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New Hampshire

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Concord, N.H.

Wednesday, September 17, 2014

No. 57

HOUSE JOURNAL No. 22 (Cont.)

Wednesday, June 4, 2014

Rep. Shurtleff moved that the House adjourn.
Adopted.

HOUSE JOURNAL No. 23

Wednesday, September 17, 2014

The House assembled at 10:00 a.m. and was called to order by the Speaker.

Prayer was offered by Guest Chaplain, Reverend Michael Leuchtenberger from the Unitarian Universalist Church of Concord.

Spirit of love and compassion, spirit of the life that forms us and connects us, we have returned to this place of service from the varied paths and journeys that have enriched and deepened our lives this summer. We are reconnecting once more, united by our commitment to serve the people of New Hampshire, united by our dedication to a promising future for all the people of New Hampshire, united by our desire to do what is best for those who most need our support. Spirit of love and healing, may You be a comforting presence for all those who are grieving the loss of a loved one since we have last been together. May we find peace in our hearts as we reach out to each other with gentleness and compassion. Spirit known by many names, we give thanks for the beauty of this day. We give thanks for the care and dedication of the many people who have made this day possible in our lives. We give thanks for the colleagues who surround us and for the work that adds meaning and purpose to our lives. Spirit of love and life, guide us this day and always. We give thanks. Amen.

Representative Jacqueline Cali-Pitts, member from Portsmouth, led the Pledge of Allegiance.

Representative Stephen Spratt, member from Greenville and Representative Neal Kurk, member from Weare, led the singing of the National Anthem.

LEAVES OF ABSENCE

Reps. Arsenault, Dumaine, Jeudy, John Kelley, O'Connor, O'Neil and Katherine Rogers, the day, illness.

Reps. Aguiar, Ahlgren, Rebecca Brown, Burns, Butler, Cebrowski, Elliott, Rebecca Emerson-Brown, Fink, Hansen, Hess, Gladys Johnsen, Knowles, Leishman, LeVasseur, Lovett, James MacKay, Mariellen MacKay, Merrow, Pelletier, Piper, Rollo, Timothy Smith, Daniel Sullivan, Takesian, Verschueren and Wazlaw, the day, important business.

Reps. Keith Murphy, Kelleigh Murphy and Stroud, the day, illness in the family.

INTRODUCTION OF GUESTS

Grace Arce-Burchell, Hunter Taylor and Ruth Larson, wife and guests of Rep. Burchell. Richard DeBold and David Doherty, guests of the Merrimack District 20 Delegation. Anthony Sayess, guest of Reps. Bouchard and Schuett. Helen Gillis, daughter of Rep. Shattuck. Martha Hennessey, guest of Rep. Benn. Katelyn Perkins, daughter of Rep. Perkins. David Wood, guest of Rep. Frederick Rice. Gale Taylor, guest of Rep. Levesque. Diann Pitre, and the Honorable Dee Hogan, former member from Nashua, wife and guest of Rep. Pitre. Avery and Olivia Winters, children of Rep. Winters. Dan Garthwaite and the Honorable Tammy Simmons, former member from Manchester, guests of Rep. Jones.

GOVERNOR'S VETO MESSAGE ON HB 591

By the authority vested in me, pursuant to part II, Article 44 of the New Hampshire Constitution, on July 28th, 2014, I vetoed House Bill 591, relative to an abusive work environment and the health and safety of public

