



State of
New Hampshire

HOUSE RECORD

Second Year of the 164th General Court Calendar and Journal of the 2016 Session

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Vol. 38

Concord, N.H.

Thursday, February 11, 2016

No. 17

HOUSE JOURNAL No. 6 (Cont.)

Wednesday, February 10, 2016

Rep. Hinch moved that the House adjourn.
Motion adopted.

HOUSE JOURNAL NO. 7

Thursday, February 11, 2016

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

Prayer was offered by House Chaplain, Reverend Kate Atkinson, Rector of St. Paul's Church in Concord. O Lord our Governor, bless the leaders of our land, that we may be a people at peace among ourselves and a blessing to other nations of the earth. To the President and members of the Cabinet, to Governors of States, Mayors of Cities, and to all in administrative authority, grant wisdom and grace in the exercise of their duties. To Senators and Representatives, and those who make our laws in States, Cities, and Towns, give courage, wisdom, and foresight to provide for the needs of all our people, and to fulfill our obligations in the community of nations. To the Judges and Officers of our Courts, give understanding and integrity, that human rights may be safeguarded and justice served. And finally, teach our people to rely on Your strength and to accept their responsibilities to their fellow citizens, that they may elect trustworthy leaders and make wise decisions for the well-being of our society; that we may serve You faithfully in our generation and honor Your Holy name. Amen.

Rep. Ladd, member from Haverhill, led the Pledge of Allegiance.

The member from Windham, Representative Mary Griffin, led the singing of the National Anthem.

LEAVES OF ABSENCE

Reps. Alicea, Ronald Belanger, Chris Brown, Comtois, Crawford, Dean-Bailey, Duarte, Emerson, Forest, Froburg, Gardner, Gargasz, Gladys Johnsen, Kellogg, Knowles, Marston, Murotake, Priestley, Sanders, Simmons, Twombly, Vose, Robert Walsh and Wheeler, the day, illness.

Reps. Barry, Bouldin, Duane Brown, Rebecca Brown, Bush, DiFranco, Donovan, Fisher, Friel, Goulette, Barbara Griffin, Halstead, Hess, Hurt, Kolodziej, Lovejoy, Luneau, O'Hearne, O'Neil, Olinny, Piper, Russell, Sanborn, Schroadter, Scentsas, Timothy Smith, Spillane, Tamburello and Varney, the day, important business.

INTRODUCTION OF GUESTS

Joel Weinrebe, guest of Rep. LeBreche. Mark and Daniel Tran, guests of Rep. Bates.

MOTION TO SPECIAL ORDER

Rep. Bates moved that **HB 1130**, requiring school districts to permit placement of a memorial honoring those who have died during military service, be made a Special Order as the first order of business.

Motion adopted.

SPECIAL ORDER

HB 1130, requiring school districts to permit placement of a memorial honoring those who have died during military service. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Alfred Baldasaro for the Majority of State-Federal Relations and Veterans Affairs. This bill as amended gives the school district the authority to permit a placement of a memorial honoring an alumnus who was

killed while in the military serving our country. There is no cost to the state or any municipality for the design, manufacturing, installation or maintenance of the memorial. The decision to place the memorial must be agreeable to the school board of the school that the military person has attended. Vote 7-4.

Rep. Robert Theberge for the Minority of State-Federal Relations and Veterans Affairs. This bill requires school districts to permit placement of a memorial honoring those who died during military service. The amendment still mandates school districts to permit the placement of memorials. The legislature has a long-stated belief in using local control at the local level and not mandating actions. To date, there has never been any school district within the state which has denied the placement of memorials honoring veterans. School districts have always worked with veteran organizations and non-profits for the placement of such memorial.

Majority Amendment (0406h)

Amend RSA 189:18-a as inserted by section 1 by replacing it with the following:

189:18-a Memorials on School Property. Each school district shall permit the placement of a memorial plaque in a suitable location, or other memorial as agreeable to the school board, at a district high school in honor of an alumnus of a junior high school or high school in the district who died during military service, provided that the cost for design, manufacture, installation, or maintenance of the memorial shall not be a charge to the state or any municipality.

Rep. Theberge spoke against.

Rep. Baldasaro spoke in favor and yielded to questions.

MOTION TO LAY ON THE TABLE

Rep. Heffron moved that **HB 1130**, requiring school districts to permit placement of a memorial honoring those who have died during military service, be laid on the table.

Rep. Baldasaro requested a roll call; sufficiently seconded.

YEAS 92 - NAYS 211

YEAS - 92

BELKNAP

Sylvia, Michael

CARROLL

Butler, Edward

McConkey, Mark

Ticehurst, Susan

CHESHIRE

Abbott, Michael
Chase, Cynthia
Phillips, Larry
Weber, Lucy

Ames, Richard
Ley, Douglas
Robertson, Timothy

Berch, Paul
Mann, John
Sad, Tara

Bordenet, John
Parkhurst, Henry
Shepardson, Marjorie

COOS

Moynihan, Wayne

Theberge, Robert

GRAFTON

Almy, Susan
Higgins, Patricia

Cooney, Mary
Maes, Kevin

Ford, Susan
Nordgren, Sharon

Hennessey, Martha
Sykes, George

HILLSBOROUGH

Ammon, Keith
Cohen, Alan
Hansen, Peter
Ober, Russell
Rosenwald, Cindy
Williams, Kermit

Backus, Robert
Goley, Jeffrey
Long, Patrick
Palmer, Barry
Shattuck, Gilman

Booras, Efsthia
Gorman, Mary
O'Brien, Michael
Porter, Marjorie
Smith, Gregory

Brown, Pamela
Hansberry, Daniel
Ober, Lynne
Roberts, Carol
Takesian, Charlene

MERRIMACK

Bartlett, Christy
Frazer, June
Kidder, David
Saunderson, George

Carson, Clyde
French, Barbara
McGuire, Carol
Schuett, Dianne

Deloge, Helen
Gile, Mary
Moffett, Howard
Shurtleff, Stephen

Doherty, David
Hirsch, Geoffrey
Ratzki, Mario

ROCKINGHAM

Allen, Mary
Cali-Pitts, Jacqueline
Kappler, Lawrence
Tucker, Pamela

Barnes, Arthur
Cushing, Robert
McBeath, Rebecca
Ward, Gerald

Berrien, Skip
Gordon, Pamela
Rice, Frederick

Borden, David
Heffron, Frank
Sherman, Thomas

STRAFFORD

Baber, William
Jones, Laura
Verschueren, James

Bickford, David
Kaen, Naida
Wall, Janet

Bixby, Peter
Southworth, Thomas
Ward, Kenneth

Horrigan, Timothy
Spang, Judith
Wuelper, Kurt

SULLIVAN

Cloutier, John

Gagnon, Raymond

Schmidt, Andrew

NAYS - 211**BELKNAP**

Aldrich, Glen
Fraser, Valerie
Spanos, Peter

Dumais, Russell
Gallagher, Brian
Tilton, Franklin

Fields, Dennis
LeBreche, Shari
Vadney, Herbert

Flanders, Donald
Luther, Robert

CARROLL

Avellani, Lino
Cordelli, Glenn
Schmidt, Stephen

Buco, Thomas
McCarthy, Frank
Umberger, Karen

Chandler, Gene
Nelson, Bill
Wright, Ted

Comeau, Ed
Parker, Harold

CHESHIRE

Eaton, Daniel
Roberts, Kris

Hunt, John
Sterling, Franklin

McConnell, James
Tatro, Bruce

Pearson, William

COOS

Fothergill, John
Tholl, John

Rappaport, Laurence

Richardson, Herbert

Rideout, Leon

GRAFTON

Abel, Richard
Hull, Robert
Massimilla, Linda
White, Andrew

Darrow, Stephen
Ingbretson, Paul
Shackett, Jeffrey

Gionet, Edmond
Johnson, Eric
Smith, Suzanne

Hennessey, Erin
Ladd, Rick
Townsend, Charles

HILLSBOROUGH

Adams, Christopher
Biggie, Barbara
Christensen, Chris
Cote, David
Estevez, Eric
Fromuth, Bart
Harvey, Suzanne
Hopper, Gary
LeBrun, Donald
McCarthy, Peggy
Notter, Jeanine
Pierce, David
Rowe, Robert
Snow, Kendall
Sullivan, Victoria

Balcom, John
Boehm, Ralph
Christie, Rick
Danielson, David
Ferreira, Elizabeth
Gagne, Larry
Heath, Mary
Jack, Martin
Mangipudi, Latha
McLean, Mark
Ohm, Bill
Proulx, Mark
Sanborn, Laurie
Soucy, Timothy
Ulery, Jordan

Beaulieu, Jane
Burt, John
Coffey, James
DiSilvestro, Linda
Flanagan, Jack
Gould, Linda
Hinch, Richard
Kurk, Neal
Manley, Jonathan
McNamara, Richard
Parison, James
Rice, Kimberly
Seidel, Carl
Straight, Phillip
Wolf, Terry

Belanger, James
Byron, Frank
Cornell, Patricia
Edelblut, Frank
Freitas, Mary
Haefner, Robert
Hogan, Edith
Lachance, Joseph
Martel, Andre
Moore, Josh
Pellegrino, Anthony
Rouillard, Claire
Shaw, Barbara
Sullivan, Daniel
Woodbury, David

MERRIMACK

Bradley, Paula
Hill, Gregory
Kenison, Linda
MacKay, James
Myler, Mel
Seaworth, Brian

Brewster, Michael
Hoell, J.R.
Kotowski, Frank
Marple, Richard
Patten, Dick
Turcotte, Alan

Ebel, Karen
Horn, Werner
Kuch, Bill
Martin, John
Rice, Chip
Walsh, Thomas

French, Harold
Karrick, David
Long, Douglas
McGuire, Dan
Rogers, Katherine

ROCKINGHAM

Abrami, Patrick
Bates, David
Chirichiello, Brian
Devine, James
Ferrante, Beverly
Gordon, Richard
Hagan, Joseph
Introne, Robert
Matthews, Carolyn
O'Connor, John
Peckham, Michele

Abramson, Max
Cahill, Michael
Christie, Andrew
Doucette, Fred
Fesh, Robert
Green, Dennis
Harris, Jeffrey
Katsakiores, Phyllis
McKinney, Betsy
Osborne, Jason
Potucek, John

Azarian, Gary
Cardon, G. Thomas
Cook, Allen
Elliott, Robert
Francese, Paula
Griffin, Mary
Hodgdon, Bruce
Major, Norman
Milz, David
Packard, Sherman
Prudhomme-O'Brien, Katherine

Baldasaro, Alfred
Chase, Francis
DeSimone, Debra
Emerick, J. Tracy
Gannon, William
Guthrie, Joseph
Hoelzel, Kathleen
Manning, John
Nigrello, Robert
Pantelakos, Laura
Simpson, Alexis

Tasker, Kyle
Ward, Joanne
Woitkun, Steven

Thomas, Douglas
Webb, James

Tilton, Rio
Welch, David

True, Chris
Weyler, Kenneth

STRAFFORD

Beaudoin, Steven
DeLemus, Susan
Groen, Warren
Mullen, John
Smith, Marjorie
Turcotte, Leonard

Burton, Wayne
DiSesa, Len
Hannon, Joseph
Pitre, Joseph
Sprague, Dale

Cheney, Catherine
Graham, Robert
Kaczynski, Jr., Thomas
Rollo, Deanna
Stevens, Audrey

Cilley, Jacalyn
Gray, James
Leeman, Don
Schmidt, Peter
Treleaven, Susan

SULLIVAN

Converse, Larry
Oxenham, Lee
and the motion failed.

Gottling, Suzanne
Rollins, Skip

Grenier, James
Smith, Steven

Laware, Thomas

The question now being adoption of majority committee amendment (0406h).
Rep. Robertson spoke against and yielded to questions.
Rep. Bates spoke in favor and requested a roll call; sufficiently seconded.

YEAS 181 - NAYS 127

YEAS - 181

BELKNAP

Aldrich, Glen
LeBreche, Shari
Vadney, Herbert

Dumais, Russell
Luther, Robert

Fields, Dennis
Spanos, Peter

Gallagher, Brian
Tilton, Franklin

CARROLL

Avellani, Lino
Cordelli, Glenn
Schmidt, Stephen

Buco, Thomas
McCarthy, Frank
Umberger, Karen

Chandler, Gene
McConkey, Mark
Wright, Ted

Comeau, Ed
Parker, Harold

CHESHIRE

Bordenet, John
Roberts, Kris
Weber, Lucy

Hunt, John
Shepardson, Marjorie

McConnell, James
Sterling, Franklin

Pearson, William
Tatro, Bruce

COOS

Fothergill, John
Tholl, John

Rappaport, Laurence

Richardson, Herbert

Rideout, Leon

GRAFTON

Abel, Richard
Hennessey, Erin
Johnson, Eric
White, Andrew

Almy, Susan
Higgins, Patricia
Ladd, Rick

Darrow, Stephen
Hull, Robert
Massimilla, Linda

Gionet, Edmond
Ingbreton, Paul
Shackett, Jeffrey

HILLSBOROUGH

Adams, Christopher
Byron, Frank
Coffey, James
Estevez, Eric
Gould, Linda
Hogan, Edith
Mangipudi, Latha
McNamara, Richard
Parison, James
Roberts, Carol
Seidel, Carl
Straight, Phillip
Wolf, Terry

Balcom, John
Christensen, Chris
Cohen, Alan
Flanagan, Jack
Haefner, Robert
Hopper, Gary
Martel, Andre
Moore, Josh
Pellegrino, Anthony
Rouillard, Claire
Shaw, Barbara
Sullivan, Victoria

Biggie, Barbara
Christiansen, Lars
Cote, David
Fromuth, Bart
Hansen, Peter
Lachance, Joseph
McCarthy, Peggy
Notter, Jeanine
Proulx, Mark
Rowe, Robert
Smith, Gregory
Ulery, Jordan

Boehm, Ralph
Christie, Rick
Danielson, David
Gagne, Larry
Hinch, Richard
LeBrun, Donald
McLean, Mark
Ohm, Bill
Rice, Kimberly
Sanborn, Laurie
Snow, Kendall
Williams, Kermit

MERRIMACK

Bartlett, Christy
French, Harold
Horn, Werner
McGuire, Dan
Walsh, Thomas

Brewster, Michael
Hill, Gregory
Kotowski, Frank
Rogers, Katherine

Carson, Clyde
Hirsch, Geoffrey
Kuch, Bill
Schuett, Dianne

Doherty, David
Hoell, J.R.
Martin, John
Seaworth, Brian

ROCK INGHAM

Abrami, Patrick
 Baldasaro, Alfred
 Chirichiello, Brian
 Devine, James
 Ferrante, Beverly
 Griffin, Mary
 Hoelzel, Kathleen
 Manning, John
 Nigrello, Robert
 Peckham, Michele
 Thomas, Douglas
 Webb, James

Abramson, Max
 Bates, David
 Christie, Andrew
 Doucette, Fred
 Gannon, William
 Guthrie, Joseph
 Itse, Daniel
 Matthews, Carolyn
 O'Connor, John
 Potucek, John
 Tilton, Rio
 Welch, David

Allen, Mary
 Cahill, Michael
 Cook, Allen
 Elliott, Robert
 Gordon, Richard
 Hagan, Joseph
 Katsakiores, Phyllis
 McKinney, Betsy
 Osborne, Jason
 Prudhomme-O'Brien, Katherine
 Tucker, Pamela
 Weyler, Kenneth

Azarian, Gary
 Chase, Francis
 DeSimone, Debra
 Emerick, J. Tracy
 Green, Dennis
 Hodgdon, Bruce
 Major, Norman
 Milz, David
 Packard, Sherman
 Tasker, Kyle
 Ward, Joanne
 Woitkun, Steven

STRAFFORD

Beaudoin, Steven
 DeLemus, Susan
 Kaczynski, Jr., Thomas
 Stevens, Audrey

Bixby, Peter
 DiSesa, Len
 Leeman, Don
 Turcotte, Leonard

Burton, Wayne
 Graham, Robert
 Pitre, Joseph
 Wuelper, Kurt

Cheney, Catherine
 Groen, Warren
 Rollo, Deanna

SULLIVAN

Gagnon, Raymond
 Smith, Steven

Grenier, James

Laware, Thomas

Rollins, Skip

NAYS - 127**BELKNAP**

Flanders, Donald

Fraser, Valerie

Sylvia, Michael

CARROLL

Butler, Edward

Nelson, Bill

Ticehurst, Susan

CHESHIRE

Abbott, Michael
 Eaton, Daniel
 Phillips, Larry

Ames, Richard
 Ley, Douglas
 Robertson, Timothy

Berch, Paul
 Mann, John
 Sad, Tara

Chase, Cynthia
 Parkhurst, Henry
 Tilton, Benjamin

COOS

Moynihan, Wayne

Theberge, Robert

Thomas, Yvonne

GRAFTON

Cooney, Mary
 Nordgren, Sharon

Ford, Susan
 Smith, Suzanne

Hennessey, Martha
 Sykes, George

Maes, Kevin
 Townsend, Charles

HILLSBOROUGH

Ammon, Keith
 Booras, Efsthia
 DiSilvestro, Linda
 Goley, Jeffrey
 Heath, Mary
 Long, Patrick
 Ober, Russell
 Rosenwald, Cindy
 Takesian, Charlene

Backus, Robert
 Brown, Pamela
 Edelblut, Frank
 Gorman, Mary
 Jack, Martin
 Manley, Jonathan
 Palmer, Barry
 Shattuck, Gilman
 Woodbury, David

Beaulieu, Jane
 Burt, John
 Ferreira, Elizabeth
 Hansberry, Daniel
 Kurk, Neal
 O'Brien, Michael
 Pierce, David
 Soucy, Timothy

Belanger, James
 Cornell, Patricia
 Freitas, Mary
 Harvey, Suzanne
 Leishman, Peter
 Ober, Lynne
 Porter, Marjorie
 Sullivan, Daniel

MERRIMACK

Bradley, Paula
 French, Barbara
 Kidder, David
 McGuire, Carol
 Ratzki, Mario
 Turcotte, Alan

Deloge, Helen
 Gile, Mary
 Long, Douglas
 Moffett, Howard
 Rice, Chip

Ebel, Karen
 Karrick, David
 Mackay, James
 Myler, Mel
 Saunderson, George

Frazer, June
 Kenison, Linda
 Marple, Richard
 Patten, Dick
 Shurtleff, Stephen

ROCK INGHAM

Barnes, Arthur
 Cardon, G. Thomas
 Gordon, Pamela
 Kappler, Lawrence
 Sherman, Thomas

Berrien, Skip
 Cushing, Robert
 Harris, Jeffrey
 McBeath, Rebecca
 Simpson, Alexis

Borden, David
 Fesh, Robert
 Heffron, Frank
 Pantelakos, Laura
 True, Chris

Cali-Pitts, Jacqueline
 Francese, Paula
 Introne, Robert
 Rice, Frederick
 Ward, Gerald

STRAFFORD

Baber, William
 Hannon, Joseph

Bickford, David
 Horrigan, Timothy

Cilley, Jacalyn
 Jones, Laura

Gray, James
 Kaen, Naida

Mullen, John
Spang, Judith
Wall, Janet

Schmidt, Peter
Sprague, Dale
Ward, Kenneth

Smith, Marjorie
Treleven, Susan

Southworth, Thomas
Verschueren, James

SULLIVAN

Cloutier, John
Schmidt, Andrew

Converse, Larry

Gottling, Suzanne

Oxenham, Lee

and the majority committee amendment was adopted.

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

YEAS 192 - NAYS 117

YEAS - 192

BELKNAP

Aldrich, Glen
Gallagher, Brian
Tilton, Franklin

Dumais, Russell
LeBreche, Shari
Vadney, Herbert

Fields, Dennis
Luther, Robert

Flanders, Donald
Spanos, Peter

CARROLL

Avellani, Lino
Cordelli, Glenn
Parker, Harold

Buco, Thomas
McCarthy, Frank
Schmidt, Stephen

Chandler, Gene
McConkey, Mark
Umberger, Karen

Comeau, Ed
Nelson, Bill
Wright, Ted

CHESHIRE

Ames, Richard
McConnell, James
Sterling, Franklin

Chase, Cynthia
Pearson, William
Tilton, Benjamin

Hunt, John
Roberts, Kris

Ley, Douglas
Shepardson, Marjorie

COOS

Fothergill, John
Tholl, John

Rappaport, Laurence

Richardson, Herbert

Rideout, Leon

GRAFTON

Almy, Susan
Ingbretson, Paul
Shackett, Jeffrey

Darrow, Stephen
Johnson, Eric
White, Andrew

Gionet, Edmond
Ladd, Rick

Hennessey, Erin
Massimilla, Linda

HILLSBOROUGH

Adams, Christopher
Brown, Pamela
Christie, Rick
Cote, David
Fromuth, Bart
Hansberry, Daniel
Hopper, Gary
Martel, Andre
Notter, Jeanine
Proulx, Mark
Rowe, Robert
Smith, Gregory
Sullivan, Daniel

Balcom, John
Byron, Frank
Coffey, James
Danielson, David
Gagne, Larry
Hansen, Peter
Hopper, Gary
McLean, Mark
Ohm, Bill
Rice, Kimberly
Sanborn, Laurie
Snow, Kendall
Sullivan, Victoria

Biggie, Barbara
Christensen, Chris
Cohen, Alan
Estevez, Eric
Gould, Linda
Hinch, Richard
LeBrun, Donald
McNamara, Richard
Parison, James
Roberts, Carol
Seidel, Carl
Soucy, Timothy
Ulery, Jordan

Boehm, Ralph
Christiansen, Lars
Cornell, Patricia
Flanagan, Jack
Haefner, Robert
Hogan, Edith
Mangipudi, Latha
Moore, Josh
Pellegrino, Anthony
Rouillard, Claire
Shaw, Barbara
Straight, Phillip
Williams, Kermit

MERRIMACK

Bartlett, Christy
Hill, Gregory
Kotowski, Frank
Patten, Dick

Brewster, Michael
Hirsch, Geoffrey
Long, Douglas
Rogers, Katherine

Carson, Clyde
Hoell, J.R.
Martin, John
Walsh, Thomas

French, Harold
Horn, Werner
McGuire, Dan

ROCKINGHAM

Abrami, Patrick
Baldasaro, Alfred
Cahill, Michael
Christie, Andrew
Doucette, Fred
Fesh, Robert
Green, Dennis
Hodgdon, Bruce
Katsakiores, Phyllis
McKinney, Betsy

Abramson, Max
Bates, David
Cardon, G. Thomas
Cook, Allen
Elliott, Robert
Francese, Paula
Griffin, Mary
Hoelzel, Kathleen
Major, Norman
Milz, David

Allen, Mary
Berrien, Skip
Chase, Francis
DeSimone, Debra
Emerick, J. Tracy
Gannon, William
Guthrie, Joseph
Introne, Robert
Manning, John
Nigrello, Robert

Azarian, Gary
Borden, David
Chirichiello, Brian
Devine, James
Ferrante, Beverly
Gordon, Richard
Hagan, Joseph
Itse, Daniel
Matthews, Carolyn
O'Connor, John

Osborne, Jason
 Prudhomme-O'Brien, Katherine
 Thomas, Douglas
 Webb, James

Packard, Sherman
 Rice, Frederick
 Tilton, Rio
 Welch, David

Peckham, Michele
 Sytek, John
 Tucker, Pamela
 Weyler, Kenneth

Potucek, John
 Tasker, Kyle
 Ward, Joanne
 Woitkun, Steven

STRAFFORD

Beaudoin, Steven
 DiSesa, Len
 Kaczynski, Jr., Thomas
 Sprague, Dale

Burton, Wayne
 Graham, Robert
 Leeman, Don
 Stevens, Audrey

Cheney, Catherine
 Gray, James
 Pitre, Joseph
 Turcotte, Leonard

DeLemus, Susan
 Groen, Warren
 Rollo, Deanna

SULLIVAN

Converse, Larry
 Oxenham, Lee

Gagnon, Raymond
 Rollins, Skip

Grenier, James
 Smith, Steven

Laware, Thomas

NAYS - 117

BELKNAP

Fraser, Valerie

Sylvia, Michael

CARROLL

Butler, Edward

Ticehurst, Susan

CHESHIRE

Abbott, Michael
 Mann, John
 Sad, Tara

Berch, Paul
 Parkhurst, Henry
 Tatro, Bruce

Bordenet, John
 Phillips, Larry
 Weber, Lucy

Eaton, Daniel
 Robertson, Timothy

COOS

Moynihan, Wayne

Theberge, Robert

Thomas, Yvonne

GRAFTON

Abel, Richard
 Higgins, Patricia
 Smith, Suzanne

Cooney, Mary
 Hull, Robert
 Sykes, George

Ford, Susan
 Maes, Kevin
 Townsend, Charles

Hennessey, Martha
 Nordgren, Sharon

HILLSBOROUGH

Ammon, Keith
 Booras, Efsthia
 Ferreira, Elizabeth
 Harvey, Suzanne
 Leishman, Peter
 O'Brien, Michael
 Pierce, David
 Takesian, Charlene

Backus, Robert
 Burt, John
 Freitas, Mary
 Heath, Mary
 Long, Patrick
 Ober, Lynne
 Porter, Marjorie
 Wolf, Terry

Beaulieu, Jane
 DiSilvestro, Linda
 Goley, Jeffrey
 Jack, Martin
 Manley, Jonathan
 Ober, Russell
 Rosenwald, Cindy
 Woodbury, David

Belanger, James
 Edelblut, Frank
 Gorman, Mary
 Kurk, Neal
 McCarthy, Peggy
 Palmer, Barry
 Shattuck, Gilman

MERRIMACK

Bradley, Paula
 Frazer, June
 Kenison, Linda
 Marple, Richard
 Ratzki, Mario
 Seaworth, Brian

Deloge, Helen
 French, Barbara
 Kidder, David
 McGuire, Carol
 Rice, Chip
 Shurtleff, Stephen

Doherty, David
 Gile, Mary
 Kuch, Bill
 Moffett, Howard
 Saunderson, George
 Turcotte, Alan

Ebel, Karen
 Karrick, David
 MacKay, James
 Myler, Mel
 Schuett, Dianne

ROCKINGHAM

Barnes, Arthur
 Harris, Jeffrey
 Pantelakos, Laura
 Ward, Gerald

Cali-Pitts, Jacqueline
 Heffron, Frank
 Sherman, Thomas

Cushing, Robert
 Kappler, Lawrence
 Simpson, Alexis

Gordon, Pamela
 McBeath, Rebecca
 True, Chris

STRAFFORD

Baber, William
 Hannon, Joseph
 Mullen, John
 Spang, Judith
 Ward, Kenneth

Bickford, David
 Horrigan, Timothy
 Schmidt, Peter
 Treleaven, Susan
 Wuelper, Kurt

Bixby, Peter
 Jones, Laura
 Smith, Marjorie
 Verschueren, James

Cilley, Jacalyn
 Kaen, Naida
 Southworth, Thomas
 Wall, Janet

SULLIVAN

Cloutier, John

Gottling, Suzanne

Schmidt, Andrew

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

REGULAR CALENDAR CONT'D FROM FEBRUARY 10, 2016

HB 1641-FN-L, relative to requiring prevailing wages on state-funded public works projects. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Leon Rideout for the Majority of Labor, Industrial and Rehabilitative Services. The majority of the committee felt that despite testimony that this would level the playing field it would do the opposite. The majority felt that the administrative burdens would hinder a small company from bidding on a state funded project which will hinder competition. The NH Department of Administrative Services testified that passing this bill would require them to hire 6 new employees to properly administer the provisions. The approximate cost will be \$2.6 million annually. Other states that have instituted a prevailing wage law have experienced an approximate 10% increase in construction costs which would add even more strain to the NH Department of Transportation's already stretched budget, resulting in fewer projects completed. The majority was also troubled that the often cited study in testimony was a national study not a study of the NH market, therefore the study's assumption could not be accurately applied to NH. Vote 10-6.

