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HOUSE RECORD

Second Year of the 163rd General Court

Calendar and Journal of the 2014 Session

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Vol. 36 **Concord, N.H.** **Tuesday, March 25, 2014** **No. 29**

HOUSE JOURNAL No. 13 (Cont.)

Thursday, March 20, 2014

Rep. Kaen moved that the House adjourn.
Adopted.

HOUSE JOURNAL No. 14

Tuesday, March 25, 2014

The House assembled at 10:00 a.m., the hour to which it stood adjourned, and was called to order by the Speaker.

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

O God of life, of the ins and outs, the ups and downs. I counted the steps between the floors today, O God thirty-four. And, for a brief moment, I wondered what it might be like not to be able to climb even one. As I was rushing over my breakfast to get to an early morning meeting, for a brief moment I realized how blessed I am to have food in the fridge and money to pay for it and a job to call me out of bed early. Yesterday, I happened to be looking at my prescription insurance card and for a brief moment, I realized how blessed I am to be able to care for my family as the need arises and not be worried that the next illness will put me at risk of homelessness. O God of small steps, make us grateful for all that we have. We acknowledge that there are indeed times of sadness and sickness and worry in everyone's life, including our own. We pray for those in our midst who may be reeling from grief or illness or other calamity and yet, remind us that You are with us and that we have much to be grateful for. Remind us that progress is made one step at a time. One bill at a time. One conversation at a time. Help us as one body to rise to the occasion today, taking every step we can to improve the common wealth and the common health of New Hampshire, keeping especially before us the needs of those less fortunate than we. In Your Holy name we pray. Amen.

Representative Michael Cahill, member from Newmarket, led the Pledge of Allegiance.

Representative Lucy Weber, member from Walpole, led the singing of the National Anthem.

LEAVES OF ABSENCE

Reps. Ahlgren, Boisvert, Charron, Susan Emerson, Helmstetter, LeVasseur, Miller, O'Hearne, Pantelakos and Pratt, the day, illness.

Reps. Aguiar, Bailey, Ronald Belanger, Benn, Flanagan, Marilinda Garcia, Heden, Infantine, Lefebvre, McCloskey, Menear, William O'Brien, Oligny, Palmer, Perkins, Frederick Rice, Rollo, Andrew Schmidt, Todd Smith, Souza, St. James, Tamburello, Thomas Walsh and Worsman, the day, important business.

INTRODUCTION OF GUESTS

Michael Pedersen, guest of Rep. Vail. Gabby Grossman, guest of the Rockingham District 18 Delegation. Denise Hennessey, guest of Rep. Schuett. Fourth graders from the Greenland Central School, guests of Rep. Tucker. Fourth graders from Bow Elementary school, guests of Rep. Walz.

MOTION TO VACATE

Rep. Weber moved that the House vacate the reference of ***SB 241,*** establishing the division of economic development fund, and ***SB 386,*** relative to the authority and duties of the department of revenue administration, to the Committee on Executive Departments and Administration.
Adopted.
The Speaker referred ***SB 241*** and ***SB 386*** to the Committee on Ways and Means.

CONSENT CALENDAR

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

HB 1555-FN, relative to the neglect of elderly, disabled, or impaired adults and relative to financial exploitation, removed by Rep. Warden.

HB 1105-FN-L, relative to aid to school districts for costs of special education, removed by Rep. Ladd.

HB 1100, establishing a committee to study the ownership by public entities of land for conservation purposes, removed by Rep. Bishop.

HB 1383, relative to municipal monitoring of large groundwater withdrawals, removed by Rep. Beaudoin.

HB 1352, establishing a committee to explore public-private partnerships to coordinate energy transmission corridors with rapid transit, removed by Rep. Lovett.

HB 1313, relative to highway surveillance, removed by Rep. Kurk.

HB 1317, relative to driver education, removed by Rep. Vaillancourt.

HB 1359-FN, establishing Bronze Star and Silver Star number plates, removed by Rep. Notter.

HB 1483-FN, relative to transfers of motor vehicle registration, removed by Rep. Hoell.

HB 292-FN-A, relative to registration fees for commercial, private, and pleasure vessels, removed by Rep. Sylvia.

HB 456-FN, relative to liquor manufacturers and relative to samples of alcoholic beverages, removed by Rep. Schroadter.

HB 1160-FN, relative to the sale of Lucky 7 tickets, removed by Rep. Hess.

HB 1232-FN, relative to insurance filing fees, removed by Rep. Sandblade.

HB 1531, relative to tax expenditure reports for the business profits tax by the department of revenue administration and establishing a joint committee on tax expenditure review, removed by Rep. Carol McGuire.

SB 116-FN, relative to the licensure of liquefied propane installation and service technicians, removed by Rep. Umberger.

On a division vote, 282 members having voted in the affirmative and 9 in the negative, the Consent Calendar was adopted.

HB 1494-FN, relative to administration of the New Hampshire retirement system and authority of the board of trustees. **OUGHT TO PASS.**

Rep. Katherine D. Rogers for Finance. This bill was a request of the New Hampshire Retirement System to address a number of "technical" changes to RSA 100-A. The committee passed the bill as it was reported out of the House Committee on Executive Departments and Administration and approved on the House floor. Vote 20-0.

HB 1564-FN, relative to escheat proceedings. **INEXPEDIENT TO LEGISLATE.**

Rep. William A. Hatch for Finance. HB 1564 requires the establishment of an owner outreach and unification unit be established within the abandoned property division of the state treasury. The committee received testimony from the administrator of the abandoned property division that this was not requested by treasury and they are able to process claims with the current staffing structure. The department also noted that they are having system updates that will enhance the process thus additional personnel were not needed at this time. Considering these factors and the additional expenditure of $90,000 plus each year the committee voted to recommend ITL 24-0. Vote 24-0.

HB 1258, relative to fill and dredge permitting applications. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Shannon E. Chandley for Resource, Recreation and Development. HB 1258 modifies the process for submitting wetlands fill and dredge applications. First, it allows applicants to file directly with the department of environmental services (DES) after securing the acknowledgement of receipt of the application and four copies for distribution locally, thus relieving the town or municipal clerk of the burden of submitting the application to DES. In addition, the bill keeps the requirement that abutters be notified by certified mail, but does not require DES to identify abutters nor their receipt of notice. The amendment standardizes all references to application fee and incorporates the existing filing procedures for state agencies. The committee believes that this bill streamlines the application process for the benefit of all stakeholders. Vote 15-0.

Amendment (0704h)

Amend the bill by replacing section 1 with the following:

1 Excavating and Dredging Permit; Certain Exemptions. RSA 482-A:3, I is repealed and reenacted to read as follows:

I.(a) No person shall excavate, remove, fill, dredge, or construct any structures in or on any bank, flat, marsh, or swamp in and adjacent to any waters of the state without a permit from the department. Unless otherwise specified in rules adopted by the commissioner pursuant to RSA 482-A:11, any person seeking to obtain a permit shall submit to the department:

(1) A complete application form that has been signed by the town or city clerk of the municipality in which the property is located or, if the property is located in more than one municipality, by the city or

town clerk of each such municipality, certifying that the municipality has received 4 copies of the form and attachments as provided in subparagraph (a)(2). The town or city clerk shall send a copy of the form and attachments to the local governing body, the municipal planning board, if any, and the municipal conservation commission, if any, and shall retain one copy to be made reasonably accessible to the public. Applications and fees for projects by agencies of the state may be filed directly with the department, with 4 copies of the application, plan, and map filed at the same time with the town or city clerk.

(2) Such other information as required by rules adopted by the commissioner pursuant to RSA 482-A:11, which may include maps and plans.

(3) A nonrefundable application fee as specified in subparagraphs (b) or (c), as applicable.

(b) The application fee for shoreline structure projects shall be $200 plus an amount based on the area of dredge, fill, or dock surface area proposed, or a combination thereof, which shall be $2 per square foot for permanent dock surface area; $1 per square foot for seasonal dock surface area; and $.20 per square foot for dredge or fill surface area or both. For projects involving only the repair, reconstruction, or reconfiguration of an existing docking structure, the application fee shall be $200.

(c) The application fee shall be $200 for minimum impact dredge and fill projects under this chapter. The application fee for all projects under this chapter which are not covered by subparagraph (b) or (c) or paragraphs IV-a, V, X through XII, XV, XVI, or XVII through XIX shall be $.20 per square foot of proposed impact, with a minimum fee of $200 for all such projects that impact fewer than 1,000 square feet.

(d) At the time the applicant files the application with the department, the applicant shall provide written notice of the proposed project to:

(1) All abutters, as defined in the rules of the department, unless exempted in such rules, which shall be provided by certified mail or other delivery method that provides proof of receipt. The applicant shall retain such receipts and provide copies to the department upon request. The department shall have no obligation to verify the identity of abutters or their receipt of notice. Any abutter who has actual notice of the filing of an application shall have no cause to challenge the application based on failure to receive written notice. Nothing in this subparagraph shall prevent the department from taking appropriate action in the event an applicant fails to provide the required notice or provides false information.

(2) The local river management advisory committee if the project is within a river corridor as defined in RSA 483:4, XVIII, or a river segment designated in RSA 483:15. Such notice shall be sent by certified mail or other delivery method that provides proof of receipt. The applicant shall retain such receipts and provide copies to the department upon request. The local river management advisory committee shall, under RSA 483:8-a, III(a)-(b), advise the commissioner and
consider and comment on the permit application.

(e) Beginning October 1, 2007, the department shall submit an annual report to the house and senate finance committees, the house resources, recreation and development committee, and the senate energy and natural resources committee relative to administration of the wetlands fees permit process established by this section.

HB 1286, relative to youth safety regarding mooring and rafting of boats at or near youth camps. **REFER FOR INTERIM STUDY.**
Rep. Brian Wazlaw for Resources, Recreation and Development. This bill attempts to address a problem encountered by at least one camp for children. Officials from the camp are concerned that the children's safety and well-being are compromised when boaters rafting nearby engage in inappropriate behaviors. The solution proposed in the bill is problematic in that it raises several concerns related to boaters' rights on the open waters, infringement on the camp's neighbors and their moorings and various enforcement concerns. Moreover, the proposed legislation would be unlikely to solve the problem as described. A subcommittee met with several stakeholders, including the sponsor, Marine Patrol and camp representatives. It was agreed that further work is needed. Vote 15-0.

HB 1348, relative to the community development finance authority. **INEXPEDIENT TO LEGISLATE.**
Rep. Pamela J. Hubbard for Resources, Recreation and Development. The sponsor of this piece of legislation has identified a serious issue, that of faulty or ailing septic systems and their repair or replacement. Non-point source pollution from septic systems presents a significant threat to the quality of New Hampshire's waters. The committee is intrigued by the concept of establishing a fund to help homeowners upgrade, replace and repair their septic systems, but finds that HB 1348 is not the appropriate solution. The sponsor recognizes that more work and research is needed to bring forth a bill with viable financial options to aid people with systems, which are in need of repair or replacement. Vote 15-0.

HB 1467, relative to large groundwater withdrawal permits. **INEXPEDIENT TO LEGISLATE.**
Rep. Harry C. Merrow for Resources, Recreation and Development. The bill would have required the Department of Environmental Services (DES) to terminate certain large groundwater withdrawal permits when required building permits become null and void. The bill was primarily brought forward by the town

of Northwood because of previous water problems with a bottling company. The company is now in litigation and existing permits will likely expire prior to the conclusion of the case. The committee felt that adequate rules and RSAs have been put in place since the original incident and that towns have options to prevent or address future problems. Vote 13-0.

HB 1129, establishing a committee to study energy efficiency. **OUGHT TO PASS WITH AMENDMENT.** Rep. Kenneth Grossman for Science, Technology and Energy. Keeping in mind that "the acquisition of energy efficiency that can be obtained at a lower cost than conventional energy supply benefits the citizens and businesses of New Hampshire," this bill requires state agencies to meet with stakeholders and develop the "how to" for an energy efficiency plan and share their wisdom with policymakers. Vote 13-0.

Amendment (0797h)

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

AN ACT requiring the development of an energy efficiency implementation plan.

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

1 Findings. The general court finds that:

I. The acquisition of energy efficiency that can be obtained at a lower cost than conventional energy supply benefits the citizens and businesses of New Hampshire.

II. Several studies and reports have concluded that there is significant potential for additional energy efficiency in New Hampshire that will benefit the citizens and businesses of New Hampshire, and make recommendations to the state for capturing that efficiency potential. These studies include:

(a) Additional Opportunities for Energy Efficiency in New Hampshire, prepared for the New Hampshire public utilities commission by GDS Associates, January 2009.

(b) The New Hampshire Greenhouse Gas Emission Reduction Fund, Year 3 (July 2011 – June 2012) Evaluation, prepared for the public utilities commission by Carbon Solutions New England, 2012.

(c) Independent Study of Energy Policy Issues, prepared for the Energy Efficiency and Sustainable Energy Board by Vermont Energy Investment Corporation, September 30, 2011, prepared in response to SB 323 (2010).

(d) Increasing Energy Efficiency in New Hampshire: Realizing Our Potential, prepared for the office of energy and planning by Vermont Energy Investment Corporation, November 15, 2013.

III. The state building code review board is specifically authorized by RSA 155-A:10 to amend their rules to adopt updated International Energy Conservation Codes in advance of legislative approval.

2 Development of Energy Efficiency Implementation Plan.

I. The office of energy and planning, in consultation with the public utilities commission, the department of environmental services, and the department of administrative services, shall convene stakeholder meetings to identify means to maximize cost-effective energy efficiency across all energy use sectors, including electric consumption, heating homes and buildings, and powering our transportation modes. Stakeholders shall include, but not be limited to, residential, commercial, and industrial energy users, utilities, energy suppliers, state agencies, financing entities, residential and commercial building professionals, transportation experts, business leaders, and non-governmental organization policy advocates.

II. The goals of the stakeholder process shall be:

(a) To develop recommendations for short and long-term state energy efficiency goals. These goals shall take into account and complement any goals that are developed by the public utilities commission in its development of an electric and gas utility energy efficiency resource standard, and the findings of the state energy advisory council in the development of the state energy strategy.

(b) To develop a plan for the state with the goal of achieving all cost-effective energy efficiency opportunities that are less expensive than energy supply. The stakeholder process shall use the reports referenced in section 1 of this act as input for the plan, and shall specifically consider:

(1) The potential to reduce energy waste in new construction and existing buildings through such measures as ratification of appropriate energy codes, educating municipalities and the public about energy codes, and leveraging support from private and non-government organizations.

(2) The appropriateness of and need for a rate recovery mechanism that reconciles utilities' investments in energy efficiency programs with resulting potential lost revenue.

(3) How to better engage the private financing market by developing investment opportunities in the energy efficiency industry.

(4) Whether the current funding sources and levels for low-income weatherization are adequate.

(5) Whether cost-effectiveness tests used in New Hampshire are appropriate.

(c) To make recommendations for the implementation of the plan in subparagraph (b) including any legislation deemed necessary.

3 State Compliance With Executive Order.

I. The office of energy and planning, in consultation with the department of administrative services and members of the state agency energy efficiency committee, shall examine whether the state is currently

fulfilling the directives of executive order 2011-1 to lead-by-example in energy efficiency, whether additional goals may be appropriate for state-owned and leased buildings and fleet vehicles, and what tools are available or needed to help meet those goals.

II. The process shall consider, at a minimum:

(a) Whether and how the provisions of RSA 21-I:19-a through RSA 21-I:19-i should be updated to provide agencies with the necessary incentives to undertake performance contracts.

(b) Whether the establishment of a revolving loan fund administered by the department of administrative services would increase the ability of the state to undertake efficiency upgrades in state buildings.

(c) Whether and how to allow the department of administrative services to utilize a portion of funds available to implement energy efficiency measures to offset the cost of administration and oversight of energy efficiency projects.

(d) The level of capital investment necessary to implement all cost-effective energy efficiency measures in state-owned buildings.

(e) Whether and how to allow energy savings to be used for additional projects or maintenance of existing equipment to ensure its continued efficient operation.

4 Report Required. The office of energy and planning shall submit a report of its findings and recommendations to the speaker of the house of representatives, the president of the senate, the senate energy and natural resources committee, the house science and technology committee, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2014.

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

AMENDED ANALYSIS

This bill directs the office of energy and planning, in consultation with the department of environmental services and the public utilities commission, to coordinate development of an implementation plan for capturing cost effective energy efficiency in the state.

HB 1192-FN, eliminating the threshold price on the use of proceeds from the regional greenhouse gas initiative program. **INEXPEDIENT TO LEGISLATE.**

Rep. Kenneth Grossman for Science, Technology and Energy. While the committee supports the accomplishments and goals of the regional greenhouse gas initiative, we felt that creating an overall energy efficiency plan, through other legislation, was a higher priority. Vote 15-0.

HB 1220, relative to limitations on ethanol in gasoline. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John E. Mann for Science, Technology and Energy. This bill prohibits the sale of gasoline containing more than 10% corn-based ethanol, contingent upon any two other New England states adopting similar prohibiting legislation. The committee heard testimony describing the negative impact of corn-based ethanol production on the environment and the harmful effects of ethanol on gasoline engines, which would be more harmful at higher concentrations. Moreover, growing corn to produce ethanol competes with food production. Vote 15-0.

Amendment (0697h)

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

2 Contingency. If any 2 New England states adopt similar legislation limiting the amount of corn based ethanol in gasoline to 10 percent, section 1 of this act shall take effect upon the certification of the commissioner of the department of environmental services to the secretary of state and the office of legislative services that such states have enacted such legislation.

3 Effective Date.

I. Section 1 of this act shall take effect as provided in section 2 of this act.

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

AMENDED ANALYSIS

This bill restricts the addition of corn-based ethanol gasoline additives to no more than 10 percent of the mixture of gasoline. This restriction shall not take effect until passage of similar legislation occurs in 2 other New England states.

HB 1224-FN, relative to best practices for the transmission of energy. **OUGHT TO PASS WITH AMENDMENT.**

Rep. William S. Baber for Science, Technology, Energy. The state currently has no role or authority for inspecting hazardous liquid pipelines (i.e. oil pipelines). Two existing operational oil pipelines dating from WWII cross the state from Maine to New Hampshire in the Route 2 corridor passing some 70 bodies of water. These pipelines transport crude oil from Portland, ME to Montreal and may in the future be reversed to transport tar sands crude in the reverse direction. This bill requires the PUC apply for authorization and reimbursement to assume the federal inspection role for hazardous liquid pipelines that the PUC currently performs for natural gas pipelines. The bill also directs the PUC to report annually to the Science, Technology, and Energy committee on the safety of all pipelines under their responsibility. At the request of the PUC, the bill adjusts the civil penalty under RSA 374:7-a so that it is consistent with federal requirements to maintain inspection authority for natural gas pipelines. Vote 15-0.

Amendment (0655h)

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

AN ACT relative to pipeline operation safety.

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

1 Purpose Statement. Given the importance of pipelines for the transport of natural gas and other energy products to the state's economy and wellbeing, and given the potential safety and environmental hazards of such pipelines, it is deemed in the best interest of the state for the state to assume oversight for interstate natural gas and hazardous liquids pipelines.

2 New Section; Pipeline Safety. Amend RSA 363 by inserting after section 22 the following new section:

363:22-a Pipeline Operation Safety.

I. The commission shall apply annually to the Pipeline and Hazardous Material Safety Administration of the United States Department of Transportation for authorization to take such actions on its behalf to oversee pipeline operation safety, security, monitoring, and compliance through an inspection process.

II. The commission shall report annually to the house science, technology, and energy committee prior to October 1 on the status of pipeline safety, new and proposed projects, any deficiency in state law that limits the commission's ability to oversee interstate pipelines, or state regulations for pipelines that do not meet the minimum federal standard.

3 Supervisory Power of Department of Transportation; Violation. Amend RSA 374:7-a, I-II to read as follows:

I. Any person who knowingly or willfully violates any provision of RSA 370:2 or any standards or rules adopted under it by the public utilities commission, relative to gas pipelines and liquefied petroleum gas systems pursuant to the Natural Gas Pipeline Safety Act, shall be subject to a civil penalty [~~of not exceeding $100,000 for each violation for each day that the violation persists. However, the maximum civil penalty shall not exceed $1,000,000 for any related series of violations~~] ***not to exceed the maximum civil penalty under 49 U.S.C. section 60122(a), as amended***.

II. Any person who otherwise violates any provision of RSA 370:2 or any standards or rules adopted under it by the public utilities commission, relative to gas pipelines and liquefied petroleum gas systems pursuant to the Natural Gas Pipeline Safety Act, shall be subject to a civil penalty [~~of not exceeding $10,000 for each violation for each day that the violation persists. However, the maximum civil penalty shall not exceed $500,000 for any related series of violations~~] ***not to exceed the maximum civil penalty under 49 U.S.C. section 60122(a), as amended***.

4 Effective Date. This act shall take effect January 1, 2015.

AMENDED ANALYSIS

This bill requires the public utilities commission to apply annually to the federal Pipeline and Hazardous Material Safety Administration for authorization to conduct pipeline inspections on its behalf.

This bill also modifies the penalties for violation of standards for service equipment.

HB 1540, relative to least cost integrated resource plans filed by an electric utility. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Amanda A. Merrill for Science, Technology and Energy. This bill amends RSA 378:37 - 378:42 which governs the least cost energy planning process of New Hampshire utilities. The amended bill clarifies the timetable for utilities' submission of plans and the inclusion of natural gas utilities in the purview of the statute, allows the public utilities commission greater flexibility in granting waivers from plan requirements when good cause is found and updates the list of required plan elements, with deletions or additions as appropriate. Vote 15-0.

Amendment (0837h)

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

1 Least Cost Energy Planning; Energy Policy. Amend RSA 378:37 through RSA 378:40 to read as follows:

378:37 New Hampshire Energy Policy. The general court declares that it shall be the energy policy of this state to meet the energy needs of the citizens and businesses of the state at the lowest reasonable cost while providing for the reliability and diversity of energy sources; [~~the protection of~~] ***to maximize the use of cost effective energy efficiency and other demand side resources; and to protect*** the safety and health of the citizens, the physical environment of the state, and the future supplies of [~~nonrenewable~~] resources[~~; and~~]***,*** ***with*** consideration of the financial stability of the state's utilities.

378:38 Submission of Plans to the Commission. Pursuant to the policy established under RSA 378:37, each electric ***and natural gas*** utility***, under RSA 362:2,*** shall file a least cost integrated resource plan with the commission [~~at least biennially~~] ***within 2 years of the commission's final order regarding the utility's prior plan, and in all cases within 5 years of the filing date of the prior plan***. Each such plan shall include, but not be limited to, the following***, as applicable***:

I. A forecast of future [~~electrical~~] demand for the utility's service area.

II. An assessment of demand-side energy management programs, including conservation, efficiency [~~improvement~~], and load management programs.

III. An assessment of supply options ***including owned capacity, market procurements, renewable energy, and distributed energy resources.***

IV. An assessment of ***distribution and*** transmission requirements***, including an assessment of the benefits and costs of "smart grid" technologies.***

[~~V. Provision for diversity of supply sources.~~

~~VI. Integration of demand-side and supply-side options.~~

~~VII.~~] ***V.*** An assessment of plan integration and impact on state compliance with the Clean Air Act [~~Amendments~~] of 1990***, as amended, and other environmental laws that may impact a utility's assets or customers***.

[~~VIII. An assessment of plan integration and impact on state compliance with the National Energy Policy Act of 1992.~~

~~IX.~~] ***VI.*** An assessment of the plan's long- and short-term environmental, economic***,*** and energy price and supply impact on the state.

VII. An assessment of plan integration and consistency with the state energy strategy under RSA 4-E:1.

378:38-a Waiver by Commission. The commission***, by order,*** may waive ***for good cause*** any requirement [~~to file least cost integrated resource plans by an electric utility under RSA 378:38, except for plans relating to transmission and distribution~~] ***under RSA 378:38, upon written request by a utility***.

378:39 Commission Evaluation of Plans. The commission shall review [~~proposals for~~] integrated least-cost resource plans in order to evaluate the [~~adequacy~~] ***consistency*** of each utility's [~~planning process~~] ***plan with this subdivision, in an adjudicative proceeding***. In deciding whether or not ***to approve*** the utility's [~~planning process is adequate~~] ***plan,*** the commission shall consider potential environmental, economic***,*** and health-related impacts of each proposed option. The commission is encouraged to consult with appropriate state and federal agencies, alternative and renewable fuel industries, and other organizations in evaluating such impacts. ***The commission's approval of a utility's plan shall not be deemed a pre-approval of any actions taken or proposed by the utility in implementing the plan.*** Where the commission determines the options have equivalent financial costs, equivalent reliability, and equivalent environmental, economic***,*** and health-related impacts, the following order of ***energy policy*** priorities shall guide the commission's evaluation:

I. ***Energy efficiency and other*** demand-side management ***resources***;

II. Renewable energy sources;

III. All other energy sources.

378:40 Plans Required. No rate change shall be approved or ordered with respect to any utility that does not have on file with the commission a plan that has been filed and [~~reviewed~~] ***approved*** in accordance with the provisions of RSA 378:38 and RSA 378:39. However, nothing contained in this subdivision shall prevent the commission from approving a change, otherwise permitted by statute or agreement, where the utility has made the required plan filing in compliance with RSA 378:38 and the process of review is proceeding in the ordinary course but has not been completed.

2 Repeal. The following are repealed:

I. RSA 378:41, relative to conformity of plans.

II. RSA 378:42, relative to existing rate plans.

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

HB 1136, establishing a committee to study the laws relating to the New Hampshire veterans' home. **OUGHT TO PASS.**

Rep. Linda Massimilla for State-Federal Relations and Veterans Affairs. This bill establishes a committee to study the laws relating to the New Hampshire Veterans' Home, which have not been updated since May of 1986. Vote 12-0.

HCR 12, urging Congress to fund the development and implementation of a comprehensive health care delivery system to enhance the level of specialty care for New Hampshire's veterans. **INEXPEDIENT TO LEGISLATE.**

Rep. David C. Lundgren for State-Federal Relations and Veterans Affairs. This resolution is a duplicate of HR 22. The subject matter was addressed in another resolution. Vote 10-2.

HR 20, urging Congress to support a statewide veterans' medical identification card. **OUGHT TO PASS.**

Rep. Leon H. Rideout for State-Federal Relations and Veterans Affairs. This resolution replaced two other similar resolutions dealing with urgent care for NH Veterans and urges Congress and the department of veterans affairs to fulfill its goal of providing excellence in patient care. Whereas a full-scale VA hospital is cost prohibitive, the resolution encourages the development and implementation of a pilot program via the use of a veterans medical ID card for use in New Hampshire existing medical facilities. Vote 13-0.

HR 22, urging Congress to fund the development and implementation of a comprehensive health care delivery system to enhance the level of specialty care for New Hampshire's veterans. **INEXPEDIENT TO LEGISLATE.**

Rep. Linda Massimilla for State-Federal Relations and Veterans Affairs. The committee felt that this resolution duplicated several other resolutions heard by the committee and therefore it was deemed unnecessary. Vote 12-0.

HB 1149-FN, relative to motor vehicle registrations. **OUGHT TO PASS.**
Rep. Brian D. Rhodes for Transportation. This bill will waive the requirement for a physical copy of certificate of registration if the clerk has access to the electronic system of record and can verify the information for the current or previous registration period. This enhancement will save taxpayers time and aggravation when registering motor vehicles. This bill will also correct a difference between the established fee for a certified copy of a motor vehicle registration in two different places in statutes – RSA 261:141, IX, and RSA 263:42, II. Vote 14-0.

HB 1183, relative to display of antique motor vehicle plates. **OUGHT TO PASS.**
Rep. Steven D. Smith for Transportation. Just as John Milner saw the writing on the wall when Falfa's 55 Chevy came to town, the times are changing. The committee recognizes that today's antique classics are of a newer vintage. This bill updates our statute to encourage more collectors to save more classics. Vote 11-0.

HB 1291, relative to sales by motor vehicle dealers. **INEXPEDIENT TO LEGISLATE.**
Rep. William J. O'Neil for Transportation. This bill is too broad and vague. The person who requested this bill has withdrawn his intent. Therefore, this bill is unnecessary. Vote 11-0.

HB 1324-FN, relative to access to event data recorders. **INEXPEDIENT TO LEGISLATE.**
Rep. Bruce E. Hodgdon for Transportation. The prime sponsor of the bill felt that more work on this bill was needed to make a better bill. Vote 11-0.

HB 1329, prohibiting the use of facial recognition technology in connection with driver's license photographs. **OUGHT TO PASS.**
Rep. Tim O'Flaherty for Transportation. The department of safety supports this bill, which would prohibit the use of facial recognition technology by the DOS. This technology would endanger the privacy of New Hampshire citizens and its use by state agencies should be curtailed. Vote 11-0.

HB 1356, relative to fire department plates. **INEXPEDIENT TO LEGISLATE.**
Rep. Michael B. O'Brien for Transportation. The committee supports the work of our municipal fire departments but felt the start-up costs to manufacture fire department municipal plates to be too costly at this time. Currently, fire departments use the "G" plates, which are adequate and accepted by many municipal fire departments, without the need and cost of an additional plate. Vote 11-0.

HB 495-FN, relative to titles for motor vehicles. **OUGHT TO PASS.**
Rep. Joe Osgood for Ways and Means. We found merit in having vehicles from model year 2000 forward to maintain title status. All states surrounding NH have this provision now and selling vehicles into these states can be very difficult if not impossible. Theft prevention is much stronger on titled vehicles. NH dealers agree with this arrangement. This bill provides for vehicles that have currently lost title status because of the present 15-year provision by starting with the 2000 model year. So this bill makes ownership documentation for the owner simple, it makes doing business with surrounding states much easier for the public and dealers, and simplifies paperwork policies for dealers while tightening anti theft policies. Because cities and towns along with the state process titles on fees that cover the costs it was found that revenues would run slightly higher than costs and have no substantial impact on either agency. Vote 19-0.

HB 658-FN, relative to registration for medical technicians. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Patrick F. Abrami for Ways and Means. This bill was amended to be consistent, when it comes to fees, as the 17 other smaller medical boards under whose control this medical technician board will fall. Consistent with similar boards the fee was set at $55 per year. Since renewals will be every two years, the initial application fee is set at $110 and the bi-annual renewal fee will also be $110. Vote 17-1.

Amendment (0977h)

Amend RSA 328-I:4, X as inserted by section 1 of the bill by replacing it with the following:

X. Establish late fees and fees for transcribing and transferring records and other services.

Amend RSA 328-I:5, III as inserted by section 1 of the bill by replacing it with the following:

III. The establishment of fees required under RSA 328-I:4, X.

Amend RSA 328-I:7, I and II as inserted by section 1 of the bill by replacing it with the following:

I. The board may register any person who submits a completed application. The fee for registration under this chapter shall be $110.

II. Completed applications shall include:

(a) Payment of the non-refundable registration fee;

(b) Reports of any pending criminal charges, criminal convictions, plea agreements in lieu of convictions, or complaints made to or dispositions made by licensing, certification or registration boards.

(c) A complete set of fingerprints and a notarized criminal history record release form pursuant to RSA 328-I:8.

(d) The applicant's work history over the last 10 years.

Amend RSA 328-I:9 as inserted by section 1 of the bill by replacing it with the following:

328-I:9 Renewal of Registration. Certificates of registration issued under this chapter shall be subject to renewal every 2 years and shall expire unless renewed in the manner prescribed by the board. The fee for renewal of certificates of registration shall be $110. Certificates of registration for medical technician shall be renewed upon the payment of the renewal fee.

HB 1157, relative to establishment of fees by certain regulatory boards. **OUGHT TO PASS.**

Rep. Patricia T. Lovejoy for Ways and Means. This bill is intended to ensure that the biennial budgets and fees charged by those boards whose revenues are vulnerable to recession, will be based on the budgeted amount for the biennium in which they apply as opposed to the previous fiscal year. The boards would be required to set fees at a level sufficient to produce estimated revenues equal to 125% of their direct operating expenses for the biennium in which they apply, bringing the fee structure in line with that of other licensing boards under the "125% rule." Boards affected are: mechanical licensing, modular building standard, manufactured housing installation, professional engineers, architects, land surveyors, natural scientists, licensed foresters professional geologist, landscape architects, home inspectors, real estate appraisers and electricians. Vote 17-0.

