5-2-13)

Reps. Weber and Wallner moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Goley, Benn, Hansberry and Hansen.

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

HB 385, relative to licensure of, and the performance of electrical work by, elevator and accessibility lift mechanics. (Amendment printed SJ 5-23-13)

Rep. Weber moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Goley, Schuett, Daniel Sullivan and Beaudoin.

HB 599-FN, relative to establishing a single liquor commissioner. (Amendment printed SJ 5-23-13)

Rep. Weber moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Schuett, Weber, Goley and Carol McGuire.

HB 573-FN, relative to the use of cannabis for therapeutic purposes. (Amendment printed SJ 5-23-13)

Rep. James MacKay moved that the House nonconcur and request a Committee of Conference.

Rep. Winters spoke against.

On a division vote, 292 members having voted in the affirmative and 47 in the negative, the motion was adopted.

The Speaker appointed Reps. James MacKay, Stephen Schmidt, Sherman and Andrews-Ahearn.

HB 546, relative to medical examinations under workers' compensation. (Amendment printed SJ 5-23 13)

Rep. Andrew White moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Andrew White, Flanagan, Weed and St. James.

HB 314, raising limits on single wagers in games of chance and relative to gross revenues received by charitable organizations participating in games of chance. (Amendment printed SJ 5-30-13)

Rep. Almy moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Lovejoy, John Kelley, Butynski and Sapareto.

SENATE MESSAGE

NONCONCURS WITH AMENDMENT

REQUESTS COMMITTEE OF CONFERENCE

SB 35, relative to the master jury list.

The President appointed Sens. Cataldo, Carson and Lasky.

Rep. Marjorie Smith moved that the House accede.

Adopted.

The Speaker appointed Reps. Berch, Woodbury, Heffron and Rowe.

AMENDMENT TO HOUSE RULES

Reps. Shurtleff and Chandler moved the adoption of an amendment, as proposed by the Rules Committee, to amend House Rule 65 adding the following deadlines for legislative action:

Monday, September 9, 2013	First day to file LSRs for 2014
Friday, September 27, 2013	Last day to file LSRs (4:00 p.m.)
Friday, November 15, 2013	Last day to sign off LSRs (4:00 p.m.)
Friday, November 22, 2013	Last day to report retained bills
Wednesday, January 8, 2014	Last day to introduce House Legislation

Rep. Gary Richardson spoke in favor.

Adopted by the necessary two-thirds vote.

CONSENT CALENDAR

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

SB 97, relative to high school equivalency and relative to illiteracy, removed by Rep. Hoell.

Consent Calendar adopted.

Rep. Moffett declared a conflict of interest on **SB 99-FN** and **SB 191-FN-A** and did not participate in the vote on the Consent Calendar.

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

Rep. Robert R. Cushing for Criminal Justice and Public Safety: This bill came to the committee to review for criminal penalties. As this bill neither adds criminal penalties nor reduces existing penalties, our committee voted unanimously to recommend Ought to Pass. Vote 13-0.

SB 76, relative to disqualification of candidates. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Robert J. Perry for Election Law: This bill, as amended, clarifies existing law relative to disqualification due to incapacitating physical disability to require a letter from a licensed physician confirming that condition, and adds mental disability as a qualifying condition. Vote 12-0.

Amendment (1480h)

Amend the bill by replacing section 1 with the following:

1 Disqualification of Candidate; Disability. Amend RSA 655:38 to read as follows:

655:38 Disqualification of Candidate. If a candidate to be voted for at the general election shall make oath between the date of the candidate's nomination and the day of the election that he or she does not qualify for the public office which he or she seeks because of age, domicile, or incapacitating physical **or mental** dis-

ability acquired subsequent to the primary, the secretary of state may remove said person's name from the ballot. ***Any such oath citing an incapacitating physical or mental disability shall be accompanied by a letter from a licensed physician confirming such a condition.*** A new candidate may be substituted by the appropriate party committee by submitting the name of the new candidate to the secretary of state within 3 days of the notice of disqualification. The name of the substitute candidate shall be placed on the ballots as provided in RSA 656:21.

AMENDED ANALYSIS

This bill requires a letter from a physician for a candidate to disqualify himself or herself because of incapacitating physical or mental disability.

SB 112, requiring constitutional amendment concurrent resolutions to contain the language for the voter's guide. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Mary L. Till for Election Law: This bill, as amended, will require that resolutions proposing constitutional amendments, whether passed by the state legislature or a constitutional convention include explanatory text of the statement for the voter's guide. Previously, the language for the voter's guide was approved by members of the policy committee to which the CACR was referred. Vote 14-0.

Amendment (1408h)

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

AN ACT relative to voters' guides for proposed constitutional amendments.

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

1 Constitutional Amendments; Voter's Guides. Amend RSA 663:3-a to read as follows:
663:3-a Voter's Guides.

I. If the general court proposes the constitutional amendment, the text of the statement for the voter's guide, if any, shall be included in the resolution proposing the constitutional amendment. The joint committee on legislative facilities may authorize the printing ***or distribution*** of [a] ***the*** voter's guide. [~~Dis-~~tribution of the voter's guide shall not take place until its text has been reviewed and approved by the house and senate policy committees which considered the proposed constitutional amendment.]

II. If the constitutional convention proposes the constitutional amendment, the text of the statement for the voter's guide, if any, shall be included in the resolution proposing the constitutional amendment.

2 Constitutional Amendment; Form of Ballot. Amend RSA 663:3 to read as follows:

663:3 Form of Ballot. The following words shall be printed above the constitutional amendment questions on all ballots containing such questions: "Questions Relating to Constitutional Amendments Proposed by the Convention to Revise the Constitution" ***or "Questions Relating to Constitutional Amendments Proposed by the Legislature to Revise the Constitution," whichever is appropriate.*** A constitutional question shall include, in the text of the question, the text of the article of the constitution as it is proposed to be amended, and the results of the vote taken on ordering the proposed amendment to third reading in both the senate and the house of representatives or at the constitutional convention, whichever is appropriate.

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

AMENDED ANALYSIS

This bill provides that a legislative constitutional amendment concurrent resolution (CACR) or a constitutional convention resolution proposing a constitutional amendment shall have the text of the language for the voter's guide, if any, included as part of the resolution.

SB 44, relative to the disposal of controlled drugs by law enforcement officers. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Carol M. McGuire for Executive Departments and Administration: This bill updates the laws on disposal of controlled drugs by law enforcement to reflect the change from district to circuit court and clarifies the rulemaking authority for the drug take back and disposal program. The department of justice is the lead agency, with input from the pharmacy board, the department of safety, and the department of environmental services. The committee amendment uses the original "consultation" rather than "consent" by the other agencies, since "consent" would require changes to the rulemaking process in RSA 541-A. Vote 16-0.

Amendment (1600h)

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

1 Controlled Drug Act; Disposal of Controlled Drugs in Possession of Law Enforcement Officer. Amend RSA 318-B:17, I-a and I-b to read as follows:

I-a. The [district] ***circuit*** court having jurisdiction over a misdemeanor ***or violation*** controlled drug offense may order such controlled drugs forfeited and destroyed upon written motion. Such order shall not be entered until after the period for appeal of the offense has expired.

I-b. The [district] **circuit** court shall require the same record and reporting of the officer who is destroying the controlled drugs as is required under paragraph I for the superior court, with the exception of notification to the Drug Enforcement Administration.

2 Pharmaceutical Drug Take-Back Program Authorized. Amend RSA 318-E:1, III to read as follows:

III. The department of justice, *in consultation with the* pharmacy board, *the* department of safety, and *the* department of environmental services shall [jointly] establish [guidelines by rule] **rules**, pursuant to RSA 541-A, for the collection, storage, and disposal of collected drugs in accordance with applicable state and federal statutes and regulations.

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

AMENDED ANALYSIS

This bill amends the procedure for disposal of controlled drugs in the possession of a law enforcement officer and makes the department of justice responsible for adopting rules for the pharmaceutical drug take-back program.

SB 90, establishing a committee to study developing a policy for veteran preference for government hiring. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Dianne E. Schuett for Executive Departments and Administration: The bill establishes a study committee to develop policy for veteran preference in government hiring. The amendment, which was requested by the prime sponsor and which was the subject of a separate hearing, extends the repeal date for the commission on the effects of service-connected post-traumatic stress disorder and traumatic brain injury in RSA 115-D:5 to allow time to convert it to a permanent commission so that the important work being done on this issue will not be interrupted. Vote 17-0.

Amendment (1307h)

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

AN ACT establishing a committee to study developing a policy for veteran preference for government hiring and extending the commission on the effects of service-connected post-traumatic stress disorder and traumatic brain injury.

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

6 Commission on the Effects of Service-Connected Post-Traumatic Stress Disorder and Traumatic Brain Injury; Report. Amend RSA 115-D:5 to read as follows:

115-D:5 Report. The commission shall make ~~[an interim report on or before May 1, 2012 and]~~ a final report on or before November 1, [2013] **2014** of its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the chairman of the house health, human services and elderly affairs committee, the chairman of the senate health, education and human services committee, the chairman of the house state-federal relations and veterans affairs committee, the senate clerk, the house clerk, the governor, the members of the New Hampshire congressional delegation, and the state library.

7 Effective Date of Repeal of Commission. Amend 2011, 84:3, I, as amended by 2012, 81:4, I to read as follows:

12Section 2 of this act shall take effect November 1, [2013] **2014**.

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

AMENDED ANALYSIS

This bill establishes a committee to study developing a policy for giving preference to veterans in government hiring.

This bill also extends the commission on the effects of service-connected post-traumatic stress disorder and traumatic brain injury.

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. Katherine D. Rogers for Finance: This bill directs the Joint Legislative Historical Committee to conduct a study relative to the restoration and preservation of the flags displayed in the State House Hall of Flags and issue a report of its findings and recommendations with an estimate of the cost and timeframe for those recommendations on or before November 1, 2014. There will be no financial impact on state expenditures. It also directs the Joint Legislative Historical Committee to acquire a portrait of Marilla Marks Ricker, an early suffragist and the first woman in New Hampshire history to file for the office of governor. The committee is to oversee the hanging of the portrait in a place of honor in the state house complex befitting a heroine of this historical stature. The cost of the portrait will be defrayed by contributions and funds designated for historical and art acquisitions. Vote 23-0.

SB 124-FN, establishing an integrated land development permit. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Lynne M. Ober for Finance: 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. The program may shorten the time for completion of the state permitting process. Although the bill asked for two positions which would be eliminated after two years, the department testified that it was unknown if anyone would bid on a short term position and no work mission had been developed for one of the two positions. Additionally the department testified that they already were using the LEAN process to streamline their rules. Therefore, the committee felt that the department should use a consultant, if needed. Since funding was to come from existing department funds, no money is needed. As a result, the amendment removed the two positions. Vote 23-0.

Amendment (1863h)

Amend the bill by deleting section 2 and renumbering the original sections 3-9 to read as 2-8, respectively. Amend the bill by replacing all after section 6 with the following:

7 Effective Date.

- I. Sections 1, 5, and 6 of this act shall take effect January 1, 2015.
- II. Sections 2-4 of this act shall take effect 60 days after its passage.
- III. The remainder of this act shall take effect upon its passage.

AMENDED ANALYSIS

This bill establishes a permit process for applicants seeking one or more land development permits from the department of environmental services.

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.** Rep. Kenneth L. Weyler for Finance: To protect student applicants from having a career school cancelled for which they had prepaid tuition, a guaranteed fund was created to reimburse the student in the event the cancellation was due to bankruptcy. Alternative methods had been available for this guarantee, such as bonds or letters of credit, and these methods were less expensive than depositing all tuition in a fund. After 9/11/2001, the hijackers were found to have attended career schools to learn piloting skills. This put an onus on all career schools and made bonding and letters of credit difficult to obtain, thus the fund was established. Now that the bonding and letters of credit have been reestablished, the fund is no longer used or needed. This bill will eliminate a dedicated fund and return the moneys to the schools. Although one description of the bill refers to the membership of the higher education commission, that language was removed previously. Vote 23-0.

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

Rep. Daniel A. Eaton for Finance: SB 184-FN would allow the department of fish and game to complete their own emergency medical training that would run concurrent with their certification. Currently, the department is required to train with another agency at a cost of over \$25,500.00 in a time frame that exceeds the time frame of the certification. SB 184-FN will save the department of fish and game money without diminishing the quality or type of training. Vote 23-0.

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

Rep. Kenneth L. Weyler for Finance: There have been previous bills to establish a state infrastructure bank. The model used was the Bank of North Dakota. That bank works with the state's private banks to ensure sufficient capitalization for projects in that state. The sponsors feel that these previous attempts had not seen sufficient analysis. This bill would just study the issue rather than mandate the establishment. One remarkable factor about this bill was the number of Senators as members of the committee; there are three, equal to the number of House members. This leads us to believe that there must be a real interest in this subject in the Senate. Vote 23-0.

SB 19-FN, repealing provisions relative to the sale of the former Laconia state school property and eliminating a ramp toll on the Everett turnpike in the town of Merrimack. **OUGHT TO PASS WITH AMENDMENT.** Rep. Gene G. Chandler for Public Works and Highways: This bill deals with ensuring that any sale of the former Laconia state school property would come before the long range capital planning and utilization committee as is the common practice in such instances. Language was inserted into the last budget that removed the requirement that this one sale would be exempt from the requirements of coming before the long range capital planning and utilization committee. The Senate amendment added language pertaining to an unrelated subject: the removal of the toll booth at Exit 12 in Merrimack. The committee is dealing with the Merrimack toll issue in other legislation so the committee amended this bill to remove the toll language and revert back to the original bill. Vote 17-1.

Amendment (1632h)

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

AN ACT repealing provisions relative to the sale of the former Laconia state school property.

Amend the bill by replacing all after section 1 with the following:

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

AMENDED ANALYSIS

This bill repeals certain procedural exemptions related to the sale of the former Laconia state school property.

SB 98, authorizing group net metering for limited electrical energy procedures and establishing a committee to study reimbursement rates for excess electricity generated by customer-generator groups. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jacqueline A. Cali-Pitts for Science, Technology and Energy: Group net metering allows electric energy customers to receive credit for energy produced by renewable sources. Group net metering will permit more customers to take advantage of credits and promote renewable energy. After much work and collaboration and with the approval of the prime sponsor, the committee amended the net metering statute to allow for group net metering and to create a host group net metering model. Group hosts must be registered by the public utilities commission, have members of the group live within the same utility provider area and be on default service. The clearest example would be that of a municipality that has a renewable energy source and wishes other buildings gain advantage of that source. The program will be regularly monitored. Vote 19-0.

Amendment (1857h)

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

AN ACT authorizing group net metering for limited electrical energy procedures.

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

1 Limited Electrical Energy Producers; Definitions. Amend RSA 362-A:1-a, II-b to read as follows:

II-b. "Eligible customer-generator" or "customer-generator" means an electric utility customer who owns or operates an electrical generating facility either powered by renewable energy or which employs a heat led combined heat and power system, with a total peak generating capacity of ~~[not more than 100 kilowatts, or that first begins operation after July 1, 2010 and has a total peak generating capacity of 100 kilowatts or more]~~ up to **and including** one megawatt, that is located behind a retail meter on the customer's premises, is interconnected and operates in parallel with the electric grid, and is used ~~[in the first instance]~~ to offset the customer's own electricity requirements. ***Incremental generation added to an existing generation facility, that does not itself qualify for net metering, shall qualify if such incremental generation meets the qualifications of this paragraph and is metered separately from the nonqualifying facility.***

2 New Paragraph; Net Energy Metering. Amend RSA 362-A:9 by inserting after paragraph XIII the following new paragraph:

XIV.(a) A customer-generator may elect to become a group host for the purpose of reducing or otherwise controlling the energy costs of a group of customers who are not customer-generators. The group of customers shall be default service customers of the same electric distribution utility as the host. The host shall provide a list of the group members to the commission and the electric distribution utility and shall certify that all members of the group have executed an agreement with the host regarding the utilization of kilowatt hours produced by the eligible facility and that the total historic annual load of the group members together with the host exceeds the projected annual output of the host's facility. The commission shall verify that these group requirements have been met and shall register the group host. The commission shall establish the process for registering hosts, including periodic re-registration, and the process by which changes in membership are allowed and administered.

(b) Except as provided in subparagraph (c), the provisions of this section shall apply to a group host as a customer-generator.

(c) Notwithstanding paragraph V, a group host shall be paid for its surplus generation at the end of each billing cycle at rates consistent with the credit the group host receives relative to its own net metering under either subparagraph IV(a) or (b). On an annual basis, the electric distribution utility shall calculate a payment adjustment if the host's surplus generation for which it was paid is greater than the group's total electricity usage during the same time period. The adjustment shall be such that the resulting compensation to the host for the amount that exceeded the group's total usage shall be at the utility's avoided cost or its default service rate in accordance with subparagraph V(b) or paragraph VI. The utility shall pay or bill the host accordingly.

(d) Group hosts shall be responsible for any costs necessary to upgrade a utility's information systems in order to implement this paragraph, as determined by the commission.

(e) The commission is authorized to assess fines against, revoke the registration of, and prohibit from doing business in the state, any group host which violates the requirements of this paragraph and rules adopted pursuant to this paragraph.

3 Renewable Energy Fund. Amend RSA 362-F:10, IV to read as follows:

IV. The commission shall make an annual report by October 1 of each year, beginning in 2009, to the legislative oversight committee on electric utility restructuring *established* under RSA 374-F:5, *the house science, technology and energy committee, and the senate energy and natural resources committee* detailing how the renewable energy fund is being used and any recommended changes to such use. The report shall also include information on the total peak generating capacity that is net energy metered under RSA 362-A:9 within the franchise area of each electric distribution utility, and the percentage this represents of the amount that is allowed to be net metered within each franchise area. ***Information shall be provided on net metered group host registrations and the associated customer groups, including number and location of group host facilities, generation by renewable source and size of facility, and group load served by such facilities.***

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

AMENDED ANALYSIS

This bill:

I. Modifies the definition of customer-generator as it relates to net energy metering.

II. Permits a customer-generator to become a group host to control the energy costs of certain customers.

SB 99-FN, requiring the site evaluation committee to direct a study of site evaluation criteria and establishing a committee to study the criteria for siting of wind powered electric generating facilities, other electric generating facilities, and transmission facilities. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Robert A. Backus for Science, Technology and Energy: This bill, as amended, requires the office of energy and planning (OEP) with an outside vendor, and with full opportunity for public input, to perform a study to examine all aspects of the procedures, practices and structures of the site evaluation committee (SEC). Among the areas to be considered are whether new requirements for alternatives are needed and the issue of burial of transmission lines. A report on the study is due on December 31, 2013. It also establishes a stakeholder process to be overseen by the OEP assisted by a consultant to develop specific criteria to develop rules to be applied by the SEC when considering applications for new energy projects. The date for these rules to be in place is January 1, 2015, and the stakeholder process is to be completed a year earlier. The bill thus addresses both the concerns expressed about the siting process and the criteria to determine the appropriateness of certain sites for new renewable generation facilities, including wind turbines and new transmission lines. The bill authorizes the OEP and the SEC to utilize funds from the energy efficiency portion of the systems benefits charge up to \$200,000 through the public utilities commission to retain a consultant or consultants to carry out the provisions of the act, and to utilize other sources of funding that may be available. Vote 18-0.

Amendment (1941h)

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

AN ACT requiring a study of the site evaluation committee and process, and developing regulatory criteria for the siting of energy facilities.

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

1 Study and Report. The office of energy and planning (OEP) shall, in consultation with the senate energy and natural resources committee and the house science, technology and energy committee, contract with an outside vendor to perform a study of the site evaluation committee's organization, structure, and process to better ensure that the review of energy facility applications serves the public good and provides clarity to potential energy project developers. The study shall identify deficits and needs, including but not limited to, potential funding, technology expertise, committee membership, staffing, the roles of participating municipalities and the public, the role of the counsel to the public, whether RSA 162-H allows the site evaluation committee to require applicants to present alternatives, including but not limited to the burial of energy facilities in publicly-owned transportation rights of way, and other issues that may be identified. The study shall also include review and consideration of relevant studies and plans, including but not limited to those developed by the independent system operator of New England (ISO-NE), the public utilities commission, the energy efficiency and sustainable energy board, legislative study committees and commissions, and other state and regional organizations as appropriate. The study shall engage all interested members of the public in a process where meetings are duly noticed and minutes are maintained for all public meetings and posted on the OEP website within 7 days of the meeting. The OEP shall make a report to the speaker of the house of representatives, the senate president, the governor, the senate clerk, the house clerk, and the state library on or before December 31, 2013.

2 New Paragraph; Energy Facility Site Evaluation. Amend RSA 162-H:10 by inserting after paragraph VI the following new paragraph.

VII. No later than January 1, 2015, the committee shall adopt rules, pursuant to RSA 541-A, relative to criteria for the siting of energy facilities, including specific criteria to be applied in determining if the requirements of RSA 162-H:16, IV (b) and (c) have been met by the applicant for a certificate of site and

facility. Prior to the adoption of such rules, the office of energy and planning shall hire and manage one or more consultants to conduct a public stakeholder process to develop recommended regulatory criteria, which may include consideration of issues identified in attachment C of the 2008 final report of the state energy policy commission, as well as others that may be identified during the stakeholder process. The office of energy and planning shall submit a report based on the findings of the public stakeholder process to the committee by January 1, 2014.

3 Funding. Up to a combined total of \$200,000 shall be made available by the public utilities commission to the office of energy and planning to fulfill its responsibilities under sections 1 and 2 of this act and to the site evaluation committee for rulemaking under section 2 of this act from the energy efficiency portion of the system benefits charge, the renewable energy fund established under RSA 362-F:10, the energy efficiency fund established under RSA 125-O:23, or other funding sources under the jurisdiction of the public utilities commission. The office and the committee may utilize any other funding sources that are available to them for these purposes.

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

AMENDED ANALYSIS

This bill requires the office of energy and planning to contract with an outside vendor for a study of the site evaluation committee and its processes. The bill requires the site evaluation committee to adopt rules by January 1, 2015. The bill funds the study and the rulemaking process from funding sources under the jurisdiction of the public utilities commission.

SB 191-FN-A, establishing a state energy strategy. **OUGHT TO PASS WITH AMENDMENT.**

Rep. William S. Baber for Science, Technology and Energy: The state's existing energy plan was created in 2002 and has not been updated. Unforeseen by that plan were the dramatic drop in natural gas prices, the near elimination of the use of coal for the generation of electricity, the possibility of a major transmission line from Canada, the impacts of wind energy farms, and dramatic reduction in the cost of solar panels. A new strategic plan will provide forward-looking guidance on electric, gas, and thermal energy strategies; seek to optimize the ready availability of energy supply, energy affordability; the retention in-state of energy expenditures; the retention of jobs and the use of renewable energy sources and energy efficiency policies, including demand-side policies; and minimize negative impacts to the economy, the environment, and the natural beauty of our state. This bill, as amended, establishes a council of five legislators, and three department heads to oversee the hiring of a consultant and to guide the creation of a new ten-year energy strategy for the state. The amendment refines and extends the goals of the senate version, reduces the size of the advisory council, sunsets the council upon completion of the strategy, extends the review cycle to three years, refers the need to update the strategy to the respective house and senate committees, extends funding to include all available and appropriate public utility commission funds, and requires that outside funding be sought. Vote 18-0.

Amendment (1900h)

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

1 State Energy Strategy; Purpose. Development of a state energy strategy is necessary to ensure that the state's energy policies and programs support the state's economic, environmental, and public health goals.

2 State Energy Strategy; Findings.

I. The general court finds that a comprehensive energy strategy will:

(a) Provide forward-looking guidance on electric, gas, and thermal energy strategies.

(b) Optimize the ready availability of energy supply, energy affordability, the retention in-state of energy expenditures, the retention of jobs, and the use of renewable energy sources and energy efficiency policies, including demand-side policies.

I Minimize negative impacts to the economy, the environment, and the natural beauty of our state.

II. The general court further finds that the use of funding sources under the jurisdiction of the public utilities commission, notwithstanding requirements under other provisions of law, to fund the development of a state energy strategy is in the public interest.

3 New Chapter; State Energy Strategy. Amend RSA by inserting after chapter 4-D the following new chapter:

CHAPTER 4-E STATE ENERGY STRATEGY

4-E:1 State Energy Strategy.

I. The office of energy planning, in consultation with the state energy advisory council established in RSA 4-E:2, with assistance from an independent consultant and with input from the public and interested parties, shall prepare a 10-year energy strategy for the state. The office shall review the strategy and consider any necessary updates in consultation with the senate energy and natural resources committee and the house science, technology and energy committee, after opportunity for public comment, at least every 3 years starting in 2017. The state energy strategy shall include, but not be limited to, sections on the following:

(a) The projected demand for consumption of electricity, natural gas, and other fuels for heating and other related uses.

(b) Existing and proposed electricity and natural gas generation and transmission facilities, the effects of future retirements and new resources, and consideration of possible alternatives.

I Renewable energy and fuel diversity.

(d) Small-scale and distributed energy resources, energy storage technologies, and their potential in the state.

(e) The role of energy efficiency, demand response, and other demand-side resources in meeting the state's energy needs.

(f) The processes for siting energy facilities in the state and the criteria used by the site evaluation committee in giving adequate consideration to the protection of the state's ecosystems and visual, historic, and aesthetic resources in siting processes.

(g) The relationship between land use and transportation policies and programs on electricity and thermal energy needs in the state.

(h) New Hampshire's role in the regional electric markets, how the regional market affects the state's energy policy goals, and how the state can most effectively participate at the regional level.

II. The strategy shall include a review of all state policies related to energy, including the issues in paragraph I, and recommendations for policy changes and priorities necessary to ensure the reliability, safety, fuel diversity, and affordability of New Hampshire's energy sources, while protecting natural, historic, and aesthetic resources and encouraging local and renewable energy resources. The strategy shall also include consideration of the extent to which demand-side measures including efficiency, conservation, demand response, and load management can cost-effectively meet the state's energy needs, and proposals to increase the use of such demand resources to reduce energy costs and increase economic benefits to the state.

III. The strategy development process shall include review and consideration of relevant studies and plans, including but not limited to those developed by the independent system operator of New England (ISO-NE), the public utilities commission, the energy efficiency and sustainable energy board, legislative study committees and commissions, and other state and regional organizations as appropriate. The strategy shall also include consideration of new technologies and their potential impact on the state's energy future.

4-E:2 New Hampshire State Energy Advisory Council.

I. There is established the New Hampshire state energy advisory council.

(a) Members of the council shall be the following, or his or her designee:

(1) The director of the office of energy and planning, who shall serve as the chairperson.

(2) The chairperson of the public utilities commission.

(3) The commissioner of the department of environmental services.

(b) Legislative members of the council shall be:

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

(2) One member of the senate, appointed by the senate minority leader.

(3) One member of the science, technology and energy committee, appointed by the speaker of the house of representatives.

(4) One member of the science, technology and energy committee, appointed by the house minority leader.

(5) One member of the house of representatives, appointed jointly by the speaker of the house and the house minority leader.

II. Legislative members may receive mileage for attendance at meetings and hearings of the council.

4-E:3 Public Participation. The state energy advisory council shall provide duly noticed opportunities for public and stakeholder participation in the development of the strategy. In addition, at least 4 duly noticed public hearings shall be held in different regions of the state to seek public input during the development of the energy strategy. Public comment shall be sought by the office of energy and planning, the senate energy and natural resources committee, and the house science, technology and energy committee prior to updating the strategy.

4-E:4 Costs. The office of energy and planning is authorized to expend up to \$200,000 from the energy efficiency portion of the system benefits charge, the renewable energy fund established under RSA 362-F:10, the energy efficiency fund established under RSA 125-O:23, or other funding sources under the jurisdiction of the public utilities commission for the development of the strategy, and may utilize any other sources available to the office necessary to fulfill the requirements of this chapter. The office of energy and planning is encouraged to seek other funding to support the development and updating of the strategy.

4-E:5 Reports. A draft state energy strategy shall be completed no later than May 1, 2014, and shall be provided to the public for comment. A final state energy strategy shall be completed no later than September 1, 2014. The final strategy shall be provided to the governor, the senate president, the speaker of the house of representatives, the chairperson of the senate energy and natural resources committee, the chairperson of the house science, technology and energy committee, and the state library.

5 Repeal. RSA 4-E:2 through RSA 4-E:5, relative to New Hampshire state energy council, is repealed.

6 Effective Date.

12 Section 5 of this act shall take effect December 31, 2014.

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

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

Rep. Patrick F. Abrami for Ways and Means: The House supported the policy that allows the commissioner of the department of resources and economic development to give authority to municipal officials to utilize summons procedures under RSA 31:39-d to cite individuals for violations of state park administrative rules or forests and lands administrative rules, or both. The committee unanimously agrees that the municipalities shall retain 100 percent of any fine collected. Vote 12-0.

SB 75, relative to games of chance. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Gilman C. Shattuck for Ways and Means: This is the senate version of the house position on changes to charitable gaming administered by the racing and charitable gaming commission. These are changes made to the senate bill in this amendment. The committee reversed a senate restriction that only one licensed charitable gaming organization may conduct games of chance at a location on a licensed game date. It requires the full 35 percent of gross revenues, less prizes, be retained by the charitable organization, and allows no fees other than rent of premises to be charged by the game operator. It limits auditing by the commission as required by the senate to records relevant to games of chance. It removes a senate requirement for excessive criminal background checks. It deletes a new prohibition of unauthorized devices, and a bill will be submitted next year to deal with gaming device authorization for all forms of charitable and commercial gaming. It adds the existing house positions increasing the maximum wager for games of chance from \$4 to \$6 and allowing the commission to pay the state treasurer monthly instead of daily. Vote 14-0.

Amendment (1952h)

Amend the bill by replacing all after section 1 with the following:

2 New Subparagraph; Application; Game of Chance Facility. Amend RSA 287-D:2-c by inserting after subparagraph (g) the following new subparagraph:

(h) The application shall include a description of the licensed premises.

3 Pari-Mutuel Commission; Reference Changed. Amend RSA 287-D:3, II to read as follows:

II. All devices and equipment used to conduct said games of chance shall be subject to inspection by duly authorized law enforcement or ~~[pari-mutuel]~~ **racing and charitable gaming** officials.

4 Fees. Amend RSA 287-D:3, VI-VIII to read as follows:

VI. Any contract for the rental of a **licensed** facility for a game of chance shall be independent of any contract for the rental of equipment. ***If a charitable organization hires a game operator employer or primary game operator to conduct games of chance on its behalf then the charitable organization shall not pay any fees. Any fees shall be paid by the game operator employer or the primary game operator retained by the charitable organization to conduct games of chance.*** Those contracts shall not be contingent upon the charitable organization's agreement that it will contract with a particular business for a particular facility or equipment.

VII. Unless a charitable organization rents a facility from a game operator employer or a primary game operator licensed under RSA 287-D:2-c, the charitable organization shall only rent a facility by means of a fixed rental payment. The fixed rental payment shall not be based on a percentage of what the charitable organization receives from the game of chance and it shall reflect fair rental value of the property for any use not just as a place to hold a game of chance. If a charitable organization rents, ***leases, or uses a licensed*** facility from a licensed game operator under RSA 287-D:2-c, the charitable organization shall retain no less than 35 percent of the gross revenues from any games of chance minus any prizes paid in accordance with RSA 287-D:3, VIII ***and exclusive of all rental or lease payment.*** Any rental, ***lease, or use*** agreement entered into by the charitable organization shall be submitted with the charitable organization's license application for review by the racing and charitable gaming commission. Under no circumstances shall a charitable organization sustain any loss from games of chance, such that its share of the gross revenues minus any prizes paid is less than zero dollars, during a license period with a single game operator. All contracts between a game operator employer and a charitable organization to conduct games of chance, ***and any contracts between a charitable organization and a licensed facility holder or licensed facility owner*** under this chapter shall contain the following language: "This agreement represents the entire agreement between the parties hereto. No charge or fee of any kind that is not contained in this agreement shall be paid by the charity."

VIII. The charitable organization shall retain no less than 35 percent of the gross revenues from any game of chance minus any prizes paid on any game date in which game operators licensed under RSA 287-D:2-c are involved in any capacity. Such revenues shall be used by the organization to advance its charitable purpose. No fee for any service which is required by or provided by the game operator employer or primary game op-

erator shall be allowed unless such fee is agreed to in writing and ~~[disclosed to]~~ **approved by** the commission as part of the agreement between the game operator employer or primary game operator and the charity. **A game operator employer or primary game operator, hired by a charitable organization to conduct games of chance on its behalf, shall not charge or assess any fees, to the charitable organization for the providing of any services or the collection of any reimbursements including but not limited to any accounting fees, any administrative fees, any advertising fees, any financial paperwork fees, any marketing fees, or any law enforcement or security fees.**

5 Financial Report and Audit. Amend RSA 287-D:5, VI to read as follows:

VI. All financial records pertaining to the games of chance shall be maintained by the treasurer of the charitable organization or other duly authorized director, officer, or official of the charitable organization and shall be made available to the racing and charitable gaming commission, the attorney general or the chief of police of any city or town where games of chance are held upon request. The racing and charitable gaming commission may audit ~~[such financial records]~~ **review or inspect any and all financial records, books, documentation, and bank accounts in the name of the charitable organization that pertain to games of chance.**

6 Transfer to Special Fund. Amend RSA 287-D:3, IX-X to read as follows:

IX. In games where chips have no monetary value, 3 percent of all funds collected from players, less moneys used by the racing and charitable gaming commission to fund authorized personnel expenses and related costs, shall be paid to the state treasurer to be deposited into the ~~[general]~~ **special fund established in RSA 284:21-j.** Such payments shall be made ~~[within 5 business days of the game date on which the funds were collected.]~~ **once per month not later than the 5th day of the month for the funds collected in the previous month.**

X. In games where chips have monetary value, 10 percent of the rake or house winnings and other moneys collected by the game operator that are not paid out as prizes to players, less moneys used by the racing and charitable gaming commission to fund authorized personnel expenses and related costs, shall be paid to the state treasurer for deposit into the ~~[general fund]~~ **special fund established in RSA 284:21-j.** Such payments shall be made ~~[within 5 business days of the game date on which the funds were collected.]~~ **once per month not later than the 5th day of the month for the funds collected in the previous month.**

7 Transfer to Special Fund. Amend RSA 284:12-a, II to read as follows:

II. Investigation fees shall be collected by the commission and shall be continually appropriated to the commission and used by the commission to offset the costs of conducting background checks and monitoring of license applicants and licensees as required under this section, RSA 284:16, RSA 284:16-a, RSA 284:18-a, RSA 284:19, RSA 284:20, RSA 284:20-b, RSA 284:22, and RSA 284:22-a. Funds received hereunder and not expended for such investigations shall lapse to the ~~[general]~~ **special fund established in RSA 284:21-j** 2 years after receipt of such funds.

8 Transfer to Special Fund. Amend RSA 284:31 to read as follows:

284:31 Unclaimed Ticket Money. On or before January 31 of each year every person, association, or corporation conducting a race or race meet, whether live racing or simulcast racing, hereunder shall pay to the state treasurer all moneys collected during the previous year of pari-mutuel pool tickets and vouchers which have not been redeemed. The books or records of said person, association, or corporation, which clearly show the tickets entitled to reimbursement in any given race, live or simulcast, shall be forwarded to the commission. Such moneys shall become a part of the ~~[general funds of the state]~~ **special fund established in RSA 284:21-j.** The state treasurer shall pay the amount due on any ticket or voucher to the holder thereof from funds not otherwise appropriated upon an order from the commission. Pari-mutuel tickets and vouchers which remain unclaimed after 11 months shall not be paid. Vouchers shall be remitted to the state treasurer on January 31 of the calendar year, 24 months after the year of the unclaimed voucher.

9 Transfer to Special Fund. Amend RSA 284:32-b, I to read as follows:

I. Every person, association or corporation required to submit an annual statement pursuant to RSA 284:15-b or an annual financial report pursuant to RSA 284:32-a who fails to submit such statement or report within the required time period shall be subject to a civil forfeiture of up to \$500 for each day of a continuing violation. Civil forfeitures shall be levied under this section by the state racing and charitable gaming commission, shall be collected by the attorney general, and shall be deposited in the ~~[general fund as unrestricted revenue]~~ **special fund established in RSA 284:21-j.** Such civil penalty shall be in addition to and not a substitute for any other civil or criminal penalty provided by law, including RSA 284:21.

10 Wager Limit. Amend RSA 287-D:3, V to read as follows:

V. No single wager by a player, on any game of chance, shall exceed the amount of ~~[\$4]~~ **\$6.**

11 Repeal. RSA 287-D:2-b, II-a, relative to reimbursement of game operator's out-of-pocket expenses, is repealed.

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

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. Frank V. Sapareto for Ways and Means: SB 155 creates a means to raise much needed funds to preserve and restore the irreplaceable battle flags in the Hall of Flags. The NH liquor commission will sell a special commemorative bottle that will generate the customary profit but include additional profit of about \$7.00 per bottle that will go to a special fund (already in existence) to pay for flag restoration. These flags are treasures that are being destroyed by time. We can't afford to wait any longer to preserve them. Vote 13-0.

REGULAR CALENDAR

SPECIAL ORDER

SB 47, relative to a surviving spouse's right to retain a Purple Heart plate. **OUGHT TO PASS.**

Rep. Candace C. W. Bouchard for Transportation: The majority of the committee voted to honor and respect the request from the Region 1 Commander and Adjutant of the Military Order of the Purple Heart (MOPH). Region 1 is the order that represents New Hampshire. Also, the voting member representing MOPH on the State Veterans' Advisory Council voted in favor of passing this bill. Passing this bill will not set a unique precedent. Currently the spouses of Prisoners of War and Pearl Harbor survivors are allowed, upon death of their spouse for as long as he/she lives, unless he/she remarries, to keep the veteran's license plate. Passing this bill would allow the surviving spouse of a Purple Heart Veteran the same respect. The surviving spouse would still have to pay all required registration fees. New Hampshire is the only New England state that does not allow the surviving spouse to retain the Purple Heart license plate. Nationwide there are more than 30 states that allow the surviving spouse to keep the plate. Passing this bill is an honorable show of support to our state's combat wounded. Vote 13-4.

MOTION TO LAY ON THE TABLE

Rep. Baldasaro moved that **SB 47**, relative to a surviving spouse's right to retain a Purple Heart plate, be laid on the table.

Rep. Bouchard requested a roll call; sufficiently seconded.