employees. In New Hampshire, our hard-working and skilled state employees consistently execute the responsibilities of state government with great competence and ability. They deserve our admiration and respect for their public service and should always be afforded, along with their private sector counterparts, the opportunity to work in a respectful and dignified environment. HB 591, while well-intentioned, contains a number of poorly defined and unworkable provisions that will inevitably lead to a dramatic increase in unwarranted workplace-related litigation which, in turn, will materially disrupt workplace supervision and hinder productivity within state agencies. The bill also attempts to legislate politeness, manners and the interpersonal relationships of co-workers. Ultimately, it would head us in a direction toward extending these onerous and unnecessary directives to our private sector business community, making our state an undesirable destination for expansion and economic development. The Attorney General, Commissioners and my office worked diligently with legislators and the State Employees Association and developed a reasonable compromise that would have served our employees well without greatly undermining the continuity and effectiveness of state government. However, the Senate ultimately rejected the compromise and instead elected to send an extremely flawed bill to my desk. Among its most onerous provisions, this legislation defines “abusive conduct” in a broad and unworkable manner based on an individual employee’s subjective perception, not on an unbiased objective standard. While I know it was not the intent of its sponsors, this bill, as written, may make the most routine workplace interactions – and the human give-and-take they entail – potential causes of action. Under this bill: An individual may claim workplace abuse if an employee believes he or she has an “unreasonable” workload, even if it is a workload similar to their co-workers. An individual may claim workplace abuse if his or her supervisor or co-worker uses language that “criticizes” the employee in public – even if the criticism is constructive, appropriate and done within the confines of the workplace. An individual may claim workplace abuse if he or she feels his or her co-workers are not answering emails in a timely manner, and therefore “ignoring” a request for information or assistance. Given the workloads of employees, they are likely to have very different definitions of what amounts to a reasonable amount of time to respond to a non-urgent request. An individual may claim workplace abuse if a supervisor gives what the employee feels is “unreasonable criticism” outside of the typical evaluation process. Under the proposed legislation if an employee, for example, fills out the same form wrong every day, or returns late from a break every day, a supervisor who offers corrective guidance outside an annual review could be accused of bullying. An individual may claim workplace abuse if a co-worker or a supervisor shows “constant and harsh displays of disrespect,” even though the legislation offers no guidance of what it means by “constant” or “harsh” or “disrespect.” For example, under this legislation, an employee would be able to claim abuse if a co-worker regularly failed to say hello in the morning. While many specious complaints would ultimately be dismissed by the courts, the state would still incur the time and expense of litigation. In addition, the specter of claims would create a culture of fear where supervisors are unable to manage, and a handful of employees could push their workloads onto their co-workers by filing bullying complaints. This bill also creates an entirely new – and expensive – system for addressing public employee complaints, without any funding to establish it. Under existing state rules, personnel complaints are expected to be made first to a supervisor and then through the agency head. In circumstances where employees are either uncomfortable making a complaint to their immediate supervisor or the complaint is about their immediate supervisor, existing rules also provide other avenues for redress for employees. In such cases, employees are also able to bring their complaints to other supervisors, their agency head, their human resources officers or the Division of Personnel. This bill effectively nullifies those standard lines of mediating workplace disputes. In doing so, the legislation effectively ignores the fact that many instances of alleged “abusive conduct” under this legislation may not involve supervisors but instead involve co-workers. The bill would allow employees with complaints against a co-worker to circumvent the employee’s supervisor, who is often the very person best suited to address the concern. Under the current system, the Division of Personnel, which has limited resources, conducts investigations into sexual harassment, and some other serious cases of workplace misconduct. The Department of Labor has no experience, no expertise and no personnel for mediating such inter-personnel disputes. This legislation does not provide the Department with any funding or staff to take on this major new role. And, even if it did, HB 591 is silent on what the remedies might be, and what authority the department has to enforce a remedy. In proposing to enact this new set of policies, HB 591 ignores current remedies in place provided through existing personnel rules, existing administrative practices and the existing right to a private cause of action for those instances that are the most extreme in nature. I have additionally heard numerous concerns from the business community, including the New Hampshire Business and Industry Association, which opposed the bill and are concerned about the impact of such provisions if extended to private sector employers statewide. In addition to the fact that this legislation will hurt state government’s ability to effectively and efficiently manage its workforce, the possibility of its application to the private sector would be counter-productive to the efforts of our innovative businesses to grow and create good jobs. I believe a respectful workplace is important to ensure productivity and fairness to all of our state employees. In response to the concerns I heard from employees soon after I took office, I tasked the Division of Personnel with developing a new “Respect in the Workplace” training initiative aimed at promoting a respectful and civil work environment for the benefit of all employees. Administered

through the Division of Personnel in conjunction with the Employee Assistance Program, the “Respect in the Workplace” initiative provides training for both employees and supervisors to ensure that we are providing a high-quality work environment. Every state employee should work in a safe and respectful environment and I remain willing to work with our employees to move forward to build on and improve on these efforts. This legislation, however, does not accomplish that goal. It would create an expensive and likely litigious system; would incite conflicts between co-workers; and would make it difficult for supervisors to reasonably and fairly manage employees, making state government less efficient and effective. This legislation is not funded, nor are the necessary positions authorized, to perform such significant new tasks. In addition, there are reasonable – and I believe better – approaches to addressing this issue, which I remain open to working with employees to accomplish. Therefore I have vetoed HB 591.

Respectfully submitted, Margaret Wood Hassan, Governor

The question being, notwithstanding the Governor’s veto, shall **HB 591**, relative to an abusive work environment and the health and safety of public employees, become law?

Rep. Infantine spoke against.

Reps. Andrew White and Danielson spoke in favor.

Pursuant to the New Hampshire Constitution, Part II, Article 44, a roll call, requiring a two-thirds vote of the House for approval, was taken.