HB 1229-FN, relative to the oil discharge and gasoline ether cleanup fund. **OUGHT TO PASS.**

Rep. Frank W. Davis for Ways and Means. This bill would extend the repeal dates of the oil discharge and gasoline ether funds from July 1, 2015 to July 1, 2025 and would allow eligible owners to apply for an additional $500,000 for onsite and offsite cleanups. The current cap on expenditures per spill of $1.5 million would be raised to $2 million. The collection of import fees on gasoline and diesel fuel would continue at the same rate through July 1, 2025. The average annual revenue collected from these import fees is about $13.1 million and the average annual expenditure is about $12.9 million. The additional $500,000 made available would be limited to eight or fewer projects and the total amount would not be spent in a single year. The program only approves cleanup projects when new annual revenues are sufficient to cover the cost. Vote 16-1.

HB 1415-FN, establishing a robotics education fund in the department of education. **OUGHT TO PASS.**

Rep. Norman L. Major for Ways and Means. This bill establishes a continually appropriated dedicated fund, known as the robotics education fund, for the purpose of providing funding to make robotics programs available to more local school districts for robotics related activities. The funds are to be raised through gifts, grants, donations or any other source. The education department states there are many sources, both federal and private, that could be accessed for this purpose. Innovation and creativity is challenging; it involves solving problems, figuring out how things are made and how they work, and making them better. Students need experiences that demystify engineering and serve their natural inclination to learn, discover, tinker and build. Robotics programs provide a platform for students to do just this. Vote 18-0.

HB 1487-FN, relative to the uniform fine schedule for the division of forests and lands. **OUGHT TO PASS.**

Rep. Harry L. Young for Ways and Means. The new uniform fine schedule for forestry violation replaces the current schedule. Although some fines will increase and others will decrease, most fine amounts will remain unchanged under this bill, so that there will be minimal impact on the branch's budget. In FY 2013 the branch collected $12,296 in forestry violation fines. No impact is anticipated on county and local revenue, or state, county and local expenditures. Vote 18-0.

HB 1595-FN, establishing a condominium dispute resolution board. **REFER FOR INTERIM STUDY.**

Rep. Patricia T. Lovejoy for Ways and Means. Although the committee sees the need for a condominium dispute resolution board there are too many unanswered questions regarding the costs associated with the board and adequacy of fees to be charged. It is hoped that further work on this bill over the summer will clarify these issues. Vote 18-0.

REGULAR CALENDAR – PART I

HB 1372-FN-A, making an appropriation for the ongoing training and education of pediatric sexual assault nurse examiners. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Bernard L. Benn for the Majority of Finance. This bill passed the Children and Family Law Committee on a 14-0 vote and the House on a voice vote. As stated in the report, "New Hampshire is in dire circumstances with regard to examination and protection of children who have been sexually abused. We are now down to one physician in the entire state certified to do these critical evaluations." Finance held a full committee hearing and Division I held two long work sessions to understand the nature of the proposed expenditures needed to create a pediatric sexual assault nurse examiners training program. Testimony indicated the urgency to establish this program to train additional qualified examiners; "when there are concerns about possible sexual abuse, a prompt, accurate and comprehensive evaluation is imperative" in order to prosecute the guilty and protect the innocent. The department of safety joined the law enforcement community in support of this bill and program. The majority of the committee recommends amendment #0881h which simplifies the original bill

by combining separate expenditures for software and training into one appropriation for the training program. The single, one time $20k appropriation can be made, without changing any line item in the current budget, from an unanticipated $27k surplus from the Massachusetts flood control settlement payments. Vote 15-10. Rep. Lynne M. Ober for the Minority of Finance. While the Minority found this bill well intentioned, it had a number of issues. The bill, as amended, proposes to provide $20,000 in 2014 for one year's worth of expenses for the pediatric sexual assault nurse examiner [SANE] training program, which would require reopening this biennium's budget to add budget lines and an appropriation. The money would be given by DOJ to a third party as part of their grant program. Because this is a grant program with money given to a third party, there will be no state oversight of expenditures or purchases. Nor will the required state bidding process for large purchases be followed. A budget was provided during Finance Division I committee deliberations showing how the $20,000 is expected to be spent. Basically, that amount would be divided into two equal parts of $10,000 each. Expectations for $10,000 is that one part would be used to lease software needed to support the one-week training class and the other part would pay a stipend to Dartmouth Hitchcock Technical Staff. The second $10,000 would be paid to the only pediatric sexual assault doctor in New Hampshire to provide clinical oversight of records for those who complete the one-week training program. The issues that the minority could not resolve during the time we had to work on the bill were: 1. There is only one pediatric sexual assault doctor currently practicing in NH and this program will not train other doctors. 2. No one explained why Dartmouth-Hitchcock technical staff was being provided a stipend of several thousand dollars. 3. No one explained why technical staff at Dartmouth-Hitchcock were chosen especially as we have software and network experts in our own department of information technology. 4. No estimate for number of nurses to be trained if money for was provided. 5. No estimate of the number of existing and practicing SANE nurses in NH if money was provided, but we did learn there is only one doctor. 6. This is not a new need as sexual assault, unfortunately, has been around for generations. Additionally there has long been a well-documented need for qualified medical and health professionals to deal with sexual assault victims. Therefore, we felt this should have been part of last year's extensive budget review, including a review and oversight by the governor before she presented her budget to the legislature. 7. We already have a number of programs that have been approved but are not receiving monetary support or full monetary support. Examples are school construction aid, a variety of HHS programs, catastrophic aid for children and we were concerned about starting a new program when we cannot support our existing base of approved programs. 8. No one would respond to questions about funding for this program in 2015 or following years except to say they hoped they would get a federal grant. What if they don't? 9. We have not been paying for training for other professionals who are required to take continuing education courses in order to continue working. Examples of this are teachers and school nurses. Faced with these unresolved issues and concerned about the questionable fairness to existing, but unfunded programs, the minority believed this bill should not be passed.

Majority Amendment (0881h)

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

AN ACT making an appropriation for the pediatric sexual assault nurse examiner training program.

Amend the bill by replacing section 1 with the following:

1 Department of Justice; Appropriation for Pediatric Sexual Assault Nurse Examiner Training Program. The sum of $20,000 for the fiscal year ending June 30, 2014 is hereby appropriated to the department of justice, grants management unit for the pediatric sexual assault nurse examiner training program. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

AMENDED ANALYSIS

This bill makes an appropriation to the department of justice, grants management unit, for the pediatric sexual assault nurse examiner training program.

Majority committee amendment adopted.

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

On a division vote, 188 members having voted in the affirmative and 119 in the negative, the majority committee report was adopted and ordered to third reading.

HB 1581-FN-A, relative to the bonding of project costs for certain department of transportation bridge capital projects. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Robert J. Elliott for the Majority of Finance. The intent of HB 1581 has 3 parts. First, it allows the New Hampshire department of transportation to issue bonds on the credit of the State of New Hampshire to repair or replace state owned red list bridges. Second, the borrowing authority is restricted so that at no time shall total highway fund bonded obligations exceed $50,000 under this section of RSA 228 and total debt service does not exceed 10% of the unrestricted highway fund revenues for the previous fiscal years. Thirdly, this is a tool for DOT to make emergency repairs to red list bridges and any debt service incurred against the highway fund will reduce funding for routine maintenance and repairs of the highway system. Vote 20-3.

Rep. Dan McGuire for the Minority of Finance. The purpose of this bill is to allow the department of transportation to quickly borrow money should an emergency cause a bridge to be unusable. However, the language of the bill is too broad. It allows borrowing for red list OR closed bridges. Since repair of red list bridges is a normal DOT function, the bill would allow bonding of operating expenses. The minority's amendment closes this loophole.

Majority Amendment (0869h)

Amend the bill by replacing sections 1 and 2 with the following:

1 New Section; Red List Bridge Capital Projects; Bonds Authorized. Amend RSA 228 by inserting after section 12-a the following new section:

228:12-b Red List Bridge Capital Projects; Bonds Authorized. To provide funds for capital projects to repair or replace state-owned red list bridges, or any state-owned bridge closed in accordance with a department of transportation order, the state treasurer, as may be requested from time to time by the commissioner of the department of transportation, with prior approval of the fiscal committee of the general court, is authorized to borrow from time to time upon the credit of the state such amounts so that the total state obligation under this section shall at no time exceed $50,000,000 and for said purposes may issue bonds and notes at such time in the name and on behalf of the state of New Hampshire in accordance with the provisions of RSA 6-A and as authorized by the governor and council. The department shall request and the treasurer shall issue bonds only for such amounts from time to time as are required for the purposes of this section and provided that the principal and interest payments can be satisfied within limitation mandated by RSA 6-C:3. Debt service for such bonds shall be a charge against the highway fund.

2 New Section; Affordable Debt Limit; Highway Fund. Amend RSA 6-C by inserting after section 2 the following new section:

6-C:3 Affordable Debt Limit; Highway Fund.

I. Notwithstanding any other provision of law, the state treasurer shall not issue any additional highway funded general obligation debt of the state if the projected annual debt service on such additional highway funded general obligation debt, when added to the prior actual annual debt service on any previously issued highway funded general obligation debt exceeds 10 percent of the unrestricted highway fund revenues for the previous fiscal year.

II. The general court may only exceed the ceiling in paragraph I by a 3/5 vote of each house present and voting. Such 3/5 vote shall only apply to votes on final passage and adoption of committee of conference reports.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.
Rep. Dan McGuire offered floor amendment (1137h).

Floor Amendment (1137h)

Amend the bill by replacing sections 1 and 2 with the following:

1 New Section; Bridge Capital Projects; Bonds Authorized. Amend RSA 228 by inserting after section 12-a the following new section:

228:12-b Bridge Capital Projects; Bonds Authorized. To provide funds for capital projects to repair or replace any state-owned bridge closed in accordance with a department of transportation order, the state treasurer, as may be requested from time to time by the commissioner of the department of transportation, with prior approval of the fiscal committee of the general court, is authorized to borrow from time to time upon the credit of the state such amounts so that the total state obligation under this section shall at no time exceed $50,000,000 and for said purposes may issue bonds and notes at such time in the name and on behalf of the state of New Hampshire in accordance with the provisions of RSA 6-A and as authorized by the governor and council. The department shall request and the treasurer shall issue bonds only for such amounts from time to time as are required for the purposes of this section and provided that the principal and interest payments can be satisfied within limitation mandated by RSA 6-C:3. Debt service for such bonds shall be a charge against the highway fund.

2 New Section; Affordable Debt Limit; Highway Fund. Amend RSA 6-C by inserting after section 2 the following new section:

6-C:3 Affordable Debt Limit; Highway Fund.

I. Notwithstanding any other provision of law, the state treasurer shall not issue any additional highway funded general obligation debt of the state if the projected annual debt service on such additional highway funded general obligation debt, when added to the prior actual annual debt service on any previously issued highway funded general obligation debt exceeds 10 percent of the unrestricted highway fund revenues for the previous fiscal year.

II. The general court may only exceed the ceiling in paragraph I by a 3/5 vote of each house present and voting. Such 3/5 vote shall only apply to votes on final passage and adoption of committee of conference reports.

AMENDED ANALYSIS

This bill allows the commissioner of the department of transportation to fund bridge capital projects for state-owned bridges which are closed by department order by bonded appropriations, provided the total debt service does not exceed 10 percent of the unrestricted highway fund revenues for the previous fiscal year.
Reps. Dan McGuire, Campbell and Daniel Eaton spoke in favor.
Floor amendment (1137h) adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.
On a division vote, 260 members having voted in the affirmative and 56 in the negative, the majority committee report was adopted and ordered to third reading.

SB 413-FN-A, relative to access to health insurance coverage. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**
Rep. Sharon Nordgren for the Majority of Finance. SB 413 provides affordable health coverage for about 50,000 people in New Hampshire, most of them working and paying taxes, but with low incomes — lower than about $16,000 for an individual. The bill uses 100% federal funding to help people afford private insurance. For people who have access to insurance through an employer but can't afford it right now, federal funds will be used to pay their premiums and deductibles — about 13,000 people are expected to get coverage this way. The majority of the qualifying population will temporarily attain coverage through private managed care companies, and will then transition to the marketplace in 2016 where they can select a private insurance plan and we will use the federal funds to cover their premiums and deductibles. Enrollment begins May 1, 2014 or as soon thereafter as is practicable with coverage beginning July 1, 2014 or as soon thereafter as is practicable. There are hard sunsets if necessary waivers are not attained as prescribed and the program is immediately terminated if the federal funding for benefits falls below 100%. Vote 15-10.
Rep. Neal M. Kurk for the Minority of Finance. The minority believes it important that low-income New Hampshire adults have health insurance but in a way that is affordable to New Hampshire taxpayers over the long term. The majority would provide this coverage by expanding Medicaid under the Affordable Care Act (aka ObamaCare) but without thoughtful and reasonable financial safeguards. The minority proposed two such safeguards in amendments, which the majority rejected. One required federal waivers be obtained before the program begins; the other put participation and dollar "caps" on the program to protect taxpayers against runaway costs. The majority's plan terminates if certain federal waivers are not approved and, in any event on December 31, 2016, when the 100% federal funding ends. Common sense tells us that, as a practical matter, the program is very likely to be extended and permanently expand welfare in New Hampshire. It would be naïve to believe otherwise. The cost of insuring the 50,000 able-bodied but low-income adults who, it is estimated, will qualify for the program is significant -- about $340 million a year once the program is up and running. This cost will be fully paid by our federal tax dollars until 2017, when the federal share declines until it covers 90% of that cost in 2021 and beyond. Some administrative costs will be picked up by the state. In the current biennium, the net administrative cost will be $3.9 million. But by the 2022/23 biennium, the estimated cost of the state's 10% share of the health care part of the program will be $40-45 million. This is more than our existing revenue structure can support. Expanding Medicaid as proposed by the majority creates other problems: 1. Waiting times for medical and surgical appointments, already lengthy, will increase for those of us who are already insured. Despite some claims to the contrary, our health care system on the whole has little slack. 2. Disincentives for low-income individuals to accept additional hours, wage increases or promotions in order to better themselves are built into expanded Medicaid, as those who accept them and see their incomes rise may see their free health care eliminated. 3. The national debt will increase by some $340 million for each year New Hampshire participates in expanded Medicaid. 4. Those individuals buying and paying for part of their health insurance through the exchanges will have a narrow provider network -- fewer choices of hospitals and doctors -- while, under the bill, those on Medicaid managed care who pay nothing for their care will have a wider provider network. This is inherently unfair. 5. Eligibility for expanded Medicaid is based on income only and not on assets, so that a 50-year old with 250 acres of land and a very low income qualifies for free health insurance -- and gets to bequeath the land to his or her children at taxpayer expense. This, too, is inherently unfair. Expanding Medicaid is not the New Hampshire way to meet the health care needs of low-income adults.

MOTION TO SPECIAL ORDER

Rep. Carol McGuire moved that ***SB 413-FN-A,*** relative to access to health insurance coverage, be made a Special Order to the end of the Regular Calendar.
Rep. Shurtleff spoke against.
Rep. Carol McGuire spoke in favor and requested a roll call; sufficiently seconded.

YEAS 134 NAYS 186

YEAS - 134
BELKNAP

Burchell, Richard	Comtois, Guy	Cormier, Jane	Fields, Dennis
Fink, Charles	Flanders, Donald	Greemore, Robert	Holmes, Stephen
Luther, Robert	Sylvia, Michael	Tilton, Franklin	Vadney, Herbert

CARROLL

Chandler, Gene
Cordelli, Glenn
Crawford, Karel
Lavender, Tom
McConkey, Mark
Merrow, Harry
Nelson, Bill
Umberger, Karen
Wright, Donald

CHESHIRE

Hunt, John
Johnson, Jane

COOS

Rappaport, Laurence
Rideout, Leon

GRAFTON

Doolan, Ralph
Gionet, Edmond
Ladd, Rick
Reilly, Harold
Shackett, Jeffrey

HILLSBOROUGH

Belanger, James
Boehm, Ralph
Burt, John
Byron, Frank
Carroll, Douglas
Cebrowski, John
Christiansen, Lars
Culbert, Patrick
Danielson, David
Gagne, Larry
Gargasz, Carolyn
Graham, John
Haefner, Robert
Hansen, Peter
Hikel, John
Hinch, Richard
Jasper, Shawn
Kurk, Neal
Lambert, George
LeBrun, Donald
Marston, Dick
Martel, Andre
McCarthy, Michael
Murotake, David
Notter, Jeanine
O'Flaherty, Tim
Ober, Lynne
Ober, Russell
Parison, James
Pellegrino, Tony
Peterson, Lenette
Renzullo, Andrew
Rowe, Robert
Sanborn, Laurie
Sandblade, Emily
Straight, Philip
Stroud, Kathleen
Sweeney, Shawn
Takesian, Charlene
Ulery, Jordan
Villeneuve, Moe
Warden, Mark
Willette, Robert

MERRIMACK

Hess, David
Hoell, J.R.
Kotowski, Frank
Lockwood, Priscilla
McGuire, Carol
McGuire, Dan

ROCKINGHAM

Abrami, Patrick
Allen, Mary
Baldasaro, Alfred
Bick, Patrick
Birdsell, Regina
Bishop, Franklin
Chirichiello, Brian
Comerford, Timothy
Copeland, Timothy
Danais, Romeo
DeSimone, Debra
Devine, James
Duarte, Joe
Emerick, J. Tracy
Ferrante, Beverly
Fesh, Robert
Garcia, Bianca
Gordon, Richard
Griffin, Mary
Harris, Jeffrey
Hodgdon, Bruce
Hoelzel, Kathleen
Itse, Daniel
Kappler, Lawrence
Khan, Aboul
Kolodziej, Walter
Major, Norman
McKinney, Betsy
McMahon, Charles
Milz, David
Nigrello, Robert
O'Connor, John
Packard, Sherman
Peckham, Michele
Priestley, Anne
Sanders, Elisabeth
Sapareto, Frank
Schroadter, Adam
Sedensky, John
Sweeney, Joe
Sytek, John
Tasker, Kyle
Tucker, Pamela
Waterhouse, Kevin
Webb, James
Weyler, Kenneth

STRAFFORD

Beaudoin, Steven
Gray, James
Jones, Laura
Mullen, John
Parsons, Robbie
Pitre, Joseph

SULLIVAN

Grenier, James
Osgood, Joe
Smith, Steven

NAYS - 186

BELKNAP

Arsenault, Beth
DiMartino, Lisa
Gulick, Ruth
Huot, David
Raymond, Ian

CARROLL

Butler, Edward
Ticehurst, Susan
White, Syndi

CHESHIRE

Ames, Richard
Berch, Paul
Butynski, William
Chase, Cynthia
Eaton, Daniel
Johnsen, Gladys
Lerandeau, Alfred
Ley, Douglas
Mann, John
Parkhurst, Henry
Phillips, Larry
Robertson, Timothy
Sad, Tara
Shepardson, Marjorie
Tatro, Bruce
Weber, Lucy
Weed, Charles
Young, Harry

COOS

Coulombe, Gary
Enman, Larry
Hammon, Marcia
Hatch, William
Moynihan, Wayne
Richardson, Herbert
Theberge, Robert
Thomas, Yvonne

GRAFTON

Almy, Susan	Brown, Rebecca	Ford, Susan	Friedrich, Carol
Harding, Laurie	Higgins, Patricia	Lovett, Sid	Massimilla, Linda
Mulholland, Catherine	Nordgren, Sharon	Pastor, Beatriz	Piper, Wendy
Smith, Suzanne	Sykes, George	Townsend, Charles	White, Andrew

HILLSBOROUGH

Backus, Robert	Barry, Richard	Beaulieu, Jane	Booras, Efstathia
Brown, Pamela	Campbell, David	Chandley, Shannon	Connor, Evelyn
Cote, David	Daniels, Gary	DiSilvestro, Linda	Eaton, Richard
Gage, Ruth	Gale, Sylvia	Gidge, Kenneth	Goley, Jeffrey
Gorman, Mary	Grady, Brenda	Hackel, Paul	Hammond, Jill
Hansberry, Daniel	Harriott-Gathright, Linda	Heath, Mary	Jack, Martin
Jeudy, Jean	Knowles, Mary Ann	Kopka, Angeline	Leishman, Peter
Levesque, Melanie	Long, Patrick	MacKay, Mariellen	Mangipudi, Latha
Manley, Jonathan	McNamara, Richard	Nelson, Mary	O'Brien, Michael
O'Neil, William	Porter, Marjorie	Ramsey, Peter	Rhodes, Brian
Rosenwald, Cindy	Schmidt, Janice	Shattuck, Gilman	Shaw, Barbara
Smith, Timothy	Soucy, Timothy	Spratt, Stephen	Sullivan, Daniel
Sullivan, Peter	Vail, Suzanne	Vaillancourt, Steve	Walsh, Robert
Williams, Kermit	Winters, Joel	Woodbury, David	

MERRIMACK

Alicea, Caroletta	Andrews, Christopher	Bartlett, Christy	Bouchard, Candace
Burns, Scott	Carson, Clyde	Davis, Frank	Ebel, Karen
Frambach, Mary	French, Barbara	Gile, Mary	Henle, Paul
Hirsch, Geoffrey	Karrick, David	Kelly, Sally	Kidder, David
MacKay, James	Moffett, Howard	Myler, Mel	Patten, Dick
Ratzki, Mario	Rice, Chip	Richardson, Gary	Rogers, Katherine
Schamberg, Thomas	Schuett, Dianne	Shurtleff, Stephen	Turcotte, Alan
Wallner, Mary Jane	Walz, Mary Beth	Watrous, Rick	Webb, Leigh

ROCKINGHAM

Andrews-Ahearn, E. Elaine	Borden, David	Briden, Steven	Cahill, Michael
Cali-Pitts, Jacqueline	Cushing, Robert	Elliott, Robert	Flockhart, Eileen
Hayes, Jack	Heffron, Frank	Mann, Maureen	Moody, Marcia
Muns, Chris	Scarlotto, Joe	Schlachman, Donna	Sherman, Thomas
Till, Mary	Ward, Gerald	Wazlaw, Brian	Whittemore, Lisa

STRAFFORD

Baber, William	Bixby, Peter	Burke, Rachel	Gardner, Janice
Grassie, Anne	Grossman, Kenneth	Hooper, Dorothea	Horrigan, Timothy
Hubbard, Pamela	Kaen, Naida	Ketel, Stephen	Malloy, Dennis
Merrill, Amanda	Perry, Robert	Rogers, Rose Marie	Schmidt, Peter
Smith, Marjorie	Spainhower, Dale	Spang, Judith	Stevens, Audrey
Verschueren, James	Wall, Janet	Ward, Kenneth	

SULLIVAN

Cloutier, John	Gagnon, Raymond	Gottling, Suzanne	Irwin, Virginia
Sweeney, Cynthia	Tanner, Linda		

and the motion failed.

PROTEST

I object to the vote taken today to not special order SB 413 past crossover, because it obstructs the deliberations of the House, as forbidden by the Constitution Part 2, Article 22.
Reps. Abrami, Baldasaro, Beaudoin, Bick, Birdsell, Boehm, Burt, Byron, Cebrowski, Chirichiello, Comtois, Copeland, Cordelli, Cormier, Danais, DeSimone, Doolan, Duarte, Emerick, Ferrante, Gagne, Bianca Garcia, Gionet, Gordon, Greemore, Harris, Hinch, Hodgdon, Hoell, Hoelzel, Holmes, Jones, Kappler, Kolodziej, Kotowski, Lambert, LeBrun, Marston, McCarthy, McConkey, Carol McGuire, Dan McGuire, McMahon, Murotake, Keith Murphy, Nigrello, Notter, Lynne Ober, O'Connor, Osgood, Parsons, Peckham, Pellegrino, Peterson, Rappaport, Reilly, Renzullo, Rideout, Rowe, Sandblade, Sanders, Schroadter, Sedensky, Souza, Stroud, Shawn Sweeney, Sylvia, Franklin Tilton, Tucker, Ulery, Umberger, Vadney, Vaillancourt, Villeneuve, Waterhouse, James Webb and Weyler.

The question now being adoption of the majority committee report of Ought to Pass.
Rep. Hess offered floor amendment (1116h).

Floor Amendment (1116h)

Amend the bill by replacing sections 2 and 3 with the following:

2 New Paragraphs; Department of Health and Human Services; Changes to State Medicaid Program. Amend RSA 126-A:5 by inserting after paragraph XXII the following new paragraphs:

XXIII.(a) The commissioner shall provide access to the health insurance premium payment (HIPP) program established by the department pursuant to section 1906 of the Social Security Act of 1935 to Medicaid newly eligible adults from 0 – 133 percent of the federal poverty level (FPL) who are eligible for medical assistance under section 1902(a)(10)(A)(i)(VIII) of the Social Security Act of 1935, as amended, 42 U.S.C. section 1396a(a)(10)(A)(i) ("newly eligible adults") and their spouse and dependents if applicable until December 31, 2016 to maximize the use of private insurance and available federal assistance. All newly eligible adults who have access to qualified employer sponsored insurance either directly as an employee or indirectly through another individual who is eligible for qualified employer sponsored insurance, shall be required to participate in the HIPP program in order to receive medical assistance, if eligible and determined by the department to be cost effective as required by the federal Centers for Medicare and Medicaid Services (CMS).

(b) The commissioner shall seek any necessary waivers or submit a state plan amendment to implement the provisions of this paragraph, including provisions to address individuals determined to be medically frail after completion of a health questionnaire screening process. Prior to submitting the state plan amendment or waiver to CMS the commissioner shall present the state plan amendment or waiver to the fiscal committee of the general court for approval. Participation in the HIPP program by newly eligible adults shall not begin until such waivers or state plan amendments have been approved by CMS.

(c) A determination of eligibility for the HIPP program shall be a qualifying event under the Health Insurance Portability and Accountability Act of 1996 (HIPAA). Individuals who participate in the HIPP program shall:

(1) Provide all necessary information regarding financial eligibility, residency, citizenship or immigration status, and insurance coverage to the department of health and human services in accordance with rules or interim rules, adopted under RSA 541-A;

(2) Inform the department of any changes in financial eligibility, residency, citizenship or immigration status, and insurance coverage within 10 days of such change; and

(3) At the time of enrollment acknowledge that the HIPP program is subject to cancellation upon notice.

(d) The New Hampshire mandatory HIPP program under this paragraph shall be implemented as soon as is practicable after the waiver or state plan amendment is approved. The cost of the medical assistance provided under the HIPP program shall be paid solely from federal funds provided under 42 U.S.C. 1396d(y).

(e) The commissioner may adopt rules or interim rules, pursuant to RSA 541-A, as necessary to implement any changes to the Medicaid program consistent with any waivers or state plan amendments submitted under this paragraph.

(f) Nothing in this paragraph shall limit the existing and traditional regulatory authority of the New Hampshire insurance department under Title XXXVII with respect to private health insurance coverage in which persons are enrolled in the program under this paragraph. In developing this program including drafting any necessary plan amendments or waiver requests, the commissioner shall consult with the New Hampshire insurance department as necessary to ensure that the program is designed to operate seamlessly with private insurance coverage and is consistent with all applicable insurance regulatory standards.

XXIV.(a) Consistent with the time frames in this paragraph, there is hereby established the marketplace premium assistance program. This will be a premium assistance program for newly eligible adults and their eligible spouse and dependents, if applicable, who are ineligible for the HIPP program established in RSA 126-A:5, XXIII until December 31, 2016 and shall be administered by the department of health and human services. In order to receive medical assistance from the program, newly eligible adults who are ineligible for the HIPP program shall choose from any qualified health plans (QHPs) offered on the federally-facilitated exchange if cost effective. Provider payments shall be in an amount which shall be no less than before the effective date of this paragraph.

(b) On or before December 1, 2014, the commissioner shall submit to CMS any necessary waiver application to implement the provisions of this paragraph, including provisions to address individuals determined to be medically frail after completion of a health questionnaire screening process. To the greatest extent practicable the waiver shall incorporate measures to promote continuity of health insurance coverage and personal responsibility, including but not limited to: co-pays, deductibles, disincentives for inappropriate emergency room use, and mandatory wellness programs. Prior to submitting the waiver to CMS the commissioner shall present the waiver to the fiscal committee of the general court for approval. The program shall not begin until such waivers have been approved by CMS.

(c) If the waiver to implement the marketplace premium assistance program is approved on or before March 31, 2015 then, enrollment in the marketplace premium assistance program shall begin on October 15, 2015 and coverage shall begin on January 1, 2016. Coverage shall end on December 31, 2016. The cost of the medical assistance provided under the marketplace premium assistance program shall be paid solely from federal funds as provided under 42 U.S.C. 1396d(y).

(d) If the waiver to implement the marketplace premium assistance program is not approved the program shall not begin.

(e) A determination of eligibility for the marketplace premium assistance program shall be a qualifying event under the Health Insurance Portability and Accountability Act of 1996 (HIPAA). Individuals who participate in the marketplace premium assistance program shall:

(1) Provide all necessary information regarding financial eligibility, residency, citizenship or immigration status, and insurance coverage to the department of health and human services in accordance with rules, or interim rules, adopted under RSA 541-A;

(2) Inform the department of any changes in financial eligibility, residency, citizenship or immigration status, and insurance coverage within 10 days of such change; and

(3) At the time of enrollment acknowledge that the marketplace premium assistance program is subject to cancellation upon notice.

(f) The commissioner may adopt rules or interim rules, pursuant to RSA 541-A, as necessary to implement any changes to the Medicaid program consistent with any waivers or state plan amendments submitted under this paragraph.

(g) Nothing in this paragraph shall limit the existing and traditional regulatory authority of the New Hampshire insurance department under Title XXXVII with respect to private health insurance coverage in which persons are enrolled in this program under this paragraph. In developing the program under this paragraph including drafting any necessary plan amendments or waiver requests, the commissioner shall consult with the New Hampshire insurance department as necessary to ensure that each program is designed to operate seamlessly with private insurance coverage and is consistent with all applicable insurance regulatory standards.

XXV. Any unemployed individual who qualifies for the marketplace premium assistance program established in paragraph XXV shall be referred to the department of employment security for the purpose of helping the unemployed individual find employment.

3 New Section; New Hampshire Health Protection Trust Fund. Amend RSA 126-A by inserting after section 5-a the following new section:

126-A:5-b The New Hampshire Health Protection Trust Fund.

I. There is hereby established the New Hampshire health protection trust fund which shall be accounted for distinctly and separately from all other funds and shall be non-interest bearing. The trust fund shall be administered by the commissioner of the department of health and human services and shall be used solely to provide payment and reimbursement for medical and other medical-related services for the newly eligible Medicaid population as provided for under RSA 126-A:5, XXIII – XXV and RSA 126-A:67. All moneys in the trust fund shall be nonlapsing and shall be continually appropriated to the commissioner of the department of health and human services for the purposes of the trust fund. The trust fund shall be authorized to pay and/or reimburse:

(a) The cost of the employee share of premiums, co-insurance, co-payments, deductibles, and supplemental cost-sharing, plus the cost of any wrap-around services that are determined by the department to be cost effective to licensed health insurance carriers and/or private employers for coverage under employer sponsored health insurance as provided in RSA 126-A:5, XXIII.

(b) The cost of premiums, co-insurance, co-payments, deductibles, and supplemental cost-sharing plus the cost of any wrap-around services to licensed health insurance carriers on the federally facilitated exchange under the marketplace premium assistance program as provided in RSA 126-A:5, XXIV.

(c) Any other costs that are fully reimbursable by the federal government pertaining to the health insurance premium payment (HIPP) program and the marketplace premium assistance program for the newly eligible as established under RSA 126-A:5, XXIII – XXV and RSA 126-A:67.

II. The commissioner of health and human services, as the administrator of the trust fund, shall have the sole authority to:

(a) Apply for federal funds to support the programs established under RSA 126-A:5, XXIII and XXIV and RSA 126-A:67.

(b) Notwithstanding any provision of law to the contrary, accept and expend federal funds as may be available for HIPP and the marketplace premium assistance program. The commissioner shall notify the bureau of accounting services, by letter, with a copy to the fiscal committee of the general court and the legislative budget assistant.

(c) Make payments and reimbursements from the trust fund as outlined in this section.

III. The commissioner shall submit a report to the governor and the fiscal committee of the general court detailing the activities and operation of the trust fund annually within 90 days of the close of each state fiscal year.