YEAS 155 NAYS 188

YEAS 155

BELKNAP

Burchell, Richard
Flanders, Donald
Tilton, Franklin

Comtois, Guy
Greemore, Robert Jr
Vadney, Herbert

Cormier, Jane
Holmes, Stephen
Worsman, Colette

Fink, Charles
Sylvia, Michael

CARROLL

Ahlgren, Christopher
McConkey, Mark
Umberger, Karen

Chandler, Gene
Morrow, Harry
Wright, Donald

Cordelli, Glenn
Nelson, Bill

Lavender, Tom
Schmidt, Stephen

CHESHIRE

Burridge, Delmar
Roberts, Kris

Hunt, John
Shepardson, Marjorie

Johnson, Jane

Parkhurst, Henry

COOS

Hammon, Marcia

Rappaport, Laurence

Richardson, Herbert

GRAFTON

Bailey, Brad
Gionet, Edmond

Bradley, Lester
Ladd, Rick Jr

Brown, Rebecca
Massimilla, Linda

Doolan, Ralph Jr
Reilly, Harold Sr

HILLSBOROUGH

Barry, Richard
Byron, Frank
Culbert, Patrick
Gagne, Larry
Hansen, Peter
Kurk, Neal
LeVasseur, Richard
Meaney, Richard
Notter, Jeanine
Parison, James
Rowe, Robert
Souza, Kathleen
Ulery, Jordan

Belanger, James
Cebrowski, John
Daniels, Gary
Gargas, Carolyn
Hikel, John
Lambert, George
Marston, Dick
Murotake, David
O'Brien, William
Pellegrino, Tony
Sanborn, Laurie
Straight, Philip
Villeneuve, Moe

Boehm, Ralph
Christiansen, Lars
Danielson, David
Graham, John
Hopper, Gary
LeBrun, Donald
McCloskey, David
Murphy, Keith
Ober, Russell III
Peterson, Lenette
Sandblade, Emily
Stroud, Kathleen
Warden, Mark

Burt, John
Coffey, James
Flanagan, Jack
Haefner, Robert
Jasper, Shawn
Leishman, Peter
McNamara, Richard
Murphy, Kelleigh
Palmer, Stephen
Pratt, Calvin
Shaw, Barbara
Takesian, Charlene
Willette, Robert

MERRIMACK

Hess, David
Ratzki, Mario

Kotowski, Frank

Lockwood, Priscilla

McGuire, Carol

ROCKINGHAM

Abrami, Patrick
Charron, Gene
DeSimone, Debra
Emerick, J. Tracy
Griffin, Mary
Hodgdon, Bruce
Kolodziej, Walter
Nigrello, Robert
Rice, Frederick
Schroadter, Adam
Sytek, John
Tucker, Pamela

Baldasaro, Alfred
Chirichiello, Brian
Devine, James
Ferrante, Beverly
Hagan, Joseph
Hoelzel, Kathleen
Major, Norman
O'Connor, John
Sanders, Elisabeth
Sedensky, John
Tamburello, Daniel
Waterhouse, Kevin

Bick, Patrick
Copeland, Timothy
Duarte, Joe
Garcia, Bianca
Harris, Jeffrey
Kappler, Lawrence
McMahon, Charles
Peckham, Michele
Sapareto, Frank
St.James, Kevin
Thompson, David
Webb, James Sr

Birdsell, Regina
Danaïs, Romeo
Elliott, Robert
Grace, Curtis
Hayes, Jack
Khan, Aboul
Milz, David
Priestley, Anne
Scarlotto, Joe
Sweeney, Joe
Tremblay, Stella
Weyler, Kenneth

STRAFFORD

Beaudoin, Steven
Groen, Warren
Spainhower, Dale

Bickford, David
Mullen, John Jr

Bixby, Peter
Pitre, Joseph

Gray, James
Rollo, Deanna

SULLIVAN

Grenier, James

Rollins, Skip

Smith, Steven

NAYS 188**BELKNAP**

DiMartino, Lisa
Raymond, Ian

Fields, Dennis

Gulick, Ruth

Huot, David

CARROLL

Buco, Thomas
White, Syndi

Butler, Edward

Crawford, Karel

Ticehurst, Susan

CHESHIRE

Ames, Richard
Emerson, Susan
Robertson, Timothy

Berch, Paul
Johnsen, Gladys
Sad, Tara

Butynski, William
Ley, Douglas
Weber, Lucy

Chase, Cynthia
Mann, John
Weed, Charles

COOS

Coulombe, Gary
Theberge, Robert

Enman, Larry

Hatch, William

Moynihan, Wayne

GRAFTON

Aguiar, James
Ford, Susan
Lauer, Linda
Pastor, Beatriz
Sykes, George

Almy, Susan
Friedrich, Carol
Lovett, Sid
Piper, Wendy
Townsend, Charles

Benn, Bernard
Harding, Laurie
Mulholland, Catherine
Shackett, Jeffrey
White, Andrew

Cooney, Mary
Higgins, Patricia
Nordgren, Sharon
Smith, Suzanne

HILLSBOROUGH

Backus, Robert
Chandley, Shannon
Dobson, Jeremy
Garcia, Michael
Grady, Brenda
Harriott-Gathright, Linda
Judy, Jean
Levasseur, Nickolas
Manley, Jonathan Sr
O'Flaherty, Tim
Rosenwald, Cindy
Spratt, Stephen
Williams, Kermit

Beaulieu, Jane
Connor, Evelyn
Eaton, Richard
Gidge, Kenneth
Hackel, Paul
Heden, Ruth
Kelley, John
Levesque, Melanie
McCarthy, Michael
Porter, Marjorie
Schmidt, Janice
Sullivan, Peter
Winters, Joel

Campbell, David
Cote, David
Gage, Ruth
Goley, Jeffrey
Hammond, Jill
Infantine, William
Knowles, Mary Ann
Long, Patrick
Nelson, Mary
Ramsey, Peter
Shattuck, Gilman
Vaillancourt, Steve
Woodbury, David

Carroll, Douglas
DiSilvestro, Linda
Gale, Sylvia
Gorman, Mary
Hansberry, Daniel
Jack, Martin
Kopka, Angeline
MacKay, Mariellen
O'Brien, Michael Sr
Rhodes, Brian
Soucy, Timothy
Walsh, Robert Jr

MERRIMACK

Alicea, Caroletta
Burns, Scott
Ebel, Karen

Andrews, Christopher
Carey, Lorrie
Frambach, Mary

Bartlett, Christy
Carson, Clyde
Frazer, June

Bouchard, Candace
Davis, Frank
French, Barbara

Gile, Mary
Karrick, David Jr
Moffett, Howard
Rice, Chip
Schuett, Dianne
Walsh, Thomas IV

Hirsch, Geoffrey
Kidder, David
Myler, Mel
Richardson, Gary
Shurtleff, Stephen
Walz, Mary Beth

Hoell, J.R.
MacKay, James
Patten, Dick
Rogers, Katherine
Tilton, Joy
Watrous, Rick

Hunt, Jane
McGuire, Dan
Reed, Dennis
Schamberg, Thomas
Wallner, Mary Jane
Webb, Leigh

ROCKINGHAM

Allen, Mary
Cali-Pitts, Jacqueline
Emerson-Brown, Rebecca
Introne, Robert
Mann, Maureen
Packard, Sherman
Till, Mary

Borden, David
Comerford, Timothy
Flockhart, Eileen
Itse, Daniel
McKinney, Betsy
Pantelakos, Laura
Ward, Gerald

Briden, Steven
Cushing, Robert Jr
Garcia, Marilinda
Lovejoy, Patricia
Moody, Marcia
Schlachman, Donna
Whittemore, Lisa

Cahill, Michael
Dumaine, Dudley
Heffron, Frank
Lundgren, David
Muns, Chris
Sherman, Thomas

STRAFFORD

Baber, William
Ginsburg, Philip
Hubbard, Pamela
Malloy, Dennis
Schmidt, Peter
Verschueren, James

Burdwood, Greg
Grassie, Anne
Jones, Laura
Pelletier, Marsha
Smith, Marjorie
Wall, Janet

Burke, Rachel
Grossman, Kenneth
Kaen, Naida
Perry, Robert
Spang, Judith

Gardner, Janice
Horrigan, Timothy
Ketel, Stephen
Rogers, Rose Marie
Stevens, Audrey

SULLIVAN

Cloutier, John
Sweeney, Cynthia

Gagnon, Raymond
Tanner, Linda

Gottling, Suzanne

Schmidt, Andrew

and the motion failed.

The question now being adoption of the committee report of Ought to Pass.
Rep. O'Flaherty offered floor amendment (1993h).

Floor Amendment (1993h)

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

AN ACT relative to a surviving spouse's right to retain a Purple Heart plate and establishing the New Hampshire liberty act.

Amend the bill by replacing all after section 1 with the following:

2 Findings.

I. The legislature finds that the enactment into law by the United States Congress of Sections 1021 and 1022 of the National Defense Authorization Act for Fiscal Year 2012, Public Law Number 112-81, is inimical to the liberty, security, and well-being of the people of New Hampshire, and was adopted by the United States Congress in violation of the limits of federal power in United States Constitution.

II. The legislature finds that, together, Sections 1021 and 1022 of the National Defense Authorization Act for Fiscal Year 2012, as they purport to authorize (i) detainment of persons captured within the United States of America without charge, (ii) military tribunals for persons captured within the United States of America, and (iii) the transfer of persons captured within the United States of America to foreign jurisdictions, are violative of the following rights enshrined in the Constitution of the United States of America:

(a) Article I, Section 9, Clause 2's right to seek writ of habeas corpus;

(b) The First Amendment's right to petition the government for a redress of grievances;

(c) The Fourth Amendment's right to be free from unreasonable searches and seizures;

(d) The Fifth Amendment's right to be free from charge for an infamous or capital crime until presentment or indictment by a grand jury;

(e) The Fifth Amendment's right to be free from deprivation of life, liberty, or property, without due process of law;

(f) The Sixth Amendment's right in criminal prosecutions to enjoy a speedy trial by an impartial jury in the state and district where the crime shall have been committed;

(g) The Sixth Amendment's right to be informed of the nature and cause of the accusation;

(h) The Sixth Amendment's right to confront witnesses;

(i) The Sixth Amendment's right to counsel;

(j) The Eighth Amendment's right to be free from excessive bail and fines, and cruel and unusual punishment; and

(k) The Fourteenth Amendment's right to be free from deprivation of life, liberty, or property, without due process of law.

III. The legislature finds that, together, Sections 1021 and 1022 of the National Defense Authorization Act for Fiscal Year 2012, as they purport to authorize (i) detainment of persons captured within the United

States of America without charge, (ii) military tribunals for persons captured within the United States of America, and (iii) the transfer of persons captured within the United States of America to foreign jurisdictions, violate the following Articles of the Constitution of New Hampshire:

(a) Part I, Article 7, which provides: the people of this state have the sole and exclusive right of governing themselves as a free, sovereign, and independent state; and do, and forever hereafter shall, exercise and enjoy every power, jurisdiction, and right, pertaining thereto, which is not, or may not hereafter be, by them expressly delegated to the United States of America in Congress assembled; and

(b) Part I, Article 10, which provides: government being instituted for the common benefit, protection, and security, of the whole community, and not for the private interest or emolument of any one man, family, or class of men; therefore, whenever the ends of government are perverted, and public liberty manifestly endangered, and all other means of redress are ineffectual, the people may, and of right ought to reform the old, or establish a new government.

3 New Chapter; New Hampshire Liberty Act. Amend RSA by inserting after chapter 646-A the following new chapter:

CHAPTER 646-B NEW HAMPSHIRE LIBERTY ACT

646-B:1 Support of National Defense Authorization Act Prohibited. The state of New Hampshire shall not provide material support or participate in any way with the implementation of Sections 1021 and 1022 of the National Defense Authorization Act for Fiscal Year 2012 within the boundaries of this state. The department of safety is hereby directed to report to the governor and the legislature any attempt by agencies or agents of the United States government to secure the implementation of Sections 1021 and 1022 of the National Defense Authorization Act for Fiscal Year 2012 through the operations of that or any other state department.

4 Lawsuit Challenging the National Defense Authorization Act for Fiscal Year 2012. The general court urges the attorney general to initiate or support any lawsuit challenging the constitutionality of the detainment provisions of the National Defense Authorization Act for Fiscal Year 2012.

5 Effective Date.

I. Section 1 of this act shall take effect 60 days after its passage.

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

AMENDED ANALYSIS

This bill entitles a surviving spouse to retain a Purple Heart plate.

This bill establishes the New Hampshire liberty act. The bill prohibits the state from supporting or implementing 2 sections of the National Defense Authorization Act for Fiscal Year 2012, pertaining to the authority of the United States armed services to detain persons suspected of terrorism.

Reps. O'Flaherty and Lambert spoke in favor and yielded to questions.

Reps. Sylvia and Itse spoke in favor.

Rep. Michael O'Brien spoke against.

Rep. Baldasaro spoke against and yielded to questions.

Rep. Lambert requested a roll call; sufficiently seconded.

YEAS 111 NAYS 236

YEAS 111 BELKNAP

Burchell, Richard
Greemore, Robert Jr
Worsman, Colette

Comtois, Guy
Holmes, Stephen

Cormier, Jane
Sylvia, Michael

Fink, Charles
Vadney, Herbert

CARROLL

Cordelli, Glenn

Nelson, Bill

White, Syndi

Wright, Donald

CHESHIRE

Parkhurst, Henry

Roberts, Kris

Weed, Charles

COOS

None

GRAFTON

Bailey, Brad

Doolan, Ralph Jr

HILLSBOROUGH

Belanger, James
Culbert, Patrick
Gagne, Larry

Boehm, Ralph
Daniels, Gary
Garcia, Michael

Burt, John
Danielson, David
Gidge, Kenneth

Christiansen, Lars
Dobson, Jeremy
Hackel, Paul

Hansen, Peter
Infantine, William
LeBrun, Donald
Murphy, Keith
O'Flaherty, Tim
Parison, James
Sandblade, Emily
Villeneuve, Moe

Heden, Ruth
Jack, Martin
Levasseur, Nickolas
Murphy, Kelleigh
Ober, Lynne
Peterson, Lenette
Souza, Kathleen
Warden, Mark

Hikel, John
Kurk, Neal
Meaney, Richard
Notter, Jeanine
Ober, Russell III
Pratt, Calvin
Ulery, Jordan
Winters, Joel

Hopper, Gary
Lambert, George
Murotake, David
O'Brien, William
Palmer, Stephen
Sanborn, Laurie
Vaillancourt, Steve

MERRIMACK

Hirsch, Geoffrey
Ratzki, Mario

Hoell, J.R.

McGuire, Carol

McGuire, Dan

ROCKINGHAM

Allen, Mary
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Duarte, Joe
Griffin, Mary
Itse, Daniel
McMahon, Charles
Sanders, Elisabeth
Sweeney, Joe
Tremblay, Stella
Whittemore, Lisa

Baldasaro, Alfred
Comerford, Timothy
Emerick, J. Tracy
Hagan, Joseph
Kappler, Lawrence
Milz, David
Schroadter, Adam
Tamburello, Daniel
Tucker, Pamela

Bick, Patrick
Danais, Romeo
Ferrante, Beverly
Hodgdon, Bruce
Kolodziej, Walter
Nigrello, Robert
Sedensky, John
Thompson, David
Waterhouse, Kevin

Briden, Steven
DeSimone, Debra
Grace, Curtis
Hoelzel, Kathleen
Major, Norman
Rice, Frederick
St.James, Kevin
Till, Mary
Weyler, Kenneth

STRAFFORD

Beaudoin, Steven
Horrigan, Timothy

Bickford, David
Jones, Laura

Groen, Warren
Pitre, Joseph

Grossman, Kenneth

SULLIVAN

Grenier, James

NAYS 236

BELKNAP

DiMartino, Lisa
Huot, David

Fields, Dennis
Luther, Robert

Flanders, Donald
Raymond, Ian

Gulick, Ruth
Tilton, Franklin

CARROLL

Ahlgren, Christopher
Lavender, Tom
Ticehurst, Susan

Butler, Edward
McConkey, Mark
Umberger, Karen

Chandler, Gene
Merrow, Harry

Crawford, Karel
Schmidt, Stephen

CHESHIRE

Ames, Richard
Chase, Cynthia
Johnson, Jane
Sad, Tara

Berch, Paul
Emerson, Susan
Ley, Douglas
Shepardson, Marjorie

Burridge, Delmar
Hunt, John
Mann, John
Tatro, Bruce

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

COOS

Coulombe, Gary
Moynihan, Wayne

Enman, Larry
Rappaport, Laurence

Hammon, Marcia
Richardson, Herbert

Hatch, William
Theberge, Robert

GRAFTON

Aguiar, James
Brown, Rebecca
Gionet, Edmond
Lauer, Linda
Nordgren, Sharon
Shackett, Jeffrey
White, Andrew

Almy, Susan
Cooney, Mary
Harding, Laurie
Lovett, Sid
Pastor, Beatriz
Smith, Suzanne

Benn, Bernard
Ford, Susan
Higgins, Patricia
Massimilla, Linda
Piper, Wendy
Sykes, George

Bradley, Lester
Friedrich, Carol
Ladd, Rick Jr
Mulholland, Catherine
Reilly, Harold Sr
Townsend, Charles

HILLSBOROUGH

Backus, Robert
Campbell, David
Connor, Evelyn
Flanagan, Jack
Goley, Jeffrey
Haefner, Robert
Jasper, Shawn
Kopka, Angeline
Long, Patrick

Barry, Richard
Cebrowski, John
Cote, David
Gage, Ruth
Gorman, Mary
Hammond, Jill
Jeudy, Jean
Leishman, Peter
MacKay, Mariellen

Beaulieu, Jane
Chandley, Shannon
DiSilvestro, Linda
Gale, Sylvia
Grady, Brenda
Hansberry, Daniel
Kelley, John
LeVasseur, Richard
Manley, Jonathan Sr

Byron, Frank
Coffey, James
Eaton, Richard
Gargas, Carolyn
Graham, John
Harriott-Gathright, Linda
Knowles, Mary Ann
Levesque, Melanie
Marston, Dick

Martel, Andre
Nelson, Mary
Ramsey, Peter
Schmidt, Janice
Spratt, Stephen
Takesian, Charlene
Woodbury, David

McCarthy, Michael
O'Brien, Michael Sr
Rhodes, Brian
Shattuck, Gilman
Straight, Philip
Walsh, Robert Jr

McCloskey, David
Pellegrino, Tony
Rosenwald, Cindy
Shaw, Barbara
Stroud, Kathleen
Willette, Robert

McNamara, Richard
Porter, Marjorie
Rowe, Robert
Soucy, Timothy
Sullivan, Peter
Williams, Kermit

MERRIMACK

Alicea, Caroletta
Burns, Scott
Ebel, Karen
Gile, Mary
Kidder, David
Moffett, Howard
Rice, Chip
Schuett, Dianne
Walsh, Thomas IV

Andrews, Christopher
Carey, Lorrie
Frambach, Mary
Hess, David
Kotowski, Frank
Myler, Mel
Richardson, Gary
Shurtleff, Stephen
Walz, Mary Beth

Bartlett, Christy
Carson, Clyde
Frazer, June
Hunt, Jane
Lockwood, Priscilla
Patten, Dick
Rogers, Katherine
Tilton, Joy
Watrous, Rick

Bouchard, Candace
Davis, Frank
French, Barbara
Karrick, David Jr
MacKay, James
Reed, Dennis
Schamberg, Thomas
Wallner, Mary Jane
Webb, Leigh

ROCKINGHAM

Abrami, Patrick
Cahill, Michael
Cushing, Robert Jr
Emerson-Brown, Rebecca
Harris, Jeffrey
Khan, Aboul
McKinney, Betsy
Packard, Sherman
Sapareto, Frank
Sytek, John

Belanger, Ronald
Cali-Pitts, Jacqueline
Devine, James
Flockhart, Eileen
Hayes, Jack
Lovejoy, Patricia
Moody, Marcia
Pantelakos, Laura
Scarlotto, Joe
Ward, Gerald

Birdsell, Regina
Charron, Gene
Dumaine, Dudley
Garcia, Bianca
Heffron, Frank
Lundgren, David
Muns, Chris
Peckham, Michele
Schlachman, Donna
Webb, James Sr

Borden, David
Copeland, Timothy
Elliott, Robert
Garcia, Marilinda
Introne, Robert
Mann, Maureen
O'Connor, John
Priestley, Anne
Sherman, Thomas

STRAFFORD

Baber, William
Gardner, Janice
Hubbard, Pamela
Menear, H. Robert III
Rogers, Rose Marie
Spainhower, Dale
Wall, Janet

Bixby, Peter
Ginsburg, Philip
Kaen, Naida
Mullen, John Jr
Rollo, Deanna
Spang, Judith

Burdwood, Greg
Grassie, Anne
Ketel, Stephen
Pelletier, Marsha
Schmidt, Peter
Stevens, Audrey

Burke, Rachel
Gray, James
Malloy, Dennis
Perry, Robert
Smith, Marjorie
Verschueren, James

SULLIVAN

Cloutier, John
Schmidt, Andrew

Gagnon, Raymond
Smith, Steven

Gottling, Suzanne
Sweeney, Cynthia

Rollins, Skip
Tanner, Linda

and floor amendment (1993h) failed.

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

Rep. Cebrowski spoke against.

Reps. Kris Roberts and Fred Rice spoke against and yielded to questions.

MOTION TO LAY ON THE TABLE

Rep. Lambert moved that **SB 47**, relative to a surviving spouse's right to retain a Purple Heart plate, be laid on the table.

Rep. Bouchard requested a roll call; sufficiently seconded.

YEAS 161 NAYS 185

YEAS 161 BELKNAP

Burchell, Richard
Flanders, Donald
Vadney, Herbert

Comtois, Guy
Greemore, Robert Jr
Worsman, Colette

Cormier, Jane
Sylvia, Michael

Fink, Charles
Tilton, Franklin

CARROLL

Ahlgren, Christopher
McConkey, Mark
Ticehurst, Susan

Buco, Thomas
Morrow, Harry
Umberger, Karen

Chandler, Gene
Nelson, Bill
White, Syndi

Cordelli, Glenn
Schmidt, Stephen
Wright, Donald

CHESHIRE

Burridge, Delmar

Hunt, John

Parkhurst, Henry

Roberts, Kris

COOS

Enman, Larry Rappaport, Laurence

GRAFTON

Bradley, Lester Brown, Rebecca Doolan, Ralph Jr Gionet, Edmond
Lovett, Sid Reilly, Harold Sr Townsend, Charles

HILLSBOROUGH

Barry, Richard Belanger, James Boehm, Ralph Burt, John
Byron, Frank Cebrowski, John Christiansen, Lars Coffey, James
Culbert, Patrick Flanagan, Jack Gagne, Larry Garcia, Michael
Gargas, Carolyn Grady, Brenda Graham, John Haefner, Robert
Hansen, Peter Hikel, John Hopper, Gary Jasper, Shawn
Kurk, Neal Lambert, George LeBrun, Donald Levasseur, Nickolas
LeVasseur, Richard Marston, Dick Martel, Andre Meaney, Richard
Murotake, David Murphy, Keith Murphy, Kelleigh Notter, Jeanine
O'Brien, William Ober, Lynne Ober, Russell III Palmer, Stephen
Parison, James Pellegrino, Tony Peterson, Lenette Pratt, Calvin
Rowe, Robert Sanborn, Laurie Sandblade, Emily Schmidt, Janice
Shaw, Barbara Souza, Kathleen Straight, Philip Takesian, Charlene
Ulery, Jordan Warden, Mark Willette, Robert

MERRIMACK

Hess, David Hoell, J.R. Kotowski, Frank Lockwood, Priscilla
McGuire, Carol McGuire, Dan Patten, Dick Webb, Leigh

ROCKINGHAM

Abrami, Patrick Allen, Mary Baldasaro, Alfred Birdsell, Regina
Briden, Steven Cali-Pitts, Jacqueline Chirichiello, Brian Comerford, Timothy
Copeland, Timothy Danais, Romeo DeSimone, Debra Devine, James
Duarte, Joe Elliott, Robert Emerick, J. Tracy Ferrante, Beverly
Garcia, Bianca Garcia, Marilinda Grace, Curtis Griffin, Mary
Hagan, Joseph Harris, Jeffrey Hayes, Jack Hodgdon, Bruce
Hoelzel, Kathleen Itse, Daniel Kappler, Lawrence Kolodziej, Walter
Major, Norman McKinney, Betsy McMahon, Charles Milz, David
O'Connor, John Priestley, Anne Rice, Frederick Sanders, Elisabeth
Sapareto, Frank Scarlotto, Joe Schroadter, Adam Sedensky, John
St.James, Kevin Sweeney, Joe Sytek, John Tamburello, Daniel
Till, Mary Tremblay, Stella Tucker, Pamela Ward, Gerald
Waterhouse, Kevin Webb, James Sr Weyler, Kenneth

STRAFFORD

Beaudoin, Steven Bickford, David Bixby, Peter Gray, James
Groen, Warren Grossman, Kenneth Menear, H. Robert III Pitre, Joseph
Rollo, Deanna

SULLIVAN

Gagnon, Raymond Grenier, James Irwin, Virginia Rollins, Skip
Smith, Steven Tanner, Linda

NAYS 185**BELKNAP**

DiMartino, Lisa Fields, Dennis Gulick, Ruth Holmes, Stephen
Huot, David Luther, Robert Raymond, Ian

CARROLL

Butler, Edward Crawford, Karel Lavender, Tom

CHESHIRE

Ames, Richard Berch, Paul Butynski, William Chase, Cynthia
Emerson, Susan Johnsen, Gladys Johnson, Jane Ley, Douglas
Mann, John Robertson, Timothy Sad, Tara Shepardson, Marjorie
Tatro, Bruce Weber, Lucy Weed, Charles

COOS

Hammon, Marcia Hatch, William Moynihan, Wayne Richardson, Herbert
Theberge, Robert

GRAFTON

Aguiar, James Almy, Susan Benn, Bernard Cooney, Mary
Ford, Susan Friedrich, Carol Harding, Laurie Higgins, Patricia

Ladd, Rick Jr
Nordgren, Sharon
Smith, Suzanne

Lauer, Linda
Pastor, Beatriz
Sykes, George

Massimilla, Linda
Piper, Wendy
White, Andrew

Mulholland, Catherine
Shackett, Jeffrey

HILLSBOROUGH

Backus, Robert
Chandley, Shannon
Danielson, David
Gage, Ruth
Gorman, Mary
Harriott-Gathright, Linda
Jeudy, Jean
Leishman, Peter
Manley, Jonathan Sr
Nelson, Mary
Ramsey, Peter
Soucy, Timothy
Vaillancourt, Steve
Winters, Joel

Beaulieu, Jane
Connor, Evelyn
DiSilvestro, Linda
Gale, Sylvia
Hackel, Paul
Heden, Ruth
Kelley, John
Levesque, Melanie
McCarthy, Michael
O'Brien, Michael Sr
Rhodes, Brian
Spratt, Stephen
Villeneuve, Moe
Woodbury, David

Campbell, David
Cote, David
Dobson, Jeremy
Gidge, Kenneth
Hammond, Jill
Infantine, William
Knowles, Mary Ann
Long, Patrick
McCloskey, David
O'Flaherty, Tim
Rosenwald, Cindy
Stroud, Kathleen
Walsh, Robert Jr

Carroll, Douglas
Daniels, Gary
Eaton, Richard
Goley, Jeffrey
Hansberry, Daniel
Jack, Martin
Kopka, Angeline
MacKay, Mariellen
McNamara, Richard
Porter, Marjorie
Shattuck, Gilman
Sullivan, Peter
Williams, Kermit

MERRIMACK

Alicea, Caroletta
Burns, Scott
Ebel, Karen
Gile, Mary
Kidder, David
Ratzki, Mario
Rogers, Katherine
Tilton, Joy

Andrews, Christopher
Carey, Lorrie
Frambach, Mary
Hirsch, Geoffrey
MacKay, James
Reed, Dennis
Schamberg, Thomas
Wallner, Mary Jane

Bartlett, Christy
Carson, Clyde
Frazer, June
Hunt, Jane
Moffett, Howard
Rice, Chip
Schuett, Dianne
Walz, Mary Beth

Bouchard, Candace
Davis, Frank
French, Barbara
Karrick, David Jr
Myler, Mel
Richardson, Gary
Shurtleff, Stephen
Watrous, Rick

ROCKINGHAM

Belanger, Ronald
Charron, Gene
Flockhart, Eileen
Lovejoy, Patricia
Muns, Chris
Peckham, Michele

Bick, Patrick
Cushing, Robert Jr
Heffron, Frank
Lundgren, David
Nigrello, Robert
Schlachman, Donna

Borden, David
Dumaine, Dudley
Introne, Robert
Mann, Maureen
Packard, Sherman
Sherman, Thomas

Cahill, Michael
Emerson-Brown, Rebecca
Khan, Aboul
Moody, Marcia
Pantelakos, Laura
Whittemore, Lisa

STRAFFORD

Baber, William
Gardner, Janice
Hubbard, Pamela
Malloy, Dennis
Rogers, Rose Marie
Stevens, Audrey

Berube, Roger
Ginsburg, Philip
Jones, Laura
Mullen, John Jr
Schmidt, Peter
Wall, Janet

Burdwood, Greg
Grassie, Anne
Kaen, Naida
Pelletier, Marsha
Smith, Marjorie

Burke, Rachel
Horriggan, Timothy
Ketel, Stephen
Perry, Robert
Spang, Judith

SULLIVAN

Cloutier, John

Gottling, Suzanne

Schmidt, Andrew

Sweeney, Cynthia

and the motion failed.

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

Rep. Frederick Rice yielded to questions.

Rep. Dumaine spoke in favor and yielded to questions.

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

YEAS 188 NAYS 158

YEAS 188

BELKNAP

DiMartino, Lisa
Huot, David

Fields, Dennis
Raymond, Ian

Greemore, Robert Jr

Gulick, Ruth

CARROLL

Ahlgren, Christopher
Schmidt, Stephen

Buco, Thomas
Ticehurst, Susan

Butler, Edward
White, Syndi

Crawford, Karel

CHESHIRE

Ames, Richard
Chase, Cynthia
Ley, Douglas
Tatro, Bruce

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

Burridge, Delmar
Hunt, John
Robertson, Timothy
Weed, Charles

Butynski, William
Johnsen, Gladys
Sad, Tara

COOS

Hammon, Marcia

Hatch, William

Moynihan, Wayne

GRAFTON

Aguiar, James
Cooney, Mary
Higgins, Patricia
Nordgren, Sharon
Smith, Suzanne

Almy, Susan
Ford, Susan
Ladd, Rick Jr
Pastor, Beatriz
Sykes, George

Benn, Bernard
Friedrich, Carol
Lauer, Linda
Piper, Wendy
Townsend, Charles

Brown, Rebecca
Harding, Laurie
Mulholland, Catherine
Shackett, Jeffrey
White, Andrew

HILLSBOROUGH

Backus, Robert
Chandley, Shannon
DiSilvestro, Linda
Gage, Ruth
Gorman, Mary
Infantine, William
Knowles, Mary Ann
MacKay, Mariellen
O'Brien, Michael Sr
Rhodes, Brian
Shaw, Barbara
Sullivan, Peter
Williams, Kermit

Beaulieu, Jane
Christiansen, Lars
Dobson, Jeremy
Gale, Sylvia
Hansberry, Daniel
Jack, Martin
Kopka, Angeline
McCarthy, Michael
O'Flaherty, Tim
Rosenwald, Cindy
Soucy, Timothy
Vaillancourt, Steve
Woodbury, David

Campbell, David
Connor, Evelyn
Eaton, Richard
Gidge, Kenneth
Harriott-Gathright, Linda
Judy, Jean
Levesque, Melanie
Murotake, David
Porter, Marjorie
Schmidt, Janice
Spratt, Stephen
Walsh, Robert Jr

Carroll, Douglas
Cote, David
Flanagan, Jack
Goley, Jeffrey
Heden, Ruth
Kelley, John
Long, Patrick
Nelson, Mary
Ramsey, Peter
Shattuck, Gilman
Straight, Philip
Warden, Mark

MERRIMACK

Alicea, Caroletta
Carey, Lorrie
Frambach, Mary
Hirsch, Geoffrey
MacKay, James
Patten, Dick
Richardson, Gary
Shurtleff, Stephen
Watrous, Rick

Andrews, Christopher
Carson, Clyde
Frazer, June
Hunt, Jane
McGuire, Dan
Ratzki, Mario
Rogers, Katherine
Tilton, Joy
Webb, Leigh

Bouchard, Candace
Davis, Frank
French, Barbara
Karrick, David Jr
Moffett, Howard
Reed, Dennis
Schamberg, Thomas
Wallner, Mary Jane

Burns, Scott
Ebel, Karen
Gile, Mary
Kidder, David
Myler, Mel
Rice, Chip
Schuett, Dianne
Walz, Mary Beth

ROCKINGHAM

Allen, Mary
Cali-Pitts, Jacqueline
Emerson-Brown, Rebecca
Introne, Robert
McKinney, Betsy
Schlachman, Donna
Ward, Gerald

Borden, David
Charron, Gene
Ferrante, Beverly
Lovejoy, Patricia
Moody, Marcia
Sherman, Thomas
Whittemore, Lisa

Briden, Steven
Cushing, Robert Jr
Flockhart, Eileen
Major, Norman
Packard, Sherman
Sweeney, Joe

Cahill, Michael
Dumaine, Dudley
Heffron, Frank
Mann, Maureen
Pantelakos, Laura
Tremblay, Stella

STRAFFORD

Baber, William
Burke, Rachel
Grossman, Kenneth
Kaen, Naida
Perry, Robert
Smith, Marjorie

Beaudoin, Steven
Gardner, Janice
Horrigan, Timothy
Ketel, Stephen
Rogers, Rose Marie
Spang, Judith

Berube, Roger
Ginsburg, Philip
Hubbard, Pamela
Malloy, Dennis
Rollo, Deanna
Stevens, Audrey

Burdwood, Greg
Grassie, Anne
Jones, Laura
Pelletier, Marsha
Schmidt, Peter
Wall, Janet

SULLIVAN

Cloutier, John

Gottling, Suzanne

Grenier, James

NAYS 158**BELKNAP**

Burchell, Richard
Flanders, Donald
Tilton, Franklin

Comtois, Guy
Holmes, Stephen
Vadney, Herbert

Cormier, Jane
Luther, Robert
Worsman, Colette

Fink, Charles
Sylvia, Michael

CARROLL

Chandler, Gene
Morrow, Harry

Cordelli, Glenn
Nelson, Bill

Lavender, Tom
Umberger, Karen

McConkey, Mark
Wright, Donald

CHESHIRE

Johnson, Jane

Parkhurst, Henry

Roberts, Kris

Shepardson, Marjorie

COOS

Enman, Larry

Rappaport, Laurence

Richardson, Herbert

GRAFTON

Bradley, Lester
Massimilla, Linda

Doolan, Ralph Jr
Reilly, Harold Sr

Gionet, Edmond

Lovett, Sid

HILLSBOROUGH

Barry, Richard
Byron, Frank
Daniels, Gary
Gargas, Carolyn
Haefner, Robert
Hopper, Gary
LeBrun, Donald
Manley, Jonathan Sr
McNamara, Richard
Notter, Jeanine
Palmer, Stephen
Pratt, Calvin
Souza, Kathleen
Villeneuve, Moe

Belanger, James
Cebrowski, John
Danielson, David
Grady, Brenda
Hammond, Jill
Jasper, Shawn
Leishman, Peter
Marston, Dick
Meaney, Richard
O'Brien, William
Parison, James
Rowe, Robert
Stroud, Kathleen
Willette, Robert

Boehm, Ralph
Coffey, James
Gagne, Larry
Graham, John
Hansen, Peter
Kurk, Neal
Levasseur, Nicolas
Martel, Andre
Murphy, Keith
Ober, Lynne
Pellegrino, Tony
Sanborn, Laurie
Takesian, Charlene
Winters, Joel

Burt, John
Culbert, Patrick
Garcia, Michael
Hackel, Paul
Hikel, John
Lambert, George
LeVasseur, Richard
McCloskey, David
Murphy, Kelleigh
Ober, Russell III
Peterson, Lenette
Sandblade, Emily
Ulery, Jordan

MERRIMACK

Bartlett, Christy
Lockwood, Priscilla

Hess, David
McGuire, Carol

Hoell, J.R.

Kotowski, Frank

ROCKINGHAM

Abrami, Patrick
Birdsell, Regina
Dana, Romeo
Elliott, Robert
Grace, Curtis
Hayes, Jack
Kappler, Lawrence
McMahon, Charles
O'Connor, John
Sanders, Elisabeth
Sedensky, John
Thompson, David
Webb, James Sr

Baldasaro, Alfred
Chirichiello, Brian
DeSimone, Debra
Emerick, J. Tracy
Griffin, Mary
Hodgdon, Bruce
Khan, Aboul
Milz, David
Peckham, Michele
Sapareto, Frank
St. James, Kevin
Till, Mary
Weyler, Kenneth

Belanger, Ronald
Comerford, Timothy
Devine, James
Garcia, Bianca
Hagan, Joseph
Hoelzel, Kathleen
Kolodziej, Walter
Muns, Chris
Priestley, Anne
Scarlott, Joe
Sytek, John
Tucker, Pamela

Bick, Patrick
Copeland, Timothy
Duarte, Joe
Garcia, Marilinda
Harris, Jeffrey
Itse, Daniel
Lundgren, David
Nigrello, Robert
Rice, Frederick
Schroadter, Adam
Tamburello, Daniel
Waterhouse, Kevin

STRAFFORD

Bickford, David
Menear, H. Robert III

Bixby, Peter
Mullen, John Jr

Gray, James
Pitre, Joseph

Groen, Warren
Spainhower, Dale

SULLIVAN

Gagnon, Raymond
Smith, Steven

Irwin, Virginia
Sweeney, Cynthia

Rollins, Skip
Tanner, Linda

Schmidt, Andrew

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

The House recessed at 1:00 p.m.

RECESS

The House reconvened at 2:30 p.m.

(Speaker Norelli in the Chair)

SENATE MESSAGES**REQUESTS CONCURRENCE WITH AMENDMENTS**

HB 261-FN, relative to the assistance program for 2-parent families with dependent children. (Amendment printed SJ 5-30-13)

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

Adopted.

HB 481-FN, limiting the state's authority to seek reimbursement for public assistance. (Amendment printed SJ 5-30-13)

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

Adopted.

HB 559, relative to the general banking laws of the state. (Amendment printed SJ 5-30-13)

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

Adopted.

HB 521, establishing a committee to study New Hampshire election laws and procedures. (Amendment printed SJ 4-18-13)

Rep. Cote moved that the House concur.

Rep. Gary Richardson spoke in favor.

Adopted.

HB 308, relative to technical changes to election laws. (Amendment printed SJ 4-18-13)

Rep. Cote moved that the House concur.

Rep. Gary Richardson spoke in favor.

Adopted.

HB 123, relative to the limitation of liability for negligence regarding public safety officers. (Amendment printed SJ 5-23-13)

Rep. Marjorie Smith moved that the House concur and spoke in favor.

Adopted.

HB 228, relative to insurance fraud. (Amendment printed SJ 5-23-13)

Rep. Marjorie Smith moved that the House concur and spoke in favor.

Adopted.

HB 403, establishing a committee to study end of life decisions. (Amendment printed SJ 5-23-13)

Rep. Marjorie Smith moved that the House concur and spoke in favor.

Adopted.

HB 413, relative to property abandoned by tenants. (Amendment printed SJ 5-23-13)

Rep. Marjorie Smith moved that the House concur and spoke in favor.

Adopted.

HB 140, relative to the committee on legislator orientation. (Amendment printed SJ 5-30-13)

Rep. Gary Richardson moved that the House concur and spoke in favor.

Adopted.

HB 283, establishing a study committee to review the hearings officer's report with regard to the New Hampshire Local Government Center and to study potential changes to RSA 5-B.

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

Adopted.

HB 634, relative to water resource management and protection plans in municipal master plans. (Amendment printed SJ 5-23-13)

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

Adopted.

HB 588, extending the instream flow pilot program for 2 years. (Amendment printed SJ 5-23-13)

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

Adopted.

HB 119, relative to voter registration. (Amendment printed SJ 5-23-13)

Rep. Cote moved that the House nonconcur.

Rep. Gary Richardson spoke in favor.

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

YEAS 238 NAYS 104

YEAS 238

BELKNAP

DiMartino, Lisa
Huot, David

Fields, Dennis
Luther, Robert

Flanders, Donald
Raymond, Ian

Gulick, Ruth
Vadney, Herbert

CARROLL

Ahlgren, Christopher
Schmidt, Stephen

Buco, Thomas
Ticehurst, Susan

Butler, Edward
White, Syndi

Crawford, Karel

CHESHIRE

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

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

Burridge, Delmar
Hunt, John
Parkhurst, Henry
Shepardson, Marjorie

Butynski, William
Johnsen, Gladys
Roberts, Kris
Tatro, Bruce

COOS

Coulombe, Gary
Moynihan, Wayne

Enman, Larry
Richardson, Herbert

Hammon, Marcia
Theberge, Robert

Hatch, William

GRAFTON

Aguiar, James
Cooney, Mary
Higgins, Patricia
Mulholland, Catherine
Shackett, Jeffrey

Almy, Susan
Doolan, Ralph Jr
Lauer, Linda
Nordgren, Sharon
Smith, Suzanne

Benn, Bernard
Friedrich, Carol
Lovett, Sid
Pastor, Beatriz
Sykes, George

Brown, Rebecca
Harding, Laurie
Massimilla, Linda
Piper, Wendy
Townsend, Charles

HILLSBOROUGH

Backus, Robert
Carroll, Douglas
Connor, Evelyn
Eaton, Richard
Gargas, Carolyn
Grady, Brenda
Harriott-Gathright, Linda
Jeudy, Jean
Leishman, Peter
MacKay, Mariellen
Nelson, Mary
Porter, Marjorie
Rowe, Robert
Shaw, Barbara
Stroud, Kathleen
Vail, Suzanne
Winters, Joel

Beaulieu, Jane
Chandley, Shannon
Cote, David
Gage, Ruth
Gidge, Kenneth
Hackel, Paul
Heden, Ruth
Kelley, John
Levasseur, Nickolas
McCloskey, David
O'Brien, Michael Sr
Ramsey, Peter
Sanborn, Laurie
Soucy, Timothy
Sullivan, Daniel
Walsh, Robert Jr
Woodbury, David

Belanger, James
Christiansen, Lars
DiSilvestro, Linda
Gale, Sylvia
Goley, Jeffrey
Hammond, Jill
Jack, Martin
Knowles, Mary Ann
Levesque, Melanie
McNamara, Richard
O'Flaherty, Tim
Rhodes, Brian
Schmidt, Janice
Souza, Kathleen
Sullivan, Peter
Willette, Robert

Campbell, David
Coffey, James
Dobson, Jeremy
Garcia, Michael
Gorman, Mary
Hansberry, Daniel
Jasper, Shawn
Kopka, Angeline
Long, Patrick
Murphy, Keith
Palmer, Stephen
Rosenwald, Cindy
Shattuck, Gilman
Spratt, Stephen
Takesian, Charlene
Williams, Kermit

MERRIMACK

Alicea, Caroletta
Burns, Scott
Ebel, Karen
Gile, Mary
Kidder, David
Moffett, Howard
Rice, Chip
Schuett, Dianne
Walz, Mary Beth

Andrews, Christopher
Carey, Lorrie
Frambach, Mary
Hirsch, Geoffrey
MacKay, James
Myler, Mel
Richardson, Gary
Shurtleff, Stephen
Watrous, Rick

Bartlett, Christy
Carson, Clyde
Frazer, June
Hunt, Jane
McGuire, Carol
Patten, Dick
Rogers, Katherine
Tilton, Joy
Webb, Leigh

Bouchard, Candace
Davis, Frank
French, Barbara
Karrick, David Jr
McGuire, Dan
Ratzki, Mario
Schamberg, Thomas
Wallner, Mary Jane

ROCKINGHAM

Allen, Mary
Briden, Steven
Charron, Gene
Emerson-Brown, Rebecca
Heffron, Frank
Lovejoy, Patricia
Muns, Chris
Priestley, Anne
Sedensky, John
Till, Mary

Belanger, Ronald
Burtis, Elizabeth
Cushing, Robert Jr
Flockhart, Eileen
Hoelzel, Kathleen
Major, Norman
Packard, Sherman
Scarlotta, Joe
Sherman, Thomas
Ward, Gerald

Birdsell, Regina
Cahill, Michael
Dana, Romeo
Griffin, Mary
Kappler, Lawrence
Mann, Maureen
Pantelakos, Laura
Schlachman, Donna
Sweeney, Joe
Whitemore, Lisa

Borden, David
Cali-Pitts, Jacqueline
DeSimone, Debra
Hayes, Jack
Khan, Aboul
Moody, Marcia
Peckham, Michele
Schroadter, Adam
Sytek, John

STRAFFORD

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

Berube, Roger
Gardner, Janice
Grossman, Kenneth
Kaen, Naida
Mullen, John Jr
Rollo, Deanna
Spang, Judith

Bixby, Peter
Ginsburg, Philip
Hooper, Dorothea
Ketel, Stephen
Pelletier, Marsha
Schmidt, Peter
Stevens, Audrey

Burdwood, Greg
Grassie, Anne
Horrigan, Timothy
Malloy, Dennis
Perry, Robert
Smith, Marjorie
Verschueren, James

SULLIVAN

Cloutier, John
Irwin, Virginia
Tanner, Linda

Gagnon, Raymond
Rollins, Skip

Gottling, Suzanne
Schmidt, Andrew

Grenier, James
Sweeney, Cynthia

**NAYS 104
BELKNAP**

Burchell, Richard
Holmes, Stephen

Cormier, Jane
Sylvia, Michael

Fink, Charles
Tilton, Franklin

Greemore, Robert Jr
Worsman, Colette

CARROLLChandler, Gene
Nelson, BillCordelli, Glenn
Umberger, KarenMcConkey, Mark
Wright, Donald

Merrow, Harry

CHESHIRE

Johnson, Jane

COOS

Rappaport, Laurence

GRAFTON

Bradley, Lester

Gionet, Edmond

Ladd, Rick Jr

Reilly, Harold Sr

HILLSBOROUGHBarry, Richard
Cebrowski, John
Flanagan, Jack
Hansen, Peter
Kurk, Neal
Manley, Jonathan Sr
Meaney, Richard
O'Brien, William
Pellegrino, Tony
Straight, Philip
Warden, MarkBoehm, Ralph
Culbert, Patrick
Gagne, Larry
Hikel, John
Lambert, George
Marston, Dick
Murotake, David
Ober, Lynne
Peterson, Lenette
Ulery, JordanBurt, John
Daniels, Gary
Graham, John
Hopper, Gary
LeBrun, Donald
Martel, Andre
Murphy, Kelleigh
Ober, Russell III
Pratt, Calvin
Vaillancourt, SteveByron, Frank
Danielson, David
Haefner, Robert
Infantine, William
LeVasseur, Richard
McCarthy, Michael
Notter, Jeanine
Parison, James
Sandblade, Emily
Villeneuve, Moe**MERRIMACK**

Hess, David

Hoell, J.R.