Rep. Andrew White for the Minority of Labor, Industrial and Rehabilitative Services. This bill would put more money from taxpayer-funded public construction projects into the hands of our NH workers and businesses. It would do so without increasing project costs, by preventing unscrupulous out-of-state contractors from underbidding NH-based workers and contractors. Without this law, we are shipping New Hampshire's jobs and taxpayer money out-of-state and failing to rebuild and enhance our own New Hampshire economy. Credible research shows that passing a prevailing wage law will not only direct more public dollars to our own NH workers and businesses, but also ensure construction workers on these projects receive healthcare benefits and competitive pay. The result would be the creation of at least 1,700 new jobs, nearly \$300 million in increased economic activity, and over \$7 million in new state and local tax revenues. Understanding that passing this bill would be a win for New Hampshire workers, the state, and all taxpayers, the minority voted against the motion of Inexpedient to Legislate and urge you to do the same.

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

Reps. Cilley and White spoke against and yielded to questions.

Rep. Flanagan spoke in favor and yielded to questions.

Rep. Rogers requested a roll call; sufficiently seconded.

YEAS 181 - NAYS 138**YEAS - 181****BELKNAP**

Aldrich, Glen
Fraser, Valerie
Spanos, Peter

Dumais, Russell
Gallagher, Brian
Sylvia, Michael

Fields, Dennis
LeBreche, Shari
Tilton, Franklin

Flanders, Donald
Luther, Robert
Vadney, Herbert

CARROLL

Avellani, Lino
McCarthy, Frank
Schmidt, Stephen

Chandler, Gene
McConkey, Mark
Umberger, Karen

Comeau, Ed
Nelson, Bill
Wright, Ted

Cordelli, Glenn
Parker, Harold

CHESHIRE

Hunt, John

McConnell, James

Sterling, Franklin

COOS

Fothergill, John
Tholl, John

Rappaport, Laurence

Richardson, Herbert

Rideout, Leon

GRAFTON

Darrow, Stephen
Ingretson, Paul

Gionet, Edmond
Johnson, Eric

Hennessey, Erin
Ladd, Rick

Hull, Robert
Shackett, Jeffrey

HILLSBOROUGH

Adams, Christopher
Biggie, Barbara
Christensen, Chris
Edelblut, Frank
Fromuth, Bart
Hansen, Peter
Infantine, William
Martel, Andre
Murphy, Keith
Ohm, Bill
Peterson, Ken

Ammon, Keith
Boehm, Ralph
Christie, Rick
Estevez, Eric
Gagne, Larry
Hinch, Richard
Kurk, Neal
McCarthy, Peggy
Notter, Jeanine
Palmer, Barry
Pierce, David

Balcom, John
Burt, John
Coffey, James
Ferreira, Elizabeth
Gould, Linda
Hogan, Edith
Lachance, Joseph
McLean, Mark
Ober, Lynne
Parison, James
Proulx, Mark

Belanger, James
Byron, Frank
Danielson, David
Flanagan, Jack
Haefner, Robert
Hopper, Gary
LeBrun, Donald
Moore, Josh
Ober, Russell
Pellegrino, Anthony
Rice, Kimberly

Rouillard, Claire
Smith, Gregory
Ulery, Jordan

Rowe, Robert
Straight, Phillip
Wolf, Terry

Sanborn, Laurie
Sullivan, Victoria

Seidel, Carl
Takesian, Charlene

MERRIMACK

Brewster, Michael
Horn, Werner
Martin, John
Seaworth, Brian

French, Harold
Kuch, Bill
McGuire, Carol
Walsh, Thomas

Hill, Gregory
Long, Douglas
McGuire, Dan

Hoell, J.R.
Marple, Richard
Parent, Jason

ROCK INGHAM

Abrami, Patrick
Barnes, Arthur
Chirichiello, Brian
Devine, James
Ferrante, Beverly
Green, Dennis
Harris, Jeffrey
Itse, Daniel
Manning, John
Milz, David
Packard, Sherman
Rice, Frederick
Tilton, Rio
Webb, James

Allen, Mary
Bates, David
Christie, Andrew
Doucette, Fred
Fesh, Robert
Griffin, Mary
Hodgdon, Bruce
Kappler, Lawrence
Matthews, Carolyn
Nigrello, Robert
Peckham, Michele
Sytek, John
True, Chris
Welch, David

Azarian, Gary
Cardon, G. Thomas
Cook, Allen
Elliott, Robert
Gannon, William
Guthrie, Joseph
Hoelzel, Kathleen
Katsakiores, Phyllis
McKinney, Betsy
O'Connor, John
Potucek, John
Tasker, Kyle
Tucker, Pamela
Weyler, Kenneth

Baldasaro, Alfred
Chase, Francis
DeSimone, Debra
Emerick, J. Tracy
Gordon, Richard
Hagan, Joseph
Introne, Robert
Major, Norman
McMahon, Charles
Osborne, Jason
Prudhomme-O'Brien, Katherine
Thomas, Douglas
Ward, Joanne

STRAFFORD

Beaudoin, Steven
Graham, Robert
Jones, Laura
Pitre, Joseph

Bickford, David
Gray, James
Kaczynski, Jr., Thomas
Sprague, Dale

Cheney, Catherine
Groen, Warren
Leeman, Don
Turcotte, Leonard

DeLemus, Susan
Hannon, Joseph
Mullen, John
Wuelper, Kurt

SULLIVAN

Smith, Steven

NAYS - 138

CARROLL

Ticehurst, Susan

CHESHIRE

Abbott, Michael
Chase, Cynthia
Parkhurst, Henry
Robertson, Timothy
Tilton, Benjamin

Ames, Richard
Eaton, Daniel
Pearson, William
Sad, Tara
Weber, Lucy

Berch, Paul
Ley, Douglas
Phillips, Larry
Shepardson, Marjorie

Bordenet, John
Mann, John
Roberts, Kris
Tatro, Bruce

COOS

Thomas, Yvonne

GRAFTON

Abel, Richard
Ford, Susan
Massimilla, Linda
Townsend, Charles

Almy, Susan
Hennessey, Martha
Nordgren, Sharon
White, Andrew

Bennett, Travis
Higgins, Patricia
Smith, Suzanne

Cooney, Mary
Maes, Kevin
Sykes, George

HILLSBOROUGH

Backus, Robert
Christiansen, Lars
DiSilvestro, Linda
Gorman, Mary
Heath, Mary
Mangipudi, Latha
Porter, Marjorie
Shaw, Barbara
Williams, Kermit

Beaulieu, Jane
Cohen, Alan
Freitas, Mary
Guerette, C. Lee
Jack, Martin
Manley, Jonathan
Roberts, Carol
Snow, Kendall
Woodbury, David

Booras, Efsthathia
Cornell, Patricia
Gidge, Kenneth
Hansberry, Daniel
Leishman, Peter
McNamara, Richard
Rosenwald, Cindy
Soucy, Timothy

Brown, Pamela
Cote, David
Goley, Jeffrey
Harvey, Suzanne
Long, Patrick
O'Brien, Michael
Shattuck, Gilman
Sullivan, Daniel

MERRIMACK

Bartlett, Christy
Doherty, David
Gle, Mary
Kenison, Linda

Bradley, Paula
Ebel, Karen
Henle, Paul
Kidder, David

Carson, Clyde
Frazer, June
Hirsch, Geoffrey
MacKay, James

Deloge, Helen
French, Barbara
Karrick, David
Moffett, Howard

Myler, Mel
Rogers, Katherine
Turcotte, Alan

Patten, Dick
Saunderson, George
Wallner, Mary Jane

Ratzki, Mario
Schuett, Dianne

Rice, Chip
Shurtleff, Stephen

ROCK INGHAM

Abramson, Max
Cali-Pitts, Jacqueline
Heffron, Frank
Simpson, Alexis

Berrien, Skip
Cushing, Robert
McBeath, Rebecca
Ward, Gerald

Borden, David
Francese, Paula
Pantelakos, Laura
Woitkun, Steven

Cahill, Michael
Gordon, Pamela
Sherman, Thomas

STRAFFORD

Baber, William
Cilley, Jacalyn
Rollo, Deanna
Spang, Judith
Wall, Janet

Berube, Roger
DiSesa, Len
Schmidt, Peter
Stevens, Audrey
Ward, Kenneth

Bixby, Peter
Horrigan, Timothy
Smith, Marjorie
Treleaven, Susan

Burton, Wayne
Kaen, Naida
Southworth, Thomas
Verschueren, James

SULLIVAN

Cloutier, John
Laware, Thomas

Converse, Larry
Oxenham, Lee

Gagnon, Raymond
Schmidt, Andrew

Gottling, Suzanne

and the majority committee report was adopted.

REFERRAL DECLINED

Rep. Tholl, Chairman of the Committee on Criminal Justice and Public Safety, under the provisions of House Rule 46 (f), declined the referral of **HB 1434-FN**, relative to out-of-home placements under the child protection act.

REGULAR CALENDAR CONT'D

HB 1568-FN-A, relative to prepaid road tolls for certain alternative energy vehicles. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Franklin Tilton for Public Works and Highways. This bill as amended establishes a road toll at the time of registration for vehicles powered solely by electricity. The annual toll will be equal to the amount of the state portion of the registration fee. This reestablishes a requirement that existed in NH from 1981 until 2001. The amendment and amended bill applies only to those vehicles powered solely by electricity. Currently all vehicles using the NH State highways except those powered by electricity share in the highway maintenance costs through the gas tax or other methods. Vote 15-0.

Amendment (0335h)

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

AN ACT relative to prepaid road tolls for electric vehicles.

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

1 New Section; Electric Vehicle Defined. Amend RSA 259 by inserting after section 27 the following new section:

259:27-a Electric Vehicles. "Electric vehicle" shall mean a vehicle powered solely by electricity.

2 New Paragraph; Alternate Energy; Road Tolls. Amend RSA 260:52 by inserting after paragraph XVIII the following new paragraph:

XIX. Each person registering an electric vehicle shall be required to prepay road toll fees at the time of registration of the vehicle. The toll for a full 12-month year shall be equal to the state registration fee under RSA 261:141 for a full year. The toll for a period of less than a full year shall be prorated in the same manner as vehicle registrations are prorated under RSA 261:141. Any person who shall drive or cause to be driven a motor vehicle in violation of the provisions of this paragraph shall be guilty of a violation.

3 Effective Date. This act shall take effect January 1, 2017.

20016-0335h

AMENDED ANALYSIS

This bill establishes prepaid road tolls for electric vehicles.
Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment. On a division vote, with 222 members having voted in the affirmative and 95 in the negative, the committee report was adopted and referred to the Committee on Ways and Means.

HB 1298, relative to damage to private property. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John Mullen for Resources, Recreation and Development. This bill, as amended, addresses the process by which landowners may seek to recover damages caused by illegal dumping and release of pollutants caused by OHRV's and snowmobiles while traveling on an owner's property. Current statute does not provide adequate

guidance to the courts, the Department of Environmental Services, or municipalities on how a landowner may recover costs for cleanup when an incident occurs, nor does it provide sufficient deterrents to prevent such activity. When an incident occurs, the bill would allow a landowner to commence a right of action for the cost of cleanup and such damages that may result from any discharges of the damaging pollutants. Additionally, a penalty of up to 3 times actual damages could be imposed and the recovery of attorney's fees incurred by the owner could be ordered. Vote 17-0.

Amendment (0228h)

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

1 New Chapter; Landowner's Right of Action. Amend RSA by inserting after chapter 149-O the following new chapter:

CHAPTER 149-P

LANDOWNER'S RIGHT OF ACTION

149-P:1 Landowner's Right of Action.

I. It is hereby declared to be in the public interest to encourage the preservation and conservation of the land, water, forest, agricultural, and wildlife resources of this state. It is also declared to be in the public interest to discourage and provide means for preventing the spoliation of such resources from the effects of illegal dumping, and to create rights in landowners to provide the means for obtaining such objectives. It is the intention of this chapter to create a landowner's right of action in support of these purposes.

II. Notwithstanding any rules adopted by the department of environmental services, any ordinance adopted by a municipality, or any provision of law, any person, as defined in RSA 147-A:2, XII, who without authorization, intentionally, recklessly, or negligently discharges, spills, releases, pollutes, disposes, dumps, leaks, injects, or places oil, gasoline, diesel fuel, fuel oil, motor oil, automotive oil, gasoline ethers, offensive matter, hazardous waste, waste, refuse, or solid waste as those terms are defined in RSA 146-A through 146-O, upon the land of another, shall be liable to the owner of the land.

III. Upon such discharge occurring, the owner of the land may:

- (a) Commence an action for the cost of cleanup and any such damages as may result from the discharge;
- (b) Seek injunctive relief enjoining any activity described in paragraph II, if such activity is imminent or likely;
- (c) a court order requiring the person causing the discharge to contain, clean up, and remediate the discharge at such person's expense;
- (d) Obtain multiple damages against the person causing the discharge of up to 3 times actual damages, based upon the degree of culpability, as determined by the trier of fact;
- (e) Obtain reasonable attorneys' fees and professional fees associated with the containment, cleanup, and remediation, and the seeking and obtaining relief and damages;
- (f) Require the person causing the discharge to provide a bond, or other assurances sufficient to cover the costs of containment, cleanup, and remediation, upon a showing by the owner that there is a reasonable likelihood of a judgment; and
- (g) Obtain an attachment, prejudgment attachment, or trustee process in accordance with RSA 511, RSA 511-A and RSA 512.

IV.(a) This chapter shall only apply to discharges that are made directly upon the landowner's land and shall not apply to those discharges that originate from the land of another, including without limitation, discharges from any above ground or underground storage tank. However, this chapter shall not otherwise limit any other rights afforded a landowner for such discharges originating from the land of another.

(b) For the purposes of this chapter, a landowner shall include any owner holding an entire, joint, fractional, mortgage, or other ownership interest in the land, but any separate claims made by more than one such owner shall be consolidated into a single action.

(c) This chapter shall not apply to or benefit any owner holding an interest in the land making claim against any other owner holding an interest in the same land.

(d) This chapter shall not apply to a discharge on a landowner's land, when the discharge results from a motor vehicle involved in a motor vehicle accident not originating on the landowner's land.

(e) The rights and benefits conferred upon a landowner under this chapter shall not apply to any claim or claims against the state and its subdivisions.

2 Penalties; OHRV/Operator Responsibilities; Roads Included. Amend RSA 215-A:19, I(a)(1) to read as follows:

(1) To the owner of any lands where trees, shrubs, **roads**, or other property have been damaged as a result of travel over ~~their~~ **the owner's** premises by such vehicles.

3 New Subparagraph; Penalties; OHRV/Operator Responsibilities; Damage to Private Property. Amend RSA 215-A:19, V by inserting after subparagraph (e) the following new subparagraph:

(f) The use of the OHRV has resulted in damage to private property.

4 New Paragraph; Penalties; OHRV/Operator Responsibilities. Amend RSA 215-A:19 by inserting after paragraph IX the following new paragraph:

X. In addition to any other penalty or obligation imposed, the owner of any lands which have been damaged in violation of this chapter may bring an action to recover such damages, in the superior court for the county in which the lands are located, against any person who is responsible and accountable under subparagraph I(a). In bringing such action, the owner shall be entitled to:

(a) The cost of clean-up and restoration to the prior condition of the lands.

(b) Multiple damages of up to 3 times actual damages, based upon the recklessness or severity of the conduct, as determined by the trier of fact.

(c) Reasonable attorney's fees necessary to the action.

5 Damage to Land; Snowmobile Operator Responsibilities. Amend RSA 215-C:34, I(a)(1) to read as follows:

(1) To the owner of any lands where trees, shrubs, or other property have been damaged as a result of travel over ~~his or her~~ **the owner's** premises by such vehicles.

6 New Subparagraph; Damage to Property; Snowmobile Operator Responsibilities. Amend RSA 215-C:34, V by inserting after subparagraph (e) the following new subparagraph:

(f) The use of the snowmobile has resulted in damage to public or private property.

7 New Paragraph; Damage to Property; Snowmobile Operator Responsibilities. Amend RSA 215-C:34 by inserting after paragraph VIII the following new paragraph:

IX. In addition to any other penalty or obligation imposed, the owner of any lands which have been damaged in violation of this chapter may bring an action to recover such damages, in the superior court for the county in which the lands are located, against any person who is responsible and accountable under subparagraph I(a). In bringing such action, the owner shall be entitled to:

(a) The cost of clean-up and restoration to the prior condition of the lands;

(b) Multiple damages of up to 3 times actual damages, based upon the level of culpability of the conduct, as determined by the trier of fact; and

(c) Reasonable attorney's fees.

8 Effective Date. This act shall take effect January 1, 2017.

2016-0228h

AMENDED ANALYSIS

This bill:

I. Creates a cause of action for a landowner whose land is damaged by pollution.

II. Creates a cause of action for a landowner whose land is damaged by OHRV.

III. Creates a cause of action for a landowner whose land is damaged by snowmobile use.

Committee amendment adopted.

Rep. Chris Christensen offered floor amendment (0255h).

Floor Amendment (0255h)

Amend RSA 215-A:19, V(f) as inserted by section 3 of the bill by replacing it with the following:

(f) The use of the OHRV has resulted in damage to public or private property.

Rep. Chris Christensen spoke in favor.

Floor amendment (0255h) adopted.

Committee report adopted and referred to the Committee on Judiciary.

HB 1412-FN, relative to duties of the public utilities commission. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Michael Vose for the Majority of Science, Technology and Energy. This bill would have expanded the responsibilities of the Public Utilities Commission (Pu C) to perform economic, environmental and social analyses as part of its investigations into utility regulation. The bill's fiscal note estimated that these expanded responsibilities would increase the agency's costs by \$2.7 to \$3.2 million. The prime sponsor presented an amendment at the public hearing that reduced the bill to merely asking the Pu C to make judgments about the "public good." During questioning, the terms "public good" and "public interest" were determined to be synonymous. Since statute already directs the Pu C to judge whether regulatory actions are in the public interest, the need for this legislation is not apparent. Vote 15-5.

Rep. William Baber for the Minority of Science, Technology and Energy. The modest intent of this bill is to extend the scope of consideration in the Public Utilities Commission's (Pu C) decision processes to include the concept of "public interest" in all of their decisions given that the state is experiencing a rapid transformation in the sources and transmission of energy. Allowing the Pu C to consider all factors that may impact the economy, jobs, and the environment is clearly in the best interest of the state. The minority believes the amendment will eliminate the need for a fiscal note and allows more discretion by the Pu C.

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

Rep. Oxenham spoke against.

(Rep. Packard in the Chair)

Rep. Douglas Thomas spoke in favor.

On a division vote, with 201 members having voted in the affirmative and 111 in the negative, the majority committee report was adopted.

HB 1553-FN, transferring the administration of the telecommunications accounting unit. **OUGHT TO PASS.** Rep. Marjorie Shepardson for Science, Technology and Energy. This bill transfers the statewide telecommunications accounting unit from the Department of Safety to the Department of Information Technology. Over the past several years, we have transitioned to a nearly total dependence on digital technologies in communications, making the Department of Information Technology a more fitting place for these functions to reside. It should make billing more efficient and reduce one employee position. The fiscal note states this bill will decrease state expenditures. Vote 19-0.

Committee report adopted and referred to the Committee on Finance.

HB 1622-FN, relative to radioactive waste and establishing a nuclear waste storage fee. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Herbert Vadney for the Majority of Science, Technology and Energy. This bill strongly discourages the storage of nuclear waste at Seabrook Station by placing a high annual fee (\$500,000) on each cask of such waste stored on site. Investigation showed there are fourteen casks already on site that would result in an annual charge of \$7 million to Seabrook Station, money that would surely be raised from customers. Passing such costs on to ratepayers would increase what are already being considered intolerably high electricity bills in the state. Although removing the spent fuel waste from Seabrook may be an admirable goal, it is a situation Seabrook Station cannot control as the federal government has not yet provided a location or mechanism to properly dispose of such waste as required under federal law. Existing state statute (RSA 125:77-b) specifically allows interim on-site storage of nuclear fuel and spent fuel at Seabrook. until the federal government provides a more permanent solution for long term storage or disposal, the Seabrook spent fuel waste will remain at Seabrook and there is little to nothing we can do to change that situation. In addition, RSA 125:77-b prohibits the disposal of any radioactive waste in the state, thereby making the 9 pages of the bill that would regulate the siting of a disposal site in the state unnecessary. Further, it should be noted, Seabrook's highly reliable 1,200 megawatts of carbon free electricity are critical to powering our New England electrical grid. Tinkering with it at this time could prove foolhardy. Vote 13-6.

Rep. David Borden for the Minority of Science, Technology and Energy. In January 1986, the U S Department of Energy announced that it had identified a 78 square mile area centered in Hillsborough, NH as a potential site for burial of the nation's high level radioactive waste. That year, 137 towns passed warrant articles opposing the proposed waste site and the Legislature passed the High Level Radioactive Waste Act. The act was signed into law by Governor Sununu. The law was repealed as part of the trailer bill in 2011. This bill reestablishes the law and ensures that no new high level radioactive waste site areas are created in our state. The amendment proposed by the minority eliminates the fees which could be assessed by the bill.

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

Rep. Backus spoke against and yielded to questions.

Rep. Vadney spoke in favor.