YEAS 141 – NAYS 154

YEAS – 141 BELKNAP

Burchell, Richard
Gulick, Ruth

Comtois, Guy
Raymond, Ian

DiMartino, Lisa

Fields, Dennis

CARROLL

Crawford, Karel

Lavender, Tom

Wright, Donald

CHESHIRE

Butynski, William
Ley, Douglas
Weed, Charles

Chase, Cynthia
Parkhurst, Henry
Young, Harry

Eaton, Daniel
Robertson, Timothy

Emerson, Susan
Tatro, Bruce

COOS

Coulombe, Gary

Moynihan, Wayne

Richardson, Herbert

GRAFTON

Almy, Susan
Massimilla, Linda
Sykes, George

Cooney, Mary
Mulholland, Catherine
Townsend, Charles

Friedrich, Carol
Pastor, Beatriz
White, Andrew

Harding, Laurie
Smith, Suzanne

HILLSBOROUGH

Backus, Robert
Brown, Pamela
Danielson, David
Goley, Jeffrey
Hammond, Jill
Jack, Martin
Manley, Jonathan
Porter, Marjorie
Shattuck, Gilman
Vail, Suzanne

Barry, Richard
Chandley, Shannon
DiSilvestro, Linda
Gorman, Mary
Hansberry, Daniel
Levesque, Melanie
McCarthy, Michael
Rhodes, Brian
Shaw, Barbara
Walsh, Robert

Boisvert, Ronald
Coffey, James
Gage, Ruth
Grady, Brenda
Heath, Mary
Long, Patrick
McNamara, Richard
Rosenwald, Cindy
Soucy, Timothy
Winters, Joel

Booras, Efsthathia
Cote, David
Gale, Sylvia
Hackel, Paul
Heden, Ruth
Mangipudi, Latha
O'Brien, Michael
Schmidt, Janice
Sullivan, Peter
Woodbury, David

MERRIMACK

Alicea, Caroletta
Frambach, Mary
Hirsch, Geoffrey
Moffett, Howard
Schamberg, Thomas
Walz, Mary Beth

Carey, Lorrie
Frazer, June
Hunt, Jane
Patten, Dick
Schuett, Dianne
Watrous, Rick

Carson, Clyde
French, Barbara
Karrick, David
Ratzki, Mario
Turcotte, Alan
Webb, Leigh

Davis, Frank
Gile, Mary
Kelly, Sally
Rice, Chip
Wallner, Mary Jane

ROCKINGHAM

Andrews-Ahearn, E. Elaine
Cushing, Robert
Helmstetter, Barbara
Muns, Chris
St.James, Kevin

Cahill, Michael
Devine, James
Khan, Aboul
Oligny, Jeffrey
Till, Mary

Cali-Pitts, Jacqueline
Flockhart, Eileen
Mann, Maureen
Peckham, Michele
Tucker, Pamela

Copeland, Timothy
Hagan, Joseph
Moody, Marcia
Perkins, Lawrence

STRAFFORD

Baber, William
Gray, James
Malloy, Dennis
Perry, Robert
Spainhower, Dale
Ward, Kenneth

Berube, Roger
Grossman, Kenneth
Merrill, Amanda
Rogers, Rose Marie
Spang, Judith

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

Grassie, Anne
Hubbard, Pamela
Mullen, John
Smith, Marjorie
Wall, Janet

SULLIVAN

Cloutier, John
Tanner, Linda

Gagnon, Raymond

Lefebvre, Benjamin

Schmidt, Andrew

NAYS – 154**BELKNAP**

Flanders, Donald
Sylvia, Michael

Greemore, Robert
Tilton, Franklin

Huot, David
Vadney, Herbert

Luther, Robert
Worsman, Colette

CARROLL

Buco, Thomas
Schmidt, Stephen

Chandler, Gene
Ticehurst, Susan

Cordelli, Glenn
Umberger, Karen

Nelson, Bill

CHESHIRE

Ames, Richard
Mann, John

Berch, Paul
Sad, Tara

Hunt, John

Lerandeau, Alfred

COOS

Hammon, Marcia
Thomas, Yvonne

Rappaport, Laurence

Rideout, Leon

Theberge, Robert

GRAFTON

Bailey, Brad
Ladd, Rick

Benn, Bernard
Nordgren, Sharon

Ford, Susan
Reilly, Harold

Gionet, Edmond
Shackett, Jeffrey

HILLSBOROUGH

Belanger, James
Campbell, David
Flanagan, Jack
Haefner, Robert
Infantine, William
Martel, Andre
O'Flaherty, Tim
Parison, James
Renzullo, Andrew
Spratt, Stephen
Willette, Robert

Boehm, Ralph
Carroll, Douglas
Gagne, Larry
Harriott-Gathright, Linda
Jasper, Shawn
Murotake, David
Ober, Lynne
Pellegrino, Tony
Rowe, Robert
Straight, Philip
Williams, Kermit

Burt, John
Connor, Evelyn
Gargas, Carolyn
Hinch, Richard
Kurk, Neal
Notter, Jeanine
Ober, Russell
Peterson, Lenette
Sanborn, Laurie
Vaillancourt, Steve

Byron, Frank
Eaton, Richard
Graham, John
Hopper, Gary
LeBrun, Donald
O'Brien, William
Palmer, Stephen
Pratt, Calvin
Sandblade, Emily
Villeneuve, Moe