Kotowski, Frank

Lockwood, Priscilla

ROCKINGHAMAbrami, Patrick
Copeland, Timothy
Emerick, J. Tracy
Hagan, Joseph
Itse, Daniel
Nigrello, Robert
St.James, Kevin
Tucker, PamelaBick, Patrick
Devine, James
Ferrante, Beverly
Harris, Jeffrey
Kolodziej, Walter
O'Connor, John
Tamburello, Daniel
Waterhouse, KevinChirichiello, Brian
Duarte, Joe
Garcia, Bianca
Hodgdon, Bruce
McMahon, Charles
Rice, Frederick
Thompson, David
Webb, James SrComerford, Timothy
Dumaine, Dudley
Garcia, Marilinda
Introne, Robert
Milz, David
Sanders, Elisabeth
Tremblay, Stella
Weyler, Kenneth**STRAFFORD**Beaudoin, Steven
Pitre, Joseph

Bickford, David

Groen, Warren

Jones, Laura

SULLIVAN

Smith, Steven

and the motion was adopted.

HB 183, relative to processing absentee ballots. (Amendment printed SJ 5-2-13)

Rep. Cote moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Gary Richardson, Connor, Gage and Jasper.

HB 265, relative to procedures by absentee voters. (Amendment printed SJ 5-2-13)

Rep. Cote moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Knowles, Till, Connor and Hoelzel.

HB 595-FN, relative to photo identification of voters. (Amendment printed SJ 5-23-13)

Rep. Cote moved that the House nonconcur and request a Committee of Conference.

On a division vote, 286 members having voted in the affirmative and 52 in the negative, the motion was adopted.

The Speaker appointed Reps. Gary Richardson, Knowles, Perry and Cote.

MOTION TO LIMIT DEBATE

Rep. Jasper moved that debate on remaining bills on today's House Calendar be limited to 20 minutes on each side, including questions.

MOTION TO AMEND

Rep. Vaillancourt moved to amend the motion to limit debate to 2 hours on each side, including questions.

Rep. Hoell requested a roll call; sufficiently seconded.

YEAS 86 NAYS 253**YEAS 86
BELKNAP**

Cormier, Jane

Sylvia, Michael

Buco, Thomas
Umberger, KarenCordelli, Glenn
White, SyndiCrawford, Karel
Wright, Donald

Nelson, Bill

CHESHIRE

Emerson, Susan

Mann, John

Roberts, Kris

COOS

None

GRAFTONDoolan, Ralph Jr
Mulholland, CatherineHiggins, Patricia
Piper, Wendy

Ladd, Rick Jr

Lovett, Sid

HILLSBOROUGHBelanger, James
Garcia, Michael
Hansen, Peter
Martel, Andre
Murphy, Keith
O'Flaherty, Tim
Sandblade, Emily
Willette, RobertBurt, John
Gidge, Kenneth
Hikel, John
McCloskey, David
Nelson, Mary
Ober, Russell III
Sullivan, Peter
Winters, JoelCoffey, James
Gorman, Mary
Jack, Martin
Meaney, Richard
Notter, Jeanine
Parison, James
Ulery, JordanEaton, Richard
Graham, John
Lambert, George
Murotake, David
O'Brien, William
Pratt, Calvin
Vaillancourt, Steve**MERRIMACK**Burns, Scott
Hoell, J.R.Carey, Lorrie
Hunt, JaneCarson, Clyde
McGuire, DanHess, David
Rogers, Katherine**ROCKINGHAM**Allen, Mary
Cushing, Robert Jr
Harris, Jeffrey
O'Connor, John
Tamburello, DanielBick, Patrick
Danais, Romeo
Heffron, Frank
Schroadter, Adam
Tremblay, StellaBurtis, Elizabeth
Dumaine, Dudley
Hodgdon, Bruce
Sedensky, John
Webb, James SrComerford, Timothy
Grace, Curtis
Itse, Daniel
St.James, Kevin
Whittemore, Lisa**STRAFFORD**Bickford, David
Menear, H. Robert IIIGroen, Warren
Mullen, John JrHorrigan, Timothy
Perry, RobertJones, Laura
Schmidt, Peter**SULLIVAN**

Sweeney, Cynthia

Tanner, Linda

NAYS 253**BELKNAP**Burchell, Richard
Flanders, Donald
Huot, David
Vadney, HerbertDiMartino, Lisa
Greemore, Robert Jr
Luther, Robert
Worsman, ColetteFields, Dennis
Gulick, Ruth
Raymond, IanFink, Charles
Holmes, Stephen
Tilton, Franklin**CARROLL**Ahlgren, Christopher
Morrow, HarryButler, Edward
Schmidt, StephenChandler, Gene
Ticehurst, Susan

McConkey, Mark

CHESHIREAmes, Richard
Chase, Cynthia
Ley, Douglas
Shepardson, MarjorieBerch, Paul
Hunt, John
Parkhurst, Henry
Tatro, BruceBurridge, Delmar
Johnsen, Gladys
Robertson, Timothy
Weber, LucyButynski, William
Johnson, Jane
Sad, Tara
Weed, Charles**COOS**Coulombe, Gary
Moynihan, WayneEnman, Larry
Rappaport, LaurenceHammon, Marcia
Richardson, HerbertHatch, William
Theberge, Robert

GRAFTON

Aguiar, James
Brown, Rebecca
Gionet, Edmond
Nordgren, Sharon
Smith, Suzanne

Almy, Susan
Cooney, Mary
Harding, Laurie
Pastor, Beatriz
Sykes, George

Benn, Bernard
Ford, Susan
Lauer, Linda
Reilly, Harold Sr
Townsend, Charles

Bradley, Lester
Friedrich, Carol
Massimilla, Linda
Shackett, Jeffrey

HILLSBOROUGH

Backus, Robert
Byron, Frank
Chandley, Shannon
Culbert, Patrick
Flanagan, Jack
Gargas, Carolyn
Haefner, Robert
Heden, Ruth
Kelley, John
LeBrun, Donald
Levesque, Melanie
Marston, Dick
Ober, Lynne
Porter, Marjorie
Rowe, Robert
Shaw, Barbara
Straight, Philip
Vail, Suzanne
Williams, Kermit

Barry, Richard
Campbell, David
Christiansen, Lars
Daniels, Gary
Gage, Ruth
Goley, Jeffrey
Hammond, Jill
Hopper, Gary
Knowles, Mary Ann
Leishman, Peter
Long, Patrick
McNamara, Richard
Palmer, Stephen
Ramsey, Peter
Sanborn, Laurie
Soucy, Timothy
Stroud, Kathleen
Villeneuve, Moe
Woodbury, David

Beaulieu, Jane
Carroll, Douglas
Connor, Evelyn
Danielson, David
Gagne, Larry
Grady, Brenda
Hansberry, Daniel
Jasper, Shawn
Kopka, Angeline
Levasseur, Nickolas
MacKay, Mariellen
Murphy, Kelleigh
Pellegrino, Tony
Rhodes, Brian
Schmidt, Janice
Souza, Kathleen
Sullivan, Daniel
Walsh, Robert Jr

Boehm, Ralph
Cebrowski, John
Cote, David
DiSilvestro, Linda
Gale, Sylvia
Hackel, Paul
Harriott-Gathright, Linda
Jeudy, Jean
Kurk, Neal
LeVasseur, Richard
Manley, Jonathan Sr
O'Brien, Michael Sr
Peterson, Lenette
Rosenwald, Cindy
Shattuck, Gilman
Spratt, Stephen
Takesian, Charlene
Warden, Mark

MERRIMACK

Alicea, Caroletta
Davis, Frank
French, Barbara
Kidder, David
McGuire, Carol
Ratzki, Mario
Schuett, Dianne
Walz, Mary Beth

Andrews, Christopher
Ebel, Karen
Gile, Mary
Kotowski, Frank
Moffett, Howard
Rice, Chip
Shurtleff, Stephen
Watrous, Rick

Bartlett, Christy
Frambach, Mary
Hirsch, Geoffrey
Lockwood, Priscilla
Myler, Mel
Richardson, Gary
Tilton, Joy
Webb, Leigh

Bouchard, Candace
Frazer, June
Karrick, David Jr
MacKay, James
Patten, Dick
Schamberg, Thomas
Wallner, Mary Jane

ROCKINGHAM

Abrami, Patrick
Briden, Steven
Chirichiello, Brian
Duarte, Joe
Flockhart, Eileen
Hoelzel, Kathleen
Kolodziej, Walter
McMahon, Charles
Nigrello, Robert
Priestley, Anne
Schlachman, Donna
Thompson, David
Waterhouse, Kevin

Belanger, Ronald
Cahill, Michael
Copeland, Timothy
Emerick, J. Tracy
Griffin, Mary
Introne, Robert
Lovejoy, Patricia
Milz, David
Packard, Sherman
Rice, Frederick
Sherman, Thomas
Till, Mary
Weyler, Kenneth

Birdsell, Regina
Cali-Pitts, Jacqueline
DeSimone, Debra
Emerson-Brown, Rebecca
Hagan, Joseph
Kappler, Lawrence
Major, Norman
Moody, Marcia
Pantelakos, Laura
Sanders, Elisabeth
Sweeney, Joe
Tucker, Pamela

Borden, David
Charron, Gene
Devine, James
Ferrante, Beverly
Hayes, Jack
Khan, Aboul
Mann, Maureen
Muns, Chris
Peckham, Michele
Scarlottio, Joe
Sytek, John
Ward, Gerald

STRAFFORD

Baber, William
Burdwood, Greg
Grassie, Anne
Hubbard, Pamela
Pelletier, Marsha
Smith, Marjorie
Verschuereen, James

Beaudoin, Steven
Burke, Rachel
Gray, James
Kaen, Naida
Pitre, Joseph
Spainhower, Dale
Wall, Janet

Berube, Roger
Gardner, Janice
Grossman, Kenneth
Ketel, Stephen
Rogers, Rose Marie
Spang, Judith

Bixby, Peter
Ginsburg, Philip
Hooper, Dorothea
Malloy, Dennis
Rollo, Deanna
Stevens, Audrey

SULLIVAN

Cloutier, John
Irwin, Virginia

Gagnon, Raymond
Rollins, Skip

Gottling, Suzanne
Schmidt, Andrew

Grenier, James
Smith, Steven

and the motion failed.

The question now being adoption of the motion to limit debate to 20 minutes on each side, including questions. On a division vote, 200 members having voted in the affirmative and 139 in the negative, the motion was adopted.

REGULAR CALENDAR (CONT'D)**SB 41, revising the New Hampshire business corporations act, RSA 293-A. OUGHT TO PASS WITH AMENDMENT.**

Rep. Chris Muns for Commerce and Consumer Affairs: This bill provides important updates and revisions to the New Hampshire business corporations act, first passed by this legislature in 1993. Since that time there have been virtually no changes to New Hampshire laws that provide guidelines on how corporations are formed, governed and dissolved and New Hampshire has fallen behind other states around the country as being a desirable state in which to incorporate. Like our existing corporation act, SB 41 is based on model language from the American Bar Association's committee on corporate laws. It reflects the best practices and most current case law drawn from 20 years of experience in other states. Although based on the model act, SB 41 is tailored for New Hampshire and includes important protections of shareholder rights. It has the full support of the secretary of state. Most of the changes in SB 41 are updates to concepts that exist in the current statute, with the changes reflecting current methods of doing business and best practices. For example, revisions in SB 41 allow for delivery of documents to the secretary of state by electronic transmission; authorizes remote participation by shareholders at a shareholder meeting; and simplifies the process for entities to convert to corporations, and for out-of-state corporations to re-domicile in New Hampshire. Finally, the bill clarifies a number of issues that are vague or unclearly defined in our current, outdated statute. The amendment corrects a drafting error contained in the bill passed by the Senate; gives the secretary of state the right to notify corporations of inconsistencies with filings; and provides an expedited administrative process for minority shareholders to receive shareholder information in advance of an annual meeting. SB-41 is a top priority for the Business & Industry Association and reflects a truly bipartisan approach and effort to improve New Hampshire's business climate. Vote 14-0.

Amendment (1778h)

Amend RSA 293-A:1.25 as inserted by section 1 of the bill by inserting after paragraph (e) the following new paragraph:

(f) If, at any time, the secretary of state or any of those acting on his or her behalf determines that any document recorded by them under RSA 292, RSA 293-A, RSA 293-B, RSA 294-A, RSA 301, RSA 301-A, RSA 304-A, RSA 304-B, RSA 304-C, RSA 305-A, or RSA 349 contains defects or inconsistencies, the secretary of state shall notify the filer of said document, in writing, of any defects and inconsistencies.

Amend RSA 293-A:10.04 as inserted by section 1 of the bill by replacing it with the following:

293-A:10.04 Voting on Amendments by Voting Groups.

(a) If a corporation has more than one class of shares outstanding, the holders of the outstanding shares of a class are entitled to vote as a separate voting group (if shareholder voting is otherwise required by this chapter) on a proposed amendment to the articles of incorporation if the amendment would:

- (1) increase or decrease the aggregate number of authorized shares of the class;
- (2) effect an exchange or reclassification of all or part of the shares of the class into shares of another class;
- (3) effect an exchange or reclassification, or create the right of exchange, of all or part of the shares of another class into shares of the class;
- (4) change the rights, preferences, or limitations of all or part of the shares of the class;
- (5) change the shares of all or part of the class into a different number of shares of the same class;
- (6) create a new class of shares having rights or preferences with respect to distributions that are prior or superior to the shares of the class;
- (7) increase the rights, preferences, or number of authorized shares of any class that, after giving effect to the amendment, have rights or preferences with respect to distributions that are prior or superior to the shares of the class;

(8) limit or deny an existing preemptive right of all or part of the shares of the class; or

(9) cancel or otherwise affect rights to distributions that have accumulated but not yet been authorized on all or part of the shares of the class.

(b) If a proposed amendment would affect a series of a class of shares in one or more of the ways described in subsection (a), the holders of shares of that series are entitled to vote as a separate voting group on the proposed amendment.

(c) If a proposed amendment that entitles the holders of 2 or more classes or series of shares to vote as separate voting groups under this section would affect those 2 or more classes or series in the same or a substantially similar way, the holders of shares of all the classes or series so affected must vote together as a single voting group on the proposed amendment, unless otherwise provided in the articles of incorporation or required by the board of directors.

(d) A class or series of shares is entitled to the voting rights granted by this section although the articles of incorporation provide that the shares are nonvoting shares.

Amend RSA 293-A:14.20(a)(4)-(5) as inserted by section 1 of the bill by replacing them with the following:

(4) the corporation does not notify the secretary of state within 60 days that its registered agent or registered office has been changed, that its registered agent has resigned, or that its registered office has been discontinued;

(5) the corporation's period of duration stated in its articles of incorporation expires; or

(6) the corporation or any individual acting on its behalf files any document with the secretary of state that, either alone or in conjunction with any other document, constitutes a knowing violation of applicable statutes.

Amend RSA 293-A:14.21 as inserted by section 1 of the bill by inserting after paragraph (e) the following new paragraphs:

(f) In connection with the issuance of a notice of dissolution by the secretary of state under RSA 293-A:14.21(a) on grounds set forth in RSA 293-A:14.20(a)(6), a hearing shall be set for 10 business days after the issuance of the notice of dissolution. All hearings shall be conducted in accordance with RSA 421-B:26-a. If the person whom the notice is issued fails to appear for the hearing, then such person shall be deemed in default, and the dissolution shall become final.

(g) Unless an order is final pursuant to RSA 293-A:14.21(f), any administrative dissolution by the secretary of state on grounds set forth in RSA 293-A:14.20(a)(6) may be appealed to the superior court of the county where the corporation's principal office, or, if none in this state, its registered office, is located or the business and commercial dispute docket of the superior court, which court shall be deemed to have jurisdiction to hear such matter and to which the corporation and the secretary of state shall be deemed to have consented. Any appeal under this section shall not affect any rights of the corporation under RSA 293-A:14.22, RSA 293-A:14.22-a, or RSA 293-A:14.23.

Amend RSA 293-A:16.02(e)-(h) as inserted by section 1 of the bill by replacing them with the following:

(e) For purposes of RSA 293-A:16.02(d), if a shareholder makes a written demand on a corporation for an alphabetical list of the names and addresses of its shareholders who are entitled to notice of a shareholders' meeting for the purpose of communicating with other shareholders relating to an item of business listed in the notice, and the corporation refuses to allow inspection and copying of the list, the shareholder may petition the secretary of state to issue an order requiring the corporation to allow the shareholder to inspect and copy the list of shareholders pursuant to the provisions of RSA 421-B:26-a. The secretary of state, or his or her designee, shall confirm that (i) the petitioner is a shareholder of the corporation, (ii) the corporation has given a notice of shareholder meeting to its shareholders, and (iii) the shareholder made a written demand to inspect and copy the shareholder list for the purpose of communicating with the shareholders regarding an item of business set forth in the notice. If the secretary of state confirms such information, he or she shall schedule a hearing no later than 10 business days after making such confirmation. The secretary of state shall promptly give the petitioner and the corporation notice of the hearing. At such hearing, the presiding officer shall determine whether the petitioner has made the demand for the inspection and copying of the shareholder list for a proper purpose and in good faith and in accordance with RSA 293-A:16.02(d) and, if so, he or she shall order the corporation to comply with the law. If the corporation fails to attend the hearing, the corporation shall be deemed to be in default, and the presiding officer may issue an order requiring it to allow the petitioner to inspect and copy the shareholder list. Such order in the case of default shall be deemed final and may be enforced by the secretary of state pursuant to RSA 293-A:16.02(f).

(f) Unless an order is final pursuant to RSA 293-A:16.02(e), any order or refusal to grant an order by the secretary of state under this subsection may be appealed to the superior court of the county where the corporation's principal office, or, if none in this state, its registered office, is located or the business and commercial dispute docket of the superior court, which court shall be deemed to have jurisdiction to hear such matter and to which the corporation or shareholder, as the case may be, shall be deemed to have consented. The secretary of state or his or her designee may bring an action in the superior court to enforce compliance with any final order under this section. Upon a proper showing, an injunction or other equitable relief may be granted.

(g) The right of inspection granted by this section may not be abolished or limited by a corporation's articles of incorporation or bylaws.

(h) This section does not affect:

(1) the right of a shareholder to inspect records under RSA 293-A:7.20 or, if the shareholder is in litigation with the corporation, to the same extent as any other litigant; or

(2) the power of a court, independently of this chapter, to compel the production of corporate records for examination.

(i) For purposes of this section, "shareholder" includes a beneficial owner whose shares are held in a voting trust or by a nominee on the shareholder's behalf.

Amendment adopted.

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

Rep. Muns spoke in favor.

Rep. Butler requested a roll call; sufficiently seconded.

YEAS 336 NAYS 0**YEAS 336****BELKNAP**

Burchell, Richard
Fink, Charles
Holmes, Stephen
Sylvia, Michael

Cormier, Jane
Flanders, Donald
Huot, David
Tilton, Franklin

DiMartino, Lisa
Greemore, Robert Jr
Luther, Robert
Vadney, Herbert

Fields, Dennis
Gulick, Ruth
Raymond, Ian
Worsman, Colette

CARROLL

Ahlgren, Christopher
Cordelli, Glenn
Nelson, Bill
White, Syndi

Buco, Thomas
Crawford, Karel
Schmidt, Stephen
Wright, Donald

Butler, Edward
McConkey, Mark
Ticehurst, Susan

Chandler, Gene
Morrow, Harry
Umberger, Karen

CHESHIRE

Ames, Richard
Chase, Cynthia
Johnson, Jane
Robertson, Timothy
Weber, Lucy

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

Burridge, Delmar
Hunt, John
Mann, John
Shepardson, Marjorie

Butynski, William
Johnsen, Gladys
Parkhurst, Henry
Tatro, Bruce

COOS

Coulombe, Gary
Moynihan, Wayne

Enman, Larry
Rappaport, Laurence

Hammon, Marcia
Richardson, Herbert

Hatch, William
Theberge, Robert

GRAFTON

Aguiar, James
Brown, Rebecca
Friedrich, Carol
Lauer, Linda
Nordgren, Sharon
Shackett, Jeffrey

Almy, Susan
Cooney, Mary
Harding, Laurie
Lovett, Sid
Pastor, Beatriz
Smith, Suzanne

Benn, Bernard
Doolan, Ralph Jr
Higgins, Patricia
Massimilla, Linda
Piper, Wendy
Sykes, George

Bradley, Lester
Ford, Susan
Ladd, Rick Jr
Mulholland, Catherine
Reilly, Harold Sr
Townsend, Charles

HILLSBOROUGH

Backus, Robert
Boehm, Ralph
Carroll, Douglas
Coffey, James
Daniels, Gary
Flanagan, Jack
Garcia, Michael
Grady, Brenda
Hammond, Jill
Heden, Ruth
Jack, Martin
Knowles, Mary Ann
LeBrun, Donald
Levesque, Melanie
Marston, Dick
Meaney, Richard
Nelson, Mary
O'Flaherty, Tim
Parison, James
Pratt, Calvin
Rowe, Robert
Shattuck, Gilman
Spratt, Stephen
Sullivan, Peter
Vaillancourt, Steve
Willette, Robert

Barry, Richard
Burt, John
Cebrowski, John
Connor, Evelyn
Danielson, David
Gage, Ruth
Gidge, Kenneth
Graham, John
Hansberry, Daniel
Hikel, John
Jasper, Shawn
Kopka, Angeline
Leishman, Peter
Long, Patrick
Martel, Andre
Murotake, David
Notter, Jeanine
Ober, Lynne
Pellegrino, Tony
Ramsey, Peter
Sanborn, Laurie
Shaw, Barbara
Straight, Philip
Takesian, Charlene
Villeneuve, Moe
Williams, Kermit

Beaulieu, Jane
Byron, Frank
Chandley, Shannon
Cote, David
DiSilvestro, Linda
Gagne, Larry
Goley, Jeffrey
Hackel, Paul
Hansen, Peter
Hopper, Gary
Jeudy, Jean
Kurk, Neal
Levasseur, Nickolas
MacKay, Mariellen
McCloskey, David
Murphy, Keith
O'Brien, Michael Sr
Ober, Russell III
Peterson, Lenette
Rhodes, Brian
Sandblade, Emily
Soucy, Timothy
Stroud, Kathleen
Ulery, Jordan
Walsh, Robert Jr
Winters, Joel

Belanger, James
Campbell, David
Christiansen, Lars
Culbert, Patrick
Eaton, Richard
Gale, Sylvia
Gorman, Mary
Haefner, Robert
Harriott-Gathright, Linda
Infantine, William
Kelley, John
Lambert, George
LeVasseur, Richard
Manley, Jonathan Sr
McNamara, Richard
Murphy, Kelleigh
O'Brien, William
Palmer, Stephen
Porter, Marjorie
Rosenwald, Cindy
Schmidt, Janice
Souza, Kathleen
Sullivan, Daniel
Vail, Suzanne
Warden, Mark
Woodbury, David

MERRIMACK

Alicea, Caroletta
Burns, Scott
Ebel, Karen
Gile, Mary
Hunt, Jane
Lockwood, Priscilla
Moffett, Howard

Andrews, Christopher
Carey, Lorrie
Frambach, Mary
Hess, David
Karrick, David Jr
MacKay, James
Myler, Mel

Bartlett, Christy
Carson, Clyde
Frazer, June
Hirsch, Geoffrey
Kidder, David
McGuire, Carol
Patten, Dick

Bouchard, Candace
Davis, Frank
French, Barbara
Hoell, J.R.
Kotowski, Frank
McGuire, Dan
Ratzki, Mario

Rice, Chip
Schuett, Dianne
Walz, Mary Beth

Richardson, Gary
Shurtleff, Stephen
Watrous, Rick

Rogers, Katherine
Tilton, Joy
Webb, Leigh

Schamberg, Thomas
Wallner, Mary Jane

ROCKINGHAM

Abrami, Patrick
Birdsell, Regina
Cahill, Michael
Comerford, Timothy
DeSimone, Debra
Emerick, J. Tracy
Grace, Curtis
Hayes, Jack
Introne, Robert
Kolodziej, Walter
McMahon, Charles
Nigrello, Robert
Peckham, Michele
Scarlott, Joe
Sherman, Thomas
Tamburello, Daniel
Tucker, Pamela
Weyler, Kenneth

Allen, Mary
Borden, David
Cali-Pitts, Jacqueline
Copeland, Timothy
Devine, James
Emerson-Brown, Rebecca
Griffin, Mary
Heffron, Frank
Itse, Daniel
Lovejoy, Patricia
Milz, David
O'Connor, John
Priestley, Anne
Schlachman, Donna
St.James, Kevin
Thompson, David
Ward, Gerald
Whittemore, Lisa

Belanger, Ronald
Briden, Steven
Charron, Gene
Cushing, Robert Jr
Duarte, Joe
Ferrante, Beverly
Hagan, Joseph
Hodgdon, Bruce
Kappler, Lawrence
Major, Norman
Moody, Marcia
Packard, Sherman
Rice, Frederick
Schroadter, Adam
Sweeney, Joe
Till, Mary
Waterhouse, Kevin

Bick, Patrick
Burtis, Elizabeth
Chirichiello, Brian
Danais, Romeo
Dumaine, Dudley
Flockhart, Eileen
Harris, Jeffrey
Hoelzel, Kathleen
Khan, Aboul
Mann, Maureen
Muns, Chris
Pantelakos, Laura
Sanders, Elisabeth
Sedensky, John
Sytek, John
Tremblay, Stella
Webb, James Sr

STRAFFORD

Baber, William
Bixby, Peter
Ginsburg, Philip
Grossman, Kenneth
Jones, Laura
Mullen, John Jr
Rogers, Rose Marie
Spainhower, Dale
Wall, Janet

Beaudoin, Steven
Burdwood, Greg
Grassie, Anne
Hooper, Dorothea
Kaen, Naida
Pelletier, Marsha
Rollo, Deanna
Spang, Judith

Berube, Roger
Burke, Rachel
Gray, James
Horriggan, Timothy
Ketel, Stephen
Perry, Robert
Schmidt, Peter
Stevens, Audrey

Bickford, David
Gardner, Janice
Groen, Warren
Hubbard, Pamela
Malloy, Dennis
Pitre, Joseph
Smith, Marjorie
Verschueren, James

SULLIVAN

Cloutier, John
Irwin, Virginia
Sweeney, Cynthia

Gagnon, Raymond
Rollins, Skip
Tanner, Linda

Gottling, Suzanne
Schmidt, Andrew

Grenier, James
Smith, Steven

NAYS 0 BELKNAP

None

CARROLL

None

CHESHIRE

None

COOS

None

GRAFTON

None

HILLSBOROUGH

None

MERRIMACK

None

ROCKINGHAM

None

STRAFFORD

None

SULLIVAN

None

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

SB 198, relative to the authority of county correctional officers. **OUGHT TO PASS WITH AMENDMENT.** Rep. Gene P. Charron for Criminal Justice and Public Safety: The purpose of this bill is to enable the county commissioners to organize a county transport and a custody force consisting of county department of corrections personnel for the purpose of providing general security for county department of corrections roads, buildings and grounds. This bill amends RSA 30-B which will now include a new subdivision 30-B:25 and 30-B: 26. Over the years county corrections has grown considerably and it is not uncommon for county corrections to provide transport of inmates to other county facilities, medical appointments and other purposes as needed. Most if not all 10 counties engage in transport. The county cruisers are marked and equipped with communication and in most cases blue emergency lights. Even though the emergency lights were an accepted practice over the years, it appears that the blue lights were not permissible according to RSA 266:78-b. A short version of the law is that the blue lights are only permissible for law enforcement officers who have the powers of arrest. Correctional personnel do not have powers of arrest. The county commissioners with the passage of this bill will be enabled, if they wish, to create a transport and custody force. The officers will be ex officio constables with limited powers of arrest on county grounds. Within the new statutes are required training and written policies. The new amendments will also allow limited use of blue lights. The creation of this bill has the support of county commissioners, corrections superintendents and law enforcement agencies. The passage of this law will bring county corrections in conformance. Vote 11-2.

Amendment (1882h)

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

1 New Subdivision; County Departments of Corrections; County Transport and Custody Officers; Powers and Duties. Amend RSA 30-B by inserting after section 24 the following new subdivision:

County Transport and Custody Officers

30-B:25 County Transport and Custody Officers. The county commissioners may appoint county transport and custody officers, consisting of selected members of the county department of corrections line personnel identified by the superintendent, for the purpose of patrolling county department of corrections buildings, roads, and grounds, and providing for general security at the county correctional facility. If transport and custody officers are appointed, the county commissioners shall adopt a written policy establishing rules relating to the control and responsibility of the transport and custody officers. The policy shall include a requirement for training designed for the specific functions of the transport and custody officers as prescribed in this subdivision, including education on the power of arrest, firearms training and certification, and defensive driving.

30-B:26 Powers and Duties. All transport and custody officers shall be ex officio constables and shall possess limited powers of arrest which shall only extend to the confines of the grounds of the county correctional facility and to the period during which such officers are on official active duty. The 2 instances where the authority of the transport and custody officers shall extend beyond the county correctional facility grounds, and during which time the transport and custody officers may utilize blue lights on vehicles pursuant to RSA 266:78-b, are:

I. Where a county transport and custody officer is in hot pursuit of a person who has committed a crime or violation by interfering with the maintenance of custody and control; or

II. Where a county transport and custody officer is transporting or assisting in the transport of a committed inmate, including, but not limited to, medical transports and transports involving a committed inmate who is receiving services in a health care setting.

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

AMENDED ANALYSIS

This bill authorizes the county commissioners to approve county transport and custody officers consisting of county department of corrections personnel.

Amendment adopted.

Committee report adopted and ordered to third reading.

SB 27-FN, relative to monitoring by the department of education of programs for children with disabilities. **OUGHT TO PASS.**

Rep. Beth R. Arsenault for Education: This bill is relative to the monitoring of programs for children with disabilities by the department of education (DOE). It requires a written response to the report submitted by the organization that conducted the 2012 independent evaluation. This response will include a detailed plan as to how the department will address those areas identified as needing improvement on or before December 30, 2013. It requires an evaluation be repeated in 2015 and decennially thereafter and will include feedback on the steps the department has taken in response to the 2012 report. Vote 15-4.

Rep. Shurtleff offered floor amendment (1990h).

Floor Amendment (1990h)

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

AN ACT relative to monitoring by the department of education of programs for children with disabilities and relative to the calculation of school building aid grants.

Amend the bill by replacing all after section 1 with the following:

2 School Building Aid; Amount of Grant. Amend RSA 198:15-b, I(a)(2)(E) to read as follows:

(E) Funds received from charitable trusts, bequests, gifts, insurance policies, federal grants, or grants from other state programs shall ~~[not be considered in]~~ **be subtracted from total project costs when** computing grants under this paragraph.

3 New Subparagraph; School Building Aid; Amount of Grant. Amend RSA 198:15-b, I(a)(2) by inserting after subparagraph (D) the following new subparagraph:

(E) Funds received from charitable trusts, bequests, gifts, insurance policies, federal grants, or grants from other state programs shall be subtracted from total project costs when computing grants under this paragraph.

4 Contingency. If HB 629-FN of the 2013 regular legislative session becomes law, then section 2 of this act shall take effect at 12:01 a.m. on the effective date of HB 629-FN and section 3 of this act shall not take effect. If HB 629-FN does not become law, then section 3 of this act shall take effect as provided in section 5 of this act and section 2 of this act shall not take effect.

5 Effective Date.

I. Sections 2 and 3 of this act shall take effect as provided in section 4 of this act.

II. The remainder of this act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill requires the department of education to evaluate the effectiveness of the special education program approval and monitoring system in 2015. The bill also provides that certain funds received from charitable trusts, bequests, gifts, insurance policies, or grants shall be subtracted from total project costs in the calculation of school building aid grants.

Rep. Shurtleff spoke in favor.

Floor amendment (1990h) adopted.

Committee report adopted and ordered to third reading.

SB 48, relative to school performance and accountability. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Anne C. Grassie for Education: This bill, as amended, establishes definitions of priority schools and focus schools, therefore making various changes to the statutes on school performance and accountability. It also eliminates the requirement to assess student's dispositions' while promoting the capacity of effective teachers to support students' work-study practices for success in college, career and citizenship. Vote 15-4.

Amendment (1641h)

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

1 New Section; School Performance and Accountability; Purpose. Amend RSA 193-H by inserting after section 1 the following new section:

193-H:1-a Purpose.

I. The purpose of this chapter is to create an accountability model that will best support schools and educators as they work to enable all students to progress toward college and career readiness with clearly defined learning outcomes.

II. New Hampshire's student assessment system should promote and measure knowledge and skills that lead students to graduate from high schools ready for college and career.

III. Students best learn at their own pace as they master content and skills, allowing them to advance when they demonstrate the desired level of mastery rather than progressing based on a predetermined amount of seat time in a classroom will assure that students will reach college and career readiness.

IV. New Hampshire's system of educator support should promote the capacity of educators to deeply engage students in learning rigorous and meaningful knowledge, skills, and work-study practices for success in college, career, and citizenship.

V. Competency-based strategies provide flexibility in the way that credit can be earned and awarded and provide students with personalized learning, including those that are offered through on-line, blended, and community based opportunities.

2 School Performance and Accountability; Definitions. Amend RSA 193-H:1 to read as follows:

193-H:1 Definitions. In this chapter:

I. "Commissioner" means the commissioner of the department of education.

I-a. "Competencies" means student learning targets that represent key content-specific concepts, skills, and knowledge applied within or across content domains.

II. "Department" means the department of education.

III. ~~["Highly-qualified"]~~ **Effective** teacher" means a person who is certified by the local school board **and holds a valid teaching credential**, and who has demonstrated, through a process approved by the department of education, teaching skills in the core subjects of instruction.

IV. ***“Focus school” means a low performing school that has the largest within-school gaps between the highest achieving subgroup or subgroups of students and the lowest-achieving subgroup or subgroups of students or, for a high school, has the largest within-school gaps in graduation rates.***

V. ***“Priority school” means:***

(a) ***A school that is among the lowest performing 5 percent of schools in the state based on the achievement of all students on the statewide assessment pursuant to RSA 193-C and which, when measuring the achievement of all students, has demonstrated a lack of progress on the statewide assessment over 3 years; or***

(b) ***A high school with a graduation rate of less than 60 percent over 3 consecutive years.***

VI. “Statewide assessment” means the New Hampshire education improvement and assessment program as established under RSA 193-C.

VII. ***“Work-study practices” means those behaviors that enhance learning achievement and promote a positive work ethic such as, but not limited to, listening and following directions, accepting responsibility, staying on task, completing work accurately, managing time wisely, respecting authority, observing rules, showing initiative, and being cooperative.***

3 School Performance and Accountability; Statewide Performance Assessment and Targets. Amend RSA 193-H:2 to read as follows:

193-H:2 Statewide Performance Targets.

I. On or before the 2013-2014 school year, schools shall ensure that all pupils are performing at the basic level or above on the statewide assessment as established in RSA 193-C.

II. In addition to the requirements of paragraph I, schools shall meet statewide performance targets as approved by the legislative oversight committee established in RSA 193-C and thereafter, ***as*** established in rules adopted by the state board of education pursuant to RSA 541-A ***which shall include rules for:***

(a) ***The statewide improvement and assessment program pursuant to RSA 193-C.***

(b) ***Attendance rates.***

(c) ***The percentage of pupils who graduate with a diploma from an approved high school.***

III. ~~[Schools shall meet statewide performance targets as approved by the legislative oversight committee established in RSA 193-C and thereafter, established in the rules adopted by the state board of education pursuant to RSA 541-A, relative to the statewide assessment.~~

IV. ~~Schools shall meet statewide performance targets as approved by the legislative oversight committee established in RSA 193-C and thereafter, established in the rules adopted by the state board of education pursuant to RSA 541-A, relative to attendance rate.~~

V. ~~Schools shall meet statewide performance targets as approved by the legislative oversight committee established in RSA 193-C and thereafter, established in the rules adopted by the state board of education pursuant to RSA 541-A, relative to the percentage of pupils who graduate with a regular diploma from an approved high school.~~

VI. ~~Notwithstanding RSA 541-A, the state board of education shall receive approval from the legislative oversight committee established in RSA 193-C prior to the submission of any rules to the joint legislative committee on administrative rules relative to statewide performance targets required under this section.~~

4 School Performance and Accountability; Identification and Public Disclosure. Amend RSA 193-H:3 to read as follows:

193-H:3 Identification and Public Disclosure of ***Priority Schools and Focus Schools*** ~~[in Need of Improvement]~~.

I. The commissioner shall annually compile and disseminate to the governor and council, the president of the senate, the speaker of the house of representatives, local school boards, superintendents of schools, and the public, and shall make available on the department website, a list of ***priority schools and focus schools*** ~~[that are not meeting]~~ ***based on*** the statewide performance targets established in RSA 193-H:2.

II. A school or school district designated by the commissioner as ~~[not meeting statewide performance targets]~~ ***a priority school or a focus school*** shall have 30 days from the date of the report to appeal such designation to the state board of education.

5 School Performance and Accountability; Local Education Improvement Plan. Amend RSA 193-H:4, I to read as follows:

I.(a) A school or school district shall have one year from the date that a school or school district has been designated as ~~[in need of improvement]~~ ***a priority school or a focus school*** pursuant to RSA 193-H:3 to take action to remedy identified problems at the local level. The school or school district shall create a plan that identifies actions that it intends to correct the areas of concern. This plan shall be submitted to the state board within 90 days of the date that the school or school district was designated as ~~[in need of improvement]~~ ***a priority school or a focus school***. If the plan does not sufficiently address the areas of concern, the state board shall disapprove the plan within 30 days. If the state board disapproves the plan, the

state board's designee shall work with the school or school district to amend the plan so that it meets state board approval. One year following the designation, if the school or school district is not making satisfactory progress in implementing its plan, the commissioner of education shall issue a notice to the school or school district and shall initiate a process for providing assistance pursuant to paragraph II; or

(b) If a school or school district has been designated as ~~[in need of improvement]~~ **a priority school or a focus school**, then the school or school district may request assistance from the department of education. The department shall provide technical assistance to those schools that request assistance under this section.

(c) On or before the one year anniversary of being designated as a ~~[school or school district in need of improvement]~~ **priority school or a focus school**, the commissioner shall designate a progress review team to evaluate the implementation of the improvement plans and the progress toward state performance targets. The progress review team shall deliver a report to the state board. This report shall include evidence of satisfactory implementation and progress towards state performance targets or lack thereof and recommendations regarding future actions pursuant to subparagraph II(b).

6 School Performance and Accountability; Local Education Improvement Plan. Amend RSA 193-H:4, III(a) to read as follows:

(a) Identify the area in which the school ~~[failed]~~ **needs** to meet the annual statewide performance targets established under RSA 193-H:2.

7 Repeal. The following are repealed:

I. RSA 193-C:1, V, relative to the local education improvement and assessment plan.

II. RSA 193-C:9, relative to the local education improvement fund.

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

Rep. Ladd spoke in favor.

Amendment adopted.

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

Rep. Murotake spoke against.

(Rep. Kaen in the Chair)

Reps. Grassie and Gorman spoke in favor.

Reps. Pitre and Cordelli spoke against.

MOTION TO LAY ON THE TABLE

Rep. Boehm moved that **SB 48**, relative to school performance and accountability, be laid on the table.

On a division vote, 135 members having voted in the affirmative and 189 in the negative, the motion failed.

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

Rep. Harris spoke against.

Rep. Tucker requested a roll call; sufficiently seconded.

