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HOUSE RECORD

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Calendar and Journal of the 2016 Session

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Concord, N.H.

Wednesday, April 20, 2016

No. 36

HOUSE JOURNAL No. 11 (Cont.)

Wednesday, April 6, 2016

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

HOUSE JOURNAL NO. 12

Wednesday, April 20, 2016

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

Her Excellency, Governor Margaret Wood Hassan, joined the Speaker on the rostrum for the day's opening ceremonies.

Prayer was offered by Guest Chaplain, Father Thom Duston, Pastor of St. Theresa's Parish in Henniker and Wing Chaplain of Pease Air National Guard Base.

Would you pray with me? Good and gracious God, You are the source of all life, and of our natural rights. Our ancestors recognized this in our state's constitution. They also acknowledged that when we come together in society, we must be willing to surrender up our rights to it for the protection of others. Lord God help us. Help us to appreciate the lives You have given us. Help us to acknowledge our natural rights and protect them for all. Help us to willingly sacrifice of ourselves for the good of others and of all. Lord bless each of us with the wisdom and courage we need to sacrifice for and serve well all citizens of our beloved state. Amen

Representative Sad, member from Walpole and Representative Haefner, member from Hudson, led the Pledge of Allegiance.

The National Anthem was sung by the member from Manchester, Representative Larry Gagne.

LEAVES OF ABSENCE

Reps. Ronald Belanger, Bridge, Chris Brown, Pamela Brown, Bush, Comtois, Kellogg, Moody, Pantelakos, Parison, Phillips, Priestley, Rappaport, Ratzki, Russell, Sanders, Stevens, Tatro, Verschueren and Wright, the day, illness.

Reps. Andrew Christie, Cook, Deloge, DiSesa, Edwards, Fisher, Pamela Gordon, Ingbretson, Introne, Ley, McNamara, O'Neil, Oligny, Carol Roberts, Schleien, Timothy Smith, Tamburello, Varney and Thomas Walsh, the day, important business.

Rep. DeSimone, the day, illness in the family.

INTRODUCTION OF GUESTS

Brendan Sica, student at Bishop Brady High School, Page for the day.

Allison O'Neil and students, guests of Representative Cordelli. The Honorable Sylvia Gale, former member from Nashua, and Catherine Sofikitis, guests of Representative Rosenwald. George and Phyllis Weimann, Uncle and Aunt of Representative Ticehurst. David Woolpert, guest of Representatives Hirsch and Barbara French. Roger Dontonville, guest of Representative Piper. Susan McKeivitt, guest of Representative Irwin. Chris Heath, Master of the state Grange, and members of the state Grange; Bob and Jane Trombi, Josie Best, Esther Herrick and Andrew Savage, guests of Representative Haefner. The Honorable Carolyn Brown, former member from Conway, Jim Umberger, husband of Representative Karen Umberger, and John Edgerton, guests of the Mount Washington Valley Representatives.

SENATE MESSAGES
REQUESTS CONCURRENCE WITH AMENDMENTS

HB 231, relative to the criteria for evaluating school building aid applications. (Amendment printed SJ 3/31/16)
 Reps. Ladd and Kurk moved that the House concur and spoke in favor.
 Rep. Ladd spoke in favor.
 Motion adopted.

HB 1121, relative to the academic areas that comprise the statewide assessment. (Amendment printed SJ 4/7/16)
 Rep. Ladd moved that the House concur and spoke in favor.
 Motion adopted.

HB 1164, relative to contributions by a city or town to the county or state. (Amendment printed SJ 4/14/16)
 Rep. James Belanger moved that the House concur and spoke in favor.
 Motion adopted.

HB 560-FN, including a viable fetus in the definition of “another” for the purposes of certain criminal offenses. (Amendment printed SJ 1/14/16)
 Rep. Tholl moved that the House nonconcur and spoke in favor.
 Motion adopted.

ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 242, 1388, 1397 and 1419 and Senate Bill numbered 318.

Rep. Hinch, Sen. Prescott for the Committee

CONSENT CALENDAR

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

SB 466-FN, relative to the detention of a minor while waiting for the disposition of his or her case, removed by Rep. Lynne Ober.

SB 465-FN, relative to the nonconsensual dissemination of private sexual images, removed by Rep. Lynne Ober.

SB 418, relative to obtaining a ballot to vote and adding National Guard members to the absentee voting laws, removed by Rep. Hoelzel.

SB 481-FN, relative to a special health care service license and establishing a fund, removed by Rep. Dan McGuire.