Amend the bill by replacing sections 7-13 with the following:

7 Department of Health and Human Services; Contracting; Transfer Among Accounts.

I. Notwithstanding any law to the contrary, the department shall be authorized, subject to the prior approval of governor and council, to enter into sole source contracts with qualified consultants and vendors (a) for services in connection with obtaining waivers and state plan amendments and (b) to implement the health coverage programs for newly eligible under RSA 126-A:5, XXIII-XXV and RSA 126-A:67.

II. Notwithstanding RSA 9:17-a or any other provision of law to the contrary, except as provided in RSA 9:17-c and 2013, 143:1, organization note on accounting unit 05-95-48-481510-5942 nursing services – county participation, for the biennium ending June 30, 2015, the commissioner of the department of health and human services is hereby authorized to transfer funds within and among all accounting units within the department, as the commissioner deems necessary and appropriate to address present or projected budget deficits, or to respond to changes in federal laws, regulations, or programs, and otherwise as necessary for the efficient management of the department, with the exception of class 60 transfers; provided, that any transfer of $75,000 or more shall require prior approval of the fiscal committee of the general court and the governor and council.

8 Appropriation; Health Care Reform Commission. Amend 2013, 144:130 to read as follows:

144:130 Appropriation. The sum of $200,000 is hereby appropriated to the department of health and human services for the fiscal year ending June 30, 2014, for the purpose of providing administrative support to the commission established in RSA 126-A:66 as inserted by section 129 of this act. Contracts for administrative support or consulting services shall not require governor and council approval. ***Any unspent balance of the appropriation made under this section shall be extended and shall not lapse until November 1, 2014, and shall be for the use of the department of health and human services in preparing or submitting any necessary waivers or state plan amendments pursuant to RSA 126-A:5, XXIII and XXIV and RSA 126-A:67.*** The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

9 Department of Health and Human Services; Medicaid Breast and Cervical Cancer Program. Enrollment in the Medicaid breast and cervical cancer program, under 42 U.S.C. section 1396a(aa), shall be suspended effective July 1, 2014 or upon the approval of any waivers or state plan amendments necessary to implement RSA 126-A:5, XXIII whichever is later. Any individual covered under the Medicaid breast and cervical cancer program prior to the date the program is suspended shall continue to be covered for the program unless his or her medical treatment has concluded, or until the next redetermination of his or her eligibility by the department, whichever event occurs later. After the date the program is suspended the individual's eligibility for assistance shall be determined by the department pursuant to RSA 126-A:5, XXIII and XXIV. Commencing on the date the program is suspended, administrative rule He-W 641.09 shall be limited in its application to only those individuals enrolled in the Medicaid breast and cervical cancer program receiving treatment prior to the date the program is suspended. If, at any time after July 1, 2014 the assistance authorized in RSA 126-A:5, XXIII and XXIV is no longer offered or fails to gain the necessary federal approvals, then the commissioner of the department of health and human services shall reinstate Medicaid coverage and open enrollment for those individuals eligible under this program.

10 Applicability; Eligibility.

I. If at any time the federal match rate applied to medical assistance for newly eligible adults under RSA 126-A:5, XXIII and XXIV between July 1, 2014 – December 31, 2016 is less than 100 percent as set forth in 42 U.S.C. section 1396d(y)(1), then RSA 126-A:5, XXIII, and XXIV shall immediately be repealed upon notification by the commissioner of the department of health and human services to the secretary of state and the director of legislative services.

II. If the waiver or state plan amendment is not approved for the program under RSA 126-A:5, XXIV, then RSA 126-A:5, XXIII and XXIV shall immediately be repealed upon notification by the commissioner of the department of health and human services to the secretary of state and the director of the office of legislative services.

III. Any state plan amendment or waiver required under RSA 126-A:5, XXIII and XXIV that is submitted to the Centers for Medicare and Medicaid Services (CMS), shall comply with 42 U.S.C. section 18001, et seq., as amended by 42 U.S.C. section 1305, et seq., 42 U.S.C. section 7, et seq. and any applicable regulations by CMS governing eligibility for newly eligible adults regarding citizenship, referral requirements for employment or seeking employment, and allowable income resource restrictions.

11 Severability. With the exception of section 10 of this act, if any provision of this act or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

12 Repeal. The following are repealed:

I. RSA 126-A:5, XXIII, relative to health insurance premium payment (HIPP) program.

II. RSA 126-A:5, XXIV, relative to the marketplace premium assistance program.

III. RSA 126-A:5, XXV, relative to unemployed individuals who qualify for the marketplace premium assistance program.

IV. RSA 126-A:5-b, relative to the New Hampshire health protection trust fund.
V. RSA 6:12, I(b)(317), relative to the New Hampshire health protection trust fund.
VI. RSA 415:25, relative to qualified health plans on the federally-facilitated exchange.
VII. 2013, 144:129 and 131, relative to the Medicaid expansion committee and the repeal of the committee.
VIII. 2013, 144:130, as amended by section 8 of this act, relative to an appropriation.

13 Effective Date.

I. Section 12, paragraphs I-VI of this act shall take effect December 31, 2016.
II. Section 12, paragraph VIII of this act shall take effect November 1, 2014.
III. The remainder of this act shall take effect upon its passage.

Rep. Hess spoke in favor and yielded to questions.
Rep. Sherman spoke against and yielded to questions.
Rep. Shurtleff requested a roll call; sufficiently seconded.

YEAS 137 NAYS 189

YEAS - 137

BELKNAP

Burchell, Richard	Comtois, Guy	Cormier, Jane	Fields, Dennis
Fink, Charles	Flanders, Donald	Greemore, Robert	Holmes, Stephen
Luther, Robert	Sylvia, Michael	Tilton, Franklin	Vadney, Herbert

CARROLL

Chandler, Gene	Cordelli, Glenn	Crawford, Karel	McConkey, Mark
Merrow, Harry	Nelson, Bill	Umberger, Karen	Wright, Donald

CHESHIRE

Hunt, John	Johnson, Jane

COOS

Rappaport, Laurence	Rideout, Leon

GRAFTON

Doolan, Ralph	Gionet, Edmond	Ladd, Rick	Reilly, Harold
Shackett, Jeffrey			

HILLSBOROUGH

Belanger, James	Boehm, Ralph	Burt, John	Byron, Frank
Carroll, Douglas	Cebrowski, John	Christiansen, Lars	Coffey, James
Culbert, Patrick	Daniels, Gary	Danielson, David	Gagne, Larry
Gargasz, Carolyn	Graham, John	Haefner, Robert	Hansen, Peter
Hikel, John	Hinch, Richard	Jasper, Shawn	Kurk, Neal
Lambert, George	LeBrun, Donald	Marston, Dick	Martel, Andre
McCarthy, Michael	Murotake, David	Murphy, Kelleigh	Murphy, Keith
Notter, Jeanine	O'Flaherty, Tim	Ober, Lynne	Ober, Russell
Parison, James	Pellegrino, Tony	Peterson, Lenette	Renzullo, Andrew
Rowe, Robert	Sanborn, Laurie	Sandblade, Emily	Straight, Philip
Sweeney, Shawn	Takesian, Charlene	Ulery, Jordan	Vaillancourt, Steve
Villeneuve, Moe	Warden, Mark	Willette, Robert	

MERRIMACK

Hess, David	Hoell, J.R.	Kidder, David	Kotowski, Frank
Lockwood, Priscilla	McGuire, Carol	McGuire, Dan	

ROCKINGHAM

Abrami, Patrick	Allen, Mary	Baldasaro, Alfred	Bick, Patrick
Birdsell, Regina	Bishop, Franklin	Chirichiello, Brian	Comerford, Timothy
Copeland, Timothy	Danais, Romeo	Devine, James	Duarte, Joe
Emerick, J. Tracy	Ferrante, Beverly	Fesh, Robert	Garcia, Bianca
Gordon, Richard	Griffin, Mary	Harris, Jeffrey	Hayes, Jack
Hodgdon, Bruce	Hoelzel, Kathleen	Itse, Daniel	Kappler, Lawrence
Khan, Aboul	Kolodziej, Walter	Major, Norman	McKinney, Betsy
McMahon, Charles	Milz, David	Nigrello, Robert	O'Connor, John
Packard, Sherman	Peckham, Michele	Priestley, Anne	Sanders, Elisabeth
Sapareto, Frank	Schroadter, Adam	Sedensky, John	Sweeney, Joe
Sytek, John	Tasker, Kyle	Tucker, Pamela	Waterhouse, Kevin
Webb, James	Weyler, Kenneth		

STRAFFORD

Beaudoin, Steven	Gray, James	Jones, Laura	Mullen, John
Parsons, Robbie	Pitre, Joseph		

SULLIVAN

Osgood, Joe | Smith, Steven

NAYS - 189

BELKNAP

Arsenault, Beth | DiMartino, Lisa | Gulick, Ruth | Huot, David
Raymond, Ian

CARROLL

Butler, Edward | Lavender, Tom | Ticehurst, Susan | White, Syndi

CHESHIRE

Ames, Richard | Berch, Paul | Butynski, William | Chase, Cynthia
Eaton, Daniel | Johnsen, Gladys | Lerandeau, Alfred | Ley, Douglas
Mann, John | Parkhurst, Henry | Phillips, Larry | Robertson, Timothy
Sad, Tara | Shepardson, Marjorie | Tatro, Bruce | Weber, Lucy
Weed, Charles | Young, Harry

COOS

Coulombe, Gary | Enman, Larry | Hammon, Marcia | Hatch, William
Moynihan, Wayne | Richardson, Herbert | Theberge, Robert | Thomas, Yvonne

GRAFTON

Almy, Susan | Brown, Rebecca | Cooney, Mary | Ford, Susan
Friedrich, Carol | Harding, Laurie | Higgins, Patricia | Lovett, Sid
Massimilla, Linda | Mulholland, Catherine | Nordgren, Sharon | Pastor, Beatriz
Piper, Wendy | Smith, Suzanne | Sykes, George | Townsend, Charles
White, Andrew

HILLSBOROUGH

Backus, Robert | Beaulieu, Jane | Booras, Efstathia | Brown, Pamela
Campbell, David | Chandley, Shannon | Connor, Evelyn | Cote, David
DiSilvestro, Linda | Eaton, Richard | Gage, Ruth | Gale, Sylvia
Gidge, Kenneth | Goley, Jeffrey | Gorman, Mary | Grady, Brenda
Hackel, Paul | Hammond, Jill | Hansberry, Daniel | Harriott-Gathright, Linda
Heath, Mary | Jack, Martin | Jeudy, Jean | Katsiantonis, Thomas
Knowles, Mary Ann | Kopka, Angeline | Leishman, Peter | Levesque, Melanie
Long, Patrick | MacKay, Mariellen | Mangipudi, Latha | Manley, Jonathan
McNamara, Richard | Nelson, Mary | O'Brien, Michael | O'Neil, William
Porter, Marjorie | Ramsey, Peter | Rhodes, Brian | Rosenwald, Cindy
Schmidt, Janice | Shattuck, Gilman | Shaw, Barbara | Smith, Timothy
Soucy, Timothy | Spratt, Stephen | Sullivan, Daniel | Sullivan, Peter
Vail, Suzanne | Walsh, Robert | Williams, Kermit | Winters, Joel
Woodbury, David

MERRIMACK

Alicea, Caroletta | Andrews, Christopher | Bartlett, Christy | Bouchard, Candace
Burns, Scott | Carson, Clyde | Davis, Frank | Ebel, Karen
Frambach, Mary | French, Barbara | Gile, Mary | Henle, Paul
Hirsch, Geoffrey | Hunt, Jane | Karrick, David | Kelly, Sally
MacKay, James | Moffett, Howard | Myler, Mel | Patten, Dick
Ratzki, Mario | Rice, Chip | Richardson, Gary | Rogers, Katherine
Schamberg, Thomas | Schuett, Dianne | Shurtleff, Stephen | Turcotte, Alan
Wallner, Mary Jane | Walz, Mary Beth | Watrous, Rick | Webb, Leigh

ROCKINGHAM

Andrews-Ahearn, E. Elaine | Borden, David | Briden, Steven | Burtis, Elizabeth
Cahill, Michael | Cali-Pitts, Jacqueline | Cushing, Robert | DeSimone, Debra
Elliott, Robert | Flockhart, Eileen | Heffron, Frank | Mann, Maureen
Moody, Marcia | Muns, Chris | Scarlotto, Joe | Schlachman, Donna
Sherman, Thomas | Till, Mary | Ward, Gerald | Wazlaw, Brian
Whittemore, Lisa

STRAFFORD

Baber, William | Bickford, David | Bixby, Peter | Burke, Rachel
Gardner, Janice | Grassie, Anne | Grossman, Kenneth | Hooper, Dorothea
Horrigan, Timothy | Hubbard, Pamela | Kaen, Naida | Ketel, Stephen
Malloy, Dennis | Merrill, Amanda | Perry, Robert | Rogers, Rose Marie
Schmidt, Peter | Smith, Marjorie | Spainhower, Dale | Spang, Judith
Stevens, Audrey | Verschueren, James | Wall, Janet | Ward, Kenneth

SULLIVAN

Cloutier, John	Gagnon, Raymond	Gottling, Suzanne	Grenier, James
Irwin, Virginia	Sweeney, Cynthia	Tanner, Linda	

and floor amendment (1116h) failed.

The question now being adoption of the majority committee report of Ought to Pass.
Rep. Kurk offered floor amendment (1118h).

Floor Amendment (1118h)

Amend RSA 126-A:5 as inserted by section 2 of the bill by inserting after paragraph XXVI the following new paragraph:

XXVII. The New Hampshire health protection program as established in paragraphs XXIII-XXV of this section shall be limited to 60,000 participants or total annual expenditures of $400,000,000. If either of the limits under this paragraph is reached, the New Hampshire health protection program as established in paragraphs XXIII-XXV shall terminate.

Rep. Kurk spoke in favor.
Rep. Sherman spoke against.
Rep. Shurtleff requested a roll call; sufficiently seconded.

YEAS 138 NAYS 191

YEAS - 138

BELKNAP

Burchell, Richard	Comtois, Guy	Cormier, Jane	Fields, Dennis
Fink, Charles	Flanders, Donald	Greemore, Robert	Holmes, Stephen
Luther, Robert	Sylvia, Michael	Tilton, Franklin	Vadney, Herbert

CARROLL

Chandler, Gene	Cordelli, Glenn	Crawford, Karel	McConkey, Mark
Merrow, Harry	Nelson, Bill	Umberger, Karen	Wright, Donald

CHESHIRE

Hunt, John	Johnson, Jane

COOS

Rappaport, Laurence	Rideout, Leon

GRAFTON

Doolan, Ralph	Gionet, Edmond	Ladd, Rick	Reilly, Harold
Shackett, Jeffrey			

HILLSBOROUGH

Barry, Richard	Belanger, James	Boehm, Ralph	Burt, John
Byron, Frank	Cebrowski, John	Christiansen, Lars	Coffey, James
Culbert, Patrick	Daniels, Gary	Danielson, David	Gagne, Larry
Gargasz, Carolyn	Graham, John	Haefner, Robert	Hansen, Peter
Hikel, John	Hinch, Richard	Jasper, Shawn	Kurk, Neal
Lambert, George	LeBrun, Donald	Marston, Dick	Martel, Andre
McCarthy, Michael	Murotake, David	Murphy, Kelleigh	Murphy, Keith
Notter, Jeanine	O'Flaherty, Tim	Ober, Lynne	Ober, Russell
Parison, James	Pellegrino, Tony	Peterson, Lenette	Renzullo, Andrew
Rowe, Robert	Sanborn, Laurie	Sandblade, Emily	Straight, Philip
Stroud, Kathleen	Sweeney, Shawn	Takesian, Charlene	Ulery, Jordan
Vaillancourt, Steve	Villeneuve, Moe	Warden, Mark	Willette, Robert

MERRIMACK

Hess, David	Hoell, J.R.	Kidder, David	Kotowski, Frank
McGuire, Carol	McGuire, Dan		

ROCKINGHAM

Abrami, Patrick	Allen, Mary	Baldasaro, Alfred	Bick, Patrick
Birdsell, Regina	Bishop, Franklin	Chirichiello, Brian	Comerford, Timothy
Copeland, Timothy	Danais, Romeo	DeSimone, Debra	Devine, James
Duarte, Joe	Emerick, J. Tracy	Ferrante, Beverly	Fesh, Robert
Garcia, Bianca	Gordon, Richard	Griffin, Mary	Harris, Jeffrey
Hayes, Jack	Hodgdon, Bruce	Hoelzel, Kathleen	Itse, Daniel
Kappler, Lawrence	Khan, Aboul	Kolodziej, Walter	Major, Norman
McKinney, Betsy	McMahon, Charles	Milz, David	Nigrello, Robert
O'Connor, John	Packard, Sherman	Peckham, Michele	Priestley, Anne

Sanders, Elisabeth
Sapareto, Frank
Schroadter, Adam
Sedensky, John
Sweeney, Joe
Sytek, John
Tasker, Kyle
Tucker, Pamela
Waterhouse, Kevin
Webb, James
Weyler, Kenneth

STRAFFORD

Beaudoin, Steven
Gray, James
Jones, Laura
Mullen, John
Parsons, Robbie
Pitre, Joseph

SULLIVAN

Osgood, Joe
Smith, Steven

NAYS - 191

BELKNAP

Arsenault, Beth
DiMartino, Lisa
Gulick, Ruth
Huot, David
Raymond, Ian

CARROLL

Butler, Edward
Lavender, Tom
Ticehurst, Susan
White, Syndi

CHESHIRE

Ames, Richard
Berch, Paul
Butynski, William
Chase, Cynthia
Eaton, Daniel
Johnsen, Gladys
Lerandeau, Alfred
Ley, Douglas
Mann, John
Parkhurst, Henry
Phillips, Larry
Roberts, Kris
Robertson, Timothy
Sad, Tara
Shepardson, Marjorie
Tatro, Bruce
Weber, Lucy
Weed, Charles
Young, Harry

COOS

Coulombe, Gary
Enman, Larry
Hammon, Marcia
Hatch, William
Moynihan, Wayne
Richardson, Herbert
Theberge, Robert
Thomas, Yvonne

GRAFTON

Almy, Susan
Brown, Rebecca
Cooney, Mary
Ford, Susan
Friedrich, Carol
Harding, Laurie
Higgins, Patricia
Lovett, Sid
Massimilla, Linda
Mulholland, Catherine
Nordgren, Sharon
Pastor, Beatriz
Piper, Wendy
Smith, Suzanne
Sykes, George
Townsend, Charles
White, Andrew

HILLSBOROUGH

Backus, Robert
Beaulieu, Jane
Booras, Efstathia
Brown, Pamela
Campbell, David
Carroll, Douglas
Chandley, Shannon
Connor, Evelyn
Cote, David
DiSilvestro, Linda
Eaton, Richard
Gage, Ruth
Gale, Sylvia
Gidge, Kenneth
Goley, Jeffrey
Gorman, Mary
Grady, Brenda
Hackel, Paul
Hammond, Jill
Hansberry, Daniel
Harriott-Gathright, Linda
Heath, Mary
Jack, Martin
Jeudy, Jean
Katsiantonis, Thomas
Knowles, Mary Ann
Kopka, Angeline
Leishman, Peter
Levesque, Melanie
Long, Patrick
MacKay, Mariellen
Mangipudi, Latha
Manley, Jonathan
McNamara, Richard
Nelson, Mary
O'Brien, Michael
O'Neil, William
Porter, Marjorie
Ramsey, Peter
Rhodes, Brian
Rosenwald, Cindy
Schmidt, Janice
Shattuck, Gilman
Shaw, Barbara
Smith, Timothy
Soucy, Timothy
Spratt, Stephen
Sullivan, Daniel
Sullivan, Peter
Vail, Suzanne
Walsh, Robert
Williams, Kermit
Winters, Joel
Woodbury, David

MERRIMACK

Alicea, Caroletta
Andrews, Christopher
Bartlett, Christy
Bouchard, Candace
Burns, Scott
Carson, Clyde
Davis, Frank
Ebel, Karen
Frambach, Mary
French, Barbara
Gile, Mary
Henle, Paul
Hirsch, Geoffrey
Hunt, Jane
Karrick, David
Kelly, Sally
Lockwood, Priscilla
MacKay, James
Moffett, Howard
Myler, Mel
Patten, Dick
Ratzki, Mario
Rice, Chip
Richardson, Gary
Rogers, Katherine
Schamberg, Thomas
Schuett, Dianne
Shurtleff, Stephen
Turcotte, Alan
Wallner, Mary Jane
Walz, Mary Beth
Watrous, Rick
Webb, Leigh

ROCKINGHAM

Andrews-Ahearn, E. Elaine
Borden, David
Briden, Steven
Burtis, Elizabeth
Cahill, Michael
Cali-Pitts, Jacqueline
Cushing, Robert
Elliott, Robert
Flockhart, Eileen
Heffron, Frank
Mann, Maureen
Moody, Marcia
Muns, Chris
Scarlotto, Joe
Schlachman, Donna
Sherman, Thomas
Till, Mary
Ward, Gerald
Wazlaw, Brian
Whittemore, Lisa

STRAFFORD

Baber, William	Bickford, David	Bixby, Peter	Burke, Rachel
Gardner, Janice	Grassie, Anne	Grossman, Kenneth	Hooper, Dorothea
Horrigan, Timothy	Hubbard, Pamela	Kaen, Naida	Ketel, Stephen
Malloy, Dennis	Merrill, Amanda	Perry, Robert	Rogers, Rose Marie
Schmidt, Peter	Smith, Marjorie	Spainhower, Dale	Spang, Judith
Stevens, Audrey	Verschueren, James	Wall, Janet	Ward, Kenneth

SULLIVAN

Cloutier, John	Gagnon, Raymond	Gottling, Suzanne	Grenier, James
Irwin, Virginia	Sweeney, Cynthia	Tanner, Linda	

and floor amendment (1118h) failed.

The question now being adoption of the majority committee report of Ought to Pass.
Rep. Sandblade offered floor amendment (1136h).

Floor Amendment (1136h)

Amend the bill by replacing section 1 with the following:

1 Statement of Purpose. The state of New Hampshire shall develop the New Hampshire health protection program to provide a coordinated strategy to access private insurance coverage for uninsured, low-income citizens with income up to 100 percent of the federal poverty level (FPL) using available, cost-effective health care coverage options for Medicaid newly eligible individuals at the earliest practicable date. The strategy shall promote the improvement of overall health through access to private insurance coverage options and draw appropriate levels of federal funding available through a Medicaid Section 1115 demonstration waiver. Increasing access to private health insurance will increase provider reimbursement rates and reduce the burden of uncompensated care in New Hampshire.

Amend RSA 126-A:5, XXIII(a) as inserted by section 2 of the bill by replacing it with the following:

XXIII.(a) The commissioner shall provide access to the health insurance premium payment (HIPP) program established by the department pursuant to section 1906 of the Social Security Act of 1935 to Medicaid newly eligible adults from 0 – 100 percent of the federal poverty level (FPL) who are eligible for medical assistance under section 1905(y) of the Social Security Act of 1935, as amended, 42 U.S.C. section 1396d(y) (“newly eligible adults”) and their spouse and dependents if applicable until December 31, 2016 to maximize the use of private insurance and available federal assistance. All newly eligible adults who have access to qualified employer sponsored insurance either directly as an employee or indirectly through another individual who is eligible for qualified employer sponsored insurance, shall be required to participate in the HIPP program in order to receive medical assistance, if eligible and determined by the department to be cost effective as required by the federal Centers for Medicare and Medicaid Services (CMS).

Rep. Sandblade spoke in favor.
Rep. Shurtleff requested a roll call; sufficiently seconded.

YEAS 131 NAYS 196

YEAS - 131

BELKNAP

Burchell, Richard	Comtois, Guy	Cormier, Jane	Fields, Dennis
Fink, Charles	Flanders, Donald	Greemore, Robert	Holmes, Stephen
Luther, Robert	Sylvia, Michael	Tilton, Franklin	Vadney, Herbert

CARROLL

Cordelli, Glenn	Crawford, Karel	McConkey, Mark	Merrow, Harry
Nelson, Bill	Umberger, Karen	Wright, Donald	

CHESHIRE

Hunt, John	Johnson, Jane	Roberts, Kris

COOS

Rappaport, Laurence	Rideout, Leon

GRAFTON

Doolan, Ralph	Gionet, Edmond	Reilly, Harold	Shackett, Jeffrey

HILLSBOROUGH

Barry, Richard	Belanger, James	Boehm, Ralph	Burt, John
Byron, Frank	Cebrowski, John	Christiansen, Lars	Coffey, James
Culbert, Patrick	Daniels, Gary	Danielson, David	Gagne, Larry
Graham, John	Haefner, Robert	Hansen, Peter	Hikel, John
Hinch, Richard	Jasper, Shawn	Kurk, Neal	Lambert, George
LeBrun, Donald	Marston, Dick	Martel, Andre	McCarthy, Michael

Murotake, David
Murphy, Kelleigh
Murphy, Keith
Notter, Jeanine
O'Flaherty, Tim
Ober, Lynne
Ober, Russell
Parison, James
Pellegrino, Tony
Peterson, Lenette
Renzullo, Andrew
Rowe, Robert
Sanborn, Laurie
Sandblade, Emily
Straight, Philip
Stroud, Kathleen
Sweeney, Shawn
Takesian, Charlene
Ulery, Jordan
Vaillancourt, Steve
Villeneuve, Moe
Warden, Mark
Willette, Robert

MERRIMACK

Hess, David
Hoell, J.R.
Kotowski, Frank
McGuire, Carol
McGuire, Dan

ROCKINGHAM

Abrami, Patrick
Allen, Mary
Baldasaro, Alfred
Bick, Patrick
Birdsell, Regina
Bishop, Franklin
Chirichiello, Brian
Comerford, Timothy
Copeland, Timothy
Danais, Romeo
DeSimone, Debra
Devine, James
Duarte, Joe
Dumaine, Dudley
Emerick, J. Tracy
Ferrante, Beverly
Fesh, Robert
Garcia, Bianca
Gordon, Richard
Harris, Jeffrey
Hodgdon, Bruce
Hoelzel, Kathleen
Itse, Daniel
Kappler, Lawrence
Khan, Aboul
Kolodziej, Walter
Major, Norman
McMahon, Charles
Milz, David
Nigrello, Robert
O'Connor, John
Packard, Sherman
Peckham, Michele
Sanders, Elisabeth
Sapareto, Frank
Schroadter, Adam
Sedensky, John
Sweeney, Joe
Sytek, John
Tucker, Pamela
Waterhouse, Kevin
Webb, James
Weyler, Kenneth

STRAFFORD

Beaudoin, Steven
Gray, James
Jones, Laura
Mullen, John
Parsons, Robbie
Pitre, Joseph

SULLIVAN

Osgood, Joe
Smith, Steven

NAYS - 196

BELKNAP

Arsenault, Beth
DiMartino, Lisa
Gulick, Ruth
Huot, David
Raymond, Ian

CARROLL

Butler, Edward
Lavender, Tom
Ticehurst, Susan
White, Syndi

CHESHIRE

Ames, Richard
Berch, Paul
Butynski, William
Chase, Cynthia
Eaton, Daniel
Johnsen, Gladys
Lerandeau, Alfred
Ley, Douglas
Mann, John
Parkhurst, Henry
Phillips, Larry
Robertson, Timothy
Sad, Tara
Shepardson, Marjorie
Tatro, Bruce
Weber, Lucy
Weed, Charles
Young, Harry

COOS

Coulombe, Gary
Enman, Larry
Hammon, Marcia
Hatch, William
Moynihan, Wayne
Richardson, Herbert
Theberge, Robert
Thomas, Yvonne

GRAFTON

Almy, Susan
Brown, Rebecca
Cooney, Mary
Ford, Susan
Friedrich, Carol
Harding, Laurie
Higgins, Patricia
Lovett, Sid
Massimilla, Linda
Mulholland, Catherine
Nordgren, Sharon
Pastor, Beatriz
Piper, Wendy
Smith, Suzanne
Sykes, George
Townsend, Charles
White, Andrew

HILLSBOROUGH

Backus, Robert
Beaulieu, Jane
Booras, Efstathia
Brown, Pamela
Campbell, David
Carroll, Douglas
Chandley, Shannon
Connor, Evelyn
Cote, David
DiSilvestro, Linda
Eaton, Richard
Gage, Ruth
Gale, Sylvia
Gargasz, Carolyn
Gidge, Kenneth
Goley, Jeffrey
Gorman, Mary
Grady, Brenda
Hackel, Paul
Hammond, Jill
Hansberry, Daniel
Harriott-Gathright, Linda
Heath, Mary
Jack, Martin
Jeudy, Jean
Katsiantonis, Thomas
Knowles, Mary Ann
Kopka, Angeline
Leishman, Peter
Levesque, Melanie
Long, Patrick
MacKay, Mariellen
Mangipudi, Latha
Manley, Jonathan
McNamara, Richard
Nelson, Mary
O'Brien, Michael
O'Neil, William
Porter, Marjorie
Ramsey, Peter
Rhodes, Brian
Rosenwald, Cindy
Schmidt, Janice
Shattuck, Gilman
Shaw, Barbara
Smith, Timothy
Soucy, Timothy
Spratt, Stephen
Sullivan, Daniel
Sullivan, Peter
Vail, Suzanne
Walsh, Robert
Williams, Kermit
Winters, Joel
Woodbury, David

MERRIMACK

Alicea, Caroletta	Andrews, Christopher	Bartlett, Christy	Bouchard, Candace
Burns, Scott	Carson, Clyde	Davis, Frank	Ebel, Karen
Frambach, Mary	French, Barbara	Gile, Mary	Henle, Paul
Hirsch, Geoffrey	Hunt, Jane	Karrick, David	Kelly, Sally
Kidder, David	Lockwood, Priscilla	MacKay, James	Moffett, Howard
Myler, Mel	Patten, Dick	Ratzki, Mario	Rice, Chip
Richardson, Gary	Rogers, Katherine	Schamberg, Thomas	Schuett, Dianne
Shurtleff, Stephen	Turcotte, Alan	Wallner, Mary Jane	Walz, Mary Beth
Watrous, Rick	Webb, Leigh		

ROCKINGHAM

Andrews-Ahearn, E. Elaine	Borden, David	Briden, Steven	Burtis, Elizabeth
Cahill, Michael	Cali-Pitts, Jacqueline	Cushing, Robert	Elliott, Robert
Flockhart, Eileen	Griffin, Mary	Hayes, Jack	Heffron, Frank
Mann, Maureen	McKinney, Betsy	Moody, Marcia	Muns, Chris
Priestley, Anne	Scarlotto, Joe	Schlachman, Donna	Sherman, Thomas
Till, Mary	Ward, Gerald	Wazlaw, Brian	Whittemore, Lisa

STRAFFORD

Baber, William	Bickford, David	Bixby, Peter	Burke, Rachel
Gardner, Janice	Grassie, Anne	Grossman, Kenneth	Hooper, Dorothea
Horrigan, Timothy	Hubbard, Pamela	Kaen, Naida	Ketel, Stephen
Malloy, Dennis	Merrill, Amanda	Perry, Robert	Rogers, Rose Marie
Schmidt, Peter	Smith, Marjorie	Spainhower, Dale	Spang, Judith
Stevens, Audrey	Verschueren, James	Wall, Janet	Ward, Kenneth

SULLIVAN

Cloutier, John	Gagnon, Raymond	Gottling, Suzanne	Grenier, James
Irwin, Virginia	Sweeney, Cynthia	Tanner, Linda	

and floor amendment (1136h) failed.

The question now being adoption of the majority committee report of Ought to Pass.
Rep. Sandblade offered floor amendment (1138h).

Floor Amendment (1138h)

Amend RSA 126-A:5, XXVI as inserted by section 2 of the bill by replacing it with the following:

XXVI. Notwithstanding any provision of law to the contrary, any individual who is otherwise eligible to receive health benefits under paragraph XXIV or XXV and who is unemployed shall continually meet the employment requirements of RSA 167:82.

Rep. Sandblade spoke in favor and yielded to questions.
Rep. Gary Richardson requested a roll call; sufficiently seconded.