YEAS 198 NAYS 134

YEAS 198 BELKNAP

DiMartino, Lisa

Gulick, Ruth

Huot, David

Raymond, Ian

CARROLL

Buco, Thomas
Ticehurst, Susan

Butler, Edward

Crawford, Karel

Morrow, Harry

CHESHIRE

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

Berch, Paul
Emerson, Susan
Parkhurst, Henry
Shepardson, Marjorie

Burridge, Delmar
Johnsen, Gladys
Roberts, Kris
Tatro, Bruce

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

COOS

Coulombe, Gary
Moynihan, Wayne

Enman, Larry
Richardson, Herbert

Hammon, Marcia
Theberge, Robert

Hatch, William

GRAFTON

Aguiar, James
Cooney, Mary
Higgins, Patricia
Massimilla, Linda
Piper, Wendy

Almy, Susan
Ford, Susan
Ladd, Rick Jr
Mulholland, Catherine
Smith, Suzanne

Benn, Bernard
Friedrich, Carol
Lauer, Linda
Nordgren, Sharon
Sykes, George

Brown, Rebecca
Harding, Laurie
Lovett, Sid
Pastor, Beatriz
Townsend, Charles

HILLSBOROUGH

Backus, Robert
 Connor, Evelyn
 Dobson, Jeremy
 Gargas, Carolyn
 Grady, Brenda
 Harriott-Gathright, Linda
 Kelley, John
 Levasseur, Nickolas
 Manley, Jonathan Sr
 Porter, Marjorie
 Shattuck, Gilman
 Sullivan, Peter
 Woodbury, David

Beaulieu, Jane
 Cote, David
 Eaton, Richard
 Gidge, Kenneth
 Hackel, Paul
 Heden, Ruth
 Knowles, Mary Ann
 Levesque, Melanie
 McCloskey, David
 Rhodes, Brian
 Shaw, Barbara
 Vail, Suzanne

Campbell, David
 Culbert, Patrick
 Gage, Ruth
 Goley, Jeffrey
 Hammond, Jill
 Jack, Martin
 Kopka, Angeline
 Long, Patrick
 McNamara, Richard
 Rosenwald, Cindy
 Spratt, Stephen
 Walsh, Robert Jr

Chandlee, Shannon
 DiSilvestro, Linda
 Gale, Sylvia
 Gorman, Mary
 Hansberry, Daniel
 Jeudy, Jean
 Leishman, Peter
 MacKay, Mariellen
 O'Brien, Michael Sr
 Schmidt, Janice
 Sullivan, Daniel
 Williams, Kermit

MERRIMACK

Alicea, Caroletta
 Burns, Scott
 Ebel, Karen
 Gile, Mary
 Kidder, David
 Myler, Mel
 Richardson, Gary
 Shurtleff, Stephen
 Watrous, Rick

Andrews, Christopher
 Carey, Lorrie
 Frambach, Mary
 Hirsch, Geoffrey
 Lockwood, Priscilla
 Patten, Dick
 Rogers, Katherine
 Tilton, Joy
 Webb, Leigh

Bartlett, Christy
 Carson, Clyde
 Frazer, June
 Hunt, Jane
 MacKay, James
 Ratzki, Mario
 Schamberg, Thomas
 Wallner, Mary Jane

Bouchard, Candace
 Davis, Frank
 French, Barbara
 Karrick, David Jr
 Moffett, Howard
 Rice, Chip
 Schuett, Dianne
 Walz, Mary Beth

ROCKINGHAM

Abrami, Patrick
 Cahill, Michael
 Devine, James
 Heffron, Frank
 Moody, Marcia
 Scarlotto, Joe
 Sytek, John
 Waterhouse, Kevin

Borden, David
 Cali-Pitts, Jacqueline
 Emerson-Brown, Rebecca
 Khan, Aboul
 Muns, Chris
 Schlachman, Donna
 Thompson, David
 Whittemore, Lisa

Briden, Steven
 Copeland, Timothy
 Flockhart, Eileen
 Lovejoy, Patricia
 Nigrello, Robert
 Sherman, Thomas
 Till, Mary

Burtis, Elizabeth
 Cushing, Robert Jr
 Hayes, Jack
 Mann, Maureen
 Pantelakos, Laura
 St.James, Kevin
 Ward, Gerald

STRAFFORD

Baber, William
 Burke, Rachel
 Grossman, Kenneth
 Malloy, Dennis
 Rogers, Rose Marie
 Spang, Judith

Berube, Roger
 Gardner, Janice
 Horrigan, Timothy
 Menear, H. Robert III
 Rollo, Deanna
 Stevens, Audrey

Bixby, Peter
 Ginsburg, Philip
 Hubbard, Pamela
 Pelletier, Marsha
 Schmidt, Peter
 Verschueren, James

Burdwood, Greg
 Grassie, Anne
 Ketel, Stephen
 Perry, Robert
 Smith, Marjorie
 Wall, Janet

SULLIVAN

Cloutier, John
 Irwin, Virginia

Gagnon, Raymond
 Schmidt, Andrew

Gottling, Suzanne
 Sweeney, Cynthia

Grenier, James
 Tanner, Linda

NAYS 134**BELKNAP**

Burchell, Richard
 Flanders, Donald
 Tilton, Franklin

Cormier, Jane
 Greemore, Robert Jr
 Vadney, Herbert

Fields, Dennis
 Holmes, Stephen
 Worsman, Colette

Fink, Charles
 Sylvia, Michael

CARROLL

Ahlgren, Christopher
 Nelson, Bill
 Wright, Donald

Chandler, Gene
 Schmidt, Stephen

Cordelli, Glenn
 Umberger, Karen

McConkey, Mark
 White, Syndi

CHESHIRE

Hunt, John

Johnson, Jane

COOS

Rappaport, Laurence

GRAFTON

Bradley, Lester

Doolan, Ralph Jr

Reilly, Harold Sr

HILLSBOROUGH

Barry, Richard
 Byron, Frank

Belanger, James
 Carroll, Douglas

Boehm, Ralph
 Cebrowski, John

Burt, John
 Christiansen, Lars

Coffey, James
Gagne, Larry
Hansen, Peter
Jasper, Shawn
LeVasseur, Richard
Meaney, Richard
Nelson, Mary
Ober, Lynne
Peterson, Lenette
Sandblade, Emily
Stroud, Kathleen
Villeneuve, Moe

Daniels, Gary
Garcia, Michael
Hikel, John
Kurk, Neal
Marston, Dick
Murotake, David
Notter, Jeanine
Palmer, Stephen
Pratt, Calvin
Soucy, Timothy
Takesian, Charlene
Warden, Mark

Danielson, David
Graham, John
Hopper, Gary
Lambert, George
Martel, Andre
Murphy, Keith
O'Brien, William
Parison, James
Rowe, Robert
Souza, Kathleen
Ulery, Jordan
Willette, Robert

Flanagan, Jack
Haefner, Robert
Infantine, William
LeBrun, Donald
McCarthy, Michael
Murphy, Kelleigh
O'Flaherty, Tim
Pellegrino, Tony
Sanborn, Laurie
Straight, Philip
Vaillancourt, Steve
Winters, Joel

MERRIMACK

Hess, David
McGuire, Dan

Hoell, J.R.

Kotowski, Frank

McGuire, Carol

ROCKINGHAM

Allen, Mary
Chirichiello, Brian
Duarte, Joe
Grace, Curtis
Hodgdon, Bruce
Kappler, Lawrence
Milz, David
Priestley, Anne
Sedensky, John
Tucker, Pamela

Bick, Patrick
Comerford, Timothy
Dumaine, Dudley
Griffin, Mary
Hoelzel, Kathleen
Kolodziej, Walter
O'Connor, John
Rice, Frederick
Sweeney, Joe
Webb, James Sr

Birdsell, Regina
Danais, Romeo
Emerick, J. Tracy
Hagan, Joseph
Introne, Robert
Major, Norman
Packard, Sherman
Sanders, Elisabeth
Tamburello, Daniel
Weyler, Kenneth

Charron, Gene
DeSimone, Debra
Ferrante, Beverly
Harris, Jeffrey
Itse, Daniel
McMahon, Charles
Peckham, Michele
Schroadter, Adam
Tremblay, Stella

STRAFFORD

Beaudoin, Steven
Jones, Laura

Bickford, David
Mullen, John Jr

Gray, James
Pitre, Joseph

Groen, Warren

SULLIVAN

Smith, Steven

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

MOTION TO PRINT DEBATE

Rep. Kurk moved that the debate on **SB 48**, relative to school performance and accountability, be printed in the Permanent Journal.

Rep. Tamburello requested a roll call; sufficiently seconded.

YEAS 300 NAYS 32

YEAS 300

BELKNAP

Burchell, Richard
Fink, Charles
Holmes, Stephen
Tilton, Franklin

Cormier, Jane
Flanders, Donald
Huot, David
Vadney, Herbert

DiMartino, Lisa
Greemore, Robert Jr
Raymond, Ian
Worsman, Colette

Fields, Dennis
Gulick, Ruth
Sylvia, Michael

CARROLL

Ahlgren, Christopher
Cordelli, Glenn
Nelson, Bill
White, Syndi

Buco, Thomas
Crawford, Karel
Schmidt, Stephen
Wright, Donald

Butler, Edward
McConkey, Mark
Ticehurst, Susan

Chandler, Gene
Morrow, Harry
Umberger, Karen

CHESHIRE

Ames, Richard
Emerson, Susan
Ley, Douglas
Robertson, Timothy
Weed, Charles

Burridge, Delmar
Hunt, John
Mann, John
Sad, Tara

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

Chase, Cynthia
Johnson, Jane
Roberts, Kris
Tatro, Bruce

COOS

Coulombe, Gary
Rappaport, Laurence

Enman, Larry
Richardson, Herbert

Hatch, William
Theberge, Robert

Moynihan, Wayne

GRAFTON

Aguiar, James
Brown, Rebecca

Almy, Susan
Doolan, Ralph Jr

Benn, Bernard
Ford, Susan

Bradley, Lester
Friedrich, Carol

Harding, Laurie
Lovett, Sid
Pastor, Beatriz
Sykes, George

Higgins, Patricia
Massimilla, Linda
Piper, Wendy
Townsend, Charles

Ladd, Rick Jr
Mulholland, Catherine
Reilly, Harold Sr

Lauer, Linda
Nordgren, Sharon
Smith, Suzanne

HILLSBOROUGH

Backus, Robert
Burt, John
Cebrowski, John
Connor, Evelyn
Danielson, David
Gage, Ruth
Gargas, Carolyn
Graham, John
Hansberry, Daniel
Hikel, John
Jeudy, Jean
Kurk, Neal
Levasseur, Nickolas
MacKay, Mariellen
McCarthy, Michael
Murotake, David
Notter, Jeanine
Ober, Lynne
Peterson, Lenette
Rowe, Robert
Shattuck, Gilman
Spratt, Stephen
Takesian, Charlene
Walsh, Robert Jr

Barry, Richard
Byron, Frank
Chandley, Shannon
Cote, David
DiSilvestro, Linda
Gagne, Larry
Gidge, Kenneth
Hackel, Paul
Hansen, Peter
Hopper, Gary
Kelley, John
Lambert, George
LeVasseur, Richard
Manley, Jonathan Sr
McCloskey, David
Murphy, Keith
O'Brien, Michael Sr
Palmer, Stephen
Porter, Marjorie
Sanborn, Laurie
Shaw, Barbara
Straight, Philip
Ulery, Jordan
Warden, Mark

Belanger, James
Campbell, David
Christiansen, Lars
Culbert, Patrick
Dobson, Jeremy
Gale, Sylvia
Gorman, Mary
Haefner, Robert
Harriott-Gathright, Linda
Infantine, William
Knowles, Mary Ann
LeBrun, Donald
Levesque, Melanie
Marston, Dick
McNamara, Richard
Murphy, Kelleigh
O'Brien, William
Parison, James
Pratt, Calvin
Sandblade, Emily
Soucy, Timothy
Stroud, Kathleen
Vail, Suzanne
Willette, Robert

Boehm, Ralph
Carroll, Douglas
Coffey, James
Daniels, Gary
Flanagan, Jack
Garcia, Michael
Grady, Brenda
Hammond, Jill
Heden, Ruth
Jasper, Shawn
Kopka, Angeline
Leishman, Peter
Long, Patrick
Martel, Andre
Meaney, Richard
Nelson, Mary
O'Flaherty, Tim
Pellegrino, Tony
Rosenwald, Cindy
Schmidt, Janice
Souza, Kathleen
Sullivan, Peter
Villeneuve, Moe
Winters, Joel

MERRIMACK

Andrews, Christopher
Carson, Clyde
French, Barbara
Hoell, J.R.
Kotowski, Frank
Patten, Dick
Walz, Mary Beth

Bouchard, Candace
Ebel, Karen
Gile, Mary
Hunt, Jane
Lockwood, Priscilla
Ratzki, Mario
Watrous, Rick

Burns, Scott
Frambach, Mary
Hess, David
Karrick, David Jr
McGuire, Carol
Rice, Chip

Carey, Lorrie
Frazer, June
Hirsch, Geoffrey
Kidder, David
McGuire, Dan
Tilton, Joy

ROCKINGHAM

Abrami, Patrick
Borden, David
Cali-Pitts, Jacqueline
Copeland, Timothy
Devine, James
Emerson-Brown, Rebecca
Griffin, Mary
Heffron, Frank
Itse, Daniel
Lovejoy, Patricia
Milz, David
O'Connor, John
Priestley, Anne
Schlachman, Donna
St.James, Kevin
Till, Mary
Waterhouse, Kevin

Allen, Mary
Briden, Steven
Charron, Gene
Cushing, Robert Jr
Duarte, Joe
Ferrante, Beverly
Hagan, Joseph
Hodgdon, Bruce
Kappler, Lawrence
Major, Norman
Moody, Marcia
Packard, Sherman
Rice, Frederick
Schroader, Adam
Sweeney, Joe
Tremblay, Stella
Webb, James Sr

Bick, Patrick
Burtis, Elizabeth
Chirichiello, Brian
Danais, Romeo
Dumaine, Dudley
Flockhart, Eileen
Harris, Jeffrey
Hoelzel, Kathleen
Khan, Aboul
Mann, Maureen
Muns, Chris
Pantelakos, Laura
Sanders, Elisabeth
Sedensky, John
Sytek, John
Tucker, Pamela
Weyler, Kenneth

Birdsell, Regina
Cahill, Michael
Comerford, Timothy
DeSimone, Debra
Emerick, J. Tracy
Grace, Curtis
Hayes, Jack
Introne, Robert
Kolodziej, Walter
McMahon, Charles
Nigrello, Robert
Peckham, Michele
Scarlott, Joe
Sherman, Thomas
Tamburello, Daniel
Ward, Gerald
Whittemore, Lisa

STRAFFORD

Beaudoin, Steven
Gardner, Janice
Groen, Warren
Jones, Laura
Mullen, John Jr
Rogers, Rose Marie
Spang, Judith

Bickford, David
Ginsburg, Philip
Grossman, Kenneth
Ketel, Stephen
Pelletier, Marsha
Rollo, Deanna
Stevens, Audrey

Bixby, Peter
Grassie, Anne
Horriggan, Timothy
Malloy, Dennis
Perry, Robert
Schmidt, Peter
Verschuere, James

Burdwood, Greg
Gray, James
Hubbard, Pamela
Menear, H. Robert III
Pitre, Joseph
Smith, Marjorie
Wall, Janet

SULLIVAN

Cloutier, John
Irwin, Virginia

Gagnon, Raymond
Smith, Steven

Gottling, Suzanne
Sweeney, Cynthia

Grenier, James

**NAYS 32
BELKNAP**

None

CARROLL

None

CHESHIRE

Berch, Paul

Weber, Lucy

COOS

Hammon, Marcia

GRAFTON

Cooney, Mary

HILLSBOROUGH

Beaulieu, Jane
Rhodes, Brian
Woodbury, David

Eaton, Richard
Sullivan, Daniel

Goley, Jeffrey
Vaillancourt, Steve

Jack, Martin
Williams, Kermit

MERRIMACK

Alicea, Caroletta
Moffett, Howard
Schamberg, Thomas
Webb, Leigh

Bartlett, Christy
Myler, Mel
Schuett, Dianne

Davis, Frank
Richardson, Gary
Shurtleff, Stephen

MacKay, James
Rogers, Katherine
Wallner, Mary Jane

ROCKINGHAM

Thompson, David

STRAFFORD

Baber, William

Berube, Roger

Burke, Rachel

SULLIVAN

Schmidt, Andrew

Tanner, Linda

and the motion was adopted.

DEBATE ON SB 48

Speaker Norelli: The question before the House is the committee amendment. The Chair recognizes the member from Haverhill, Representative Ladd.

Rep. Ladd: Thank you, Madam Speaker. I'll try to keep this brief. SB 48, if you have been looking at the web, there is a lot of consternation on this bill. I think that we need to really qualify what we have here – clarify. The amendment which you have before you is the bill. When this bill came to committee, there were a number of issues in which we looked at in terms of school performance and accountability and if you look through our statutes, presently we have a statute that we measure knowledge and skills. We've done that in our schools for years and years and years. The bill came to us and we are going to measure and promote knowledge, skills and dispositions. The committee really tried to understand what dispositions meant and if you look at the web you are going to find 'habits of mind' and basically as an educator, I have no room for that type of psychological mumbo-jumbo and so we went back to the old report cards which we've seen and we took dispositions out and we put in what everybody knows, work study habits. So, on one side we are measuring knowledge and skills and the other side we are promoting work study habits, listening in a classroom, following directions, all of that stuff that your teacher's try to get you to do when you are in grade school. Some learned it, some didn't. Now, how we evaluate our, and measure, our education currently in accordance with No Child Left Behind, which was put into effect in 2001, we have 3 letters we call AYP, annual yearly progress, and by 2014 all students are going to have to be meeting in schools, are going to have to meet annual yearly progress. They are all going to have to be proficient. We know that there are subgroups within our schools, be it those which are socio-economic or special education, title I, English language learners. We have various groups where all students are not going to become proficient and this is a problem throughout our state. The system which we use to measure achievement, measure growth and holds schools accountable is basically broken. It is broken. No Child Left Behind is at the point where we need to replace it. In accordance with ESEA, Elementary Secondary Education Act, put into effect way back in 1965, modified again in 1994, a waiver can be asked for and this state along with a number of other states has asked for a waiver to No Child Left Behind. Currently, 38 states have been approved waivers and those waivers were approved given the fact that several of those states have not bought in to common core standards at all. Alaska hasn't, Texas hasn't, Minnesota went with language-English, but withdrew and didn't want to

do mathematics, Indiana, Virginia. We are now one of 8 states, along with Texas, which have an application that's pending. Texas is another state that didn't buy in to common core. We have by principle. The other thing that this amendment does in terms of getting a background there, it integrates competencies into all levels of education in our schools. We've had those in place for years and years, we just called it different names: performance outcomes, criteria indicators. We should have competencies in place. We are required to do that in our high schools right now. Every course that a student takes in high school, there must be a course and/or measurement to which measures that the student is competent and why do we have that? We have it simply because we are tired of sending our kids on to college, community colleges where 70% that are applying are ending up to take remedial education at a cost which could be anywhere from \$500 per credit hour. We are wasting their money when we give a grade saying you are passing in high school in mathematics or English. They pass those competencies. We don't want to fool parents. We don't want to fool kids anymore. So, what we are doing is we are hoping we can move away from AYP and get this waiver in place. It has absolutely nothing to do with common core standards. We are getting the waiver as a result of the ESEA, No Child Left Behind. Common core standards is a different ball game. I myself am not very pleased the way we entered into common core standards in this state, with the state board getting the draft in June 2010, and July 2010 approving them by principle. There is also implementation cost, but this is not that. This is going to save us money. So I encourage you all to support this amendment. It is a good amendment. The committee worked hard on this and it was bipartisan support. Thank you very much.

Speaker Norelli: The question before the House is committee amendment on SB 48. Are you ready for the question? All those in favor, say Aye. Those opposed, Nay. The Ayes have it and the amendment is adopted. The question before the House is committee report of Ought to Pass as Amended on SB 48. The Chair recognizes the member from Nashua, Representative Murotake to speak in opposition to the committee report.

Rep. Murotake: Hello, I am going to make this as quick as possible. I've served on the National Board of Education for the last several years. I may have been one of a very small number of elected officials that actually worked closely with the state board of education trying to understand the common core. I understand that the argument is that this bill has nothing to do with the common core, but I would beg to differ. It turns out that the common core is very complex. Part of the common core deal with curriculum standards. In other words, what content are you teaching? Others will deal with pedagogy, how do you deliver the content that you are teaching. There is another piece called assessment in which you determine basically how much of the information is being absorbed and understood by the students. Finally, following assessment, are the consequences. What do you do with the schools and the classrooms that are not teaching what you would like to have taught? Unfortunately, there are a number of difficulties with the assessment and consequences part. I would just like to read off a few of these things. For example, on the 27th and 30th of March, Hart Research Associates conducted a survey of 800 AFT teachers. Over 74% worry that the assessments will begin before students and teachers are ready to be tested. 39% say their districts will not be ready in time to begin their standardized assessments. The majority believe their districts have not done enough in terms of professional development to learn both content and pedagogy, develop model lesson plans and deploy the computers and network bandwidth needed to run the computerized assessments. On April 30th Education Secretary Arne Duncan admitted to flaws in standardized common core assessments and consequences to the annual meeting of the American Educational Research Association. The assessments and consequences are all high stakes. The future of education reform and the career futures of teachers ride on these assessments and consequences. So rather than abandon standardized assessment, Duncan called for assessment 2.0, a rethink on common core assessments and consequences, essentially a moratorium. On the 30th of April, AFT President, Lisa Weingarten called for a moratorium on common core consequences citing the lack of readiness of standards, the school districts, the students and the teachers. Dennis Van Roekel, President of the NEA, also called for a 2-year moratorium on high stakes consequences. The following month, in May, the National School boards Association, the School Superintendent Association, the National Association of Elementary School Principals and the National Association of Secondary School Principals all supported a moratorium. Their joint memo states that states and districts face very real obstacles to align their curricula with the new standards and administer the required tests. So, basically, having chaired the curriculum and evaluation committee of the Nashua School District for the last several years, I share the concerns of all of these individuals. I happen to like a goodly portion of the common core, but I do not think that this is the right time for SB 48 and I ask all of you here to oppose Ought to Pass on this bill. Thank you.

(Deputy Speaker Kaen in the Chair)

Deputy Speaker Kaen: Will the member entertain a question?

Rep. Murotake: In the interest of time, no.

Deputy Speaker Kaen: The member does not yield. The Chair recognizes the Representative from Rochester. The question before the House is the Ought to Pass as Amended motion recommended by the committee on SB 48. The Chair recognizes the member from Rochester, Representative Grassie to speak in favor of the committee report.

Rep. Grassie: Thank you, Madam Speaker. A little extra we had notwithstanding beforehand. This bill has very little to do with common core standards. This bill has to do with the fact that we are currently using an assessment program in our schools that is broken. AYP is broken. By 2015, every child has to be proficient and we know that can't happen. So, the state department of education has asked the federal government for a waiver for New Hampshire students. This bill aligns our statutes and the language with the waiver request. It's as simple as that. The committee worked on taking out the controversial, questionable statements that were left in it when it came back from the Senate and we took out dispositions. We want teachers to support work study habits for children. It's a bipartisan vote out of the education committee and I would like you to support us and vote yes. Thank you.

Deputy Speaker Kaen: The member does not yield to a question. The question before the House is the Ought to Pass as Amended committee recommendation on SB 48. The Chair now recognizes the member from Farmington, Representative Pitre to speak against the motion.

Rep. Pitre: Thank you, Madam Speaker. I rise in opposition to SB 48 that effectively puts common core in New Hampshire statute. In 1988, Marc Tucker became the President of the National Center of Education and Economy. He joined up with Hillary Clinton, Mario Cuomo and Ira Magaziner to get states to move away from local control of their schools and migrate to national standards. The evidence shows that powerful and influential people and organizations have collaborated to create a global education system that will track our children and move them toward a global perspective that takes away states individual sovereignty. Accountable performance standards will force all cities and towns to adopt common core at a tremendous cost. I am a school board member and very familiar with federal government programs and promises not kept. The federal government is barred from creating national standards, General Education Provisions Act and the 9th and 10th Amendments of the U.S. Constitution, so they allow this orchestration to happen and committed to funding other elements of the takeover. The Pioneer Institute estimated the implementation cost of national common core to be \$404 per child. An *Education Week* article from August 2012 estimated the cost of initial implementation of the program at \$289 per student. The state of Texas estimated a cost of \$3 billion for 4.85 million students to implement common core or \$620 per child. The New Hampshire school population is approximately 189,000 students. The cost to New Hampshire taxpayers would be \$54.6 to \$117.2 million to implement the total New Hampshire program. Just 1272 students at \$280 would be approximately \$368,000 or 76 cents on the property tax rate. Manchester would potentially incur cost of \$4.1 to \$8.9 million. Nationally there are 54.7 million students at \$289 each equates to nearly \$17 billion up to \$33 billion at \$620 per child, the potential cost to taxpayers. I am amazed that there is no fiscal note on this bill. I would also question the unfounded mandate that this bill creates and violates the New Hampshire Constitution Amendment 28-a. The cost? The costs incurred by this bill are new books, educational material to transition from an education-based instruction to a training-based instruction. Training-based instruction readies our students for workforce, a dumbing-down of our student population nationwide. The biggest costs will be large amounts of technology required for teaching and assessment of the students the common core program. The Bill and Melinda Gates Foundation is actively advocating this program. The economic impact to the Microsoft Corporation, the Bill Gates goldmine, would be huge. Please help me defeat SB 48, Ought to Pass as Amended, and keep local control of our schools by pressing the red button. Thank you.

Deputy Speaker Kaen: Would the member yield to a question? The member does not yield. The question before the House is the committee report of Ought to Pass as Amended on SB 48. The Chair now recognizes the member from Nashua, Representative Gorman, to speak in favor of the committee report.

Rep. Gorman: Thank you, Madam Speaker and honorable colleagues. I rise in support of SB 48, as amended, and I do so for the following reasons. The purpose of SB 48 is to develop an assessment model which measures accurately the skills and knowledge of our high school graduates to ensure their preparedness for a career and college. SB 48 meets this purpose by first identifying schools that are struggling. Priority schools are those among the lowest performing 5% based on the achievement of all students on the statewide assessment tests and demonstrated lack of progress over a 3-year period. Focus schools are low performing schools that have the largest within school gaps between highest achieving groups or sub-groups and the lowest achieving groups or sub-groups. Priority schools and focus schools will be given a year to develop a plan and take action to address their inadequacies. This plan must be approved by the state board of education and if sufficient progress is not made, the department of education will issue a notice and initiate assistance. SB 48 also calls for measurable standards or student learning targets that represent key content specific concepts, skills and knowledge applied within or across content domains. Emphasis on mastery utilization and synthesis of knowledge is prescribed. Lastly, SB 48 promotes the habits which enhance learning and advance a positive work ethic. Examples include, listening, accepting responsibility for one's behavior, time management and working well with others. Please join me in pressing the green button in support of the committee report of Ought to Pass as Amended and I thank you.

Deputy Speaker Kaen: Would the member yield to a question? The member does not yield. The question before the House is the committee report of Ought to Pass as Amended on SB 48. The Chair now recognizes the Representative from Tuftonboro, Representative Cordelli to speak against the committee report.

Rep. Cordelli: Thank you, Madam Speaker and thank you, fellow Representatives. When you sent your children off to elementary school did you know who they would become? How about high school? Or, maybe when they left for college? Let's take a look at SB 48. In a new section it states, "Enable all students to progress toward college and career readiness with clearly defined learning outcomes." Let me repeat that, "clearly defined learning outcomes." Next, let's take a look at a recent article from the Concord Monitor. What is going on is that the department of education is presenting new administrative rules to the board of education that require local school districts to shift away from granting credits for graduation to passing competencies. We will get to that in a moment, but in this article the representative of the department of education is discussing competencies and says that students will still have the choice of which math courses to take to meet those skills or competencies but no matter what courses a student takes, they'll have the same set of knowledge as their peers. Does this bill put New Hampshire on a path for all students to master the same set of academic skills and knowledge? Are we revamping our education system to provide more for the individual needs of the students or are we trying to fit them all in the same little neat box? Now, back to competencies. We know that the department wants to move to a system of assessing competencies and requiring competencies rather than credits for graduation. SB 48 puts those competencies into statute. What are competencies? Competency based education is centered on skills and outcomes of learning. It emphasizes what students are expected to do. In the 1990's it became associated with what graduates would need for a 21st century work place. We see that in SB 48, college and career readiness. Let me quote former IBM CEO Louis Gerstner, "We are not interested in public schools teaching work related skills. We can teach them what they need to run a machine or develop a marketing plan. What is killing us is having to teach them to read, compute and communicate." In addition, SB 48 established the premise that students should advance based on passage of competencies rather than a predetermined amount of seat-time. Are we ready to pass SB 48 and put in place a radical shift to where a bright student can advance well beyond his peers and friends? Do we want an 11 or 12-year old as a junior in high school? Or maybe a 16 or 17-year old in middle school? Please consider there is another bill, SB 82 that establishes a commission to look into competencies. That bill, however, is being retained by the education committee because of multiple concerns, including whether competencies are appropriate for elementary school where we are trying to teach the fundamental basic building blocks of math, English and history. Are we not putting the cart before the horse by passing SB 48 before we can have a commission to look at competencies? If you have questions about what is going on and the impact on our children, please join me in voting no. Thank you.

Deputy Speaker Kaen: The question before the House is the Ought to Pass as Amended motion on SB 48. For what reason does the member rise?

Rep. Boehm: I'd like to make a motion.

Deputy Speaker Kaen: State your motion please.

Rep. Boehm: I'd like to make a motion to table SB 48 and request a division vote.

Deputy Speaker Kaen: The question before the House; it has been moved to table SB 48. Would the members please take their seats? This is a non-debatable motion. Would the Sergeant-at-Arms please have the members take their seats? This will be a division vote. The question before the House is the motion to table SB 48. The question before the House is the tabling motion on SB 48. Would the members please take their seats? Sergeant-at-Arms, thank you. This will be a division vote. The question before the House is the motion to table SB 48. If you are in favor of the motion, you will be pressing the green button. If opposed, you will press the red button. Stations will...Are you ready? The Chair recognizes Rep. Boehm for a parliamentary inquiry.

Rep. Boehm: Thank you, Madam Speaker. Madam Speaker, if I know that this bill is dependent on SB 82 which was retained by the education committee, which establishes a commission to identify strategies needed for developing and implementing a competency-based public education system. And, Madam Speaker, if I know that this bill assumes a competency-based system that has not been fully developed yet as per SB 82. And, Madam Speaker, if I know that this bill should have a fiscal note and that it will increase cost at the local level and as such is a 28-a issue and is not funded by the state. And, Madam Speaker, if I know that this bill puts the cart before the horse and has multiple problems, will you join me in pressing the green button to table this bill? Thank you.

Deputy Speaker Kaen: The question before the House is the motion to table SB 48. The Chair now recognizes Rep. Gile for a parliamentary inquiry.

Rep. Gile: Thank you very much, Madam Speaker. If I know that SB 48 is critical to New Hampshire's approval for a waiver and release from the requirements of No Child Left Behind. And, if I also know that 38 states already have waivers, 8 are under review, including New Hampshire. And, if I know that SB 48 has absolutely has nothing to do with the core, the common core standards, would you please now vote red and vote down the motion to table. Thank you very much.

Deputy Speaker Kaen: The question before the House is the motion to table SB 48. This will be a division vote. If you are in favor of the motion, you will press the green button. If you are opposed to the tabling motion, you will press the red button. Voting stations are open for 30 seconds. Have all members voted who were

here when the question was put? The House will be attentive to the state of the vote. 135 having voted in the affirmative and 189 in opposition, the motion fails. The question before the House is the Ought to Pass as Amended motion on SB 48. The Chair now recognizes Representative Harris for a parliamentary inquiry.

Rep. Harris: Thank you, Madam Speaker. If I know the purpose of this is to move all students to a clearly defined learning outcome. And, if I further know that teachers across this country are saying, we need to slow down. We have to slow down the march of these competencies and this new assessment system. And, if I know these competency-based student assessments will come and create problems for our athletic programs, our student athletes, their parents and also cause problems with scholarships, both athletic and academic. And, if I know, we do not know the cost of this to our state. And, if I know this bill repeals statutes relating to local control measures which focus on the growth of our students, would I now vote no on this Ought to Pass and give us time to review this major shift in education by pressing the red button? Madam Speaker, I ask for a roll call vote.

Deputy Speaker Kaen: A roll call has already been requested by Representative Tucker. Is that sufficiently seconded? It is sufficiently seconded. This will be a roll call vote. Members please take their seats. The question before the House is the Ought to Pass as Amended committee recommendation on SB 48. Would the members please take their seats? The Chair now recognizes Representative Gile for a parliamentary inquiry.

Rep. Gile: Thank you, Madam Speaker. As I just said, if I know that SB 48, relative to school performance and accountability is critical to New Hampshire's approval for a waiver and release from the requirements of No Child Left Behind. And, if I also know that identifying schools as focus and priority schools, more clearly defines the specific needs of schools with challenges and the types of technical assistance required to improve student performance. And, if I know that SB 48, while promoting higher expectations for students, has nothing to do with common core and everything to do with the waiver request. And, finally, if I know that the SB 48 subcommittee met 3 times to agree on amendments to specific language and evaluation requirements and that the final amendment approved by the majority of the House Education Committee replaces all of the enacting clause of the original bill, which seems to have caused so much misunderstanding, would I now vote green and support the bipartisan 15-4 vote of the House Education Committee? Thank you, Madam Speaker.

Deputy Speaker Kaen: The question before the House is the Ought to Pass as Amended committee recommendation on SB 48. This will be a roll call vote. If you are in favor, you will press the green button. If you are opposed, you will press the red button. Stations will be open for 30 seconds. Have all members voted who were here when the question was put? The House will be attentive to the state of the vote. 198 having voted in the affirmative, 134 in the negative, the motion passes. For what purpose does the member rise?

Rep. Kurk: To make a motion.

Deputy Speaker Kaen: You may state your motion.

Rep. Kurk: I move that the debate on SB 48 be printed in the Permanent Journal and I would ask to speak to my motion.

Deputy Speaker Kaen: The member is recognized to speak to his motion.

Rep. Kurk: Thank you, Madam Speaker. We just had a debate in which the proponents have asserted, stated, that this bill does not reflect or affect the common core and the opponents have stated the opposite. The proponents have prevailed. Therefore their view of the bill should prevail and in order to make sure in the future that neither the State Board of Education nor the Department of Education use this bill as support for suggesting that the Legislature has supported the introduction of the common core, the debate should be printed to resolve the issue. Thank you.

Deputy Speaker Kaen: The question before the House is to have the debate on SB 48 printed in the Permanent Journal. Are you ready for the question? A roll call has been requested by Representative Tamburello. That is sufficiently seconded. This will be a roll call vote. The question before the House is the motion to have the debate on SB 48 printed in the Permanent Journal. This will be a roll call vote on whether to print the debate in the Permanent Journal. Those in favor will press the green button. Those opposed the red button. Stations are open for 30 seconds. Have all members voted who were here when the question was put? The House will be attentive to the state of the vote. 300 having voted in the affirmative, 32 in the negative, the motion passes.

REGULAR CALENDAR (CONT'D)

SB 135-FN, relative to the regulation of the practice of genetic counseling. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Lucy M. Weber for the Majority of Executive Departments and Administration: The practice of genetic counseling is an emerging specialty. Currently, anyone can identify himself or herself as a genetic counselor, whether he or she has appropriate training or not. This bill was introduced to ensure that medical professionals and members of the public are advised in this most personal aspect of their lives by qualified professionals. The bill, as amended in its entirety by the committee amendment, defines the practice of genetic counseling, adds genetic counselors to the list of allied health professionals, establishes that all genetic counselors must be certified by either the American Board of Genetic Counselors or the American Board of Medical Genetics,

establishes a genetics counseling governing board, and provides for NH state licensure by that board. It sets out requirements for licensure and specific guidelines for rulemaking. The bill establishes strict privacy controls for patients' genetic information. The majority of the committee was persuaded that regulation of this emerging field was necessary to ensure that services in this most personal and private area are delivered by qualified and ethical professionals. Vote 12-5.

Rep. Carol M. McGuire for the Minority of Executive Departments and Administration: This bill is an unnecessary overreach of government. The 20 or so genetic counselors in the state work with doctors, clinics, and hospitals, not direct to consumers. Doctors know - or can easily learn - how to find a qualified genetic counselor, and individuals typically approach their doctors first, as with any medical question. All the patient harm the committee heard about was due to doctors and other medical professionals (exempted from licensing and other restrictions by SB 135) acting beyond their knowledge, not from non-qualified people claiming to be genetic counselors, and SB 135 will not fix that. There is no need to license yet another narrow profession.

Majority Amendment (1718h)

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

1 New Chapter; Genetic Counselors. Amend RSA by inserting after chapter 326-J the following new chapter:

CHAPTER 326-K GENETIC COUNSELORS

326-K:1 Definitions. In this chapter and RSA 328-F:

I. "ABGC" means the American Board of Genetic Counseling, its equivalent, or successor.

II. "ABMG" means the American Board of Medical Genetics, its equivalent, or successor.

III. "Board" means the genetic counselors governing board established in RSA 328-F.

IV. "Genetic counselor" means an individual, who is licensed by the board under this chapter, to engage in the practice of genetic counseling.

V. "NSGC" means the National Society of Genetic Counselors, its equivalent, or successor.

VI. "Practice of genetic counseling" means, for the purposes of advising an individual client, a client's family, or other licensed health care professionals:

(a) Obtaining and evaluating individual, family, and medical histories to determine genetic risk for genetic or medical conditions and diseases in a patient, his or her offspring, and other family members;

(b) Discussing the features, natural history, means of diagnosis, genetic and environmental factors, and management of risk for genetic or medical conditions and diseases;

(c) Identifying and coordinating genetic laboratory tests and other diagnostic studies as appropriate for the genetic assessment;

(d) Integrating genetic laboratory test results and other diagnostic studies with personal and family medical history to assess and communicate risk factors for genetic or medical conditions and diseases;

(e) Explaining the clinical implications of genetic laboratory tests and other diagnostic studies and their results;

(f) Evaluating the client's or family's responses to the condition or risk of recurrence and provide client-centered counseling and anticipatory guidance; and

(g) Providing written documentation of medical, genetic, and counseling information for families and health care professionals.

326-K:2 Exemptions from Licensure. Except for the requirements under RSA 326-K:8, the requirements for licensure under this chapter shall not apply to:

I. Any person licensed by the state to practice in a profession other than that of genetic counseling when acting within the scope of the person's profession and doing work of a nature consistent with the person's training. Such person shall not hold himself or herself out to the public as a genetic counselor.

II. Any person employed as a genetic counselor by the federal government or an agency thereof if such person provides genetic counseling services solely under the direction and control of the organization by which he or she is employed.

III. A student, if the following conditions apply:

(a) The student is enrolled in an ABGC accredited genetic counseling educational program;

(b) The genetic counseling services performed by the student are an integral part of the student's course of study;

(c) The genetic counseling services are performed under the direct supervision of a licensed genetic counselor; and

(d) The student is designated by the title, "genetic counseling intern."

326-K:3 Eligibility for Initial Licensure. In addition to requirements under RSA 328-F, the board shall require the following as a minimum to qualify for licensure. Each applicant shall:

I. Comply with the NSGC Code of Ethics.

II. Provide satisfactory evidence of having fulfilled the following criteria:

- (a) Genetic counselor currently certified by ABGC or ABMG; or
- (b) Medical geneticist currently certified by ABMG.

III. Be at least 18 years of age.

IV. Be of good moral character.

V. Demonstrate sufficient evidence of good professional character and reliability to satisfy the board that the applicant shall faithfully and conscientiously avoid professional misconduct and adhere to this chapter, RSA 328-F, and the board's rules.

326-K:4 Provisional License.

I. A provisional license may be issued by the board to an applicant who meets all of the requirements for licensure except for the certification component and has been granted active candidate status by ABGC.

II. A provisional license shall be valid for the ABGC examination cycle for which active candidate status by the ABGC has been granted. Such provisional license shall expire automatically upon the earliest of the following:

- (a) Issuance of a full license;
- (b) Thirty days after the applicant fails to pass the certification examination; or
- (c) Two years from the issuance of a provisional license.

III. A provisional license may only be extended upon approval of the board for good cause shown.

IV. A provisional licensed genetic counselor shall work under the general supervision of a licensed genetic counselor or a licensed physician at all times during which the provisional licensed genetic counselor performs genetic counseling. An application for extension of the provisional license shall be signed by the supervising licensed genetic counselor or supervising licensed physician.

V. The board is authorized to issue conditional provisional licenses in accordance with rules adopted pursuant to RSA 541-A.

326-K:5 Prohibition on Unlicensed Practice; Professional Identification.

I. No person shall practice or represent himself or herself as a genetic counselor in this state without first applying for and receiving a license or provisional license from the board to practice as a licensed genetic counselor.

II. A genetic counselor whose license is suspended or revoked or whose surrender of license with or without prejudice has been accepted by the board, shall promptly deliver the original license to the board.

III. Individuals holding currently valid licenses issued under this chapter may use the title "genetic counselor" and write the designation "licensed genetic counselor" following his or her written name.

IV. No person shall represent himself or herself or the services offered by using the term genetic counselor unless he or she is licensed in accordance with this chapter. No person, who is not so licensed may use in connection with his or her name or place of business, the title "genetic counselor," "licensed genetic counselor," "gene counselor," "genetic consultant," "genetic associate," or any words, letters, abbreviations or insignia indicating or implying a person holds a genetic counseling license, or any similar words if the intent of such use is to imply that the person is licensed.

V. Any person who states or implies by word or act that he or she is currently licensed to practice genetic counseling at a time when he or she does not hold a currently valid license shall be guilty of a misdemeanor.

326-K:6 Reciprocity. The board may, in its discretion, grant a license under this chapter to an individual certified or licensed in another state if it determines that the requirements or standards for certification or licensure in that state are equivalent to, or greater than, those established by this chapter.

326-K:7 Compensation. Notwithstanding RSA 328-F:6 and RSA 328-F:15, I(g), the members of genetic counselors governing board shall serve without compensation for attendance at meetings and shall not be reimbursed for travel expenses incurred in connection with the work of the board.

326-K:8 Privileged Communications. In addition to RSA 328-F:28:

I. No person shall disclose any information or results related to a genetic evaluation, assessment, laboratory test, diagnostic study, or written documentation of genetic counseling, to any person other than the client without prior written consent.

II. Information and results may be made available to the board for use in an investigation or disciplinary proceeding under RSA 328-F concerning a licensed genetic counselor only if the results are coded to maintain confidentiality of the client.

III. A violation of this section shall be subject to a civil action by an aggrieved individual and, if successful, the aggrieved individual shall be awarded special or general damages of not less than \$10,000 for each violation, and costs and reasonable legal fees.

326-K:9 Rulemaking.

I. In addition to rules adopted pursuant to RSA 328-F:11, the board shall adopt rules pursuant to RSA 541-A relative to:

- (a) Eligibility requirements for provisional licenses.
- (b) Application procedures for provisional licenses.
- (c) The requirements for direction and supervision of those practicing under provisional licenses.
- (d) The limitations on practice imposed on those practicing under provisional licenses.

326-K:10 Eligibility for Renewal of Licenses. Licensees are eligible for renewal of their licenses if they:

I. Have completed 50 hours of continuing education which meet the requirements established by the board through rulemaking pursuant to RSA 541-A and at least 50 percent of which are directly related to the practice of genetic counseling.

II. Have not violated this chapter or RSA 328-F nor demonstrated poor professional character.

2 Allied Health Professionals; Definition; Governing Board. Amend RSA 328-F:2, II to read as follows:

II. "Governing boards" means individual licensing boards of athletic trainers, occupational therapy assistants, occupational therapists, recreational therapists, physical therapists, physical therapist assistants, respiratory care practitioners, [and] speech-language pathologists, **and genetic counselors**.