MERRIMACK

Bouchard, Candace
Kidder, David
McGuire, Dan

Ebel, Karen
Kotowski, Frank
Richardson, Gary

Henle, Paul
Lockwood, Priscilla
Shurtleff, Stephen

Hoell, J.R.
McGuire, Carol
Walsh, Thomas

ROCKINGHAM

Abrami, Patrick
Bick, Patrick
Burtis, Elizabeth
Duarte, Joe
Garcia, Bianca
Harris, Jeffrey
Hoelzel, Kathleen
Kolodziej, Walter
McKinney, Betsy
Pantelakos, Laura
Schroadter, Adam
Tasker, Kyle
Weyler, Kenneth

Allen, Mary
Birdsell, Regina
Charron, Gene
Emerick, J. Tracy
Garcia, Marilinda
Hayes, Jack
Introne, Robert
Lovejoy, Patricia
McMahon, Charles
Rice, Frederick
Sherman, Thomas
Ward, Gerald
Whittemore, Lisa

Baldasaro, Alfred
Borden, David
Chirichiello, Brian
Ferrante, Beverly
Gordon, Richard
Heffron, Frank
Itse, Daniel
Lundgren, David
Milz, David
Sanders, Elisabeth
Sweeney, Joe
Waterhouse, Kevin

Belanger, Ronald
Briden, Steven
Comerford, Timothy
Fesh, Robert
Griffin, Mary
Hodgdon, Bruce
Kappler, Lawrence
Major, Norman
Packard, Sherman
Schlachman, Donna
Sytek, John
Webb, James

STRAFFORD

Beaudoin, Steven
Hooper, Dorothea
Parsons, Robbie

Bickford, David
Jones, Laura
Pitre, Joseph

Bixby, Peter
Kaen, Naida

Groen, Warren
Ketel, Stephen

SULLIVAN

Gottling, Suzanne
Smith, Steven

Grenier, James
Sweeney, Cynthia

Osgood, Joe

Rollins, Skip

and the veto was sustained.

GOVERNOR'S VETO MESSAGE ON HB 685

By the authority vested in me, pursuant to part II, Article 44 of the New Hampshire Constitution, on July 28, 2014, I vetoed House Bill 685, an act related to state agency communications, because it could place the state in significant financial and legal jeopardy while violating the constitutional separation of powers. I have great respect and appreciation for the legislative audit process, the auditors at the Office of the Legislative Budget Assistant, and the value that thorough audits provide to taxpayers, executive department agencies, and policy makers. That is why I issued Executive Order 2014-3, directing state agencies to develop formal and public plans to address audit recommendations, and to update the public on their progress twice a year. But the changes in House Bill 685 pose serious risks that could drive up the costs of state government by undermining the state's ability to attract competitive bids for goods and services and the state's position in pending or threatened litigation; undermine the constitutional separation of powers by making it nearly impossible for agency heads to receive thoughtful, privileged legal advice; and permit future legislatures, if they choose, to politicize the audit process. Today, state agencies and the Legislative Audit Division have a constructive working relationship. But, from time-to-time, the Audit Division asks for access to documents that executive branch agencies consider confidential or privileged under the state's existing right-to-know laws. Under current law, those confidentiality disputes are adjudicated by the Attorney General's office. This legislation would shift settlement of those disputes to the legislative Fiscal Committee. The legislative Fiscal Committee is required to meet in public, and thus the mere act of the Fiscal Committee "deciding" whether documents should be made available to the Audit Division would likely result in the documents being made public. For example, bidders often provide confidential and proprietary information about their systems, their methods and even their technology when responding to state bid requests. They do so with the understanding, based on existing New Hampshire laws, that this information will not be made available to their competitors. Under this legislation, those documents could be made public through the Fiscal Committee and Audit process. That would seriously undermine the state's ability to attract competitive bids for goods and services. Agencies often have to wrestle with difficult decisions, including on how to best implement laws that are likely to face legal challenges. Agencies seek out privileged legal advice so all options available can be fully vetted and assessed. This legislation violates the fundamental separation of powers between the executive and legislative branches by making it impossible for executive branch officials to receive confidential and privileged legal guidance. It also places the state in serious legal, and thus financial, jeopardy. Despite the legislative attempt to do otherwise in this bill, it is well-settled law that attorney-client communications once shared with a third party lose their privileged status. That means legal opinions shared with the Fiscal Committee will become available to opposing counsel in pending or threatened litigation. This will have a chilling effect on the ability of state agencies to have a full and open dialogue with their legal counsel and in turn undermine the quality of the advice received. The right of agencies to engage in privileged communications with their legal counsel is the best way to protect taxpayers from legal risks and to ensure that agencies implement legislative intent. The release of such documents could result in costly legal battles and decisions. Finally, this legislation risks politicizing what has long been respected as a nonpartisan process. The Audit Division has broad powers to audit not just state agencies, but contractors. Those audits are frequently selected by legislative committees. Losing bidders frequently try to gain access to the confidential business information of their competitors; information that is not available under the state's right-to-know law. Under this law, influential businesses, or legislators, could push for legislative audits of certain contractors, gaining access to information that has been denied by the courts and the legislature. Our constitution establishes a mechanism for settling disputes between the legislative and executive branches – judicial resolution. I would be open to legislation that would allow a judicial magistrate to examine documents to ensure that they are being provided where appropriate pursuant to state law. This legislation risks politicizing the audit process, violates the separation of powers, and presents significant legal and financial risks to the state. Therefore I have vetoed House Bill 685.