SB 491-FN, relative to Medicaid home health care services and relative to the scope of practice of licensed nursing assistants, removed by Rep. Hinch.

SB 496-FN, relative to personal care attendant services, removed by Rep. Hinch.

SB 535-FN-A, establishing a grant program for high schools for heroin and opiate prevention education, removed by Rep. Duane Brown.
 Consent Calendar adopted.

SB 543-FN, relative to private transferring of adopted children. **OUGHT TO PASS.**

Rep. Carolyn Gargas for Children and Family Law. This bill prohibits unauthorized advertising for adoption purposes. This especially is of concern for ads through the Internet. It also prohibits transfer of a child through a power of attorney document without going through the state adoption process. Vote 13-0.
 Referred to the Committee on Judiciary.

SB 450, relative to investments by insurance companies. **OUGHT TO PASS.**

Rep. Donald Flanders for Commerce and Consumer Affairs. This bill replaces some of the existing life insurance and property and casualty insurance investment statutes with the latest National Association of Insurance Commissioners’ (NAIC) model language. It applies general principles and sets specific investment standards appropriate to those insurers. Investments made by insurers are critical to their solvency and are highly regulated. The New Hampshire Insurance Department is required to “require a diversified investment portfolio for all domestic insurers both as to type and issues and include a requirement for liquidity” as part of the NAIC’s accreditation process. Vote 18-2.

SB 488-FN-L, relative to breastfeeding. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John Hunt for Commerce and Consumer Affairs. As introduced in the Senate, this bill required employers to provide reasonable accommodations to women who are breastfeeding and included a provision exempting nursing mothers from jury duty. Prior to passage, the Senate amended this bill by adopting a House Commerce Committee amendment to a similar bill, that was retained in the committee last year.

This similar bill, SB 219, was tabled in the House in January. After a long subcommittee work session, the House Commerce Committee, with a strong bipartisan majority (18-2), amended this bill to establish an Advisory Council on Lactation. The council's duties are to consider the goals of the Office of the Surgeon General and the US Breastfeeding Committee and to examine best practices in New Hampshire for, not only breastfeeding, but also expressing breast milk at work. The advisory council is required to file an interim report by November 1, 2016 and a final report by December 1, 2017. Vote 19-1.

Amendment (1372h)

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

AN ACT establishing an advisory council on lactation.

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

1 New Subdivision; Advisory Council on Lactation. Amend RSA 275 by inserting after section 75 the following new subdivision:

Advisory Council on Lactation

275:76 Advisory Council on Lactation.

I. There is hereby established an advisory council on lactation. The advisory council shall consider the goals of the United States Surgeon General and the United States Breastfeeding Committee. The advisory council shall be comprised of, but not limited to:

- (a) One member of the house of representatives, appointed by the speaker of the house of representatives.
- (b) One member of the senate, appointed by the senate president.
- (c) The commissioner of the department of labor, or designee.
- (d) A representative from the women, infants, and children program (WIC), appointed by the commissioner of the department of health and human services.
- (e) A certified midwife, appointed by the midwifery council established in RSA 326-D:3.
- (f) A member of the New Hampshire Business and Industry Association, appointed by the association.
- (g) The president of the New Hampshire Breastfeeding Rights Coalition, or designee.
- (h) The chairperson of the New Hampshire Breastfeeding Task Force, or designee.
- (i) A hospital administrator from a certified baby-friendly hospital, appointed by the governor.
- (j) A transportation representative, appointed by the governor.
- (k) A currently breastfeeding mother, appointed by the governor.
- (l) An attorney with experience in human rights issues, appointed by the New Hampshire commission on human rights.

II. The advisory council may examine best practices in New Hampshire, including but not limited to the Baby Friendly Hospital Initiative, Family and Sick Leave, Childcare Trainings on Breastfeeding, Milk Banks, Lactation Spaces in Public Accommodations, and the World Health Organization's International Code of Marketing of Breastmilk Substitutes.

III. Legislative members shall receive mileage at the legislative rate while attending to the duties of the commission.

IV. The advisory council may meet as often as necessary to effectuate its goals and meetings may be held by conference call. A minimum of 3 meetings per year shall be open to the public.

V. The advisory council shall make an interim report commencing on November 1, 2016 and a final report on December 1, 2017 on its activities and findings, together with any recommendations for proposed legislation, to the president of the senate, the speaker of the house of representatives, and the governor.

2 Repeal. RSA 275:76, relative to an advisory council on lactation, is repealed.

3 Effective Date.

I. Section 2 of this act shall take effect December 1, 2017.

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

2016-1372h

AMENDED ANALYSIS

This bill establishes an advisory council on lactation.