3 New Paragraph; Allied Health Professionals; Genetic Counseling. Amend RSA 328-F:2 by inserting after paragraph IX the following new paragraph:

X. "Genetic counseling" means genetic counseling as defined in RSA 326-K:1.

4 Governing Board; Establishment. Amend RSA 328-F:3, I to read as follows:

I. There shall be established governing boards of athletic trainers, occupational therapists, recreational therapists, respiratory care practitioners, physical therapists, [and] speech-language pathologists, **and genetic counselors**.

5 New Paragraph; Genetic Counselors; Governing Board; Appointment. Amend RSA 328-F:4 by inserting after paragraph IX the following new paragraph:

X. The genetic counselors governing board shall consist of 3 licensed genetic counselors, who have actively engaged in the practice of genetic counseling in this state for at least 2 years, one practicing physician with experience in working with genetic counselors, and one public member. Initial appointment of professional members by the governor and council shall be qualified persons practicing genetic counseling in this state. All subsequent appointments or reappointments shall require licensure.

6 Renewals; Reference to Genetic Counselors Added. Amend RSA 328-F:19, I to read as follows:

I. Initial licenses and renewals shall be valid for 2 years, except that timely and complete application for license renewal by eligible applicants shall continue the validity of the licenses being renewed until the governing board has acted on the renewal application. Licenses issued pursuant to RSA 328-A, RSA 326-G, and RSA 326-J shall expire in even-numbered years and licenses issued pursuant to RSA 326-C, RSA 326-E, [and] RSA 326-F, **and RSA 326-K** shall expire in odd-numbered years.

7 Genetic Testing; Disclosure; Medical Practice or Hospital. Amend RSA 141-H:2, III to read as follows:

III. Except as provided in paragraph II, or authorized by RSA 141-J, no person shall disclose to any other person that an individual has undergone genetic testing, and no person shall disclose the results of such testing to any other person, without the prior written and informed consent of the individual, the parent, guardian, or custodian if the individual is a minor under the age of 18, or the legal guardian or conservator if the individual is an incompetent person. ~~[Discussion and disclosure of genetic testing for a patient, requested of a physician by a patient, by appropriate professionals within a physician's medical practice or hospital shall not be a violation of this chapter.]~~

8 Effective Date. This act shall take effect July 1, 2013.

AMENDED ANALYSIS

This bill establishes the genetic counselors governing board in the office of licensed allied health professionals for the regulation of the practice of genetic counseling in this state. The bill also requires that professionals exempted from licensure but engaged in genetic counseling comply with the disclosure requirements applicable to genetic counselors.

Majority committee amendment adopted.

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

Reps. Hunt and Carol McGuire spoke against.

Rep. Weber spoke in favor and yielded to questions.

Rep. Tucker requested a roll call; sufficiently seconded.

YEAS 180 NAYS 140

YEAS 180

BELKNAP

DiMartino, Lisa

Gulick, Ruth

Huot, David

Raymond, Ian

CARROLL

Buco, Thomas

Butler, Edward

Ticehurst, Susan

White, Syndi

CHESHIRE

Ames, Richard

Berch, Paul

Burridge, Delmar

Butynski, William

Chase, Cynthia

Emerson, Susan

Johnsen, Gladys

Ley, Douglas

Mann, John

Parkhurst, Henry

Robertson, Timothy

Sad, Tara

Shepardson, Marjorie

Tatro, Bruce

Weber, Lucy

Weed, Charles

COOS

Coulombe, Gary
Moynihan, Wayne

Enman, Larry

Hammon, Marcia

Hatch, William

GRAFTON

Aguiar, James
Cooney, Mary
Harding, Laurie
Massimilla, Linda
Smith, Suzanne

Almy, Susan
Doolan, Ralph Jr
Higgins, Patricia
Mulholland, Catherine
Sykes, George

Benn, Bernard
Ford, Susan
Lauer, Linda
Nordgren, Sharon
Townsend, Charles

Brown, Rebecca
Friedrich, Carol
Lovett, Sid
Pastor, Beatriz

HILLSBOROUGH

Backus, Robert
Cebrowski, John
Danielson, David
Gale, Sylvia
Grady, Brenda
Harriott-Gathright, Linda
Kelley, John
Levesque, Melanie
McCloskey, David
Porter, Marjorie
Shaw, Barbara
Vail, Suzanne

Beaulieu, Jane
Chandley, Shannon
DiSilvestro, Linda
Gargasz, Carolyn
Hackel, Paul
Heden, Ruth
Knowles, Mary Ann
Long, Patrick
McNamara, Richard
Rosenwald, Cindy
Spratt, Stephen
Walsh, Robert Jr

Campbell, David
Connor, Evelyn
Eaton, Richard
Goley, Jeffrey
Hammond, Jill
Jack, Martin
Kopka, Angeline
MacKay, Mariellen
Nelson, Mary
Schmidt, Janice
Sullivan, Daniel
Williams, Kermit

Carroll, Douglas
Cote, David
Gage, Ruth
Gorman, Mary
Hansberry, Daniel
Judy, Jean
Leishman, Peter
Manley, Jonathan Sr
O'Brien, Michael Sr
Shattuck, Gilman
Sullivan, Peter
Woodbury, David

MERRIMACK

Alicea, Caroletta
Burns, Scott
Ebel, Karen
Gile, Mary
Lockwood, Priscilla
Patten, Dick
Rogers, Katherine
Tilton, Joy

Andrews, Christopher
Carey, Lorrie
Frambach, Mary
Hirsch, Geoffrey
MacKay, James
Ratzki, Mario
Schamberg, Thomas
Wallner, Mary Jane

Bartlett, Christy
Carson, Clyde
Frazer, June
Hunt, Jane
Moffett, Howard
Rice, Chip
Schuett, Dianne
Walz, Mary Beth

Bouchard, Candace
Davis, Frank
French, Barbara
Karrick, David Jr
Myler, Mel
Richardson, Gary
Shurtleff, Stephen
Webb, Leigh

ROCKINGHAM

Borden, David
Cali-Pitts, Jacqueline
Flockhart, Eileen
Mann, Maureen
Schlachman, Donna
Ward, Gerald

Briden, Steven
Copeland, Timothy
Heffron, Frank
Moody, Marcia
Sherman, Thomas
Whittemore, Lisa

Burtis, Elizabeth
Cushing, Robert Jr
Khan, Aboul
Muns, Chris
Till, Mary

Cahill, Michael
Emerson-Brown, Rebecca
Lovejoy, Patricia
Pantelakos, Laura
Tremblay, Stella

STRAFFORD

Baber, William
Burke, Rachel
Grossman, Kenneth
Ketel, Stephen
Rogers, Rose Marie
Spang, Judith

Berube, Roger
Gardner, Janice
Horriggan, Timothy
Malloy, Dennis
Rollo, Deanna
Verschueren, James

Bixby, Peter
Ginsburg, Philip
Hubbard, Pamela
Pelletier, Marsha
Schmidt, Peter
Wall, Janet

Burdwood, Greg
Grassie, Anne
Kaen, Naida
Perry, Robert
Smith, Marjorie

SULLIVAN

Cloutier, John
Schmidt, Andrew

Gagnon, Raymond
Sweeney, Cynthia

Gottling, Suzanne
Tanner, Linda

Irwin, Virginia

NAYS 140**BELKNAP**

Burchell, Richard
Greemore, Robert Jr
Vadney, Herbert

Fields, Dennis
Holmes, Stephen
Worsman, Colette

Fink, Charles
Sylvia, Michael

Flanders, Donald
Tilton, Franklin

CARROLL

Ahlgren, Christopher
McConkey, Mark
Umberger, Karen

Chandler, Gene
Morrow, Harry
Wright, Donald

Cordelli, Glenn
Nelson, Bill

Crawford, Karel
Schmidt, Stephen

CHESHIRE

Hunt, John

Johnson, Jane

Roberts, Kris

COOS

Rappaport, Laurence

Richardson, Herbert

Theberge, Robert

GRAFTON

Bradley, Lester

Ladd, Rick Jr

Piper, Wendy

Reilly, Harold Sr

HILLSBOROUGH

Barry, Richard
Byron, Frank
Daniels, Gary
Graham, John
Infantine, William
LeBrun, Donald
Martel, Andre
Notter, Jeanine
Palmer, Stephen
Pratt, Calvin
Souza, Kathleen
Vaillancourt, Steve
Winters, Joel

Belanger, James
Christiansen, Lars
Flanagan, Jack
Haefner, Robert
Jasper, Shawn
Levasseur, Nickolas
McCarthy, Michael
O'Brien, William
Parison, James
Rowe, Robert
Straight, Philip
Villeneuve, Moe

Boehm, Ralph
Coffey, James
Gagne, Larry
Hansen, Peter
Kurk, Neal
LeVasseur, Richard
Meaney, Richard
O'Flaherty, Tim
Pellegrino, Tony
Sanborn, Laurie
Takesian, Charlene
Warden, Mark

Burt, John
Culbert, Patrick
Garcia, Michael
Hikel, John
Lambert, George
Marston, Dick
Murotake, David
Ober, Lynne
Peterson, Lenette
Sandblade, Emily
Ulery, Jordan
Willette, Robert

MERRIMACK

Hess, David
McGuire, Dan

Hoell, J.R.

Kotowski, Frank

McGuire, Carol

ROCKINGHAM

Abrami, Patrick
Charron, Gene
DeSimone, Debra
Emerick, J. Tracy
Hagan, Joseph
Hoelzel, Kathleen
Kolodziej, Walter
O'Connor, John
Rice, Frederick
Sedensky, John
Tamburello, Daniel
Weyler, Kenneth

Allen, Mary
Chirichiello, Brian
Devine, James
Ferrante, Beverly
Harris, Jeffrey
Introne, Robert
Major, Norman
Packard, Sherman
Sanders, Elisabeth
St.James, Kevin
Tucker, Pamela

Bick, Patrick
Comerford, Timothy
Duarte, Joe
Grace, Curtis
Hayes, Jack
Itse, Daniel
Milz, David
Peckham, Michele
Scarlotto, Joe
Sweeney, Joe
Waterhouse, Kevin

Birdsell, Regina
Danais, Romeo
Dumaine, Dudley
Griffin, Mary
Hodgdon, Bruce
Kappler, Lawrence
Nigrello, Robert
Priestley, Anne
Schroadter, Adam
Sytek, John
Webb, James Sr

STRAFFORD

Beaudoin, Steven
Jones, Laura
Stevens, Audrey

Bickford, David
Menear, H. Robert III

Gray, James
Mullen, John Jr

Groen, Warren
Pitre, Joseph

SULLIVAN

Grenier, James

Smith, Steven

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

(Speaker Norelli in the Chair)

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. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: OUGHT TO PASS.**

Rep. Cindy Rosenwald for the Majority of Finance: The objective of this bill is to limit the population of committed youth at the Sununu Center to those who are dangerous to themselves or others through periodic court reviews and appointment of counsel. The amendment adds a one-year \$5.3 million federal grant that was awarded to the insurance department in April, after the budget had passed the House. This grant, which has no state match, is to provide assistance to consumers in obtaining tax credits to purchase health insurance without interrupting the department's traditional role in regulating the insurance market or interfering with the existing insurance producer environment. The amended bill does not authorize any policy of how the grant money will be spent on consumer assistance; its sole function is to accept the federal grant. The oversight committee on health reform implementation established in RSA 420-N:3 shall determine all policies regarding implementation of the Affordable Care Act. Vote 15-8.

Rep. Dan McGuire for the Minority of Finance: SB 129 is a valuable bill which would reduce the population of juvenile delinquents at the Sununu Youth Center to just those violent offenders who are a danger to the public or themselves. Incarceration is ineffective for others and is very expensive, roughly \$250,000 each. The amendment would accept a one-year federal grant for the insurance department to inform the public about the federal Affordable Care Act (aka Obamacare) and market its features to consumers. There are two problems with this. First, this is an entirely federal program. NH had an opportunity to be involved and we declined.

It is more appropriate for the federal government to implement the act directly, including public awareness. This would be the likely outcome if we reject the grant. Second, attaching an amendment like this risks the passage of the worthwhile underlying bill, as we have seen many times in the past.

Majority Amendment (1905h)

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 and making a supplemental appropriation to the insurance department.

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

9 Appropriation; Insurance Department; Consumer Assistance Grant. In addition to any other sums appropriated for the fiscal year ending June 30, 2014, the following appropriation is hereby authorized to the department of insurance:

02-24	Department of Insurance		
02-24-24-240010-1235	Consumer Assistance Grant		
02-24-24-240010-1235 020	Current Expense	Federal Funds	\$15,300
02-24-24-240010-1235 030	Equipment	Federal Funds	\$500
02-24-24-240010-1235 041	Audit set Aside	Federal Funds	\$5,374
02-24-24-240010-1235 046	Consultants	Federal Funds	\$3,164,802
02-24-24-240010-1235 050	Personal Services Part Time Temp	Federal Funds	\$18,414
02-24-24-240010-1235 060	Benefits	Federal Funds	\$1,408
02-24-24-240010-1235 070	In-State Travel	Federal Funds	\$20,688
02-24-24-240010-1235 080	Out of State Travel	Federal Funds	\$17,898
02-24-24-240010-1235 102	Contracts for Program Services	Federal Funds	\$2,128,298
		Total:	\$5,372,682

10 Effective Date.

I. Sections 1-8 of this act shall take effect 60 days after its passage.

II. The remainder of this act shall take effect July 1, 2013.

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.

VII. Makes a supplemental appropriation to the insurance department for consumer assistance grants.

Rep. Dan McGuire spoke against.

Rep. Butler spoke in favor and yielded to questions.

Rep. Rosenwald requested a roll call; sufficiently seconded.

YEAS 175 NAYS 137

YEAS 175

BELKNAP

DiMartino, Lisa

Gulick, Ruth

Huot, David

Raymond, Ian

CARROLL

Buco, Thomas

Butler, Edward

Ticehurst, Susan

White, Syndi

CHESHIRE

Ames, Richard

Berch, Paul

Burridge, Delmar

Butynski, William

Chase, Cynthia

Emerson, Susan

Johnsen, Gladys

Ley, Douglas

Mann, John

Roberts, Kris

Robertson, Timothy

Sad, Tara

Shepardson, Marjorie

Tatro, Bruce

Weber, Lucy

Weed, Charles

COOS

Coulombe, Gary

Enman, Larry

Hammon, Marcia

Hatch, William

Moynihan, Wayne

Theberge, Robert

GRAFTON

Aguiar, James
Ford, Susan
Lauer, Linda
Nordgren, Sharon
Townsend, Charles

Almy, Susan
Friedrich, Carol
Lovett, Sid
Pastor, Beatriz

Benn, Bernard
Harding, Laurie
Massimilla, Linda
Piper, Wendy

Cooney, Mary
Higgins, Patricia
Mulholland, Catherine
Sykes, George

HILLSBOROUGH

Backus, Robert
Chandley, Shannon
Eaton, Richard
Gorman, Mary
Hansberry, Daniel
Jeu, Jean
Leishman, Peter
MacKay, Mariellen
Nelson, Mary
Shattuck, Gilman
Sullivan, Peter
Winters, Joel

Beaulieu, Jane
Connor, Evelyn
Gage, Ruth
Grady, Brenda
Harriott-Gathright, Linda
Kelley, John
Levasseur, Nickolas
Manley, Jonathan Sr
Porter, Marjorie
Shaw, Barbara
Vail, Suzanne
Woodbury, David

Campbell, David
Cote, David
Gale, Sylvia
Hackel, Paul
Heden, Ruth
Knowles, Mary Ann
Levesque, Melanie
McCloskey, David
Rosenwald, Cindy
Spratt, Stephen
Walsh, Robert Jr

Carroll, Douglas
DiSilvestro, Linda
Goley, Jeffrey
Hammond, Jill
Jack, Martin
Kopka, Angeline
Long, Patrick
McNamara, Richard
Schmidt, Janice
Sullivan, Daniel
Williams, Kermit

MERRIMACK

Alicea, Caroletta
Carson, Clyde
Frazer, June
Hunt, Jane
Myler, Mel
Richardson, Gary
Shurtleff, Stephen
Webb, Leigh

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

Bouchard, Candace
Ebel, Karen
Gile, Mary
MacKay, James
Ratzki, Mario
Schamberg, Thomas
Wallner, Mary Jane

Burns, Scott
Frambach, Mary
Hirsch, Geoffrey
Moffett, Howard
Rice, Chip
Schuett, Dianne
Walz, Mary Beth

ROCKINGHAM

Borden, David
Cali-Pitts, Jacqueline
Heffron, Frank
Moody, Marcia
Schlachman, Donna
Whittemore, Lisa

Briden, Steven
Cushing, Robert Jr
Khan, Aboul
Muns, Chris
Sherman, Thomas

Burtis, Elizabeth
Emerson-Brown, Rebecca
Lovejoy, Patricia
Pantelakos, Laura
Till, Mary

Cahill, Michael
Flockhart, Eileen
Mann, Maureen
Scarlott, Joe
Ward, Gerald

STRAFFORD

Baber, William
Burdwood, Greg
Grassie, Anne
Kaen, Naida
Perry, Robert
Smith, Marjorie
Wall, Janet

Berube, Roger
Burke, Rachel
Grossman, Kenneth
Ketel, Stephen
Rogers, Rose Marie
Spang, Judith

Bickford, David
Gardner, Janice
Horrigan, Timothy
Malloy, Dennis
Rollo, Deanna
Stevens, Audrey

Bixby, Peter
Ginsburg, Philip
Hubbard, Pamela
Pelletier, Marsha
Schmidt, Peter
Verschuere, James

SULLIVAN

Cloutier, John
Schmidt, Andrew

Gagnon, Raymond
Sweeney, Cynthia

Gottling, Suzanne
Tanner, Linda

Irwin, Virginia

NAYS 137**BELKNAP**

Burchell, Richard
Holmes, Stephen
Worsman, Colette

Fields, Dennis
Sylvia, Michael

Fink, Charles
Tilton, Franklin

Greemore, Robert Jr
Vadney, Herbert

CARROLL

Ahlgren, Christopher
McConkey, Mark
Umberger, Karen

Chandler, Gene
Morrow, Harry
Wright, Donald

Cordelli, Glenn
Nelson, Bill

Crawford, Karel
Schmidt, Stephen

CHESHIRE

Hunt, John

Johnson, Jane

Parkhurst, Henry

COOS

Rappaport, Laurence

Richardson, Herbert

GRAFTON

Bradley, Lester
Reilly, Harold Sr

Brown, Rebecca

Doolan, Ralph Jr

Ladd, Rick Jr

HILLSBOROUGH

Barry, Richard
Byron, Frank
Culbert, Patrick
Gagne, Larry
Haefner, Robert
Jasper, Shawn
LeVasseur, Richard
Murotake, David
Ober, Lynne
Peterson, Lenette
Sandblade, Emily
Ulery, Jordan
Willette, Robert

Belanger, James
Cebrowski, John
Daniels, Gary
Garcia, Michael
Hansen, Peter
Kurk, Neal
Martel, Andre
Notter, Jeanine
Palmer, Stephen
Pratt, Calvin
Souza, Kathleen
Vaillancourt, Steve

Boehm, Ralph
Christiansen, Lars
Danielson, David
Gargas, Carolyn
Hikel, John
Lambert, George
McCarthy, Michael
O'Brien, William
Parison, James
Rowe, Robert
Straight, Philip
Villeneuve, Moe

Burt, John
Coffey, James
Flanagan, Jack
Graham, John
Infantine, William
LeBrun, Donald
Meaney, Richard
O'Flaherty, Tim
Pellegrino, Tony
Sanborn, Laurie
Takesian, Charlene
Warden, Mark

MERRIMACK

Andrews, Christopher
McGuire, Carol

Hoell, J.R.
McGuire, Dan

Kotowski, Frank

Lockwood, Priscilla

ROCKINGHAM

Abrami, Patrick
Birdsell, Regina
Copeland, Timothy
Dumaine, Dudley
Griffin, Mary
Hodgdon, Bruce
Kappler, Lawrence
Nigrello, Robert
Priestley, Anne
Sedensky, John
Tremblay, Stella
Weyler, Kenneth

Allen, Mary
Charron, Gene
Danaia, Romeo
Emerick, J. Tracy
Hagan, Joseph
Hoelzel, Kathleen
Kolodziej, Walter
O'Connor, John
Rice, Frederick
St.James, Kevin
Tucker, Pamela

Baldasaro, Alfred
Chirichiello, Brian
DeSimone, Debra
Ferrante, Beverly
Harris, Jeffrey
Introne, Robert
Major, Norman
Packard, Sherman
Sanders, Elisabeth
Sweeney, Joe
Waterhouse, Kevin

Bick, Patrick
Comerford, Timothy
Duarte, Joe
Grace, Curtis
Hayes, Jack
Itse, Daniel
Milz, David
Peckham, Michele
Schroadter, Adam
Sytek, John
Webb, James Sr

STRAFFORD

Beaudoin, Steven
Mullen, John Jr

Gray, James
Pitre, Joseph

Groen, Warren

Jones, Laura

SULLIVAN

Grenier, James

Smith, Steven

and the majority committee amendment was adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.
Rep. John Hunt offered floor amendment (1967h).

Floor Amendment (1967h)

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 and making a supplemental appropriation to the insurance department.

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

9 Appropriation; Insurance Department; Consumer Assistance Grant. In addition to any other sums appropriated for the fiscal year ending June 30, 2014, the following appropriation is hereby authorized to the department of insurance:

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02-24-24-240010-1235	Consumer Assistance Grant		
02-24-24-240010-1235 020	Current Expense	Federal Funds	\$15,300
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02-24-24-240010-1235 080	Out of State Travel	Federal Funds	\$17,898
02-24-24-240010-1235 102	Contracts for Program Services	Federal Funds	<u>\$2,128,298</u>
		Total:	<u>\$5,372,682</u>

10 Approval by Joint Health Care Reform Oversight Committee. The department of insurance may expend funds appropriated in section 9 of this act only with prior approval of the joint health care reform oversight committee established in RSA 420-N:3. This requirement shall not apply to the acceptance of grants or to transfers of appropriations.

11 Effective Date.

I. Sections 1-8 of this act shall take effect 60 days after its passage.

II. The remainder of this act shall take effect July 1, 2013.

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.

VII. Makes a supplemental appropriation to the insurance department for consumer assistance grants.

Rep. Hunt spoke in favor.

Rep. Huot spoke against and yielded to questions.

Rep. Rosenwald requested a roll call; sufficiently seconded.

YEAS 140 NAYS 170**YEAS 140
BELKNAP**

Burchell, Richard
Greemore, Robert Jr
Vadney, Herbert

Fields, Dennis
Holmes, Stephen
Worsman, Colette

Fink, Charles
Sylvia, Michael

Flanders, Donald
Tilton, Franklin

CARROLL

Ahlgren, Christopher
McConkey, Mark
Umberger, Karen

Chandler, Gene
Morrow, Harry
Wright, Donald

Cordelli, Glenn
Nelson, Bill

Crawford, Karel
Schmidt, Stephen

CHESHIRE

Hunt, John

Johnson, Jane

Roberts, Kris

COOS

Hammon, Marcia

Rappaport, Laurence

Richardson, Herbert

Theberge, Robert

GRAFTON

Bradley, Lester
Reilly, Harold Sr

Brown, Rebecca

Doolan, Ralph Jr

Ladd, Rick Jr

HILLSBOROUGH

Barry, Richard
Byron, Frank
Culbert, Patrick
Gagne, Larry
Haefner, Robert
Kurk, Neal
Martel, Andre
Nelson, Mary
Palmer, Stephen
Pratt, Calvin
Straight, Philip
Villeneuve, Moe

Belanger, James
Cebrowski, John
Daniels, Gary
Garcia, Michael
Hansen, Peter
Lambert, George
McCarthy, Michael
Notter, Jeanine
Parison, James
Rowe, Robert
Takesian, Charlene
Warden, Mark

Boehm, Ralph
Christiansen, Lars
Danielson, David
Gargas, Carolyn
Hikel, John
LeBrun, Donald
Meaney, Richard
O'Brien, William
Pellegrino, Tony
Sanborn, Laurie
Ulery, Jordan

Burt, John
Coffey, James
Flanagan, Jack
Graham, John
Infantine, William
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Murotake, David
Ober, Lynne
Peterson, Lenette
Sandblade, Emily
Vaillancourt, Steve

MERRIMACK

Hess, David
McGuire, Carol

Hoell, J.R.
McGuire, Dan

Kotowski, Frank

Lockwood, Priscilla

ROCKINGHAM

Abrami, Patrick
Birdsell, Regina
Comerford, Timothy
Duarte, Joe

Allen, Mary
Cali-Pitts, Jacqueline
Copeland, Timothy
Dumaine, Dudley

Baldasaro, Alfred
Charron, Gene
Danais, Romeo
Emerick, J. Tracy

Bick, Patrick
Chirichiello, Brian
DeSimone, Debra
Ferrante, Beverly

Grace, Curtis
Hodgdon, Bruce
Kappler, Lawrence
Milz, David
Peckham, Michele
Scarlotta, Joe
Sweeney, Joe
Waterhouse, Kevin

Griffin, Mary
Hoelzel, Kathleen
Khan, Aboul
Nigrello, Robert
Priestley, Anne
Schroadter, Adam
Sytek, John
Webb, James Sr

Hagan, Joseph
Introne, Robert
Kolodziej, Walter
O'Connor, John
Rice, Frederick
Sedensky, John
Tremblay, Stella
Weyler, Kenneth

Harris, Jeffrey
Itse, Daniel
Major, Norman
Packard, Sherman
Sanders, Elisabeth
St.James, Kevin
Tucker, Pamela

STRAFFORD

Beaudoin, Steven
Jones, Laura

Bickford, David
Mullen, John Jr

Gray, James
Pitre, Joseph

Groen, Warren

SULLIVAN

Grenier, James

Smith, Steven

NAYS 170

BELKNAP

DiMartino, Lisa

Gulick, Ruth

Huot, David

Raymond, Ian

CARROLL

Buco, Thomas

Butler, Edward

Ticehurst, Susan

White, Syndi

CHESHIRE

Ames, Richard
Chase, Cynthia
Mann, John
Shepardson, Marjorie

Berch, Paul
Emerson, Susan
Parkhurst, Henry
Tatro, Bruce

Burridge, Delmar
Johnsen, Gladys
Robertson, Timothy
Weber, Lucy

Butynski, William
Ley, Douglas
Sad, Tara
Weed, Charles

COOS

Coulombe, Gary

Enman, Larry

Hatch, William

Moynihan, Wayne

GRAFTON

Aguiar, James
Ford, Susan
Lauer, Linda
Nordgren, Sharon
Townsend, Charles

Almy, Susan
Friedrich, Carol
Lovett, Sid
Pastor, Beatriz

Benn, Bernard
Harding, Laurie
Massimilla, Linda
Piper, Wendy

Cooney, Mary
Higgins, Patricia
Mulholland, Catherine
Sykes, George

HILLSBOROUGH

Backus, Robert
Chandley, Shannon
Eaton, Richard
Gorman, Mary
Hansberry, Daniel
Judy, Jean
Leishman, Peter
MacKay, Mariellen
O'Brien, Michael Sr
Schmidt, Janice
Sullivan, Peter
Williams, Kermit

Beaulieu, Jane
Connor, Evelyn
Gage, Ruth
Grady, Brenda
Harriott-Gathright, Linda
Kelley, John
Levasseur, Nickolas
Manley, Jonathan Sr
O'Flaherty, Tim
Shattuck, Gilman
Vail, Suzanne
Winters, Joel

Campbell, David
Cote, David
Gale, Sylvia
Hackel, Paul
Heden, Ruth
Knowles, Mary Ann
Levesque, Melanie
McCloskey, David
Porter, Marjorie
Shaw, Barbara
Walsh, Robert Jr
Woodbury, David

Carroll, Douglas
DiSilvestro, Linda
Goley, Jeffrey
Hammond, Jill
Jack, Martin
Kopka, Angeline
Long, Patrick
McNamara, Richard
Rosenwald, Cindy
Spratt, Stephen
Willette, Robert

MERRIMACK

Alicea, Caroletta
Carson, Clyde
Frazer, June
Hunt, Jane
Myler, Mel
Rogers, Katherine
Tilton, Joy

Bartlett, Christy
Davis, Frank
French, Barbara
Karrick, David Jr
Ratzki, Mario
Schamberg, Thomas
Wallner, Mary Jane

Bouchard, Candace
Ebel, Karen
Gile, Mary
MacKay, James
Rice, Chip
Schuett, Dianne
Walz, Mary Beth

Burns, Scott
Frambach, Mary
Hirsch, Geoffrey
Moffett, Howard
Richardson, Gary
Shurtleff, Stephen
Webb, Leigh

ROCKINGHAM

Borden, David
Cushing, Robert Jr
Heffron, Frank
Muns, Chris
Till, Mary

Briden, Steven
Emerson-Brown, Rebecca
Lovejoy, Patricia
Pantelakos, Laura
Ward, Gerald

Burtis, Elizabeth
Flockhart, Eileen
Mann, Maureen
Schlachman, Donna
Whittemore, Lisa

Cahill, Michael
Hayes, Jack
Moody, Marcia
Sherman, Thomas

STRAFFORD

Baber, William
Burke, Rachel

Berube, Roger
Gardner, Janice

Bixby, Peter
Ginsburg, Philip

Burdwood, Greg
Grassie, Anne

Grossman, Kenneth
Ketel, Stephen
Rogers, Rose Marie
Spang, Judith

Horrigan, Timothy
Malloy, Dennis
Rollo, Deanna
Stevens, Audrey

Hubbard, Pamela
Pelletier, Marsha
Schmidt, Peter
Verschueren, James

Kaen, Naida
Perry, Robert
Smith, Marjorie
Wall, Janet

SULLIVAN

Cloutier, John
Schmidt, Andrew

Gagnon, Raymond
Sweeney, Cynthia

Gottling, Suzanne
Tanner, Linda

Irwin, Virginia

and floor amendment (1967h) failed.

The question being adoption of the majority committee report of Ought to Pass with Amendment.
Rep. William O'Brien requested a roll call; sufficiently seconded.

YEAS 179 NAYS 132

YEAS 179

BELKNAP

DiMartino, Lisa

Gulick, Ruth

Huot, David

Raymond, Ian

CARROLL

Buco, Thomas

Butler, Edward

Ticehurst, Susan

White, Syndi

CHESHIRE

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

Berch, Paul
Emerson, Susan
Parkhurst, Henry
Shepardson, Marjorie

Burridge, Delmar
Johnsen, Gladys
Roberts, Kris
Tatro, Bruce

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

COOS

Coulombe, Gary
Moynihan, Wayne

Enman, Larry
Theberge, Robert

Hammon, Marcia

Hatch, William

GRAFTON

Aguiar, James
Cooney, Mary
Higgins, Patricia
Mulholland, Catherine
Sykes, George

Almy, Susan
Ford, Susan
Lauer, Linda
Nordgren, Sharon
Townsend, Charles

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

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

HILLSBOROUGH

Backus, Robert
Carroll, Douglas
DiSilvestro, Linda
Goley, Jeffrey
Hammond, Jill
Jack, Martin
Kopka, Angeline
Long, Patrick
McNamara, Richard
Porter, Marjorie
Shaw, Barbara
Walsh, Robert Jr
Woodbury, David

Barry, Richard
Chandley, Shannon
Eaton, Richard
Gorman, Mary
Hansberry, Daniel
Judy, Jean
Leishman, Peter
MacKay, Mariellen
Nelson, Mary
Rosenwald, Cindy
Spratt, Stephen
Willette, Robert

Beaulieu, Jane
Connor, Evelyn
Gage, Ruth
Grady, Brenda
Harriott-Gathright, Linda
Kelley, John
Levasseur, Nickolas
Manley, Jonathan Sr
O'Brien, Michael Sr
Schmidt, Janice
Sullivan, Peter
Williams, Kermit

Campbell, David
Cote, David
Gale, Sylvia
Hackel, Paul
Heden, Ruth
Knowles, Mary Ann
Levesque, Melanie
McCloskey, David
O'Flaherty, Tim
Shattuck, Gilman
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Alicea, Caroletta
Carson, Clyde
Frazer, June
Hunt, Jane
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Rogers, Katherine
Tilton, Joy

Bartlett, Christy
Davis, Frank
French, Barbara
Karrick, David Jr
Ratzki, Mario
Schamberg, Thomas
Wallner, Mary Jane

Bouchard, Candace
Ebel, Karen
Gile, Mary
MacKay, James
Rice, Chip
Schuett, Dianne
Walz, Mary Beth

Burns, Scott
Frambach, Mary
Hirsch, Geoffrey
Moffett, Howard
Richardson, Gary
Shurtleff, Stephen
Webb, Leigh

ROCKINGHAM

Borden, David
Cali-Pitts, Jacqueline
Hayes, Jack
Moody, Marcia
Sherman, Thomas

Briden, Steven
Cushing, Robert Jr
Heffron, Frank
Muns, Chris
Till, Mary

Burtis, Elizabeth
Emerson-Brown, Rebecca
Lovejoy, Patricia
Pantelakos, Laura
Ward, Gerald

Cahill, Michael
Flockhart, Eileen
Mann, Maureen
Schlachman, Donna
Whittemore, Lisa

STRAFFORD

Baber, William
Burdwood, Greg
Grassie, Anne
Kaen, Naida
Perry, Robert
Smith, Marjorie
Wall, Janet

Berube, Roger
Burke, Rachel
Grossman, Kenneth
Ketel, Stephen
Rogers, Rose Marie
Spang, Judith

Bickford, David
Gardner, Janice
Horrigan, Timothy
Malloy, Dennis
Rollo, Deanna
Stevens, Audrey

Bixby, Peter
Ginsburg, Philip
Hubbard, Pamela
Pelletier, Marsha
Schmidt, Peter
Verschueren, James

SULLIVAN

Cloutier, John
Irwin, Virginia

Gagnon, Raymond
Schmidt, Andrew

Gottling, Suzanne
Sweeney, Cynthia

Grenier, James
Tanner, Linda

NAYS 132**BELKNAP**

Burchell, Richard
Greemore, Robert Jr
Vadney, Herbert

Fields, Dennis
Holmes, Stephen
Worsman, Colette

Fink, Charles
Sylvia, Michael

Flanders, Donald
Tilton, Franklin

CARROLL

Ahlgren, Christopher
McConkey, Mark
Umberger, Karen

Chandler, Gene
Morrow, Harry
Wright, Donald

Cordelli, Glenn
Nelson, Bill

Crawford, Karel
Schmidt, Stephen

CHESHIRE

Hunt, John

Johnson, Jane

COOS

Rappaport, Laurence

Richardson, Herbert

GRAFTON

Bradley, Lester

Doolan, Ralph Jr

Ladd, Rick Jr

Reilly, Harold Sr

HILLSBOROUGH

Belanger, James
Cebrowski, John
Daniels, Gary
Garcia, Michael
Hansen, Peter
Kurk, Neal
Martel, Andre
Notter, Jeanine
Parison, James
Rowe, Robert
Takesian, Charlene
Warden, Mark

Boehm, Ralph
Christiansen, Lars
Danielson, David
Gargas, Carolyn
Hikel, John
Lambert, George
McCarthy, Michael
O'Brien, William
Pellegrino, Tony
Sanborn, Laurie
Ulery, Jordan

Burt, John
Coffey, James
Flanagan, Jack
Graham, John
Infantine, William
LeBrun, Donald
Meaney, Richard
Ober, Lynne
Peterson, Lenette
Sandblade, Emily
Vaillancourt, Steve

Byron, Frank
Culbert, Patrick
Gagne, Larry
Haefner, Robert
Jasper, Shawn
LeVasseur, Richard
Murotake, David
Palmer, Stephen
Pratt, Calvin
Straight, Philip
Villeneuve, Moe

MERRIMACK

Hess, David
McGuire, Carol

Hoell, J.R.
McGuire, Dan

Kotowski, Frank

Lockwood, Priscilla

ROCKINGHAM

Abrami, Patrick
Birdsell, Regina
Copeland, Timothy
Dumaine, Dudley
Griffin, Mary
Hoelzel, Kathleen
Khan, Aboul
Nigrello, Robert
Priestley, Anne
Schroadter, Adam
Sytek, John
Webb, James Sr

Allen, Mary
Charron, Gene
Danais, Romeo
Emerick, J. Tracy
Hagan, Joseph
Introne, Robert
Kolodziej, Walter
O'Connor, John
Rice, Frederick
Sedensky, John
Tremblay, Stella
Weyler, Kenneth

Baldasaro, Alfred
Chirichiello, Brian
DeSimone, Debra
Ferrante, Beverly
Harris, Jeffrey
Itse, Daniel
Major, Norman
Packard, Sherman
Sanders, Elisabeth
St.James, Kevin
Tucker, Pamela

Bick, Patrick
Comerford, Timothy
Duarte, Joe
Grace, Curtis
Hodgdon, Bruce
Kappler, Lawrence
Milz, David
Peckham, Michele
Scarlottio, Joe
Sweeney, Joe
Waterhouse, Kevin

STRAFFORD

Beaudoin, Steven
Mullen, John Jr

Gray, James
Pitre, Joseph

Groen, Warren

Jones, Laura

SULLIVAN

Smith, Steven

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

MOTION TO PRINT DEBATE

Rep. Hunt moved that the debate on **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, be printed in the Permanent Journal. On a division vote, 214 members having voted in the affirmative and 95 in the negative, the motion was adopted.

DEBATE ON SB 129-FN

Speaker Norelli: The question before the House is the majority committee amendment. The Chair recognizes the member from Epsom, Representative Dan McGuire to speak in opposition to the amendment.

Rep. Dan McGuire: Thank you very much, Madam Speaker. This is a non-germane amendment that would have the insurance department accept a federal grant of \$5.3 million to spend to promote the Affordable Care Act, also known as Obamacare to businesses and consumers to inform them of the features and requirements and so on. It's a one year grant. There are 2 reasons why we should reject this amendment and this grant. First of all, the Affordable Care Act is a completely federal program. It's not a program run by the state or by our insurance department so it's not something we have any particular knowledge of, superior to the feds, so on. All we would be doing with this money is hiring consultants to make up brochures, maybe videos, that sort of thing and paying for media. This is something the federal government could do just as easily, if not more easily, than we can. Secondly, the underlying bill here, SB 129, is very, very good. It potentially saves the state general fund more money per year forever than this grant would spend in one year. So, we are putting at risk, if we put on this non-germane amendment, and it's not agreed to, we are putting at risk considerable savings to the general fund for no particularly good reason. In my opinion, the likely outcome if we reject this amendment is that, what will happen is similar to the situation when we didn't accept the plan parenthood grant a couple of years ago, the feds would likely go and just spend the money on their own because it's their program and their money and they'd want to promote it. I started by saying that this amendment is not germane. By that I mean that it's a completely separate subject from the underlying bill, but it's somewhat of a gray area whether it is acceptable under our rules to be added to this particular bill. Our rules say that in order to add a non-germane amendment, there must be a noticed public hearing in the committee for the amendment. This had a noticed public hearing in subcommittee for this amendment. So, if you think that the rules saying committee includes subcommittee then it is okay, if not, it's not. Anyways, there is no particular reason to accept it. It puts a very good bill at risk so I urge you to defeat this motion. Thank you.

Speaker Norelli: The question before the House is the majority committee amendment on SB 129. The Chair recognizes the members from Harts Location, Representative Butler, to speak in support of the amendment.

Rep. Butler: Thank you, Madam Speaker. Honored colleagues, this amendment will appropriate money in the consumer assistance grant for outreach and education as the Affordable Care Act is implemented. The \$5.3 million grant was awarded to New Hampshire by the federal government in April of this year. Though the grant was applied for by the insurance department and awarded, that was only the first step in the process of being able to access and use the money. An application in April to the fiscal committee to use \$340,000 of the grant to begin the outreach process in the current fiscal year was tabled. An attempt to add the \$5 million grant to the current budget bill was rejected in the Senate. As you know, the ACA or Obamacare is that little piece of federal legislation that makes fundamental changes to the way citizens will be able to access healthcare coverage starting in 2014. If implemented successfully, there is the potential of providing coverage to an estimated 74,000 uninsured New Hampshire citizens. That grant money is being offered to accomplish the following: Provide basic outreach and education to all citizens. We need a broad and extensive outreach and public education effort to let people know what changes are about to occur and what opportunities there are to access healthcare coverage come January 2014. In a meeting yesterday, one our Reps said that she had heard a radio ad while traveling in Vermont about the new healthcare law with Vermont specific information and it provided ways in which residents could access more information. Have you heard any radio ads or seen print ads about helping our citizens learn about the ACA and what to expect as we move forward with implementation in New Hampshire? Me neither. This grant provides money to hire people to assist consumers with basic questions about insurance coverage. What it means and how it will function under Obamacare. It will assist people in determining whether they qualify for subsidies for coverage and if so, how much. Consumer assistance will show people the exchanges, those internet portals where people can choose the kinds of policies they want or will refer them to local insurance brokers who can help them complete applications and sign up for coverage. This money is being provided as Representative McGuire said through 2014 only. There will be no further monies available for outreach. You will vote in favor of this amendment if you believe that accessing this grant will allow our insurance department to implement an outreach and education program for our citizens who need to know that the Affordable Care Act is indeed being implemented. The federal government has a lot on its hands. We need to create and provide New Hampshire specific information. We know about our populations. We have the non-profit organizations, the hospitals, the community health

centers who know their populations and can do the outreach. The federal government does not. Many, I dare say, most New Hampshire residents are unaware of the many changes coming soon in healthcare coverage. A survey of nearly 200 New Hampshire families with children with special healthcare needs by New Hampshire Family Voices found that just 18% of those families were aware of the pending changes and their ability to access healthcare coverage. A recent national survey found that half of the respondents, more than half of those who were uninsured, do not understand how they might be impacted by the law. You will vote in favor of this amendment if you think that it is high time for us to get off the dime and start helping our citizens learn about Obamacare and how it will affect them and what benefits it offers and what the cost of coverage will be. On October 1st we are to begin offering coverage under this new system. The intent of beginning in October for policies that will take effect in January is to make it possible to reach as many people as we can and for people to take the time necessary to learn about their choices before the first of the year. We do not have the processes in place for this outreach and education to occur. This grant money will help to implement programs and to hire the people necessary to do the outreach and to make it possible to carry out needed public relations programs. The insurance department has plans in place and is ready to begin to do the work necessary as soon as the grant monies are approved for expenditure. So what's the hold up? Over the past couple of months, work has been done to understand the concerns of those who are reluctant to accept this grant. Input from the insurance broker and procedure community has been invited to understand their concerns and learn how they can help, not only to get the word out, but also to understand how to use the outreach effort to refer potential new business to them. There is a concern that such a large sum of money is not needed to help people learn about the new healthcare law and its consequences for our constituents. Frankly, I'm sure every penny of this money could be put to good and effective use to do the work needed; however, we have a legislative oversight committee that was established by our legislature as Obamacare came into being. It is charged with overseeing the implementation of the ACA in our state. It has three House members and 3 Senators and currently reflects the majority of both bodies. The oversight committee has been meeting regularly and is working with the insurance department to iron out differences in order to move forward with this critically needed work. The insurance department has said repeatedly that it is ready, willing and able to provide the necessary information so that the oversight committee can ensure the legislature that the money will be spent wisely, efficiently and effectively. That committee meets again next Tuesday. But, for this effort to move forward, we must have a way to accept the expenditure of the consumer assistance grant and this amendment will allow us to just do that. Regardless of what you think of the law, we should be able to agree that all New Hampshire residents deserve to be informed about the changes coming that will impact us all. Relative to the issue of germaneness, Representative McGuire again spoke to that. There was indeed a public hearing and if you believe that the public hearing that was held creates that germane amendment, then the committee does believe that. And, even though we have the underlying bill, I understand that we will not jeopardize that bill by passing that amendment because that bill has already being attached to another House bill in the Senate. I ask you to support this amendment. Make it possible for us to move forward this important work. I hope you will join me in supporting this amendment.