Respectfully submitted, Margaret Wood Hassan, Governor

The question being, notwithstanding the Governor's veto, shall **HB 685**, relative to state agency communications, become law?

Rep. Berch spoke against.

Reps. Marjorie Smith and Lynne Ober spoke in favor.

Pursuant to the New Hampshire Constitution, Part II, Article 44, a roll call, requiring a two-thirds vote of the House for approval, was taken.

YEAS 190 – NAYS 113**YEAS – 190
BELKNAP**

Burchell, Richard
Greemore, Robert
Tilton, Franklin

Comtois, Guy
Gulick, Ruth
Vadney, Herbert

Fields, Dennis
Luther, Robert
Worsman, Colette

Flanders, Donald
Sylvia, Michael

CARROLL

Chandler, Gene
Nelson, Bill

Cordelli, Glenn
Schmidt, Stephen

Crawford, Karel
Umberger, Karen

McConkey, Mark
Wright, Donald

CHESHIRE

Eaton, Daniel
Weed, Charles

Emerson, Susan

Hunt, John

Parkhurst, Henry

COOS

Hammon, Marcia
Richardson, Herbert

Hatch, William
Rideout, Leon

Moynihan, Wayne

Rappaport, Laurence

GRAFTON

Almy, Susan
Ford, Susan
Nordgren, Sharon
Townsend, Charles

Bailey, Brad
Gionet, Edmond
Pastor, Beatriz
White, Andrew

Benn, Bernard
Harding, Laurie
Reilly, Harold

Cooney, Mary
Ladd, Rick
Sykes, George

HILLSBOROUGH

Backus, Robert
Boisvert, Ronald
Coffey, James
Gagne, Larry
Hackel, Paul
Hopper, Gary
Lambert, George
McCarthy, Michael
O'Brien, William
Palmer, Stephen
Pratt, Calvin
Sandblade, Emily
Sullivan, Peter
Walsh, Robert

Barry, Richard
Booras, Efstathia
Danielson, David
Gale, Sylvia
Haefner, Robert
Infantine, William
LeBrun, Donald
McNamara, Richard
O'Flaherty, Tim
Parison, James
Renzullo, Andrew
Schmidt, Janice
Ulery, Jordan
Willette, Robert

Belanger, James
Burt, John
Flanagan, Jack
Gargas, Carolyn
Heden, Ruth
Jasper, Shawn
Long, Patrick
Murotake, David
Ober, Lynne
Pellegrino, Tony
Rhodes, Brian
Shaw, Barbara
Vaillancourt, Steve
Winters, Joel

Boehm, Ralph
Byron, Frank
Gage, Ruth
Graham, John
Hinch, Richard
Kurk, Neal
Marston, Dick
Notter, Jeanine
Ober, Russell
Peterson, Lenette
Sanborn, Laurie
Straight, Philip
Villeneuve, Moe

MERRIMACK

Carey, Lorrie
Hoell, J.R.
Lockwood, Priscilla
Wallner, Mary Jane

Davis, Frank
Hunt, Jane
McGuire, Carol
Walsh, Thomas

Frambach, Mary
Kidder, David
McGuire, Dan
Walz, Mary Beth

Gile, Mary
Kotowski, Frank
Patten, Dick

ROCKINGHAM

Abrami, Patrick
Belanger, Ronald
Charron, Gene
Devine, James
Fesh, Robert
Gordon, Richard
Hayes, Jack
Hoelzel, Kathleen
Khan, Aboul
McMahon, Charles
Packard, Sherman
Sanders, Elisabeth
Sytek, John
Waterhouse, Kevin

Allen, Mary
Bick, Patrick
Chirichiello, Brian
Duarte, Joe
Flockhart, Eileen
Griffin, Mary
Heffron, Frank
Introne, Robert
Kolodziej, Walter
Milz, David
Peckham, Michele
Schroadter, Adam
Tasker, Kyle
Webb, James

Andrews-Ahearn, E. Elaine
Birdsell, Regina
Comerford, Timothy
Emerick, J. Tracy
Garcia, Bianca
Hagan, Joseph
Helmstetter, Barbara
Itse, Daniel
Lundgren, David
Moody, Marcia
Perkins, Lawrence
St.James, Kevin
Till, Mary
Weyler, Kenneth