YEAS 137 NAYS 190

YEAS - 137

BELKNAP

Burchell, Richard	Comtois, Guy	Cormier, Jane	Fields, Dennis
Fink, Charles	Flanders, Donald	Greemore, Robert	Holmes, Stephen
Luther, Robert	Sylvia, Michael	Tilton, Franklin	Vadney, Herbert

CARROLL

Chandler, Gene	Cordelli, Glenn	Crawford, Karel	McConkey, Mark
Merrow, Harry	Nelson, Bill	Umberger, Karen	Wright, Donald

CHESHIRE

Johnson, Jane

COOS

Rappaport, Laurence	Rideout, Leon	Thomas, Yvonne

GRAFTON

Doolan, Ralph	Gionet, Edmond	Ladd, Rick	Reilly, Harold
Shackett, Jeffrey			

HILLSBOROUGH

Barry, Richard	Belanger, James	Boehm, Ralph	Burt, John
Byron, Frank	Cebrowski, John	Coffey, James	Culbert, Patrick
Daniels, Gary	Danielson, David	Gagne, Larry	Gargasz, Carolyn
Graham, John	Haefner, Robert	Hansen, Peter	Hikel, John

Hinch, Richard
Jasper, Shawn
Kurk, Neal
Lambert, George
LeBrun, Donald
Marston, Dick
Martel, Andre
McCarthy, Michael
Murotake, David
Murphy, Kelleigh
Murphy, Keith
Notter, Jeanine
O'Flaherty, Tim
Ober, Lynne
Ober, Russell
Parison, James
Pellegrino, Tony
Peterson, Lenette
Renzullo, Andrew
Rowe, Robert
Sanborn, Laurie
Sandblade, Emily
Straight, Philip
Stroud, Kathleen
Sweeney, Shawn
Takesian, Charlene
Ulery, Jordan
Vaillancourt, Steve
Villeneuve, Moe
Warden, Mark
Willette, Robert

MERRIMACK

Hess, David
Hoell, J.R.
Kidder, David
Kotowski, Frank
Lockwood, Priscilla
McGuire, Carol
McGuire, Dan

ROCKINGHAM

Abrami, Patrick
Allen, Mary
Baldasaro, Alfred
Bick, Patrick
Birdsell, Regina
Bishop, Franklin
Chirichiello, Brian
Comerford, Timothy
Copeland, Timothy
Danais, Romeo
DeSimone, Debra
Devine, James
Duarte, Joe
Dumaine, Dudley
Emerick, J. Tracy
Ferrante, Beverly
Fesh, Robert
Garcia, Bianca
Gordon, Richard
Griffin, Mary
Harris, Jeffrey
Hodgdon, Bruce
Hoelzel, Kathleen
Itse, Daniel
Kappler, Lawrence
Khan, Aboul
Kolodziej, Walter
Major, Norman
McKinney, Betsy
McMahon, Charles
Milz, David
Nigrello, Robert
O'Connor, John
Packard, Sherman
Peckham, Michele
Priestley, Anne
Sanders, Elisabeth
Sapareto, Frank
Schroadter, Adam
Sedensky, John
Sytek, John
Tucker, Pamela
Waterhouse, Kevin
Webb, James
Weyler, Kenneth

STRAFFORD

Beaudoin, Steven
Gardner, Janice
Gray, James
Jones, Laura
Mullen, John
Parsons, Robbie
Pitre, Joseph

SULLIVAN

Osgood, Joe
Smith, Steven

NAYS - 190

BELKNAP

Arsenault, Beth
DiMartino, Lisa
Gulick, Ruth
Huot, David
Raymond, Ian

CARROLL

Butler, Edward
Lavender, Tom
Ticehurst, Susan
White, Syndi

CHESHIRE

Ames, Richard
Berch, Paul
Butynski, William
Chase, Cynthia
Eaton, Daniel
Johnsen, Gladys
Lerandeau, Alfred
Ley, Douglas
Mann, John
Parkhurst, Henry
Phillips, Larry
Roberts, Kris
Robertson, Timothy
Sad, Tara
Shepardson, Marjorie
Tatro, Bruce
Weber, Lucy
Weed, Charles
Young, Harry

COOS

Coulombe, Gary
Enman, Larry
Hammon, Marcia
Hatch, William
Moynihan, Wayne
Richardson, Herbert
Theberge, Robert

GRAFTON

Almy, Susan
Brown, Rebecca
Cooney, Mary
Ford, Susan
Friedrich, Carol
Harding, Laurie
Higgins, Patricia
Lovett, Sid
Massimilla, Linda
Mulholland, Catherine
Nordgren, Sharon
Pastor, Beatriz
Piper, Wendy
Smith, Suzanne
Sykes, George
Townsend, Charles
White, Andrew

HILLSBOROUGH

Backus, Robert
Beaulieu, Jane
Booras, Efstathia
Brown, Pamela
Campbell, David
Carroll, Douglas
Chandley, Shannon
Christiansen, Lars
Connor, Evelyn
Cote, David
DiSilvestro, Linda
Eaton, Richard
Gage, Ruth
Gale, Sylvia
Gidge, Kenneth
Goley, Jeffrey
Gorman, Mary
Grady, Brenda
Hackel, Paul
Hammond, Jill
Hansberry, Daniel
Harriott-Gathright, Linda
Heath, Mary
Jack, Martin
Jeudy, Jean
Katsiantonis, Thomas
Knowles, Mary Ann
Kopka, Angeline
Leishman, Peter
Levesque, Melanie
Long, Patrick
MacKay, Mariellen
Mangipudi, Latha
Manley, Jonathan
McNamara, Richard
Nelson, Mary
O'Brien, Michael
O'Neil, William
Porter, Marjorie
Ramsey, Peter

Rhodes, Brian	Rosenwald, Cindy	Schmidt, Janice	Shattuck, Gilman
Shaw, Barbara	Smith, Timothy	Soucy, Timothy	Spratt, Stephen
Sullivan, Daniel	Sullivan, Peter	Vail, Suzanne	Walsh, Robert
Williams, Kermit	Winters, Joel	Woodbury, David	

MERRIMACK

Alicea, Caroletta	Andrews, Christopher	Bartlett, Christy	Bouchard, Candace
Burns, Scott	Carson, Clyde	Davis, Frank	Ebel, Karen
Frambach, Mary	French, Barbara	Gile, Mary	Henle, Paul
Hirsch, Geoffrey	Hunt, Jane	Karrick, David	Kelly, Sally
MacKay, James	Moffett, Howard	Myler, Mel	Patten, Dick
Ratzki, Mario	Rice, Chip	Richardson, Gary	Rogers, Katherine
Schamberg, Thomas	Schuett, Dianne	Shurtleff, Stephen	Turcotte, Alan
Wallner, Mary Jane	Walz, Mary Beth	Watrous, Rick	Webb, Leigh

ROCKINGHAM

Andrews-Ahearn, E. Elaine	Borden, David	Briden, Steven	Burtis, Elizabeth
Cahill, Michael	Cali-Pitts, Jacqueline	Cushing, Robert	Elliott, Robert
Flockhart, Eileen	Hayes, Jack	Heffron, Frank	Mann, Maureen
Moody, Marcia	Muns, Chris	Scarlotto, Joe	Schlachman, Donna
Sherman, Thomas	Till, Mary	Ward, Gerald	Wazlaw, Brian
Whittemore, Lisa			

STRAFFORD

Baber, William	Bickford, David	Bixby, Peter	Burke, Rachel
Grassie, Anne	Grossman, Kenneth	Hooper, Dorothea	Horrigan, Timothy
Hubbard, Pamela	Kaen, Naida	Ketel, Stephen	Malloy, Dennis
Merrill, Amanda	Perry, Robert	Rogers, Rose Marie	Schmidt, Peter
Smith, Marjorie	Spainhower, Dale	Spang, Judith	Stevens, Audrey
Verschueren, James	Wall, Janet	Ward, Kenneth	

SULLIVAN

Cloutier, John	Gagnon, Raymond	Gottling, Suzanne	Grenier, James
Irwin, Virginia	Sweeney, Cynthia	Tanner, Linda	

and floor amendment (1138h) failed.

The question now being adoption of the majority committee report of Ought to Pass.
Rep. Sandblade offered floor amendment (1152h).

Floor Amendment (1152h)

Amend section 2 of the bill by inserting after paragraph XXVI the following new paragraph:

XXVII. Beginning on or before October 15, 2014, the commissioner shall provide quarterly reports regarding the programs established in paragraphs XXIII-XXV to the president of the senate, the speaker of the house of representatives, the governor, and the chairs of the house and senate committees having jurisdiction over health and human services issues. The reports shall also be published on the department's Internet website. Reports shall be published 15 days after the close of the quarter. The reports shall include:

(a) The total number of persons enrolled in the programs and the age and gender of such persons.

(b) The number of persons enrolled in the programs who were employed at the time of enrollment and the number of persons referred for employment.

(c) The number of emergency room visits by enrollees which were paid for by the programs.

(d) The number of visits to doctor's offices made by the enrollees which were paid for by the programs.

(e) The mortality rate of enrollees in the programs.

(f) The quarterly cost of the programs.

Rep. Sandblade spoke in favor.
Rep. Gary Richardson requested a roll call; sufficiently seconded.

YEAS 134 NAYS 193

YEAS - 134

BELKNAP

Burchell, Richard	Comtois, Guy	Cormier, Jane	Fields, Dennis
Fink, Charles	Flanders, Donald	Greemore, Robert	Holmes, Stephen
Luther, Robert	Sylvia, Michael	Tilton, Franklin	Vadney, Herbert

CARROLL

Chandler, Gene	Cordelli, Glenn	Crawford, Karel	McConkey, Mark
Merrow, Harry	Nelson, Bill	Umberger, Karen	Wright, Donald

CHESHIRE

Hunt, John	Johnson, Jane		

COOS

Rappaport, Laurence Rideout, Leon

GRAFTON

Brown, Rebecca Doolan, Ralph Gionet, Edmond Reilly, Harold
Shackett, Jeffrey

HILLSBOROUGH

Belanger, James Boehm, Ralph Burt, John Byron, Frank
Cebrowski, John Christiansen, Lars Coffey, James Culbert, Patrick
Daniels, Gary Danielson, David Gagne, Larry Graham, John
Haefner, Robert Hansen, Peter Hikel, John Hinch, Richard
Kurk, Neal Lambert, George LeBrun, Donald Marston, Dick
Martel, Andre McCarthy, Michael Murotake, David Murphy, Kelleigh
Murphy, Keith Notter, Jeanine O'Flaherty, Tim Ober, Lynne
Ober, Russell Parison, James Pellegrino, Tony Peterson, Lenette
Renzullo, Andrew Rowe, Robert Sanborn, Laurie Sandblade, Emily
Straight, Philip Stroud, Kathleen Sweeney, Shawn Takesian, Charlene
Ulery, Jordan Vaillancourt, Steve Villeneuve, Moe Warden, Mark
Willette, Robert

MERRIMACK

Hess, David Hoell, J.R. Kotowski, Frank Lockwood, Priscilla
McGuire, Carol McGuire, Dan

ROCKINGHAM

Abrami, Patrick Allen, Mary Baldasaro, Alfred Bick, Patrick
Birdsell, Regina Bishop, Franklin Chirichiello, Brian Comerford, Timothy
Copeland, Timothy Danais, Romeo DeSimone, Debra Devine, James
Duarte, Joe Dumaine, Dudley Emerick, J. Tracy Ferrante, Beverly
Fesh, Robert Gordon, Richard Griffin, Mary Harris, Jeffrey
Hayes, Jack Hodgdon, Bruce Hoelzel, Kathleen Itse, Daniel
Kappler, Lawrence Khan, Aboul Kolodziej, Walter Major, Norman
McKinney, Betsy McMahon, Charles Milz, David Nigrello, Robert
O'Connor, John Packard, Sherman Peckham, Michele Priestley, Anne
Sanders, Elisabeth Sapareto, Frank Schroadter, Adam Sedensky, John
Sweeney, Joe Sytek, John Tucker, Pamela Waterhouse, Kevin
Webb, James Weyler, Kenneth

STRAFFORD

Beaudoin, Steven Gray, James Jones, Laura Mullen, John
Parsons, Robbie Pitre, Joseph

SULLIVAN

Osgood, Joe Smith, Steven

NAYS - 193

BELKNAP

Arsenault, Beth DiMartino, Lisa Gulick, Ruth Huot, David
Raymond, Ian

CARROLL

Butler, Edward Lavender, Tom Ticehurst, Susan White, Syndi

CHESHIRE

Ames, Richard Berch, Paul Butynski, William Chase, Cynthia
Eaton, Daniel Johnsen, Gladys Lerandeau, Alfred Ley, Douglas
Mann, John Parkhurst, Henry Phillips, Larry Roberts, Kris
Robertson, Timothy Sad, Tara Shepardson, Marjorie Tatro, Bruce
Weber, Lucy Weed, Charles Young, Harry

COOS

Coulombe, Gary Enman, Larry Hammon, Marcia Hatch, William
Moynihan, Wayne Richardson, Herbert Theberge, Robert Thomas, Yvonne

GRAFTON

Almy, Susan Cooney, Mary Ford, Susan Friedrich, Carol
Harding, Laurie Higgins, Patricia Ladd, Rick Lovett, Sid
Massimilla, Linda Mulholland, Catherine Nordgren, Sharon Pastor, Beatriz
Piper, Wendy Smith, Suzanne Sykes, George Townsend, Charles
White, Andrew

HILLSBOROUGH

Backus, Robert	Barry, Richard	Beaulieu, Jane	Booras, Efstathia
Brown, Pamela	Campbell, David	Carroll, Douglas	Chandley, Shannon
Connor, Evelyn	Cote, David	DiSilvestro, Linda	Eaton, Richard
Gage, Ruth	Gale, Sylvia	Gargasz, Carolyn	Gidge, Kenneth
Goley, Jeffrey	Gorman, Mary	Grady, Brenda	Hackel, Paul
Hammond, Jill	Hansberry, Daniel	Harriott-Gathright, Linda	Heath, Mary
Jack, Martin	Jasper, Shawn	Jeudy, Jean	Katsiantonis, Thomas
Knowles, Mary Ann	Kopka, Angeline	Leishman, Peter	Levesque, Melanie
Long, Patrick	MacKay, Mariellen	Mangipudi, Latha	Manley, Jonathan
McNamara, Richard	Nelson, Mary	O'Brien, Michael	O'Neil, William
Porter, Marjorie	Ramsey, Peter	Rhodes, Brian	Rosenwald, Cindy
Schmidt, Janice	Shattuck, Gilman	Shaw, Barbara	Smith, Timothy
Soucy, Timothy	Spratt, Stephen	Sullivan, Daniel	Sullivan, Peter
Vail, Suzanne	Walsh, Robert	Williams, Kermit	Winters, Joel
Woodbury, David			

MERRIMACK

Alicea, Caroletta	Andrews, Christopher	Bartlett, Christy	Bouchard, Candace
Burns, Scott	Carson, Clyde	Davis, Frank	Ebel, Karen
Frambach, Mary	French, Barbara	Gile, Mary	Henle, Paul
Hirsch, Geoffrey	Hunt, Jane	Karrick, David	Kelly, Sally
MacKay, James	Moffett, Howard	Myler, Mel	Patten, Dick
Ratzki, Mario	Rice, Chip	Richardson, Gary	Rogers, Katherine
Schamberg, Thomas	Schuett, Dianne	Shurtleff, Stephen	Turcotte, Alan
Wallner, Mary Jane	Walz, Mary Beth	Watrous, Rick	Webb, Leigh

ROCKINGHAM

Andrews-Ahearn, E. Elaine	Borden, David	Briden, Steven	Burtis, Elizabeth
Cahill, Michael	Cali-Pitts, Jacqueline	Cushing, Robert	Elliott, Robert
Flockhart, Eileen	Heffron, Frank	Mann, Maureen	Moody, Marcia
Muns, Chris	Scarlotto, Joe	Schlachman, Donna	Sherman, Thomas
Till, Mary	Ward, Gerald	Wazlaw, Brian	Whittemore, Lisa

STRAFFORD

Baber, William	Bickford, David	Bixby, Peter	Burke, Rachel
Gardner, Janice	Grassie, Anne	Grossman, Kenneth	Hooper, Dorothea
Horrigan, Timothy	Hubbard, Pamela	Kaen, Naida	Ketel, Stephen
Malloy, Dennis	Merrill, Amanda	Perry, Robert	Rogers, Rose Marie
Schmidt, Peter	Smith, Marjorie	Spainhower, Dale	Spang, Judith
Stevens, Audrey	Verschueren, James	Wall, Janet	Ward, Kenneth

SULLIVAN

Cloutier, John	Gagnon, Raymond	Gottling, Suzanne	Grenier, James
Irwin, Virginia	Sweeney, Cynthia	Tanner, Linda	

and floor amendment (1152h) failed.

The question now being adoption of the majority committee report of Ought to Pass.
Rep. Cordelli offered floor amendment (1143h).

Floor Amendment (1143h)

Amend the section heading and the amending language of section 2 of the bill by replacing it with the following:

2 New Paragraphs; Department of Health and Human Services; Changes to State Medicaid Program; Health Savings Account Advisory Commission Established. Amend RSA 126-A:5 by inserting after paragraph XXII the following new paragraphs:

Amend section 2 of the bill by inserting after paragraph XXVI the following new paragraph:

XXVII.(a)(1) There is established the health and human services health savings account advisory commission to advise the commissioner and the general court on the potential for use of health savings accounts for use by the population above 100 percent of the federal poverty level. The members of the commission shall be as follows:

(A) Three members of the house of representatives, appointed by the speaker of the house of representatives.

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

(C) The commissioner of the department of health and human services, or designee.

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

(E) One public member, appointed by the speaker of the house of representatives.

(F) One public member, appointed by the governor.

(G) A representative of a critical access hospital, nominated by the New Hampshire Hospital Association and appointed by governor and council.

(H) A representative of a non-critical access hospital that is not a member of the New Hampshire Hospital Association, nominated by joint agreement of the president of the senate and the speaker of the house of representatives and appointed by governor and council.

(I) One member who is an executive director of a community mental health center, nominated by New Hampshire Community Behavioral Health Association and appointed by governor and council.

(J) A representative of the community health centers, nominated by the Bi-State Primary Care Association and appointed by the governor and council.

(K) One member who is an executive director of an area agency, appointed by the governor and council.

(2) The commission shall:

(A) Study the potential for use of health savings accounts by the population above 100 percent of the federal poverty level.

(B) Study the potential for use of catastrophic health coverage in combination with health savings accounts including options for federal funding or solely state funding.

(C) Study existing other state plans utilizing health savings accounts such as the Healthy Indiana Plan, including the costs of the Healthy Indiana Plan and the estimated costs if a similar plan were implemented in New Hampshire, the number of people covered by the Healthy Indiana Plan compared to the number covered by Medicaid expansion, and how to modify the waiver received by Indiana so that a similar program could be implemented in New Hampshire.

(D) Study options for expansion of medical services cost transparency.

(E) Serve as a forum for a formal hearing and public comment.

(F) Receive input from experts in health care with knowledge and/or experience in the implementation of heath savings accounts and input from interested stakeholders.

(G) Create any subcommittees it deems necessary, which may include members of the public appointed by the chairperson, to assist with the research, analysis, or other work necessary to support its recommendations.

(3) The members of the commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the commissioner, or designee, and shall be held within 45 days of the effective date of this section. Six members of the commission shall constitute a quorum.

(4) Legislative members of the commission shall receive mileage at the legislative rate when attending to the duties of the commission.

(5) On or before June 1, 2015, the commission shall make a report of its findings and recommendations to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, the commissioner of the department of health and human services, and the state library.

(b) The department shall provide administrative support to the commission and provide such information, data, testimony, and other assistance as requested by the commission.

Amend the bill by replacing sections 12 and 13 with the following:

12 Repeal. The following are repealed:

I. RSA 126-A:5, XXIII, relative to health insurance premium payment (HIPP) program.

II. RSA 126-A:5, XXIV, relative to the bridge to marketplace premium assistance program.

III. RSA 126-A:5, XXV, relative to the marketplace premium assistance program.

IV. RSA 126-A:5, XXVI, relative to unemployed individuals who qualify for the voluntary bridge to marketplace premium assistance program and the marketplace premium assistance program.

V. RSA 126-A:5-b, relative to New Hampshire health protection trust fund.

VI. RSA 6:12, I(b)(317), relative to the New Hampshire health protection trust fund.

VII. RSA 415:25, relative to qualified health plans on the federally-facilitated exchange.

VIII. 2013, 144:129 and 131, relative to the Medicaid expansion committee and the repeal of the committee.

IX. 2013, 144:130, as amended by section 8 of this act, relative to an appropriation.

X. RSA 126-A:5, XXVII, relative to the health savings account advisory commission.

13 Effective Date.

I. Section 12, paragraphs I-VII of this act shall take effect December 31, 2016.

II. Section 12, paragraph IX of this act shall take effect November 1, 2014.

III. Section 12, paragraph X of this act shall take effect June 1, 2015.

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

AMENDED ANALYSIS

This bill establishes the New Hampshire health protection program. This bill also establishes the New Hampshire health protection trust fund which is to be administered by the commissioner of the department of health and human services for the purposes of paying certain costs associated with the programs established in the bill and to accept any federal moneys for such programs. The commissioner of the department of health and human services is granted rulemaking authority for the purposes of the bill. This bill also establishes a health and human services savings account advisory commission.

Rep. Cordelli spoke in favor.
Rep. Rosenwald requested a roll call; sufficiently seconded.

YEAS 135 NAYS 192

YEAS - 135

BELKNAP

Burchell, Richard	Comtois, Guy	Cormier, Jane	Fields, Dennis
Fink, Charles	Flanders, Donald	Greemore, Robert	Holmes, Stephen
Luther, Robert	Sylvia, Michael	Tilton, Franklin	Vadney, Herbert

CARROLL

Chandler, Gene	Cordelli, Glenn	Crawford, Karel	McConkey, Mark
Merrow, Harry	Nelson, Bill	Umberger, Karen	Wright, Donald

CHESHIRE

Hunt, John	Johnson, Jane	Roberts, Kris

COOS

Rappaport, Laurence	Rideout, Leon

GRAFTON

Doolan, Ralph	Gionet, Edmond	Ladd, Rick	Reilly, Harold
Shackett, Jeffrey			

HILLSBOROUGH

Barry, Richard	Belanger, James	Boehm, Ralph	Burt, John
Byron, Frank	Cebrowski, John	Christiansen, Lars	Coffey, James
Culbert, Patrick	Daniels, Gary	Danielson, David	Gagne, Larry
Graham, John	Haefner, Robert	Hansen, Peter	Hikel, John
Hinch, Richard	Jasper, Shawn	Kurk, Neal	Lambert, George
LeBrun, Donald	Marston, Dick	Martel, Andre	McCarthy, Michael
Murotake, David	Murphy, Kelleigh	Murphy, Keith	Notter, Jeanine
O'Flaherty, Tim	Ober, Lynne	Ober, Russell	Parison, James
Pellegrino, Tony	Peterson, Lenette	Renzullo, Andrew	Rowe, Robert
Sanborn, Laurie	Sandblade, Emily	Straight, Philip	Stroud, Kathleen
Sweeney, Shawn	Takesian, Charlene	Ulery, Jordan	Vaillancourt, Steve
Villeneuve, Moe	Willette, Robert		

MERRIMACK

Hess, David	Hoell, J.R.	Kotowski, Frank	McGuire, Carol
McGuire, Dan			

ROCKINGHAM

Abrami, Patrick	Allen, Mary	Baldasaro, Alfred	Bick, Patrick
Birdsell, Regina	Bishop, Franklin	Chirichiello, Brian	Comerford, Timothy
Copeland, Timothy	Danais, Romeo	DeSimone, Debra	Devine, James
Duarte, Joe	Dumaine, Dudley	Emerick, J. Tracy	Ferrante, Beverly
Fesh, Robert	Garcia, Bianca	Gordon, Richard	Griffin, Mary
Harris, Jeffrey	Hayes, Jack	Hodgdon, Bruce	Hoelzel, Kathleen
Itse, Daniel	Kappler, Lawrence	Khan, Aboul	Kolodziej, Walter
Major, Norman	McKinney, Betsy	Milz, David	Nigrello, Robert
O'Connor, John	Packard, Sherman	Peckham, Michele	Priestley, Anne
Sanders, Elisabeth	Sapareto, Frank	Schroadter, Adam	Sedensky, John
Sweeney, Joe	Sytek, John	Tucker, Pamela	Waterhouse, Kevin
Webb, James	Weyler, Kenneth		

STRAFFORD

Beaudoin, Steven	Gray, James	Jones, Laura	Mullen, John
Parsons, Robbie	Pitre, Joseph		

SULLIVAN

Osgood, Joe	Smith, Steven

NAYS - 192

BELKNAP

Arsenault, Beth	DiMartino, Lisa	Gulick, Ruth	Huot, David
Raymond, Ian			

CARROLL

Butler, Edward	Lavender, Tom	Ticehurst, Susan	White, Syndi

CHESHIRE

Ames, Richard	Berch, Paul	Butynski, William	Chase, Cynthia
Eaton, Daniel	Johnsen, Gladys	Lerandeau, Alfred	Ley, Douglas
Mann, John	Parkhurst, Henry	Phillips, Larry	Robertson, Timothy
Sad, Tara	Shepardson, Marjorie	Tatro, Bruce	Weber, Lucy
Weed, Charles	Young, Harry		

COOS

Coulombe, Gary	Enman, Larry	Hammon, Marcia	Hatch, William
Moynihan, Wayne	Richardson, Herbert	Theberge, Robert	Thomas, Yvonne

GRAFTON

Almy, Susan	Brown, Rebecca	Cooney, Mary	Ford, Susan
Friedrich, Carol	Harding, Laurie	Higgins, Patricia	Lovett, Sid
Massimilla, Linda	Mulholland, Catherine	Nordgren, Sharon	Pastor, Beatriz
Piper, Wendy	Smith, Suzanne	Sykes, George	Townsend, Charles
White, Andrew			

HILLSBOROUGH

Backus, Robert	Beaulieu, Jane	Booras, Efstathia	Brown, Pamela
Campbell, David	Carroll, Douglas	Chandley, Shannon	Connor, Evelyn
Cote, David	DiSilvestro, Linda	Eaton, Richard	Gage, Ruth
Gale, Sylvia	Gargasz, Carolyn	Gidge, Kenneth	Goley, Jeffrey
Gorman, Mary	Grady, Brenda	Hackel, Paul	Hammond, Jill
Hansberry, Daniel	Harriott-Gathright, Linda	Heath, Mary	Jack, Martin
Jeudy, Jean	Katsiantonis, Thomas	Knowles, Mary Ann	Kopka, Angeline
Leishman, Peter	Levesque, Melanie	Long, Patrick	MacKay, Mariellen
Mangipudi, Latha	Manley, Jonathan	McNamara, Richard	Nelson, Mary
O'Brien, Michael	O'Neil, William	Porter, Marjorie	Ramsey, Peter
Rhodes, Brian	Rosenwald, Cindy	Schmidt, Janice	Shattuck, Gilman
Shaw, Barbara	Smith, Timothy	Soucy, Timothy	Spratt, Stephen
Sullivan, Daniel	Sullivan, Peter	Vail, Suzanne	Walsh, Robert
Williams, Kermit	Winters, Joel	Woodbury, David	

MERRIMACK

Alicea, Caroletta	Andrews, Christopher	Bartlett, Christy	Bouchard, Candace
Burns, Scott	Carson, Clyde	Davis, Frank	Ebel, Karen
Frambach, Mary	French, Barbara	Gile, Mary	Henle, Paul
Hirsch, Geoffrey	Hunt, Jane	Karrick, David	Kelly, Sally
Lockwood, Priscilla	MacKay, James	Moffett, Howard	Myler, Mel
Patten, Dick	Ratzki, Mario	Rice, Chip	Richardson, Gary
Rogers, Katherine	Schamberg, Thomas	Schuett, Dianne	Shurtleff, Stephen
Turcotte, Alan	Wallner, Mary Jane	Walz, Mary Beth	Watrous, Rick
Webb, Leigh			

ROCKINGHAM

Andrews-Ahearn, E. Elaine	Borden, David	Briden, Steven	Burtis, Elizabeth
Cahill, Michael	Cali-Pitts, Jacqueline	Cushing, Robert	Elliott, Robert
Flockhart, Eileen	Heffron, Frank	Mann, Maureen	McMahon, Charles
Moody, Marcia	Muns, Chris	Scarlotto, Joe	Schlachman, Donna
Sherman, Thomas	Till, Mary	Ward, Gerald	Wazlaw, Brian
Whittemore, Lisa			

STRAFFORD

Baber, William	Bickford, David	Bixby, Peter	Burke, Rachel
Gardner, Janice	Grassie, Anne	Grossman, Kenneth	Hooper, Dorothea
Horrigan, Timothy	Hubbard, Pamela	Kaen, Naida	Ketel, Stephen
Malloy, Dennis	Merrill, Amanda	Perry, Robert	Rogers, Rose Marie
Schmidt, Peter	Smith, Marjorie	Spainhower, Dale	Spang, Judith
Stevens, Audrey	Verschueren, James	Wall, Janet	Ward, Kenneth

SULLIVAN

Cloutier, John	Gagnon, Raymond	Gottling, Suzanne	Grenier, James
Irwin, Virginia	Sweeney, Cynthia	Tanner, Linda	

and floor amendment (1143h) failed.

The question now being adoption of the majority committee report of Ought to Pass.
Rep. Itse offered floor amendment (1157h).

Floor Amendment (1157h)

Amend section 10 of the bill by inserting after paragraph II the following new paragraph:

III. The programs contained in section 2 of this act shall not commence until 30 days after the health insurance premium payment program (HIPP) waiver has been approved.
Rep. Itse spoke in favor and requested a roll call; sufficiently seconded.