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

YEAS 171 - NAYS 145**YEAS - 171****BELKNAP**

Aldrich, Glen
Fraser, Valerie
Spanos, Peter

Dumais, Russell
Gallagher, Brian
Sylvia, Michael

Fields, Dennis
LeBreche, Shari
Tilton, Franklin

Flanders, Donald
Luther, Robert
Vadney, Herbert

CARROLL

Avellani, Lino
Cordelli, Glenn
Umberger, Karen

Buco, Thomas
McCarthy, Frank

Chandler, Gene
McConkey, Mark

Comeau, Ed
Schmidt, Stephen

CHESHIRE

Bordenet, John

Hunt, John

Sterling, Franklin

COOS

Fothergill, John
Tholl, John

Rappaport, Laurence

Richardson, Herbert

Rideout, Leon

GRAFTON

Gionet, Edmond
Ladd, Rick

Hennessey, Erin
Shackett, Jeffrey

Hull, Robert

Ingbertson, Paul

HILLSBOROUGH

Adams, Christopher
Biggie, Barbara
Christensen, Chris
Edelblut, Frank
Gidge, Kenneth
Hinch, Richard
Kurk, Neal
McCarthy, Peggy
Notter, Jeanine
Palmer, Barry
Pierce, David
Rowe, Robert
Straight, Phillip

Ammon, Keith
Boehm, Ralph
Christiansen, Lars
Ferreira, Elizabeth
Gould, Linda
Hogan, Edith
Lachance, Joseph
McLean, Mark
Ober, Lynne
Parison, James
Proulx, Mark
Sanborn, Laurie
Sullivan, Victoria

Balcom, John
Burt, John
Christie, Rick
Fromuth, Bart
Haefner, Robert
Hopper, Gary
LeBrun, Donald
Moore, Josh
Ober, Russell
Pellegrino, Anthony
Rice, Kimberly
Seidel, Carl
Ulery, Jordan

Belanger, James
Byron, Frank
Coffey, James
Gagne, Larry
Hansen, Peter
Infantine, William
Martel, Andre
Murphy, Keith
Ohm, Bill
Peterson, Ken
Rouillard, Claire
Smith, Gregory

MERRIMACK

Brewster, Michael
Horn, Werner
Marple, Richard
Parent, Jason

French, Harold
Kidder, David
Martin, John
Seaworth, Brian

Hill, Gregory
Kuch, Bill
McGuire, Carol
Walsh, Thomas

Hoell, J.R.
Long, Douglas
McGuire, Dan

ROCK INGHAM

Abrami, Patrick
Bates, David
Christie, Andrew
Doucette, Fred
Fesh, Robert
Griffin, Mary
Hoelzel, Kathleen
Katsakiores, Phyllis
Matthews, Carolyn
Nigrello, Robert
Prudhomme-O'Brien, Katherine
Tilton, Rio
Welch, David

Allen, Mary
Cardon, G. Thomas
Cook, Allen
Elliott, Robert
Gannon, William
Hagan, Joseph
Introne, Robert
Lundgren, David
McKinney, Betsy
O'Connor, John
Rice, Frederick
True, Chris
Weyler, Kenneth

Azarian, Gary
Chase, Francis
DeSimone, Debra
Emerick, J. Tracy
Gordon, Richard
Harris, Jeffrey
Itse, Daniel
Major, Norman
McMahon, Charles
Osborne, Jason
Sytek, John
Tucker, Pamela
Woitkun, Steven

Baldasaro, Alfred
Chirichiello, Brian
Devine, James
Ferrante, Beverly
Green, Dennis
Hodgdon, Bruce
Kappler, Lawrence
Manning, John
Milz, David
Potucek, John
Thomas, Douglas
Ward, Joanne

STRAFFORD

Beaudoin, Steven
Graham, Robert
Jones, Laura
Pitre, Joseph

Bickford, David
Gray, James
Kaczynski, Jr., Thomas
Turcotte, Leonard

Cheney, Catherine
Groen, Warren
Leeman, Don
Wuelper, Kurt

DeLemus, Susan
Hannon, Joseph
Mullen, John

SULLIVAN

Laware, Thomas

Rollins, Skip

Schmidt, Andrew

Smith, Steven

NAYS - 145**CARROLL**

Butler, Edward

Parker, Harold

Ticehurst, Susan

Wright, Ted

CHESHIRE

Abbott, Michael
Eaton, Daniel
Parkhurst, Henry
Sad, Tara
Weber, Lucy

Ames, Richard
Ley, Douglas
Pearson, William
Shepardson, Marjorie

Berch, Paul
Mann, John
Roberts, Kris
Tatro, Bruce

Chase, Cynthia
McConnell, James
Robertson, Timothy
Tilton, Benjamin

COOS

Hatch, William

Moynihan, Wayne

Theberge, Robert

Thomas, Yvonne

GRAFTON

Abel, Richard
Ford, Susan
Maes, Kevin
Sykes, George

Almy, Susan
Hennessey, Martha
Massimilla, Linda
Townsend, Charles

Cooney, Mary
Higgins, Patricia
Nordgren, Sharon
White, Andrew

Darrow, Stephen
Johnson, Eric
Smith, Suzanne

HILLSBOROUGH

Backus, Robert
Brown, Pamela

Baroody, Benjamin
Cohen, Alan

Beaulieu, Jane
Cornell, Patricia

Booras, Efsthathia
Cote, David

Danielson, David
Freitas, Mary
Hansberry, Daniel
Jack, Martin
Manley, Jonathan
Roberts, Carol
Snow, Kendall
Williams, Kermit

DiSilvestro, Linda
Goley, Jeffrey
Harvey, Suzanne
Leishman, Peter
McNamara, Richard
Rosenwald, Cindy
Soucy, Timothy
Woodbury, David

Edwards, Elizabeth
Gorman, Mary
Heath, Mary
Long, Patrick
O'Brien, Michael
Shattuck, Gilman
Sullivan, Daniel

Estevez, Eric
Guerette, C. Lee
Herbert, Christopher
Mangipudi, Latha
Porter, Marjorie
Shaw, Barbara
Takesian, Charlene

MERRIMACK

Bartlett, Christy
Doherty, David
Gile, Mary
Kenison, Linda
Patten, Dick
Saunderson, George
Wallner, Mary Jane

Bradley, Paula
Ebel, Karen
Henle, Paul
Mackay, James
Ratzki, Mario
Schuett, Dianne

Carson, Clyde
Frazer, June
Hirsch, Geoffrey
Moffett, Howard
Rice, Chip
Shurtleff, Stephen

Deloge, Helen
French, Barbara
Karrick, David
Myler, Mel
Rogers, Katherine
Turcotte, Alan

ROCK INGHAM

Abramson, Max
Cahill, Michael
Gordon, Pamela
Pantelakos, Laura
Ward, Gerald

Barnes, Arthur
Cali-Pitts, Jacqueline
Guthrie, Joseph
Peckham, Michele
Webb, James

Berrien, Skip
Cushing, Robert
Heffron, Frank
Sherman, Thomas

Borden, David
Francese, Paula
McBeath, Rebecca
Simpson, Alexis

STRAFFORD

Baber, William
Cilley, Jacalyn
Schmidt, Peter
Sprague, Dale
Wall, Janet

Berube, Roger
DiSesa, Len
Smith, Marjorie
Stevens, Audrey
Ward, Kenneth

Bixby, Peter
Horrigan, Timothy
Southworth, Thomas
Treleaven, Susan

Burton, Wayne
Kaen, Naida
Spang, Judith
Verschueren, James

SULLIVAN

Cloutier, John
Grenier, James

Converse, Larry
Oxenham, Lee

Gagnon, Raymond

Gottling, Suzanne

and the majority committee report was adopted.
Rep. Estevez voted Nay and intended to vote Yea.

(Speaker Jasper in the Chair)

HB 1673-FN-L, establishing a cash balance plan within the state retirement system. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: REFER FOR INTERIM STUDY.**

Rep. Neal Kurk for the Majority of Special Committee on Public Employee Pension Plans. This legislation, with the amendment, would enact a cash balance defined benefit pension plan for all new State employees hired on and after July 1, 2016. It does not change, or in any way affect, the current traditional defined benefit retirement plan for all current State and political subdivision employees, and it would only apply to employees of political subdivisions if and when that subdivision's governing body voted to adopt the plan. Under a cash balance plan, the employer guarantees a minimum return on each employee's retirement account regardless of the investment return on the pension plan's investments. If the pension plan earns a rate of return greater than the guaranteed minimum return, the employer and employee share the benefits of those excess investment earnings. Under this cash balance plan, an employee's retirement is funded in the first instance by annual contributions made by both the employer and employee - identical in amount to the contributions of employers and employees under NH's current defined benefit plan. The value of each employee account increases annually by an "interest credit rate" based on the federal mid-term bond rate, but with a guaranteed minimum of 5%. In addition, the retirement system Board of Trustees may vote to pay an additional dividend to all participating employees up to a maximum total of 66.7% of the total investment earnings of the retirement trust fund (including the total interest credits already paid to the employees' accounts) over any five year rolling period. All contributions, interest credits and dividends compound annually until the employee either retires or withdraws the accumulated benefits from the plan. An employee in the cash balance plan fully vests in five years, and the account is 100% portable. Under the plan, at retirement an employee can elect to receive a 2.5% COLA as part of his final retirement benefit (to be paid for out of the member's total retirement account), and may receive up to 50% of his final retirement benefit as a lump sum. Generally speaking, the cash balance plan will be administered and invested the same way as the current plan. The primary difference between NH's current defined benefit plan and this cash balance defined benefit plan is in the method of calculating the value of the final retirement account. Under the current plan, that value is based upon an employee's years of service and his average earnings in the final years before retirement. Under this bill, that value is based upon the amount of contributions, interest credits and dividends credited

to the employee's account, compounded over the employee's years of service and final retirement date. This creates somewhat greater uncertainty in the cash balance defined benefit plan in that the employee could get somewhat less in the cash balance plan than in the current plan; but that employee could also get more – perhaps significantly more, under the cash balance plan. The intent behind this cash balance defined benefit plan is to provide employee retirement benefits that are essentially the same as the retirement benefits under the current NH plan, assuming the markets generate the same rate of return over future decades that they have generated over the past six or so decades. The current NH Retirement plan is underfunded by approximately \$4 billion. A plan was put into place in 2007 to pay down that unfunded amortized actuarial liability (u AAL) over 25 years. This cash balance plan continues that robust amortization plan by contributing to the amortization schedule for every new State employee over the remaining years of that schedule. In addition, this cash balance defined benefit plan will substantially reduce the possibility that the u AAL will grow larger over time. By its very nature, a cash balance defined benefit plan is funded on a pay-as-you-go basis. This is amply demonstrated by the cash balance plan adopted by Nebraska in 2003 – the plan this legislation was closely modeled after. That plan has been very successful during both economic good times and the great recession. It was fully funded at 104% at the end of 2015, and employees have seen their accounts grow on average more than 7.90% per year over those twelve years. Vote 7-6.

Rep. Jeffrey Goley for the Minority of Special Committee on Public Employee Pension Plans. The committee only had two weeks between the public hearing and the executive session and was not able to get answers on numerous concerns we had about the legislation. One of the main concerns was - what percentage of an employee's income would be replaced at the time of retirement under a cash balance plan? The minority of the committee believes that a retiree under this plan may have their benefits significantly reduced. While the sponsor has stated that his intent is to establish a plan that would produce a level of income replacement that is similar to the current defined benefit plan, the fact is that there have been no solid calculations produced to show that this bill would do that. There was also a legal consideration brought forward by the NH Retirement System. Staff noted that the employer contribution credit as determined by RSA 100-A:16 may violate the definitely determinable rule under the Internal Revenue Code Section 401(a). Another main factor in recommending Interim Study is that both the NH Municipal Association and the NH School Board Association testified that they would like to wait until the Decennial Retirement Commission begins its work in 2017, where the discussion on a cash balance plan could be thoroughly vetted and explored.

Majority Amendment (0223h)

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

1 New Paragraph; Definition; Cash Balance Plan. Amend RSA 100-A:1 by inserting after paragraph I the following new paragraph:

I-a. "Cash balance plan" means the retirement plan established in RSA 100-A:58 through RSA 100-A:70 administered by the board of trustees for persons who begin service on and after July 1, 2016, and who are required to participate as a condition of employment under RSA 100-A:3, I-b or I-c.

2 New Paragraphs; Membership; Cash Balance Plan. Amend RSA 100-A:3 by inserting after paragraph I-a the following new paragraphs:

I-b. Any person who begins service on or after July 1, 2016 with the state or any department, commission, institution, or agency of the state government by which an employee is paid through the office of the state treasurer with respect to their employees, as an employee, teacher, permanent policeman, or permanent fireman, shall as a condition of employment participate in the cash balance plan of the retirement system established under RSA 100-A:58 through RSA 100-A:70.

I-c. Any political subdivision employee, teacher, permanent policeman, or permanent fireman, of a non-state employer, working in a full-time position for such employer as determined by common law standards, where the employer has made a separate election under the provisions of RSA 100-A:25-a to have its employees, teachers, policemen, and firemen participate in the cash balance plan, and who begins service on or after July 1, 2016 and after the effective date of such election, shall as a condition of employment participate in the cash balance plan of the retirement system established under RSA 100-A:58 through RSA 100-A:70.

Amend RSA 100-A:65, I as inserted by section 6 of the bill by replacing it with the following:

I. For the fiscal year beginning July 1, 2016, and each fiscal year thereafter, the actuary for the board shall perform a separate actuarial valuation of the cash balance plan using the entry age actuarial cost method. Amend the bill by replacing section 9 with the following:

9 Effective Date. This act shall take effect July 1, 2016.

2016-0223h

AMENDED ANALYSIS

This bill establishes a cash balance pension plan for retirement system members who begin service with the state on or after July 1, 2016. Teachers, policemen, firemen, and political subdivision employee members of a non-state employer hired on or after July 1, 2016 are cash balance plan members if their employer elects to have their members participate in the cash balance plan.

MOTION TO LAY ON THE TABLE

Rep. Goley moved that **HB 1673-FN-L**, establishing a cash balance plan within the state retirement system, be laid on the table.

Rep. Hinch requested a roll call; sufficiently seconded.

YEAS 188 - NAYS 127**YEAS - 188****BELKNAP**

LeBreche, Shari

Spanos, Peter

CARROLL

Bucio, Thomas

Butler, Edward

Parker, Harold

Ticehurst, Susan

CHESHIRE

Abbott, Michael

Ames, Richard

Berch, Paul

Bordenet, John

Chase, Cynthia

Eaton, Daniel

Hunt, John

Ley, Douglas

Mann, John

Parkhurst, Henry

Pearson, William

Phillips, Larry

Robertson, Timothy

Sad, Tara

Shepardson, Marjorie

Tatro, Bruce

Tilton, Benjamin

Weber, Lucy

COOS

Hatch, William

Moynihan, Wayne

Rappaport, Laurence

Theberge, Robert

Thomas, Yvonne

GRAFTON

Abel, Richard

Almy, Susan

Cooney, Mary

Darrow, Stephen

Ford, Susan

Hennessey, Martha

Higgins, Patricia

Hull, Robert

Ingbreton, Paul

Maes, Kevin

Massimilla, Linda

Nordgren, Sharon

Smith, Suzanne

Sykes, George

Townsend, Charles

White, Andrew

HILLSBOROUGH

Backus, Robert

Baroddy, Benjamin

Beaulieu, Jane

Biggie, Barbara

Booras, Efsthathia

Brown, Pamela

Burt, John

Cohen, Alan

Cornell, Patricia

Cote, David

Danielson, David

DiSilvestro, Linda

Edwards, Elizabeth

Freitas, Mary

Gidge, Kenneth

Goley, Jeffrey

Gorman, Mary

Guerette, C. Lee

Hansberry, Daniel

Harvey, Suzanne

Heath, Mary

Herbert, Christopher

Hopper, Gary

Infantine, William

Jack, Martin

Lachance, Joseph

Leishman, Peter

Long, Patrick

Mangipudi, Latha

Manley, Jonathan

Martel, Andre

McCarthy, Peggy

McLean, Mark

McNamara, Richard

Murphy, Keith

O'Brien, Michael

Porter, Marjorie

Proulx, Mark

Rosenwald, Cindy

Sanborn, Laurie

Seidel, Carl

Shattuck, Gilman

Shaw, Barbara

Snow, Kendall

Soucy, Timothy

Souza, Kathleen

Sullivan, Daniel

Ulery, Jordan

Williams, Kermit

Woodbury, David

MERRIMACK

Bartlett, Christy

Bradley, Paula

Brewster, Michael

Carson, Clyde

Deloge, Helen

Doherty, David

Ebel, Karen

Frazer, June

French, Barbara

Gile, Mary

Henle, Paul

Hill, Gregory

Hirsch, Geoffrey

Hoell, J.R.

Karrick, David

Kenison, Linda

Kidder, David

MacKay, James

Marple, Richard

Moffett, Howard

Myler, Mel

Patten, Dick

Ratzki, Mario

Rice, Chip

Rogers, Katherine

Saunderson, George

Schuett, Dianne

Shurtleff, Stephen

Turcotte, Alan

Wallner, Mary Jane

ROCKINGHAM

Azarian, Gary

Baldasaro, Alfred

Barnes, Arthur

Bates, David

Berrien, Skip

Borden, David

Cahill, Michael

Cali-Pitts, Jacqueline

Cardon, G. Thomas

Cushing, Robert

Doucette, Fred

Elliott, Robert

Emerick, J. Tracy

Francese, Paula

Gannon, William

Gordon, Pamela

Hagan, Joseph

Heffron, Frank

Itse, Daniel

Kappler, Lawrence

McBeath, Rebecca

McKinney, Betsy

Pantelakos, Laura

Peckham, Michele

Sherman, Thomas

Simpson, Alexis

Tasker, Kyle

Tilton, Rio

True, Chris

Tucker, Pamela

Ward, Gerald

Woitkun, Steven

STRAFFORD

Baber, William

Berube, Roger

Bixby, Peter

Burton, Wayne

Cilley, Jacalyn

DeLemus, Susan

DiSesa, Len

Graham, Robert

Hannon, Joseph

Horrigan, Timothy

Jones, Laura

Kaczynski, Jr., Thomas

Kaen, Naida
Spang, Judith
Turcotte, Leonard

Schmidt, Peter
Sprague, Dale
Verschueren, James

Smith, Marjorie
Stevens, Audrey
Wall, Janet

Southworth, Thomas
Treleaven, Susan
Ward, Kenneth

SULLIVAN

Cloutier, John
Laware, Thomas

Converse, Larry
Oxenham, Lee

Gagnon, Raymond
Schmidt, Andrew

Gottling, Suzanne

NAYS - 127

BELKNAP

Aldrich, Glen
Fraser, Valerie
Tilton, Franklin

Dumais, Russell
Gallagher, Brian
Vadney, Herbert

Fields, Dennis
Luther, Robert

Flanders, Donald
Sylvia, Michael

CARROLL

Avellani, Lino
McCarthy, Frank
Wright, Ted

Chandler, Gene
McConkey, Mark

Comeau, Ed
Schmidt, Stephen

Cordelli, Glenn
Umberger, Karen

CHESHIRE

McConnell, James

Roberts, Kris

Sterling, Franklin

COOS

Fothergill, John

Richardson, Herbert

Rideout, Leon

GRAFTON

Gionet, Edmond

Hennessey, Erin

Ladd, Rick

Shackett, Jeffrey

HILLSBOROUGH

Adams, Christopher
Boehm, Ralph
Christie, Rick
Ferreira, Elizabeth
Haefner, Robert
Kurk, Neal
Ober, Lynne
Parison, James
Rouillard, Claire
Sullivan, Victoria

Ammon, Keith
Byron, Frank
Coffey, James
Fromuth, Bart
Hansen, Peter
LeBrun, Donald
Ober, Russell
Peterson, Ken
Rowe, Robert
Takesian, Charlene

Balcom, John
Christensen, Chris
Edelblut, Frank
Gagne, Larry
Hinch, Richard
Moore, Josh
Ohm, Bill
Pierce, David
Smith, Gregory

Belanger, James
Christiansen, Lars
Estevez, Eric
Gould, Linda
Hogan, Edith
Notter, Jeanine
Palmer, Barry
Rice, Kimberly
Straight, Phillip

MERRIMACK

French, Harold
Martin, John
Seaworth, Brian

Horn, Werner
McGuire, Carol
Walsh, Thomas

Kuch, Bill
McGuire, Dan

Long, Douglas
Parent, Jason

ROCKINGHAM

Abrami, Patrick
Chirichiello, Brian
Ferrante, Beverly
Griffin, Mary
Hoelzel, Kathleen
Major, Norman
Miz, David
Packard, Sherman
Sytek, John
Welch, David

Abramson, Max
Cook, Allen
Fesh, Robert
Guthrie, Joseph
Introne, Robert
Manning, John
Nigrello, Robert
Potucek, John
Thomas, Douglas
Weyler, Kenneth

Allen, Mary
DeSimone, Debra
Gordon, Richard
Harris, Jeffrey
Katsakiores, Phyllis
Matthews, Carolyn
O'Connor, John
Prudhomme-O'Brien, Katherine
Ward, Joanne

Chase, Francis
Devine, James
Green, Dennis
Hodgdon, Bruce
Lundgren, David
McMahon, Charles
Osborne, Jason
Rice, Frederick
Webb, James

STRAFFORD

Beaudoin, Steven
Groen, Warren
Wuelper, Kurt

Bickford, David
Leeman, Don

Cheney, Catherine
Mullen, John

Gray, James
Pitre, Joseph

SULLIVAN

Grenier, James

Rollins, Skip

Smith, Steven

and the motion was adopted.

REGULAR CALENDAR CONT'D

HB 1616-FN, relative to drivers' licenses and identification cards that are compliant with federal identification law. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Sherman Packard for Transportation. For almost ten years NH has said it will not participate in what is referred to as Real ID. This law was passed by Congress in 2005. The concept was taken from the 911 Commission report. It stated the federal government should set standards for the issuance of birth certificates and

sources of identification such as drivers' licenses. It was feared by many that this would turn into a national identification card data base. That fear has been averted. Developing a NH compliant drivers' license does not create a national ID card, a federal data base of driver license information or new federal access to state data. This bill will allow NH citizens to voluntarily obtain a real ID compliant license. This bill is completely opt-in. The deadlines have been set by Homeland Security. Many federal buildings are not now accessible with a NH license. Provisions governing the boarding of aircraft will take effect January 2018. If we do not act in a responsible manner hundreds of thousands of our citizens will be greatly affected. If we do not act we will be forcing our citizens to obtain a passport causing some families great financial difficulty. In NH if you wish to have your picture and Social Security number removed from the Department of Safety data base after you receive your license you may. To opt-in for a Real ID license you must agree to leave those two items retained in the NH system. If you choose not to have a Real ID license you will still be able to have those two items removed. Your license will be marked non-compliant for federal purposes if you do not have a Real ID license. Though some feel that we should continue to refuse to participate in Real ID, we were elected to govern in the best interests of the citizens of the State of NH. Preventing our constituents from having the option of obtaining a Real ID license is unfair and unnecessary. This bill is completely voluntary. No one is being forced or asked to obtain a Real ID license. We are only giving them the ability to make an informed decision on participating or not participating in Real ID. The amendment sends a strong statement of dissatisfaction with Real ID. unless this law is changed federally it is our responsibility to give our constituents the option. Vote 16-2.

Amendment (0123h)

Amend the bill by replacing section 1 with the following:

1 Prohibition Against Participation in National Identification System. Amend 2007, 243:1, I-II as amended by 2010, 372:1 to read as follows:

I. The general court finds that the public policy established by Congress in the Real ID Act of 2005, Public Law 109-13, is contrary and repugnant to Articles 1 through 10 of the New Hampshire constitution as well as Amendments 4 through 10 of the Constitution for the United States of America. Therefore, **except to the extent provided in RSA 260:21-a, RSA 260:21-b, RSA 263:14-b, and RSA 263:14-c**, the state of New Hampshire shall not participate in any driver's license program pursuant to the Real ID Act of 2005 or in any national identification card system that may follow therefrom, including PASS ID.

II. **Except to the extent provided in RSA 260:21-a, RSA 260:21-b, RSA 263:14-b, and RSA 263:14-c**, the department of safety shall not amend procedures for applying for a driver's license [under RSA-263] or an identification card [under RSA-260:21] in order to comply with the goals or standards set forth in the Real ID Act of 2005 or in any national identification card system that may follow therefrom, including PASS ID, or in any rules or regulations promulgated thereunder, or in any requirements adopted by the American Association of Motor Vehicle Administrators for such purposes.

Amend RSA 260:21-a, IX as inserted by section 8 of the bill to read as follows:

IX. The director shall keep a record of the cards issued, and each card shall contain a random identification number specifically assigned to the person to whom the card was issued.

Amend RSA 260:21-b, IX as inserted by section 8 of the bill to read as follows:

IX. The director shall keep a record of the cards issued, and each card shall contain a random identification number specifically assigned to the person to whom the card was issued.

Amend the bill by inserting after section 14 the following and renumbering the original sections 15-16 to read as 16-17, respectively:

15 Provision for Federal Identification Database Prohibited. Amend RSA 260:14-a to read as follows:

260:14-a Provision for Federal Identification Database Prohibited.

I. The department shall not provide a complete, or substantially complete or mirrored, extract of motor vehicle records that contain personally identifiable information from any file or database to the federal government or to any agent or agency of, or contractor engaged by, the federal government for the purpose of creating or enhancing a federal identification database.

II. **In support of the department's participation in the enhanced driver's license program, the interface to the cognizant federal authority shall be implemented to provide a specific response at the time a New Hampshire enhanced driver's license holder presents that license at a border crossing. The department shall not provide the full set of driver information to the cognizant federal authority at the time of license issuance.**

Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment. Rep. Shurtleff offered floor amendment (0447h).

Floor Amendment (0447h)

Amend the bill by replacing sections 6-7 with the following:

6 Identification Cards. Amend RSA 260:21, III to read as follows:

III. The identification card shall bear the name, address, date of birth, blood type (optional), veteran's status for the purposes of identification for receiving benefits and services under New Hampshire law (optional), picture and signature of the applicant, and in the case of a card issued pursuant to RSA 260:21, I(c), said card shall bear the notation "Golden Granite State Discount Card." ***An applicant may choose not to have his or her facial image, signature, and social security number retained by the department, in which case the identification card shall bear an approved security marking indicating that it was not issued in compliance with Public Law 109-13 and is therefore not acceptable for federal identification purposes.***

7 New Paragraph; Identification Cards. Amend RSA 260:21 by inserting after paragraph XI the following new paragraph:

XII. unless the applicant chooses not to have his or her facial image, signature, and social security number retained by the department, the department shall issue a nondriver's picture identification card that is compliant with the standards of the Real ID Act of 2005, Public Law 109-13, and its implementing regulations, including, but not limited to, 6 C.F.R. part 37, or an enhanced identification card as proof of identity and citizenship for persons entering the United States at land and sea ports which meet the standards of the Western Hemisphere Travel Initiative developed by the United States Department of State and the United States Department of Homeland Security, and its associated regulations, including but not limited to Documents Required for Travelers Departing From or Arriving in the United States at Sea and Land Ports-of-Entry From Within the Western Hemisphere, 73 Fed. Reg. 18,384, Apr. 3, 2008, respectively, in lieu of an identification card defined in RSA 260:21.

Amend RSA 260:21-a, I(c) as inserted by section 8 of the bill by replacing it with the following:

(c) Has not opted out of the requirements of this section by requesting that the department not retain his or her facial image, signature, and social security number.

Amend RSA 260:21-b, I(c) as inserted by section 8 of the bill by replacing it with the following:

(c) Has not opted out of the requirements of this section by requesting that the department not retain his or her facial image, signature, and social security number.

Amend RSA 263:14-b as inserted by section 11 of the bill by replacing it with the following:

263:14-b Driver's License Compliant with Public Law 109-13. Except for applicants who choose not to have their facial image, signature, and social security number retained by the department, the department of safety shall issue drivers' licenses which meet the standards of the Real ID Act of 2005, Public Law 109-13, and its implementing regulations, including but not limited to 6 C.F.R. part 37. The department shall upon application issue a driver's license that complies with Public Law 109-13 to any resident who:

I. Pays the required fee;

II. Does not hold any other driver's license or nondriver's picture identification card;

III. Has not opted out of the requirements of this section by requesting that the department not retain his or her facial image, signature, and social security number; and

IV. Provides documents required to demonstrate identity, United States citizenship, social security number, and New Hampshire residency.