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

Rep. Ulery: Thank you, Madam Speaker. Thank you for taking my question. I'm a little confused. I've heard press reports that there is exactly one provider that's going to be providing services under the ACA. So, in effect, we are taking tax payer dollars to advertise for one company in the state. Correct?

Rep. Butler: Almost. Right now.

Rep. Ulery: Thank you.

Rep. Butler: Let me answer a little more completely. Right now, even though we may not, depending on what happens with the market rules bill, have the ability to oversee insurance products through our state, a bulletin has gone out and applications are in the process of coming through. Right now, as far as we know, Anthem is the only insurance provider who is going to provide products through the exchange. People will be able to access tax credits and subsidies for policies through the exchange; however, Harvard Pilgrim and MVP and possibly others may still be able to provide affordable care policies but without offering the subsidies associated. So, our small groups, our individual policies may in fact be accessed outside of the exchange if subsidies are not a part of it or even without the subsidies, people may choose to buy some of those Anthem policies through the exchange. It's still possible that another provider may come in and want to participate through the exchange in this first year, but this does not mean that there won't be more companies in the exchange in coming years and it also doesn't mean that there might not be a multi-state policy still coming through.

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

Rep. Ulery: I'm still not quite sure. There is one provider that is signed up. There is maybe possibly, somewhere, maybe something else that might possibly take place. So, in effect, if this amendment attached to a good bill gets approved, we'll be spending \$5 and change million to advertise for essentially one company.

Rep. Butler: No. Even though Anthem will be providing policies through the exchange, those policies consistent with the Affordable Care Act will be outside of those policies as well and even if it was only one provider

providing services or providing policies throughout the state, there are still those 74,000 uninsured people who need to know what's going on, what's available, what's accessible, how do I get it, why do I want it, and what's it going to cost. That's going to take person power and outreach that we currently don't have.

Rep. Ulery: Thank you.

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

Rep. Hammon: Thank you very much for taking my question, Representative. Would you believe that every 6 weeks when I go to get my haircut, my hairdresser who is 50 something and uninsured asks me, when am I going to hear about this? I need insurance and the exchange is my only hope. When can I find out? I keep telling her; soon, soon, we'll get there. Will we?

Rep. Butler: If this consumer assistance grant is accepted and accessible we will be able to get that information to her the sooner the better.

Rep. Hammon: Thank you very much.

Speaker Norelli: The question before the House is the majority committee amendment on SB 129. A division has been requested. Representative Rosenwald has requested a roll call and it is sufficiently seconded. This will be a roll call vote. Will members please take their seats? Members should be in their seats. The question before the House is the majority committee amendment on SB 129. This is a roll call vote. If you are in favor, you will press the green button. If you are opposed, you will press the red button. The Chair recognizes Representative Kurk for a parliamentary inquiry.

Rep. Kurk: Thank you, Madam Speaker. Madam Speaker, if I know that the Senate has already twice rejected this proposal and Madam Speaker, if I know that the Affordable Care Act, also known as Obamacare, is a federal program that under its requirements forces folks to purchase insurance, health insurance, through the exchanges and that federal program should be explained by the federal government to its participants and not by the state government. And, finally Madam Speaker, if I know that if the state should reject this grant, the federal government will simply take the money and provide, as it should, the required education on its own, would I now support or oppose the majority view and press the red button. Thank you.

Speaker Norelli: The question before the House is the majority committee amendment on SB 129. This is a roll call vote. If you are in favor, you'll press the green button. If you are opposed, you'll press the red button. The Chair recognizes Representative Rosenwald for a parliamentary inquiry.

Rep. Rosenwald: Thank you, Madam Speaker. If I know this grant will help consumers access tax credits to help them access private insurance and if I know this grant will help the insurance department fulfill its traditional role of regulating the insurance market and finally, Madam Speaker, if I know this grant will help insurance agents and brokers by sending them high quality business prospects, would I now press the green button? Thank you.

Speaker Norelli: The question before the House is the majority committee amendment on SB 129. This is a roll call vote. If you are in favor, you will press the green button. If you are opposed, you'll press the red button. Voting stations are open for 30 seconds. Have all members voted who were here when the question was put? The House will be attentive to the state of the vote. 175 having voted in the affirmative and 137 in the negative, the majority committee amendment is adopted. The Chair recognizes the member from Rindge, Representative Hunt to offer a floor amendment.

Rep. Hunt: Thank you, Madam Speaker. You might have noticed that I was quiet on the last debate because I hope you will support this next amendment. This next amendment just repeats what you just passed, but it adds one other little caveat which is current law as long as we all believe it is current law. That is, that these funds cannot be expended until the oversight committee says they can. We all believe this is the law, we just thought it would be a good idea to reinforce that just in case somebody has some other ideas like maybe try to run this through a different department, or do something creative. We just want to reaffirm that the oversight committee is committed to working this issue out and we'll spend the money appropriately. I hope you will support this amendment. Thank you.

Speaker Norelli: That was, the motion, to adopt floor amendment (1967h) which is in House Record 42 on page 1454.

Rep. Hunt: So moved.

Speaker Norelli: The question before the House is floor amendment (1967h) on SB 129. The Chair recognizes the member from Laconia, Representative Huot to speak in opposition to the floor amendment.

Rep. Huot: Madam Chairman, the amendment is relatively simple. It does one thing and one thing only. It requires that before any money is spent by this grant, that the expenditure be approved by the oversight committee. The oversight committee was created under Section 420 of the Act so that the oversight committee is required to approve any of the procedures, any of the plans that come to pass under the Affordable Care Act. Now, the problem here is that all of this is agenda driven. There are 3 members of the Senate and 3 members of the House on the oversight committee. Senate members are 2 Republicans and 1 Democrat. The House members are 2 Democrats and 1 Republican and it doesn't take too much to figure out how this might go if thing were put to a vote. The other thing is that we've talked with the insurance department and

the insurance department believes that this particular amendment is a little confusing because the amendment says that this doesn't apply to transfers among appropriations and it doesn't apply to acceptance of grants. Well, the grant has been awarded. The issue here is whether we are going to implement the grant. The oversight committee has responsibility for taking action with regard to implementing the grant. The insurance department has the responsibility for regulating the insurance industry and to make sure that consumers understand what exactly is available under this plan. It doesn't matter how many insurance companies participate in the plan. It matters that this has never happened before. October 1st or August 1st or whenever the first steps are taken. This has never happened. People out there, as you have heard before, have no idea what is going on and it's up to us to explain to people what's going on in ways that implement the plan according to New Hampshire principles. So I urge you to vote down this amendment and to pass the underlying motion. Thank you.

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

Rep. Kurk: Thank you, Madam Speaker. Apparently there is a road-jam here to ask questions. I appreciate the member taking this question. Is it in fact the case, is it not in fact the case that this amendment simply says that before any money from this \$5.3 million grant is expended, spent, that the oversight committee has to approve that expenditure? And, if your answer to that is, that's what the amendment says but it's unnecessary because it's already in the statute, I'd appreciate that. If your answer is something else, I'd appreciate an explanation.

Rep. Huot: That is exactly what the amendment does. The reason it is unclear, what happens is that because what you see in the bill isn't an appropriation that was passed by the Legislature. This is what was in the application for the grant. What the feds used to determine whether they were going to award the grant. It's unclear whether this amendment is going to require that the oversight committee approve each and every expenditure. If it is, I can practically guarantee you that no expenditures are going to be made. Thus, the whole grant will fail and we don't want the grant to fail.

Rep. Kurk: Follow up, Madam Speaker?

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

Rep. Kurk: Is it....thank you, I appreciate that, Representative. Is it not the fact that current law allows, indeed requires expenditure approval by the oversight committee?

Rep. Huot: Based on the.....

Rep. Kurk: Yes or no would be nice.

Rep. Huot: I don't know.

Rep. Kurk: Thank you.

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

Rep. Hunt: I think I may have just got my answer, but I guess...thank you, Madam Speaker, and thank you for taking my question, but the specific question is can the department of insurance spend \$3,000 on consultants? Excuse me, \$3 million on consultants or/and another \$2 million for contracts for program services without approval from the oversight committee?

Rep. Huot: The commission is required to approve all of the consumer assistance grant and that means the overall plan including what it is going to be spent on. The grant requires that all of the money be spent in accordance with the plan. The plan has to be approved by the insurance department, excuse me, by the oversight commission. The time is getting really close so I'm not going to take anymore questions.

Speaker Norelli: The question before the House is majority committee report of Ought to Pass as Amended on SB 129. Representative Rosenwald requests a roll call. Is that sufficiently seconded? It is sufficiently seconded. This will be a roll call vote. Will members please take their seats? The question before the House is the Hunt floor amendment on SB 129. This is a roll call vote. If you are in favor, you'll press the green button. If you are opposed, you'll press the red button. The Chair recognizes Representative Kurk for a parliamentary inquiry.

Rep. Kurk: Thank you, Madam Speaker. Madam Speaker, if I know a waffle when I hear one and if I know that this amendment is designed to make sure that legislative oversight of expenditures prevails, would I now support the amendment by pressing the green budget, button, to assert legislative authority over expenditures.

Speaker Norelli: The question before the House is the Hunt floor amendment on SB 129. This is a roll call vote. If you are in favor, you'll press the green button. If you are opposed, you'll press the red button. The Chair recognizes Representative Rosenwald for a parliamentary inquiry.

Rep. Rosenwald: Thank you, Madam Speaker. If I know that RSA 420-N clearly gives the Joint Health Care Reform Oversight Committee the authority to enforce policy, rules and standards of the Affordable Care Act. And, if I know this floor amendment is unnecessary and potentially confusing, would I now press the red button to vote no. Thank you.

Speaker Norelli: The question before the House is the Hunt floor amendment on SB 129. This is a roll call vote. If you are in favor, you'll press the green button. If you are opposed, you'll press the red button. Voting stations are open for 30 seconds. Have all members voted who were here when the question was put? The

House will be attentive to the state of the vote. 140 having voted in the affirmative and 170 in the negative, the floor amendment fails. I would just ask members if the seat next to you is empty, would you make sure the key is off. It will be easier for us to ascertain that everyone that's in the room has voted. Thank you. The question before the House is the majority committee.....The question before the House is the majority committee report of Ought to Pass as Amended on SB 129. Are you ready for the question? Representative William O'Brien requests a roll call. Is that sufficiently seconded? It is sufficiently seconded. This will be a roll call vote. Will members please take their seats? Members should be in their seats. The question before the House is the majority committee report of Ought to Pass as Amended on SB 129. This is a roll call vote. If you are in favor, you'll press the green button. If you are opposed, you'll press the red button. The Chair recognizes Representative Hunt for a parliamentary inquiry.

Rep. Hunt: Thank you, Madam Speaker. Madam Speaker, if I know that the oversight committee is intimately aware of this money and I further know that the oversight committee is ready and willing to spend the money, but I further know that the oversight committee restraint is because there is nothing to spend it on yet. There is no product yet. There is nothing yet and if I know that oversight committee is waiting until we really do know what we want to spend the money on and then ready to spend it, would I now vote no on the pending motion and trust that the oversight committee will do the job it is supposed to do.

Speaker Norelli: The question before the House is the majority committee report of Ought to Pass as Amended on SB 129. This is a roll call vote. If you are in favor, you'll press the green button. If you are opposed, you'll press the red button. The Chair recognizes Representative Shurtleff for a parliamentary inquiry.

Rep. Shurtleff: Thank you, Madam Speaker. Madam Speaker, if I know that this bill will ensure that the children going to the John Sununu Center in Manchester are only those children that will be a danger to themselves and to their communities. And, Madam Speaker, if I know that this bill as amended will provide information to New Hampshire consumers on obtaining tax credits so they can acquire health insurance. And, Madam Speaker, if I know that this bill provides grant money to the New Hampshire Department of Insurance so that they can set up health information and outreach programs for our New Hampshire citizens, would I now press the green button to pass this bill as amended? Thank you, Madam Speaker.

Speaker Norelli: The question before the House is the majority committee report of Ought to Pass as Amended on SB 129. This is a roll call vote. If you are in favor, you'll press the green button. If you are opposed, you'll press the red button. Voting stations are open for 30 seconds. Have all members voted who were here when the question was put? The House will be attentive to the state of the vote. 179 having voted in the affirmative and 132 in the negative, the majority committee report is adopted. The Chair recognizes the member from Rindge, Representative Hunt for a motion.

Rep. Hunt: Thank you, Madam Speaker. I would move that the previous debate be put in permanent record, please. Thank you.

REGULAR CALENDAR (CONT'D)

SB 146-FN-L, relative to aid to the permanently and totally disabled and old age assistance. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. James E. Coffey for the Majority of Municipal and County Government: This bill amends RSA 167:27, which forbids any person presently receiving old age assistance or aid to the totally and permanently disabled under this chapter, or RSA 161, from receiving at the same time any other relief from the state, or from any political subdivision thereof, except for medical and surgical assistance, by allowing the governing body to provide assistance as part of their welfare guidelines. This was portrayed by the bill's advocates as allowing local option, but local option usually means the legislative body, not a majority of the selectmen who could alter the guidelines based on who was applying or change the rules annually as the selectmen come and go. Adoption of this bill would result in substantially different standards among the towns and cities which might lead some clients to choose to locate in those communities providing additional services. This bill was opposed by the New Hampshire welfare officer's association for that reason. During the committee discussion an amendment was considered that would simply remove the restriction but the majority of the committee believed that this would have resulted in an unfunded mandate because under RSA 165:1 all towns and cities would then have to provide additional assistance. If there is a need to increase the cash benefits for the recipients it should be part of a need based budgetary request from the department of health and human services, and be included in the state's budget. Vote 9-6.

Rep. James Verschueren for the Minority of Municipal and County Government: RSA 165:1 states, "Whenever a person in any town is poor and unable to support himself, he shall be relieved and maintained by the overseers of public welfare of such town..." However, RSA 165:27 bars municipalities from providing aid to an individual who receives old age assistance (OAA) or aid to the permanently and totally disabled (APTD). This bill would enable but not require municipalities to choose to provide assistance under RSA 165 to a person who is also receiving OAA or APTD if the individual meets the guidelines adopted by the governing body. The result of current law is that individuals who fully qualify for assistance from their municipalities may not receive it. If they do, they forfeit the APTD or OAA support. The prohibition is thus in direct conflict

with the intention of RSA 165:1 which requires municipalities to provide support to qualifying individuals. This bill begins to address this conflict in the law by allowing the governing body to choose not to accept the prohibition. The minority of the committee believes that the prohibition ought to be removed from the statute altogether, asserting that there is no justification for denying aid to an individual who is unable to support himself solely because s/he is receiving another particular type of aid. This bill takes a first step to rectify the wrong of the current RSA 165:27.

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

Rep. Verschueren spoke against Rep. James Belanger spoke against and yielded to questions.

MOTION TO LAY ON THE TABLE

Rep. Vaillancourt moved that **SB 146-FN-L**, relative to aid to the permanently and totally disabled and old age assistance, be laid on the table.

On a division vote, 124 members having voted in the affirmative and 159 in the negative, the motion failed.

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

Rep. Syndi White spoke against.

Rep. Coffey spoke in favor and yielded to questions.

Rep. Irwin requested a roll call; sufficiently seconded.

YEAS 126 NAYS 163

YEAS 126

BELKNAP

Burchell, Richard
Raymond, Ian

Fields, Dennis
Sylvia, Michael

Fink, Charles
Vadney, Herbert

Flanders, Donald
Worsman, Colette

CARROLL

Buco, Thomas
Morrow, Harry

Chandler, Gene
Umberger, Karen

Cordelli, Glenn

McConkey, Mark

CHESHIRE

Chase, Cynthia
Tatro, Bruce

Hunt, John

Johnson, Jane

Roberts, Kris

COOS

Hammon, Marcia

Rappaport, Laurence

Richardson, Herbert

Theberge, Robert

GRAFTON

Bradley, Lester
Lauer, Linda

Brown, Rebecca
Piper, Wendy

Ford, Susan
Reilly, Harold Sr

Ladd, Rick Jr
Townsend, Charles

HILLSBOROUGH

Boehm, Ralph
Culbert, Patrick
Gagne, Larry
Graham, John
Kelley, John
Long, Patrick
Meaney, Richard
Palmer, Stephen
Rowe, Robert
Vail, Suzanne
Winters, Joel

Burt, John
Daniels, Gary
Gale, Sylvia
Hikel, John
Kopka, Angeline
McCarthy, Michael
Nelson, Mary
Parison, James
Sanborn, Laurie
Vaillancourt, Steve

Coffey, James
Danielson, David
Garcia, Michael
Infantine, William
Kurk, Neal
McCloskey, David
Notter, Jeanine
Pellegrino, Tony
Sandblade, Emily
Villeneuve, Moe

Connor, Evelyn
Eaton, Richard
Gorman, Mary
Jasper, Shawn
LeBrun, Donald
McNamara, Richard
O'Brien, William
Pratt, Calvin
Straight, Philip
Warden, Mark

MERRIMACK

Bartlett, Christy
Lockwood, Priscilla
Schamberg, Thomas

Ebel, Karen
McGuire, Carol

Frambach, Mary
McGuire, Dan

Hoell, J.R.
Myler, Mel

ROCKINGHAM

Abrami, Patrick
Birdsell, Regina
Duarte, Joe
Hodgdon, Bruce
Khan, Aboul
Peckham, Michele
Schroadter, Adam
Sytek, John
Weyler, Kenneth

Allen, Mary
Copeland, Timothy
Griffin, Mary
Hoelzel, Kathleen
Major, Norman
Priestley, Anne
Sedensky, John
Tremblay, Stella

Baldasaro, Alfred
Danais, Romeo
Hagan, Joseph
Introne, Robert
Packard, Sherman
Rice, Frederick
St.James, Kevin
Tucker, Pamela

Bick, Patrick
DeSimone, Debra
Heffron, Frank
Kappler, Lawrence
Pantelakos, Laura
Scarlottio, Joe
Sweeney, Joe
Webb, James Sr

STRAFFORDGroen, Warren
Pelletier, MarshaJones, Laura
Pitre, JosephMalloy, Dennis
Rogers, Rose MarieMullen, John Jr
Rollo, Deanna**SULLIVAN**

Cloutier, John

Grenier, James

Smith, Steven

Sweeney, Cynthia

NAYS 163**BELKNAP**DiMartino, Lisa
Huot, DavidGreemore, Robert Jr
Tilton, Franklin

Gulick, Ruth

Holmes, Stephen

CARROLLAhlgren, Christopher
Schmidt, StephenButler, Edward
Ticehurst, SusanCrawford, Karel
White, SyndiNelson, Bill
Wright, Donald**CHESHIRE**Ames, Richard
Johnsen, Gladys
Weber, LucyBerch, Paul
Ley, Douglas
Weed, CharlesButynski, William
Parkhurst, HenryEmerson, Susan
Sad, Tara**COOS**

Coulombe, Gary

Enman, Larry

Hatch, William

Moynihan, Wayne

GRAFTONAlmy, Susan
Friedrich, Carol
Mulholland, CatherineBenn, Bernard
Harding, Laurie
Nordgren, SharonCooney, Mary
Lovett, Sid
Pastor, BeatrizDoolan, Ralph Jr
Massimilla, Linda
Sykes, George**HILLSBOROUGH**Backus, Robert
Byron, Frank
Christiansen, Lars
Gargas, Carolyn
Hammond, Jill
Jack, Martin
Leishman, Peter
MacKay, Mariellen
O'Brien, Michael Sr
Shattuck, Gilman
Takesian, Charlene
Woodbury, DavidBarry, Richard
Campbell, David
Cote, David
Grady, Brenda
Hansberry, Daniel
Judy, Jean
Levasseur, Nickolas
Manley, Jonathan Sr
Porter, Marjorie
Shaw, Barbara
Walsh, Robert JrBeaulieu, Jane
Carroll, Douglas
DiSilvestro, Linda
Hackel, Paul
Harriott-Gathright, Linda
Knowles, Mary Ann
LeVasseur, Richard
Martel, Andre
Rosenwald, Cindy
Spratt, Stephen
Willette, RobertBelanger, James
Chandlee, Shannon
Gage, Ruth
Haefner, Robert
Heden, Ruth
Lambert, George
Levesque, Melanie
Murotake, David
Schmidt, Janice
Sullivan, Peter
Williams, Kermit**MERRIMACK**Alicia, Caroletta
Davis, Frank
Hunt, Jane
Ratzki, Mario
Schuett, Dianne
Walz, Mary BethBouchard, Candace
French, Barbara
Karrick, David Jr
Rice, Chip
Shurtleff, Stephen
Webb, LeighBurns, Scott
Gile, Mary
MacKay, James
Richardson, Gary
Tilton, JoyCarson, Clyde
Hirsch, Geoffrey
Moffett, Howard
Rogers, Katherine
Wallner, Mary Jane**ROCKINGHAM**Borden, David
Cali-Pitts, Jacqueline
Dumaine, Dudley
Harris, Jeffrey
Mann, Maureen
Nigrello, Robert
Till, MaryBriden, Steven
Chirichiello, Brian
Emerick, J. Tracy
Itse, Daniel
Milz, David
O'Connor, John
Ward, GeraldBurtis, Elizabeth
Comerford, Timothy
Emerson-Brown, Rebecca
Kolodziej, Walter
Moody, Marcia
Schlachman, Donna
Waterhouse, KevinCahill, Michael
Cushing, Robert Jr
Flockhart, Eileen
Lovejoy, Patricia
Muns, Chris
Sherman, Thomas
Whittemore, Lisa**STRAFFORD**Baber, William
Bixby, Peter
Ginsburg, Philip
Horriga, Timothy
Perry, Robert
Stevens, AudreyBeaudoin, Steven
Burdwood, Greg
Grassie, Anne
Hubbard, Pamela
Schmidt, Peter
Verschuere, JamesBerube, Roger
Burke, Rachel
Gray, James
Kaen, Naida
Smith, Marjorie
Wall, JanetBickford, David
Gardner, Janice
Grossman, Kenneth
Ketel, Stephen
Spang, Judith**SULLIVAN**Gagnon, Raymond
Tanner, Linda

Gottling, Suzanne

Irwin, Virginia

Schmidt, Andrew

and the majority committee report failed.

Rep. James Belanger moved the minority committee report of Ought to Pass.

Rep. Kris Roberts spoke against.

Rep. Burt requested a roll call; sufficiently seconded.

YEAS 190 NAYS 100

YEAS 190

BELKNAP

DiMartino, Lisa
Holmes, Stephen

Fields, Dennis
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CARROLL

Ahlgren, Christopher
Nelson, Bill
Wright, Donald

Butler, Edward
Schmidt, Stephen

Crawford, Karel
Ticehurst, Susan

Morrow, Harry
White, Syndi

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Ames, Richard
Emerson, Susan
Parkhurst, Henry

Berch, Paul
Hunt, John
Sad, Tara

Butynski, William
Johnsen, Gladys
Weber, Lucy

Chase, Cynthia
Ley, Douglas
Weed, Charles

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Moynihan, Wayne

Enman, Larry
Theberge, Robert

Hammon, Marcia

Hatch, William

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Sykes, George

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Walsh, Robert Jr
Woodbury, David

Beaulieu, Jane
Carroll, Douglas
Cote, David
Gargas, Carolyn
Hammond, Jill
Jack, Martin
Lambert, George
Levesque, Melanie
Martel, Andre
Nelson, Mary
Rowe, Robert
Spratt, Stephen
Willette, Robert

Belanger, James
Chandle, Shannon
DiSilvestro, Linda
Grady, Brenda
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Schmidt, Janice
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Gottling, Suzanne

Irwin, Virginia

Schmidt, Andrew

NAYS 100

BELKNAP

Burchell, Richard
Sylvia, Michael

Fink, Charles
Vadney, Herbert

Flanders, Donald
Worsman, Colette

Raymond, Ian

CARROLL

Buco, Thomas
Umberger, Karen

Chandler, Gene

Cordelli, Glenn

McConkey, Mark

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Tatro, Bruce

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Rappaport, Laurence

Richardson, Herbert

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Hodgdon, Bruce
Major, Norman
Rice, Frederick
St.James, Kevin
Tucker, Pamela

Baldasaro, Alfred
Dana, Romeo
Hoelzel, Kathleen
Mann, Maureen
Scarlott, Joe
Sweeney, Joe
Webb, James Sr

Bick, Patrick
Duarte, Joe
Introne, Robert
Pantelakos, Laura
Schroadter, Adam
Sytek, John
Weyler, Kenneth

STRAFFORD

Gray, James
Rogers, Rose Marie

Groen, Warren

Jones, Laura

Mullen, John Jr

SULLIVAN

Cloutier, John

Grenier, James

Smith, Steven

Sweeney, Cynthia

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

SB 123-FN-L, relative to the use of proceeds from the regional greenhouse gas initiative program. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Beatriz Pastor for Science, Technology and Energy: Current statute mandates that all monies remaining in the RGGI fund, after all amounts in excess of \$1 for the sale of allowances have been rebated to ratepayers, be allocated by the commission to the electrical utilities for core energy efficiency programs — which are approved by the commission and funded by the system benefit charge. SB 123, as amended, makes two changes to the current distribution of funds. First, it requires that the commission allocate at least 15% of these RGGI funds to the low-income energy efficiency program. Second, it requires that, after January 1, 2014 the core utilities dedicate up to \$ 2,000,000 of these funds for municipal and local

government energy efficiency projects. The purpose of this distribution adjustment is to encourage and support municipalities in the development of energy efficiency projects within their own communities. Vote 15-3.

Amendment (1860h)

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

1 Energy Efficiency Fund and Use of Auction Proceeds. RSA 125-O:23, II-III are repealed and reenacted to read as follows:

II. All amounts in excess of the threshold price of \$1 for any allowance sale shall be rebated to all retail electric ratepayers in the state on a per-kilowatt-hour basis, in a timely manner to be determined by the commission.

III. All remaining proceeds received by the state from the sale of allowances shall be allocated by the commission as an additional source of funding to electric distribution companies for core energy efficiency programs which are approved by the commission and funded by SBC funds. Beginning January 1, 2014, the core utilities shall dedicate up to \$2,000,000 of these remaining RGGI proceeds annually for municipal and local government energy efficiency projects, including projects by local governments that have their own municipal utilities. Funding elements shall include, but not be limited to, funding for direct technical and project management assistance to identify and encourage comprehensive projects and incentives structured to assist municipal and local governments funding energy efficiency projects. In calendar years 2014, 2015, and 2016, any unused funds allocated to municipal and local government projects under this paragraph remaining at the end of the year shall roll over and be added to the new calendar year program funds and continue to be made available exclusively for municipal and local government projects. Beginning in calendar year 2017, and all subsequent years, funds allocated to municipal and local government projects under this paragraph shall be offered first to municipal and local governments as described in this paragraph for no less than 4 full calendar months. If, at the end of this time, municipal and local governments have not submitted requests for eligible projects that will expend the funds allocated to municipal and local government projects under this paragraph within that program year, the funds shall be offered on a first-come, first-serve basis to business and municipal customers who fund the systems benefit charge.

2 Energy Efficiency Fund and Use of Auction Proceeds. RSA 125-O:23, II-III are repealed and reenacted to read as follows:

II. All amounts in excess of the threshold price of \$1 for any allowance sale shall be rebated to all retail electric ratepayers in the state on a per-kilowatt-hour basis, in a timely manner to be determined by the commission.

III. All remaining proceeds received by the state from the sale of allowances shall be allocated by the commission as an additional source of funding to electric distribution companies for core energy efficiency programs which are approved by the commission and funded by SBC funds. In allocating the proceeds, the commission shall first allocate at least 15 percent of the amount of the proceeds to the low-income core energy efficiency program. Beginning January 1, 2014, the core utilities shall dedicate up to \$2,000,000 of these remaining RGGI proceeds annually for municipal and local government energy efficiency projects, including projects by local governments that have their own municipal utilities. Funding elements shall include, but not be limited to, funding for direct technical and project management assistance to identify and encourage comprehensive projects and incentives structured to assist municipal and local governments funding energy efficiency projects. In calendar years 2014, 2015, and 2016, any unused funds allocated to municipal and local government projects under this paragraph remaining at the end of the year shall roll over and be added to the new calendar year program funds and continue to be made available exclusively for municipal and local government projects. Beginning in calendar year 2017, and all subsequent years, funds allocated to municipal and local government projects under this paragraph shall be offered first to municipal and local governments as described in this paragraph for no less than 4 full calendar months. If, at the end of this time, municipal and local governments have not submitted requests for eligible projects that will expend the funds allocated to municipal and local government projects under this paragraph within that program year, the funds shall be offered on a first-come, first-serve basis to business and municipal customers who fund the systems benefit charge.

3 Contingency. If HB 630-FN of the 2013 regular legislative session becomes law, section 2 of this act shall take effect January 1, 2014 at 12:01 a.m. and section 1 of this act shall take not take effect. If HB 630-FN does not become law, section 1 of this act shall take effect January 1, 2014 and section 2 of this act shall not take effect.

4 Effective Date.

I. Sections 1 and 2 of this act shall take effect as provided in section 3 of this act.

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

AMENDED ANALYSIS

This bill allocates certain proceeds from the regional greenhouse gas initiative (RGGI) program to municipal and local government energy efficiency projects. This bill also permits return of unused allowance sale proceeds to business and municipal customers who fund the systems benefit charge.

Amendment adopted.

Committee report adopted and ordered to third reading.

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

SB 148-FN, relative to electric renewable portfolio standards. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Nickolas J. Levasseur for Science, Technology and Energy: This bill corrects a problem that arose under the existing law that resulted in higher than expected payments into the renewable energy fund. To reduce the amount of these payments in the future, the near term renewable energy goals for Class III renewable generators have been lowered to more accurately reflect expected supply. The bill also provides short term support for the continuation of the jobs and significant economic benefits to the state from its existing biomass plants, but does so at an overall cost savings to ratepayers. The bill encourages the development of new renewable energy generators (thermal energy) with amendments to existing law which clarify the eligibility of thermal energy generators that sell steam used for heating. Finally, the bill establishes a study committee to review various aspects of NH's RPS law and program to make sure it is meeting its goals. Vote 16-1.

Amendment (1730h)

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

1 Minimum Electric Renewable Portfolio Standards. Amend RSA 362-F:3 to read as follows:

362-F:3 Minimum Electric Renewable Portfolio Standards. For each year specified in the table below, each provider of electricity shall obtain and retire certificates sufficient in number and class type to meet or exceed the following percentages of total megawatt-hours of electricity supplied by the provider to its end-use customers that year, except to the extent that the provider makes payments to the renewable energy fund under RSA 362-F:10, II:

	<u>2008</u>	<u>2009</u>	<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>	<u>2025</u> <i>and thereafter</i>
Class I	0.0%	0.5%	1%	2%	3%	~~[4%]~~ 3.8%	5%	6%	15% (*)
Class II	0.0%	0.0%	0.04%	0.08%	0.15%	0.2%	0.3%	0.3%	0.3%
Class III	3.5%	4.5%	5.5%	6.5%	~~[6.5]~~ 1.4%	~~[6.5%]~~ 1.5%	~~[7.0%]~~ 3.0%	8.0%	8.0%
Class IV	0.5%	1%	1%	1%	1%	1.3%	1.4%	1.5%	1.5%

*Class I increases an additional 0.9 percent per year from 2015 through 2025. A set percentage of the class I totals shall be satisfied annually by the acquisition of renewable energy certificates from qualifying renewable energy technologies producing useful thermal energy as defined in RSA 362-F:2, XV-a. The set percentage shall be ~~[0.2 percent in 2013;]~~ 0.4 percent in 2014, **0.6 percent in 2015, 1.3 percent in 2016**, and increased annually by ~~[0.2]~~ **0.1** percent per year from ~~[2015 through 2025]~~ **2017 through 2023, after which it shall remain unchanged.** Classes II-IV remain at the same percentages from 2015 through 2025 except as provided in RSA 362-F:4, V-VI.

2 Electric Renewable Energy Classes; Class 1 (New). Amend RSA 362-F:4, I(1) to read as follows:

(1) Biomass renewable energy technologies producing useful thermal energy that began operation after January 1, 2013 provided that:

(1) If the unit is a biomass unit rated between 3 and 30 Mmbtu/hr design gross heat input, ~~[and has]~~ **it shall have** an average particulate emission rate of less than or equal to 0.10 lbs/Mmbtu as measured and verified by conducting and reporting the results of a one-time initial stack test in accordance with methods approved by the department;

(2) If the unit is a biomass unit rated equal to or greater than 30 Mmbtu/hr design gross heat input, ~~[and has]~~ **it shall have** an average particulate emission rate of less than or equal to 0.02 lbs/Mmbtu as measured and verified under RSA 362-F:12;

(3) If the unit is a biomass unit rated less than 100 Mmbtu/hr design gross heat input, ~~[and it implements]~~ best management practices as determined by the department **shall be implemented**; and

(4) If the unit is a biomass unit rated equal to or greater than 100 Mmbtu/hr design gross heat input, ~~[and it has]~~ **it shall have** a quarterly average NOx emission rate of less than or equal to 0.075 Mmbtu/hr as measured and verified under RSA 362-F:12[-]; **and**

(5) If the unit is an upgrade or replacement to an existing source of thermal energy that used biomass as its primary fuel source in its normal operation prior to January 1, 2013, then the unit shall be a combined heat and power unit that provides district heating, and at least 80 percent of the resulting tax basis of the unit's plant and equipment, but not its property and intangible assets, shall be derived from capital investments directly related to the upgrade or replacement and made on or after January 1, 2013.

3 Renewable Energy Fund; Rates RSA 362-F:10, III is repealed and reenacted to read as follows:

III.(a) Beginning in 2013, the commission shall adjust these rates by January 31 of each year using the Consumer Price Index as published by the Bureau of Labor Statistics of the United States Department of Labor for classes III and IV and 1/2 of such Index for classes I and II.

(b) In lieu of the adjustments under subparagraph (a) for class III in 2015, 2016 and 2017, the class rate in each of those years shall be \$45.

(c) By January 31, 2018 the commission shall compute the 2018 class III rate to equal the rate that would have resulted in 2018 by the application of subparagraph (a) to the 2013 rate and each subsequent year's rate to 2018.

(d) In 2019 and thereafter, the class III rate shall be determined by application of subparagraph (a) to the prior year's rate.

4 Renewable Portfolio Standards Study Committee.

I.(a) There is established a renewable portfolio standards study committee to study:

(1) Whether to alter the class III alternative compliance payment rates for 2018 and any subsequent years;

(2) Whether to alter the Class I, II, and IV alternative compliance payment rate in 2015 and any subsequent years;

(3) The impact that alternative compliance payments in New Hampshire and other New England states have upon the production of renewable energy;

(4) Methods to protect electric customers from increasing energy prices;

(5) The shortfall potential, if any, and reasons for the shortfall potential in the purchase percentage requirements of RSA 362-F:3; and

(6) Whether to create a cap and rebate program for the renewable energy fund to protect electric customers from higher electric rates; and

(7) The impact of renewable portfolio standards in other New England states on New Hampshire.

(b) The members of the committee shall be as follows:

(1) Two members of the senate who are members of the energy and natural resources committee, appointed by the president of the senate.

(2) Three members of the house of representatives who are members of the science, technology and energy committee, appointed by the speaker of the house of representatives.

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

III. The committee shall study:

(a) Whether to alter the class III alternative compliance payment rate for 2018 and any subsequent years, and, if so shall propose any such changes or formula for change;

(b) Whether to alter the Class I, II, and IV alternative compliance payment rates in 2015 and any subsequent years, and, if so shall propose any such changes or formula for change;

(c) The impact that alternative compliance payments in New Hampshire and other New England states have upon the production of renewable energy;

(d) Methods to protect electric customers from increasing energy prices and impacts of the renewable portfolio standard on the competitive market for electricity;

(e) The shortfall potential, if any, and reasons for the shortfall potential in the purchase percentage requirements of RSA 362-F:3, and may propose a mechanism to provide a credit or other after the fact adjustment device against potential alternative compliance payments when the purchase percentage requirement has not been met due to eligible facilities selling into another jurisdiction's renewable portfolio standards market;

(f) Whether to create a cap and rebate program for the renewable energy fund to protect electric customers from higher electric rates;

(g) The impact of renewable portfolio standards in other New England states on New Hampshire;

(h) The impact of any proposed changes to the renewable portfolio standard on pre-existing retail and wholesale supply contracts; and

(i) The need to better coordinate and standardize renewable portfolio standards among the New England states within the ISO-NE.

IV. The committee shall solicit input from any individual or organization with relevant information or expertise.

V. 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 senate member. The first meeting of the committee shall be held within 45 days of the effective date of this section. Four members of the committee shall constitute a quorum.

VI. 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.

5 Effective Date. This act shall take effect upon its passage.
Amendment adopted.

Rep. Butler offered floor amendment (2010h).

Floor Amendment (2010h)

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

AN ACT relative to electric renewable portfolio standards and relative to group and individual health insurance market rules.

Amend the bill by replacing all after section 4 with the following:

5 Definitions. Amend RSA 420-G:2, II-a to read as follows:

II-a. "Composite billing" means a method of calculating premium rates for small employer groups in which each enrolled employee's rate varies only by the enrolled employee's family composition **and the enrolled member's tobacco use. The composite rates would consist of rates that vary by family composition and a rating add-on for each member that uses tobacco.**

6 New Paragraphs; Definitions; Employee. Amend RSA 420-G:2 by inserting after paragraph VI the following new paragraphs:

VI-a. "Employee" means "employee" as described under section 3(6) of the Employee Retirement Income Security Act of 1974, 29 U.S.C., section 1002(6).

VI-b. "Essential health benefits" means the categories of coverage identified in 42 U.S.C. section 18022(b) (1) and as further defined and implemented by the United States Secretary of Health and Human Services from time to time.

7 New Paragraph; Definitions; Grandfathered Health Plans. Amend RSA 420-G:2 by inserting after paragraph VII-a the following new paragraph:

VII-b. "Grandfathered health plan" or "grandfathered coverage" means coverage provided by a group health plan, or a group or individual health insurance issuer, that was initially issued on or before March 23, 2010, in which at least one individual, though not necessarily the same individual, has been enrolled at all times since March 23, 2010, and that meets all other requirements for being considered a grandfathered health plan under 45 C.F.R., section 147.140.

8 Definitions. Amend RSA 420-G:2, XII-a to read as follows:

XII-a. "List billing" means a method of calculating premium rates for small employer groups in which each enrolled employee's rate varies ~~only~~ by the enrolled employee's attained age ~~and~~, the enrolled employee's family composition, **and tobacco use by the enrolled employee and the employee's covered family.**

9 Definitions; Modified Experience Rating. Amend RSA 420-G:2, XIII-a to read as follows:

XIII-a. "Modified experience rating" means a rating methodology to apply only to individual ~~policies~~ **grandfathered health plans** sold in the nongroup market, which modifies community rating to allow for limited consideration of health status, as detailed in RSA 420-G:4, I(a).

10 Definitions Added. Amend RSA 420-G:2, XV-a to read as follows:

XV-a. **"Qualified health plan" means a health plan that meets all requirements for certification set forth under 42 U.S.C. section 18021 and any applicable rules or regulations.**

XV-b. "Rating period" means the time period for which the premium rate charged by a health carrier to an individual or a small employer for a health benefit plan is in effect.

XV-c. **"SHOP exchange" means the Small Business Health Options Program established for New Hampshire under 42 U.S.C. section 13031(b).**

11 Definitions; Small Employer. Amend RSA 420-G:2, XVI(a) to read as follows:

(a) "Small employer" means a business or organization which employed on average, one and up to 50 employees~~[, including owners and self-employed persons,]~~ on business days during the previous calendar year. A small employer is subject to this chapter whether or not it becomes part of an association, multi-employer plan, trust, or any other entity cited in RSA 420-G:3 provided it meets this definition.

12 Definitions. RSA 420-G:2, XVI(a) is repealed and reenacted to read as follows:

(a) "Small employer" means a business or organization which employed on average, one and up to 100 employees on business days during the previous calendar year. A small employer is subject to this chapter whether or not it becomes part of an association, multi-employer plan, trust, or any other entity cited in RSA 420-G:3 provided it meets this definition.

13 Premium Rates. Amend RSA 420-G:4, I to read as follows:

I. Health carriers providing ~~health~~ **grandfathered** coverage to individuals and small employers under this chapter shall be subject to the following:

(a) All premium rates charged shall be guaranteed for a rating period of at least 12 months, and shall not be changed for any reason, including but not limited to a change in the group's case characteristics.

(b) Market rate shall be established by each health carrier for all of its **grandfathered** health ~~coverages~~ **plans** offered to individuals and, separately, for all of its **grandfathered** health ~~coverages~~ **plans** offered to small employers.