Baldasaro, Alfred
Cahill, Michael
Copeland, Timothy
Ferrante, Beverly
Garcia, Marilinda
Harris, Jeffrey
Hodgdon, Bruce
Kappler, Lawrence
Major, Norman
Oligny, Jeffrey
Rice, Frederick
Sweeney, Joe
Tucker, Pamela

STRAFFORD

Beaudoin, Steven
Gray, James
Ketel, Stephen
Schmidt, Peter

Bickford, David
Groen, Warren
Mullen, John
Smith, Marjorie

Burke, Rachel
Hubbard, Pamela
Parsons, Robbie
Spang, Judith

Grassie, Anne
Jones, Laura
Pitre, Joseph
Stevens, Audrey

SULLIVANGrenier, James
Tanner, Linda

Osgood, Joe

Rollins, Skip

Smith, Steven

NAYS - 113**BELKNAP**

DiMartino, Lisa

Huot, David

Raymond, Ian

CARROLL

Bucio, Thomas

Lavender, Tom

Ticehurst, Susan

CHESHIREAmes, Richard
Lerandeau, Alfred
Sad, TaraBerch, Paul
Ley, Douglas
Tatro, BruceButynski, William
Mann, John
Young, HarryChase, Cynthia
Robertson, Timothy**COOS**

Coulombe, Gary

Theberge, Robert

Thomas, Yvonne

GRAFTONFriedrich, Carol
Smith, Suzanne

Massimilla, Linda

Mulholland, Catherine

Shackett, Jeffrey

HILLSBOROUGHBrown, Pamela
Christiansen, Lars
Eaton, Richard
Hammond, Jill
Jack, Martin
Martel, Andre
Rokas, Ted
Soucy, Timothy
Woodbury, DavidCampbell, David
Connor, Evelyn
Goley, Jeffrey
Hansberry, Daniel
Levesque, Melanie
O'Brien, Michael
Rosenwald, Cindy
Spratt, StephenCarroll, Douglas
Cote, David
Gorman, Mary
Harriott-Gathright, Linda
Mangipudi, Latha
Porter, Marjorie
Rowe, Robert
Vail, SuzanneChandley, Shannon
DiSilvestro, Linda
Grady, Brenda
Heath, Mary
Manley, Jonathan
Ramsey, Peter
Shattuck, Gilman
Williams, Kermit**MERRIMACK**Alicea, Caroletta
Frazer, June
Karrick, David
Rice, Chip
Shurtleff, StephenBouchard, Candace
French, Barbara
Kelly, Sally
Richardson, Gary
Turcotte, AlanCarson, Clyde
Henle, Paul
Moffett, Howard
Schamberg, Thomas
Watrous, RickEbel, Karen
Hirsch, Geoffrey
Ratzki, Mario
Schuett, Dianne
Webb, Leigh**ROCKINGHAM**Borden, David
Cushing, Robert
Muns, Chris
Ward, GeraldBriden, Steven
Lovejoy, Patricia
Pantelakos, Laura
Whittemore, LisaBurtis, Elizabeth
Mann, Maureen
Schlachman, DonnaCali-Pitts, Jacqueline
McKinney, Betsy
Sherman, Thomas**STRAFFORD**Baber, William
Hooper, Dorothea
Merrill, Amanda
Spainhower, DaleBerube, Roger
Horrigan, Timothy
Miller, David
Wall, JanetBixby, Peter
Kaen, Naida
Perry, Robert
Ward, KennethGrossman, Kenneth
Malloy, Dennis
Rogers, Rose Marie**SULLIVAN**Cloutier, John
Schmidt, AndrewGagnon, Raymond
Sweeney, Cynthia

Gottling, Suzanne

Lefebvre, Benjamin

and the veto was sustained lacking the necessary two-thirds vote.

GOVERNOR'S VETO MESSAGE ON HB 1244

By the authority vested in me, pursuant to part II, Article 44 of the New Hampshire Constitution, on June 13, 2014, I vetoed House Bill 1244, relative to the disclosure of the names of lottery winners. In New Hampshire, we have a long history and tradition of open and transparent financial stewardship of our publicly funded, government-administered operations and funds. Since 1964, the first-in-the-nation New Hampshire Lottery has served our state and local communities well by providing players with a well-regulated and secure recreational gaming experience while providing more than \$1 billion in revenues to public education. The Lottery owes much of its success to a reputation built on public confidence and trust, and that reputation has been well preserved by the Commission's current executive director and his staff. HB 1244 seeks to prohibit the Lottery Commission from publicly disclosing the names of lottery winners