Amend RSA 263:14-c, III as inserted by section 11 of the bill by replacing it with the following:

III. Has not opted out of the requirements of this section by requesting that the department not retain his or her facial image, signature, and social security number; and

Amend RSA 263:40, I as inserted by section 12 of the bill by replacing it with the following:

I. The commissioner shall, upon payment of the required fee, issue to every applicant a driver's license subject to such conditions as the commissioner may deem expedient and in such form as the commissioner may prescribe. Licenses issued to persons under the age of 21 shall be designed so that their horizontal and vertical axes are opposite the horizontal and vertical axes of licenses issued to other persons, and said licenses shall prominently display the date on which the licensee shall attain the age of 21 years. Consistent with RSA 263:14, the youth operator license shall expire on the 21st anniversary of the applicant's date of birth, at which time the applicant shall be issued a traditional license. The license shall bear thereon a distinguishing number assigned to the licensee and an instant full-face color photograph, image, or likeness of the licensee. There shall also be provided a space wherein the licensee may indicate his or her honorable veteran's status for purposes of identification for receiving benefits and services under New Hampshire law if the licensee so desires. The license shall bear a special designation or symbol indicating honorable veteran's status for licensees who indicate such veteran status. An applicant may choose not to have his or her facial image, signature, and social security number retained by the department, in which case the driver's license card shall bear an approved security marking indicating that it was not issued in compliance with Public Law 109-13 and is therefore not acceptable for federal identification purposes.

2016-0447h

AMENDED ANALYSIS

This bill requires that drivers' licenses and nondriver's picture identification cards comply with the Real ID Act of 2005 unless the applicant chooses a noncompliant license or card.

This bill also authorizes optional enhanced drivers' licenses and optional enhanced nondrivers' picture identification cards which meet the standards of the Western Hemisphere Travel Initiative.

Rep. Kurk spoke against.

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

YEAS 127 - NAYS 190

YEAS - 127

CARROLL

Butler, Edward Ticehurst, Susan

CHESHIRE

Ames, Richard	Berch, Paul	Bordenet, John	Chase, Cynthia
Eaton, Daniel	Ley, Douglas	Mann, John	Parkhurst, Henry
Pearson, William	Phillips, Larry	Robertson, Timothy	Sad, Tara
Shepardson, Marjorie	Tatro, Bruce	Weber, Lucy	

COOS

Hatch, William	Moynihan, Wayne	Theberge, Robert	Thomas, Yvonne
----------------	-----------------	------------------	----------------

GRAFTON

Abel, Richard	Bennett, Travis	Cooney, Mary	Ford, Susan
Hennessey, Martha	Maes, Kevin	Massimilla, Linda	Nordgren, Sharon
Smith, Suzanne	Sykes, George	Townsend, Charles	White, Andrew

HILLSBOROUGH

Backus, Robert	Baroody, Benjamin	Beaulieu, Jane	Booras, Efsthia
Brown, Pamela	Cohen, Alan	Cornell, Patricia	Cote, David
DiSilvestro, Linda	Freitas, Mary	Gidge, Kenneth	Goley, Jeffrey
Gorman, Mary	Guerette, C. Lee	Hansberry, Daniel	Harvey, Suzanne
Heath, Mary	Herbert, Christopher	Leishman, Peter	Long, Patrick
Mangipudi, Latha	Manley, Jonathan	McNamara, Richard	O'Brien, Michael
Porter, Marjorie	Roberts, Carol	Rosenwald, Cindy	Shattuck, Gilman
Shaw, Barbara	Snow, Kendall	Soucy, Timothy	Sullivan, Daniel
Williams, Kermit	Woodbury, David		

MERRIMACK

Bartlett, Christy	Bradley, Paula	Carson, Clyde	Deloge, Helen
Doherty, David	Ebel, Karen	Frazer, June	French, Barbara
Gle, Mary	Henle, Paul	Hirsch, Geoffrey	Karrick, David
Kenison, Linda	Mackay, James	Moffett, Howard	Myler, Mel
Patten, Dick	Rice, Chip	Rogers, Katherine	Saunderson, George
Schuett, Dianne	Shurtleff, Stephen	Turcotte, Alan	Wallner, Mary Jane

ROCK INGHAM

Berrien, Skip	Borden, David	Cahill, Michael	Cali-Pitts, Jacqueline
Cushing, Robert	Francese, Paula	Gordon, Pamela	Guthrie, Joseph
Heffron, Frank	McBeath, Rebecca	Pantelakos, Laura	Sherman, Thomas
Simpson, Alexis	Ward, Gerald		

STRAFFORD

Baber, William	Berube, Roger	Bixby, Peter	Burton, Wayne
Cilley, Jacalyn	Horrigan, Timothy	Schmidt, Peter	Smith, Marjorie
Southworth, Thomas	Spang, Judith	Sprague, Dale	Stevens, Audrey
Treleaven, Susan	Verschueren, James	Wall, Janet	Ward, Kenneth

SULLIVAN

Cloutier, John	Converse, Larry	Gagnon, Raymond	Gottling, Suzanne
Oxenham, Lee	Schmidt, Andrew		

NAYS - 190

BELKNAP

Aldrich, Glen	Dumais, Russell	Fields, Dennis	Flanders, Donald
Fraser, Valerie	Gallagher, Brian	LeBreche, Shari	Luther, Robert
Spanos, Peter	Sylvia, Michael	Tilton, Franklin	Vadney, Herbert

CARROLL

Avellani, Lino	Chandler, Gene	Comeau, Ed	Cordelli, Glenn
McCarthy, Frank	McConkey, Mark	Parker, Harold	Schmidt, Stephen
Umberger, Karen	Wright, Ted		

CHESHIREAbbott, Michael
Sterling, FranklinHunt, John
Tilton, Benjamin

McConnell, James

Roberts, Kris

COOSFothergill, John
Tholl, John

Rappaport, Laurence

Richardson, Herbert

Rideout, Leon

GRAFTONAlmy, Susan
Higgins, Patricia
Ladd, RickDarrow, Stephen
Hull, Robert
Shackett, JeffreyGionet, Edmond
Ingretson, PaulHennessey, Erin
Johnson, Eric**HILLSBOROUGH**Adams, Christopher
Biggie, Barbara
Christensen, Chris
Edelblut, Frank
Fromuth, Bart
Hansen, Peter
Jack, Martin
Martel, Andre
Murphy, Keith
Ohm, Bill
Pierce, David
Rowe, Robert
Smith, Gregory
Takesian, CharleneAmmon, Keith
Boehm, Ralph
Christie, Rick
Edwards, Elizabeth
Gagne, Larry
Hinch, Richard
Kurk, Neal
McCarthy, Peggy
Notter, Jeanine
Palmer, Barry
Proulx, Mark
Sanborn, Laurie
Souza, Kathleen
Ulery, JordanBalcom, John
Burt, John
Coffey, James
Estevez, Eric
Gould, Linda
Hogan, Edith
Lachance, Joseph
McLean, Mark
Ober, Lynne
Pellegrino, Anthony
Rice, Kimberly
Schleien, Eric
Straight, Phillip
Wolf, TerryBelanger, James
Byron, Frank
Danielson, David
Ferreira, Elizabeth
Haefner, Robert
Hopper, Gary
LeBrun, Donald
Moore, Josh
Ober, Russell
Peterson, Ken
Rouillard, Claire
Seidel, Carl
Sullivan, Victoria**MERRIMACK**Brewster, Michael
Horn, Werner
Marple, Richard
Parent, JasonFrench, Harold
Kidder, David
Martin, John
Ratzki, MarioHill, Gregory
Kuch, Bill
McGuire, Carol
Seaworth, BrianHoell, J.R.
Long, Douglas
McGuire, Dan
Walsh, Thomas**ROCK INGHAM**Abrami, Patrick
Baldasaro, Alfred
Chase, Francis
Devine, James
Ferrante, Beverly
Green, Dennis
Hodgdon, Bruce
Kappler, Lawrence
Manning, John
Milz, David
Packard, Sherman
Rice, Frederick
Tilton, Rio
Webb, JamesAbramson, Max
Barnes, Arthur
Chirichiello, Brian
Doucette, Fred
Fesh, Robert
Griffin, Mary
Hoelzel, Kathleen
Katsakiores, Phyllis
Matthews, Carolyn
Nigrello, Robert
Peckham, Michele
Sytek, John
True, Chris
Welch, DavidAllen, Mary
Bates, David
Cook, Allen
Elliott, Robert
Gannon, William
Hagan, Joseph
Introne, Robert
Lundgren, David
McKinney, Betsy
O'Connor, John
Potucek, John
Tasker, Kyle
Tucker, Pamela
Weyler, KennethAzarian, Gary
Cardon, G. Thomas
DeSimone, Debra
Emerick, J. Tracy
Gordon, Richard
Harris, Jeffrey
Itse, Daniel
Major, Norman
McMahon, Charles
Osborne, Jason
Prudhomme-O'Brien, Katherine
Thomas, Douglas
Ward, Joanne
Woitkun, Steven**STRAFFORD**Beaudoin, Steven
DiSesa, Len
Hannon, Joseph
Mullen, JohnBickford, David
Graham, Robert
Jones, Laura
Pitre, JosephCheney, Catherine
Gray, James
Kaczynski, Jr., Thomas
Turcotte, LeonardDeLemus, Susan
Groen, Warren
Leeman, Don
Wuelper, Kurt**SULLIVAN**Grenier, James
and floor amendment (0447h) failed.

Laware, Thomas

Rollins, Skip

Smith, Steven

The question now being adoption of the committee report of Ought to Pass with Amendment.
Rep. Kurk offered floor amendment (0479h).

Floor Amendment (0479h)

Amend the bill by replacing section 15 with the following:

15 Provision for Federal Identification Database Prohibited. RSA 260:14-a is repealed and reenacted to read as follows:

260:14-a Provision for Federal Identification Database Prohibited. The department shall not provide any motor vehicle driver's license, license plate, or identification card data to any agency or contractor of the

federal government or another state or territory, or any provider of interstate license or identification messaging services, for use in compiling or creating "pointers" to or indexes of information concerning drivers' licenses, identification cards, or license plates. The department shall not provide any information concerning drivers' licenses, identification cards, or license plates except on a case-by-case basis for a named individual or specific license plate number in response to a request which includes the purpose of the request, the name of the agency or contractor which originated the request, and a unique identifier for the individual requester at that agency or contractor. Such information shall be provided only for purposes related to issuance or validity. The department shall report on its website by March 1 of each year beginning in 2017 the numbers of such requests, the numbers of records disclosed in response to them, the agencies making such requests and receiving records in response, and the purposes of these requests.

Rep. Kurk spoke in favor and yielded to questions.

MOTION TO PRINT REMARKS

Rep. Shurtleff moved that his question and the answer by Rep. Kurk, during the debate on **HB 1616-FN**, relative to drivers' licenses and identification cards that are compliant with federal identification law, be printed in the Permanent Journal.

Without objection, the Speaker so ordered.

CLERK'S NOTE

The entire debate on **HB 1616-FN**, relative to drivers' licenses and identification cards that are compliant with federal identification law, was voted to be printed and appears later in this Journal.

The question now being adoption of floor amendment (0479h).

On a division vote, with 204 members having voted in the affirmative and 113 in the negative, floor amendment (0479h) was adopted.

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

Rep. True spoke against and yielded to questions.

INTRODUCTION OF SPECIAL GUESTS

The 2016 class of Leadership New Hampshire, guests of the House.

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

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

MOTION TO LAY ON THE TABLE

Rep. Ammon moved that **HB 1616-FN**, relative to drivers' licenses and identification cards that are compliant with federal identification law, be laid on the table.

Rep. Eaton requested a roll call; sufficiently seconded.

YEAS 67 - NAYS 254

YEAS - 67

BELKNAP

Aldrich, Glen
Sylvia, Michael

Gallagher, Brian

LeBreche, Shari

Spanos, Peter

CARROLL

Avellani, Lino

Comeau, Ed

CHESHIRE

McConnell, James

Tilton, Benjamin

COOS

Rideout, Leon

GRAFTON

Hull, Robert

Ingbretson, Paul

Johnson, Eric

HILLSBOROUGH

Adams, Christopher
Christie, Rick
Fromuth, Bart
Lachance, Joseph
Parison, James

Ammon, Keith
Edelblut, Frank
Gould, Linda
Moore, Josh
Sanborn, Laurie

Burt, John
Edwards, Elizabeth
Hogan, Edith
Murphy, Keith
Schleien, Eric

Christiansen, Lars
Ferreira, Elizabeth
Hopper, Gary
Notter, Jeanine
Sullivan, Victoria

MERRIMACK

Brewster, Michael
McGuire, Carol

Hill, Gregory
McGuire, Dan

Hoell, J.R.

Long, Douglas

ROCK INGHAM

Abramson, Max
Cook, Allen
Green, Dennis
Lundgren, David
Tucker, Pamela

Baldasaro, Alfred
Elliott, Robert
Harris, Jeffrey
Osborne, Jason
Webb, James

Chase, Francis
Emerick, J. Tracy
Itse, Daniel
Tasker, Kyle

Chirichiello, Brian
Gannon, William
Kappler, Lawrence
True, Chris

STRAFFORD

Beaudoin, Steven
Groen, Warren
Turcotte, Leonard

Cheney, Catherine
Hannon, Joseph
Wuelper, Kurt

DeLemus, Susan
Jones, Laura

Graham, Robert
Kaczynski, Jr., Thomas

NAYS - 254**BELKNAP**

Dumais, Russell
Luther, Robert

Fields, Dennis
Tilton, Franklin

Flanders, Donald
Vadney, Herbert

Fraser, Valerie

CARROLL

Buco, Thomas
McCarthy, Frank
Ticehurst, Susan

Butler, Edward
McConkey, Mark
Umberger, Karen

Chandler, Gene
Parker, Harold
Wight, Ted

Cordelli, Glenn
Schmidt, Stephen

CHESHIRE

Abbott, Michael
Chase, Cynthia
Mann, John
Roberts, Kris
Sterling, Franklin

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

Berch, Paul
Hunt, John
Pearson, William
Sad, Tara
Weber, Lucy

Bordenet, John
Ley, Douglas
Phillips, Larry
Shepardson, Marjorie

COOS

Fothergill, John
Richardson, Herbert

Hatch, William
Theberge, Robert

Moynihan, Wayne
Tholl, John

Rappaport, Laurence
Thomas, Yvonne

GRAFTON

Abel, Richard
Darrow, Stephen
Hennessey, Martha
Massimilla, Linda
Sykes, George

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

Bennett, Travis
Gionet, Edmond
Ladd, Rick
Shackett, Jeffrey
White, Andrew

Cooney, Mary
Hennessey, Erin
Maes, Kevin
Smith, Suzanne

HILLSBOROUGH

Backus, Robert
Belanger, James
Brown, Pamela
Cohen, Alan
DiSilvestro, Linda
Gidge, Kenneth
Haefner, Robert
Heath, Mary
Jack, Martin
Long, Patrick
McCarthy, Peggy
Ober, Russell
Peterson, Ken
Rice, Kimberly
Rowe, Robert
Smith, Gregory
Straight, Phillip
Williams, Kermit

Balcom, John
Biggie, Barbara
Byron, Frank
Cornell, Patricia
Estevez, Eric
Goley, Jeffrey
Hansberry, Daniel
Herbert, Christopher
Kurk, Neal
Mangipudi, Latha
McLean, Mark
Ohm, Bill
Pierce, David
Roberts, Carol
Seidel, Carl
Snow, Kendall
Sullivan, Daniel
Wolf, Terry

Baroody, Benjamin
Boehm, Ralph
Christensen, Chris
Cote, David
Freitas, Mary
Gorman, Mary
Hansen, Peter
Hinch, Richard
LeBrun, Donald
Manley, Jonathan
McNamara, Richard
Palmer, Barry
Porter, Marjorie
Rosenwald, Cindy
Shattuck, Gilman
Soucy, Timothy
Takesian, Charlene
Woodbury, David

Beaulieu, Jane
Booras, Efsthathia
Coffey, James
Danielson, David
Gagne, Larry
Guerette, C. Lee
Harvey, Suzanne
Infantine, William
Leishman, Peter
Martel, Andre
O'Brien, Michael
Pellegrino, Anthony
Proulx, Mark
Rouillard, Claire
Shaw, Barbara
Souza, Kathleen
Ulery, Jordan

MERRIMACK

Bartlett, Christy
Doherty, David
French, Harold
Horn, Werner
Kuch, Bill

Bradley, Paula
Ebel, Karen
Gile, Mary
Karrick, David
MacKay, James

Carson, Clyde
Frazer, June
Henle, Paul
Kenison, Linda
Marple, Richard

Deloge, Helen
French, Barbara
Hirsch, Geoffrey
Kiddler, David
Martin, John

Moffett, Howard
Ratzki, Mario
Schuett, Dianne
Wallner, Mary Jane

Myler, Mel
Rice, Chip
Seaworth, Brian
Walsh, Thomas

Parent, Jason
Rogers, Katherine
Shurtleff, Stephen

Patten, Dick
Saunderson, George
Turcotte, Alan

ROCK INGHAM

Abrami, Patrick
Bates, David
Cali-Pitts, Jacqueline
DeSimone, Debra
Fesh, Robert
Griffin, Mary
Hodgdon, Bruce
Major, Norman
McKinney, Betsy
O'Connor, John
Potucek, John
Simpson, Alexis
Ward, Gerald
Woitkun, Steven

Allen, Mary
Berrien, Skip
Cardon, G. Thomas
Devine, James
Francese, Paula
Guthrie, Joseph
Hoelzel, Kathleen
Manning, John
McMahon, Charles
Packard, Sherman
Prudhomme-O'Brien, Katherine
Sytek, John
Ward, Joanne

Azarian, Gary
Borden, David
Christie, Andrew
Doucette, Fred
Gordon, Pamela
Hagan, Joseph
Introne, Robert
Matthews, Carolyn
Milz, David
Pantelakos, Laura
Rice, Frederick
Thomas, Douglas
Welch, David

Barnes, Arthur
Cahill, Michael
Cushing, Robert
Ferrante, Beverly
Gordon, Richard
Heffron, Frank
Katsakiores, Phyllis
McBeath, Rebecca
Nigrello, Robert
Peckham, Michele
Sherman, Thomas
Tilton, Rio
Weyler, Kenneth

STRAFFORD

Baber, William
Burton, Wayne
Horrigan, Timothy
Schmidt, Peter
Sprague, Dale
Wall, Janet

Berube, Roger
Cilley, Jacalyn
Leeman, Don
Smith, Marjorie
Stevens, Audrey
Ward, Kenneth

Bickford, David
DiSesa, Len
Mullen, John
Southworth, Thomas
Treleaven, Susan

Bixby, Peter
Gray, James
Pitre, Joseph
Spang, Judith
Verschueren, James

SULLIVAN

Cloutier, John
Grenier, James
Schmidt, Andrew

Converse, Larry
Laware, Thomas
Smith, Steven

Gagnon, Raymond
Oxenham, Lee

Gottling, Suzanne
Rollins, Skip

and the motion failed.

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

Rep. Webb spoke against.

Rep. Packard spoke in favor and yielded to questions.

Rep. Leeman requested a roll call; sufficiently seconded.

YEAS 245 - NAYS 76

YEAS - 245

BELKNAP

Dumais, Russell
Luther, Robert

Fields, Dennis
Tilton, Franklin

Flanders, Donald
Vadney, Herbert

Gallagher, Brian

CARROLL

Buco, Thomas
McCarthy, Frank
Ticehurst, Susan

Butler, Edward
McConkey, Mark
Umberger, Karen

Chandler, Gene
Parker, Harold

Cordelli, Glenn
Schmidt, Stephen

CHESHIRE

Abbott, Michael
Chase, Cynthia
Mann, John
Roberts, Kris
Sterling, Franklin

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

Berch, Paul
Hunt, John
Pearson, William
Sad, Tara
Weber, Lucy

Bordenet, John
Ley, Douglas
Phillips, Larry
Shepardson, Marjorie

COOS

Fothergill, John
Richardson, Herbert

Hatch, William
Theberge, Robert

Moynihan, Wayne
Tholl, John

Rappaport, Laurence
Thomas, Yvonne

GRAFTON

Abel, Richard
Darrow, Stephen
Hennessey, Martha
Massimilla, Linda
Sykes, George

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

Bennett, Travis
Gionet, Edmond
Ladd, Rick
Shackett, Jeffrey
White, Andrew

Cooney, Mary
Hennessey, Erin
Maes, Kevin
Smith, Suzanne

HILLSBOROUGH

Backus, Robert
 Belanger, James
 Brown, Pamela
 Coffey, James
 Danielson, David
 Gidge, Kenneth
 Guerette, C. Lee
 Harvey, Suzanne
 Infantine, William
 Leishman, Peter
 McCarthy, Peggy
 Ohm, Bill
 Pierce, David
 Roberts, Carol
 Seidel, Carl
 Snow, Kendall
 Sullivan, Daniel
 Woodbury, David

Balcom, John
 Biggie, Barbara
 Byron, Frank
 Cohen, Alan
 DiSilvestro, Linda
 Goley, Jeffrey
 Haefner, Robert
 Heath, Mary
 Jack, Martin
 Long, Patrick
 McLean, Mark
 Palmer, Barry
 Porter, Marjorie
 Rosenwald, Cindy
 Shattuck, Gilman
 Soucy, Timothy
 Takesian, Charlene

Barody, Benjamin
 Boehm, Ralph
 Christensen, Chris
 Cornell, Patricia
 Freitas, Mary
 Gorman, Mary
 Hansberry, Daniel
 Herbert, Christopher
 Kurk, Neal
 Mangipudi, Latha
 McNamara, Richard
 Pellegrino, Anthony
 Proulx, Mark
 Rouillard, Claire
 Shaw, Barbara
 Souza, Kathleen
 Williams, Kermit

Beaulieu, Jane
 Booras, Efstathia
 Christiansen, Lars
 Cote, David
 Gagne, Larry
 Gould, Linda
 Hansen, Peter
 Hinch, Richard
 LeBrun, Donald
 Manley, Jonathan
 O'Brien, Michael
 Peterson, Ken
 Rice, Kimberly
 Rowe, Robert
 Smith, Gregory
 Straight, Phillip
 Wolf, Terry

MERRIMACK

Bartlett, Christy
 Doherty, David
 French, Harold
 Karrick, David
 Marple, Richard
 Patten, Dick
 Saunderson, George
 Wallner, Mary Jane

Bradley, Paula
 Ebel, Karen
 Henle, Paul
 Kenison, Linda
 Moffett, Howard
 Ratzki, Mario
 Schuett, Dianne
 Walsh, Thomas

Carson, Clyde
 Frazer, June
 Hirsch, Geoffrey
 Kidder, David
 Myler, Mel
 Rice, Chip
 Shurtleff, Stephen

Deloge, Helen
 French, Barbara
 Horn, Werner
 Mackay, James
 Parent, Jason
 Rogers, Katherine
 Turcotte, Alan

ROCK INGHAM

Abrami, Patrick
 Bates, David
 Cali-Pitts, Jacqueline
 DeSimone, Debra
 Emerick, J. Tracy
 Griffin, Mary
 Hoelzel, Kathleen
 Manning, John
 McMahon, Charles
 Packard, Sherman
 Prudhomme-O'Brien, Katherine
 Sytek, John
 Ward, Joanne

Allen, Mary
 Berrien, Skip
 Cardon, G. Thomas
 Devine, James
 Fesh, Robert
 Guthrie, Joseph
 Introne, Robert
 Matthews, Carolyn
 Milz, David
 Pantelakos, Laura
 Rice, Frederick
 Thomas, Douglas
 Welch, David

Azarian, Gary
 Borden, David
 Christie, Andrew
 Doucette, Fred
 Francese, Paula
 Hagan, Joseph
 Katsakiores, Phyllis
 McBeath, Rebecca
 Nigrello, Robert
 Peckham, Michele
 Sherman, Thomas
 Tilton, Rio
 Weyler, Kenneth

Barnes, Arthur
 Cahill, Michael
 Cushing, Robert
 Elliott, Robert
 Gordon, Pamela
 Heffron, Frank
 Major, Norman
 McKinney, Betsy
 O'Connor, John
 Potucek, John
 Simpson, Alexis
 Ward, Gerald
 Woitkun, Steven

STRAFFORD

Baber, William
 Burton, Wayne
 Horrigan, Timothy
 Smith, Marjorie
 Stevens, Audrey
 Ward, Kenneth

Berube, Roger
 Cilley, Jacalyn
 Leeman, Don
 Southworth, Thomas
 Treleaven, Susan

Bickford, David
 DiSesa, Len
 Mullen, John
 Spang, Judith
 Verschuere, James

Bixby, Peter
 Gray, James
 Schmidt, Peter
 Sprague, Dale
 Wall, Janet

SULLIVAN

Cloutier, John
 Grenier, James
 Schmidt, Andrew

Converse, Larry
 Laware, Thomas
 Smith, Steven

Gagnon, Raymond
 Oxenham, Lee

Gottling, Suzanne
 Rollins, Skip

NAYS - 76**BELKNAP**

Aldrich, Glen
 Sylvia, Michael

Fraser, Valerie

LeBreche, Shari

Spanos, Peter

CARROLL

Wright, Ted

CHESHIRE**COOS**

Avellani, Lino

Comeau, Ed

McConnell, James

Tilton, Benjamin

Rideout, Leon

GRAFTON

Hull, Robert

Ingbretson, Paul

Johnson, Eric

HILLSBOROUGH

Adams, Christopher
Eastman, Eric
Ferreira, Elizabeth
Lachance, Joseph
Notter, Jeanine
Schleien, Eric

Ammon, Keith
Edelblut, Frank
Fromuth, Bart
Martel, Andre
Ober, Russell
Sullivan, Victoria

Burt, John
Edwards, Elizabeth
Hogan, Edith
Moore, Josh
Parison, James
Ulery, Jordan

Christie, Rick
Estevez, Eric
Hopper, Gary
Murphy, Keith
Sanborn, Laurie

MERRIMACK

Brewster, Michael
Long, Douglas
Seaworth, Brian

Hill, Gregory
Martin, John

Hoell, J.R.
McGuire, Carol

Kuch, Bill
McGuire, Dan

ROCK INGHAM

Abramson, Max
Cook, Allen
Green, Dennis
Kappler, Lawrence
True, Chris

Baldasaro, Alfred
Ferrante, Beverly
Harris, Jeffrey
Lundgren, David
Tucker, Pamela

Chase, Francis
Gannon, William
Hodgdon, Bruce
Osborne, Jason
Webb, James

Chirichiello, Brian
Gordon, Richard
Itse, Daniel
Tasker, Kyle

STRAFFORD

Beaudoin, Steven
Groen, Warren
Pitre, Joseph

Cheney, Catherine
Hannon, Joseph
Turcotte, Leonard

DeLemus, Susan
Jones, Laura
Wuelper, Kurt

Graham, Robert
Kaczynski, Jr., Thomas

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

MOTION TO PRINT DEBATE

Rep. Ammon moved that the debate on **HB 1616-FN**, relative to drivers' licenses and identification cards that are compliant with federal identification law, be printed in the Permanent Journal.