YEAS 138 NAYS 191

YEAS - 138

BELKNAP

Burchell, Richard	Comtois, Guy	Cormier, Jane	Fields, Dennis
Fink, Charles	Flanders, Donald	Greemore, Robert	Holmes, Stephen
Luther, Robert	Sylvia, Michael	Tilton, Franklin	Vadney, Herbert

CARROLL

Chandler, Gene	Cordelli, Glenn	Crawford, Karel	McConkey, Mark
Merrow, Harry	Nelson, Bill	Umberger, Karen	Wright, Donald

CHESHIRE

Hunt, John	Johnson, Jane

COOS

Rappaport, Laurence	Rideout, Leon

GRAFTON

Doolan, Ralph	Gionet, Edmond	Ladd, Rick	Reilly, Harold
Shackett, Jeffrey			

HILLSBOROUGH

Barry, Richard	Belanger, James	Boehm, Ralph	Burt, John
Byron, Frank	Cebrowski, John	Christiansen, Lars	Coffey, James
Culbert, Patrick	Daniels, Gary	Danielson, David	Gagne, Larry
Gargasz, Carolyn	Graham, John	Haefner, Robert	Hansen, Peter
Hikel, John	Hinch, Richard	Jasper, Shawn	Kurk, Neal
Lambert, George	LeBrun, Donald	Marston, Dick	Martel, Andre
McCarthy, Michael	Murotake, David	Murphy, Kelleigh	Murphy, Keith
Notter, Jeanine	O'Flaherty, Tim	Ober, Lynne	Ober, Russell
Parison, James	Pellegrino, Tony	Peterson, Lenette	Renzullo, Andrew
Rowe, Robert	Sanborn, Laurie	Sandblade, Emily	Straight, Philip
Stroud, Kathleen	Sweeney, Shawn	Takesian, Charlene	Ulery, Jordan
Vaillancourt, Steve	Villeneuve, Moe	Willette, Robert	

MERRIMACK

Hess, David	Hoell, J.R.	Kotowski, Frank	Lockwood, Priscilla
McGuire, Carol	McGuire, Dan		

ROCKINGHAM

Abrami, Patrick	Allen, Mary	Baldasaro, Alfred	Bick, Patrick
Birdsell, Regina	Bishop, Franklin	Chirichiello, Brian	Comerford, Timothy
Copeland, Timothy	Danais, Romeo	DeSimone, Debra	Devine, James
Duarte, Joe	Dumaine, Dudley	Emerick, J. Tracy	Ferrante, Beverly
Fesh, Robert	Garcia, Bianca	Gordon, Richard	Grace, Curtis
Griffin, Mary	Harris, Jeffrey	Hayes, Jack	Hodgdon, Bruce
Hoelzel, Kathleen	Itse, Daniel	Kappler, Lawrence	Khan, Aboul
Kolodziej, Walter	Major, Norman	McKinney, Betsy	McMahon, Charles
Milz, David	Nigrello, Robert	O'Connor, John	Packard, Sherman
Peckham, Michele	Priestley, Anne	Sanders, Elisabeth	Sapareto, Frank
Schroadter, Adam	Sedensky, John	Sweeney, Joe	Sytek, John
Tucker, Pamela	Waterhouse, Kevin	Webb, James	Weyler, Kenneth

STRAFFORD

Beaudoin, Steven	Gray, James	Jones, Laura	Mullen, John
Parsons, Robbie	Pitre, Joseph		

SULLIVAN

Osgood, Joe	Smith, Steven

NAYS - 191

BELKNAP

Arsenault, Beth	DiMartino, Lisa	Gulick, Ruth	Huot, David
Raymond, Ian			

CARROLL

Butler, Edward	Lavender, Tom	Ticehurst, Susan	White, Syndi

CHESHIRE

Ames, Richard	Berch, Paul	Butynski, William	Chase, Cynthia
Eaton, Daniel	Johnsen, Gladys	Lerandeau, Alfred	Ley, Douglas
Mann, John	Parkhurst, Henry	Phillips, Larry	Roberts, Kris
Robertson, Timothy	Sad, Tara	Shepardson, Marjorie	Tatro, Bruce
Weber, Lucy	Weed, Charles	Young, Harry	

COOS

Coulombe, Gary	Enman, Larry	Hammon, Marcia	Hatch, William
Moynihan, Wayne	Richardson, Herbert	Theberge, Robert	Thomas, Yvonne

GRAFTON

Almy, Susan	Brown, Rebecca	Cooney, Mary	Ford, Susan
Friedrich, Carol	Harding, Laurie	Higgins, Patricia	Lovett, Sid
Massimilla, Linda	Mulholland, Catherine	Nordgren, Sharon	Pastor, Beatriz
Piper, Wendy	Smith, Suzanne	Sykes, George	Townsend, Charles
White, Andrew			

HILLSBOROUGH

Backus, Robert	Beaulieu, Jane	Booras, Efstathia	Brown, Pamela
Campbell, David	Carroll, Douglas	Chandley, Shannon	Connor, Evelyn
Cote, David	DiSilvestro, Linda	Eaton, Richard	Gage, Ruth
Gale, Sylvia	Gidge, Kenneth	Goley, Jeffrey	Gorman, Mary
Grady, Brenda	Hackel, Paul	Hammond, Jill	Hansberry, Daniel
Harriott-Gathright, Linda	Heath, Mary	Jack, Martin	Jeudy, Jean
Katsiantonis, Thomas	Kelley, John	Knowles, Mary Ann	Kopka, Angeline
Leishman, Peter	Levesque, Melanie	Long, Patrick	MacKay, Mariellen
Mangipudi, Latha	Manley, Jonathan	McNamara, Richard	Nelson, Mary
O'Brien, Michael	O'Neil, William	Porter, Marjorie	Ramsey, Peter
Rhodes, Brian	Rosenwald, Cindy	Schmidt, Janice	Shattuck, Gilman
Shaw, Barbara	Smith, Timothy	Soucy, Timothy	Spratt, Stephen
Sullivan, Daniel	Sullivan, Peter	Vail, Suzanne	Walsh, Robert
Williams, Kermit	Winters, Joel	Woodbury, David	

MERRIMACK

Alicea, Caroletta	Andrews, Christopher	Bartlett, Christy	Bouchard, Candace
Burns, Scott	Carson, Clyde	Davis, Frank	Ebel, Karen
Frambach, Mary	French, Barbara	Gile, Mary	Henle, Paul
Hirsch, Geoffrey	Hunt, Jane	Karrick, David	Kelly, Sally
MacKay, James	Moffett, Howard	Myler, Mel	Patten, Dick
Ratzki, Mario	Rice, Chip	Richardson, Gary	Rogers, Katherine
Schamberg, Thomas	Schuett, Dianne	Shurtleff, Stephen	Turcotte, Alan
Wallner, Mary Jane	Walz, Mary Beth	Watrous, Rick	Webb, Leigh

ROCKINGHAM

Andrews-Ahearn, E. Elaine	Borden, David	Briden, Steven	Burtis, Elizabeth
Cahill, Michael	Cali-Pitts, Jacqueline	Cushing, Robert	Elliott, Robert
Flockhart, Eileen	Heffron, Frank	Mann, Maureen	Moody, Marcia
Muns, Chris	Scarlotto, Joe	Schlachman, Donna	Sherman, Thomas
Till, Mary	Ward, Gerald	Wazlaw, Brian	Whittemore, Lisa

STRAFFORD

Baber, William	Bickford, David	Bixby, Peter	Burke, Rachel
Gardner, Janice	Grassie, Anne	Grossman, Kenneth	Hooper, Dorothea
Horrigan, Timothy	Hubbard, Pamela	Kaen, Naida	Ketel, Stephen
Malloy, Dennis	Merrill, Amanda	Perry, Robert	Rogers, Rose Marie
Schmidt, Peter	Smith, Marjorie	Spainhower, Dale	Spang, Judith
Stevens, Audrey	Verschueren, James	Wall, Janet	Ward, Kenneth

SULLIVAN

Cloutier, John	Gagnon, Raymond	Gottling, Suzanne	Grenier, James
Irwin, Virginia	Sweeney, Cynthia	Tanner, Linda	

and floor amendment (1157h) failed.

The question now being adoption of the majority committee report of Ought to Pass.
Rep. Hoell offered floor amendment (1135h).

Floor Amendment (1135h)

Amend the bill by inserting after section 12 the following and renumbering the original section 13 to read as 14:

13 New Paragraph; Administrative Services; Medical and Surgical Benefits. Amend RSA 21-I:30 by inserting after paragraph I-a the following new paragraph:

I-b. No medical benefit plan to which the state pays a premium shall make any payments to any physician unless he or she accepts Medicaid payments.

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

YEAS 127 NAYS 198

YEAS - 127

BELKNAP

Burchell, Richard	Comtois, Guy	Cormier, Jane	Fields, Dennis
Fink, Charles	Flanders, Donald	Greemore, Robert	Holmes, Stephen
Luther, Robert	Sylvia, Michael	Tilton, Franklin	Vadney, Herbert

CARROLL

Chandler, Gene	Cordelli, Glenn	Crawford, Karel	McConkey, Mark
Merrow, Harry	Nelson, Bill	Umberger, Karen	Wright, Donald

CHESHIRE

Johnson, Jane

COOS

Rappaport, Laurence Rideout, Leon

GRAFTON

Doolan, Ralph	Gionet, Edmond	Ladd, Rick	Reilly, Harold

HILLSBOROUGH

Belanger, James	Boehm, Ralph	Burt, John	Byron, Frank
Cebrowski, John	Christiansen, Lars	Coffey, James	Culbert, Patrick
Daniels, Gary	Gagne, Larry	Graham, John	Haefner, Robert
Hansen, Peter	Hikel, John	Hinch, Richard	Jasper, Shawn
Lambert, George	LeBrun, Donald	Marston, Dick	Martel, Andre
Murotake, David	Murphy, Kelleigh	Murphy, Keith	Notter, Jeanine
O'Flaherty, Tim	Ober, Lynne	Ober, Russell	Parison, James
Pellegrino, Tony	Peterson, Lenette	Renzullo, Andrew	Rowe, Robert
Sanborn, Laurie	Sandblade, Emily	Straight, Philip	Stroud, Kathleen
Sweeney, Shawn	Takesian, Charlene	Ulery, Jordan	Vaillancourt, Steve
Villeneuve, Moe	Willette, Robert		

MERRIMACK

Hoell, J.R.	Kotowski, Frank	McGuire, Carol	McGuire, Dan

ROCKINGHAM

Abrami, Patrick	Allen, Mary	Baldasaro, Alfred	Bick, Patrick
Birdsell, Regina	Bishop, Franklin	Chirichiello, Brian	Comerford, Timothy
Copeland, Timothy	Danais, Romeo	DeSimone, Debra	Devine, James
Duarte, Joe	Dumaine, Dudley	Emerick, J. Tracy	Ferrante, Beverly
Fesh, Robert	Garcia, Bianca	Gordon, Richard	Grace, Curtis
Harris, Jeffrey	Hayes, Jack	Hodgdon, Bruce	Hoelzel, Kathleen
Itse, Daniel	Kappler, Lawrence	Khan, Aboul	Kolodziej, Walter
Major, Norman	Milz, David	Nigrello, Robert	O'Connor, John
Packard, Sherman	Peckham, Michele	Sanders, Elisabeth	Sapareto, Frank
Schroadter, Adam	Sedensky, John	Sweeney, Joe	Sytek, John
Tucker, Pamela	Waterhouse, Kevin	Webb, James	Weyler, Kenneth

STRAFFORD

Beaudoin, Steven	Bickford, David	Gray, James	Jones, Laura
Mullen, John	Parsons, Robbie	Pitre, Joseph	

SULLIVAN

Grenier, James	Osgood, Joe	Smith, Steven

NAYS - 198

BELKNAP

DiMartino, Lisa	Gulick, Ruth	Huot, David	Raymond, Ian

CARROLL

Butler, Edward	Lavender, Tom	Ticehurst, Susan	White, Syndi

CHESHIRE

Ames, Richard	Berch, Paul	Butynski, William	Chase, Cynthia
Eaton, Daniel	Hunt, John	Johnsen, Gladys	Lerandeau, Alfred
Ley, Douglas	Mann, John	Parkhurst, Henry	Phillips, Larry
Roberts, Kris	Robertson, Timothy	Sad, Tara	Shepardson, Marjorie
Weber, Lucy	Weed, Charles	Young, Harry	

COOS

Coulombe, Gary	Enman, Larry	Hammon, Marcia	Hatch, William
Moynihan, Wayne	Richardson, Herbert	Theberge, Robert	Thomas, Yvonne

GRAFTON

Almy, Susan	Brown, Rebecca	Cooney, Mary	Ford, Susan
Friedrich, Carol	Harding, Laurie	Higgins, Patricia	Lovett, Sid
Massimilla, Linda	Mulholland, Catherine	Nordgren, Sharon	Pastor, Beatriz
Piper, Wendy	Shackett, Jeffrey	Smith, Suzanne	Sykes, George
Townsend, Charles	White, Andrew		

HILLSBOROUGH

Backus, Robert	Barry, Richard	Beaulieu, Jane	Booras, Efstathia
Brown, Pamela	Campbell, David	Chandley, Shannon	Connor, Evelyn
Cote, David	Danielson, David	DiSilvestro, Linda	Eaton, Richard
Gage, Ruth	Gale, Sylvia	Gargasz, Carolyn	Gidge, Kenneth
Goley, Jeffrey	Gorman, Mary	Grady, Brenda	Hackel, Paul
Hammond, Jill	Hansberry, Daniel	Harriott-Gathright, Linda	Heath, Mary
Jack, Martin	Jeudy, Jean	Katsiantonis, Thomas	Kelley, John
Knowles, Mary Ann	Kopka, Angeline	Kurk, Neal	Leishman, Peter
Levesque, Melanie	Long, Patrick	MacKay, Mariellen	Mangipudi, Latha
Manley, Jonathan	McNamara, Richard	Nelson, Mary	O'Brien, Michael
O'Neil, William	Porter, Marjorie	Ramsey, Peter	Rhodes, Brian
Rosenwald, Cindy	Schmidt, Janice	Shattuck, Gilman	Shaw, Barbara
Smith, Timothy	Soucy, Timothy	Spratt, Stephen	Sullivan, Daniel
Sullivan, Peter	Vail, Suzanne	Walsh, Robert	Williams, Kermit
Winters, Joel	Woodbury, David		

MERRIMACK

Alicea, Caroletta	Andrews, Christopher	Bartlett, Christy	Bouchard, Candace
Burns, Scott	Carson, Clyde	Davis, Frank	Ebel, Karen
Frambach, Mary	French, Barbara	Gile, Mary	Henle, Paul
Hess, David	Hirsch, Geoffrey	Hunt, Jane	Karrick, David
Kelly, Sally	Lockwood, Priscilla	MacKay, James	Moffett, Howard
Myler, Mel	Patten, Dick	Ratzki, Mario	Rice, Chip
Richardson, Gary	Rogers, Katherine	Schamberg, Thomas	Schuett, Dianne
Shurtleff, Stephen	Turcotte, Alan	Wallner, Mary Jane	Walz, Mary Beth
Watrous, Rick	Webb, Leigh		

ROCKINGHAM

Andrews-Ahearn, E. Elaine	Borden, David	Briden, Steven	Burtis, Elizabeth
Cahill, Michael	Cali-Pitts, Jacqueline	Cushing, Robert	Elliott, Robert
Flockhart, Eileen	Griffin, Mary	Heffron, Frank	Mann, Maureen
McKinney, Betsy	McMahon, Charles	Moody, Marcia	Muns, Chris
Priestley, Anne	Scarlotto, Joe	Schlachman, Donna	Sherman, Thomas
Till, Mary	Ward, Gerald	Wazlaw, Brian	Whittemore, Lisa

STRAFFORD

Baber, William	Bixby, Peter	Burke, Rachel	Gardner, Janice
Grassie, Anne	Grossman, Kenneth	Hooper, Dorothea	Horrigan, Timothy
Hubbard, Pamela	Kaen, Naida	Ketel, Stephen	Malloy, Dennis
Merrill, Amanda	Perry, Robert	Rogers, Rose Marie	Schmidt, Peter
Smith, Marjorie	Spainhower, Dale	Spang, Judith	Stevens, Audrey
Verschueren, James	Wall, Janet	Ward, Kenneth	

SULLIVAN

Cloutier, John	Gagnon, Raymond	Gottling, Suzanne	Irwin, Virginia
Sweeney, Cynthia	Tanner, Linda		

and floor amendment (1135h) failed.

The question now being adoption of the majority committee report of Ought to Pass.
Rep. Hoell offered floor amendment (1147h).

Floor Amendment (1147h)

Amend section 2 of the bill by inserting after paragraph XXVI the following new paragraph:

XXVII. The commissioner shall ensure that programs established under paragraphs XXIII-XXV include access to a hospital, licensed under RSA 151, in each county for the newly eligible participants in such programs.

Reps. Hoell and Baldasaro spoke in favor.

Rep. Shurtleff requested a roll call; sufficiently seconded.

YEAS 129 NAYS 197

YEAS - 129

BELKNAP

Burchell, Richard	Comtois, Guy	Cormier, Jane	Greemore, Robert
Holmes, Stephen	Luther, Robert	Sylvia, Michael	Tilton, Franklin
Vadney, Herbert			

CARROLL

Chandler, Gene	Cordelli, Glenn	Crawford, Karel	McConkey, Mark
Merrow, Harry	Nelson, Bill	Umberger, Karen	Wright, Donald

CHESHIRE

Johnson, Jane

COOS

Rappaport, Laurence	Richardson, Herbert	Rideout, Leon

GRAFTON

Doolan, Ralph	Gionet, Edmond	Ladd, Rick	Reilly, Harold

HILLSBOROUGH

Belanger, James	Boehm, Ralph	Burt, John	Byron, Frank
Cebrowski, John	Christiansen, Lars	Coffey, James	Culbert, Patrick
Daniels, Gary	Danielson, David	Haefner, Robert	Hansen, Peter
Hikel, John	Hinch, Richard	Kurk, Neal	Lambert, George
LeBrun, Donald	Marston, Dick	Martel, Andre	McCarthy, Michael
Murotake, David	Murphy, Kelleigh	Murphy, Keith	Notter, Jeanine
O'Flaherty, Tim	Ober, Lynne	Ober, Russell	Parison, James
Pellegrino, Tony	Peterson, Lenette	Renzullo, Andrew	Rowe, Robert
Sanborn, Laurie	Sandblade, Emily	Straight, Philip	Stroud, Kathleen
Sweeney, Shawn	Takesian, Charlene	Ulery, Jordan	Vaillancourt, Steve
Villeneuve, Moe	Willette, Robert		

MERRIMACK

Hoell, J.R.	Kotowski, Frank	McGuire, Carol	McGuire, Dan
Rice, Chip			

ROCKINGHAM

Abrami, Patrick	Allen, Mary	Baldasaro, Alfred	Bick, Patrick
Birdsell, Regina	Bishop, Franklin	Chirichiello, Brian	Comerford, Timothy
Copeland, Timothy	Danais, Romeo	DeSimone, Debra	Devine, James
Duarte, Joe	Dumaine, Dudley	Emerick, J. Tracy	Ferrante, Beverly
Fesh, Robert	Garcia, Bianca	Gordon, Richard	Grace, Curtis
Griffin, Mary	Harris, Jeffrey	Hayes, Jack	Hodgdon, Bruce
Hoelzel, Kathleen	Itse, Daniel	Kappler, Lawrence	Khan, Aboul
Kolodziej, Walter	Major, Norman	McMahon, Charles	Milz, David
Nigrello, Robert	O'Connor, John	Packard, Sherman	Peckham, Michele
Priestley, Anne	Sanders, Elisabeth	Sapareto, Frank	Schroadter, Adam
Sedensky, John	Sweeney, Joe	Tucker, Pamela	Waterhouse, Kevin
Webb, James	Weyler, Kenneth		

STRAFFORD

Beaudoin, Steven	Bickford, David	Gardner, Janice	Gray, James
Jones, Laura	Parsons, Robbie	Pitre, Joseph	Spang, Judith

SULLIVAN

Grenier, James	Osgood, Joe	Smith, Steven

NAYS - 197

BELKNAP

Arsenault, Beth	DiMartino, Lisa	Fields, Dennis	Flanders, Donald
Gulick, Ruth	Huot, David	Raymond, Ian	

CARROLL

Butler, Edward	Lavender, Tom	Ticehurst, Susan	White, Syndi

CHESHIRE

Ames, Richard	Berch, Paul	Butynski, William	Chase, Cynthia
Eaton, Daniel	Hunt, John	Johnsen, Gladys	Lerandeau, Alfred
Ley, Douglas	Mann, John	Parkhurst, Henry	Phillips, Larry
Roberts, Kris	Robertson, Timothy	Sad, Tara	Shepardson, Marjorie
Tatro, Bruce	Weber, Lucy	Weed, Charles	Young, Harry

COOS

Coulombe, Gary	Enman, Larry	Hammon, Marcia	Hatch, William
Moynihan, Wayne	Theberge, Robert	Thomas, Yvonne	

GRAFTON

Almy, Susan	Brown, Rebecca	Cooney, Mary	Ford, Susan
Friedrich, Carol	Harding, Laurie	Higgins, Patricia	Lovett, Sid
Massimilla, Linda	Mulholland, Catherine	Nordgren, Sharon	Pastor, Beatriz
Piper, Wendy	Shackett, Jeffrey	Smith, Suzanne	Sykes, George
Townsend, Charles	White, Andrew		

HILLSBOROUGH

Backus, Robert	Barry, Richard	Beaulieu, Jane	Booras, Efstathia
Brown, Pamela	Campbell, David	Chandley, Shannon	Connor, Evelyn
Cote, David	DiSilvestro, Linda	Gage, Ruth	Gagne, Larry
Gale, Sylvia	Gargasz, Carolyn	Gidge, Kenneth	Goley, Jeffrey
Gorman, Mary	Grady, Brenda	Graham, John	Hackel, Paul
Hammond, Jill	Hansberry, Daniel	Harriott-Gathright, Linda	Heath, Mary
Jack, Martin	Jasper, Shawn	Jeudy, Jean	Katsiantonis, Thomas
Kelley, John	Knowles, Mary Ann	Kopka, Angeline	Leishman, Peter
Levesque, Melanie	Long, Patrick	MacKay, Mariellen	Mangipudi, Latha
Manley, Jonathan	McNamara, Richard	Nelson, Mary	O'Brien, Michael
O'Neil, William	Porter, Marjorie	Ramsey, Peter	Rhodes, Brian
Rosenwald, Cindy	Schmidt, Janice	Shattuck, Gilman	Shaw, Barbara
Smith, Timothy	Soucy, Timothy	Spratt, Stephen	Sullivan, Daniel
Sullivan, Peter	Vail, Suzanne	Walsh, Robert	Williams, Kermit
Winters, Joel	Woodbury, David		

MERRIMACK

Alicea, Caroletta	Andrews, Christopher	Bartlett, Christy	Bouchard, Candace
Burns, Scott	Carson, Clyde	Davis, Frank	Ebel, Karen
Frambach, Mary	French, Barbara	Gile, Mary	Henle, Paul
Hess, David	Hirsch, Geoffrey	Hunt, Jane	Karrick, David
Kelly, Sally	Lockwood, Priscilla	MacKay, James	Moffett, Howard
Myler, Mel	Patten, Dick	Ratzki, Mario	Richardson, Gary
Rogers, Katherine	Schamberg, Thomas	Schuett, Dianne	Shurtleff, Stephen
Turcotte, Alan	Wallner, Mary Jane	Walz, Mary Beth	Watrous, Rick
Webb, Leigh			

ROCKINGHAM

Andrews-Ahearn, E. Elaine	Borden, David	Briden, Steven	Burtis, Elizabeth
Cahill, Michael	Cali-Pitts, Jacqueline	Cushing, Robert	Elliott, Robert
Flockhart, Eileen	Heffron, Frank	Mann, Maureen	McKinney, Betsy
Moody, Marcia	Muns, Chris	Scarlotto, Joe	Schlachman, Donna
Sherman, Thomas	Sytek, John	Till, Mary	Ward, Gerald
Wazlaw, Brian	Whittemore, Lisa		

STRAFFORD

Baber, William	Bixby, Peter	Burke, Rachel	Grassie, Anne
Grossman, Kenneth	Hooper, Dorothea	Horrigan, Timothy	Hubbard, Pamela
Kaen, Naida	Ketel, Stephen	Malloy, Dennis	Merrill, Amanda
Mullen, John	Perry, Robert	Rogers, Rose Marie	Schmidt, Peter
Smith, Marjorie	Spainhower, Dale	Stevens, Audrey	Verschueren, James
Wall, Janet	Ward, Kenneth		

SULLIVAN

Cloutier, John	Gagnon, Raymond	Gottling, Suzanne	Irwin, Virginia
Sweeney, Cynthia	Tanner, Linda		

and floor amendment (1147h) failed.

The question now being adoption of the majority committee report of Ought to Pass.
Reps. Hoell, Sylvia, Burt, Sanborn and Dan McGuire spoke against.

Reps. Baldasaro, Carol McGuire and Kurk spoke against and yielded to questions.
Reps. Rosenwald and Elliott spoke in favor.
Rep. Shurtleff requested a roll call; sufficiently seconded.

YEAS 202 NAYS 132

YEAS - 202

BELKNAP

Arsenault, Beth	DiMartino, Lisa	Flanders, Donald	Gulick, Ruth
Huot, David	Raymond, Ian		

CARROLL

Butler, Edward	Lavender, Tom	Ticehurst, Susan	Umberger, Karen
White, Syndi			

CHESHIRE

Ames, Richard	Berch, Paul	Butynski, William	Chase, Cynthia
Eaton, Daniel	Johnsen, Gladys	Lerandeau, Alfred	Ley, Douglas
Mann, John	Parkhurst, Henry	Phillips, Larry	Roberts, Kris
Robertson, Timothy	Sad, Tara	Shepardson, Marjorie	Tatro, Bruce
Weber, Lucy	Weed, Charles	Young, Harry	

COOS

Coulombe, Gary	Enman, Larry	Hammon, Marcia	Hatch, William
Moynihan, Wayne	Richardson, Herbert	Theberge, Robert	Thomas, Yvonne

GRAFTON

Almy, Susan	Brown, Rebecca	Cooney, Mary	Ford, Susan
Friedrich, Carol	Harding, Laurie	Higgins, Patricia	Lovett, Sid
Massimilla, Linda	Mulholland, Catherine	Nordgren, Sharon	Pastor, Beatriz
Piper, Wendy	Smith, Suzanne	Sykes, George	Townsend, Charles
White, Andrew			

HILLSBOROUGH

Backus, Robert	Beaulieu, Jane	Booras, Efstathia	Brown, Pamela
Campbell, David	Chandley, Shannon	Connor, Evelyn	Cote, David
DiSilvestro, Linda	Eaton, Richard	Gage, Ruth	Gale, Sylvia
Gargasz, Carolyn	Gidge, Kenneth	Goley, Jeffrey	Gorman, Mary
Grady, Brenda	Hackel, Paul	Hammond, Jill	Hansberry, Daniel
Harriott-Gathright, Linda	Heath, Mary	Jack, Martin	Jeudy, Jean
Katsiantonis, Thomas	Kelley, John	Knowles, Mary Ann	Kopka, Angeline
Leishman, Peter	Levesque, Melanie	Long, Patrick	MacKay, Mariellen
Mangipudi, Latha	Manley, Jonathan	McNamara, Richard	Nelson, Mary
O'Brien, Michael	O'Neil, William	Porter, Marjorie	Ramsey, Peter
Rhodes, Brian	Rokas, Ted	Rosenwald, Cindy	Schmidt, Janice
Shattuck, Gilman	Shaw, Barbara	Smith, Timothy	Soucy, Timothy
Spratt, Stephen	Sullivan, Daniel	Sullivan, Peter	Takesian, Charlene
Vail, Suzanne	Walsh, Robert	Williams, Kermit	Winters, Joel
Woodbury, David			

MERRIMACK

Alicea, Caroletta	Andrews, Christopher	Bartlett, Christy	Bouchard, Candace
Burns, Scott	Carey, Lorrie	Carson, Clyde	Davis, Frank
Ebel, Karen	Frambach, Mary	French, Barbara	Gile, Mary
Henle, Paul	Hirsch, Geoffrey	Hunt, Jane	Karrick, David
Kelly, Sally	Lockwood, Priscilla	MacKay, James	Moffett, Howard
Myler, Mel	Patten, Dick	Ratzki, Mario	Rice, Chip
Richardson, Gary	Rogers, Katherine	Schamberg, Thomas	Schuett, Dianne
Shurtleff, Stephen	Turcotte, Alan	Wallner, Mary Jane	Walz, Mary Beth
Watrous, Rick	Webb, Leigh		

ROCKINGHAM

Andrews-Ahearn, E. Elaine	Borden, David	Briden, Steven	Burtis, Elizabeth
Cahill, Michael	Cali-Pitts, Jacqueline	Cushing, Robert	Elliott, Robert
Emerson-Brown, Rebecca	Flockhart, Eileen	Heffron, Frank	Lovejoy, Patricia
Mann, Maureen	Moody, Marcia	Muns, Chris	Nigrello, Robert
Scarlotto, Joe	Schlachman, Donna	Sherman, Thomas	Till, Mary
Ward, Gerald	Wazlaw, Brian	Whittemore, Lisa	

STRAFFORD

Baber, William	Bickford, David	Bixby, Peter	Burke, Rachel
Gardner, Janice	Grassie, Anne	Gray, James	Grossman, Kenneth

Hooper, Dorothea | Horrigan, Timothy | Hubbard, Pamela | Kaen, Naida
Ketel, Stephen | Malloy, Dennis | Merrill, Amanda | Pelletier, Marsha
Perry, Robert | Rogers, Rose Marie | Schmidt, Peter | Smith, Marjorie
Spainhower, Dale | Spang, Judith | Stevens, Audrey | Verschueren, James
Wall, Janet | Ward, Kenneth

SULLIVAN

Cloutier, John | Gagnon, Raymond | Gottling, Suzanne | Grenier, James
Irwin, Virginia | Sweeney, Cynthia | Tanner, Linda

NAYS - 132

BELKNAP

Burchell, Richard | Comtois, Guy | Cormier, Jane | Fields, Dennis
Greemore, Robert | Holmes, Stephen | Luther, Robert | Sylvia, Michael
Tilton, Franklin | Vadney, Herbert

CARROLL

Chandler, Gene | Cordelli, Glenn | Crawford, Karel | McConkey, Mark
Merrow, Harry | Nelson, Bill | Wright, Donald

CHESHIRE

Hunt, John | Johnson, Jane

COOS

Rappaport, Laurence | Rideout, Leon

GRAFTON

Doolan, Ralph | Gionet, Edmond | Ladd, Rick | Reilly, Harold
Shackett, Jeffrey

HILLSBOROUGH

Barry, Richard | Belanger, James | Boehm, Ralph | Burt, John
Byron, Frank | Cebrowski, John | Christiansen, Lars | Coffey, James
Culbert, Patrick | Daniels, Gary | Danielson, David | Gagne, Larry
Graham, John | Haefner, Robert | Hansen, Peter | Hikel, John
Hinch, Richard | Jasper, Shawn | Kurk, Neal | Lambert, George
LeBrun, Donald | Marston, Dick | Martel, Andre | McCarthy, Michael
Murotake, David | Murphy, Kelleigh | Murphy, Keith | Notter, Jeanine
O'Flaherty, Tim | Ober, Lynne | Ober, Russell | Parison, James
Pellegrino, Tony | Peterson, Lenette | Renzullo, Andrew | Rowe, Robert
Sanborn, Laurie | Sandblade, Emily | Straight, Philip | Stroud, Kathleen
Sweeney, Shawn | Ulery, Jordan | Vaillancourt, Steve | Villeneuve, Moe
Warden, Mark | Willette, Robert

MERRIMACK

Hess, David | Hoell, J.R. | Kotowski, Frank | McGuire, Carol
McGuire, Dan

ROCKINGHAM

Abrami, Patrick | Allen, Mary | Baldasaro, Alfred | Bick, Patrick
Birdsell, Regina | Bishop, Franklin | Chirichiello, Brian | Comerford, Timothy
Copeland, Timothy | Danais, Romeo | DeSimone, Debra | Devine, James
Duarte, Joe | Dumaine, Dudley | Emerick, J. Tracy | Ferrante, Beverly
Fesh, Robert | Garcia, Bianca | Gordon, Richard | Grace, Curtis
Griffin, Mary | Harris, Jeffrey | Hayes, Jack | Hodgdon, Bruce
Hoelzel, Kathleen | Itse, Daniel | Kappler, Lawrence | Khan, Aboul
Kolodziej, Walter | Major, Norman | McKinney, Betsy | McMahon, Charles
Milz, David | O'Connor, John | Packard, Sherman | Peckham, Michele
Priestley, Anne | Sanders, Elisabeth | Sapareto, Frank | Schroadter, Adam
Sedensky, John | Sweeney, Joe | Sytek, John | Tasker, Kyle
Tucker, Pamela | Waterhouse, Kevin | Webb, James | Weyler, Kenneth

STRAFFORD

Beaudoin, Steven | Jones, Laura | Mullen, John | Parsons, Robbie
Pitre, Joseph

SULLIVAN

Osgood, Joe | Smith, Steven

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

PROTEST

I object to the vote taken on SB 413 because, as a money bill, the Constitution Part 2, Article 18, states it needs to have originated in the House.
Reps. Abrami, Barry, Beaudoin, James Belanger, Bick, Birdsell, Boehm, Burt, Byron, Carroll, Chirichiello, Comerford, Comtois, Cordelli, Cormier, Danais, DeSimone, Duarte, Emerick, Ferrante, Fink, Flanders, Larry Gagne, Bianca Garcia, Gionet, Gordon, Greemore, Harris, Hikel, Hinch, Hoell, Hoelzel, Holmes, Itse, Jane Johnson, Jones, Kappler, Khan, Kolodziej, Kotowski, Lambert, LeBrun, Marston, Martel, McCarthy, Carol McGuire, Murotake, Kelleigh Murphy, Keith Murphy, Notter, O'Connor, Osgood, Peckham, Pellegrino, Peterson, Rappaport, Renzullo, Rideout, Sandblade, Sanders, Sapareto, Schroadter, Sedensky, Stroud, Shawn Sweeney, Sylvia, Franklin Tilton, Tucker, Ulery, Vadney, Waterhouse, James Webb and Weyler.

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Gary Richardson moved that the House reconsider its actions whereby, on a roll call vote of 202-132, the House adopted the majority committee report of Ought to Pass on ***SB 413-FN-A,*** relative to access to health insurance coverage.
Rep. Gary Richardson spoke against.
On a division vote, 124 members having voted in the affirmative and 207 in the negative, the motion failed.

REGULAR CALENDAR – PART I(CONT'D)

HB 1615, relative to emergency prescriptions. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**
Rep. Susan J. Ticehurst for the Majority of Health, Human Services and Elderly Affairs. A pharmacist may dispense an emergency 72-hour supply of medication while awaiting insurance authorization when medication is essential to the maintenance of life or to the continuation of therapy in a chronic condition or the interruption of therapy may result in physical or mental discomfort. If authorization is denied, reimbursement shall be pro-rated, based on the terms of the provider contract. This bill assures that patients receive essential medication in a timely manner and also that pharmacists are reimbursed for what they dispense. Vote 17-1.
Rep. Richard E. Meaney for the Minority of Health, Human Services and Elderly Affairs. This bill forces insurers to pay for non-covered, non-contractual prescriptions without opportunity to evaluate the requested non-formulary prescription. The only rationale apparent for such a directive is that insurers have more money than do pharmacists and patients. The minority believes that patients who seek non-covered medications should pay for the medication, rather than forcing a third party to pay for the transaction between a pharmacist and a patient. Consumers should pay for the products they consume, barring an agreement to the contrary.