(c) Health carriers shall calculate health coverage plan rates for each of the ~~coverages or~~ **grandfathered** health ~~benefit~~ plans written by that carrier. Variations in health coverage plan rates shall be solely

attributable to variations in expected utilization or cost due to differences in coverage design and/or the provider contracts or other provider costs associated with specific coverages and shall not reflect differences due to the nature of the groups or eligible persons assumed to select particular health coverages.

(d) In establishing the premium charged, health carriers providing **grandfathered** coverage to individuals shall calculate a rate that is derived from the health coverage plan rate through the application of rating factors that the carrier chooses to utilize for age, health status, and tobacco use. Such factors may be utilized only in accordance with the following limitations:

(1) The maximum premium differential for age as determined by ratio shall be 4 to 1. The limitation shall not apply for determining rates for an attained age of less than 19.

(2) The maximum differential due to health status shall be 1.5 to 1 and the maximum rate due to tobacco use shall be 1.5 to 1. Rate limitations based on health status do not apply to rate variations based on an insured's status as a tobacco user.

(3) Permissible rating characteristics shall not include changes in health status after issue.

(e) In establishing the premium charged, health carriers offering **grandfathered** coverage to small employers shall calculate premium rates that are derived from the health coverage plan rate by making adjustments to reflect one or more case characteristics. Such adjustments from the health coverage plan rate may be made only in accordance with the following limitations:

(1) In establishing the premium rates, health carriers offering **grandfathered** coverage to small employers may use only age, group size, and industry classification as case characteristics. No consideration shall be given to health status, claim experience, duration of coverage, geographic location, or any other characteristic of the group.

(2) Carriers making adjustments from the health coverage plan rate for age may do so only by using the following age brackets:

0 - 18
19 - 24
25 - 29
30 - 34
35 - 39
40 - 44
45 - 49
50 - 54
55 - 59
60 - 64
65 +

(3) The maximum premium rate differential after adjusting for all case characteristics as determined by ratio shall be 3.5 to 1. This limitation shall not apply for determining premium rates for covered persons whose attained age is less than 19.

(4) In establishing the premium rates, health carriers offering coverage to small employers may make further adjustments based on family composition.

(5) The small employer health carrier shall set premium rates for small employers after consideration of case characteristics of the small employer group as well as family composition. No small employer health carrier shall inquire regarding health status or claims experience of the small employer or its employees or dependents until after the premium rates have been agreed upon by the carrier and the employer.

(6) Carriers may calculate premium rates using either list billing or composite billing. Carriers shall use the same billing method in all succeeding rating periods unless the small employer agrees to allow the carrier to change the methodology.

(7) [Repealed.]

(f) Each rating factor that a carrier chooses to utilize **for grandfathered coverage** in the individual market shall be reflective of claim cost variations that correlate with that factor independently of claim cost variations that correlate with any of the other allowable factors.

(g) The same rating methodology shall apply to ~~[newly covered individuals and to]~~ individuals renewing at each annual renewal date, or to ~~[new small employers and]~~ small employers renewing at each annual renewal date or anniversary date. Rating methodology shall not be construed to include health carrier incentives to individual subscribers or members to participate in wellness and fitness programs provided such incentives are ~~[approved by the insurance department]~~ **consistent with sections 2702 and 2705 of the federal Public Health Act, and any regulations adopted thereunder.**

(h) The commissioner shall not approve any filing if such filing is excessive, inadequate, or contrary to the intent of this chapter.

I-a. Health carriers providing health coverage to individuals and small employers under this chapter, other than grandfathered coverage, shall be subject to the following:

(a) *All premium rates charged shall be guaranteed for a rating period of at least 12 months, and shall not be changed for any reason, including, but not limited to, a change in the group's case characteristics.*

(b) *Market rate shall be established by each health carrier for all of its health coverages offered to individuals and, separately, for all of its health coverages offered to small employers.*

(c) *Health carriers shall calculate health coverage plan rates for each of the coverages or health benefit plans written by that carrier. Variations in health coverage plan rates shall be solely attributable to variations in expected utilization or cost due to differences in coverage design and/or the provider contracts or other provider costs associated with specific coverages and shall not reflect differences due to the nature of the groups or eligible persons assumed to select particular health coverages.*

(d)(1) *In establishing the premium charged, health carriers providing coverage to individuals or small groups shall vary the premium rate with respect to the particular plan or coverage involved only by:*

(A) *Whether the plan or coverage covers an individual or family;*

(B) *Geographic rating area, as established by the commissioner pursuant to RSA 420-G:14, I(a)(1);*

(C) *Age, except that the maximum premium differential for age as determined by ratio shall be 3 to 1 for adults; and*

(D) *Tobacco use, except that the maximum differential rate due to tobacco use shall be 1.5 to 1.*

(2) *With respect to family coverage under an individual or small group health insurance policy, the rating variations permitted under subparagraphs (1)(A) and (D) shall be applied based on the portion of the premium that is attributable to each family member covered under the plan.*

(3) *Carriers must adjust each health coverage plan or premium rate for age, based on the portion of the premium that is attributable to each family member covered under the plan or certificate, using the uniform age rating factors established by the commissioner pursuant to RSA 420-G:14, I(a)(2).*

(e) *Each rating factor that a carrier uses shall be reflective of claim cost variations that correlate with that factor independently of claim cost variations that correlate with any of the other allowable factors.*

(f) *For small employers, carriers shall calculate premium rates for employee and dependent coverage on a list bill basis and shall provide the employer with a billing statement that shows premiums on both a list bill and a composite bill basis.*

(g) *The same rating methodology shall apply to newly covered individuals and to individuals renewing at each annual renewal date, or to new small employers and small employers renewing at each annual renewal date or anniversary date. Rating methodology shall not be construed to include health carrier incentives to individual subscribers or members to participate in wellness and fitness programs provided such incentives are consistent with sections 2702 and 2705 of the federal Public Health Act, and any regulations adopted thereunder.*

(h) *The commissioner shall not approve any filing if such filing is excessive, inadequate, or contrary to the intent of this chapter.*

14 New Section; Coverage of Essential Health Benefits. Amend RSA 420-G by inserting after section 4-c the following new section:

420-G:4-d Coverage of Essential Health Benefits. All health coverage offered by health carriers to individuals or small employers shall include coverage for the essential health benefits. This section shall not apply to grandfathered health coverage.

15 Medical Underwriting. Amend RSA 420-G:5, I and II to read as follows:

I. Health carriers providing [health] **grandfathered** coverage [for individuals] may **in the individual market only**, perform medical underwriting, including the use of health statements or screenings or the use of prior claims history, to the extent necessary to establish or modify premium rates as provided in RSA 420-G:4. **Health carriers shall not perform medical underwriting for any other type of coverage in the individual and small group markets. Health carriers providing coverage in the large group market may perform medical underwriting.**

II. ~~[Health carriers providing health coverage for individuals may refuse to write or issue coverage to an individual because of his or her health status.]~~ Regardless of claim experience, health status, or medical history, health carriers providing health coverage for **individuals** or small employers shall not refuse to write or issue any of their available coverages or health benefit plans to any **individual** or small employer group that elects to be covered under that plan and agrees to make premium payments and meet the other requirements of the plan, **except that this requirement shall not apply to grandfathered coverage in the individual market.**

16 Guaranteed Issue. Amend RSA 420-G:6, III to read as follows:

III. Health carriers shall actively market, issue, and renew all of the health coverages they sell in the *individual and* small employer market to all *individuals and* small employers *in that market, except that this requirement shall not apply to grandfathered individual coverage. Health carriers offering health coverage to small employers shall permit small employers to purchase health coverage at any point during the year, with the small employer's health coverage consisting of the 12-month period beginning with the small employer's effective date of coverage.*

III-a. A health carrier shall not rescind health coverage issued to an individual or with respect to an individual covered under health coverage issued to a small or large employer, including a group to which the individual belongs or family coverage in which the individual is included, after the individual is covered under the plan, unless:

(a) The individual, or a person seeking coverage on behalf of the individual, performs an act, practice, or omission that constitutes fraud; or

(b) The individual makes an intentional misrepresentation of material fact, as prohibited by the terms of the plan or coverage.

III-b. For the purposes of subparagraph III-a(a), a person seeking coverage on behalf of an individual does not include a producer, or an employee or authorized representative of the health carrier.

17 Guaranteed Issue. Amend RSA 420-G:6, V(d)-(g) to read as follows:

(d) Failure of an employer sponsoring group coverage to meet the minimum employee participation number or percentage requirement of the health coverage.

~~[(e) The small employer is no longer actively engaged in the business that it was engaged in on the effective date of the health coverage.~~

~~(f) The employer medically underwrites or otherwise violates a provision of this chapter.~~

~~(g)] (e) The health carrier is ceasing to offer health coverage in such market, in accordance with paragraph VII.~~

18 Guaranteed Issue. Amend RSA 420-G:6, V-a to read as follows:

V-a. Health carriers shall not underwrite insureds at time of renewal *of an individual grandfathered health plan* unless an insured has applied for an increase in his or her coverage, *and provided that such increase in coverage does not result in the coverage ceasing to be a grandfathered health plan.*

19 Preexisting Conditions. Amend RSA 420-G:7, I and II to read as follows:

I. ~~[A health carrier providing health coverage to large employers may impose a preexisting condition exclusion period, but only if it is at least as favorable to covered persons as the following:~~

~~(a) No preexisting condition exclusion shall extend beyond a period of 9 consecutive months after the date of enrollment of the person's health coverage; and~~

~~(b) Such preexisting condition exclusion period may only apply to a condition, whether physical or mental, regardless of the cause of the condition, for which medical advice, diagnosis, care or treatment was recommended or received during the 3 months immediately preceding the enrollment date of health coverage.] A health carrier issuing health coverage to small or large employers shall not impose any preexisting condition exclusion with respect to such coverage. A health carrier issuing individual health coverage that is not a grandfathered health plan shall not impose any preexisting condition exclusion with respect to such coverage. A health carrier issuing individual health coverage under a grandfathered health plan may impose a preexisting condition exclusion only as permitted by this section.~~

II. A health carrier providing health coverage ~~[to individuals or small employers]~~ *in the individual market under a grandfathered plan* may impose a preexisting condition exclusion period, but only if it is at least as favorable to covered persons as the following:

~~(a) No preexisting condition exclusion period shall extend beyond a period of 9 consecutive months after the date [of enrollment] of the person's~~ *enrollment in the grandfathered health [coverage] plan.*

~~(b) Such preexisting condition exclusion period may only apply to a condition, whether physical or mental, regardless of the cause of the condition, for which medical advice, diagnosis, care, or treatment was received or recommended during the 3 months immediately preceding the date [of enrollment] of the person's~~ *enrollment in the grandfathered health [coverage] plan.*

20 Preexisting Conditions. Amend RSA 420-G:7, V and the introductory paragraph of paragraph VI to read as follows:

V. Health carriers shall provide written certification of the period of creditable coverage which accumulated while a person was under the health coverage plan, and shall also state any waiting period which was imposed prior to receiving health coverage.

~~[(a)]~~ The written certification shall be provided at the time a person ceases to be covered under a health coverage plan, and on a request made on behalf of the person made not later than 24 months after the date of the cessation of coverage.

~~[(b) A health carrier, which elects to credit coverage under the method set forth in rules pursuant to paragraph IV that enrolls a person with a certificate of creditable coverage, may request of the entity that issued the certificate the additional information required under the rules. The issuing entity shall promptly disclose such information to the health carrier, but may charge the reasonable costs of disclosing such information.]~~

VI. A health carrier providing health coverage [to large or small employer groups] ***under a grandfathered health plan for which a preexisting condition exclusion period is allowed*** shall not:

21 Open Enrollment. RSA 420-G:8 is repealed and reenacted to read as follows:

420-G:8 Open Enrollment.

I. Each small employer group shall have an annual employee open enrollment period 60 days in length, occurring prior to the small employer group's anniversary date. During open enrollment, employees or eligible dependents may apply to the small employer for health coverage or make a change in their membership status becoming effective upon the small employer group's anniversary date, subject to providing the health carrier 30-days notice.

(a) A health carrier shall not refuse any small employer employees or eligible dependents applying for health coverage during the open enrollment period.

(b) Employees or eligible dependents coming on at the time of an open enrollment period shall have the same premiums as the rest of the small employer group shall have upon the new or renewal effective date.

II. A small employer employee who has met any employer imposed waiting period and is otherwise eligible for health coverage, who declines a small employer's health coverage plan during the initial offering or subsequent open enrollment period, shall be a late enrollee and shall not be allowed on the plan until the next open enrollment period.

III. A large employer employee, who has met any employer imposed waiting period and is otherwise eligible for health coverage, may enroll within 31 days of becoming eligible and shall not be required to submit evidence of insurability based on medical conditions. If a person does not enroll at this time, that person is a late enrollee. Each large employer group shall have an open enrollment period during which late enrollees may enroll and shall not be required to submit evidence of insurability based on medical conditions.

IV. Paragraphs II and III notwithstanding, an eligible employee or eligible dependent shall not be considered a late enrollee if:

(a) The person was covered under public or private health coverage at the time the person was able to enroll; and

(1) Has lost public or private health coverage as a result of termination of employment or eligibility, the termination of the other plan's coverage, death of a spouse, or divorce; and

(2) Requests enrollment within 30 days after termination of such health coverage; or

(b) Is employed by an employer that offers multiple health coverages and the person elects a different plan during an open enrollment period; or

(c) Was ordered by a court to provide health coverage for an ex-spouse or a minor child under a covered employee's plan and the request for enrollment is made within 30 days after issuance of such court order.

V.(a) If individual coverage offered by a health carrier or a large or small employer group's health coverage plan offers dependent coverage and the individual is enrolled in such coverage or the employee is enrolled or has met any applicable waiting period and is eligible to be enrolled, but for a failure to do so during a previous open enrollment period, a person who becomes a dependent of the individual or employee through marriage, birth, adoption or placement for adoption, and the employee if not otherwise enrolled, shall be provided with a special enrollment period.

(b) If an individual has minimum essential coverage through individual coverage offered by a health carrier or as an employee through a large or small employer group's health coverage plan, and the individual loses such coverage for any reason other than failure to pay premiums or a basis on which rescission is permitted pursuant to RSA 420-G:6, IV, the individual shall be provided with a special open enrollment period under any other individual health coverage or any large or small employer group health coverage plan for which the individual becomes eligible.

(c) The special enrollment period shall be at least 60 days in length and shall begin on the later of:

(1) The date dependent health coverage is made available; or

(2) The date of the marriage, birth, adoption, placement for adoption, or loss of minimum essential coverage, as the case may be.

(d) If the person seeks enrollment during such special enrollment period, the health coverage shall become effective:

(1) In the case of marriage or loss of minimum essential coverage, on or before the first day of the first month following the completed request for enrollment;

(2) In the case of birth, as of the date of birth; or

(3) In the case of adoption or placement for adoption, the date of such adoption or placement for adoption.

VI. Health carriers offering individual health coverage shall have initial and annual open enrollment periods as follows:

(a) For health coverage that becomes effective on or after January 1, 2014, but before January 1, 2015, there shall be an initial open enrollment period beginning on October 1, 2013 and extending through March 31, 2014.

(b) For health coverage that becomes effective on or after January 1, 2015, there shall be an annual open enrollment period beginning on October 15th and extending through December 7th of the calendar year preceding the year in which the health coverage becomes effective.

22 Participation Requirements. Amend RSA 420-G:9, I and II to read as follows:

I. For coverage purchased outside of the SHOP exchange, a health carrier may not require more than the minimum participation percentage of the employees eligible for health coverage in a small employer group to participate in the health carrier's health coverage plan. The minimum participation percentage shall be 75 percent when the health carrier's plan is the sole health coverage plan being sponsored by the employer group, and 37.5 percent when the health carrier's plan is not the sole health coverage plan being sponsored by the employer group.

I-a. For coverage purchased in the SHOP exchange, the exchange shall not require more than the minimum participation percentage of the employees eligible for health coverage in a small employer group to participate in the SHOP exchange, equal to 75 percent. No health carrier shall apply any other participation test.

II. For the purpose of calculating whether or not a small employer group's enrollment meets a carrier's minimum participation requirements:

(a) Any full-time or part-time employees who are covered as a dependent on another person's health coverage ***or are enrolled in a governmental plan such as Medicare, Medicaid, or TRICARE*** shall be excluded from the count.

(b) ***Any full-time or part-time employees who have been found eligible for a premium tax credit and are enrolled in a qualified health plan purchased through an exchange shall be excluded from the count.***

(c) The total number of full-time employees and part-time employees who are otherwise eligible for health coverage shall be counted.

23 New Paragraph; Participation Requirements. Amend RSA 420-G:9 by inserting after paragraph IV the following new paragraph:

V. The requirements under this section shall be the only participation requirements. Minimum employer contributions, or other criteria, shall not be permitted.

24 Rulemaking. Amend RSA 420-G:14, I to read as follows:

I.(a) The commissioner [may] shall adopt rules, under RSA 541-A, [necessary to the proper administration of this chapter:] relative to establishing:

(1) Uniform age rating levels that are consistent with 45 C.F.R. 147.102.

(2) Special enrollment periods designed to allow employees to purchase individual coverage on the exchange during their employer's open enrollment period, even if the employer's open enrollment period does not coincide with the open enrollment period in the individual market.

(b) The commissioner may adopt further rules, pursuant to RSA 541-A, necessary to the proper administration of this chapter.

25 Preexisting Conditions. RSA 415-A:5, III is repealed and reenacted to read as follows:

III. Health carriers issuing policies subject to RSA 420-G shall not impose any preexisting condition exclusion that is inconsistent with that chapter.

26 Coverage for Clinical Trials. RSA 415:18-I, I-III are repealed and reenacted to read as follows:

I. In this section:

(a) "Clinical trials" mean Phase I, Phase II, Phase III, and Phase IV clinical trials.

(b) "Cooperative group" means a formal network of facilities that collaborate on research projects and have an established National Institute of Health (NIH) approved peer review program operating within the group.

(c) "FDA" means the federal Food and Drug Administration.

(d) "Member" means the policyholder, subscriber, insured, or certificate holder, or a covered dependent of a policyholder, subscriber, insured, or certificate holder.

(e) "NIH" means the National Institutes of Health.

(f) "Non-routine patient care cost" means:

(1) The cost of an investigational new drug or device that is not approved for market for any indication by the FDA.

(2) The cost of a non-health care service that a member may be required to receive as a result of the treatment being provided for the purposes of the clinical trial.

(3) The costs of services that are clearly inconsistent with widely accepted and established regional or national standards of care for a particular diagnosis.

(4) Costs associated with managing the research associated with the clinical trial.

(5) Non-covered costs under the member's policy, plan, or contract.

(g) "Routine patient care cost" means the cost of any medically necessary health care service that is incurred as a result of the treatment being provided to a member of a health plan. Routine costs are those for which the health plan regularly reimburses its members, health care providers, or health care institutions subject to the terms and conditions of the member's policy and the provider's service agreement with the insurer.

II. A policy, plan, or contract subject to this section shall provide coverage for all medically necessary routine patient care costs incurred as a result of a treatment being provided in accordance with a clinical trial to the extent such costs would be covered for noninvestigational treatments if the treatment is being provided or the studies are being conducted in a phase I, phase II, phase III, or phase IV clinical trial for cancer or the treatment is being provided for any other life-threatening condition.

III. The coverage required under paragraph II shall be required if:

(a) The treatment is being provided to the member in a clinical trial approved by:

(1) One of the National Institutes of Health;

(2) The Centers for Disease Control and Prevention;

(3) The Agency for Healthcare Research and Quality;

(4) The Centers for Medicare and Medicaid Services;

(5) An NIH cooperative group or an NIH center or a cooperative group or center of any of the entities described in subparagraphs (1) through (4) or the Department of Defense or the Department of Veterans Affairs;

(6) A qualified non-governmental research entity identified in the guidelines issued by the National Institutes of Health for center support grants;

(7) The FDA in the form of an investigational new drug application or exemption;

(8) The federal Department of Veterans Affairs or Defense or the federal Department of Energy; provided that the treatment meets the requirement of 42 U.S.C., section 30099-8(d)(2); or

(9) An institutional review board of an institution in this state that has a multiple assurance contract approved by the Office of Protection from Research Risks of the NIH.

(b) The member is eligible to participate in an approved clinical trial according to the trial protocol with respect to treatment of cancer or other life-threatening disease or condition; and either (1) the referring provider is a participating provider and has concluded that the member's participation in such clinical trial would be appropriate based upon the member meeting the conditions described in this subparagraph; or (2) the member provides medical and scientific information establishing that the member's participation in such clinical trial would be appropriate based upon the member meeting the conditions described in this subparagraph.

27 Coverage for Clinical Trials. Amend RSA 415:18-I, V to read as follows:

V. The provisions of this section shall apply to **individual and** group hospital and medical expense policies subject to RSA 415, health service corporations under RSA 420-A, health maintenance organizations under RSA 420-B, and managed care organizations under RSA 420-J.

28 Coverage for Clinical Trials. Amend RSA 415:18-I, VIII to read as follows:

VIII. The provisions of this section shall not apply to a policy, plan, or contract paid for under the federal Medicare program ~~[nor]~~, the state children's health insurance program, **or to a plan that meets the definition of a grandfathered health plan under RSA 420-G:2, VII-b.**

29 Reference Change. Amend RSA 420-G:4-c, II to read as follows:

II. A carrier shall offer a limited open enrollment period ~~[consistent with the requirements of RSA 420-G:8, I-a]~~ during which time an employee having a cafeteria plan under RSA 275:43-c may purchase small employer group health coverage. A carrier may apply its rating factor for group size of one to the premium charged for coverage sold to an employee on an individual basis through a payroll deduction, but shall not apply participation requirements under RSA 420-G:9, I to coverage purchased by an employee through a cafeteria plan established pursuant to RSA 275:43-c.

30 New Section; Prohibition on Lifetime or Annual Limits; Coverage of Preventative Health Services. Amend RSA 420-G by inserting after section 3 the following new section:

420-G:3-a Prohibition on Lifetime or Annual Limits; Coverage of Preventative Health Services.

I. All health coverage offered by health carriers to individuals, small employers, or large employers shall:

(a) Not contain lifetime or annual limits, in accordance with 42 U.S.C. section 300gg-11(a); and

(b) Provide coverage for preventative health services, without any cost-sharing requirements, in accordance with 42 U.S.C. section 300gg-13.

II. This section shall not apply to grandfathered health coverage.

31 New Section; Consistency. Amend RSA 420-N by inserting after section 6 the following new section:

420-N:6-a Consistency. In order to prevent a default to federal regulation and to preserve the state's status as the sole regulator of the business of insurance within the state, the oversight committee shall have the authority to find, with respect to any specific provision within Title XXXVII, that the provision is inconsistent with and prevents the application of the Act and to authorize the commissioner, on a provisional basis, to implement a specific provision of the Act. The commissioner's authority to implement this provision shall extend only until such time as the general court can take legislative action to amend Title XXXVII as it deems appropriate.

32 Report Required. The commissioner shall issue a report to the speaker of the house of representatives, the president of the senate, the house and senate committees having jurisdiction over commerce issues, and the governor no later than December 1, 2013 with respect to considerations and possible approaches to the creation of geographic rating areas for the individual and small group markets and with respect to the possibility of requiring that carriers applying a tobacco rating factor in the individual market make available a tobacco cessation wellness program, participation in which would fully offset any increase in premium due to the tobacco rating factor.

33 Repeal. The following are repealed:

I. RSA 420-G:4-b, relative to New Hampshire HealthFirst.

II. RSA 420-G:7, IV, relative to alternative method of crediting coverage.

34 Effective Date.

I. Sections 31 and 32 of this act shall take effect 60 days after its passage.

II. Section 12 of this act shall take effect January 1, 2016.

III. Sections 5-11, 13-30, and 33 shall take effect January 1, 2014.

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

AMENDED ANALYSIS

This bill makes adjustments in the purchase percentage requirements and the alternative compliance payment amount and mechanism under the electric renewable portfolio standards law. This bill establishes a renewable portfolio standards study committee.

This bill also makes changes to the statute applicable to health insurance carriers offering major medical health insurance coverage in the group and individual markets in New Hampshire.

Rep. William O'Brien spoke against and yielded to questions.

Rep. Butler spoke in favor and yielded to questions.

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

YEAS 166 NAYS 119

YEAS 166

BELKNAP

DiMartino, Lisa

Gulick, Ruth

Huot, David

Raymond, Ian

CARROLL

Buco, Thomas

Butler, Edward

Ticehurst, Susan

White, Syndi

CHESHIRE

Ames, Richard
Emerson, Susan
Sad, Tara

Berch, Paul
Johnsen, Gladys
Tatro, Bruce

Butynski, William
Ley, Douglas
Weber, Lucy

Chase, Cynthia
Roberts, Kris
Weed, Charles

COOS

Enman, Larry
Theberge, Robert

Hammon, Marcia

Hatch, William

Moynihan, Wayne

GRAFTON

Almy, Susan
Ford, Susan
Lauer, Linda
Nordgren, Sharon
Townsend, Charles

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

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

Cooney, Mary
Higgins, Patricia
Mulholland, Catherine
Sykes, George

HILLSBOROUGH

Backus, Robert
Chandley, Shannon
DiSilvestro, Linda
Gorman, Mary
Hansberry, Daniel

Beaulieu, Jane
Christiansen, Lars
Eaton, Richard
Grady, Brenda
Harriott-Gathright, Linda

Campbell, David
Connor, Evelyn
Gage, Ruth
Hackel, Paul
Heden, Ruth

Carroll, Douglas
Cote, David
Gale, Sylvia
Hammond, Jill
Jack, Martin

Jeady, Jean
Leishman, Peter
MacKay, Mariellen
Nelson, Mary
Schmidt, Janice
Sullivan, Peter
Winters, Joel

Kelley, John
Levasseur, Nickolas
Manley, Jonathan Sr
O'Brien, Michael Sr
Shattuck, Gilman
Vail, Suzanne
Woodbury, David

Knowles, Mary Ann
Levesque, Melanie
McCloskey, David
Porter, Marjorie
Shaw, Barbara
Walsh, Robert Jr

Kopka, Angeline
Long, Patrick
McNamara, Richard
Rosenwald, Cindy
Spratt, Stephen
Williams, Kermit

MERRIMACK

Alicea, Caroletta
Carson, Clyde
French, Barbara
Hunt, Jane
Myler, Mel
Rogers, Katherine
Tilton, Joy

Bartlett, Christy
Davis, Frank
Gile, Mary
Karrick, David Jr
Ratzki, Mario
Schamberg, Thomas
Wallner, Mary Jane

Bouchard, Candace
Ebel, Karen
Hirsch, Geoffrey
MacKay, James
Rice, Chip
Schuett, Dianne
Walz, Mary Beth

Burns, Scott
Frambach, Mary
Hoell, J.R.
Moffett, Howard
Richardson, Gary
Shurtleff, Stephen
Webb, Leigh

ROCKINGHAM

Borden, David
Cali-Pitts, Jacqueline
Heffron, Frank
Muns, Chris
Sherman, Thomas

Briden, Steven
Cushing, Robert Jr
Lovejoy, Patricia
Pantelakos, Laura
Till, Mary

Burtis, Elizabeth
Emerson-Brown, Rebecca
Mann, Maureen
Scarlotto, Joe
Ward, Gerald

Cahill, Michael
Flockhart, Eileen
Moody, Marcia
Schlachman, Donna
Whittemore, Lisa

STRAFFORD

Baber, William
Burke, Rachel
Grossman, Kenneth
Malloy, Dennis
Rollo, Deanna
Stevens, Audrey

Bickford, David
Gardner, Janice
Horrigan, Timothy
Pelletier, Marsha
Schmidt, Peter
Verschueren, James

Bixby, Peter
Ginsburg, Philip
Hubbard, Pamela
Perry, Robert
Smith, Marjorie
Wall, Janet

Burdwood, Greg
Grassie, Anne
Kaen, Naida
Rogers, Rose Marie
Spang, Judith

Cloutier, John
Schmidt, Andrew

Gagnon, Raymond
Sweeney, Cynthia

Gottling, Suzanne
Tanner, Linda

Irwin, Virginia

NAYS 119

BELKNAP

Burchell, Richard
Greemore, Robert Jr
Vadney, Herbert

Fields, Dennis
Holmes, Stephen
Worsman, Colette

Fink, Charles
Sylvia, Michael

Flanders, Donald
Tilton, Franklin

CARROLL

Ahlgren, Christopher
McConkey, Mark
Umberger, Karen

Chandler, Gene
Merrow, Harry
Wright, Donald

Cordelli, Glenn
Nelson, Bill

Crawford, Karel
Schmidt, Stephen

CHESHIRE

Hunt, John

Johnson, Jane

Parkhurst, Henry

COOS

Rappaport, Laurence

Richardson, Herbert

GRAFTON

Bradley, Lester

Doolan, Ralph Jr

Ladd, Rick Jr

Reilly, Harold Sr

HILLSBOROUGH

Barry, Richard
Byron, Frank
Danielson, David
Graham, John
Jasper, Shawn
LeVasseur, Richard
Murotake, David
Parison, James
Sanborn, Laurie
Vaillancourt, Steve

Belanger, James
Coffey, James
Gagne, Larry
Haefner, Robert
Kurk, Neal
Martel, Andre
Notter, Jeanine
Pellegrino, Tony
Sandblade, Emily
Villeneuve, Moe

Boehm, Ralph
Culbert, Patrick
Garcia, Michael
Hikel, John
Lambert, George
McCarthy, Michael
O'Brien, William
Pratt, Calvin
Straight, Philip
Warden, Mark

Burt, John
Daniels, Gary
Gargas, Carolyn
Infantine, William
LeBrun, Donald
Meaney, Richard
Palmer, Stephen
Rowe, Robert
Takesian, Charlene
Willette, Robert

MERRIMACK

Lockwood, Priscilla

McGuire, Carol

McGuire, Dan

ROCKINGHAM

Abrami, Patrick
Chirichiello, Brian
DeSimone, Debra
Griffin, Mary
Hoelzel, Kathleen
Kolodziej, Walter
O'Connor, John
Rice, Frederick
Sweeney, Joe
Waterhouse, Kevin

Allen, Mary
Comerford, Timothy
Duarte, Joe
Hagan, Joseph
Introne, Robert
Major, Norman
Packard, Sherman
Schroadter, Adam
Sytek, John
Webb, James Sr

Baldasaro, Alfred
Copeland, Timothy
Dumaine, Dudley
Harris, Jeffrey
Itse, Daniel
Milz, David
Peckham, Michele
Sedensky, John
Tremblay, Stella
Weyler, Kenneth

Bick, Patrick
Danais, Romeo
Emerick, J. Tracy
Hodgdon, Bruce
Kappler, Lawrence
Nigrello, Robert
Priestley, Anne
St.James, Kevin
Tucker, Pamela

STRAFFORD

Beaudoin, Steven
Mullen, John Jr

Gray, James
Pitre, Joseph

Groen, Warren

Jones, Laura

SULLIVAN

Grenier, James

Smith, Steven

and floor amendment (2010h) was adopted.

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

YEAS 170 NAYS 113**YEAS 170****BELKNAP**

DiMartino, Lisa

Gulick, Ruth

Huot, David

Raymond, Ian

CARROLL

Buco, Thomas

Butler, Edward

Ticehurst, Susan

White, Syndi

CHESHIRE

Ames, Richard
Emerson, Susan
Parkhurst, Henry
Weber, Lucy

Berch, Paul
Hunt, John
Roberts, Kris
Weed, Charles

Butynski, William
Johnsen, Gladys
Sad, Tara

Chase, Cynthia
Ley, Douglas
Tatro, Bruce

COOS

Enman, Larry
Theberge, Robert

Hammon, Marcia

Hatch, William

Moynihan, Wayne

GRAFTON

Almy, Susan
Ford, Susan
Lauer, Linda
Nordgren, Sharon
Townsend, Charles

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

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

Cooney, Mary
Higgins, Patricia
Mulholland, Catherine
Sykes, George

HILLSBOROUGH

Backus, Robert
Chandley, Shannon
DiSilvestro, Linda
Gargas, Carolyn
Hammond, Jill
Infantine, William
Knowles, Mary Ann
Levesque, Melanie
McCloskey, David
Porter, Marjorie
Shaw, Barbara
Vail, Suzanne
Woodbury, David

Beaulieu, Jane
Christiansen, Lars
Eaton, Richard
Gorman, Mary
Hansberry, Daniel
Jack, Martin
Kopka, Angeline
Long, Patrick
McNamara, Richard
Rosenwald, Cindy
Spratt, Stephen
Walsh, Robert Jr

Campbell, David
Connor, Evelyn
Gage, Ruth
Grady, Brenda
Harriott-Gathright, Linda
Jeudy, Jean
Leishman, Peter
MacKay, Mariellen
Nelson, Mary
Schmidt, Janice
Straight, Philip
Williams, Kermit

Carroll, Douglas
Cote, David
Gale, Sylvia
Hackel, Paul
Heden, Ruth
Kelley, John
Levasseur, Nickolas
Manley, Jonathan Sr
O'Brien, Michael Sr
Shattuck, Gilman
Sullivan, Peter
Winters, Joel

MERRIMACK

Alicea, Caroletta
Carson, Clyde
French, Barbara
Hunt, Jane
Ratzki, Mario
Schamberg, Thomas
Wallner, Mary Jane

Bartlett, Christy
Davis, Frank
Gile, Mary
Karrick, David Jr
Rice, Chip
Schuett, Dianne
Walz, Mary Beth

Bouchard, Candace
Ebel, Karen
Hirsch, Geoffrey
MacKay, James
Richardson, Gary
Shurtleff, Stephen
Webb, Leigh

Burns, Scott
Frambach, Mary
Hoell, J.R.
Myler, Mel
Rogers, Katherine
Tilton, Joy

ROCKINGHAM

Borden, David
Cali-Pitts, Jacqueline
Heffron, Frank
Muns, Chris
Sherman, Thomas

Briden, Steven
Cushing, Robert Jr
Lovejoy, Patricia
Pantelakos, Laura
Till, Mary

Burtis, Elizabeth
Emerson-Brown, Rebecca
Mann, Maureen
Scarlott, Joe
Ward, Gerald

Cahill, Michael
Flockhart, Eileen
Moody, Marcia
Schlachman, Donna
Whittemore, Lisa

STRAFFORD

Baber, William
Burke, Rachel
Grossman, Kenneth
Malloy, Dennis
Rollo, Deanna
Stevens, Audrey

Bickford, David
Gardner, Janice
Horrigan, Timothy
Pelletier, Marsha
Schmidt, Peter
Verschueren, James

Bixby, Peter
Ginsburg, Philip
Hubbard, Pamela
Perry, Robert
Smith, Marjorie
Wall, Janet

Burdwood, Greg
Grassie, Anne
Kaen, Naida
Rogers, Rose Marie
Spang, Judith

SULLIVAN

Cloutier, John
Schmidt, Andrew

Gagnon, Raymond
Sweeney, Cynthia

Gottling, Suzanne
Tanner, Linda

Irwin, Virginia

NAYS 113**BELKNAP**

Burchell, Richard
Greemore, Robert Jr
Vadney, Herbert

Fields, Dennis
Holmes, Stephen
Worsman, Colette

Fink, Charles
Sylvia, Michael

Flanders, Donald
Tilton, Franklin

CARROLL

Ahlgren, Christopher
McConkey, Mark
Umberger, Karen

Chandler, Gene
Morrow, Harry
Wright, Donald

Cordelli, Glenn
Nelson, Bill

Crawford, Karel
Schmidt, Stephen

CHESHIRE

Johnson, Jane

COOS

Rappaport, Laurence

Richardson, Herbert

GRAFTON

Bradley, Lester

Doolan, Ralph Jr

Ladd, Rick Jr

Reilly, Harold Sr

HILLSBOROUGH

Barry, Richard
Byron, Frank
Danielson, David
Haefner, Robert
Lambert, George
McCarthy, Michael
O'Brien, William
Pratt, Calvin
Takesian, Charlene
Willette, Robert

Belanger, James
Coffey, James
Gagne, Larry
Hikel, John
LeBrun, Donald
Meaney, Richard
Palmer, Stephen
Rowe, Robert
Vaillancourt, Steve

Boehm, Ralph
Culbert, Patrick
Garcia, Michael
Jasper, Shawn
LeVasseur, Richard
Murotake, David
Parison, James
Sanborn, Laurie
Villeneuve, Moe

Burt, John
Daniels, Gary
Graham, John
Kurk, Neal
Martel, Andre
Notter, Jeanine
Pellegrino, Tony
Sandblade, Emily
Warden, Mark

MERRIMACK

Lockwood, Priscilla

McGuire, Carol

McGuire, Dan

ROCKINGHAM

Abrami, Patrick
Chirichiello, Brian
DeSimone, Debra
Griffin, Mary
Hoelzel, Kathleen
Major, Norman
Packard, Sherman
Schroadter, Adam
Sytek, John
Webb, James Sr

Allen, Mary
Comerford, Timothy
Duarte, Joe
Hagan, Joseph
Introne, Robert
Milz, David
Peckham, Michele
Sedensky, John
Tremblay, Stella
Weyler, Kenneth

Baldasaro, Alfred
Copeland, Timothy
Dumaine, Dudley
Harris, Jeffrey
Kappler, Lawrence
Nigrello, Robert
Priestley, Anne
St.James, Kevin
Tucker, Pamela

Bick, Patrick
Danaia, Romeo
Emerick, J. Tracy
Hodgdon, Bruce
Kolodziej, Walter
O'Connor, John
Rice, Frederick
Sweeney, Joe
Waterhouse, Kevin

STRAFFORD

Beaudoin, Steven
Mullen, John Jr

Gray, James
Pitre, Joseph

Groen, Warren

Jones, Laura

SULLIVAN

Grenier, James

Smith, Steven

and the committee report was adopted and ordered to third reading.
Reps. Itse and Moffett declared conflicts of interest and did not participate.

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. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Susan W. Almy for the Majority of Ways and Means: The bill merges the plumbing and gas-fitting trades in one board and updates the law of both. The committee found two problems. The first is a matter of fee policy: the bipartisan consensus is that the long-standing policy on 125 percent agencies does not work for professions engaged in strongly cyclical industries, such as construction. In order to avoid delaying this critical bill, we have committed to developing a bill on this issue for next year. The other is a matter of first-committee policy: since it left the first committee, complaints have arisen that the bill does not allow simply plumbing to be done by unlicensed relatives and neighbors of a homeowner, nor by the owner of a duplex or quadplex unit or summer cottage. The committee can only deal with the fees, but the committee expects that this second problem will be addressed in a floor amendment. We have no problem otherwise with the bill's fee or fund structure as developed in the Senate. Vote 12-1.

Rep. Laurie J. Sanborn for the Minority of Ways and Means: During the executive session, the minority learned about a significant policy problem with this bill which would eliminate property owners' ability to fix their own water plumbing. We hope that an amendment will be put forth that will fix an otherwise good bill. If a suitable amendment cannot be moved, the minority regretfully recommends ITL.

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

Rep. Carol McGuire offered floor amendment (1965h).

Floor Amendment (1965h)

Amend RSA 153:36, I as inserted by section 8 of the bill by replacing it with the following:

I. The license requirements of this subdivision shall not apply to anyone who performs fuel gas fitting within an existing single family, stand alone structure owned and occupied by the person who performs the fuel gas fitting work, and such structure is used as the individual's primary residence. Notwithstanding any provision to the contrary, any person who is exempt under this paragraph shall perform fuel gas fitting work in accordance with applicable technical standards, and comply with any applicable code, application, and inspection requirements that may apply to the fuel gas fitting work performed.

Amend RSA 153:36 as inserted by section 8 of the bill by inserting after paragraph VII the following new paragraph:

VIII. The license requirements of this subdivision shall not apply to the following persons while performing plumbing work under the circumstances specifically described; provided, however, that plumbing installed or maintained by such persons under such circumstances shall conform to the state plumbing code:

(a) To regular employees of public utilities, as defined in RSA 362:2, when working as such.

(b) To a person, firm, corporation, or limited liability company who regularly employs a person whose duties include installation and maintenance of plumbing on the property of that person, firm, corporation, or limited liability company, when such employee is actually so engaged.

(c) To a property owner or the property owner's agent who installs, repairs, or replaces plumbing in the property owner's own single-family detached or townhouse residence, including new construction, or any property owner or property owner's agent who makes minor installations, repairs, or replacements to the owner's property.

Rep. Carol McGuire spoke in favor.

Floor amendment (1965h) adopted.

Committee report adopted and ordered to third reading.

BILL REMOVED FROM THE CONSENT CALENDAR OF MAY 22, 2013

SB 97, relative to high school equivalency and relative to illiteracy. **OUGHT TO PASS.**

Rep. Rick M. Ladd for Education: The American Council on Education, GED's long-time non-profit administrator, has now partnered with Pearson, the world's largest education and testing company, to redesign the GED test, making it a for-profit enterprise for the first time. New Hampshire's contract with GED expires on December 31 of this year. This bill replaces statutory reference to the GED certificate with the term "high school equivalency." To replace the GED, NH DOE has selected the high school equivalency test, produced by ETS and Iowa Testing Programs, both well-known and successful non-profits. ETS currently produces widely used tests such as: PSAT, SAT, GRE, PRAXIS and AP. This is a proven test and measurement record. Lastly, Pearson has announced that an individual's GED testing costs will total \$120 and that the test will only be

offered online. The one time fee, to include two retests for the high school equivalency test by ETS, will cost \$50.00. This is a considerable savings while providing a transition period in which test takers may opt for either the pencil/paper or online versions. Vote 18-1.

MOTION TO DIVIDE

Rep. Hoell moved that section 3 be divided from the bill and spoke in favor.
Motion failed.

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

Rep. Hoell spoke against.

Rep. Ladd spoke in favor.

Rep. Sylvia requested a roll call; sufficiently seconded.