On a division vote, with 169 members having voted in the affirmative and 152 in the negative, the motion was adopted.

DEBATE

Speaker Jasper: The question is on the committee amendment, 0123h, printed in House Record 7, pages 42 to 43. Are you ready for the question? All those in favor, say Aye; those opposed, Nay. The Ayes have it and the committee amendment is adopted. The bill is on second reading, open to further amendment. The Chair recognizes Representative Shurtleff who offers floor amendment 0447h and he is recognized to speak to his amendment.

Representative Shurtleff: Thank you, Mister Speaker. Mister Speaker, I move amendment 0447h.

Speaker Jasper: You are recognized to speak to that.

Representative Shurtleff: Thank you, Mister Speaker. Mister Speaker, I rise to offer an amendment to this bill, which makes one simple change to the method by which an individual would choose to obtain or decline a license that is compliant with Real ID. To briefly explain, under current law when you apply for or renew a drivers' license, your image and social security number are kept in a database maintained by the Department of Safety unless you check a box on the application to state that you do not want the information retained. The committee passed a version of this bill that changes that process and instead gives people a number of options on what kind of a license they wish to acquire. The concern is that the method recommended by the committee will be confusing to individuals who don't understand the ins and outs of federal law and the consequences of not obtaining a compliant identification. As we know, individuals without compliant ID's will soon be unable to board an aircraft or enter federal buildings with a drivers' license or a non-driver ID. Without making the consequences of non-compliance clear, we run the very real risk of our constituents arriving at an airport for a very important flight who could be told that they are unable to board because their ID is insufficient. That's a risk that we don't want to take if it can be avoided, so that's why this amendment takes us back to the process we currently use for choosing whether to keep our image and social security number on file. If an individual does not want to comply with Real ID and not allow that information to be kept in the database, they can simply continue to check the box on the application form as they do today. So this amendment retains the exact same right to keep your personal information as exists under current law and under the committee passed version of the bill, but it does so in the most clear and understandable way as possible. As legislators, it's important for us to safeguard the privacy of our constituents, which we have done by allowing individuals the choice of either complying with Real ID or not, but whenever we can, we must make sure that we do not do so in a way that does not create unnecessary confusion, work or bureaucratic hassles. That is why I am offering this amendment, Mister Speaker. Thank you so much.

Speaker Jasper: The Chair recognizes the member from Weare, Representative Kurk to speak against the floor amendment.

Representative kurk: Thank you, Mister Speaker. As most of you know, New Hampshire has taken the position that we do not wish to participate in the Real ID Act because at one time the federal government was going to create a national database with all of our information in there, including information that you currently do not give to the DMV. The feds have since backed off of that position and now they want to have what's called a state-to-state database. We will talk about that later in a floor amendment, but I bring that up now because what the minority amendment does is to create an opt-out plan as opposed to the majority amendment, which we have just adopted, which is an opt-in. Under an opt-in, you have to make the decision as to whether or not you want to have a Real ID compliant license and then if you do that, you'll have to do the following things. You will have to submit a photo ID or a non-photo ID that includes your full legal name and birth date. You will have to supply a certified copy of your birth certificate, which of course tells who your parents are, where you were born and so forth. You will have to provide documentation of your legal status and documentation of your social security number and documentation showing your name and your principal address. All of this documentation will be kept at the DMV for at least 7 years depending on whether it is an electronic or physical form. That's a lot of data about a lot of people that will be in the database if you adopt the minority's amendment as is before us. That information will not be in the database if we continue on with the amendment that we have adopted. The amendment that we have adopted is an opt-in so that information will only be in the database for people who want Real ID compliant licenses. New Hampshire tries to protect the privacy of its citizens and in doing so we want to collect the least possible amount of information in our motor vehicle department database. That's what the majority amendment does. The minority amendment takes the exact opposite position and I don't think that's the way we want to go. One other point. The amendment that we've just adopted talks about keeping the objection to Real ID and New Hampshire's non-participation in the Real ID Act, except to the extent individuals opt-in, then they have to comply with the Real ID Act. That's their decision. You don't want to get a passport? You don't want to go through the screening? In case some of you don't know it, you don't have to have any ID to go on an airplane, but it will take you a couple of hours to go through the screening process. If they want to have their passport, they can do that and don't have to go through Real ID or if they want to go through Real ID, they can do so. The majority amendment says we are not participating in the Real ID Act, except to the extent the individuals want to do so. The amendment before us, the minority amendment says we repeal New Hampshire's prohibition against Real ID, totally repealed, because that was in the bill as introduced in Section I. Their amendment only deals with Sections VI and I think VII so if you're concerned about citizen's privacy and you want to make sure that the least possible information goes into the state database and to the federal database, I urge you to vote no on this amendment. Thank you.

Speaker Jasper: The question is on the Shurtleff floor amendment, 0447h, which is in your seat pockets. Are you ready for the question? Roll call has been requested by Representative Shurtleff. Is that sufficiently seconded? That is sufficiently seconded. This will be a roll call vote and members will take their seats. The House will come to order. The question is on floor amendment 0447h. The Chair recognizes Representative Rosenwald for a parliamentary inquiry.

Representative Rosenwald: Thank you, Mister Speaker. If I know this amendment keeps the method used under current law to decline participation in Real ID, and if I know this amendment retains the exact same right to decline Real ID as the committee passed version, aka majority amendment, but it does so in a clear way that reduces the risk of an excited new grandmother being kept off an airplane when she doesn't realize that her drivers' license is wrong and she is trying to go to another state to visit a new grandchild and it reduces. If I know that it reduces the risk of someone making a long drive from the North Country to get to a social security office? Mister Speaker, if I believe it's our duty to protect the privacy of Granite Staters, but to do so in a transparent way that avoids creating unnecessary confusion and bureaucratic hurdles? Mister Speaker, would I then press the green button to adopt the floor amendment? Thank you.

Speaker Jasper: The question is on the floor amendment. If you are in favor, you'll press the green button. If you are opposed, you'll press the red button. The Chair recognizes Representative Steven Smith for a parliamentary inquiry.

Representative Steven Smith: Thank you, Mister Speaker. If I know that New Hampshire's current policy of resisting Real ID was overwhelmingly bipartisan, sponsored by some current members of the leadership in both parties and many of the minority party and signed by Governor Lynch, and if I know that this floor amendment effectively flips that policy on its head by saying that our default position will be, eh okay, go ahead, Real ID is fine so do that without a public hearing, as may occur in another venue, would I resist this, maintain New Hampshire's current policy and keep the respect for New Hampshire's policy on Real ID by pressing the red button? Thank you.

Speaker Jasper: The question is on the Shurtleff floor amendment. This is a roll call vote. If you are in favor, you'll press the green button. If you are opposed, you'll press the red button. Voting stations are open for 30 seconds. Have all members voted who were present when the question was put? The House will attend

to the state of the vote. There having been 127 votes in the affirmative and 190 in the negative, the floor amendment fails. The bill is on second reading and open to further amendment. The Chair recognizes Representative Kurk, who offers floor amendment 0479h in your seat pockets. Representative Kurk is recognized to speak to his floor amendment.

Representative kurk: Thank you, Mister Speaker and I thank the members for their strong support of the committee version of this bill. This amendment further secures the privacy of our documents. It basically says that we will not contribute any information to the state-to-state system which is what the federal government is proposing that we do in order to become Real ID compliant and it says that in very firm and strong language. I'll be candid with you. We need to change some of this at some later date in the process as we deal with the folks at the Department of Motor Vehicles to make sure that this language will be consistent with our present operations with respect to commercial drivers' licenses and a couple of other systems dealing with drivers' licenses. The purpose of this amendment, which I ask that you support, is to give us a strong negotiating position with the DMV folks and the Department of Homeland Security folks with whom we are trying to negotiate to understand what we must have in order to be compliant for those citizens who choose to opt for Real ID compliant licenses. So, while this may change, and I indeed will hope it changes during the course of the bill going forward in the process, at this time in the process, the House should take a strong position in favor of protecting privacy of individual records. Thank you, Mister Speaker.

Speaker Jasper: Does the member yield to questions? Representative Shurtleff, you may inquire.

Representative Shurtleff: Thank you, Mister Speaker and I thank my friend from Weare for taking my question. Would you agree with me that there are possibilities of maybe some flaws in the amendment? And, as this amendment, if it is approved, goes through the system, it should be vetted for unforeseen consequences that could be in the amendment?

Representative kurk: Absolutely and I will work to make sure that those, if there are any unintended consequences, do not happen.

Representative Shurtleff: Mister Speaker, could I request that the dialogue between myself and the gentleman from Weare be placed in the Permanent Journal?

Speaker Jasper: Without objection, so ordered. The question is on the Kurk floor amendment. Are you ready for the question? All those in favor, say Aye; those opposed, Nay. The Chair is in doubt; the House will divide so this will be a division vote. Members who are presently in the Hall only. Everyone should be in their seats. The question is on the Kurk floor amendment. If you are in favor, you'll press the green button. If you are opposed, you'll press the red button. Voting stations are open for 30 seconds. Have all members voted who were present when the question was put? The House will attend to the state of the vote. There having been 204 votes in the affirmative, 113 in the negative, the floor amendment is adopted. The question is on the committee report of Ought to Pass with amendment on HB 1616. The Chair recognizes Representative True from Sandown to speak against the committee report.

Representative True: Thank you, Mister Speaker. Mister Speaker, I rise in opposition to the committee report of Ought to Pass on HB 1616, Real ID. In 2007, the State of New Hampshire passed a law saying that the state shall not comply with the federal ID, the federal Real ID, because it was contrary and repugnant to our state constitution and to the Constitution of the United States of America. Now, HB 1616 is before us and if passed will have our state comply with the wishes of the Department of Homeland Security. In the words of America's greatest singers and songwriters of all time, Frank Zappa, "Susie cream cheese, what's gotten into you?" Real ID is still contrary and repugnant to the constitution and that is why I oppose complying. In 1982, Nancy Reagan said, "Just say no." Today, I am asking all of you to say, to just vote no. It has been said that complying with Real ID is completely voluntary and for those who do not voluntarily agree, the federal government will hassle and harass any and all who will not willingly comply. Rather than giving in and passing legislation to implement Real ID in New Hampshire, we should be demanding that Congress repeal Real ID. Just vote no. The 10th amendment to the constitution says the federal government does not have the right to tell the states how to make up their state's identification and drivers' licenses. Some people have said there is really nothing we can do, that you can't fight city hall and you can't fight the government and that if we do not give in to the federal government, the federal government will make it very inconvenient for our citizens. Live free or die in convenience is not the greatest of evils. Many people have asked me, "Christopher, Christopher, Christopher, why are you making such a big deal on such a small issue?" I say that taking a stand, making a stand and shouting that the constitution must be followed is not a small issue. In closing, I quote from a great American actor and humorist, Danny Thomas. It might have been Marlo Thomas. It could have been Thomas' English Muffins, but I know it was one of the Thomas'. "I will not go gentle into that good night. I will rage against the dying of the light." Thank you, Mister Speaker.

Speaker Jasper: Does the member yield to questions? House will be in order. No show of emotion. Representative Itse, you may inquire.

Representative Itse: Thank you, Mister Speaker. Thank you to the member from Sandown, which I used to represent, for taking my question. Would you agree with Benjamin Franklin that those who would give up essential liberty in exchange for security deserve neither?

Representative True: A wise man and I agree with that statement 100%.

Speaker Jasper: The Chair recognizes the member from Charlestown, Representative Steven Smith to speak in favor of the committee report.

Representative Steven Smith: Thank you, Mister Speaker. It is with no joy, but firm resolve that I rise in support of HB 1616. It's the right thing to do. My colleague from Sandown said you can't fight city hall. Well of course you can. Is Real ID repugnant? Of course it is; that's why we left the language in there as a bipartisan policy of the State of New Hampshire. What are you going to do about it though? We are not going to repeal Real ID. We are New Hampshire State Representatives. We are not Congress. You want to have that fight? Despite my support for this bill, I will have that fight, but I got to ask are you serious? When have you gone to Senator Ayotte's office, Senator Shaheen's office, Kuster or Guinta to tell them to get it repealed? Being a small state, have you lobbied the Senator's and Congressmen from other states to do the same thing? I apologize for what I'm about to say, but what I hear a lot is statements about what we don't like, Facebook wars, and no action. We are here today to serve our constituents, and I don't know about you, but I will not hold my constituents hostage to make some kind of political point. I am here to let them live free. Why should I make this decision for them? I'm supposed to give them the framework under which they live, something that's fair, something that allows them to choose their own destiny. HB 1616 does that. You want to fight Real ID? Pass HB 1616 and tell all your constituents to go down and get a non-compliant license. Even better, do you know how easy that is? Under HB 1616, you know what you have to do to not comply with Real ID? Nothing. When your license is renewed, it will say not valid for federal ID unless you have specifically chosen to participate in the program. I submit this to you, that will either happen and then you can go to our Senators or the rest of our federal delegation and go, look an overwhelming majority of the people in New Hampshire refuse to participate in this system and we want action or you find out you were wrong. Either way, you want to have the fight? We are giving you the venue to have that fight. We are giving you real results to go out and make your point or not, but don't sit here and say you just don't like it so we are going to dig our heels in. Normally, when you don't feel good about a bill, and I'll tell you I don't feel good about a bill. I am firmly convinced it's the right thing to do. We had hearings. We were respectful of the state's bipartisan position on this. We tried to accommodate all that, but normally you can go, I don't really feel good about this so I can always press the red button and life will go on as it did before. I am sorry, but you do not have that option today. Life is going to change and you are going to choose one path with the green button, one path with the red button, but the Federal Congress has said life is not going to go on the way it did today. So here's your choices and I'll leave it up to you to choose which one you do. You can choose a system that requires your wives, sisters, girlfriends and mothers to go through an enhanced security screening, which I've been through. When I tried to get into the Federal Capital Building and they took my belt and my boots in front of my kids before I went in, you can tell your constituents to make your point they have to go through that or put all of their information in a federal database when they apply for their passport or we can be New Hampshire Legislators and give them a local option that says you don't want to play. You really want to make a family decision to make that sacrifice, go ahead, we support you or no, I don't want my grandmother to go through that and I'm going to, for no extra money, agree to get the compliant license. Let them make that decision. It's their family. An aside benefit of this bill, if I can lighten it up a little bit, sorry for being so heavy, is if the only place you want to go is Canada or Mexico. Right now you have to get a passport. That's a burden for families. It's like, what, \$90 to \$100 a head? One of the third options in this bill is you can pay \$30 extra and get a card that will allow you to go see your friends and relatives in Canada, which is cheaper, and that has nothing to do with the other options so support Real ID, don't support Real ID. You want to fight Real ID? You all have my contact information. Let's go do it, but take this option away from your constituents to make a grand political statement? Please support the committee report. Thank you, Mister Speaker.

Speaker Jasper: Does the member yield to questions? Representative Murphy, you may inquire.

Representative Murphy: Thank you, Mister Speaker. Thank you for taking the question. My understanding is that New York, Montana, Missouri and Louisiana are also non-Real ID compliant. Do you really believe that the Federal Government will make the 20-odd million people who live in New York State go through this screening to get on airplanes?

Representative Steven Smith: Well, I hope so. New York, I'm glad you brought up has a special problem because New Hampshire's done a very good job of knowing who we've given licenses to and who we haven't. New York has a special problem because they're not quite as sure as we are, but do I think that they are going to go through with it anyway? Yes I do. On October 15th of 2015, non-compliant ID's were stopped being accepted at some federal facilities. The program is being rolled out. So having watched them phase this out and be implemented, regardless of where you are from, yeah, I think they are going to do it.

Speaker Jasper: Does the member yield to a further question? Representative Itse, you may inquire.

Representative Itse: Thank you, Mister Speaker. Thank you for taking my question. Would you believe that while you said that we in the chamber can't thwart the federal government, but that the entire no Real ID movement began right here in this chamber in 2006, when we voted with near unanimity to say no Real ID and then it failed in the chamber, which is not to be mentioned, after pressure from our federal delegation? But then, in the next term, it passed...

Speaker Jasper: Representative. Will the member...

Representative Itse: This is a would you believe.

Speaker Jasper: Well, then say so.

Representative Itse: But, then it passed in Maine and then it passed here and then it took fire across the states and yes, would you believe that this chamber can thwart the federal government?

Representative Steven Smith: No, because despite the unanimous support, well in this chamber almost unanimous, and I hear there's someplace beyond the wall where it was unanimous and signed by Governor Lynch. HB 685, yes, sponsored by the gentleman from Weare, the gentlelady from Lebanon, former Senator Peter Burling. Yeah, we did that, and what happened? In October of 2015, New Hampshire IDs stopped being accepted. You fought and you lost and the way to win this fight is to get the people behind us, not just make speeches. Go out and do the work. Tell them to get the regular ID and that's what will let us fight this, having a significant portion of the population that doesn't want to play. That's the tool we need. This gives them the option and lets the families make their own decision.

Speaker Jasper: Does the member yield to a further question? Representative White, you may inquire.

Representative White: Thank you, Mister Speaker. Thank you, Representative. Representative, would it surprise you to know that on October 20, 2015 when I arrived at the National Fire Academy, that I was not permitted on the grounds with my New Hampshire identification? That I had to, in fact, present a United States passport to be allowed entry to that facility? Would that surprise you?

Representative Steven Smith: Thank you for the question. No, it would not and we are trying to pass this so that people can make their own family decision about how they want to deal with that.

Speaker Jasper: The Chair recognizes Representative Ammon for a parliamentary inquiry.

Representative Ammon: Thank you, Mister Speaker. Mister Speaker is today the last day for early bills and would it require a two-third majority to remove a bill from the table after today?

Speaker Jasper: Today is a deadline so if a bill were to be laid on the table, after the deadline it could be removed by a simple majority, however, for the bill to pass it would require a two-thirds vote after today.

Representative Ammon: Mister Speaker, would a motion to table be in order at this moment?

Speaker Jasper: It would be in order.

Representative Ammon: I would like to make a motion to table and I ask for a division vote.

Speaker Jasper: Roll call has been requested. Is that sufficiently seconded? It is sufficiently seconded. This will be a roll call vote. Members will take their seats. The House will come to order. The question is on the tabling motion on HB 1616. The Chair recognizes Representative Ammon for a parliamentary inquiry.

Representative Ammon: Thank you, Mister Speaker. Mister Speaker, if I know that the deadline for Real ID has been changed to the year 2018 and even the year 2020 since this bill was written and this is according to the Department of Homeland Security in the beginning of January, and if I know it is none of the federal government's business what we put on our licenses because this is a state purview? And, if I also know that this is the camel's nose under the tent and that even amendments offered in this very chamber today seek to move the goalpost and that eventually this will be mandatory? If I know that, would I then press the green button to table this bill?

Speaker Jasper: Question is on the tabling motion on HB 1616. If you're in favor, you'll press the green button. If you're opposed, you'll press the red button. The Chair recognizes Representative Packard for a parliamentary inquiry.

Representative Packard: Thank you, Mister Speaker. If I know there is still a lot more debate to go on this bill and that the members deserve to hear that debate? If I know that if we table this bill at this point, we will be adversely affecting hundreds of thousands of our citizens and if I know that tabling this bill is just plain irresponsible at this point, would I now press the red button so we can continue the debate and have a vote on this bill as we should have?

Speaker Jasper: The question is on the tabling motion on HB 1616. This is a roll call vote. If you are in favor, you'll press the green button. If you are opposed, you'll press the red button. Voting stations are open for 30 seconds. Have all members voted who were here when the question was put? The House will attend to the state of the vote. There having been 67 votes in the affirmative, 254 in the negative, the motion fails. There are only two speakers left on this debate. The Chair recognizes the member from Derry, Representative Webb, to speak against the committee report.

Representative Webb: Thank you, Mister Speaker. I rise in opposition to the committee report for many reasons. For the start, we have been opposed to this bill, to this type of government trying to get us to do it for 10 years. We are not alone in this battle. There are 28 other states that have been fighting this as well so it's not just in New Hampshire. This is basically the beginning of a national ID card. It says in this bill that it's voluntary. Well, as you know as well as I do, anything that's voluntary sooner or later becomes mandatory. As well as if you look at the actual cost of this in the fiscal note on the bill. This is not an inexpensive venture that we're going through. We are basically changing our entire system of the drivers' licenses so they can make it so we have this mandatory or national ID card. I was going to say a few other things, but as people spoke on this bill, I came up with a couple of things and I circled and wrote what they said. I heard

things like they are worried about protecting the Granite State people's right and all that. I heard that we can't freeze this, which is totally wrong. I also heard that this is a process and that's absolutely right, it is a process. This process is the process of putting us into this national database and New Hampshire has prided itself on not allowing license plate scanners. That was one that we fought and we actually won that one. There is some other things that we try to fight, but unfortunately we didn't do so well. People changed their minds and the bills had gotten passed, you know, but for the most part when it says optional, it's not. I have an employee badge at work and it has this ID on it and they are able to get information on it, everything there transmits right off my badge to the computers at work and it's 10 years old, so it's 10 year old technology. I don't know what we are going to be putting in these licenses with these national ID cards, but it's no better than tattooing a number on you like the Nazis did during the war. I mean they are going to give us a national ID number. Our licenses are going to be put in there with all this information. It is going to be stored and you know eventually it will become mandatory; it's not going to be optional. The people that want this or want to buy this license with this enhanced ID, well that's great but everybody else is paying for it. Nobody is looking at that portion of it. They want us, the people that don't want it, are going to end up paying for it because the whole system has to be changed to put it in there. From what I understand, it has been pushed out anyway even further, as one of the previous speakers said so I would encourage you to please vote against the committee report and Mister Speaker, I would like a division vote please. Thank you.

Speaker Jasper: The Chair recognizes the final speaker of the debate, the member from Londonderry, Representative Packard, to speak in favor of the committee report.

Representative Packard: Thank you, Mister Speaker. I'm going to try and be as short as possible, but there are some things I feel we have to cover. I'm going to give you a brief history of Real ID. This was passed back in 2005, introduced by a conservative Republican Congressman, James Sensenbrenner from Wisconsin. It was signed into law by President Bush because of the 9/11 Commission Report. I want to try and correct some fallacies out there. The gold card that some of you got yesterday has some tremendous inaccuracies. It says the Federal Real ID Act establishes a national identification card and requires the identification to allow photos and social security numbers to be held in government databases. The only government database that it is held in is the New Hampshire database and you have to give that to get your current license. If you wish to have your social security number and your photo redacted from the system, you can do that. You will continue to be able to do that. Currently, 3% of our population that have drivers' licenses have opted to have their pictures taken out, 3%, 97% have not. Under social security numbers, it's between 8-9% that have asked to have their social security numbers taken out of the system so over 90% of our citizens have said they are not worried about our state system. It says currently 28 states do not comply with Real ID, again, false. Twenty-three states completely comply. All except 4 states are in the process of complying. The current licenses you have, have 2 features of security on it. Starting January 1st we entered into a new contract. I don't know who the contractor is; who makes our licenses. It will have all 3 security features in it whether you're Real ID, you're not Real ID, whether we pass this bill or we don't pass this bill. It will have 3 security features in it. That is acceptable as a Real ID license. The only thing that we are really asking you in this bill that has to retain in the state system is your social security number and your picture. If you don't want it retained in the system, you take it out; you get a non-Real ID compliant license. That's it. This fantasy about a national identification card is just that, fantasy. It does not exist. It will not exist. This legislature wouldn't let it exist if it came to that and I would be one of the first ones up here saying hell no. For those of you who were here back in, what 2007, I think it was, 2006. It was about 9:00 at night. I was the Chairman of the Transportation Committee and we were discussing Real ID and I thought it was a little premature to move forward and just say we were going to say hell no and my dear friend from Weare got up and said, "I'm going to fire a shot across the bow." Well that shot, for those of you who were here, blew my ship up. That bill passed overwhelmingly; it got overturned. Ladies and gentlemen, this is for our citizens. Stop and think about this. Less than 45% of the people of New Hampshire have passports. So we are talking about 650 to 700,000 of our citizens that do not have passports, going on the national average. Could be a little more; could be a little less. So what we are telling our citizens is, and it was made reference to before, grandma and grandpa want to go see, which I am one, want to go see their new grandchild out in California or Texas or someplace like this and they don't have a Real ID license. Now they're going to have to go through hell at the airports just to get on the plane and all they want to do is go see their new grandchild. Family of 4 wants to go to Disneyland so now they got to go out and buy passports, \$6-7-\$800 more just so they can go to Disneyland for the week. It doesn't make any sense. This bill is 100% opt in. If you don't want to do it, you don't have to do it, but let's give our citizens the chance to do it. That's all we're asking. I'm sure I have enough faith in the Department of Safety that they will come up with a good enough system to make people realize the consequences of not acting or acting and getting into the system. Let's talk about numbers for a little bit. Let's just say, and I'm using a low number, 250,000 of our citizens have to go out and buy passports now because we decide now not to allow them the option of getting into Real ID. Figure it out at \$90-\$150 a passport that comes over to \$25 million. So, if you vote against this bill, you're probably voting to put a tax on our citizens of \$25 to \$30 million. Do

you want that on your head? It's on your head, not on mine. I am strongly supporting the idea of giving our citizens the option of getting into the Real ID system and that's what this bill does. I urge you to support the committee report of Ought to Pass as Amended. Thank you.