Referred to the Committee on Judiciary.

SB 468-FN, relative to changes to the sex offender registry. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Robert Cushing for Criminal Justice and Public Safety. In March of 2015 the New Hampshire Supreme Court ruled in the case of John Doe v. State of New Hampshire that a group of sex offenders convicted of crimes before the sex offender registry was created in 1992 and placed on the registry as a Tier III offender had been denied their right to due process to have their names removed from the registry. The court ruled that a group of convicted sex offenders who were not aware at the time of their conviction that they would be placed on the sex offender registry were entitled to petition to have their names removed from the registry altogether if they could prove that they were no longer a risk to the public. The court left it to the legislature

to determine how to assess the dangerousness of this group before allowing them to be removed from the registry. This bill establishes a procedure that will improve public safety for all New Hampshire residents by utilizing an effective risk assessment to ensure that the current danger of an offender is assessed. It also ensures that the victims of these serious offenders have notice that their victimizer is attempting to come off the sex offender registry and provides the opportunity for the victim to have input into this decision. This amended bill was supported by the Coalition Against Domestic and Sexual Violence, the New Hampshire Civil Liberties Union, and the Attorney General. Vote 19-0.

Amendment (1232h)

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

1 Registration of Criminal Offenders; Duration of Registration. Amend RSA 651-B:6, III(a)(1) to read as follows:

(1) *Except as provided in paragraph V*, all tier III offenders shall remain on the public list contained in RSA 651-B:7 for life.

2 New Paragraph; Registration of Criminal Offenders; Duration of Registration. Amend RSA 651-B:6 by inserting after paragraph IV the following new paragraph:

V.(a) Any tier II or tier III offender who was convicted prior to the establishment of the sex offender registry may petition the court to be relieved from the registration requirements under this chapter. The petition shall include the petitioner's current address and information about each conviction for which he or she is required to register, including the nature of the offense, the sentence imposed, and the court and the jurisdiction in which the petitioner was convicted. The petition shall be accompanied by a certified copy of the petitioner's criminal history record from each jurisdiction in which he or she is required to register. The petition shall not be filed prior to the completion of all the terms and conditions of the sentence, including any period of supervised release. The petition shall also be accompanied by a risk assessment prepared by a qualified psychiatrist or psychologist at the offender's expense, which indicates that the petitioner is not a danger to the public and no longer poses a risk sufficient to justify continued registration. The petition shall be filed in the county where the most recent predicate conviction occurred, except if the most recent predicate conviction occurred in another state or jurisdiction, the petition shall be filed in the county where the petitioner resides. Such petition shall not be filed as or addressed as part of a criminal case.

(b) Prior to granting any petition to relieve an offender from the registration requirements under this chapter, the court shall hold a hearing on the petition. The court shall provide notice of the hearing at least 60 days prior to the hearing to the county attorney, the department of safety sex offender unit, and the department of corrections. The county attorney shall use reasonable efforts to notify the victim or victim's family. The court shall permit those parties to be heard on the petition. The victim may appear personally, or through a representative, or may provide a written statement expressing his or her views concerning the offense, the person responsible, and the need for maintaining the registration requirement. The judge shall consider the statements of the victim when making a decision regarding the petition.

(c) The court may grant the petition if the offender has not been convicted of any subsequent offense requiring registration, has successfully completed any period of supervised release, probation, or parole, has successfully completed an appropriate sex offender treatment program as determined by the court, and has demonstrated that he or she is no longer a danger to the public and no longer poses a risk sufficient to justify continued registration. If the court denies the petition, the offender shall not file another petition for 5 years from the date of denial.

3 Registration of Criminal Offenders; Hearing. Amend RSA 651-B:10, I to read as follows:

I. Any offender required to register for an offense committed in another state, country, territory, or tribal territory, or under federal law that is determined to be a reasonably equivalent offense to an offense listed *in* RSA 651-B:1, V(a) or RSA 651-B:1, VII(a) or (b) may appeal that determination to the commissioner. The offender shall, within 10 days of notification, request a hearing on the matter before the commissioner. If such a request is made, the commissioner shall promptly schedule and conduct a hearing pursuant to rules adopted under RSA 541-A. ~~[The offender]~~ *Either party* shall have the right to appeal the commissioner's decision in superior court.