in all instances, asserting a personal right of privacy as the primary justification. While this consideration is a well-intentioned one, transparency in the administration and operation of our New Hampshire Lottery games and sweepstakes, and the Lottery Commission that oversees it, is paramount to ensuring continued trust and confidence in our Lottery and all of our public institutions. Current law recognizes the privacy interest of those individuals who have had the good fortune of winning the New Hampshire Lottery by not requiring the Commission to disclose the names of winners proactively. However, if the names of lottery winners are entirely precluded from the light of public disclosure then accountability and oversight is ultimately diminished and the opportunity for potential corruption is born. In New Hampshire, we value personal privacy, as well as integrity and trust in our public institutions, and both are critical to our democracy. Balancing these interests is something we strive to do on an ongoing basis and something that the current system for disclosure at the Lottery Commission does well. House Bill 1244 would change that balance to the detriment of the public's confidence in the Commission's integrity and transparency, and therefore I have vetoed HB 1244.

Respectfully submitted, Margaret Wood Hassan, Governor

The question being, notwithstanding the Governor's veto, shall **HB 1244**, relative to the disclosure of the names of lottery winners, become law?

Rep. Moffett spoke against and yielded to questions.

Rep. Rowe spoke against.

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

Reps. Theberge and Dan McGuire spoke in favor.

Pursuant to the New Hampshire Constitution, Part II, Article 44, a roll call, requiring a two-thirds vote of the House for approval, was taken.

YEAS 160 – NAYS 142

YEAS – 160

BELKNAP

Burchell, Richard
Greemore, Robert

Comtois, Guy
Gulick, Ruth

Fields, Dennis
Luther, Robert

Flanders, Donald
Worsman, Colette

CARROLL

Chandler, Gene
McConkey, Mark

Cordelli, Glenn
Nelson, Bill

Crawford, Karel
Schmidt, Stephen

Lavender, Tom
Wright, Donald

CHESHIRE

Butynski, William
Mann, John

Eaton, Daniel
Weed, Charles

Emerson, Susan

Hunt, John

COOS

Coulombe, Gary
Rideout, Leon

Hatch, William
Theberge, Robert

Rappaport, Laurence
Thomas, Yvonne

Richardson, Herbert

GRAFTON

Bailey, Brad
Ladd, Rick
Townsend, Charles

Cooney, Mary
Massimilla, Linda
White, Andrew

Friedrich, Carol
Reilly, Harold

Gionet, Edmond
Shackett, Jeffrey

HILLSBOROUGH

Barry, Richard
Burt, John
Coffey, James
Gagne, Larry
Hinch, Richard
Kurk, Neal
McCarthy, Michael
Ober, Russell
Renzullo, Andrew
Schmidt, Janice
Ulery, Jordan
Woodbury, David

Belanger, James
Byron, Frank
Daniels, Gary
Goley, Jeffrey
Infantine, William
Lambert, George
Notter, Jeanine
Parison, James
Rhodes, Brian
Shaw, Barbara
Villeneuve, Moe

Boehm, Ralph
Carroll, Douglas
Danielson, David
Gorman, Mary
Jack, Martin
LeBrun, Donald
O'Brien, William
Pellegrino, Tony
Sanborn, Laurie
Soucy, Timothy
Willette, Robert

Boisvert, Ronald
Christiansen, Lars
Flanagan, Jack
Graham, John
Jasper, Shawn
Marston, Dick
Ober, Lynne
Pratt, Calvin
Sandblade, Emily
Straight, Phillip
Winters, Joel

MERRIMACK

Frambach, Mary
Kidder, David
Turcotte, Alan

Gile, Mary
Kotowski, Frank
Walsh, Thomas

Hirsch, Geoffrey
Lockwood, Priscilla
Watrous, Rick

Hunt, Jane
McGuire, Dan

ROCKINGHAM

Abrami, Patrick
Bick, Patrick
Comerford, Timothy
Emerick, J. Tracy
Garcia, Marilinda
Hayes, Jack
Introne, Robert
Kolodziej, Walter
McMahon, Charles
Peckham, Michele
St.James, Kevin
Waterhouse, Kevin

Allen, Mary
Birdsell, Regina
Copeland, Timothy
Ferrante, Beverly
Gordon, Richard
Helmstetter, Barbara
Itse, Daniel
Lovejoy, Patricia
Milz, David
Perkins, Lawrence
Sweeney, Joe
Webb, James

Andrews-Ahearn, E. Elaine
Charron, Gene
Devine, James
Fesh, Robert
Griffin, Mary
Hodgdon, Bruce
Kappler, Lawrence
Lundgren, David
Moody, Marcia
Rice, Frederick
Till, Mary
Weyler, Kenneth

Baldasaro, Alfred
Chirichiello, Brian
Duarte, Joe
Garcia, Bianca
Hagan, Joseph
Hoelzel, Kathleen
Khan, Aboul
Mann, Maureen
Packard, Sherman
Sanders, Elisabeth
Tucker, Pamela
Whittemore, Lisa