Speaker Jasper: Does the member yield for questions? Member yields. Representative Ohm, you may inquire.

Representative Ohm: Thank you, Mister Speaker. I thank the Representative for taking my question. My understanding is that we now have additional privacy protections in Representative Kurk's floor amendment. Would you suggest that I ask my colleagues to join me in pressing the green button?

Representative Packard: I would strongly suggest that you ask your colleagues to join us in pressing the green button and between the committee amendment and Representative Kurk's amendment; we have ample security in there.

Representative Ohm: Thank you.

Speaker Jasper: Does the member yield to further questions? The member does not yield. Representative Leeman has requested a roll call. Is that sufficiently seconded? That is sufficiently seconded. This will be a roll call vote. Members will take their seats. House will come to order. Members should be in their seats. The question is on the committee report on HB 1616 as amended. The Chair recognizes Representative Burt for a parliamentary inquiry.

Representative Burt: Thank you, Mister Speaker. My voice is almost back.

Speaker Jasper: I should bring them to order, however.

Representative Burt: Mister Speaker, if I know the fine Representative from Weare fought and killed Real ID in 2006 or 2007 to protect our privacy and if I further know that the fine Representative from Dunbarton and I flew out of the Manchester/Boston Regional airport using our State Representative ID card, which looks like we made it in our basement, and that is true? And lastly, Mister Speaker, if I know this House should always protect our privacy and vote these bills down as we will be able to still fly? Let me repeat, we will still be able to fly after 2018 and 2020 with just a few extra minutes at check in time using our regular licenses, which I am happy to take the few extra minutes to protect our privacy.

Speaker Jasper: That's a question?

Representative Burt: Yes. Would I now vote no and push my favorite color, Mister Speaker, the red button? Thank you, Mister Speaker.

Speaker Jasper: The question is on the adoption of the committee report on HB 1616. If you are in favor; you will press the green button. If you are opposed, you'll press the red button. The Chair recognizes Representative Packard for a parliamentary inquiry.

Representative Packard: Thank you, Mister Speaker. If I know that this does not create a national database or a national ID card and if I know that this is completely 100% voluntary? If I know I am not willing at this time to commit our citizens to have to spend up to 2 to 3 hours extra in some airports just to board an airplane when it's unnecessary, would I now press the green button and support the committee report? Thank you, Mister Speaker.

Speaker Jasper: The question is on the adoption of the committee report on HB 1616, as amended. If you are in favor, you will press the green button. If you are opposed, you'll press the red button. Voting stations are open for 30 seconds. Have all members voted who were present when the question was put? The House will attend to the state of the vote. There having been 245 votes in the affirmative, 76 in the negative, the committee report is adopted. Under the Rules of the House the bill is referred to the Committee on Ways and Means. For what purpose does the member rise?

Representative Ammon: Thank you, Mister Speaker. I request that the remarks on the previous debate be entered into the Permanent Journal. I think it's important for the future.

Speaker Jasper: The motion is on printing the debate on HB 1616 in the Permanent Journal. Are you ready for the question? All those in favor, say Aye; those opposed, Nay. The Chair is in doubt. The House will divide. Only members in the Hall. Members should be in their seats. If you are in favor of printing the remarks in the Journal, you will push the green button. If you are opposed, you'll press the red button. Voting stations are open for 30 seconds. Have all members voted who were here when the question was put? The House will attend to the state of the vote. There having been 169 votes in the affirmative and 152 in the negative, the motion is adopted.

REGULAR CALENDAR CONT'D

HB 668-FN, relative to expense deductions under the business profits tax. **INEXPEDIENT TO LEGISLATE.** Rep. Brian Gallagher for Ways and Means. This bill allows a business organization to calculate increased expense deductions as defined by IRS code section 179, but not to exceed \$100,000, per calendar year under the Business Profits Tax. Testimony was received from CPA firms and the Department of Revenue Administration that the impact to business would be very difficult to measure. The additional concern expressed by accounting firms was that few businesses could potentially be economically impacted. The Department of Resources and Economic Development suggested that many business entities would not take advantage of the opportunity and that this incentive would not significantly impact important business decision making. Vote 19-0.

Rep. Abrami spoke against and yielded to questions.

Rep. Sanborn requested a roll call; sufficiently seconded.

YEAS 134 - NAYS 168**YEAS - 134****CARROLL**

Bucco, Thomas

Butler, Edward

Ticehurst, Susan

CHESHIREAbbott, Michael
Eaton, Daniel
Pearson, William
Shepardson, MarjorieBerch, Paul
Ley, Douglas
Phillips, Larry
Tatro, BruceBordenet, John
Mann, John
Roberts, Kris
Weber, LucyChase, Cynthia
Parkhurst, Henry
Sad, Tara**COOS**

Hatch, William

Moynihan, Wayne

Theberge, Robert

Thomas, Yvonne

GRAFTONAbel, Richard
Ford, Susan
Maes, Kevin
Sykes, GeorgeAlmy, Susan
Hennessey, Martha
Massimilla, Linda
Townsend, CharlesBennett, Travis
Higgins, Patricia
Nordgren, Sharon
White, AndrewCooney, Mary
Hull, Robert
Smith, Suzanne**HILLSBOROUGH**Baroody, Benjamin
Cohen, Alan
Edwards, Elizabeth
Guerette, C. Lee
Herbert, Christopher
Long, Patrick
Porter, Marjorie
Shaw, Barbara
Williams, KermitBeaulieu, Jane
Cornell, Patricia
Freitas, Mary
Hansberry, Daniel
Infantine, William
Mangipudi, Latha
Roberts, Carol
Snow, Kendall
Wolf, TerryBooras, Efstathia
Cote, David
Goley, Jeffrey
Harvey, Suzanne
Jack, Martin
Manley, Jonathan
Rosenwald, Cindy
Soucy, Timothy
Woodbury, DavidChristiansen, Lars
DiSilvestro, Linda
Gorman, Mary
Heath, Mary
Leishman, Peter
O'Brien, Michael
Shattuck, Gilman
Sullivan, Daniel**MERRIMACK**Bartlett, Christy
Doherty, David
Horn, Werner
MacKay, James
Rice, Chip
Shurtleff, StephenBradley, Paula
Ebel, Karen
Karrick, David
Moffett, Howard
Rogers, Katherine
Turcotte, AlanCarson, Clyde
Henle, Paul
Kenison, Linda
Myler, Mel
Saunderson, George
Wallner, Mary JaneDeloge, Helen
Hirsch, Geoffrey
Kiddler, David
Ratzki, Mario
Schuett, Dianne**ROCKINGHAM**Barnes, Arthur
Cali-Pitts, Jacqueline
Francese, Paula
McBeath, Rebecca
Sherman, ThomasBerrien, Skip
Cardon, G. Thomas
Gordon, Pamela
McKinney, Betsy
Simpson, AlexisBorden, David
Cushing, Robert
Gordon, Richard
McMahon, Charles
Ward, GeraldCahill, Michael
Fesh, Robert
Heffron, Frank
Pantelakos, Laura
Woitkun, Steven**STRAFFORD**Baber, William
Horigan, Timothy
Spang, Judith
Wall, JanetBerube, Roger
Schmidt, Peter
Stevens, Audrey
Ward, KennethBurton, Wayne
Smith, Marjorie
Treleven, SusanDiSesa, Len
Southworth, Thomas
Verschueren, James**SULLIVAN**Cloutier, John
Schmidt, Andrew

Converse, Larry

Gottling, Suzanne

Oxenham, Lee

NAYS - 168**BELKNAP**Aldrich, Glen
Fraser, Valerie
Spanos, PeterDumais, Russell
Gallagher, Brian
Sylvia, MichaelFields, Dennis
LeBreche, Shari
Tilton, FranklinFlanders, Donald
Luther, Robert
Vadney, Herbert**CARROLL**Avellani, Lino
McCarthy, Frank
Umberger, KarenChandler, Gene
McConkey, Mark
Wright, TedComeau, Ed
Parker, HaroldCordelli, Glenn
Schmidt, Stephen**CHESHIRE**

Ames, Richard

Hunt, John

McConnell, James

Tilton, Benjamin

COOS

Fothergill, John

Richardson, Herbert

Rideout, Leon

Tholl, John

GRAFTONDarrow, Stephen
Ladd, RickGionet, Edmond
Shackett, Jeffrey

Ingbretson, Paul

Johnson, Eric

HILLSBOROUGHAdams, Christopher
Biggie, Barbara
Christensen, Chris
Edelblut, Frank
Gagne, Larry
Hinch, Richard
Lachance, Joseph
Moore, Josh
Ober, Russell
Pellegrino, Anthony
Rouillard, Claire
Seidel, Carl
Takesian, CharleneAmmon, Keith
Boehm, Ralph
Christie, Rick
Estevez, Eric
Gidge, Kenneth
Hogan, Edith
LeBrun, Donald
Murphy, Keith
Ohm, Bill
Peterson, Ken
Rowe, Robert
Souza, Kathleen
Ulery, JordanBalcom, John
Burt, John
Coffey, James
Ferreira, Elizabeth
Gould, Linda
Hopper, Gary
McCarthy, Peggy
Notter, Jeanine
Palmer, Barry
Pierce, David
Sanborn, Laurie
Straight, PhillipBelanger, James
Byron, Frank
Danielson, David
Fromuth, Bart
Haefner, Robert
Kurk, Neal
McLean, Mark
Ober, Lynne
Parison, James
Proulx, Mark
Schleien, Eric
Sullivan, Victoria**MERRIMACK**Brewster, Michael
Long, Douglas
McGuire, DanHill, Gregory
Marple, Richard
Parent, JasonHoell, J.R.
Martin, John
Seaworth, BrianKuch, Bill
McGuire, Carol**ROCK INGHAM**Abrami, Patrick
Baldasaro, Alfred
Christie, Andrew
Doucette, Fred
Gannon, William
Hagan, Joseph
Introne, Robert
Lundgren, David
Milz, David
Peckham, Michele
Sytek, John
True, Chris
Welch, DavidAbramson, Max
Bates, David
Cook, Allen
Elliott, Robert
Green, Dennis
Harris, Jeffrey
Itse, Daniel
Major, Norman
Nigrello, Robert
Potucek, John
Tasker, Kyle
Tucker, Pamela
Weyler, KennethAllen, Mary
Chase, Francis
DeSimone, Debra
Emerick, J. Tracy
Griffin, Mary
Hodgdon, Bruce
Kappler, Lawrence
Manning, John
O'Connor, John
Prudhomme-O'Brien, Katherine
Thomas, Douglas
Ward, JoanneAzarian, Gary
Chirichiello, Brian
Devine, James
Ferrante, Beverly
Guthrie, Joseph
Hoelzel, Kathleen
Katsakiores, Phyllis
Matthews, Carolyn
Osborne, Jason
Rice, Frederick
Tilton, Rio
Webb, James**STRAFFORD**Beaudoin, Steven
DeLemus, Susan
Hannon, Joseph
Mullen, John
Wuelper, KurtBickford, David
Graham, Robert
Jones, Laura
Pitre, JosephBixby, Peter
Gray, James
Kaczynski, Jr., Thomas
Sprague, DaleCheney, Catherine
Groen, Warren
Leeman, Don
Turcotte, Leonard**SULLIVAN**

Gagnon, Raymond

Grenier, James

Laware, Thomas

Rollins, Skip

and the committee report failed.

Rep. Abrami moved Ought to Pass and offered floor amendment (0464h).

Floor Amendment (0464h)

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

2 Applicability. This act shall apply for tax periods beginning January 1, 2017.

3 Effective Date. This act shall take effect January 1, 2017.

Rep. Abrami spoke in favor.

Floor amendment (0464h) adopted.

Motion of Ought to Pass with Amendment adopted and referred to the Committee on Finance.

REFERRAL DECLINED

Rep. Major, Chairman of the Committee on Ways and Means, under the provisions of House Rule 46 (f), declined the referral of **HB 1616-FN**, relative to drivers' licenses and identification cards that are compliant with federal identification law.

REGULAR CALENDAR CONT'D

HB 1184-FN, relative to license fees for domestic wine manufacturers. **INEXPEDIENT TO LEGISLATE.** Rep. Richard Abel for Commerce and Consumer Affairs. The bill sought to modify the license fee schedule for domestic (New Hampshire) wine manufacturers to increase the number of cases of wine that could be produced at the minimum annual license fee of \$100, from 1,000 to 10,000 cases per year. However, testimony revealed that wine manufacturers already enjoy the lowest licensing fees of all classes of alcoholic beverages. They pay less than one-half of the lowest license fees required for manufacturers of beer, liquor, and rectifiers. The Legislative Budget Assistant determined that this legislation, as introduced, creates a negative impact on state revenues in each of the fiscal years 2015 through 2020. A bipartisan majority concluded that wine manufacturers already receive encouragement to grow their industry from current license fees and the present schedule should be preserved as is. Vote 15-4.

Committee report adopted.

HB 1207-FN, exempting wine sample fees from the meals and rooms tax. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. John Hunt for the Majority of Commerce and Consumer Affairs. Last year, legislation passed enabling beer, wine and distilled liquor manufacturers to charge for samples, which they had never been able to do before. Everyone understood at the time that any charge for samples would be susceptible to the Rooms and Meals tax. This is similar to brew pubs, who not only pay the beer tax, but also the Rooms and Meals tax when serving customers. The committee felt it would be unfair to exempt sampling when everybody else has to collect the tax. If the beverage and liquor manufacturers continue to give the samples away for free as they have in the past, then there would be no tax. Vote 14-5.

Rep. Pamela Tucker for the Minority of Commerce and Consumer Affairs. This bill eliminates the taxation of wine samples. A sample is designed to entice the buyer into a larger purchase and create more sales and tax revenue. Our wine manufacturers, who already pay a tax on the wine produced, whether sold or sampled at a nominal cost, have to collect a tax on the small samples they pour. This creates more reporting and increases the cost of doing business. The minority felt that the double taxation on wine samples creates a disincentive for their sale and will not create the additional revenue the sample was intended to produce.

Majority committee report adopted.

HB 1368-FN, requiring firearms owners to have liability insurance. **INEXPEDIENT TO LEGISLATE.**

Rep. Pamela Tucker for Commerce and Consumer Affairs. This bill attempts to mandate that anyone who owns or purchases a firearm shall obtain a liability insurance policy. A majority of the committee felt that the bill should be found Inexpedient to Legislate because the mandated insurance is not currently available and, if it were, it would disproportionately affect those who are economically disadvantaged. This bill would create a de facto gun ban and self-defense ban on the poor. The committee received an overwhelming number of emails and personal testimony in opposition to this bill. The committee also noted that the state of New Hampshire does not require liability insurance to own or operate a motor vehicle upon a public way. Vote 20-1. Rep. Burt requested a roll call; sufficiently seconded.

YEAS 287 - NAYS 22**YEAS - 287****BELKNAP**

Aldrich, Glen
Fraser, Valerie
Spanos, Peter

Dumais, Russell
Gallagher, Brian
Sylvia, Michael

Fields, Dennis
LeBreche, Shari
Tilton, Franklin

Flanders, Donald
Luther, Robert
Vadney, Herbert

CARROLL

Avellani, Lino
Comeau, Ed
Schmidt, Stephen

Buco, Thomas
Cordelli, Glenn
Ticehurst, Susan

Butler, Edward
McCarthy, Frank
Umberger, Karen

Chandler, Gene
McConkey, Mark
Wright, Ted

CHESHIRE

Abbott, Michael
Eaton, Daniel
McConnell, James
Robertson, Timothy
Weber, Lucy

Ames, Richard
Hunt, John
Parkhurst, Henry
Sad, Tara

Berch, Paul
Ley, Douglas
Pearson, William
Shepardson, Marjorie

Bordenet, John
Mann, John
Roberts, Kris
Tilton, Benjamin

COOS

Fothergill, John
Rideout, Leon

Hatch, William
Theberge, Robert

Moynehan, Wayne
Tholl, John

Richardson, Herbert
Thomas, Yvonne

GRAFTON

Almy, Susan
Glonet, Edmond
Ingbretson, Paul
Massimilla, Linda
Townsend, Charles

Bennett, Travis
Hennessey, Martha
Johnson, Eric
Shackett, Jeffrey
White, Andrew

Darrow, Stephen
Higgins, Patricia
Ladd, Rick
Smith, Suzanne

Ford, Susan
Hull, Robert
Maes, Kevin
Sykes, George

HILLSBOROUGH

Adams, Christopher
Baroody, Benjamin
Booras, Efsthia
Christiansen, Lars
Cornell, Patricia
Edelblut, Frank
Freitas, Mary
Goley, Jeffrey
Haefner, Robert
Heath, Mary
Hopper, Gary
Lachance, Joseph
Manley, Jonathan
Murphy, Keith
Ober, Russell
Pellegrino, Anthony
Proulx, Mark
Rouillard, Claire
Seidel, Carl
Soucy, Timothy
Sullivan, Victoria
Wolf, Terry

Ammon, Keith
Belanger, James
Burt, John
Christie, Rick
Cote, David
Edwards, Elizabeth
Fromuth, Bart
Gorman, Mary
Hansberry, Daniel
Herbert, Christopher
Infantine, William
LeBrun, Donald
McCarthy, Peggy
Notter, Jeanine
Ohm, Bill
Peterson, Ken
Rice, Kimberly
Rowe, Robert
Shattuck, Gilman
Souza, Kathleen
Takesian, Charlene
Woodbury, David

Backus, Robert
Biggie, Barbara
Byron, Frank
Coffey, James
Danielson, David
Estevez, Eric
Gagne, Larry
Gould, Linda
Hansen, Peter
Hinch, Richard
Jack, Martin
Leishman, Peter
McLean, Mark
O'Brien, Michael
Palmer, Barry
Pierce, David
Roberts, Carol
Sanborn, Laurie
Shaw, Barbara
Straight, Phillip
Ulery, Jordan

Balcom, John
Boehm, Ralph
Christensen, Chris
Cohen, Alan
DiSilvestro, Linda
Ferreira, Elizabeth
Gidge, Kenneth
Guerette, C. Lee
Harvey, Suzanne
Hogan, Edith
Kurk, Neal
Long, Patrick
Moore, Josh
Ober, Lynne
Parison, James
Porter, Marjorie
Rosenwald, Cindy
Schleien, Eric
Snow, Kendall
Sullivan, Daniel
Williams, Kermit

MERRIMACK

Bradley, Paula
Ebel, Karen
Hirsch, Geoffrey
Kenison, Linda
Marple, Richard
Moffett, Howard
Saunderson, George
Turcotte, Alan

Brewster, Michael
French, Harold
Hoell, J.R.
Kidder, David
Martin, John
Parent, Jason
Schuett, Dianne
Walsh, Thomas

Carson, Clyde
Henle, Paul
Horn, Werner
Kuch, Bill
McGuire, Carol
Ratzki, Mario
Seaworth, Brian

Deloge, Helen
Hill, Gregory
Karrick, David
Long, Douglas
McGuire, Dan
Rice, Chip
Shurtliff, Stephen

ROCK INGHAM

Abrami, Patrick
Baldasaro, Alfred
Cali-Pitts, Jacqueline
Christie, Andrew
Devine, James
Ferrante, Beverly
Gordon, Richard
Hagan, Joseph
Hoelzel, Kathleen
Katsakiores, Phyllis
Matthews, Carolyn
Nigrello, Robert
Pantelakos, Laura
Rice, Frederick
Tasker, Kyle
Tucker, Pamela
Weyler, Kenneth

Abramson, Max
Barnes, Arthur
Cardon, G. Thomas
Cook, Allen
Doucette, Fred
Fesh, Robert
Green, Dennis
Harris, Jeffrey
Introne, Robert
Lundgren, David
McKinney, Betsy
O'Connor, John
Peckham, Michele
Sherman, Thomas
Thomas, Douglas
Ward, Joanne
Woitkun, Steven

Allen, Mary
Bates, David
Chase, Francis
Cushing, Robert
Elliott, Robert
Francese, Paula
Griffin, Mary
Heffron, Frank
Itse, Daniel
Major, Norman
McMahon, Charles
Osborne, Jason
Potucek, John
Simpson, Alexis
Tilton, Rio
Webb, James

Azarian, Gary
Cahill, Michael
Chirichiello, Brian
DeSimone, Debra
Emerick, J. Tracy
Gannon, William
Guthrie, Joseph
Hodgdon, Bruce
Kappler, Lawrence
Manning, John
Milz, David
Packard, Sherman
Prudhomme-O'Brien, Katherine
Sytek, John
True, Chris
Welch, David

STRAFFORD

Baber, William
Bixby, Peter
Graham, Robert
Jones, Laura
Pitre, Joseph
Spang, Judith
Turcotte, Leonard
Wuelper, Kurt

Beaudoin, Steven
Cheney, Catherine
Gray, James
Kaczynski, Jr., Thomas
Schmidt, Peter
Sprague, Dale
Verschueren, James

Berube, Roger
DeLemus, Susan
Groen, Warren
Leeman, Don
Smith, Marjorie
Stevens, Audrey
Wall, Janet

Bickford, David
DiSesa, Len
Hannon, Joseph
Mullen, John
Southworth, Thomas
Treleaven, Susan
Ward, Kenneth

SULLIVAN

Cloutier, John
Grenier, James
Smith, Steven

Converse, Larry
Laware, Thomas

Gagnon, Raymond
Rollins, Skip

Gottling, Suzanne
Schmidt, Andrew

NAYS - 22**CHESHIRE**

Chase, Cynthia	Phillips, Larry	Tatro, Bruce
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GRAFTON

Abel, Richard	Cooney, Mary	Nordgren, Sharon
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HILLSBOROUGH

Beaulieu, Jane	Mangipudi, Latha
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MERRIMACK

Bartlett, Christy	Doherty, David	Mackay, James	Myler, Mel
Rogers, Katherine	Wallner, Mary Jane		

ROCK INGHAM

Berrien, Skip	Borden, David	Gordon, Pamela	McBeath, Rebecca
Ward, Gerald			

STRAFFORD

Burton, Wayne	Horrigan, Timothy
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SULLIVAN

Oxenham, Lee

and the committee report was adopted.

HB 1444-FN-A, relative to the rate of the insurance premium tax. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: REFER FOR INTERIM STUDY.**

Rep. Donald Flanders for the Majority of Commerce and Consumer Affairs. This bill proposes a .75% tax increase on insurance companies. Currently, insurance companies pay a tax of 1.25% of premiums or the Business Enterprise Tax (BET) and Business Profit Tax (BPT), whichever is higher. They also contribute about \$15 million a year to pay the cost of the Insurance Department and the Labor Department's Worker Compensation Division. The premium tax rate was lowered after considerable discussion and deliberation in 2006 as an economic development initiative. It has helped create about 1,000 New Hampshire jobs and insurance employment should continue to increase. Raising the tax would not be helpful to our economy. Vote 11-7.

Rep. Edward Butler for the Minority of Commerce and Consumer Affairs. The reduction in insurance premium tax when instituted in 2006 was projected to increase jobs and economic activity in our state. Some projected as many as 3,400 new jobs would be created with an over \$60 million increase to personal incomes. When the reduction was passed, there was also a requirement to produce an annual report on the number of jobs created through this initiative. Those reports have not shown the job increases projected. Indeed testimony was given that only 9 jobs had been reported recently. That statement was vehemently challenged. There are clearly strong opinions on both sides of whether this premium tax reduction has had its intended result. The minority believes that now is the time to get better, more comprehensive, data about the impact of this change on the state's economy.

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

Rep. Butler spoke against.

Rep. Hunt spoke in favor.

Rep. Sanborn requested a roll call; sufficiently seconded.