Majority Amendment (0823h)

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

1 New Section; Emergency Prescription. Amend RSA 318 by inserting after section 47-h the following new section:

318:47-i Emergency Prescription. In the event a prescription requires prior authorization by an insurance carrier and the prior authorization has neither been approved nor denied, a pharmacist may dispense a one-time emergency prescription of a maximum 72-hour supply of the prescribed medication, and the insurance carrier is required to reimburse the pharmacist according to the payment rates of the provider contract, providing that the medication is essential to the maintenance of life or to the continuation of therapy in a chronic condition, or in the pharmacist's professional judgment, the interruption of therapy might reasonably produce undesirable health consequences or may cause physical or mental discomfort. A pharmacist may also dispense a product that is packaged in a dosage form that is fixed and unbreakable, as a maximum 72-hour emergency supply. Upon receipt of authorization, the pharmacist shall dispense the balance of the prescription. If authorization is denied, the carrier shall reimburse the pharmacist for the prescription as given based on the pro-rated amount they would have otherwise received under the terms of the provider contract.

2 New Paragraph; Emergency Prescription. Amend RSA 420-J:7-b by inserting after paragraph VIII the following new paragraph:

IX. Every health benefit plan that provides prescription drug benefits shall allow its covered persons to obtain an emergency prescription for up to a 72-hour supply of covered prescription drugs on the covered person's health benefit plan formulary. In the event a pharmacist receives a request for a prescription and the pharmacist is unable to obtain authorization from the insurance carrier the pharmacist may dispense a one-time emergency prescription of a maximum 72-hour supply of the prescribed medication, and the carrier shall reimburse the pharmacist according to the payment rates of the provider contract, providing that the medication is essential to the maintenance of life or to the continuation of therapy in a chronic condition, or in the pharmacist's professional judgment, the interruption of therapy might reasonably produce undesirable health consequences or may cause physical or mental discomfort. If authorization is denied, the carrier shall reimburse the pharmacist for the prescription as given based on the pro-rated amount they would have otherwise received under the terms of the provider contract.

3 Effective Date. This act shall take effect on January 1, 2015.
Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.
On a division vote, 269 members having voted in the affirmative and 53 in the negative, the majority committee report was adopted and ordered to third reading.

The House recessed at 1:15 p.m.

RECESS

The House reconvened at 2:20 p.m.

(Speaker Norelli in the Chair)

REGULAR CALENDAR – PART I (CONT'D)

HB 1504, providing that life begins at conception. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Charlene F. Takesian for the Majority of Judiciary. The majority of the committee felt that the determination of when life begins is up to biologists and theologists and not to be determined by the legislature through an RSA. The majority of the committee felt that giving legal status to a fertilized egg would create numerous issues with regard to biologic research and infringe on reproductive freedom of women. Vote 14-3.

Rep. Lenette M. Peterson for the Minority of Judiciary. The minority of the committee believes that there is significant scientific evidence, which supports the premise that a human life begins at conception. According to basic embryology and fetology, a biological human life exists from the moment of fertilization as the creation of a completed and unique strand of genetic material (DNA) is present. In vitro misdiagnoses leading to termination of life, pre-selection of gender as we have seen in other countries, elimination of babies with down syndrome instead of allowing those with disabilities the ability to live, are just a few of the decisions that would be handled differently if the unborn baby were actually considered a human being not a fetus.

The question being adoption of the majority committee report of Inexpedient to Legislate.
Reps. Peterson, Hoell, Notter and Holmes spoke against.
Rep. Takesian spoke in favor.
Rep. Peterson requested a roll call; sufficiently seconded.

YEAS 214 NAYS 95

YEAS - 214

BELKNAP

Arsenault, Beth	DiMartino, Lisa	Fields, Dennis	Gulick, Ruth
Raymond, Ian	Sylvia, Michael	Vadney, Herbert	

CARROLL

Butler, Edward	Chandler, Gene	Crawford, Karel	Lavender, Tom
McConkey, Mark	Merrow, Harry	Ticehurst, Susan	Umberger, Karen
White, Syndi	Wright, Donald		

CHESHIRE

Ames, Richard	Berch, Paul	Chase, Cynthia	Eaton, Daniel
Hunt, John	Johnsen, Gladys	Ley, Douglas	Mann, John
Parkhurst, Henry	Phillips, Larry	Roberts, Kris	Robertson, Timothy
Sad, Tara	Shepardson, Marjorie	Tatro, Bruce	Weber, Lucy
Young, Harry			

COOS

Coulombe, Gary	Enman, Larry	Hammon, Marcia	Hatch, William
Moynihan, Wayne	Theberge, Robert	Thomas, Yvonne	

GRAFTON

Almy, Susan	Brown, Rebecca	Cooney, Mary	Ford, Susan
Friedrich, Carol	Gionet, Edmond	Harding, Laurie	Higgins, Patricia
Ladd, Rick	Lovett, Sid	Massimilla, Linda	Mulholland, Catherine
Nordgren, Sharon	Pastor, Beatriz	Piper, Wendy	Shackett, Jeffrey
Smith, Suzanne	Sykes, George	Townsend, Charles	White, Andrew

HILLSBOROUGH

Backus, Robert	Barry, Richard	Beaulieu, Jane	Booras, Efstathia
Brown, Pamela	Byron, Frank	Campbell, David	Chandley, Shannon
Christiansen, Lars	Connor, Evelyn	DiSilvestro, Linda	Eaton, Richard
Gage, Ruth	Gale, Sylvia	Garcia, Michael	Gargasz, Carolyn

Gidge, Kenneth
Goley, Jeffrey
Gorman, Mary
Grady, Brenda
Graham, John
Hackel, Paul
Hammond, Jill
Hansen, Peter
Harriott-Gathright, Linda
Heath, Mary
Jack, Martin
Katsiantonis, Thomas
Kelley, John
Knowles, Mary Ann
Kopka, Angeline
Kurk, Neal
Leishman, Peter
Levesque, Melanie
Long, Patrick
MacKay, Mariellen
Mangipudi, Latha
Manley, Jonathan
McNamara, Richard
O'Brien, Michael
O'Flaherty, Tim
Ober, Russell
Porter, Marjorie
Rokas, Ted
Rosenwald, Cindy
Schmidt, Janice
Shattuck, Gilman
Shaw, Barbara
Smith, Timothy
Soucy, Timothy
Spratt, Stephen
Takesian, Charlene
Vail, Suzanne
Vaillancourt, Steve
Walsh, Robert
Warden, Mark
Williams, Kermit
Winters, Joel
Woodbury, David

MERRIMACK

Alicea, Caroletta
Bartlett, Christy
Bouchard, Candace
Burns, Scott
Carey, Lorrie
Carson, Clyde
Davis, Frank
Ebel, Karen
Frambach, Mary
French, Barbara
Henle, Paul
Hess, David
Hirsch, Geoffrey
Hunt, Jane
Karrick, David
Kelly, Sally
Kidder, David
Lockwood, Priscilla
MacKay, James
Moffett, Howard
Myler, Mel
Ratzki, Mario
Rice, Chip
Richardson, Gary
Schamberg, Thomas
Schuett, Dianne
Shurtleff, Stephen
Turcotte, Alan
Wallner, Mary Jane
Walz, Mary Beth
Watrous, Rick
Webb, Leigh

ROCKINGHAM

Allen, Mary
Andrews-Ahearn, E. Elaine
Borden, David
Briden, Steven
Burtis, Elizabeth
Cahill, Michael
Cali-Pitts, Jacqueline
Copeland, Timothy
Cushing, Robert
Elliott, Robert
Emerson-Brown, Rebecca
Flockhart, Eileen
Griffin, Mary
Hayes, Jack
Heffron, Frank
Lovejoy, Patricia
Major, Norman
Mann, Maureen
McKinney, Betsy
Moody, Marcia
Muns, Chris
Nigrello, Robert
Peckham, Michele
Priestley, Anne
Scarlotto, Joe
Schlachman, Donna
Sherman, Thomas
Sweeney, Joe
Till, Mary
Ward, Gerald
Wazlaw, Brian
Whittemore, Lisa

STRAFFORD

Baber, William
Bickford, David
Bixby, Peter
Burke, Rachel
Gardner, Janice
Grassie, Anne
Grossman, Kenneth
Hooper, Dorothea
Horrigan, Timothy
Hubbard, Pamela
Kaen, Naida
Ketel, Stephen
Malloy, Dennis
Merrill, Amanda
Pelletier, Marsha
Perry, Robert
Rogers, Rose Marie
Schmidt, Peter
Smith, Marjorie
Spang, Judith
Stevens, Audrey
Verschueren, James
Wall, Janet
Ward, Kenneth

SULLIVAN

Cloutier, John
Gottling, Suzanne
Grenier, James
Irwin, Virginia
Smith, Steven
Sweeney, Cynthia

NAYS - 95

BELKNAP

Burchell, Richard
Comtois, Guy
Cormier, Jane
Flanders, Donald
Greemore, Robert
Holmes, Stephen
Huot, David
Luther, Robert
Tilton, Franklin

CARROLL

Cordelli, Glenn
Nelson, Bill

CHESHIRE

Butynski, William
Johnson, Jane

COOS

Rappaport, Laurence
Richardson, Herbert
Rideout, Leon

GRAFTON

Doolan, Ralph
Reilly, Harold

HILLSBOROUGH

Belanger, James
Boehm, Ralph
Burt, John
Cebrowski, John
Coffey, James
Culbert, Patrick
Daniels, Gary
Danielson, David
Gagne, Larry
Haefner, Robert
Hikel, John
Hinch, Richard
Jeudy, Jean
Lambert, George
LeBrun, Donald
Marston, Dick
McCarthy, Michael
Murotake, David
Murphy, Kelleigh
Murphy, Keith
Nelson, Mary
Notter, Jeanine
Ober, Lynne
Parison, James
Pellegrino, Tony
Peterson, Lenette
Renzullo, Andrew
Rowe, Robert
Straight, Philip
Ulery, Jordan
Villeneuve, Moe
Willette, Robert

MERRIMACK

Hoell, J.R.	Kotowski, Frank	McGuire, Carol	McGuire, Dan
Patten, Dick			

ROCKINGHAM

Abrami, Patrick	Baldasaro, Alfred	Bick, Patrick	Bishop, Franklin
Comerford, Timothy	Danais, Romeo	Devine, James	Duarte, Joe
Dumaine, Dudley	Emerick, J. Tracy	Fesh, Robert	Garcia, Bianca
Gordon, Richard	Grace, Curtis	Harris, Jeffrey	Hodgdon, Bruce
Hoelzel, Kathleen	Itse, Daniel	Kappler, Lawrence	Khan, Aboul
Kolodziej, Walter	McMahon, Charles	Milz, David	O'Connor, John
Packard, Sherman	Sanders, Elisabeth	Sedensky, John	Tasker, Kyle
Tucker, Pamela	Waterhouse, Kevin	Webb, James	Weyler, Kenneth

STRAFFORD

Beaudoin, Steven	Gray, James	Jones, Laura	Mullen, John
Parsons, Robbie	Pitre, Joseph		

SULLIVAN

Gagnon, Raymond	Osgood, Joe

and the majority committee report was adopted.

HB 1591-FN, establishing the right-to-know grievance commission. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Rick H. Watrous for the Majority of Judiciary. Although the committee heard much testimony about the weaknesses of New Hampshire's right-to-know law (RSA 91-A) and the need for such a citizen commission, this bill, as amended by the committee, no longer establishes a right-to-know grievance commission. However, it does strengthen the public's right-to-know by making two changes to the notice requirement of public meetings under RSA 91-A:2. First, it requires a 72 hour (3 day) notice of public meetings, instead of the existing 24-hour notice. Second, it requires that the agenda of a meeting be posted, so that citizens know what the meeting is about. The majority believes that these simple changes would result in a more informed and involved public, and more responsible governing bodies. Existing exemptions for emergency meetings and legislative committees would still apply. Many governing bodies already post agendas and provide 72 hour (or more) notice of meetings. But some governing bodies don't bother to inform the public what a meeting is about, and only post notice the night before the meeting. This leaves the public in the dark. Article 8 of the New Hampshire Constitution states that government must be open, accessible and accountable. Requiring that notices and agendas of public meetings be posted 72 hours in advance would serve our citizens and result in more governmental accountability and transparency. Vote 9-8.

Rep. Charlene F. Takesian for the Minority of Judiciary. The original bill had two sections. The first established a right-to-know grievance commission. The second section changes the timeframe for notification of a meeting from 24 hours to 72 hours and requires that an agenda be posted. The committee considered several amendments to the bill. All the votes were very close but did not pass. The amendment that passed dealt only with the issue of notice. The committee had already passed HB 1156, as amended, that will make some changes to the right-to-know law and create a right-to-know oversight commission to consider a number of issues including how best to address grievances. The minority felt that if the 24 hours was not being adhered to, changing it to 72 wouldn't solve any problems and the oversight commission in HB 1156, with a strong public membership, was the more effective way to address all these issues.

Majority Amendment (0658h)

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

AN ACT relative to notice of meetings under the right-to-know law.

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

1 Right-to-Know; Meetings Open to the Public. Amend RSA 91-A:2, II to read as follows:

II. Subject to the provisions of RSA 91-A:3, all meetings, whether held in person, by means of telephone or electronic communication, or in any other manner, shall be open to the public. Except for town meetings, school district meetings, and elections, no vote while in open session may be taken by secret ballot. Any person shall be permitted to use recording devices, including, but not limited to, tape recorders, cameras, and videotape equipment, at such meetings. Minutes of all such meetings, including names of members, persons appearing before the public bodies, and a brief description of the subject matter discussed and final decisions, shall be promptly recorded and open to public inspection not more than 5 business days after the meeting, except as provided in RSA 91-A:6, and shall be treated as permanent records of any public body, or any subordinate body thereof, without exception. Except in an emergency or when there is a meeting of a legislative committee, a notice of the time and place of each such meeting, including a nonpublic session, shall be posted in 2 appropriate places one of which may be the public body's Internet website, if such exists, or shall

be printed in a newspaper of general circulation in the city or town***. Meeting notice and the agenda shall be made*** at least [~~24~~] ***72*** hours, excluding Sundays and legal holidays, prior to such meetings. An emergency shall mean a situation where immediate undelayed action is deemed to be imperative by the chairman or presiding officer of the public body, who shall post a notice of the time and place of such meeting as soon as practicable, and shall employ whatever further means are reasonably available to inform the public that a meeting is to be held. The minutes of the meeting shall clearly spell out the need for the emergency meeting. When a meeting of a legislative committee is held, publication made pursuant to the rules of the house of representatives or the senate, whichever rules are appropriate, shall be sufficient notice. If the charter of any city or town or guidelines or rules of order of any public body require a broader public access to official meetings and records than herein described, such charter provisions or guidelines or rules of order shall take precedence over the requirements of this chapter. For the purposes of this paragraph, a business day means the hours of 8 a.m. to 5 p.m. on Monday through Friday, excluding national and state holidays.

2 This act shall take effect January 1, 2015.

AMENDED ANALYSIS

This bill requires 72 hours notice of the meeting and the agenda before a public meeting held pursuant to the right-to-know law.

LAID ON THE TABLE

Rep. Chandler moved that ***HB 1591-FN,*** establishing the right-to-know grievance commission, be laid on the table.

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

On a division vote, 248 members having voted in the affirmative and 66 in the negative, the motion was adopted.

REGULAR CALENDAR – PART I (CONT'D)

HB 1228, establishing a commission to investigate the procedure for public employee collective bargaining. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Linda L. Tanner for the Majority of Labor, Industrial and Rehabilitative Services. Although the committee felt there are problems in the current collective bargaining process, it was felt that a large commission would prove counter productive to solving specific problems. HB 178, which was passed by this committee last session, works to address some of these issues and those data gathering efforts should be given time to work. Vote 15-2.

Rep. Charles F. Weed for the Minority of Labor, Industrial and Rehabilitative Services. The minority knows that there are substantial problems associated with RSA 273a, Public Employee Collective Bargaining. This study committee was to look into whether "one size fits all" is the most appropriate process for very different employer management structures and public employee unions. It is especially apparent in the conflict resolution stages of bargaining. When impasse is declared, mediation is attempted; if that fails, then fact-finding occurs. Each side of the impasse can accept or reject the fact finder's report. At this point, current law states that the fact finder's recommendations will be submitted to the legislative body of the public employer, which shall vote to accept or reject the report. In cases where management (the board of trustees-USNH v faculty, city councilman v municipal employees, or aldermen v municipal workers) appoints and closely supervises representatives to negotiate for them, management is inextricably related to the legislative body. For all intents and purposes, management is the same as the legislative body. The intent of fact-finding was to be the usual end of impasse, but it often leads to an endless cycle of renegotiation, which may explain the inordinate number of contracts in NH that remain unresolved for years beyond expiration dates. In other states, some form of binding arbitration has been adopted to resolve this kind of conflict. The problems of public employee collective bargaining cannot be resolved until an unbiased systematic study identifies current weaknesses.

Majority committee report adopted.

HB 1499-FN, making changes in the maximum weekly benefit amount of unemployment compensation. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Andrew A. White for Labor, Industrial and Rehabilitative Services. This bill provides a modest increase in weekly unemployment insurance allowances for many unemployed workers by increasing the benefit from between $3.00 and $25.00 per week. The last increase in unemployment insurance across all tiers took place in 2002 – making it nearly 12 years since most unemployed workers have seen any increase. During the time of significant economic depression the business community stepped up and supported gradual increases in the taxable base unemployment tax as well as two 0.5% emergency surcharges, employees also shared in the sacrifice, giving up the first week of payable benefits. Today the unemployment trust fund is at a very healthy $234 million dollars. Both emergency surcharges have been removed and soon, two additional tax reduction triggers will be hit, saving the business community a total of $106 million dollars annually. That is compared with the annual cost of the benefits increases for laid off workers in this bill of only $4.8 million. The proposed benefit increases will not take effect until January 1, 2015. The current projections for the unemployment compensation trust fund forecast the fund reaching and maintaining a balance of

over $275 million thus causing a full 1% tax rate reduction for all employers effective for the 4th quarter of 2014. Therefore, the proposed benefit increases will not impact whether the trust fund performs as currently projected and employers realize the discussed tax savings. This is a very important and desperately needed boost for New Hampshire's 11,621 unemployed, and also our local economy. Vote 17-0.

Amendment (0607h)

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

AN ACT increasing the maximum weekly benefit amount of unemployment benefits; amending the definitions of "full-time" and "part-time" work; and establishing a commission study the effect on the unemployment compensation trust fund of the contribution rate reduction trigger levels in RSA 282-A:82 and RSA 282-A:82-a and the elimination of some or all of the waiting periods required to be served pursuant to RSA 282-A:31, I(h).

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

1 Maximum Weekly Benefit Amounts. Amend RSA 282-A:25, I to read as follows:

I. The maximum weekly benefit amount and maximum benefits payable to an eligible individual, the first day of whose individual benefit year is on or after the effective date of this paragraph, shall be determined by the individual's annual earnings, of which in each of 2 calendar quarters the individual must have earned not less than $1,400, as follows:

Annual Earnings of Not Less Than	Maximum Weekly Benefit Amount	Maximum Benefits
$ 2,800	$[~~32~~] ***35***	$[~~832~~] ***910***
3,100	[~~35~~] ***39***	[~~910~~] ***1,014***
3,400	[~~39~~] ***43***	[~~1,014~~] ***1,118***
3,900	[~~45~~] ***49***	[~~1,170~~] ***1,274***
4,200	[~~48~~] ***53***	[~~1,248~~] ***1,378***
4,500	[~~52~~] ***56***	[~~1,352~~] ***1,456***
4,800	[~~55~~] ***60***	[~~1,430~~] ***1,570***
5,100	[~~59~~] ***64***	[~~1,534~~] ***1,664***
5,600	[~~64~~] ***70***	[1,664] ***1,820***
6,100	[~~69~~] ***76***	[1,794] ***1,976***
6,600	[~~75~~] ***82***	[1,950] ***2,132***
7,000	[~~80~~] ***86***	[2,080] ***2,236***
7,400	[~~83~~] ***91***	[2,158] ***2,366***
7,800	[~~88~~] ***96***	[2,288] ***2,496***
8,200	[92] ***101***	[2,392] ***2,626***
8,600	[96] ***105***	[2,496] ***2,730***
9,000	[~~101~~] ***110***	[2,626] ***2,860***
9,500	[~~105~~] ***116***	[2,730] ***3,016***
10,000	[~~110~~] ***122***	[2,860] ***3,172***
10,500	[~~115~~] ***127***	[2,990] ***3,302***
11,000	[~~120~~] ***133***	[3,120] ***3,458***
11,500	[~~126~~] ***139***	[~~3,276~~] ***3,614***
12,500	[~~137~~] ***150***	[~~3,562~~] ***3,900***
13,500	[~~148~~] ***161***	[~~3,848~~] ***4,186***
14,500	[~~159~~] ***173***	[~~4,134~~] ***4,498***
15,500	[~~167~~] ***184***	[~~4,342~~] ***4,784***
16,500	[~~178~~] ***194***	[~~4,628~~] ***5,044***
17,500	[~~188~~] ***205***	[~~4,888~~] ***5,330***
18,500	[~~199~~] ***216***	[~~5,174~~] ***5,616***
19,500	[~~206~~] ***226***	[~~5,356~~] ***5,876***
20,500	[~~217~~] ***237***	[~~5,642~~] ***6,162***
21,500	[~~227~~] ***247***	[~~5,902~~] ***6,422***
22,500	[~~238~~] ***257***	[~~6,188~~] ***6,682***
23,500	[~~249~~] ***267***	[~~6,474~~] ***6,942***
24,500	[~~254~~] ***277***	[~~6,604~~] ***7,202***
25,500	[~~265~~] ***287***	[~~6,890~~] ***7,462***
26,500	[~~275~~] ***296***	[~~7,150~~] ***7,696***
27,500	[~~286~~] ***306***	[~~7,436~~] ***7,956***
28,500	[~~290~~] ***315***	[~~7,540~~] ***8,190***
29,500	[~~301~~] ***325***	[~~7,826~~] ***8,450***
30,500	[~~311~~] ***334***	[~~8,086~~] ***8,684***

31,500	[~~321~~] ***343***	[~~8,346~~] ***8,918***
32,500	[~~331~~] ***352***	[~~8,606~~] ***9,152***
33,500	[~~342~~] ***361***	[~~8,892~~] ***9,386***
34,500	[~~352~~] ***369***	[~~9,152~~] ***9,594***
35,500	[~~362~~] ***378***	[~~9,412~~] ***9,828***
36,500	[~~372~~] ***386***	[~~9,672~~] ***10,036***
37,500	[~~383~~] ***395***	[~~9,958~~] ***10,270***
38,500	[~~394~~] ***403***	[~~10,244~~] ***10,478***
39,500	[~~405~~] ***411***	[~~10,530~~] ***10,686***
40,500	[~~416~~] ***419***	[~~10,816~~] ***10,894***
41,500	427	11,102

2 Definitions; Employment. Amend RSA 282-A:9, VIII-IX to read as follows:

VIII. "Full-time work" is [~~work in employment of at least 37.5 hours a week~~] ***services for the number of hours that is considered full-time by the industry in which the individual is seeking work, or by the person or entity for which services are or will be performed, but not less than 35 hours per week***.

IX. "Part-time work" is [~~work in employment of at least 20 hours a week but less than 37.5 hours a week~~] ***services of at least 20 hours per week but for fewer hours in a week than full-time work as defined by paragraph VIII. Such services shall include self-employment***.

3 New Section; Contribution Rate Study Commission. Amend RSA 282-A by inserting after section 82-a the following new section:

282-A:82-b Contribution Rate Study Commission.

I. There is established a commission to study the effect on the unemployment compensation trust fund of the contribution rate reduction trigger levels in RSA 282-A:82 and RSA 282-A:82-a and the elimination of some or all of the waiting periods required to be served pursuant to RSA 282-A:31, I(h).

II. The members of the commission shall be as follows:

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

(b) Three members of the senate, appointed by the president of the senate.

(c) The commissioner of the department of employment security, or designee, who shall serve as a nonvoting member.

(d) The chairman of the advisory council on unemployment compensation created pursuant to RSA 282-A:128, who shall serve as a nonvoting member.

(e) Three public members appointed by the governor with the consent and advice of the executive council one of whom shall be an individual who, because of vocation, employment, or affiliation, shall be classed as representing the point of view of labor; one of whom shall be an individual who, because of vocation, employment, or affiliation, shall be classed as representing the point of view of employers; and one of whom, who shall be designated as chairperson, shall be an individual whose training and experience qualify the individual to deal with unemployment compensation.

III. Members of the commission shall serve without compensation. Legislative members of the commission shall receive mileage at the legislative rate when attending to the duties of the committee.

IV. The commission shall study the effect on the unemployment compensation trust fund of the contribution rate reduction trigger levels in RSA 282-A:82 and RSA 282-A:82-a. The commission shall also study the elimination of some or all of the waiting periods required to be served pursuant to RSA 282-A:31, I(h).

V. The first meeting of the commission shall be called by the chairperson. The first meeting of the commission shall be held within 45 days of the effective date of this section. Five members of the commission shall constitute a quorum.

VI. The commission 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, 2014.

4 Repeal RSA 282-A:82-b, relative to the contribution rate study commission is repealed.

5 Effective Date.

I. Section 4 of this act shall take effect November 1, 2014.

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

AMENDED ANALYSIS

This bill:

I. Increases the maximum weekly benefit amount of unemployment benefits.

II. Amends the definitions of "full-time" and "part-time" work.

III. Establishes a commission study the effect on the unemployment compensation trust fund of the contribution rate reduction trigger levels in RSA 282-A:82 and RSA 282-A:82-a. The commission shall also study the elimination of some or all of the waiting periods required to be served pursuant to RSA 282-A:31, I(h).

This bill is a request of the department of employment security.
Amendment adopted.
Committee report adopted and ordered to third reading.

HB 1167, relative to exemptions from boiler inspection requirements. **OUGHT TO PASS.**
Rep. Charles L. Townsend for Science, Technology and Energy. Under current law, heating system boilers in residences and apartment houses with less than three family units can be subject in some situations to state inspections. HB 1167 will correct the language so that inspections will not be required if the buildings are used exclusively as private residences. Vote 11-3.
Rep. Beaudoin offered floor amendment (1142h).

Floor Amendment (1142h)

Amend RSA 157-A:6, I as inserted by section 1 of the bill by replacing it with the following:

I. The inspection requirements of RSA 157-A:8, 9-a, and 10 shall not apply to ***buildings used exclusively as*** private residences ***or private residences in which a resident maintains a home office,*** or apartment houses of less than 3 family units.

AMENDED ANALYSIS

This bill exempts buildings that are used exclusively as private residences or private residences in which a resident maintains a home office, and apartment houses of less than 3 family units from certain inspection requirements.
Rep. Beaudoin spoke in favor.
Floor amendment (1142h) adopted.
Committee report adopted and ordered to third reading.

HB 1181, relative to the provision of services to electricity suppliers by an electric utility. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**
Rep. Robert A. Backus for the Majority of Science, Technology and Energy. The majority concluded there was no need for this bill, which would allow an electric utility to provide billing services for other suppliers and to recover costs for doing so. At this time, electric utilities are providing this service at a minimal cost, since they have to send out bills for their transmission and distribution charges in any event. Any electric utility can, in a rate proceeding, seek to recover all its prudently incurred costs plus a return, so cost recovery for this service is already available. Vote 11-3.
Rep. Jacqueline A. Cali-Pitts for the Minority of Science, Technology and Energy. This bill was a legitimate attempt to once again assist in leveling the playing field among electric utility suppliers and providers. Currently there are no open negotiations as concerns billing. The PUC sets the rate that utilities charge for billing services and mandates that these services be provided for their competitors. We at one time were concerned about not enough people choosing competition; we are now concerned that too many customers are leaving PSNH. When customers migrate to a competitive source, those who do not are subsidizing those who do through the billing process. We ought to at least allow companies to do business the way every other entity does through open negotiations and not mandates.
Majority committee report adopted.

HB 1265, relative to coordinating and funding broadband infrastructure information by the enhanced 911 system. **REFER FOR INTERIM STUDY.**
Rep. Marjorie J. Shepardson for Science, Technology and Energy. The committee believes it's important that information be shared between the department of safety and the department of resources and economic development for the NH broadband mapping and planning program. We're encouraged by the fact that the two agencies are now collaborating and we expect to hear about further progress by the end of the term, so we recommend interim study. Vote 13-2.
Committee report adopted.

HB 1314, relative to approval of a telecommunication utility merger, consolidation, reorganization, or sale by the public utilities commission. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Robert A. Backus for Science, Technology and Energy. This bill establishes a study committee to examine whether the PUC should increase its scope of review for sales, mergers or acquisitions of telephone utilities beyond the specific areas now provided in RSA 378:30 and establishes a time limit of November 1, 2014 for a report and recommendations for legislation. Vote 10-1.

Amendment (0893h)

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

AN ACT establishing a committee to study implementation of a public interest standard for a telecommunication utility merger, consolidation, reorganization, or sale by the public utilities commission.

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

2 Committee Established. There is established a committee to study the implementation of a public interest standard for approval of mergers, consolidations, reorganizations, or sales involving certain telecommunication utilities.

3 Membership and Compensation.

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

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

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

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

4 Duties. The committee shall study the appropriateness of establishing a public interest standard for mergers, consolidations, reorganizations, or sales involving a telecommunication utility under RSA 362:2. The committee shall study the content, application, and implementation of such a standard, and shall make recommendations for proposed legislation.

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

6 Report. The committee shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2014.

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

AMENDED ANALYSIS

This bill establishes a committee to study the implementation of a public interest standard for mergers, consolidations, reorganizations, or sales involving telecommunication utilities and to make recommendations for proposed legislation.

Amendment adopted.

Committee report adopted and ordered to third reading.

HB 1385, relative to changes and additions to energy facilities. **OUGHT TO PASS WITH AMENDMENT.** Rep. Charles L. Townsend for Science, Technology and Energy. The amended bill makes two revisions to the site evaluation committee process. It defines the dollar cost of a "sizable addition" to an energy facility, instead of leaving the term entirely undefined. It additionally sets a limit to cost-overruns on additions and improvements that can be charged back to ratepayers. Vote 11-4.

Amendment (0864h)

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

1 New Paragraph; Definition; Sizeable Changes or Additions. Amend RSA 162-H:2 by inserting after paragraph XII the following new paragraph:

XIII. "Sizeable changes or additions" includes, but is not limited to, changes or additions to an energy facility involving construction expenses greater than 20 percent of the assessed value of the current facility.

2 Additions and Improvements. Amend RSA 374:5 to read as follows:

374:5 Additions and Improvements. For the purpose of enabling the commission to perform its duty to keep informed as provided in RSA 374:4, every public utility, before making any addition, extension, or capital improvement to its fixed property in this state, except under emergency conditions, shall report to the commission the probable cost of such addition, extension, or capital improvement whenever the probable cost thereof exceeds a reasonable amount to be prescribed by general or special order of the commission. For this purpose, the commission may classify public utilities according to the amount of their respective fixed capital accounts, and prescribe a reasonable limitation for each such classification. In no case shall the minimum amount prescribed be less than 1/4 of one percent of such fixed capital account as of December 31 of the preceding year, or [~~$10,000~~] ***$100,000***, whichever is the smaller amount. Reports shall be filed in writing with the commission within such reasonable time as may be prescribed by the commission before starting actual construction on any addition, extension, or improvement. The commission shall have discretion to exclude the cost of any such addition, extension, or capital improvement from the rate base of said utility where such written report thereof shall not have been filed in advance as herein provided. ***If the actual cost exceeds a reported probable cost of more than $1,000,000, the commission shall not include in the base rate of such utility excess costs of 120 percent or more without substantial evidence of unforeseeable factors.***

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

AMENDED ANALYSIS

This bill defines "sizeable changes or additions" as they pertain to energy facilities.