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

SB 475-FN, requiring law enforcement agencies to file crime reports with the department of safety. **OUGHT TO PASS.**

Rep. John Martin for Criminal Justice and Public Safety. This bill would require all law enforcement agencies in the state to file reports in accordance with the FBI's Uniform Crime Reporting Program. Currently, there are 53 localities that do not report this information. Only nine of those localities do not have the records management system to comply with this requirement. The bill states that those agencies will have the means to report provided to them by the Department of Safety, eliminating any prohibitions under Part I, Article 28-a of the NH Constitution. Currently, the state is spending millions of dollars in the face of the opioid crisis

and these 53 agencies are not reporting data which could be used in assessing the effectiveness of these new expenditures. This bill closes a hole in the reporting system and adds to the database reporting the effectiveness of state spending. Vote 16-3.

SB 517-FN, increasing the amount deducted from a fine for each day of a person's incarceration. **OUGHT TO PASS.**

Rep. David Welch for Criminal Justice and Public Safety. This bill increases the amount credited to a fine when the defendant is incarcerated for non-payment of a fine. The amount of jail time is reduced and therefore the county and county taxpayers are well served. Currently the amount to be deducted is \$50 per day, and this bill increases the amount to \$150 per day. Vote 13-0.

SB 326, relative to the membership of the community college system of New Hampshire board of trustees. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Robert Elliott for Education. This bill adds an employee to the Community College System of New Hampshire Board of Trustees. The bill further establishes a process by which 3 employees, other than personnel on the system leadership team (SLT), are elected to a slate of three potential candidates from which the Governor selects on for consent of the council. Community College leadership and employees support this bill as it strengthens system participation, communication and transparency. Lastly, the bill contains a "conflict of interest" clause. Vote 19-0.

Amendment (1353h)

Amend RSA 188-F:4, II(1) as inserted by section 1 of the bill by replacing it with the following:

(1)(1) One member shall be an employee of the community college system of New Hampshire. Such trustee position shall rotate among the institutions within the community college system of New Hampshire, proceeding in alphabetical order beginning with the college that is first alphabetically. The institutions within the community college system of New Hampshire, through an election at all-college/institutional forum, shall nominate a slate of 3 employees, that shall not include members of the community college system leadership team (SLT), whose names shall be forwarded to the governor who shall choose one for the nomination. The employee-trustee shall serve a 2-year term. In the event the employee-trustee is unable for any reason to serve the entire term, the chairman of the board of trustees shall declare a vacancy in that employee-trustee position. Upon expiration or vacancy of such term, the next institution in order shall nominate a slate of 3 employees, not to include a member of the SLT, whose names shall be forwarded to the governor for consideration.

(2) For purposes of this paragraph, "community college system leadership team (SLT)" means and is comprised of the chancellor, vice chancellor, president of each community college, and the chancellor's senior staff associated with statewide policy and operational coordination as identified in the handbook for administrative, managerial, professional and operating support staff exempt from the collective bargaining process, as approved by the community college system of New Hampshire board of trustees.

Amend the bill by inserting after section 2 the following and renumbering the original section 3 to read as 4:

3 New Paragraph; Conflict of Interest. Amend RSA 188-F:4 by inserting after paragraph VII the following new paragraph:

VIII. Board members shall not be eligible to participate in a vote when the board member has recused himself or herself from participation because he or she has a pecuniary or personal interest or other conflict of interest.

2016-1353h

AMENDED ANALYSIS

This bill adds a member to the community college system of New Hampshire board of trustees who is also an employee of the community college system of New Hampshire.

This bill also requires members of the community college system of New Hampshire board of trustees to recuse themselves from voting when there is a conflict of interest.

SB 353, relative to names on ballots. **OUGHT TO PASS.**

Rep. William Gannon for Election Law. This bill seeks to level the playing field so that all names on the ballot receive no undue preference due to one candidate using a change in font, capitalization, or other means to make his name stand out, making its' appearance inconsistent with that of the names around him. Vote 17-0.

SB 456-FN, relative to reporting of receipts and expenditures by candidates and candidate committees. **OUGHT TO PASS.**

Rep. William Gannon for Election Law. This bill amends the process for reporting of receipt and expenditures by candidates and candidate committees by authorizing an electronic system for uploading reports to the Secretary of State's website. This will simplify and expedite this administrative process. Vote 17-0.

SB 121-FN-L, relative to exceptions from the land use change tax for removal of certain materials. **INEXPEDIENT TO LEGISLATE.**

Rep. Christy Bartlett for Environment and Agriculture. The committee heard compelling and extensive testimony on this bill. It appears to have been introduced to address a specific situation, but could have unintended consequences. This bill was written to address an individual's request who wanted to sell material from his land now in current use, but did not want to incur a land use change tax event. It was agreed by the committee that the current use law is quite specific and that the landowner gets a large tax credit in exchange for agreeing to the current use restrictions. Both the NH Municipal Association and the NH Farm Bureau are opposed to this bill. Vote 14-0.