YEAS 195 - NAYS 114**YEAS - 195****BELKNAP**

Aldrich, Glen	Dumais, Russell	Fields, Dennis	Flanders, Donald
Fraser, Valerie	Gallagher, Brian	LeBreche, Shari	Luther, Robert
Spanos, Peter	Sylvia, Michael	Tilton, Franklin	Vadney, Herbert

CARROLL

Avellani, Lino	Chandler, Gene	Comeau, Ed	Cordelli, Glenn
McCarthy, Frank	McConkey, Mark	Parker, Harold	Schmidt, Stephen
Wright, Ted			

CHESHIRE

Ames, Richard	Bordenet, John	Hunt, John	McConnell, James
Phillips, Larry	Roberts, Kris	Tatro, Bruce	Tilton, Benjamin

COOS

Fothergill, John
Thomas, Yvonne

Richardson, Herbert

Rideout, Leon

Tholl, John

GRAFTON

Darrow, Stephen
Johnson, Eric

Gionet, Edmond
Ladd, Rick

Hull, Robert
Massimilla, Linda

Ingbretson, Paul
Shackett, Jeffrey

HILLSBOROUGH

Adams, Christopher
Belanger, James
Byron, Frank
Coffey, James
Estevez, Eric
Gould, Linda
Hogan, Edith
Kurk, Neal
McLean, Mark
Ober, Lynne
Parison, James
Proulx, Mark
Sanborn, Laurie
Straight, Phillip
Wolf, Terry

Ammon, Keith
Biggie, Barbara
Christensen, Chris
Danielson, David
Ferreira, Elizabeth
Haefner, Robert
Hopper, Gary
Lachance, Joseph
Moore, Josh
Ober, Russell
Pellegrino, Anthony
Rice, Kimberly
Schleien, Eric
Sullivan, Victoria

Balcom, John
Boehm, Ralph
Christiansen, Lars
Eastman, Eric
Fromuth, Bart
Hansen, Peter
Infantine, William
LeBrun, Donald
Murphy, Keith
Ohm, Bill
Peterson, Ken
Rouillard, Claire
Seidel, Carl
Takesian, Charlene

Beaulieu, Jane
Burt, John
Christie, Rick
Edelblut, Frank
Gagne, Larry
Hinch, Richard
Jack, Martin
McCarthy, Peggy
Notter, Jeanine
Palmer, Barry
Pierce, David
Rowe, Robert
Souza, Kathleen
Ulery, Jordan

MERRIMACK

Bradley, Paula
Hill, Gregory
Kuch, Bill
McGuire, Carol
Walsh, Thomas

Brewster, Michael
Hoell, J.R.
Long, Douglas
McGuire, Dan

Ebel, Karen
Horn, Werner
Marple, Richard
Parent, Jason

French, Harold
Kidder, David
Martin, John
Seaworth, Brian

ROCK INGHAM

Abrami, Patrick
Baldasaro, Alfred
Chase, Francis
DeSimone, Debra
Emerick, J. Tracy
Gordon, Richard
Hagan, Joseph
Introne, Robert
Lundgren, David
McKinney, Betsy
O'Connor, John
Potucek, John
Sytek, John
True, Chris
Welch, David

Abramson, Max
Barnes, Arthur
Chirichiello, Brian
Devine, James
Ferrante, Beverly
Green, Dennis
Harris, Jeffrey
Itse, Daniel
Major, Norman
McMahon, Charles
Osborne, Jason
Prudhomme-O'Brien, Katherine
Tasker, Kyle
Tucker, Pamela
Weyler, Kenneth

Allen, Mary
Bates, David
Christie, Andrew
Doucette, Fred
Fesh, Robert
Griffin, Mary
Hodgdon, Bruce
Kappler, Lawrence
Manning, John
Milz, David
Packard, Sherman
Rice, Frederick
Thomas, Douglas
Ward, Joanne
Woitkun, Steven

Azarian, Gary
Cardon, G. Thomas
Cook, Allen
Elliott, Robert
Gannon, William
Guthrie, Joseph
Hoelzel, Kathleen
Katsakiores, Phyllis
Matthews, Carolyn
Nigrello, Robert
Peckham, Michele
Sherman, Thomas
Tilton, Rio
Webb, James

STRAFFORD

Beaudoin, Steven
Graham, Robert
Jones, Laura
Pitre, Joseph

Bickford, David
Gray, James
Kaczynski, Jr., Thomas
Sprague, Dale

Cheney, Catherine
Groen, Warren
Leeman, Don
Turcotte, Leonard

DeLemus, Susan
Hannon, Joseph
Mullen, John
Wuelper, Kurt

SULLIVAN

Grenier, James

Laware, Thomas

Rollins, Skip

Smith, Steven

NAYS - 114**CARROLL**

Buco, Thomas

Butler, Edward

Ticehurst, Susan

CHESHIRE

Abbott, Michael
Ley, Douglas
Robertson, Timothy

Berch, Paul
Mann, John
Sad, Tara

Chase, Cynthia
Parkhurst, Henry
Shepardson, Marjorie

Eaton, Daniel
Pearson, William
Weber, Lucy

COOS

Hatch, William

Moynihan, Wayne

Theberge, Robert

GRAFTON

Abel, Richard
Ford, Susan
Nordgren, Sharon
White, Andrew

Almy, Susan
Hennessey, Martha
Smith, Suzanne

Bennett, Travis
Higgins, Patricia
Sykes, George

Cooney, Mary
Maes, Kevin
Townsend, Charles

HILLSBOROUGH

Backus, Robert
Cornell, Patricia
Freitas, Mary
Hansberry, Daniel
Leishman, Peter
O'Brien, Michael
Shattuck, Gilman
Sullivan, Daniel

Baroody, Benjamin
Cote, David
Gidge, Kenneth
Harvey, Suzanne
Long, Patrick
Porter, Marjorie
Shaw, Barbara
Williams, Kermit

Booras, Efsthia
DiSilvestro, Linda
Goley, Jeffrey
Heath, Mary
Mangipudi, Latha
Roberts, Carol
Snow, Kendall
Woodbury, David

Cohen, Alan
Edwards, Elizabeth
Gorman, Mary
Herbert, Christopher
Manley, Jonathan
Rosenwald, Cindy
Soucy, Timothy

MERRIMACK

Bartlett, Christy
Henle, Paul
MacKay, James
Rice, Chip
Shurtleff, Stephen

Carson, Clyde
Hirsch, Geoffrey
Moffett, Howard
Rogers, Katherine
Turcotte, Alan

Deloge, Helen
Karrick, David
Myler, Mel
Saunderson, George
Wallner, Mary Jane

Doherty, David
Kenison, Linda
Ratzki, Mario
Schuett, Dianne

ROCKINGHAM

Berrien, Skip
Cushing, Robert
McBeath, Rebecca

Borden, David
Francese, Paula
Pantelakos, Laura

Cahill, Michael
Gordon, Pamela
Simpson, Alexis

Cali-Pitts, Jacqueline
Heffron, Frank
Ward, Gerald

STRAFFORD

Baber, William
DiSesa, Len
Southworth, Thomas
Verschueren, James

Berube, Roger
Horrigan, Timothy
Spang, Judith
Wall, Janet

Bixby, Peter
Schmidt, Peter
Stevens, Audrey
Ward, Kenneth

Burton, Wayne
Smith, Marjorie
Treleaven, Susan

SULLIVAN

Cloutier, John
Oxenham, Lee

Converse, Larry
Schmidt, Andrew

Gagnon, Raymond

Gottling, Suzanne

and the majority committee report was adopted.

REFERRAL DECLINED

Rep. Kurk, Chairman of the Committee on Finance, under the provisions of House Rule 46 (f), declined the referral of **HB 668-FN**, relative to expense deductions under the business profits tax.

REGULAR CALENDAR CONT'D

HB 1590-FN-A-L, relative to the regulation and taxation of short-term rental businesses. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Edward Butler for Commerce and Consumer Affairs. As most House members know, since about 2008 there has been an explosion of short-term rentals of residential properties being promoted through website platforms. Some of the platforms that help owners rent their properties are AirBNB, HomeAway, Flipkey, Pillow, VRBO, Beyond Stays, and Guesty, among others. Though these operators offer overnight accommodations and other services similar to traditional lodging businesses (which pay the state Rooms and Meals tax and comply with public health and safety regulations) many, if not most, do not apply for a Rooms and Meals tax license. In fact current law requires that any short-term rental is subject to the Rooms and Meals tax (RSA 78-A). This legislation will require that all residential short-term rental operators include their Rooms and Meals tax license number in all advertisements which will, of course, include online listings. This will give the Department of Revenue Administration another mechanism to determine if those using these website platforms are paying the required taxes. It may also serve to encourage neighbors who do pay this tax, to question neighbors who also provide short-term rentals who are not. Vote 15-4.

Amendment (0287h)

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

1 New Subdivision; Regulation of Short-Term Rental Businesses. Amend RSA 353 by inserting after section 10 the following new subdivision:

Regulation of Short-Term Rental Businesses

353:11 Definition. In this subdivision, "short-term rental business" means any person or entity which offers or advertises the rental of one or more rooms in a residential unit for occupancy for tourist or transient use.

353:12 Advertisements. Any advertisement by a short-term rental business for printing, display, publication, distribution, or broadcast offering a short-term rental shall clearly and conspicuously display the meals and rooms license number of the operator. A first-time violation of the provisions of this section may result in a warning from the department of revenue administration that the operator's license may be revoked, suspended, or denied. Subsequent violations of the provisions of this paragraph may constitute sufficient cause for revocation, suspension, or denial of license.

2 Effective Date. This act shall take effect January 1, 2017.

2016-0287h
AMENDED ANALYSIS

This bill requires advertisements by short-term rental businesses to display the meals and rooms license number of the operator.

Committee amendment adopted.

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

YEAS 202 - NAYS 107

YEAS - 202

BELKNAP

Fields, Dennis
Luther, Robert

Flanders, Donald
Tilton, Franklin

Fraser, Valerie

Gallagher, Brian

CARROLL

Buco, Thomas
McConkey, Mark

Butler, Edward
Schmidt, Stephen

Chandler, Gene
Ticehurst, Susan

McCarthy, Frank
Umberger, Karen

CHESHIRE

Abbott, Michael
Chase, Cynthia
Mann, John
Roberts, Kris
Tatro, Bruce

Ames, Richard
Eaton, Daniel
Parkhurst, Henry
Robertson, Timothy
Weber, Lucy

Berch, Paul
Hunt, John
Pearson, William
Sad, Tara

Bordenet, John
Ley, Douglas
Phillips, Larry
Shepardson, Marjorie

COOS

Fothergill, John
Theberge, Robert

Hatch, William
Tholl, John

Moynihan, Wayne
Thomas, Yvonne

Richardson, Herbert

GRAFTON

Abel, Richard
Ford, Susan
Maes, Kevin
Smith, Suzanne

Almy, Susan
Hennessey, Martha
Massimilla, Linda
Sykes, George

Bennett, Travis
Higgins, Patricia
Nordgren, Sharon
Townsend, Charles

Cooney, Mary
Ladd, Rick
Shackett, Jeffrey

HILLSBOROUGH

Backus, Robert
Biggie, Barbara
Coffey, James
Danielson, David
Gidge, Kenneth
Hansberry, Daniel
Herbert, Christopher
Kurk, Neal
Mangipudi, Latha
Pellegrino, Anthony
Roberts, Carol
Shaw, Barbara
Sullivan, Daniel

Balcom, John
Booras, Efstathia
Cohen, Alan
DiSilvestro, Linda
Goley, Jeffrey
Hansen, Peter
Hinch, Richard
LeBrun, Donald
Manley, Jonathan
Peterson, Ken
Rosenwald, Cindy
Snow, Kendall
Williams, Kermit

Barody, Benjamin
Christensen, Chris
Cornell, Patricia
Freitas, Mary
Gorman, Mary
Harvey, Suzanne
Infantine, William
Leishman, Peter
O'Brien, Michael
Pierce, David
Rowe, Robert
Soucy, Timothy
Wolf, Terry

Belanger, James
Christiansen, Lars
Cote, David
Gagne, Larry
Haefner, Robert
Heath, Mary
Jack, Martin
Long, Patrick
Palmer, Barry
Porter, Marjorie
Shattuck, Gilman
Souza, Kathleen
Woodbury, David

MERRIMACK

Bartlett, Christy
Ebel, Karen
Hirsch, Geoffrey
MacKay, James
Rice, Chip
Shurtleff, Stephen

Bradley, Paula
Frazer, June
Karrick, David
Moffett, Howard
Rogers, Katherine
Turcotte, Alan

Carson, Clyde
French, Harold
Kenison, Linda
Myler, Mel
Saunderson, George
Wallner, Mary Jane

Doherty, David
Henle, Paul
Kidder, David
Ratzki, Mario
Schuett, Dianne
Walsh, Thomas

ROCKINGHAM

Abrami, Patrick
Berrien, Skip

Allen, Mary
Borden, David

Azarian, Gary
Cahill, Michael

Barnes, Arthur
Cali-Pitts, Jacqueline

Cardon, G. Thomas
Devine, James
Gordon, Pamela
Heffron, Frank
Major, Norman
McMahon, Charles
Packard, Sherman
Sherman, Thomas
Ward, Gerald
Woitkun, Steven

Christie, Andrew
Elliott, Robert
Griffin, Mary
Hoelzel, Kathleen
Matthews, Carolyn
Milz, David
Pantelakos, Laura
Simpson, Alexis
Webb, James

Cushing, Robert
Fesh, Robert
Guthrie, Joseph
Introne, Robert
McBeath, Rebecca
Nigrello, Robert
Peckham, Michele
Sytek, John
Welch, David

DeSimone, Debra
Francese, Paula
Hagan, Joseph
Katsakiores, Phyllis
McKinney, Betsy
O'Connor, John
Rice, Frederick
Tilton, Rio
Weyler, Kenneth

STRAFFORD

Baber, William
Burton, Wayne
Horrigan, Timothy
Southworth, Thomas
Verschueren, James

Berube, Roger
Cheney, Catherine
Mullen, John
Spang, Judith
Wall, Janet

Bickford, David
DiSesa, Len
Schmidt, Peter
Stevens, Audrey
Ward, Kenneth

Bixby, Peter
Gray, James
Smith, Marjorie
Treleven, Susan

SULLIVAN

Cloutier, John
Grenier, James

Converse, Larry
Oxenham, Lee

Gagnon, Raymond
Schmidt, Andrew

Gottling, Suzanne
Smith, Steven

NAYS - 107

BELKNAP

Aldrich, Glen
Sylvia, Michael

Dumais, Russell
Vadney, Herbert

LeBreche, Shari

Spanos, Peter

CARROLL

Avellani, Lino

Comeau, Ed

Cordelli, Glenn

Wright, Ted

CHESHIRE

COOS

GRAFTON

Darrow, Stephen
Johnson, Eric

Gionet, Edmond
White, Andrew

Hull, Robert

Ingbretson, Paul

HILLSBOROUGH

Adams, Christopher
Burt, John
Edelblut, Frank
Fromuth, Bart
Lachance, Joseph
Murphy, Keith
Ohm, Bill
Rouillard, Claire
Straight, Phillip

Ammon, Keith
Byron, Frank
Edwards, Elizabeth
Gould, Linda
McCarthy, Peggy
Notter, Jeanine
Parison, James
Sanborn, Laurie
Sullivan, Victoria

Beaulieu, Jane
Christie, Rick
Estevez, Eric
Hogan, Edith
McLean, Mark
Ober, Lynne
Proulx, Mark
Schleien, Eric
Takesian, Charlene

Boehm, Ralph
Eastman, Eric
Ferreira, Elizabeth
Hopper, Gary
Moore, Josh
Ober, Russell
Rice, Kimberly
Seidel, Carl
Ulery, Jordan

MERRIMACK

Brewster, Michael
Horn, Werner
Martin, John
Seaworth, Brian

Deloge, Helen
Kuch, Bill
McGuire, Carol

Hill, Gregory
Long, Douglas
McGuire, Dan

Hoell, J.R.
Marple, Richard
Parent, Jason

ROCKINGHAM

Abramson, Max
Chirichiello, Brian
Ferrante, Beverly
Harris, Jeffrey
Lundgren, David
Prudhomme-O'Brien, Katherine
Ward, Joanne

Baldasaro, Alfred
Cook, Allen
Gannon, William
Hodgdon, Bruce
Manning, John
Thomas, Douglas

Bates, David
Doucette, Fred
Gordon, Richard
Itse, Daniel
Osborne, Jason
True, Chris

Chase, Francis
Emerick, J. Tracy
Green, Dennis
Kappler, Lawrence
Potucek, John
Tucker, Pamela

STRAFFORD

Beaudoin, Steven
Hannon, Joseph
Pitre, Joseph

DeLemus, Susan
Jones, Laura
Sprague, Dale

Graham, Robert
Kaczynski, Jr., Thomas
Turcotte, Leonard

Groen, Warren
Leeman, Don
Wuelper, Kurt

SULLIVAN

Laware, Thomas

Rollins, Skip

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

HB 1647-FN, repealing laws regulating hawkers and peddlers and itinerant vendors. MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Bart Fromuth for the Majority of Commerce and Consumer Affairs. This bill repeals laws regulating hawkers, peddlers and itinerant vendors at the state level. The majority of the committee feels that these laws, one originally adopted in 1897 and the other in 1931, have outlived their utility and purpose. Over the years, so many exemptions had been written into the laws that it was difficult for the committee to discern who might still be subject to their requirements. As an example, the exemptions include: charities, religious groups, home goods sales political organizations, and any person conducting business in any industry or trade association show. Further, it seemed as though many of the state's remaining licensees had availed themselves of the licenses mistakenly due to the confusion surrounding the exemptions. We also heard testimony from a former police officer and license holder that the licenses were no longer necessary. Vote 10-9.

Rep. Edward Butler for the Minority of Commerce and Consumer Affairs. No town official or citizen has come to their elected state representatives and said that these laws present a problem. In the committee hearings we heard from the Secretary of State's office that they are useful and necessary. We heard from a town police chief and a representative of the State Police, representing the concerns of several towns, that these statutes give towns the basis upon which to create their own local ordinances relative to hawkers and peddlers; and that they make it possible for them to do the necessary background checks on those applying for these licenses. The minority believes that until those finding these laws useful come to us to request a change, that the laws should continue to offer the basis for protection of our citizens from unscrupulous door-to-door peddlers.

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

Rep. Williams spoke against and yielded to questions.

Rep. Fromuth spoke in favor, yielded to questions and requested a roll call; sufficiently seconded.

YEAS 168 - NAYS 142

YEAS - 168

BELKNAP

Aldrich, Glen
Gallagher, Brian
Sylvia, Michael

Dumais, Russell
LeBreche, Shari
Tilton, Franklin

Flanders, Donald
Luther, Robert
Vadney, Herbert

Fraser, Valerie
Spanos, Peter

CARROLL

Avellani, Lino
McCarthy, Frank
Umberger, Karen

Chandler, Gene
McConkey, Mark
Wright, Ted

Comeau, Ed
Parker, Harold

Cordelli, Glenn
Schmidt, Stephen

CHESHIRE

Hunt, John

McConnell, James

Roberts, Kris

Tilton, Benjamin

COOS

Rappaport, Laurence

Richardson, Herbert

Rideout, Leon

GRAFTON

Darrow, Stephen
Johnson, Eric

Gionet, Edmond
Ladd, Rick

Hull, Robert
Shackett, Jeffrey

Ingbertson, Paul

HILLSBOROUGH

Adams, Christopher
Boehm, Ralph
Coffey, James
Edelblut, Frank
Fromuth, Bart
Hansen, Peter
Infantine, William
McLean, Mark
Ober, Lynne
Parison, James
Proulx, Mark
Sanborn, Laurie
Sullivan, Victoria

Ammon, Keith
Burt, John
Cohen, Alan
Edwards, Elizabeth
Gagne, Larry
Hinch, Richard
Kurk, Neal
Moore, Josh
Ober, Russell
Pellegrino, Anthony
Rice, Kimberly
Schleien, Eric
Takesian, Charlene

Balcom, John
Christensen, Chris
Danielson, David
Estevez, Eric
Gould, Linda
Hogan, Edith
Lachance, Joseph
Murphy, Keith
Ohm, Bill
Peterson, Ken
Rouillard, Claire
Seidel, Carl
Ulery, Jordan

Biggie, Barbara
Christie, Rick
Eastman, Eric
Ferreira, Elizabeth
Haefner, Robert
Hopper, Gary
McCarthy, Peggy
Notter, Jeanine
Palmer, Barry
Pierce, David
Rowe, Robert
Straight, Phillip
Wolf, Terry

MERRIMACK

French, Harold
Kidder, David
McGuire, Carol
Walsh, Thomas

Hill, Gregory
Kuch, Bill
McGuire, Dan

Hoell, J.R.
Long, Douglas
Parent, Jason

Horn, Werner
Marple, Richard
Seaworth, Brian

ROCK INGHAM

Abrami, Patrick
Bates, David
Christie, Andrew
Doucette, Fred
Gannon, William
Harris, Jeffrey
Itse, Daniel
Manning, John
Nigrello, Robert
Peckham, Michele
Sytek, John
Tucker, Pamela
Weyler, Kenneth

Abramson, Max
Cardon, G. Thomas
Cook, Allen
Elliott, Robert
Green, Dennis
Hodgdon, Bruce
Katsakiores, Phyllis
Matthews, Carolyn
O'Connor, John
Potucek, John
Thomas, Douglas
Ward, Joanne
Woitkun, Steven

Allen, Mary
Chase, Francis
DeSimone, Debra
Emerick, J. Tracy
Griffin, Mary
Hoelzel, Kathleen
Lundgren, David
McMahon, Charles
Osborne, Jason
Prudhomme-O'Brien, Katherine
Tilton, Rio
Webb, James

Baldasaro, Alfred
Chirichiello, Brian
Devine, James
Fesh, Robert
Hagan, Joseph
Introne, Robert
Major, Norman
Milz, David
Packard, Sherman
Rice, Frederick
True, Chris
Welch, David

STRAFFORD

Beaudoin, Steven
Graham, Robert
Jones, Laura
Pitre, Joseph

Bickford, David
Gray, James
Kaczynski, Jr., Thomas
Turcotte, Leonard

Cheney, Catherine
Groen, Warren
Leeman, Don
Wuelper, Kurt

DeLemus, Susan
Hannon, Joseph
Mullen, John

SULLIVAN

Laware, Thomas

Rollins, Skip

Smith, Steven

NAYS - 142**BELKNAP**

Fields, Dennis

CARROLL

Buco, Thomas

Butler, Edward

Ticehurst, Susan

CHESHIRE

Abbott, Michael
Chase, Cynthia
Parkhurst, Henry
Sad, Tara

Ames, Richard
Eaton, Daniel
Pearson, William
Shepardson, Marjorie

Berch, Paul
Ley, Douglas
Phillips, Larry
Tatro, Bruce

Bordenet, John
Mann, John
Robertson, Timothy
Weber, Lucy

COOS

Fothergill, John
Tholl, John

Hatch, William
Thomas, Yvonne

Moynihhan, Wayne

Theberge, Robert

GRAFTON

Abel, Richard
Ford, Susan
Massimilla, Linda
Townsend, Charles

Almy, Susan
Hennessey, Martha
Nordgren, Sharon
White, Andrew

Bennett, Travis
Higgins, Patricia
Smith, Suzanne

Cooney, Mary
Maes, Kevin
Sykes, George

HILLSBOROUGH

Backus, Robert
Christiansen, Lars
Freitas, Mary
Hansberry, Daniel
Jack, Martin
Long, Patrick
Porter, Marjorie
Shaw, Barbara
Sullivan, Daniel

Baroody, Benjamin
Cornell, Patricia
Gidge, Kenneth
Harvey, Suzanne
Judy, Jean
Mangipudi, Latha
Roberts, Carol
Snow, Kendall
Williams, Kermit

Beaulieu, Jane
Cote, David
Goley, Jeffrey
Heath, Mary
LeBrun, Donald
Manley, Jonathan
Rosenwald, Cindy
Soucy, Timothy
Woodbury, David

Byron, Frank
DiSilvestro, Linda
Gorman, Mary
Herbert, Christopher
Leishman, Peter
O'Brien, Michael
Shattuck, Gilman
Souza, Kathleen

MERRIMACK

Bartlett, Christy
Deloge, Helen
Henle, Paul
MacKay, James
Ratzki, Mario
Schuett, Dianne

Bradley, Paula
Doherty, David
Hirsch, Geoffrey
Martin, John
Rice, Chip
Shurtleff, Stephen

Brewster, Michael
Ebel, Karen
Karrick, David
Moffett, Howard
Rogers, Katherine
Turcotte, Alan

Carson, Clyde
Frazer, June
Kenison, Linda
Myler, Mel
Saunderson, George
Wallner, Mary Jane

ROCK INGHAM

Azarian, Gary
Cahill, Michael
Francese, Paula
Heffron, Frank
Pantelakos, Laura

Barnes, Arthur
Cali-Pitts, Jacqueline
Gordon, Pamela
Kappler, Lawrence
Sherman, Thomas

Berrien, Skip
Cushing, Robert
Gordon, Richard
McBeath, Rebecca
Simpson, Alexis

Borden, David
Ferrante, Beverly
Guthrie, Joseph
McKinney, Betsy
Ward, Gerald

STRAFFORD

Baber, William
DiSesa, Len
Southworth, Thomas
Treleven, Susan

Berube, Roger
Horrigan, Timothy
Spang, Judith
Verschuere, James

Bixby, Peter
Schmidt, Peter
Sprague, Dale
Wall, Janet

Burton, Wayne
Smith, Marjorie
Stevens, Audrey
Ward, Kenneth

SULLIVAN

Cloutier, John
Grenier, James

Converse, Larry
Oxenham, Lee

Gagnon, Raymond
Schmidt, Andrew

Gottling, Suzanne

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

HB 1694-FN-A-L, relative to the legalization and regulation of marijuana. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Dick Marston for the Majority of Criminal Justice and Public Safety. This bill would have legalized possession of marijuana for persons over the age of 21 and legalized the cultivation of up to 6 plants, of which 3 could be adult plants which could produce up to 3 pounds. After hearing testimony on the practices in other states, the sponsors indicated that it would be a much needed source of revenue for the State of New Hampshire. The committee also heard testimony from many sources, including the proponents of legalization, that marijuana is not a harmless drug. The majority of the committee believes that legalizing marijuana and allowing the cultivation of up to 6 plants would not prevent persons under the age of 21 from obtaining the drug from either legal or illicit means. The committee feels that in light of the ongoing opioid crisis and the information given to the task force about how a young man went from marijuana use to prescription drugs and on to heroin addiction, that now is not the time to legalize a drug that is illegal under federal statutes. The committee further believes that relying on the sale and taxation of a federally illegal drug is not the NH way to address the state's fiscal needs. Vote 11-4.