This bill also prohibits the public utilities commission from including the costs of certain sizeable changes or additions in the base rate of a public utility.
Amendment adopted.
Committee report adopted and ordered to third reading.

HB 1600, relative to reporting of energy production for net metering. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Marjorie J. Shepardson for Science, Technology and Energy. This bill would make it more financially viable for a homeowner who is producing a small amount of energy with solar panels to apply for renewable energy credits (REC's). As it stands now, an independent monitor has to visit the home and read a special meter at a cost to the homeowner. The money they would get from REC's wouldn't be much more than what they pay out in fees. This bill makes it possible for the owner to report his production electronically and save the fee to have someone come out and read his meter. Vote 14-2.

Amendment (0785h)

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

1 Renewable Electric Portfolio Standard; Renewable Energy Certificates; Procedures. Amend RSA 362-F:6, II to read as follows:

II. The commission shall establish procedures by which electricity and useful thermal energy production not tracked by ISO-New England from customer-sited sources, including behind the meter production, may be included within the certificate program, provided such sources are located in New Hampshire. The procedures may include the aggregation of sources and shall be compatible with procedures of the certificate program administrator, where possible. The production shall be monitored and verified by an independent entity designated by the commission, which may include electric distribution companies, or by such other means as the commission finds adequate in verifying that such production is occurring. ***For customer-sited sources under 15 kilowatts in capacity, the commission shall not require the independent monitors to perform an annual site visit, and shall allow the owner of the customer-sited source to electronically report production monthly to the commission or an independent monitor.***

2 Renewable Energy Certificates. 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***, or purchases power from*** 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 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 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.

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

AMENDED ANALYSIS

This bill requires the public utilities commission to permit owners of certain sources of renewable energy generation to report production electronically to an independent monitor.

This bill also modifies the definition of "eligible customer-generator."
Amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment.
On a division vote, 262 members having voted in the affirmative and 49 in the negative, the committee report was adopted and ordered to third reading.
Rep. Hoell declared a conflict of interest and did not participate.

HB 1602, relative to the divestiture of PSNH assets. **OUGHT TO PASS WITH AMENDMENT.**
Rep. David A. Borden for Science, Technology and Energy. This bill authorizes the Public Utilities Commission (PUC) to determine whether it is in the economic interest of retail customers for the generation assets of Public Service of New Hampshire (PSNH) to be divested or retired. There is general consensus that the PUC is the proper venue to make this determination in the best interests of those customers. Vote 11-1.

Amendment (0781h)

Amend RSA 369-B:3-a as inserted by section 1 of the bill by replacing it with the following:

369-B:3-a Divestiture of PSNH Generation Assets. [~~The sale of PSNH fossil and hydro generation assets shall not take place before April 30, 2006.~~]

I. Before July 1, 2014, the commission shall commence and expedite a proceeding to determine whether all or some of PSNH's generation assets should be divested or retired. On or before December 31, 2014 the commission shall submit a progress report to the legislative committee on electric utility restructuring established under RSA 374-F:5. Notwithstanding RSA 374:30, [~~subsequent to April~~

~~30, 2006~~,] ***the commission may order*** PSNH [~~may~~] ***to*** divest ***or retire all or some of*** its generation assets if the commission finds that it is in the economic interest of retail customers of PSNH to do so, and provides for the cost recovery of such divestiture.

II. Prior to any divestiture of its generation assets, PSNH may modify or retire such generation assets if the commission finds that it is in the [~~public~~] ***economic*** interest of retail customers of PSNH to do so, and provides for the cost recovery of such modification or retirement.

AMENDED ANALYSIS

This bill:

I. Authorizes the public utilities commission to determine whether PSNH generation assets should be divested or retired.

II. Permits the public utilities commission to order PSNH to divest all or some of its generation assets.

III. Adds certain costs associated with the divestiture of PSNH generation assets to stranded costs.

Amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment.
Rep. Hess spoke against and yielded to questions.
Rep. Borden spoke in favor.

MOTION TO LAY ON THE TABLE

Rep. Hansen moved that ***HB 1602,*** relative to the divestiture of PSNH assets, be laid on the table.
On a division vote, 133 members having voted in the affirmative and 180 in the negative, the motion failed.

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

YEAS 185 NAYS 134

YEAS - 185

BELKNAP

Arsenault, Beth	DiMartino, Lisa	Fields, Dennis	Gulick, Ruth
Huot, David	Raymond, Ian		

CARROLL

Butler, Edward	Lavender, Tom	Ticehurst, Susan	White, Syndi

CHESHIRE

Ames, Richard	Berch, Paul	Butynski, William	Chase, Cynthia
Eaton, Daniel	Johnsen, Gladys	Johnson, Jane	Ley, Douglas
Mann, John	Parkhurst, Henry	Phillips, Larry	Robertson, Timothy
Sad, Tara	Shepardson, Marjorie	Tatro, Bruce	Weber, Lucy
Young, Harry			

COOS

Coulombe, Gary	Enman, Larry	Hammon, Marcia	Hatch, William
Moynihan, Wayne	Rappaport, Laurence	Richardson, Herbert	Theberge, Robert
Thomas, Yvonne			

GRAFTON

Almy, Susan	Brown, Rebecca	Cooney, Mary	Ford, Susan
Friedrich, Carol	Gionet, Edmond	Harding, Laurie	Higgins, Patricia
Lovett, Sid	Massimilla, Linda	Mulholland, Catherine	Nordgren, Sharon
Pastor, Beatriz	Piper, Wendy	Shackett, Jeffrey	Smith, Suzanne
Sykes, George	Townsend, Charles	White, Andrew	

HILLSBOROUGH

Backus, Robert	Beaulieu, Jane	Booras, Efstathia	Brown, Pamela
Campbell, David	Chandley, Shannon	Christiansen, Lars	Connor, Evelyn
Cote, David	DiSilvestro, Linda	Gage, Ruth	Gale, Sylvia
Gidge, Kenneth	Gorman, Mary	Grady, Brenda	Hackel, Paul
Hammond, Jill	Hansberry, Daniel	Harriott-Gathright, Linda	Heath, Mary
Jack, Martin	Jeudy, Jean	Kelley, John	Knowles, Mary Ann
Kopka, Angeline	Kurk, Neal	Leishman, Peter	Levesque, Melanie
Long, Patrick	MacKay, Mariellen	Mangipudi, Latha	Manley, Jonathan
McNamara, Richard	O'Flaherty, Tim	O'Neil, William	Porter, Marjorie
Rosenwald, Cindy	Schmidt, Janice	Shattuck, Gilman	Shaw, Barbara
Smith, Timothy	Soucy, Timothy	Spratt, Stephen	Stroud, Kathleen
Sullivan, Daniel	Sullivan, Peter	Takesian, Charlene	Vail, Suzanne
Walsh, Robert	Williams, Kermit	Woodbury, David	

MERRIMACK

Alicea, Caroletta
Bartlett, Christy
Bouchard, Candace
Burns, Scott
Carey, Lorrie
Carson, Clyde
Davis, Frank
Ebel, Karen
Frambach, Mary
French, Barbara
Henle, Paul
Hirsch, Geoffrey
Hunt, Jane
Karrick, David
Kelly, Sally
MacKay, James
Moffett, Howard
Myler, Mel
Ratzki, Mario
Richardson, Gary
Rogers, Katherine
Schuett, Dianne
Shurtleff, Stephen
Turcotte, Alan
Wallner, Mary Jane
Webb, Leigh

ROCKINGHAM

Andrews-Ahearn, E. Elaine
Borden, David
Briden, Steven
Burtis, Elizabeth
Cahill, Michael
Cali-Pitts, Jacqueline
Copeland, Timothy
Cushing, Robert
Devine, James
Elliott, Robert
Emerson-Brown, Rebecca
Flockhart, Eileen
Hayes, Jack
Heffron, Frank
Khan, Aboul
Lovejoy, Patricia
Mann, Maureen
Moody, Marcia
O'Connor, John
Sapareto, Frank
Schlachman, Donna
Sherman, Thomas
Till, Mary
Ward, Gerald
Whittemore, Lisa

STRAFFORD

Baber, William
Bixby, Peter
Burke, Rachel
Gardner, Janice
Grassie, Anne
Grossman, Kenneth
Hooper, Dorothea
Horrigan, Timothy
Hubbard, Pamela
Kaen, Naida
Ketel, Stephen
Malloy, Dennis
Merrill, Amanda
Pelletier, Marsha
Perry, Robert
Rogers, Rose Marie
Schmidt, Peter
Smith, Marjorie
Spang, Judith
Stevens, Audrey
Verschueren, James
Wall, Janet
Ward, Kenneth

SULLIVAN

Cloutier, John
Gottling, Suzanne
Irwin, Virginia
Smith, Steven
Tanner, Linda

NAYS - 134

BELKNAP

Burchell, Richard
Comtois, Guy
Flanders, Donald
Greemore, Robert
Holmes, Stephen
Luther, Robert
Sylvia, Michael
Tilton, Franklin
Vadney, Herbert

CARROLL

Chandler, Gene
Cordelli, Glenn
McConkey, Mark
Merrow, Harry
Nelson, Bill
Umberger, Karen
Wright, Donald

CHESHIRE

Hunt, John
Roberts, Kris

COOS

Rideout, Leon

GRAFTON

Doolan, Ralph
Ladd, Rick
Reilly, Harold

HILLSBOROUGH

Barry, Richard
Belanger, James
Boehm, Ralph
Burt, John
Byron, Frank
Cebrowski, John
Coffey, James
Culbert, Patrick
Daniels, Gary
Danielson, David
Eaton, Richard
Gagne, Larry
Garcia, Michael
Gargasz, Carolyn
Goley, Jeffrey
Graham, John
Haefner, Robert
Hansen, Peter
Hikel, John
Hinch, Richard
Jasper, Shawn
Lambert, George
LeBrun, Donald
Marston, Dick
McCarthy, Michael
Murotake, David
Murphy, Kelleigh
Murphy, Keith
Nelson, Mary
Notter, Jeanine
O'Brien, Michael
Ober, Lynne
Ober, Russell
Parison, James
Pellegrino, Tony
Peterson, Lenette
Renzullo, Andrew
Rhodes, Brian
Rowe, Robert
Sanborn, Laurie
Sandblade, Emily
Straight, Philip
Ulery, Jordan
Vaillancourt, Steve
Villeneuve, Moe
Warden, Mark
Willette, Robert
Winters, Joel

MERRIMACK

Andrews, Christopher
Hess, David
Hoell, J.R.
Kidder, David
Kotowski, Frank
Lockwood, Priscilla
McGuire, Carol
McGuire, Dan
Patten, Dick
Rice, Chip
Schamberg, Thomas
Walz, Mary Beth

ROCKINGHAM

Abrami, Patrick
Allen, Mary
Baldasaro, Alfred
Bick, Patrick
Bishop, Franklin
Chirichiello, Brian
Comerford, Timothy
Danais, Romeo

Duarte, Joe	Dumaine, Dudley	Emerick, J. Tracy	Fesh, Robert
Garcia, Bianca	Gordon, Richard	Grace, Curtis	Griffin, Mary
Harris, Jeffrey	Hodgdon, Bruce	Hoelzel, Kathleen	Itse, Daniel
Kappler, Lawrence	Kolodziej, Walter	Major, Norman	McKinney, Betsy
McMahon, Charles	Milz, David	Nigrello, Robert	Packard, Sherman
Peckham, Michele	Priestley, Anne	Sanders, Elisabeth	Scarlotto, Joe
Schroadter, Adam	Sedensky, John	Sweeney, Joe	Tasker, Kyle
Tucker, Pamela	Waterhouse, Kevin	Wazlaw, Brian	Webb, James
Weyler, Kenneth			

STRAFFORD

Beaudoin, Steven	Bickford, David	Gray, James	Jones, Laura
Mullen, John	Parsons, Robbie	Pitre, Joseph	Spainhower, Dale

SULLIVAN

Gagnon, Raymond	Grenier, James	Osgood, Joe

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

REGULAR CALENDAR – PART II

HB 366-FN, relative to showing a ballot. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Latha Mangipudi for the Majority of Criminal Justice and Public Safety. The Committee amended the penalty part from misdemeanor to violation and made no change in any other part of this bill. Vote 9-6.

Rep. Steve Vaillancourt for the Minority of Criminal Justice and Public Safety. Although the Minority agrees that the committee acted wisely in reducing the penalty from a misdemeanor to a violation, we believe this remains a very bad bill. First, it is not needed because we already have laws which prohibit people from selling their votes for financial gain, and that was the only reason supporters gave for passing the bill. Secondly, it is a bill which could never be enforced since no election official will be able to get into the voting booth with a voter. Heaven forbid that we ever get to the point of intrusion into our private lives as this bill in fact contemplates us doing. Thirdly, the Minority believes it is probably not even a good idea to prevent exuberant voters from posting pictures of their ballots. Such a posting could lead to more interest in our elections and to more people voting which, presumably, we all agree is a good thing. Thus, if this bill is to pass at all, the Minority suggests a further amendment, which would clearly note that posting a photo of a ballot is only illegal if one does it for financial gain. That, according the Secretary of State, was the original intent of this bill. Fine, if that was the intent, we should clarify the wording before passing this bill, which sadly would still be a solution looking for a problem that does not exist. As the NHACLU noted told the committee, this bill as drafted is overly broad. As such, it represents an intrusion on free speech. It fights a bogeyman, which does not exist, at the expense of yielding even more of our freedoms, in this case free speech, as guaranteed by the Federal and State constitutions. At a time when more states, such as Maine, are moving toward freedom in the voting process, passing this bill in any form would represent an unfortunate step in precisely the wrong direction. At least, the committee managed to remove the misdemeanor, which could have carried the penalty of a year in prison or at $2000 fine. For the simple act of posting one's ballot on the Internet, now that would have been a travesty.

Majority Amendment (1051h)

Amend RSA 659:35, IV as inserted by section 1 of the bill by replacing it with the following:

IV. Any person willfully violating any of the provisions of this section shall be guilty of a [~~misdemeanor~~] ***violation***.

AMENDED ANALYSIS

This bill adds the acts of a voter allowing his or her marked ballot to be seen and a voter distributing or sharing a photograph or digital image of his or her marked ballot to the prohibitions on showing or specially marking ballots. This bill changes the penalty for willful violations of the prohibitions from a misdemeanor to a violation. This bill also requires posters at each polling place highlighting the prohibitions on showing or specially marking ballots.

Majority committee amendment adopted.

MOTION TO LAY ON THE TABLE

Rep. Vaillancourt moved that ***HB 366-FN,*** relative to showing a ballot, be laid on the table.

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

On a division vote, 149 members having voted in the affirmative and 162 in the negative, the motion failed.

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

Rep. Vaillancourt spoke against.

Rep. Lambert spoke against and yielded to questions.

Rep. Mangipudi spoke in favor.
On a division vote, 198 members having voted in the affirmative and 96 in the negative, the majority committee report was adopted and ordered to third reading.

HB 1122-FN, relative to the filing with a registry of deeds of a fraudulent document purporting to create a lien or claim against real property. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Andrew S. O'Hearne for Criminal Justice and Public Safety. The committee heard testimony on HB 1122-FN and felt the penalty should be a higher one than was presented in the original bill. It was also felt this was a problem at the registry of deeds and this would help solve the problem. Vote 15-0.

Amendment (1052h)

Amend RSA 478:42, IV and V as inserted by section 1 of the bill by replacing them with the following:

IV. If a register of deeds or other public official believes in good faith that a document filed with the registry of deeds or other public office purports to create a lien that is fraudulent, the register or other public official shall index the document only under the signer of the document in the grantor index and shall identify the document as a notice in the document type. No other names appearing on the document shall be indexed.

(a) The register or other public official shall send a copy of such document to the county attorney for the county where the document was filed or to the New Hampshire attorney general's office for review and possible prosecution.

(b) The county attorney or attorney general receiving a copy of a document under subparagraph (a) shall send a notice of the action taken under this paragraph to the person presenting or causing such filing by regular mail at his or her last known address no later than the next business day after such action.

(c) Any such document or instrument on file with the registry of deeds or other public office presumed to be fraudulent or deemed fraudulent as described in this section shall be considered invalid, void, and having no force or effect on any named person or persons named within the document or instrument.

(d) Any register of deeds or other public official acting in good faith pursuant to this chapter shall be immune from civil and criminal liability.

V. Any person who shall knowingly or intentionally file a document or instrument to fraudulently create a lien on real or personal property shall be guilty of a class B felony and shall be subject to the costs and reasonable attorneys' fees incurred by the aggrieved party in the proceedings.

Amend the bill by replacing section 2 with the following:

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

Amendment adopted.
Committee report adopted and ordered to third reading.

HB 1135-FN, relative to penalties for driving without a license. **OUGHT TO PASS.**
Rep. Robert R. Cushing for Criminal Justice and Public Safety. This bill makes the penalty for driving without a license the same as driving after license has been revoked or suspended – a misdemeanor. The inconsistency in penalties for driving without a license come to light after a tragic crash in Hampton last September involving an unlicensed driver that claimed the lives of 2 people. The committee felt driving without a license is a serious threat to public safety and should be a misdemeanor instead of a violation. Vote 16-0.
Rep. Sylvia spoke against and yielded to questions.
Rep. Cushing spoke in favor, yielded to questions and requested a roll call; sufficiently seconded.

YEAS 261 NAYS 45

YEAS - 261

BELKNAP

Arsenault, Beth	DiMartino, Lisa	Fields, Dennis	Flanders, Donald
Gulick, Ruth	Huot, David	Luther, Robert	Raymond, Ian
Tilton, Franklin			

CARROLL

Butler, Edward	Chandler, Gene	Cordelli, Glenn	Lavender, Tom
McConkey, Mark	Merrow, Harry	Ticehurst, Susan	Umberger, Karen
White, Syndi	Wright, Donald		

CHESHIRE

Ames, Richard	Berch, Paul	Butynski, William	Chase, Cynthia
Eaton, Daniel	Hunt, John	Johnsen, Gladys	Johnson, Jane
Ley, Douglas	Mann, John	Parkhurst, Henry	Roberts, Kris
Sad, Tara	Shepardson, Marjorie	Tatro, Bruce	Weber, Lucy
Young, Harry			

COOS

Enman, Larry	Hammon, Marcia	Hatch, William	Moynihan, Wayne
Rappaport, Laurence	Richardson, Herbert	Rideout, Leon	Theberge, Robert
Thomas, Yvonne			

GRAFTON

Almy, Susan
Brown, Rebecca
Cooney, Mary
Doolan, Ralph
Ford, Susan
Friedrich, Carol
Harding, Laurie
Higgins, Patricia
Ladd, Rick
Lovett, Sid
Massimilla, Linda
Mulholland, Catherine
Nordgren, Sharon
Pastor, Beatriz
Piper, Wendy
Reilly, Harold
Smith, Suzanne
Sykes, George
Townsend, Charles
White, Andrew

HILLSBOROUGH

Backus, Robert
Barry, Richard
Beaulieu, Jane
Brown, Pamela
Burt, John
Byron, Frank
Campbell, David
Chandley, Shannon
Christiansen, Lars
Coffey, James
Connor, Evelyn
Cote, David
Culbert, Patrick
Danielson, David
DiSilvestro, Linda
Eaton, Richard
Gage, Ruth
Gagne, Larry
Gale, Sylvia
Gargasz, Carolyn
Gidge, Kenneth
Goley, Jeffrey
Gorman, Mary
Grady, Brenda
Hackel, Paul
Haefner, Robert
Hammond, Jill
Hansberry, Daniel
Hansen, Peter
Harriott-Gathright, Linda
Heath, Mary
Hinch, Richard
Jack, Martin
Jasper, Shawn
Jeudy, Jean
Katsiantonis, Thomas
Kelley, John
Knowles, Mary Ann
Kopka, Angeline
Kurk, Neal
LeBrun, Donald
Leishman, Peter
Levesque, Melanie
Long, Patrick
MacKay, Mariellen
Mangipudi, Latha
Manley, Jonathan
Marston, Dick
McCarthy, Michael
McNamara, Richard
Murotake, David
Nelson, Mary
O'Brien, Michael
O'Neil, William
Pellegrino, Tony
Porter, Marjorie
Renzullo, Andrew
Rhodes, Brian
Rokas, Ted
Rosenwald, Cindy
Rowe, Robert
Schmidt, Janice
Shattuck, Gilman
Shaw, Barbara
Smith, Timothy
Soucy, Timothy
Spratt, Stephen
Straight, Philip
Stroud, Kathleen
Sullivan, Daniel
Sullivan, Peter
Takesian, Charlene
Vail, Suzanne
Villeneuve, Moe
Walsh, Robert
Willette, Robert
Williams, Kermit
Winters, Joel
Woodbury, David

MERRIMACK

Alicea, Caroletta
Andrews, Christopher
Bartlett, Christy
Bouchard, Candace
Burns, Scott
Carey, Lorrie
Carson, Clyde
Davis, Frank
Ebel, Karen
Frambach, Mary
French, Barbara
Henle, Paul
Hirsch, Geoffrey
Hunt, Jane
Karrick, David
Kelly, Sally
Kidder, David
Kotowski, Frank
MacKay, James
Moffett, Howard
Myler, Mel
Patten, Dick
Ratzki, Mario
Rice, Chip
Richardson, Gary
Rogers, Katherine
Schamberg, Thomas
Schuett, Dianne
Shurtleff, Stephen
Wallner, Mary Jane
Walz, Mary Beth
Webb, Leigh

ROCKINGHAM

Abrami, Patrick
Allen, Mary
Andrews-Ahearn, E. Elaine
Baldasaro, Alfred
Bick, Patrick
Borden, David
Briden, Steven
Burtis, Elizabeth
Cahill, Michael
Cali-Pitts, Jacqueline
Chirichiello, Brian
Copeland, Timothy
Cushing, Robert
Danais, Romeo
Duarte, Joe
Dumaine, Dudley
Elliott, Robert
Emerick, J. Tracy
Emerson-Brown, Rebecca
Fesh, Robert
Flockhart, Eileen
Heffron, Frank
Hoelzel, Kathleen
Kappler, Lawrence
Khan, Aboul
Kolodziej, Walter
Lovejoy, Patricia
Major, Norman
Mann, Maureen
McKinney, Betsy
McMahon, Charles
Milz, David
Moody, Marcia
Muns, Chris
Nigrello, Robert
O'Connor, John
Packard, Sherman
Priestley, Anne
Sanders, Elisabeth
Schlachman, Donna
Sedensky, John
Sherman, Thomas
Till, Mary
Tucker, Pamela
Ward, Gerald
Waterhouse, Kevin
Wazlaw, Brian
Weyler, Kenneth
Whittemore, Lisa

STRAFFORD

Baber, William
Beaudoin, Steven
Bickford, David
Bixby, Peter
Burke, Rachel
Gardner, Janice
Grassie, Anne
Gray, James
Grossman, Kenneth
Hooper, Dorothea
Horrigan, Timothy
Hubbard, Pamela
Kaen, Naida
Ketel, Stephen
Malloy, Dennis
Mullen, John
Pelletier, Marsha
Perry, Robert
Pitre, Joseph
Rogers, Rose Marie
Schmidt, Peter
Smith, Marjorie
Spainhower, Dale
Spang, Judith
Stevens, Audrey
Verschueren, James
Wall, Janet
Ward, Kenneth

SULLIVAN

Cloutier, John
Gottling, Suzanne
Grenier, James
Irwin, Virginia
Osgood, Joe
Smith, Steven
Sweeney, Cynthia
Tanner, Linda

NAYS - 45

BELKNAP

Burchell, Richard
Comtois, Guy
Greemore, Robert
Holmes, Stephen
Sylvia, Michael
Vadney, Herbert

GRAFTON

Gionet, Edmond

HILLSBOROUGH

Belanger, James	Boehm, Ralph	Daniels, Gary	Graham, John
Hikel, John	Lambert, George	Murphy, Kelleigh	Murphy, Keith
Notter, Jeanine	O'Flaherty, Tim	Ober, Lynne	Ober, Russell
Parison, James	Peterson, Lenette	Sandblade, Emily	Ulery, Jordan
Vaillancourt, Steve	Warden, Mark		

MERRIMACK

Hoell, J.R.	Lockwood, Priscilla	McGuire, Carol	McGuire, Dan
Turcotte, Alan			

ROCKINGHAM

Comerford, Timothy	Devine, James	Garcia, Bianca	Gordon, Richard
Griffin, Mary	Harris, Jeffrey	Hodgdon, Bruce	Itse, Daniel
Peckham, Michele	Sapareto, Frank	Scarlotto, Joe	Schroadter, Adam
Tasker, Kyle	Webb, James		

STRAFFORD

Jones, Laura

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

HB 1239-FN-L, relative to the implementation of new educational standards. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Rick M. Ladd for the Majority of Education. For the past seven years, the New Hampshire department of education (DOE) has been creating and implementing upgraded educational standards. School districts have been actively transforming their curriculum to these new standards for the past four years. The cost for this transformation has been incorporated into the budgets of school districts as a normal cost of doing business. The majority of the committee was not convinced that there was a need for the cost study as demanded in the legislation. Further, this proposal would bring a halt to the progress being made in transforming schools to meet the 21st century skills needed by our students. Vote 13-6.

Rep. Glenn Cordelli for the Minority of Education. The minority believes that this bill is about open and transparent government. It addresses the ongoing conversations about the cost of the implementation of common core by requiring the BOE, DOE and local district to do an analysis of the costs for implementation. It also requires that for any NEW standards the BOE and DOE to do a fiscal analysis of costs and an evaluation of proposed standards. In addition, public hearings will be required in each executive council district. We believe that it is better to have these discussions prior to standard adoption rather than later. There was also a misconception in the committee that this would block common core implementation, but it does not.

MOTION TO SPECIAL ORDER

Rep. Grassie moved that ***HB 1239-FN-L,*** relative to the implementation of new educational standards, be made a Special Order as the first order of business for the Session of March 26, 2014.

Rep. Grassie spoke in favor.

Adopted.

REGULAR CALENDAR – PART II (CONT'D)

HB 1262, relative to student assessment data privacy. **REFER FOR INTERIM STUDY.**

Rep. Barbara E. Shaw for Education. Both HB 1262 and HB 1496 bring out excellent points with regards to student assessment data privacy. The committee would like to further study all aspects of this bill and develop a good privacy policy based on expert testimony and evaluation, clarification and review of existing law. Vote 14-5.

MOTION TO SPECIAL ORDER

Rep. Grassie moved that ***HB 1262,*** relative to student assessment data privacy, be made a Special Order as the second order of business for the Session of March 26, 2014.

Adopted.

REGULAR CALENDAR – PART II (CONT'D)

HB 1397, establishing a committee to study whether the department of education is operating within its statutory authority. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Mel Myler for the Majority of Education. The majority of the committee was not persuaded for the need of such a study. For the past several years, the education department has been transforming academic standards and measures of student achievement by working with local school stakeholders to ready students for college

and career readiness. Also, the division of instruction is an operational title of the legally defined division of educational improvement. The functions of the division are the same as defined in state law. Lastly, the majority feels that the department is acting in accordance with its statutory authority. Vote 14-5.
Rep. Glenn Cordelli for the Minority of Education. The minority believes that this bill raises several issues that should be examined. One such issue is that of departments entering into agreements with third parties that obligate or restrict the state.

The question being adoption of the majority committee report of Inexpedient to Legislate.
On a division vote, 228 members having voted in the affirmative and 77 in the negative, the majority committee report was adopted.

HB 1432, delaying implementation of certain statewide assessments and studying the effects of delaying implementation of certain curriculum changes in the public schools. **MAJORITY: REFER FOR INTERIM STUDY. MINORITY: OUGHT TO PASS WITH AMENDMENT.**
Rep. Judith T. Spang for the Majority of Education. The committee considered this bill, and two amendments, at length and decided that while it offered opportunities to study questions around student assessments, it is not ready for prime time. The Interim Study in this case represents a genuine commitment on the part of committee to provide for a comprehensive evaluation of statewide student assessments in general, and as applied to smarter balance in New Hampshire, in particular. Vote 8-7.
Rep. Rick M. Ladd for the Minority of Education. Placing HB 1432, as amended, in Interim Study only serves to further delay NHDOE in providing findings and recommendations to the legislative oversight committee regarding smarter balanced assessment and the statewide assessment program.

MOTION TO SPECIAL ORDER

Rep. Grassie moved that ***HB 1432,*** delaying implementation of certain statewide assessments and studying the effects of delaying implementation of certain curriculum changes in the public schools, be made a Special Order as the third order of business for the Session of March 26, 2014.
Adopted.

REGULAR CALENDAR – PART II (CONT'D)

HB 1496, relative to the objectivity and validity of student assessment materials. **REFER FOR INTERIM STUDY.**
Rep. Barbara E. Shaw for Education. The committee agrees that both HB 1496 and HB 1262 bring out excellent points with regards to student privacy and testing assessment validity. In this bill, there needs to be clarification of portions that refer to family educational rights and privacy act (FERPA). Due to the technical and specific nature of questions relating to local and federal law, the committee agrees to study this bill and report it out in the fall. Vote 15-3.

MOTION TO SPECIAL ORDER

Rep. Grassie moved that ***HB 1496,*** relative to the objectivity and validity of student assessment materials, be made a Special Order as the fourth order of business for the Session of March 26, 2014.
Adopted.

REGULAR CALENDAR – PART II (CONT'D)

HB 1508-FN, terminating state participation in the common core educational standards. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**
Rep. Rick M. Ladd for the Majority of Education. In 2010, the NH state board of education adopted the common core standards in math and language arts. These standards delineate what children should know and be able to do at each grade level and describe the skills that they must acquire to stay on course toward college or career readiness in support of RSA 193-C:3.I.(a) and III.(a). Common core is not a curriculum; it's up to school districts to choose curriculum materials and to provide instruction that leads toward success in attaining the standards. The state board of Education has adopted the K-12 standards, and local school boards can accept, reject or strengthen the standards. The standards are supported by the NH Business and Industry Association, US Chamber of Commerce and the NH Business Roundtable. Companies such as Exxon Mobil, Intel Corporation and State Farm Insurance recognize that we need to improve educational outcomes in every subject. The Fordham Foundation rated NH's old standards against the Common Core standards; NH's old standards received a "C" in English/Language Arts and a "D" in mathematics. Common Core standards received a "B+" and "A" respectively. To remain competitive and to meet future workforce needs, the Granite State needs to raise the standards bar for our graduating students in order that they will be career and college ready. Vote 13-6.
Rep. Glenn Cordelli for the Minority of Education. The minority believes that New Hampshire should strive for the highest standards and do better than common core. Common core is the result of the merging of big business and big technology. It has been adopted in states, including New Hampshire, based upon the carrot

of funds from the federal government. We have heard that this continues local control of education, but we disagree. The standards are copyrighted and can only be changed by 15%. These standards are directly linked to the mandated statewide assessments. The committee heard testimony from many parents – all in support of HB 1508. New Hampshire can do better.

MOTION TO SPECIAL ORDER

Rep. Grassie moved that ***HB 1508-FN,*** terminating state participation in the common core educational standards, be made a Special Order as the fifth order of business for the Session of March 26, 2014.

REGULAR CALENDAR – PART II (CONT'D)

HB 1189, relative to temporary worker rights. **MAJORITY: REFER FOR INTERIM STUDY. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Charles F. Weed for the Majority of Labor, Industrial and Rehabilitative Services. The bill proposes to provide protections to temporary workers; the majority believes that this is a good bill, and that this growing category of workers needs regulatory protection through the state. However, a technical oversight in drafting an amendment requires a delay, and will enable a closer look at some of the few remaining issues that were inadequately addressed in the final amendment presented to the committee before it receives prime time deliberation by the house. Vote 13-4.

Rep. Douglas A. Ley for the Minority of Labor, Industrial and Rehabilitative Services. The minority believes this to be a strong and viable bill, however due to technical errors and omissions in the drafting of an amendment, the bill fell short of full committee support. The minority preferred to have an additional opportunity to correct the identified and agreed upon errors so as to pass this measure to aid a growing number of temporary workers in New Hampshire.

The question being adoption of the majority committee report of Refer for Interim Study.

On a division vote, 264 members having voted in the affirmative and 30 in the negative, the majority committee report was adopted.