STRAFFORD

Bickford, David
Groen, Warren
Rogers, Rose Marie

Burke, Rachel
Grossman, Kenneth
Smith, Marjorie

Grassie, Anne
Mullen, John
Spainhower, Dale

Gray, James
Parsons, Robbie
Spang, Judith

SULLIVAN

Cloutier, John
Smith, Steven

Grenier, James

Osgood, Joe

Rollins, Skip

NAYS - 142**BELKNAP**

DiMartino, Lisa
Tilton, Franklin

Huot, David
Vadney, Herbert

Raymond, Ian

Sylvia, Michael

CARROLL

Buco, Thomas

Ticehurst, Susan

Umberger, Karen

CHESHIRE

Ames, Richard
Ley, Douglas
Tatro, Bruce

Berch, Paul
Parkhurst, Henry
Young, Harry

Chase, Cynthia
Robertson, Timothy

Lerandeau, Alfred
Sad, Tara

COOS

Hammon, Marcia

Moynihan, Wayne

GRAFTON

Almy, Susan
Mulholland, Catherine
Sykes, George

Benn, Bernard
Nordgren, Sharon

Ford, Susan
Pastor, Beatriz

Harding, Laurie
Smith, Suzanne

HILLSBOROUGH

Backus, Robert
Chandley, Shannon
Eaton, Richard
Grady, Brenda
Hansberry, Daniel
Hopper, Gary
Manley, Jonathan
O'Flaherty, Tim
Ramsey, Peter
Shattuck, Gilman
Vaillancourt, Steve

Booras, Efstathia
Connor, Evelyn
Gage, Ruth
Hackel, Paul
Harriott-Gathright, Linda
Levesque, Melanie
McNamara, Richard
Palmer, Stephen
Rokas, Ted
Spratt, Stephen
Walsh, Robert

Brown, Pamela
Cote, David
Gale, Sylvia
Haefner, Robert
Heath, Mary
Long, Patrick
Murotake, David
Peterson, Lenette
Rosenwald, Cindy
Sullivan, Peter
Williams, Kermit

Campbell, David
DiSilvestro, Linda
Gargas, Carolyn
Hammond, Jill
Heden, Ruth
Mangipudi, Latha
O'Brien, Michael
Porter, Marjorie
Rowe, Robert
Vail, Suzanne

MERRIMACK

Alicea, Caroletta
Davis, Frank
Henle, Paul
McGuire, Carol
Rice, Chip
Shurtleff, Stephen

Bouchard, Candace
Ebel, Karen
Hoell, J.R.
Moffett, Howard
Richardson, Gary
Wallner, Mary Jane

Carey, Lorrie
Frazer, June
Karrick, David
Patten, Dick
Schamberg, Thomas
Walz, Mary Beth

Carson, Clyde
French, Barbara
Kelly, Sally
Ratzki, Mario
Schuett, Dianne
Webb, Leigh

ROCKINGHAM

Belanger, Ronald
Cahill, Michael
Harris, Jeffrey
Muns, Chris
Schroadter, Adam

Borden, David
Cali-Pitts, Jacqueline
Heffron, Frank
Oligny, Jeffrey
Sherman, Thomas

Briden, Steven
Cushing, Robert
Major, Norman
Pantelakos, Laura
Sytek, John

Burtis, Elizabeth
Flockhart, Eileen
McKinney, Betsy
Schlachman, Donna
Ward, Gerald

STRAFFORD

Baber, William
Hooper, Dorothea
Kaen, Naida
Miller, David
Stevens, Audrey

Beaudoin, Steven
Horrigan, Timothy
Ketel, Stephen
Perry, Robert
Wall, Janet

Berube, Roger
Hubbard, Pamela
Malloy, Dennis
Pitre, Joseph
Ward, Kenneth

Bixby, Peter
Jones, Laura
Merrill, Amanda
Schmidt, Peter

SULLIVAN

Gagnon, Raymond
Sweeney, Cynthia

Gottling, Suzanne
Tanner, Linda

Lefebvre, Benjamin

Schmidt, Andrew

and the veto was sustained lacking the necessary two-thirds vote.

SENATE MESSAGE

The Senate has voted to sustain the Governor's veto on the following bill:

SB 391, relative to the juvenile justice advisory board; the policies and procedures of the youth development center; and a reduction in appropriation to the Sununu Youth Services Center.

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.

Adopted.

UNANIMOUS CONSENT

Rep. Cloutier requested Unanimous Consent of the House regarding a thank you for support when his mother passed.

Rep. Itse requested Unanimous Consent of the House regarding Constitution Day.

MOTION TO ADJOURN

Rep. Shurtleff moved that the 2014 Session of the New Hampshire House of Representatives adjourn.
Adopted.

The House adjourned at 11:50 a.m.

The 2nd year Session of the 163rd General Court of the New Hampshire House of Representatives stands adjourned.