Rep. Geoffrey Hirsch for the Minority of Criminal Justice and Public Safety. The minority believes that this bill is a well-crafted piece of legislation providing adult NH citizens over the age of 21 with a controlled, tested, labeled, and less harmful alternative to alcohol - without turning users into criminals. 58% of Americans nationally and 60% of NH citizens support the legalization of recreational marijuana sold and taxed like alcohol (WMu R Poll 7/15). This bill is modeled after the best practices adopted in states currently regulating marijuana successfully in accordance with public health and safety. Passage of this bill will, by the most conservative estimates, divert hundreds of millions of dollars from the illicit drug market to a regulated market. Regulations in this bill protect the consumer without minimizing marijuana's risks. Resulting jobs created in NH will range from agriculture to manufacturing to laboratories to retail sales. Tax provisions in this bill will provide the State of NH with much needed revenue. Recreational marijuana is currently legal in 4 states and Washington DC. According to USA Today, 11 states -- most notably Vermont, Maine, Massachusetts, Rhode Island, and Connecticut -- will likely adopt legalization of marijuana this year or next. NH could soon be surrounded by states that have ended the prohibition of marijuana for adult use. Supporters of this bill are not blind to NH's, indeed the nation's, crisis with opiates and related deaths. But consider this: according to the US CDC, in 2015 over 17,000 people died from illicit drug overdoses (heroin, cocaine, etc.); over 25,000 people died from overdoses of prescription drugs; over 50,000 people died from alcohol related diseases and overdoses. During that same period 0 people died from an overdose of cannabis. In numerous reputable studies, gateway drug assertions have been shown to be unwarranted. The message this legislation brings to citizens of all ages is that we will no longer tolerate marijuana coming from the hands of callous drug dealers who tempt customers into more dangerous substances (as happens now). Rather, NH will provide tested, regulated, and labeled marijuana products adults can understand and trust. The message is that legislators can be responsive to public opinion, responsible in their actions, and reasonable in their laws.

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

Rep. Hirsch spoke against.

Reps. Hansen and Tholl spoke in favor.

Rep. Kappler requested a roll call; sufficiently seconded.

YEAS 190 - NAYS 112

YEAS - 190

BELKNAP

Dumais, Russell
Luther, Robert

Fields, Dennis
Spanos, Peter

Flanders, Donald
Tilton, Franklin

LeBreche, Shari

CARROLL

Avellani, Lino
McCarthy, Frank
Umberger, Karen

Buco, Thomas
McConkey, Mark

Chandler, Gene
Parker, Harold

Cordelli, Glenn
Schmidt, Stephen

CHESHIRE

Abbott, Michael
McConnell, James
Shepardson, Marjorie

Ames, Richard
Parkhurst, Henry

Hunt, John
Roberts, Kris

Mann, John
Sad, Tara

COOS

Fothergill, John
Rideout, Leon

Hatch, William
Tholl, John

Rappaport, Laurence
Thomas, Yvonne

Richardson, Herbert

GRAFTON

Abel, Richard
Johnson, Eric
Smith, Suzanne

Almy, Susan
Ladd, Rick
Sykes, George

Cooney, Mary
Massimilla, Linda
White, Andrew

Gionet, Edmond
Nordgren, Sharon

HILLSBOROUGH

Backus, Robert
Booras, Efsthia
Coffey, James
Gagne, Larry
Haefner, Robert
Hinch, Richard
Leishman, Peter
Notter, Jeanine
Ohm, Bill
Pierce, David
Roberts, Carol
Seidel, Carl
Souza, Kathleen
Williams, Kermit

Belanger, James
Byron, Frank
Danielson, David
Goley, Jeffrey
Hansberry, Daniel
Hogan, Edith
Manley, Jonathan
O'Brien, Michael
Palmer, Barry
Porter, Marjorie
Rosenwald, Cindy
Shattuck, Gilman
Straight, Phillip
Wolf, Terry

Biggie, Barbara
Christensen, Chris
Estevez, Eric
Gorman, Mary
Hansen, Peter
Hopper, Gary
McCarthy, Peggy
Ober, Lynne
Pellegrino, Anthony
Proulx, Mark
Rouillard, Claire
Snow, Kendall
Sullivan, Daniel
Woodbury, David

Boehm, Ralph
Christie, Rick
Ferreira, Elizabeth
Gould, Linda
Harvey, Suzanne
Kurk, Neal
Moore, Josh
Ober, Russell
Peterson, Ken
Rice, Kimberly
Sanborn, Laurie
Soucy, Timothy
Ulery, Jordan

MERRIMACK

Bradley, Paula
Hill, Gregory
Kuch, Bill
Rogers, Katherine
Walsh, Thomas

Doherty, David
Horn, Werner
Marple, Richard
Schuett, Dianne

Ebel, Karen
Karrick, David
Martin, John
Shurtleff, Stephen

French, Harold
Kenison, Linda
Myler, Mel
Wallner, Mary Jane

ROCKINGHAM

Abrami, Patrick
Berrien, Skip
Chase, Francis
Devine, James
Fesh, Robert
Gordon, Richard
Harris, Jeffrey
Kappler, Lawrence
Matthews, Carolyn
Osborne, Jason
Potucek, John
Thomas, Douglas
Webb, James

Allen, Mary
Borden, David
Christie, Andrew
Doucette, Fred
Francese, Paula
Green, Dennis
Hodgdon, Bruce
Katsakiores, Phyllis
McKinney, Betsy
Packard, Sherman
Rice, Frederick
Tilton, Rio
Welch, David

Azarian, Gary
Cahill, Michael
Cook, Allen
Elliott, Robert
Gannon, William
Griffin, Mary
Hoelzel, Kathleen
Major, Norman
McMahon, Charles
Pantelakos, Laura
Sherman, Thomas
Tucker, Pamela
Weyler, Kenneth

Bates, David
Cali-Pitts, Jacqueline
DeSimone, Debra
Ferrante, Beverly
Gordon, Pamela
Hagan, Joseph
Introne, Robert
Manning, John
Nigrello, Robert
Peckham, Michele
Sytek, John
Ward, Joanne

STRAFFORD

Baber, William
DiSesa, Len
Leeman, Don
Southworth, Thomas
Wall, Janet

Berube, Roger
Graham, Robert
Mullen, John
Sprague, Dale
Wuelper, Kurt

Cheney, Catherine
Gray, James
Pitre, Joseph
Stevens, Audrey

DeLemus, Susan
Groen, Warren
Schmidt, Peter
Turcotte, Leonard

SULLIVAN

Cloutier, John
Rollins, Skip

Gagnon, Raymond
Smith, Steven

Gottling, Suzanne

Laware, Thomas

NAYS - 112**BELKNAP**

Aldrich, Glen

Fraser, Valerie

Sylvia, Michael

Vadney, Herbert

CARROLL

Butler, Edward

Comeau, Ed

Ticehurst, Susan

Wright, Ted

CHESHIREBerch, Paul
Ley, Douglas
Sterling, FranklinBordenet, John
Pearson, William
Tatro, BruceChase, Cynthia
Phillips, Larry
Tilton, BenjaminEaton, Daniel
Robertson, Timothy
Weber, Lucy**COOS**

Moynihan, Wayne

Theberge, Robert

GRAFTONBennett, Travis
Higgins, Patricia
Shackett, JeffreyDarrow, Stephen
Hull, Robert
Townsend, CharlesFord, Susan
Ingretson, PaulHennessey, Martha
Maes, Kevin**HILLSBOROUGH**Adams, Christopher
Burt, John
DiSilvestro, Linda
Freitas, Mary
Jack, Martin
Mangipudi, Latha
Shaw, BarbaraAmmon, Keith
Christiansen, Lars
Eastman, Eric
Gidge, Kenneth
Judy, Jean
McLean, Mark
Takesian, CharleneBaroody, Benjamin
Cohen, Alan
Edelblut, Frank
Heath, Mary
Lachance, Joseph
Murphy, KeithBeaulieu, Jane
Cornell, Patricia
Edwards, Elizabeth
Herbert, Christopher
Long, Patrick
Schleien, Eric**MERRIMACK**Bartlett, Christy
Frazer, June
Hoell, J.R.
McGuire, Carol
Rice, ChipBrewster, Michael
French, Barbara
Kidder, David
McGuire, Dan
Saunderson, GeorgeCarson, Clyde
Henle, Paul
Long, Douglas
Parent, Jason
Seaworth, BrianDeloge, Helen
Hirsch, Geoffrey
Mackay, James
Ratzki, Mario
Turcotte, Alan**ROCKINGHAM**Abramson, Max
Chirichiello, Brian
Heffron, Frank
Miz, David
Ward, GeraldBaldasaro, Alfred
Cushing, Robert
Itse, Daniel
O'Connor, JohnBarnes, Arthur
Emerick, J. Tracy
Lundgren, David
Prudhomme-O'Brien, KatherineCardon, G. Thomas
Guthrie, Joseph
McBeath, Rebecca
True, Chris**STRAFFORD**Beaudoin, Steven
Hannon, Joseph
Smith, Marjorie
Ward, KennethBickford, David
Horrigan, Timothy
Spang, JudithBixby, Peter
Jones, Laura
Treleaven, SusanBurton, Wayne
Kaczynski, Jr., Thomas
Verschueren, James**SULLIVAN**

Converse, Larry

Grenier, James

Oxenham, Lee

Schmidt, Andrew

and the majority committee report was adopted.

BILLS REMOVED FROM THE CONSENT CALENDAR ON FEBRUARY 10, 2016**HB 1495-FN-LOCAL**, relative to insurance incentives to lower costs of health care. **INEXPEDIENT TO LEGISLATE.**

Rep. Donald Flanders for Commerce and Consumer Affairs. The committee determined that, while well intended, this bill is too prescriptive and a government mandate of this kind is not necessary. Insurance carriers already offer their members transparency tools that provide cost and quality information for more than 1,000 health care services. These tools, along with innovative provider networks and health plan designs, are successfully encouraging consumers to make informed decisions and are lowering costs for everyone. This bill also presents a number of operational and administrative problems. The committee determined that this bill would inhibit the innovation that is already taking place and that giving health insurance carriers the flexibility to offer different incentives and programs will better serve the public than a legislative mandate. Vote 16-2. Committee report adopted.

HB 1189-FN, relative to aid granted to Dartmouth College to assist indigent students from New Hampshire. **INEXPEDIENT TO LEGISLATE.**

Rep. Rick Ladd for Education. In 1807, the NH Legislature granted Dartmouth College a grant of land known as the Second College Grant, and in 1883, the state appropriated and paid Dartmouth the sum of \$10,000. Income from the Second College Grant and the 1883 Fund are to be used for education of indigent NH youth. Both the 1807 and 1883 legislative acts required Dartmouth to annually prepare and submit accounting for the

grants to the Governor. Reporting aspects of the legislation did not occur. This bill seeks to correct reporting needs and would impose a \$10,000 fine for each year Dartmouth trustees failed to timely file annual reports and further would set a fund for indigent students within the Department of Education. In light of the recent memorandum of understanding signed by the Charitable Trusts unit of the NH Department of Justice and Trustees of Dartmouth College addressing and correcting issues noted in the bill, the committee resolves that the bill is no longer necessary given the MOU dated December 10, 2015. Vote 17-2.
Committee report adopted.

HB 1566-FN, relative to out-of-state transportation companies. **INEXPEDIENT TO LEGISLATE.**

Rep. Stephen Schmidt for Health, Human Services and Elderly Affairs. The committee determined that the bill would require the booking of existing medical managed care contracts in potential violation of existing contract law. In addition, the committee heard testimony that prohibiting out-of-state transportation companies from providing services would be in violation of federal law. Vote 15-1.
Committee report adopted.

HB 1581-FN-A, establishing a special marriage officiant license. **INEXPEDIENT TO LEGISLATE.**

Rep. Kurt Wuelper for Judiciary. This bill would allow any person to solemnize one marriage for a fee which would go to the Victim's Assistance Fund. The majority of the committee saw no need to expand the authority to perform marriage ceremonies. Vote 11-5.

Rep. Wuelper spoke in favor.

Rep. Cushing spoke against, yielded to questions and requested a roll call; not sufficiently seconded.

On a division vote, with 223 members having voted in the affirmative and 74 in the negative, the committee report was adopted.

HB 1593-FN-L, restricting fees for obtaining copies of public records and requiring certain information on public official and legislative financial disclosure forms. **INEXPEDIENT TO LEGISLATE.**

Rep. Lucy Weber for Legislative Administration. The first section of this bill prohibits public bodies and agencies from recovering labor costs for searching and compiling information requested under the right-to-know law. The committee received testimony that these costs are already unrecoverable under the present language, so the change is not needed. The remaining two sections require the public filing of significant information having to do with member spouses, their employment, and their business interests. Representatives are bound by the Legislative Ethics rules and it is important that Representatives' information is available to the public. Committee members believed that spouses of Representatives should retain their privacy. Vote 9-0.
Committee report adopted.

HB 1693-FN-L, abolishing fluoridation in water. **INEXPEDIENT TO LEGISLATE.**

Rep. Paula Francese for Resources, Recreation and Development. This bill would prohibit the introduction of fluoride into drinking water supplies in the state. It contains a number of issues of concern for the committee. Tooth decay is one of the most common chronic diseases among American children. According to the National Center for Health Statistics, one of four children living below the federal poverty level experience untreated tooth decay. The safety and benefits of fluoride are well documented and have been reviewed comprehensively by several scientific and public health organizations. No convincing scientific evidence has been found linking fluoridation with any potential adverse health effect or systemic disorder. With regard to cost, according to the American Dental Association the cost of a lifetime of water fluoridation is less than the cost of a single filling. By preventing tooth decay, community water fluoridation has been shown to save money, both for families and the health care system. SB 449, passed in 2004, established a procedure for voting on the introduction of fluoride into public water supplies at the local level. New Hampshire statutes specify procedures by which supplemental fluoridation of public water supplies can be accomplished. These statutes require that any proposal to fluoridate be subject to a vote and that majority approval is needed to begin fluoridation. Once fluoridation begins, the Department of Environmental Services monitors water supplies to ensure the proper concentration is achieved and maintained. Further, test kits are available for homeowners whose artesian well water contains naturally occurring fluoride. The committee believes that the pros and cons of fluoridation is a subject individuals and families need to discuss with their health care providers and that community water fluoridation is a decision best made at the local level. Vote 16-2.

Rep. Valerie Fraser spoke against.

Rep. Francese spoke in favor.

Committee report adopted.

RESOLUTION

Rep. Hinch 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 9, 2016 at 9:00 a.m.

LATE SESSION**Third Reading and Final Passage****HB 1434-FN, relative to out-of-home placements under the child protection act.****HB 1616-FN, relative to drivers' licenses and identification cards that are compliant with federal identification law.****HB 668-FN, relative to expense deductions under the business profits tax.****UNANIMOUS CONSENT**

Rep. Webb requested unanimous Consent of the House regarding an apology and addressed the House.

Rep. Kris Roberts requested unanimous Consent of the House regarding Black History Month and addressed the House.

MOTION TO PRINT REMARKS

Rep. Hinch moved that the remarks made by Rep. Kris Roberts during unanimous Consent be printed in the Permanent Journal.

Motion adopted.

REMARKS

Rep. kris Roberts: Today I stand here because it is Black History Month. But to me it is much more than that. Yes it involves our African roots, and our black ancestors. However, to me Black History Month is not a stand-alone history. It is American history. Black history is not about a group of people, who based on their color have become to be viewed by many not as equals but, "perennial victims; victims who were stripped of their culture and humanity and forced to live out their lives in slavery." Black History Month is about how all of us stand, not on the shoulders of giants, but on the shoulders of men and women; who through their sweat, tears, pain, and suffering without surrendering their dignities, played a major role in helping make the United States into the greatest industrial powerhouse the world has ever known; a democracy that still spends American blood and treasure fighting for democracy and human rights worldwide. Even after the words of President James A. Garfield spoken in 1881, "The elevation of the Negro race from slavery to the full rights of citizenship is the most important political change we have known since the adoption of the Constitution of 1787. No thoughtful man can fail to appreciate its beneficent effect upon our institutions and people. So far as my authority can lawfully extend, they shall enjoy the full and equal protection of the Constitution and the laws." A democracy that has delayed ensuring the same civil and human rights to every single American regardless of race, religion, sex, and sexual orientation. I don't stand here to place blame, I don't stand here to judge the actions of our nation's forefathers by today's morals, to absolve anyone for their actions, least of all to be political correct. I know I will speak of unpleasant historical facts. I stand here to inform, to enlighten, but most of all to tell the black youth of New Hampshire that they have the right to be proud; proud of the fact that the labors of our ancestors were major contributors to making America the greatest country in the history of the world. When Colin Powell was born, descended from black slaves, born under Jim Crow rules, no one could ever have dreamt that he, a black American, despite the words of Senator Robert C. Byrd spoken in 1944, "I shall never fight in the armed forces with a Negro by my side. Rather I should die a thousand times, and see Old Glory trampled in the dirt never to rise again, than to see this beloved land of ours become degraded by race mongrels, a throwback to the blackest specimen from the wilds," would become the Chairman of the Joint Chiefs of Staff or later Secretary of State. American history is about how more than half of all slave voyages left and returned from almost every port city in the United States; Portsmouth, Newport, Salem, Boston, Middletown, and New London, to name a few. Transporting mostly after 1808, about 180,000 of the approximately 388-450,000 black men and women who were captured, sold, survived the trans-Atlantic journey to what was to become the United States and resold; often repeatedly. Or, in the words of Lorenzo Green, a renowned author on black life in 17th-18th century New England, "The effects of the New England slave trade were momentous. It was one of the foundations of New England's economic structure; it created a wealthy class of slave-trading merchants, while the profits derived from this commerce stimulated cultural development and philanthropy," colleges, museums and music halls. The trade brought great wealth to some merchants and investors and created jobs for tens of thousands of others. In addition to the sailors employed in the trade, many people worked in industries dependent on the slave trade; rope making, iron forging, candle manufacturing, carpentry, logging, newspapers, distilleries, tanners, lawyers, fishermen, farmers, and the cotton mills of Fall River, Lowell, and Manchester. I could go on. Steven Bressler said, "Once you begin to see these great seaports and these great historic houses, everywhere you look, you can follow it back to the agricultural trade of the West Indies, to the trade of bodies in Africa, to the unpaid labor of black people. What people need to understand is that, here in the North, while there were not the large plantations of the South or the Caribbean islands, there were families who owned slaves. There were businesses actively involved in the slave trade. Slavery was a major stimulus to the New England economy." In March 1835, 28 white and 14 black students begin classes at the newly founded Noyes Academy in a small New Hampshire town. The

school admitted qualified students, regardless of race. Its policy was clear, "To afford colored youth a fair opportunity to show that they are capable, equally with the whites, of improving themselves in every scientific attainment, every social virtue, and every Christian ornament." The citizens of this NH town called a meeting and declared that they were "determined to take effectual measures to remove the school. The town appointed a committee "To do away with the school in the interest of the town, and the honor of the State." It rounded up men from surrounding towns and with about 100 yoke of oxen, pulled down the school and dragged it to the Baptist church located near the town commons. When their work was completed, the committee met once

more to praise the Constitution and invoke the memories of the patriots of '76. The *Concord Patriot* wrote, "Joyful to the friends of this country." Speaking in Congress, New Hampshire Senator Isaac Hill defended the citizens' actions, stating their goal had been to thwart the abolitionist scheme to mingle the children of the two races. In New England, one need look no further than a symbol that graces welcome mats, door knockers, bedposts, and all manner of household décor; the pineapple. That exotic fruit is as intertwined with slavery as the Confederate flag. When New England ships came to port, captains would impale pineapples on a fence post, a sign to everyone that they were home and open for business, bearing the bounty of slave labor and sometimes slaves themselves. Lest we forget, while we may wish to change dark events of our past, we must remember to do so is to change the present. Thank you.

RECESS MOTION

Rep. Hinch 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.
Motion adopted.

The House recessed at 1:45 p.m.

RECESS

(Rep. Hinch in the Chair)

ENROLLED BILL AMENDMENTS

SB 144, relative to carry-over coverall bingo and shared carry-over coverall bingo. (Amendment printed SJ 2-18-16)

Adopted.

SB 265-FN, establishing the achieving a better life experience (ABLE) savings account program. (Amendment printed SJ 2-18-16)

Adopted.

REFERRAL DECLINED

Rep. Kurk Chairman of the Committee on Finance, under the provisions of House Rule 46 (f), declined the referral of **HB 1430-FN**, relative to registration of compact utility tractors.

RECESS

(Rep. Packard in the Chair)

RESOLUTION

Rep. Hinch offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, Senate Bills numbered 59, 127, 129, 152, 210, 239, 302, 309, 312, 313, 314, 315, 316, 318, 319, 322, 328, 331, 333, 361, 371, 373, 375, 377 and 378 shall be by this resolution read a first and second time by the therein listed titles and referred to the therein designated committees.

Motion adopted.

INTRODUCTION OF SENATE BILLS

First, second reading and referral

SB 59, relative to the removal of county officers and temporary filling of the office. (Municipal and County Government)

SB 127-FN, relative to the appointment of special Medicaid representatives. (Health, Human Services and Elderly Affairs)

SB 129-FN, allowing retired members of the retirement system to change an optional allowance election in certain circumstances. (Executive Departments and Administration)

SB 152, relative to criminal history records checks for school employees and designated school volunteers. (Education)

SB 210-FN, relative to regulation of septic system evaluators. (Executive Departments and Administration)

SB 239-FN, relative to application of the Internal Revenue Code to provisions of the business profits tax. (Ways and Means)

SB 302-FN-A, making an appropriation to the department of safety for disaster and emergency response preparedness. (Finance)

SB 309, relative to sulfur limits of certain liquid fuels. (Science, Technology and Energy)

SB 312, relative to epinephrine administration in independent schools. (Education)

SB 313, relative to requirements for licensed estheticians. (Executive Departments and Administration)

SB 314, relative to the membership of the higher education commission. (Education)

SB 315, relative to the regulation of barbers, cosmetologists, estheticians, and manicurists. (Executive Departments and Administration)

SB 316, relative to placement decisions by a child's individualized education program team. (Education)
SB 318, permitting the state to enter into a lot line agreement with a private abutter to the Bradford Pines Natural Area. (Resources, Recreation and Development)
SB 319-FN, relative to survivor benefits for families of police officers and firefighters killed in the line of duty. (Executive Departments and Administration)
SB 322, relative to the provision and administration of bronchodilators, spacers, and nebulizers in schools. (Education)
SB 328-L, relative to school districts and school administrative units exercising joint powers with other public agencies. (Education)
SB 331, relative to fulfilling the requirement for a notarized signature electronically. (Judiciary)
SB 333, relative to net energy metering. (Science, Technology and Energy)
SB 361, banning the sale of premixed synthetic urine. (Health, Human Services and Elderly Affairs)
SB 371, relative to school lunch meal payment policies. (Education)
SB 373, relative to the information technology infrastructure in public schools. (Education)
SB 375, establishing the coastal marine natural resources and environment commission. (Resources, Recreation and Development)
SB 377, relative to emission levels of municipal waste combustion units. (Science, Technology and Energy)
SB 378, relative to the availability of net metering tariffs. (Science, Technology and Energy)

RECESS

(Speaker Jasper in the Chair)

RESOLUTION

Rep. Packard offered the following: **RESOLVED**, that in accordance with the list in the possession of the Clerk, Senate Bills numbered 121, 332, 352, 356, 357, 380, 392, 396, 397, 398, 426, 427, 437, 440, 444, 453, 460, 464, 480, 485 and 522 shall be by this resolution read a first and second time by the therein listed titles and referred to the therein designated committees.
 Motion adopted.

INTRODUCTION OF SENATE BILLS

First, second reading and referral

SB 121-FN-L, relative to exceptions from the land use change tax for removal of certain materials. (Environment and Agriculture)
SB 332, relative to state procurement of goods and services. (Executive Departments and Administration)
SB 352, naming a cove in Lake Winnepesaukee as Ritson Cove. (Resources, Recreation and Development)
SB 356-FN, relative to agricultural plates for vehicles of commercial fishing operations. (Transportation)
SB 357, relative to driver's license examinations. (Transportation)
SB 380, establishing the drinking water and groundwater trust fund and establishing the New Hampshire drinking water and groundwater advisory commission. (Resources, Recreation and Development)
SB 392, relative to the special training licenses issued by the board of podiatry. (Executive Departments and Administration)
SB 396, relative to compatibility of electrical devices with the National Electric Code and the state building code. (Executive Departments and Administration)
SB 397, relative to the membership of the post-traumatic stress disorder and traumatic brain injury commission. (Executive Departments and Administration)
SB 398, relative to renewal of licenses issued by the board of funeral directors and embalmers. (Executive Departments and Administration)
SB 426, establishing an end-of-life choices study commission. (Judiciary)
SB 427, establishing a committee to study the use of restraints when transporting a person subject to involuntary admission proceedings. (Health, Human Services and Elderly Affairs)
SB 437, establishing a commission to address child hunger in New Hampshire. (Children and Family Law)
SB 440-FN, repealing the repeal of certain fees in the shoreland protection act. (Ways and Means)
SB 444-FN, relative to lottery retailer incentive awards. (Ways and Means)
SB 453-FN, relative to comprehensive criminal background checks for individuals in registered and licensed child day care agencies, child care institutions, and child care agencies. (Education)
SB 460, authorizing the state board of education to adopt rules relative to child sexual abuse and healthy relationships. (Education)
SB 464-FN-A, establishing a statewide drug offender grant program and making appropriations therefor, and relative to transferring certain revenues to the revenue stabilization reserve account. (Ways and Means)
SB 480-FN-A, relative to the state house visitor's center revolving fund. (Legislative Administration)

SB 485-FN-A, establishing a state grant program to assist state and local law enforcement agencies in addressing the opioid crisis and making an appropriation therefor. (Finance)

SB 522-A, making an appropriation to the office of professional licensure and certification for technology upgrades for the controlled drug prescription health and safety program. (Finance)

SENATE MESSAGES

CONCURRENCE WITH AMENDMENTS

SB 110-FN, establishing the administrative supervision act.

SB 157-FN, requiring high school students to pass a competency assessment of the United States and New Hampshire government and civics.

SB 227-FN, relative to calculating the cost of an adequate education.

COMMITTEE ASSIGNMENTS

The Speaker made the following change to committee assignments:

Rep. Tasker off the Committee on Children and Family Law.

RECESS