HB 2014, relative to the state 10-year transportation improvement program. **OUGHT TO PASS WITH AMENDMENT.**

Rep. David B. Campbell for Public Works and Highways. HB 2014 is the Ten-Year Transportation Improvement Plan for the State of New Hampshire, covering the period from 2015 - 2024. It allocates over the next ten years the federal transportation projects, turnpike maintenance and improvements, and the state programs of betterment and highway & bridge aid to municipalities. The approximate allocated totals are: $1,820 million in Federal Highway Aid, $448 million for Aeronautics, Rail and Transit, $415 million for Turnpikes, $245 million in Betterment and $127 million in State Highway and Bridge Aid. Every two years, GACIT (Governor's Advisory Commission on Intermodal Transportation) via the Governor submits recommendations to the Legislature, this year as HB 2014. The recommendations are specific to transportation improvements and are listed alphabetically by municipality. Projects and transportation priorities are initially set forth with the input of the regional planning offices and numerous statewide public hearings. Because of the declining statewide infrastructure and the dire need to maintain and repair our roads and bridges, this year's bill, as introduced, was heavier on preservation of existing infrastructure and lighter on new projects. Significantly, the project to improve and widen I-93 between Exit 3 in Windham and the split in Manchester was still underfunded by $250 million. The Public Works & Highways Committee held a series of public hearings and work sessions on HB 2014. This Plan makes three major assumptions: 1) because of lack of state funds this Plan assumes (as all Ten Year Plan's have since 2008) that all state matches for federal projects utilize turnpike toll credits for the state's fund share, instead of a cash contribution (which results in $30 million a year less in actual road and bridge projects and maintenance); 2) that the level of federal transportation funding remains unchanged; and 3) that the inflation rate of construction is 3% annually over the 10 year period. In its work, the committee recognized both the tremendous financial costs necessary to maintain and repair present state and municipal roads and bridges and the lack of adequate revenue to meet these competing and worthy needs. Therefore, the committee scrutinized the Plan to further reprioritize projects and maximize funding options, in order to fix as many roads and bridges as possible, while continuing to remain committed to the funding of the state's number one transportation project, the widening of I-93, and the state's number one red list bridge, the Sarah Mildred Long Bridge in Portsmouth. HB 2014, as amended, does the following:

- reallocates the Betterment program's guard rail replacement ($1.2m each year) in favor of secondary road rehabilitation among the six DOT districts and also transfers the federal monies for renumbering the exits on the interstates to pave rural collector roads ($1.1 million - one-time money).
- addresses the 100 worst (out of 140) state red list bridges (the problem is that more bridges come on the list each year than go off).
- includes bridge preservation work on an average of 25 state bridges per year (to keep even more bridges from going on the red list).

• replaces or repairs the current 24 red list weight restricted (E-2) bridges.
• incorporates some of each regional planning commissions' highest priority projects.
• reprioritizes or eliminates certain Turnpike improvements which are funded solely from toll plaza revenue.
• finances NH's one-half share for the replacement of the Sarah Mildred Long Bridge of approximately $78 million through the use of bonds issued in anticipation of future federal funds (GARVEE bonds), within the total amount of GARVEE bonds currently authorized.
• provides $40 million in federal funds and $11 million in federal highway anticipation bonds to fund an additional $51 million towards the I-93 project, which allows for another major segment of the project to be completed without demobilizing construction crews.
• allocates $8 million in federal funds to complete the widening of about 2 miles of Route 101 in Bedford, which is the most congested and dangerous section of Route 101 west of Route 114 (27,000 vehicles/day and of the 1,324 accidents over the past ten years on this 20 miles of highway, 508 have occurred within this 2 mile corridor).

The increased bonding will result in approximate 9% of future federal highway funds paying the debt service for I-93 and about 5% for debt service related to the Sarah Long Bridge. The Treasurer, who consulted with the state's investment advisor, advised the committee that this level of GARVEE bonding for the stated purposes is still fiscally sound. This bill is financially constrained and contains only projects which can be funded with existing revenue (with the exception regarding SB 367 explained below). As recommended to the House, it contains, as in past Plans, unfunded priorities for projects using Highway/Federal Funds (I-93) and Turnpike Funds. Significantly, for the first time, the Plan includes removal of the Merrimack toll ramps at Exits 11 and 12 as an unfunded Turnpike priority. Their removal is contingent upon that at such time that the Bedford mainline toll on the F.E. Everett is upgraded, it be located to the south of its present location (to eliminate the expensive present toll diversion at Exit 13 from the south), and the transfer of the currently Turnpike-maintained Continental Boulevard to the Town of Merrimack. Should SB 367 be enacted in its present form, it would raise the road toll by 4.2 cents and increase transportation funding by approximately $32 million for FY 2015 for which the biennial budget is already in place. The committee felt that the House should have input on where this unanticipated revenue should be spent for FY 2015; namely to exclusively fund roads and bridges statewide. The committee adopted the six district DOT engineers' specific recommendations for paving priorities, and unanimously voted that the money be spent as follows: $13 million to increase the annual repaving schedule for fair and poor roads (approximately 190 additional miles at about $68,000/mile) and $12 million to rehabilitate/reconstruct 36 critical miles of very poor roads around the state at a staggering $333,000/mile. This number clearly illustrates the fiscal irresponsibility of allowing our roads to slip further into poor condition, which then become exponentially more expensive to reconstruct than repave. (In 2000, about 600 miles of our 4,500 state roads were in poor condition. In 2012, that number had swelled to 1660 miles in poor condition or 37%). The other $7 million dollars are recommended to increase the State Aid Bridge Program to municipalities, which has the effect of allowing about 10 more municipal bridges to receive state aid from a program that is currently full until 2024, and has not seen any additional funding since the mid-1990's. This will increase paving in FY 2015 by about 230 miles to a total of approximately 580 miles, which is above the annual target of 500/miles per year. The Ten Year Transportation Improvement Plan is a planning document; not a budget bill. Beyond the possible extra money in FY 2015, it is up to the next legislature and its finance committees to address the extremely tough budget considerations of how to allocate Highway Fund revenues (with or without an increase in the Road Toll). While the Committee recognizes that this Plan is hardly perfect, it worked diligently to spread very thin financial resources statewide. HB 2014, as amended, partially addresses the state's top transportation priorities, while emphasizing the repair and maintenance of some (but by no means all) of the state's worst roads and bridges. Vote 18-0.

Amendment (1062h)

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

1 State 10-Year Transportation Improvement Plan. The legislature hereby adopts the plan known as the "State of New Hampshire Ten Year Transportation Improvement Plan 2015-2024 Submitted to the Legislature by the Governor Pursuant to RSA 228:99 and RSA 240 of the Laws of New Hampshire", as amended and dated March 20, 2014, and encourages expeditious implementation of the projects shown therein.

2 Federal Highway Grant Anticipation Bonds; Issuance of Revenue Bonds. Amend RSA 228-A:2 to read as follows:

228-A:2 Issuance of Revenue Bonds. The state may issue bonds under this chapter to be known as "federal highway grant anticipation bonds." The bonds may be issued from time to time for the purpose of financing project costs related to the widening of Interstate 93 from Manchester to the Massachusetts border, the replacement [~~or repair~~] of the [~~Memorial Bridge and the~~] Sarah Mildred Long Bridge in Portsmouth, New Hampshire, and any other federally aided highway project hereafter authorized by the general court to be financed under this chapter. Bonds issued hereunder shall be special obligations of the state and the principal of, premium, if any, and interest on all bonds shall be payable solely from the particular funds provided

therefor under this chapter. The issuing of bonds shall be contingent upon the availability of sufficient anticipated federal aid over the term of the bonds. The bonds shall be issued by the treasurer in such amounts as the fiscal committee of the general court and the governor and council shall determine, ***and shall*** not [~~exceeding~~] ***exceed*** [~~$445,000,000 for federally aided highway projects and $45,000,000 for the replacement or repair of the Memorial Bridge and the Sarah Mildred Long Bridge~~] ***$490,000,000***. Debt service for federal highway grant anticipation bonds (Garvee bonds) for the [~~bridges~~] ***projects*** shall be paid from a portion of future federal [~~bridge~~] funds. Bonds of each issue shall be dated, shall bear interest at such rate or rates, including rates variable from time to time as determined by such index, banker's loan rate, or other method as may be determined by the treasurer, and shall mature at such time or times as may be determined by the treasurer, except that no bond shall mature more than 15 years from the date of its issue. Bonds may be made redeemable before maturity either at the option of the state or at the option of the holder, or on the occurrence of specified events, at such price or prices and under such terms and conditions as may be fixed by the treasurer prior to the issue of bonds. The treasurer shall determine the form and details of bonds. Subject to RSA 93-A, the bonds shall be signed by the treasurer and countersigned by the governor. The bonds may be sold in such manner, either at public or private sale, for such price, including above or below par value, at such rate or rates of interest, or at such discount in lieu of interest, as the treasurer may determine.

3 Turnpike System; Authority Granted. Amend RSA 237:2, II-d to read as follows:

II-d. Construct a second barrel on the Spaulding turnpike from exits 12 to 16 with related interchange improvements from exits 11 to 16, as needed***, and a maintenance facility at exit 16 in Rochester***.

4 New Subparagraphs; Turnpike System; Authority Granted. Amend RSA 237:2, IV by inserting after subparagraph (g) the following new subparagraphs:

(h) Making improvements to the central New Hampshire turnpike, including, but not limited to, the addition of a traffic lane in each direction to the following 3 segments: the segment between exit 8 in the city of Nashua to exit 10 in the town of Merrimack; the segment between exit 11 in the town of Merrimack to the southern limits of the Manchester Airport Access Road project in the town of Bedford; and the segment between the northern limits of the Manchester Airport Access Road project and the interstate 293 interchange in the town of Bedford.

(i) Installation of intelligent transportation systems infrastructure on the F.E. Everett Turnpike from Nashua to Bedford.

5 Turnpike System; Authority Granted. Amend RSA 237:2, VII to read as follows:

VII.***(a)*** Acquire land as required and make improvements to the central New Hampshire turnpike including, but not limited to, completing the connection to the Merrimack industrial interchange, relocation of Camp Sargent Road, improvements to interchanges 3 through 7 as required, the extension of the system to include an easterly circumferential beltway around Nashua extending from exit 2 and running easterly through the city of Nashua and the towns of Hudson, Litchfield, and Merrimack to an intersection with the existing turnpike, improvements and widening between interchanges 2 and 7, widening between the Route 101 intersection and the Amoskeag interchange in Manchester, and coordinating a study of widening between the I-89 and I-93 interchanges.

(b) Plan and engineer improvements to the central New Hampshire turnpike, including, but not limited to the addition of a traffic lane or lanes in each direction from the junction of interstate 89 in the city of Concord to the northerly expansion joint of the Interstate 93 bridge over Loudon Road and N.H. Route 9 (bridge no. 163/106).

(c) Plan and engineer improvements to the central New Hampshire turnpike, including, but not limited to the addition of a traffic lane or lanes in each direction from exit 6 to exit 7 in the city of Manchester, as well as the reconstruction of the exit 6 and exit 7 interchanges.

6 Turnpike System; Funds Provided. Amend RSA 237:7 I(h) to read as follows:

(h) Improvements to central New Hampshire turnpike.

RSA 237:2, ***IV(h),*** VII, ***VII(b), VII(c),*** IX. [~~485,200,000~~] ***$574,300,000***

7 Turnpike System; Funds Provided. Amend RSA 237:7, I(k) to read as follows:

(k) Toll collection equipment. RSA 237:2, VIII, IX***, RSA 237:5, II***. [~~116,000,000~~] ***$131,000,000***

8 Department of Transportation; Hooksett Ramp Toll Reconstruction. The project named Hooksett, project number 9015, which consists of reconstruction of exit 11 ramp tolls to implement all electronic tolling (AET) shall be deleted from the turnpikes portion of the 10-year transportation improvement plan 2015-2024, and added to the turnpikes portion of the unfunded priorities of said 10-year transportation improvement plan as the statewide AET pilot project, location to be determined by the legislature.

9 Department of Transportation; Projects Added to Unfunded Priorities.

I. The following projects shall be added to the turnpikes portion of the unfunded priorities of the 10-year transportation improvement plan 2015-2024:

(a) Merrimack, removal of toll on exit 11 at $1,600,000.

(b) Merrimack, removal of toll on exit 12 at $1,600,000.

II. Both projects under paragraph I shall be contingent upon the relocation of the Bedford main line toll south of its present location on the F.E. Everett turnpike, and the town of Merrimack's acceptance of Continental Boulevard as a municipal highway.

10 Department of Transportation; Transfer of Funds. The funds designated for the project named statewide districts BGRR, project number 2365, which consists of guardrail replacement for the betterment program shall be deleted from the 10-year transportation improvement plan 2015-2024, and the department shall designate or reallocate in said 10-year transportation improvement plan betterment funds in the amount of $1,200,000 to the statewide HWY rehabilitation BRSR, project number 6730, to be distributed to the 6 state highway districts using the betterment allocation formula contained in RSA 235:23-a, III.

11 Department of Transportation; Transfer of Funds. The funds designated for the project named statewide traffic, project number 9010, which consists of plan preparation, public outreach, and signage to transition to mile point referenced exit numbers, shall be deleted from the 10-year transportation improvement plan 2015-2024, and the department shall designate in such 10-year transportation improvement plan federal funds in the amount of $1,100,000 to statewide PRRCS, project number 4521, for federal pavement resurfacing and rehabilitation on rural collector or arterial roads.

12 Department of Transportation; Transfer of Funds. The department of transportation shall issue federal highway grant anticipation bonds pursuant to RSA 228-A:2 for project named Portsmouth, NH – Kittery, ME, project number 15731, in the 10-year transportation improvement plan 2015-2024, for the state of New Hampshire's share of the replacement of the Sarah Mildred Long bridge between Portsmouth, NH to Kittery, ME, and shall designate in said 10-year transportation improvement plan funds in the amount of $51,000,000 for the widening of Interstate 93 North from Salem to Manchester, which shall consist of $40,000,000 in federal funds and $11,000,000 in federal highway anticipation bonds. The department of transportation shall also include an additional $8,090,000 in federal funds for the widening of Route 101 for approximately 2 miles from N.H. 114 to Wallace Road in Bedford, NH, project number 13953, in said 10-year transportation improvement plan.

13 Department of Transportation; Salem to Manchester. The funding for the project named Salem to Manchester, project number 10418C, contained in the unfunded priorities of the 10-year transportation improvement plan 2015-2024, shall be reduced from $250,000,000 to $200,000,000.

14 Department of Transportation; Bow to Concord. The funding for the project named Bow-Concord, project number 13742, contained in the turnpikes portion of the unfunded priorities of the 10-year transportation improvement plan 2015-2024, shall be reduced from $192,000,000 to $190,000,000.

15 Department of Transportation; Contingency. If SB 367-FN-A of the 2014 legislative session becomes law, and the road toll rate pursuant to RSA 260:32 is adjusted, proceeds from said adjustment shall be expended by the department of transportation in fiscal year 2015 only, as follows:

I. $12,000,000 shall be expended for the district rehabilitation program, statewide HWY Rehabilitation BRSR, project number 6730, with said funds to be distributed equally among the 6 state highway districts;

II. $13,000,000 shall be expended for the district resurfacing program, statewide districts BRES, project number 581, with said funds to be distributed equally among the 6 state highway districts; and

III. $7,000,000 shall be expended for the state bridge aid program for municipal bridges.

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

AMENDED ANALYSIS

This bill:

I. Adopts the state 10-year transportation improvement plan for 2015-2024.

II. Raises the amount of bonds the treasurer may issue for federally-aided highway and bridge projects.

III. Authorizes the commissioner of the department of transportation to make certain improvements to the turnpike system.

IV. Authorizes the transfer of certain designated funds to certain projects in the 10-year transportation improvement plan for 2015-2024.

Amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment.
Rep. Campbell spoke in favor.
Committee report adopted and ordered to third reading.

HB 1161-FN, relative to the definition of slot machines and the duties of game operators and game operator employers. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**
Rep. Frank W. Davis for the Majority of Ways and Means. This bill would exempt certain electronic table aids from the definition of slot machines. The only speaker in favor of this legislation was the lobbyist for one particular company. This company has questionable financial stability, losing money every year since its inception, and has settled out of court in a Las Vegas lawsuit over improper distribution of its machines. The Committee was concerned about what might happen if these machines were accepted and the company went out of business. Vote 14-3.

Rep. Jordan G. Ulery for the Minority of Ways and Means. Despite a through discussion of the failing financial model of a company manufacturing a type of electronic card game, little discussion was offered on the concept itself. All the bill will do is allow people to play already legal games by themselves, sans dealer, electronically. Allowing another form of legal, regulated card play seems only fair, equitable and good for revenue generation. Majority committee report adopted.

REMOVED FROM THE CONSENT CALENDAR OF MARCH 19, 2014

HB 1139, repealing authority for granting of property tax abatements for watering troughs and shade trees. **OUGHT TO PASS.**

Rep. Dorothea D. Hooper for Municipal and County Government. This bill will remove an outdated piece of legislation from law. Vote 16-1.

Committee report adopted and ordered to third reading.

HB 1492-FN-L, relative to the issuance of fines for unlicensed dogs. **INEXPEDIENT TO LEGISLATE.**

Rep. Syndi G. White for Municipal and County Government. The majority of the committee voted to ITL this bill because HB 1261 addresses the same issue. It increases the recovery fee for the cost of sending a letter by certified mail from $5 to $10. HB 1492 removes the dollar amount and leaves the decision of what to charge up to each municipality. The committee recognized the need to increase the amount due to increases in postal rates. However, the wording in this bill leaves open the possibility for the towns/cities charging for any service costs, including paying a person to hand deliver the letter. This would result in large disparities in charges throughout the state. The law already allows for fees and fines, which, in effect, remedies the need to recover costs involved in the failure to license dogs. Vote 17-2.

Committee report adopted.

REMOVED FROM THE CONSENT CALENDAR OF MARCH 25, 2014

HB 1555-FN, relative to the neglect of elderly, disabled, or impaired adults and relative to financial exploitation. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Robbie L. Parsons for Criminal Justice and Public Safety. This bill establishes the crime of financial exploitation of an elderly, disabled or impaired adult and imposes a mandatory sentence of imprisonment. State and local law enforcement shall have jurisdiction to investigate reports of abuse, neglect and exploitation of incapacitated adults. Nothing in this section shall impose criminal liability on a person who makes a good faith effort to assist the elderly, disabled, or impaired in the management of funds, assets, which fail through no fault of the person. Vote 15-0.

Amendment (1054h)

Amend the bill by inserting after the enacting clause the following and renumbering the original sections 1-5 to read as 2-6, respectively:

1 Statement of Purpose. The purpose of this act is to provide clear guidance relative to actions that constitute the crime of financial exploitation of elderly, disabled, or impaired adults and to encourage the cooperation of law enforcement officials, courts of competent jurisdiction and all appropriate state agencies providing human services in identifying these crimes. It is the intent of the general court to send a clear message to the public that financial exploitation of elderly, disabled, or impaired adults shall not be tolerated and that the provisions of this act shall be liberally construed to ensure that persons engaging in these unlawful acts be held criminally liable to the full extent of the law.

Amend RSA 631:8, I(e) as inserted by section 2 of the bill by replacing it with the following:

(e) "Impaired adult" means any adult who suffers from an impairment by reason of mental illness, developmental disability, organic brain disorder, physical illness or disability, chronic use of drugs, chronic intoxication, memory loss, or other cause, that causes an adult to lack sufficient understanding or capacity to make or communicate reasonable decisions concerning the adult's person or property or [~~to be substantially impaired in the adult's ability to provide adequately for his or her own care and custody~~] ***exhibits the functional limitations as defined in RSA 464-A:2, VII. Impaired adult includes a person determined to be incapacitated under RSA 161-F or RSA 464-A.***

Amend RSA 631:8-a as inserted by section 4 of the bill by replacing it with the following:

631:8-a Financial Exploitation of an Elderly, Disabled, or Impaired Adult.

I. Whoever commits any of the following acts against an elderly, disabled, or impaired adult, as defined in RSA 631:8, shall be guilty of financial exploitation and penalized pursuant to RSA 631:8-b if:

(a) In breach of a fiduciary obligation recognized in law, including pertinent regulations, contractual obligations, documented consent by a competent person, including, but not limited to, an agent under a durable power of attorney, guardian, conservator, or trustee, a person, knowingly or recklessly, for his or her own profit or advantage:

(1) Fails to use the real or personal property or other financial resources of the elderly, disabled, or impaired adult to provide food, clothing, shelter, health care, therapeutic conduct, or supervision for the elderly, disabled, or impaired adult when under a duty to do so; or

(2) Unless authorized by the instrument establishing fiduciary obligation, deprives, uses, manages, or takes either temporarily or permanently the real or personal property or other financial resources of the elderly, disabled, or impaired adult for the benefit of someone other than the elderly, disabled, or impaired adult; or

(b) In the absence of legal authority a person knowingly or recklessly through the use of undue influence, harassment, duress, force, compulsion, or coercion:

(1) Acquires possession or control of an interest in real or personal property or other financial resources of an elderly, disabled, or impaired adult;

(2) Induces an elderly, disabled, or impaired adult against the elderly, disabled, or impaired adult's will to perform services for the profit or advantage of another; or

(3) Establishes a relationship with a fiduciary obligation to an elderly, disabled, or impaired adult that gives the person control of an interest in real or personal property or other financial resources of an elderly, disabled, or impaired adult.

II. State and local law enforcement agencies shall have concurrent jurisdiction to investigate reports of abuse, neglect, or exploitation of incapacitated adults as defined in RSA 161-F or RSA 464-A and all other crimes against elderly, disabled, or impaired adult victims including, but not limited to, the crimes set forth in RSA 631:8 and this section. Nothing in this paragraph shall be construed to alter the duties and responsibilities of the commissioner of the department of health and human services, or his or her designees, relative to investigating reports of abuse, neglect, self-neglect or exploitation of incapacitated adults pursuant to RSA 161-F.

III. Nothing in this section requires a health or residential care facility, licensed under RSA 151, or any person to provide financial management or supervise financial management for an elderly, disabled, or impaired adult except as otherwise required by law.

IV. If the person knew or had reason to know that the elderly, disabled, or impaired adult lacked capacity to consent, consent is not a defense to a violation of this section.

V. Nothing in this section shall be construed to impose criminal liability on a person who makes a good faith effort to assist an elderly, disabled, or impaired adult in the management of funds, assets, or property which effort fails through no fault of the person.

Amend the bill by replacing all after section 4 with the following:

5 Effective Date. This act shall take effect January 1, 2015.

Amendment adopted.

Committee report adopted and ordered to third reading.

HB 1317, relative to driver education. **OUGHT TO PASS.**

Rep. Karel A. Crawford for Transportation. This bill was requested by the department of safety to correct wording in RSA 263:19 I to delete the reference to the department of education regarding driver education. The department of safety is now supervising driver education. Vote 14-1.

Committee report adopted and ordered to third reading.

HB 1359-FN, establishing Bronze Star and Silver Star number plates. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Michael B. O'Brien for Transportation. This bill, as amended replaces the original bill, and will establish a committee to study the feasibility of placing decals on special number plates for veterans. Current and past transportation committees have received requests for medals, service medals and service emblems earned by our veterans. This bill will allow the study of one universal veteran plate with the requested approved decal to be available to the veterans. Vote 16-0.

Amendment (0706h)

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

AN ACT establishing a committee to study the feasibility of placing medal decals on special number plates for veterans.

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

1 Committee Established. There is established a committee to study the feasibility of placing medal decals on special number plates for veterans.

2 Membership and Compensation.

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

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

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

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

3 Duties. The committee shall study the feasibility of placing medal decals on special number plates for veterans.

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

5 Report. The committee shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2014.

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

AMENDED ANALYSIS

This bill establishes a committee to study the feasibility of placing medal decals on special number plates for veterans.

Amendment adopted.

Committee report adopted and ordered to third reading.

RESOLUTION

Rep. Shurtleff offered the following: RESOLVED, that the House now adjourn from the early session, that the business of the late session be in order at the present time, that the reading of bills be by title only and resolutions by caption only and that all bills ordered to third reading be read a third time by this resolution, and that all titles of bills be the same as adopted, and that they be passed at the present time, and when the House adjourns today it be to meet Wednesday, March 26, 2014 at 10:00 a.m.

Adopted.

LATE SESSION

Third reading and final passage

HB 1494-FN, relative to administration of the New Hampshire retirement system and authority of the board of trustees.

HB 1258, relative to fill and dredge permitting applications.

HB 1129, requiring the development of an energy efficiency implementation plan.

HB 1220, relative to limitations on ethanol in gasoline.

HB 1224-FN, relative to pipeline operation safety.

HB 1540, relative to least cost integrated resource plans filed by an electric utility.

HB 1136, establishing a committee to study the laws relating to the New Hampshire veterans' home.

HR 20, urging Congress to support a statewide veterans' medical identification card.

HB 1149-FN, relative to motor vehicle registrations.

HB 1183, relative to display of antique motor vehicle plates.

HB 1329, prohibiting the use of facial recognition technology in connection with driver's license photographs.

HB 495-FN, relative to titles for motor vehicles.

HB 658-FN, relative to registration for medical technicians.

HB 1157, relative to establishment of fees by certain regulatory boards.

HB 1229-FN, relative to the oil discharge and gasoline ether cleanup fund.

HB 1415-FN, establishing a robotics education fund in the department of education.

HB 1487-FN, relative to the uniform fine schedule for the division of forests and lands.

HB 1372-FN-A, making an appropriation for the pediatric sexual assault nurse examiner training program.

HB 1581-FN-A, relative to the bonding of project costs for certain department of transportation bridge capital projects.

SB 413-FN-A, relative to access to health insurance coverage.

HB 1615, relative to emergency prescriptions.

HB 1499-FN, increasing the maximum weekly benefit amount of unemployment benefits; amending the definitions of "full-time" and "part-time" work; and establishing a commission study the effect on the unemployment compensation trust fund of the contribution rate reduction trigger levels in RSA 282-A:82 and RSA 282-A:82-a and the elimination of some or all of the waiting periods required to be served pursuant to RSA 282-A:31, I(h).

HB 1167, relative to exemptions from boiler inspection requirements.

HB 1314, establishing a committee to study implementation of a public interest standard for a telecommunication utility merger, consolidation, reorganization, or sale by the public utilities commission.

HB 1385, relative to changes and additions to energy facilities.

HB 1600, relative to reporting of energy production for net metering.

HB 1602, relative to the divestiture of PSNH assets.

HB 366-FN, relative to showing a ballot.

HB 1122-FN, relative to the filing with a registry of deeds of a fraudulent document purporting to create a lien or claim against real property.

HB 1135-FN, relative to penalties for driving without a license.
HB 2014, relative to the state 10-year transportation improvement program.
HB 1139, repealing authority for granting of property tax abatements for watering troughs and shade trees.
HB 1555-FN, relative to the neglect of elderly, disabled, or impaired adults and relative to financial exploitation.
HB 1317, relative to driver education.
HB 1359-FN, establishing a committee to study the feasibility of placing medal decals on special number plates for veterans.

UNANIMOUS CONSENT

Rep. Davis requested Unanimous Consent of House regarding an apology.
Rep. Davis addressed the House.
Rep. Sally Kelly requested Unanimous Consent of the House regarding memorial remarks.
Rep. Sally Kelly addressed the House.
Rep. Itse requested Unanimous Consent of the House regarding an apology.
Rep. Itse addressed the House.

MOTION TO PRINT REMARKS

Rep. Baldasaro moved that the remarks made by Rep. Sally Kelly be printed in the Permanent Journal. Adopted.

REMARKS

Rep. Sally Kelly: Thank you, Madam Speaker. Madam Speaker, at this time, I would like to invite those members of the Merrimack County delegation who served with the Honorable Eleanor Kjellman to stand with me as I deliver memorial remarks on her behalf. There are times when we all are so busy doing the work of the people of NH that we can forget the GREAT honor it is to serve in this Legislature; to be elected by the people of our district; to serve them and all the residents of NH. Last Wednesday, the Speaker of the House announced the passing of the Honorable Eleanor Kjellman. When her husband John called to thank me, I was reminded of the solemnity, the importance and the HONOR of our mission here in Concord. Eleanor was born on New Year's Eve, 1946. She earned degrees in education from Boston State College and George Mason University. She joined the Air Force during the Vietnam War. She was commissioned as a Second Lieutenant and served as an education & training officer at Andrews AFB, then as a protocol officer in Tokyo, Japan. She left the Air Force after her initial obligation because it became clear that "girls" were not allowed to fly Air Force airplanes! After Eleanor left the military, she held a wide variety of jobs with her most recent being a special education advocate. She served on the boards of directors of numerous civic organizations and she was a fellow of the Truman National Security Project. I met Eleanor 10 years ago, when I made my first foray into NH politics by joining the Merrimack County Democrats and Eleanor was serving as their co-chair. I was in awe of Eleanor. She had three qualities I always coveted: she was intelligent, she had red hair and she was tall. She took me under her wing and dragged me to various political events and in 2006, we both decided to run for the NH House. We both won and attended freshman orientation together. We must have had different advisors during Orientation because I learned that freshmen were supposed to sit back and not introduce any legislation during their first term. Somehow, Eleanor entirely missed that part. She sponsored and co- sponsored several bills. The popularity and plausibility of a bill never concerned her; she cared deeply about what was right, for the people of Bradford & Henniker, who she represented and for those throughout our state, especially the veterans who were so close to her heart. One of the bills she helped get through eliminated the fee for veterans to receive their special veteran license plates. Eleanor was tenacious when she was working to affect change and to right what she deemed as wrong. As an education advocate, she worked tirelessly on behalf of students who needed a loud, logical and persistent voice on their behalf. One of her favorite students was a young woman named Jaimie Ann who happened to be blind. Eleanor fought hard to ensure that she had the same middle school experience as every other pre-teen girl had in Concord, NH. Eleanor fought City Hall on her behalf, for a stop sign to be installed so Jaimie Ann could be independent and walk to school the same as the sighted students in her class, did. The only way the City Council would agree with Eleanor's request is with the stipulation that the sign would only remain for the 2 years she was a student. Jaimie Anne has now graduated from middle, high school and college and the sign still stands today as a tribute to the tenacity of Eleanor Kjellman. When we served together, Eleanor and I shared MANY lunch breaks at the Barley House. Over our spinach salads with grilled chicken and dried cranberries, we dissected the day's events, personalities & policies with a little sprinkling of discussions on the challenges and joys of parenting thrown in for good measure. Eleanor was first diagnosed with cancer in the summer of 2009. I visited her that September at Health South, a rehab here in Concord, which I had never visited before. Then about three weeks later, against doctor's orders, Eleanor drove back to Health South, this time to visit a good friend, me, as I sat there, recovering from a major car accident. During my several months of recuperation at home, Eleanor and I talked frequently by phone. We had both faced death and this fact forever changed our outlook and our lives. Our conversations revolved around life, death, pain

medications and the bathroom habits that directly related to when and how we took our pain meds. Two years ago, cancer returned to Eleanor, this time in her brain. She still campaigned in a primary in 2012, but it soon became obvious that her communication was strongly impacted by her illness. We lost touch, but 4 weeks ago, on that Tuesday with the really heavy snow fall, we ended our committee work early and I went up to the Hospice House to visit Eleanor. She was asleep. I sat beside her bed, I wrote her a note and I prayed. After about 45 minutes, I was getting up to leave when she started to stir. At this point, she could not speak, she could not hold her head up and she could not open her eyes but the nurses still encouraged me to talk with her, so I regaled her and the two nurses with our days here and across the street at the Barley House. She made happy gurgles in her throat and when it was time for me to leave, she struggled to stand up and with the help of her two nurses she did and she held out her arms to give me a hug. Then she sat down back on the bed. Eleanor Glynn Kjellman passed away Wednesday, March 19, 2014 at Hospice House in Concord, after a courageous, valiant and stubborn five-year battle with cancer. Eleanor considered herself fortunate to have experienced so many more sunrises and was never happier than she was when she was with her four grandchildren. Eleanor served her illness with honor as she did her country, her co-workers, her students, her constituents and this great body where we all so proudly serve. I want to close today with Eleanor's favorite expression, which is an excellent reminder to us all, that "Every day is a gift."

MOMENT OF SILENCE

A moment of silence was observed in honor and in memory of the former member from Henniker, the Honorable, Eleanor Kjellman.

RECESS MOTION

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

The House recessed at 5:00 p.m.

RECESS

(Rep. Rosenwald in the Chair)

ENROLLED BILL AMENDMENT

SB 413-FN-A, relative to access to health insurance coverage. (Amendment printed SJ 3-13-14)
Adopted.

RECESS