YEAS 229 NAYS 46

YEAS 229

BELKNAP

Burchell, Richard
Gulick, Ruth
Vadney, Herbert

DiMartino, Lisa
Huot, David

Fields, Dennis
Raymond, Ian

Flanders, Donald
Tilton, Franklin

CARROLL

Ahlgren, Christopher
Cordelli, Glenn
Nelson, Bill
White, Syndi

Buco, Thomas
Crawford, Karel
Schmidt, Stephen

Butler, Edward
McConkey, Mark
Ticehurst, Susan

Chandler, Gene
Morrow, Harry
Umberger, Karen

CHESHIRE

Ames, Richard
Emerson, Susan
Ley, Douglas
Weber, Lucy

Berch, Paul
Hunt, John
Parkhurst, Henry
Weed, Charles

Butynski, William
Johnsen, Gladys
Sad, Tara

Chase, Cynthia
Johnson, Jane
Tatro, Bruce

COOS

Enman, Larry
Richardson, Herbert

Hammon, Marcia
Theberge, Robert

Hatch, William

Moynihan, Wayne

GRAFTON

Almy, Susan
Cooney, Mary
Harding, Laurie
Lovett, Sid
Pastor, Beatriz
Townsend, Charles

Benn, Bernard
Doolan, Ralph Jr
Higgins, Patricia
Massimilla, Linda
Piper, Wendy

Bradley, Lester
Ford, Susan
Ladd, Rick Jr
Mulholland, Catherine
Reilly, Harold Sr

Brown, Rebecca
Friedrich, Carol
Lauer, Linda
Nordgren, Sharon
Sykes, George

HILLSBOROUGH

Barry, Richard
Campbell, David
Connor, Evelyn
DiSilvestro, Linda
Gargas, Carolyn
Hackel, Paul
Heden, Ruth
Kelley, John
Lambert, George
Long, Patrick
McCloskey, David
O'Brien, Michael Sr
Rowe, Robert
Shaw, Barbara
Takesian, Charlene
Williams, Kermit

Beaulieu, Jane
Carroll, Douglas
Cote, David
Eaton, Richard
Gorman, Mary
Hammond, Jill
Jack, Martin
Knowles, Mary Ann
Leishman, Peter
MacKay, Mariellen
McNamara, Richard
Palmer, Stephen
Sanborn, Laurie
Spratt, Stephen
Vail, Suzanne
Winters, Joel

Belanger, James
Christiansen, Lars
Culbert, Patrick
Gage, Ruth
Grady, Brenda
Hansberry, Daniel
Jasper, Shawn
Kopka, Angeline
LeVasseur, Richard
Manley, Jonathan Sr
Murotake, David
Pellegrino, Tony
Schmidt, Janice
Straight, Philip
Walsh, Robert Jr
Woodbury, David

Byron, Frank
Coffey, James
Danielson, David
Gale, Sylvia
Graham, John
Harriott-Gathright, Linda
Jeudy, Jean
Kurk, Neal
Levesque, Melanie
McCarthy, Michael
Nelson, Mary
Porter, Marjorie
Shattuck, Gilman
Sullivan, Peter
Willette, Robert

MERRIMACK

Alicea, Caroletta
Carson, Clyde
Gile, Mary
Lockwood, Priscilla
Myler, Mel
Rogers, Katherine
Tilton, Joy

Bartlett, Christy
Davis, Frank
Hirsch, Geoffrey
MacKay, James
Ratzki, Mario
Schamberg, Thomas
Wallner, Mary Jane

Bouchard, Candace
Frambach, Mary
Hunt, Jane
McGuire, Carol
Rice, Chip
Schuett, Dianne
Walz, Mary Beth

Burns, Scott
French, Barbara
Karrick, David Jr
Moffett, Howard
Richardson, Gary
Shurtleff, Stephen
Webb, Leigh

ROCKINGHAM

Abrami, Patrick
Briden, Steven
Copeland, Timothy
Emerick, J. Tracy
Hagan, Joseph
Kappler, Lawrence
Muns, Chris
Pantelakos, Laura
Scarlotta, Joe
Sweeney, Joe
Waterhouse, Kevin

Allen, Mary
Burtis, Elizabeth
Cushing, Robert Jr
Emerson-Brown, Rebecca
Harris, Jeffrey
Lovejoy, Patricia
Nigrello, Robert
Peckham, Michele
Schlachman, Donna
Sytek, John
Webb, James Sr

Bick, Patrick
Cahill, Michael
DeSimone, Debra
Flockhart, Eileen
Heffron, Frank
Mann, Maureen
O'Connor, John
Priestley, Anne
Sherman, Thomas
Till, Mary
Weyler, Kenneth

Borden, David
Chirichiello, Brian
Dumaine, Dudley
Griffin, Mary
Hoelzel, Kathleen
Moody, Marcia
Packard, Sherman
Rice, Frederick
St.James, Kevin
Ward, Gerald
Whittemore, Lisa

STRAFFORD

Baber, William
Ginsburg, Philip
Jones, Laura
Perry, Robert
Schmidt, Peter
Verschuere, James

Bickford, David
Grassie, Anne
Kaen, Naida
Pitre, Joseph
Smith, Marjorie
Wall, Janet

Burdwood, Greg
Grossman, Kenneth
Malloy, Dennis
Rogers, Rose Marie
Spang, Judith

Burke, Rachel
Horrigan, Timothy
Pelletier, Marsha
Rollo, Deanna
Stevens, Audrey

SULLIVAN

Cloutier, John
Irwin, Virginia
Tanner, Linda

Gagnon, Raymond
Schmidt, Andrew

Gottling, Suzanne
Smith, Steven

Grenier, James
Sweeney, Cynthia

**NAYS 46
BELKNAP**

Fink, Charles
Worsman, Colette

Greemore, Robert Jr

Holmes, Stephen

Sylvia, Michael

CARROLL**CHESHIRE**

Wright, Donald

None

Rappaport, Laurence

COOS**GRAFTON**

None

HILLSBOROUGH

Boehm, Ralph
Garcia, Michael
Meaney, Richard
Pratt, Calvin
Warden, Mark

Burt, John
Hikel, John
Notter, Jeanine
Sandblade, Emily

Daniels, Gary
LeBrun, Donald
O'Brien, William
Vaillancourt, Steve

Gagne, Larry
Martel, Andre
Parison, James
Villeneuve, Moe

MERRIMACK

Hoell, J.R.

McGuire, Dan

ROCKINGHAM

Baldasaro, Alfred
Duarte, Joe
Kolodziej, Walter
Sedensky, John

Cali-Pitts, Jacqueline
Hodgdon, Bruce
Major, Norman
Tremblay, Stella

Comerford, Timothy
Introne, Robert
Milz, David
Tucker, Pamela

Danais, Romeo
Itse, Daniel
Schroadter, Adam

STRAFFORD

Beaudoin, Steven
Mullen, John Jr

Bixby, Peter

Gray, James

Groen, Warren

SULLIVAN

None

and the committee report was adopted and ordered to third reading.
Rep. Cali-Pitts voted Nay and intended to vote Yea.

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Lambert moved that the House reconsider its action whereby, on a roll call vote of 229-46, it adopted the committee report of Ought to Pass on **SB 97**, relative to high school equivalency and relative to illiteracy.

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

YEAS 50 NAYS 225**YEAS 50
BELKNAP**

Fink, Charles

Greemore, Robert Jr

Sylvia, Michael

Worsman, Colette

CARROLL

Cordelli, Glenn

Nelson, Bill

Ticehurst, Susan

CHESHIRE

None

COOS

None

GRAFTON

None

HILLSBOROUGHBarry, Richard
Daniels, Gary
LeBrun, Donald
Notter, Jeanine
Sandblade, EmilyBelanger, James
Garcia, Michael
Long, Patrick
O'Brien, William
Takesian, CharleneBoehm, Ralph
Hikel, John
Meaney, Richard
Parison, James
Villeneuve, MoeBurt, John
Lambert, George
Murotake, David
Pratt, Calvin
Warden, Mark**MERRIMACK**

Hoell, J.R.

ROCKINGHAMBaldasaro, Alfred
DeSimone, Debra
Hodgdon, Bruce
Nigrello, Robert
Tucker, PamelaCali-Pitts, Jacqueline
Duarte, Joe
Introne, Robert
Rice, FrederickComerford, Timothy
Emerick, J. Tracy
Itse, Daniel
Schroadter, AdamDanais, Romeo
Harris, Jeffrey
Kolodziej, Walter
Tremblay, Stella**STRAFFORD**Beaudoin, Steven
Pitre, Joseph

Bickford, David

Bixby, Peter

Groen, Warren

SULLIVAN

None

NAYS 225**BELKNAP**Burchell, Richard
Gulick, Ruth
Tilton, FranklinDiMartino, Lisa
Holmes, Stephen
Vadney, HerbertFields, Dennis
Huot, DavidFlanders, Donald
Raymond, Ian**CARROLL**Ahlgren, Christopher
Crawford, Karel
Umberger, KarenBuco, Thomas
McConkey, Mark
White, SyndiButler, Edward
Merrow, Harry
Wright, DonaldChandler, Gene
Schmidt, Stephen**CHESHIRE**Ames, Richard
Emerson, Susan
Ley, Douglas
Weber, LucyBerch, Paul
Hunt, John
Parkhurst, Henry
Weed, CharlesButynski, William
Johnsen, Gladys
Sad, TaraChase, Cynthia
Johnson, Jane
Tatro, Bruce**COOS**Enman, Larry
Rappaport, LaurenceHammon, Marcia
Richardson, HerbertHatch, William
Theberge, Robert

Moynihan, Wayne

GRAFTONAlmy, Susan
Cooney, Mary
Harding, Laurie
Lovett, Sid
Pastor, Beatriz
Townsend, CharlesBenn, Bernard
Doolan, Ralph Jr
Higgins, Patricia
Massimilla, Linda
Piper, WendyBradley, Lester
Ford, Susan
Ladd, Rick Jr
Mulholland, Catherine
Reilly, Harold SrBrown, Rebecca
Friedrich, Carol
Lauer, Linda
Nordgren, Sharon
Sykes, George

HILLSBOROUGH

Beaulieu, Jane
Christiansen, Lars
Culbert, Patrick
Gage, Ruth
Gorman, Mary
Hammond, Jill
Jack, Martin
Knowles, Mary Ann
LeVasseur, Richard
Martel, Andre
Nelson, Mary
Porter, Marjorie
Shattuck, Gilman
Sullivan, Peter
Willette, Robert

Byron, Frank
Coffey, James
Danielson, David
Gagne, Larry
Grady, Brenda
Hansberry, Daniel
Jasper, Shawn
Kopka, Angeline
Levesque, Melanie
McCarthy, Michael
O'Brien, Michael Sr
Rowe, Robert
Shaw, Barbara
Vail, Suzanne
Williams, Kermit

Campbell, David
Connor, Evelyn
DiSilvestro, Linda
Gale, Sylvia
Graham, John
Harriott-Gathright, Linda
Jeudy, Jean
Kurk, Neal
MacKay, Mariellen
McCloskey, David
Palmer, Stephen
Sanborn, Laurie
Spratt, Stephen
Vaillancourt, Steve
Winters, Joel

Carroll, Douglas
Cote, David
Eaton, Richard
Gargas, Carolyn
Hackel, Paul
Heden, Ruth
Kelley, John
Leishman, Peter
Manley, Jonathan Sr
McNamara, Richard
Pellegrino, Tony
Schmidt, Janice
Straight, Philip
Walsh, Robert Jr
Woodbury, David

MERRIMACK

Alicea, Caroletta
Carson, Clyde
Gile, Mary
Lockwood, Priscilla
Moffett, Howard
Richardson, Gary
Shurtleff, Stephen
Webb, Leigh

Bartlett, Christy
Davis, Frank
Hirsch, Geoffrey
MacKay, James
Myler, Mel
Rogers, Katherine
Tilton, Joy

Bouchard, Candace
Frambach, Mary
Hunt, Jane
McGuire, Carol
Ratzki, Mario
Schamberg, Thomas
Wallner, Mary Jane

Burns, Scott
French, Barbara
Karrick, David Jr
McGuire, Dan
Rice, Chip
Schuett, Dianne
Walz, Mary Beth

ROCKINGHAM

Abrami, Patrick
Briden, Steven
Copeland, Timothy
Flockhart, Eileen
Hoelzel, Kathleen
Mann, Maureen
O'Connor, John
Priestley, Anne
Sherman, Thomas
Till, Mary
Weyler, Kenneth

Allen, Mary
Burtis, Elizabeth
Cushing, Robert Jr
Griffin, Mary
Kappler, Lawrence
Milz, David
Packard, Sherman
Scarlotto, Joe
St.James, Kevin
Ward, Gerald
Whittemore, Lisa

Bick, Patrick
Cahill, Michael
Dumaine, Dudley
Hagan, Joseph
Lovejoy, Patricia
Moody, Marcia
Pantelakos, Laura
Schlachman, Donna
Sweeney, Joe
Waterhouse, Kevin

Borden, David
Chirichiello, Brian
Emerson-Brown, Rebecca
Heffron, Frank
Major, Norman
Muns, Chris
Peckham, Michele
Sedensky, John
Sytek, John
Webb, James Sr

STRAFFORD

Baber, William
Grassie, Anne
Jones, Laura
Pelletier, Marsha
Schmidt, Peter
Verschueren, James

Burdwood, Greg
Gray, James
Kaen, Naida
Perry, Robert
Smith, Marjorie
Wall, Janet

Burke, Rachel
Grossman, Kenneth
Malloy, Dennis
Rogers, Rose Marie
Spang, Judith

Ginsburg, Philip
Horrigan, Timothy
Mullen, John Jr
Rollo, Deanna
Stevens, Audrey

SULLIVAN

Cloutier, John
Irwin, Virginia
Tanner, Linda

Gagnon, Raymond
Schmidt, Andrew

Gottling, Suzanne
Smith, Steven

Grenier, James
Sweeney, Cynthia

and the motion failed.

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, June 26, 2013 at 10:00 a.m.
Adopted.

LATE SESSION**Third reading and final passage**

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

SB 76, relative to disqualification of candidates.

SB 112, requiring constitutional amendment concurrent resolutions to contain the language for the voter's guide.

SB 44, relative to the disposal of controlled drugs by law enforcement officers.

SB 90, establishing a committee to study developing a policy for veteran preference for government hiring.

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

SB 124-FN, establishing an integrated land development permit.

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.

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

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

SB 19-FN, repealing provisions relative to the sale of the former Laconia state school property and eliminating a ramp toll on the Everett turnpike in the town of Merrimack.

SB 98, authorizing group net metering for limited electrical energy procedures and establishing a committee to study reimbursement rates for excess electricity generated by customer-generator groups.

SB 99-FN, requiring the site evaluation committee to direct a study of site evaluation criteria and establishing a committee to study the criteria for siting of wind powered electric generating facilities, other electric generating facilities, and transmission facilities.

SB 191-FN-A, establishing a state energy strategy.

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

SB 75, relative to games of chance.

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

SB 47, relative to a surviving spouse's right to retain a Purple Heart plate.

SB 41, revising the New Hampshire business corporations act, RSA 293-A.

SB 198, relative to the authority of county correctional officers.

SB 27-FN, relative to monitoring by the department of education of programs for children with disabilities.

SB 48, relative to school performance and accountability.

SB 135-FN, relative to the regulation of the practice of genetic counseling.

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.

SB 146-FN-L, relative to aid to the permanently and totally disabled and old age assistance.

SB 123-FN-L, relative to the use of proceeds from the regional greenhouse gas initiative program.

SB 148-FN, relative to electric renewable portfolio standards.

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.

SB 97, relative to high school equivalency and relative to illiteracy.

SENATE MESSAGE

ACCEDES TO REQUESTS FOR COMMITTEE OF CONFERENCE

HB 142, relative to teacher evaluation systems.

The President appointed Sens. Stiles, Reagan and Kelly.

HB 242, relative to child passenger restraint requirements.

The President appointed Sens. Rausch, Boutin and Gilmour.

UNANIMOUS CONSENT

Reps. Schuett and Katherine Rogers addressed the House.

MOTION TO PRINT REMARKS

Rep. Vaillancourt moved that the remarks made by Rep. Katherine Rogers during Unanimous Consent be printed in the Permanent Journal.

Adopted.

REMARKS

Rep. Katherine Rogers: Thank you, Madam Speaker. Forty-five years ago today, Senator Robert Kennedy was taken from us by an assassin's bullet. As a young girl, I watched in horror as the person that sparked my love of politics and government died. I couldn't understand then and still, today, I don't understand and struggle with why a person such as that, so committed to improving the world was killed. I made a decision that day as a young girl that I would work towards the ideals that Robert Kennedy stood and fought for. Senator Kennedy spoke and fought for so many who were unable to speak for themselves, children in poverty, immigrant workers, minorities and all people who love freedom and justice. Robert Kennedy once said,

"Each time a man stands up for an ideal, or acts to improve the lot of others, or strikes out against injustice, he sends forth a tiny ripple of hope, and crossing each other from a million different centers of energy and daring those ripples build a current which can sweep down the mightiest walls of oppression and resistance." Let us all work together to build that current and knock down those walls. Rest in peace, Senator Kennedy. Your memory will never die. Thank you.

PERSONAL PRIVILEGE

Rep. William O'Brien 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 6:55 p.m.

RECESS

(Rep. Rosenwald in the Chair)

SENATE MESSAGE

CONCURRENCE WITH AMENDMENT

SB 187, posthumously emancipating enslaved Africans in New Hampshire.

ENROLLED BILL AMENDMENT

SB 187, posthumously emancipating enslaved Africans in New Hampshire. (Amendment printed SJ 6-6-13) Adopted.

CONFEREE CHANGE

HB 142, relative to teacher evaluation systems.

Rep. Gile replaced Rep. Myler.

RECESS

(Rep. Campbell in the Chair)

ENROLLED BILL AMENDMENTS

HB 361, relative to worksharing.

Amendment (1969-EBA)

Amend RSA 282-A:31-b, I(f) as inserted by section 1 of the bill by replacing line 6 with the following:

why it is not feasible.

Adopted.

HB 433, relative to procedures for juvenile delinquency petitions filed by a school district or school official.

Amendment (1968-EBA)

Amend RSA 169-B:6, III as inserted by section 2 of the bill by replacing line 2 with the following: official, including a school resource officer assigned to a school district pursuant to a contract

Amend RSA 169-B:6, IV as inserted by section 2 of the bill by replacing line 1 with the following:

IV. When a school official, including a school resource officer assigned to a school district

Amend RSA 169-B:6, IV as inserted by section 2 of the bill by replacing line 5 with the following: child's initial appearance, the legally liable school district shall provide assurance that prior to its

Adopted.

ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 138, 185, 187, 196, 204, 254, 262, 304, 313, 352, 400, 401, 411, 453, 505, 507, 513, 554, 581, 636 and 655 and Senate Bills numbered 67, 133 and 165.

Rep. Shurtleff, Sen. Carson for the Committee

SENATE MESSAGES

ACCEDES TO REQUEST FOR COMMITTEE OF CONFERENCE

HB 353, relative to the regulation of private investigators and security guards.

The President appointed Sens. Reagan, Carson and Soucy.

HB 635, establishing a committee to study state rest areas and relative to the solicitation of requests for proposals for the naming rights to rest areas.

The President appointed Sens. Rausch, Boutin and Gilmour.

CONCURRENCE

HB 477, relative to differential pay for certain state employees providing direct care to inmates and patients.

NONCONCURRENCE

HB 668, relative to group and individual health insurance market rules.

RE-REFERRED TO COMMITTEE

HB 426, relative to payment of costs and fees in guardianship cases.

CONCURRENCE WITH AMENDMENTS

SB 11-L, relative to water and sewer utility districts and water or sewer utility districts.

SB 20, making modifications to the DWI ignition interlock program.

SB 33, making technical changes to the judicial retirement plan.

SB 42, relative to applications for licensure by the real estate appraisers board.

SB 49, relative to appeals of planning board decisions.

SB 54, relative to appeals from the department of administrative services bureau of public works design and construction.

SB 85, relative to commercial motor vehicle operation.

SB 89, relative to the definition of lead fishing sinkers and jigs and the penalties for prohibited sales of lead fishing sinkers and jigs.

SB 94, relative to portable electronics insurance.

SB 96, relative to vexatious litigants.

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

SB 159, exempting drivers of eligible agricultural and farm vehicles from certain federal motor carrier regulations and relative to drivers' license renewals of members of the armed forces and federal employees and their spouses.

SB 160-FN-A, relative to turnpikes and electronic toll collection.

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 185, establishing a commission on housing policy and regulation.

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

NONCONCURRENCE WITH AMENDMENT

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.

RECESS

(Rep. Friedrich in the Chair)

SENATE MESSAGES**REQUESTS CONCURRENCE WITH AMENDMENTS**

HB 1-A, making appropriations for the expenses of certain departments of the state for fiscal years ending June 30, 2014 and June 30, 2015. (Amendment printed SJ 6-6-13)

Rep. Shurtleff moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Wallner, Rosenwald, Daniel Eaton, Almy and Kurk. Alternates: Reps. Benn, Buco, Lovejoy and Weyler.

HB 2-FN-A-L, relative to state fees, funds, revenues, and expenditures. (Amendment printed SJ 6-6-13)

Rep. Shurtleff moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Wallner, Rosenwald, Daniel Eaton, Almy and Kurk. Alternates: Reps. Leishman, Ford, Nordgren and Major.

HB 25-FN-A, making appropriations for capital improvements. (Amendment printed SJ 6-6-13)

Rep. Shurtleff moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Campbell, Cloutier, Irwin, Chandler and Graham.

HB 357, prohibiting an employer from using credit history in employment decisions. (Amendment printed SJ 6-6-13)

Rep. Shurtleff moved that the House nonconcur and request a Committee of Conference.
Adopted.

The Speaker appointed Reps. Andrew White, Weed, Ley and Cahill.

HB 414, relative to privacy in the workplace. (Amendment printed SJ 6-6-13)

Rep. Shurtleff moved that the House nonconcur and request a Committee of Conference.
Adopted.

The Speaker appointed Reps. Andrew White, Sally Kelly, Jan Schmidt and Andrews.

NONCONCURS WITH AMENDMENT REQUESTS COMMITTEE OF CONFERENCE

SB 157-FN, establishing a New Hampshire disaster relief fund.

The President appointed Sens. Bragdon, Forrester and Larsen.

Rep. Shurtleff moved that the House accede.

Adopted.

The Speaker appointed Reps. Ford, Bucu, Daniel Eaton and Cebrowski.

ENROLLED BILL AMENDMENT

SB 126-FN, relative to business practices between motor vehicle manufacturers, distributors, and dealers.
(Amendment printed SJ 6-6-13)

Adopted.

RECESS

(Rep. Muns in the Chair)

SENATE MESSAGES REQUESTS CONCURRENCE WITH AMENDMENTS

HB 124-FN, relative to the determination of gainful occupation for a group II member receiving an accidental disability retirement allowance from the retirement system. (Amendment printed SJ 6-6-13)

Rep. Shurtleff moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Weber, Gagnon, Daniel Sullivan and Schuett.

HB 220, relative to the New Hampshire medal of honor. (Amendment printed SJ 6-6-13)

Rep. Shurtleff moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Theberge, Massimilla, McCloskey and Notter.

HB 224, relative to the authority of the superintendent of a county correctional facility. (Amendment printed SJ 6-6-13)

Rep. Shurtleff moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Cushing, Charron, Grady and Gagne.

HB 233, relative to the care of the war memorial in Franconia Notch state park. (Amendment printed SJ 6-6-13)

Rep. Shurtleff moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Chandley, Theberge, Parkhurst and Shurtleff.

HB 260-FN, relative to the children in need of services (CHINS) program. (Amendment printed SJ 6-6-13)

Rep. Shurtleff moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Walz, Long, Gargas and Katherine Rogers.

HB 295-FN, requiring criminal background checks for volunteers and employees at youth skill camps. (Amendment printed SJ 6-6-13)

Rep. Shurtleff moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Suzanne Smith, Aguiar, Ahlgren and Gottling.

HB 518, relative to establishing an individual's status as a veteran and specifying that training for active duty is service for purpose of the veterans' tax credit. (Amendment printed SJ 6-6-13)

Rep. Shurtleff moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Theberge, Sweeney, Carey and Priestley.

HB 524, relative to national guard facilities, the national guard scholarship fund, and the state active duty death benefit. (Amendment printed SJ 6-6-13)

Rep. Shurtleff moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Campbell, Theberge, Massimilla and Graham.

HB 542, relative to electric renewable portfolio standards. (Amendment printed SJ 6-6-13)

Rep. Shurtleff moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Kaen, Nickolas Levasseur, Cali-Pitts and Introne.

HB 594-FN, relative to the general consumer credit laws of the state. (Amendment printed SJ 6-6-13)

Rep. Shurtleff moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Butler, John Hunt, Goley and Muns.

HB 664-FN, relative to the New Hampshire vaccine association. (Amendment printed SJ 6-6-13)

Rep. Shurtleff moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Butler, Kermit Williams, Harding and Cote.

SENATE MESSAGES

ACCEDES TO REQUEST FOR COMMITTEE OF CONFERENCE

HB 1-A, making appropriations for the expenses of certain departments of the state for fiscal years ending June 30, 2014 and June 30, 2015.

The President appointed Sens. Morse, Odell, Forrester and D'Allesandro.

HB 2-FN-A-L, relative to state fees, funds, revenues, and expenditures.

The President appointed Sens. Morse, Odell, Forrester and D'Allesandro.

HB 25-FN-A, making appropriations for capital improvements.

The President appointed Sens. Boutin, Rausch and Larsen.

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

The President appointed Sens. Bradley, Carson and Soucy.

HB 183, relative to processing absentee ballots.

The President appointed Sens. Boutin, Stiles and Lasky.

HB 220, relative to the New Hampshire medal of honor.

The President appointed Sens. Forrester, Bragdon and Lasky.

HB 224, relative to the authority of the superintendent of a county correctional facility.

The President appointed Sens. Boutin, Carson and Lasky.

HB 233, relative to the care of the war memorial in Franconia Notch state park.

The President appointed Sens. Bradley, Forrester and Woodburn.

HB 252-FN, consolidating the property appraisal division and the municipal services division of the department of revenue administration.

The President appointed Sens. Reagan, Carson and Watters.

HB 253, relative to limitations on sales by nano breweries for consumption on the premises.

The President appointed Sens. Sanborn, Bradley and Hosmer.

HB 260-FN, relative to the children in need of services (CHINS) program.

The President appointed Sens. Stiles, Odell and Kelly.

HB 265, relative to procedures by absentee voters.

The President appointed Sens. Stiles, Boutin and Lasky.

HB 295-FN, requiring criminal background checks for volunteers and employees at youth skill camps.

The President appointed Sens. Stiles, Reagan and Kelly.

HB 314, raising limits on single wagers in games of chance and relative to gross revenues received by charitable organizations participating in games of chance.

The President appointed Sens. Odell, Rausch and Hosmer.

HB 357, prohibiting an employer from using credit history in employment decisions.

The President appointed Sens. Bradley, Sanborn and Hosmer.

HB 385, relative to licensure of, and the performance of electrical work by elevator and accessibility lift mechanics.

The President appointed Sens. Cataldo, Reagan and Watters.

HB 414, relative to privacy in the workplace.

The President appointed Sens. Bragdon, Cataldo and Pierce.

HB 442, prohibiting residency restrictions for registered sex offenders and offenders against children.

The President appointed Sens. Carson, Boutin and Soucy.

HB 472, relative to residential units in rooming houses.

The President appointed Sens. Bradley, Cataldo and Hosmer.

HB 518, relative to establishing an individual's status as a veteran and specifying that training for active duty is service for purposes of the veterans' tax credit.

The President appointed Sens. Forrester, Bragdon and Lasky.

HB 524, relative to national guard facilities, the national guard scholarship fund, and the state active duty death benefit.

The President appointed Sens. Rausch, Boutin and Pierce.

HB 542, relative to electric renewable portfolio standards.

The President appointed Sens. Odell, Bradley and Fuller Clark.

HB 546, relative to medical examinations under workers' compensation.

The President appointed Sens. Sanborn, Cataldo and Soucy.

HB 573-FN, relative to the use of cannabis for therapeutic purposes.

The President appointed Sens. Stiles, Reagan and Gilmour.

HB 594-FN, relative to the general consumer credit laws of the state.

The President appointed Sens. Cataldo, Stiles and Pierce.

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

The President appointed Sens. Boutin, Forrester and Pierce.

HB 599-FN, relative to establishing a single liquor commissioner.

The President appointed Sens. Carson, Reagan and Soucy.

HB 664-FN, relative to the New Hampshire vaccine association.

The President appointed Sens. Bradley, Forrester and Pierce.

RECESS

(Rep. Weber in the Chair)

SENATE MESSAGE

NONCONCURS WITH AMENDMENT

REQUESTS COMMITTEE OF CONFERENCE

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

The President appointed Sens. Rausch, Boutin and Gilmour.

Rep. Chandley moved that the House accede.

Adopted.

The Speaker appointed Reps. Campbell, Maureen Mann, Ebel and Graham.

ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 155, 163 and 511 and Senate Bills numbered 31, 43, 68, 71, 108, 143, 187 and 192.

Rep. Shurtleff, Sen. Prescott for the Committee

RECESS

(Rep. Davis in the Chair)

SENATE MESSAGE

NONCONCURS WITH AMENDMENTS

REQUESTS COMMITTEE OF CONFERENCE

SB 75, relative to games of chance.

The President appointed Sens. Odell, Rausch and Hosmer.

Rep. Shurtleff moved that the House accede.

Adopted.

The Speaker appointed Reps. Lovejoy, John Kelley, Butynski and Sapareto.

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

The President appointed Sens. Bragdon, Odell and Watters.

Rep. Shurtleff moved that the House accede.

Adopted.

The Speaker appointed Reps. Gary Richardson, Shurtleff, Lockwood and Grace.

SB 135, relative to the regulation of the practice of genetic counseling.

The President appointed Sens. Carson, Cataldo and Lasky.

Rep. Shurtleff moved that the House accede.

Adopted.

The Speaker appointed Reps. Weber, Gagnon, Peter Schmidt and Mary Nelson.

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.

The President appointed Sens. Carson, Cataldo and Watters.

Rep. Shurtleff moved that the House accede.

Adopted.

The Speaker appointed Reps. Schuett, Weber, Sytek and Moffett.

CONFEREES CHANGES

HB 595, relative to photo identification of voters.

Rep. Hoelzel replaced Rep. Cote.

SB 188, relative to municipally-owned utilities.

Rep. Ratzki replaced Rep. Ebel.

RECESS

(Rep. Weber in the Chair)

SENATE MESSAGE

NONCONCURS WITH AMENDMENT

REQUESTS COMMITTEE OF CONFERENCE

SB 19-FN, repealing provisions relative to the sale of the former Laconia state school property and eliminating a ramp toll on the Everett turnpike in the town of Merrimack.

The President appointed Sens. Bragdon, Rausch and Larsen.

Rep. Davis moved that the House accede.

Adopted.

The Speaker appointed Reps. Campbell, Cloutier, Maureen Mann and Waterhouse.

RECESS

(Rep. Davis in the Chair)

SENATE MESSAGE

NONCONCURS WITH AMENDMENTS

REQUESTS COMMITTEE OF CONFERENCE

SB 48, relative to school performance and accountability.

The President appointed Sens. Stiles, Reagan and Kelly.

Rep. Shurtleff moved that the House accede.

Adopted.

The Speaker appointed Reps. Ladd, Frazer, Shaw and Gile.

SB 148-FN, relative to electric renewable portfolio standards.

The President appointed Sens. Sanborn, Bradley and Pierce.

Rep. Shurtleff moved that the House accede.

Adopted.

The Speaker appointed Reps. Borden, Butler, Schlachman and Flanders.

CONFEREES CHANGES

HB 414, relative to privacy in the workplace.

Rep. Ley replaced Rep. Sally Kelly.

RECESS

(Rep. Cote in the Chair)

ENROLLED BILL AMENDMENT

SB 126-FN, relative to business practices between motor vehicle manufacturers, distributors, and dealers. (Amendment printed SJ 6-6-13)

Adopted.

RECESS

(Rep. Ratzki in the Chair)

ENROLLED BILL AMENDMENTS

SB 11, relative to water and sewer utility districts and water or sewer utility districts. (Amendment printed SJ 6-6-13)

Adopted.

SB 20, making modifications to the DWI ignition interlock program. (Amendment printed SJ 6-6-13)

Adopted.

SB 54, relative to appeals from the department of administrative services bureau of public works design and construction. (Amendment printed SJ 6-6-13)

Adopted.

SB 97, relative to high school equivalency and relative to illiteracy. (Amendment printed SJ 6-6-13)

Adopted.

RECESS

(Rep. Shurtleff in the Chair)

ENROLLED BILL AMENDMENT

HB 686, relative to approval of liquor commission contracts.

Amendment (2046-EBA)

Amend RSA 176:18 as inserted by section 2 of the bill by replacing lines 1-2 with the following:

176:18 Contracts Entered into by the Liquor Commission. Contracts in excess of \$10,000 made or entered into by the liquor commission, including but not limited to contracts for warehousing,

Adopted.

CONFEREE CHANGE

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

Rep. Shurtleff replaced Rep. Gagnon.

RECESS

(Rep. Shurtleff in the Chair)

ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 123, 137, 140, 225, 229, 246, 261, 269, 278, 283, 308, 342, 361, 403, 410, 433, 477, 481, 521, 526, 528, 575, 602, 630 and 634 and Senate Bills numbered 14, 33, 42, 47, 49, 85, 89, 96, 117, 146, 155, 159, 160, 163, 164, 184 and 197.

Rep. Shurtleff, Sen. Prescott for the Committee

RECESS

(Rep. Weber in the Chair)

ENROLLED BILL AMENDMENT

SB 170, relative to advance directives pertaining to life-sustaining treatment. (Amendment printed SJ 6-6-13)

Adopted.

RECESS

(Rep. Weber in the Chair)

ENROLLED BILL AMENDMENT

SB 90, establishing a committee to study developing a policy for veteran preference for government hiring and extending the commission on the effects of service-connected post-traumatic stress disorder and traumatic brain injury. (Report printed SJ 6-26-13)

Adopted.

ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bill numbered 686 and Senate Bills numbered 11, 20, 97, 99, 126 and 173.

Rep. Shurtleff, Sen. Bradley for the Committee

CONFEREE CHANGES

HB 224, relative to the authority of the superintendent of a county correctional facility.
Rep. Shurtleff replaced Rep. Charron.

HB 253, relative to limitations on sales by nano breweries for consumption on the premises.
Rep. Shurtleff replaced Rep. Scarlotto.

HB 385, relative to licensure of, and the performance of electrical work by, elevator and accessibility lift mechanics.

Rep. Weber replaced Rep. Beaudoin.

SB 157-FN, establishing a New Hampshire disaster relief fund.
Rep. Weyler replaced Rep. Cebrowski.

RECESS

(Rep. Gary Richardson in the Chair)

ENROLLED BILL AMENDMENT

HB 231, relative to reinsurance.

Amendment (2078-EBA)

Amend RSA 405:46, II(a) as inserted by section 2 of the bill by replacing line 1 with the following:

(a) Is organized or, in the case of a U.S. office of a foreign banking organization, licensed,
Amend the introductory paragraph of RSA 405:47, III(a) as inserted by section 3 of the bill by replacing line 2 with the following:

insurer that is domiciled in, or, in the case of a U.S. branch of an alien assuming insurer, is

Amend RSA 405:47, IV(d)(5) as inserted by section 3 of the bill by replacing line 1 with the following:

(5) Within 90 days after ***its*** financial statements are due to be filed with the group's
Amend RSA 405:47, IV-a(e)(3) as inserted by section 3 of the bill by replacing line 3 with the following:

reinsurer for the purpose of securing obligations incurred under this paragraph, except

Amend RSA 405:47, IV-a(g) as inserted by section 3 of the bill by replacing line 4 with the following:

continue to comply with all applicable requirements of this paragraph, and the

Amend RSA 405:47, VI as inserted by section 3 of the bill by replacing line 1 with the following:

VI. If the assuming insurer is not licensed [or], accredited, ***or certified*** to transact insurance

Amend RSA 405:49, I(a)(1) as inserted by section 6 of the bill by replacing line 1 with the following:

(1) The reinsurer waives its right to a hearing;

Adopted.

HB 559, relative to the general banking laws of the state and relative to electronic funds transfers.

Amendment (2082-EBA)

Amend RSA 383:9-d, I as inserted by section 9 of the bill by replacing line 6 with the following:
examinations are required under RSA 383:9, the commissioner may for [highly-rated] institutions

Amend RSA 384:36 as inserted by section 11 of the bill by replacing line 6 with the following:

Treasury, Financial Crimes Enforcement Network Regulations, (31 C.F.R. chapter X) as

Adopted.

HB 640, relative to the standard valuation law.

Amendment (2096-EBA)

Amend RSA 410:3, II(a) as inserted by section 1 of the bill by replacing line 5 with the following:

required of a foreign or alien company, the commissioner may accept a valuation made, or caused to

Amend the introductory paragraph of RSA 410:5 as inserted by section 1 of the bill by replacing line 9 with the following:

policies and contracts issued on or after April 7, 1943, shall be the commissioner's reserve valuation

Amend RSA 410:6, I(b) as inserted by section 1 of the bill by replacing line 6 with the following:

these contracts, or any modification of these tables approved by the commissioner, and 7 1/2 percent

Amend RSA 410:6, I(c) as inserted by section 1 of the bill by replacing lines 7 and 8 with the following:

these tables approved by the commissioner, and 5 1/2 percent interest for single premium deferred annuity and pure endowment contracts and 4 1/2 percent interest for all other individual annuity

Amend RSA 410:6, I(e) as inserted by section 1 of the bill by replacing line 7 with the following:

tables approved by the commissioner, and 7 1/2 percent interest.

Amend RSA 410:7, II(b) as inserted by section 1 of the bill by replacing line 1 with the following:

(b) However, if the calendar year statutory valuation interest rate for life insurance

Amend RSA 410:7, II(b) as inserted by section 1 of the bill by replacing line 6 with the following:
calendar year. For purposes of applying this subparagraph, the calendar year statutory valuation

Amend RSA 410:7, III(c) as inserted by section 1 of the bill by replacing line 2 with the following:
stated in subparagraph (b), shall be as specified in subparagraphs (c)(1), (2), and (3), according to the

Amend the introductory paragraph of RSA 410:13 as inserted by section 1 of the bill by replacing line 3 with the following:

determined by the insurance company based on its estimates of future experience, or in the case of

Amend RSA 410:15, III as inserted by section 1 of the bill by replacing it with the following:

III. Unless a change in the valuation manual specifies a later effective date, changes to the valuation manual shall be effective on January 1 following the date when the change to the valuation manual has been adopted by the NAIC by an affirmative vote representing:

(a) At least 3/4 of the members of the NAIC voting, but not less than a majority of the total membership; and

(b) Members of the NAIC representing jurisdictions totaling greater than 75 percent of the direct premiums written as reported in the following annual statements most recently available prior to the vote in subparagraph III(a): life, accident and health annual statements, health annual statements, or fraternal annual statements.

Amend RSA 410:15, IV(a)(2) as inserted by section 1 of the bill by replacing line 1 with the following:

(2) The commissioner's annuity reserve valuation method for annuity contracts

Amend RSA 410:15, IV(b) as inserted by section 1 of the bill by replacing line 1 with the following:

(b) Which policies or contracts or types of policies or contracts are subject to the

Amend RSA 410:15, IV(c)(2) as inserted by section 1 of the bill by replacing line 1 with the following:

(2) Assumptions which shall be prescribed for risks over which the company does not have

Amend section 2 of the bill by replacing line 1 with the following:

2 New Section; Standard Nonforfeiture Law for Life Insurance; Definition. Amend RSA 409 by inserting after section 1 the following new section:

Amend section 3 of the bill by replacing line 1 with the following:

3 Standard Nonforfeiture Law for Life Insurance; Adjusted Premium After Later Dates. Amend RSA 409:5-b, VIII (f) and (g) to read as follows:

Amend RSA 409:5-b, VIII(f)(1) as inserted by section 3 of the bill by replacing line 2 with the following:

Commissioner's Standard Ordinary Mortality Tables, adopted after 1980 by the National

Amend RSA 409:5-b, VIII(f)(2) as inserted by section 3 of the bill by replacing lines 4 and 5 with the following:

Commissioner's 1980 Standard Ordinary Mortality Table with or without Ten-Year Select Mortality Factors or for the Commissioner's 1980 Extended Term Insurance Table. If the

Amend RSA 409:5-b, VIII(g)(2) as inserted by section 3 of the bill by replacing line 4 with the following:

Commissioner's 1961 Standard Industrial Mortality Table or the Commissioner's 1961

Amend section 4 of the bill by replacing line 1 with the following:

4 Standard Nonforfeiture Law for Life Insurance; Adjusted Premium After Later Dates. Amend RSA 409:5-b, IX to read as follows:

Adopted.

RECESS

(Rep. Davis in the Chair)

ENROLLED BILL AMENDMENTS

SB 17, establishing a commission to study palliative care and associated quality of life initiatives. (Amendment printed SJ 6-26-13)

Adopted.

SB 170, relative to advance directives pertaining to life-sustaining treatment. (Amendment printed SJ 6-26-13)

Adopted.

SB 185, establishing a commission on housing policy and regulation. (Amendment printed SJ 6-26-13)

Adopted.

RECESS

(Rep. Kaen in the Chair)

ENROLLED BILL AMENDMENT

SB 41, revising the New Hampshire business corporations act, RSA 293-A. (Amendment printed SJ 6-26-13)

Adopted.

RECESS

(Rep. Jan Schmidt in the Chair)
ENROLLED BILL AMENDMENTS

HB 413, relative to property abandoned by tenants.

Amendment (2101-EBA)

Amend section 2 of the bill by replacing lines 2 and 3 with the following:

RSA 540-A:4, IX by inserting after subparagraph (d) the following new subparagraph:

(e) Landlord damages for any unlawful dispossession or lock-out of a tenant from the
Adopted.

HB 588, extending the instream flow pilot program for 2 years and establishing a commission to study opportunities and options to improve the sustainability of the fish and game department.

Amendment (2038-EBA)

Amend lines 2 through 4 of section 7 of the bill by replacing them with the following:

the Fish and Game Department. Amend RSA 206 by inserting after section 1 the following new section:

206:1-a Commission to Study Opportunities and Options to Improve the Sustainability of the

Amend line 1 of section 8 of the bill by replacing it with the following:

8 Repeal. RSA 206:1-a, relative to the commission to study opportunities to improve the
Adopted.

RECESS