SB 345, relative to the definition of agritourism. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John O'Connor for Environment and Agriculture. This bill, as amended, corrects an ambiguity in the statutory definition of agriculture that currently does not include agritourism. The term "agritourism," to be defined by the bill within the definition of agriculture in RSA 21:34-a, II(b)(5), means to attract visitors to a farm for the purpose of eating a meal, making overnight stays, enjoyment of the farm environment, education about farm operations, or active involvement in the activity of the farm, all of which are considered accessory uses to the primary farm operation. As the result of the recent Supreme Court ruling which pointed out the ambiguity within the law, a roundtable of stakeholders, including NH Municipal Association, legislators, the Department of Agriculture, Markets and Food, and the NH Farm Bureau, among others, spent months developing this legislation which is a reasonable balance between competing interests and will preserve local control. The bill will allow our farmers to contribute to both the economic viability and long-term sustainability of our New Hampshire farms. Vote 13-0.

Amendment (1286h)

Amend RSA 21:34-a, II(b)(5) as inserted by section 1 of the bill by replacing it with the following:

(5) The marketing or selling at wholesale or retail, ~~[on-site and off-site, where permitted by local regulations,]~~ ***of any products from the farm, on-site and off-site, where not prohibited by local regulations. Marketing includes agritourism, which means attracting visitors to a farm to attend events and activities that are accessory uses to the primary farm operation, including, but not limited to, eating a meal, making overnight stays, enjoyment of the farm environment, education about farm operations, or active involvement in the activity of the farm.***

SB 415, requiring appropriate hydration be made available to certain animals and establishing a committee to study harmful weather conditions for dogs. **INEXPEDIENT TO LEGISLATE.**

Rep. Peter Bixby for Environment and Agriculture. This bill would have added a requirement for hydration for domestic animals to statute, and would have created a committee to study harmful weather conditions for dogs. Current law requires that sustenance be provided, which includes hydration, making this change in law redundant. The Governor's Commission on the Humane Treatment of Animals has studied and continues to study all aspects of animal welfare and provides a manual of standards and training for local police. A study committee is unnecessary. We also heard testimony that the variability in dog breeds and acclimatization makes it impossible to develop a blanket statement concerning weather that is harmful to dogs. Vote 14-0.

SB 524, relative to state procurement card rebates. **OUGHT TO PASS.**

Rep. Jean Jeudy for Executive Departments and Administration. This bill removes a reference from RSA 9-D:2 that permitted a portion of state procurement card rebates be used to reduce the unfunded liability of the NH Retirement System. It also corrects a problem created by an amendment added to SB 191 last year that provided for the deposit of such rebates in the general fund. Vote 16-0.

SB 323, relative to the use of force by employees of hospitals or other health care facilities. **OUGHT TO PASS.**

Rep. Lucy Weber for Health, Human Services and Elderly Affairs. This bill adds hospitals and health care facilities to an existing statute which authorizes the use of force by persons with special responsibilities. It allows an authorized hospital employee to use non-deadly force when it is reasonably believed to be necessary to maintain decorum or safety, and allows deadly force only when reasonably believed to be necessary to prevent death or serious bodily injury. The bill is critically necessary because of the number of violent situations which occur in health care settings. The committee heard testimony that hospital security personnel employees must undergo rigorous hospital specific training programs. Vote 16-0.

Referred to the Committee on Criminal Justice and Public Safety.

SB 417, relative to employment contract restrictions upon physicians. **OUGHT TO PASS.**

Rep. Joanne Ward for Health, Human Services and Elderly Affairs. This bill eliminates non-compete clauses in physician contracts to the hospital. Non-compete clauses limit competition and when a physician leaves a hospital, or practice they have to leave their patients without their doctors. With the MD shortage in the state, more physicians may be enticed to move to New Hampshire if they do not have to commit to a non-compete. Doctors can be an important person to their patients once relationships are formed and this can be devastating to a patient when the doctor is forced to move out of town. Vote 19-0.

Referred to the Committee on Commerce and Consumer Affairs.

SB 420-FN, relative to aid to the permanently and totally disabled. **OUGHT TO PASS.**

Rep. Mary Freitas for Health, Human Services and Elderly Affairs. This bill ensures that applicants who have been denied eligibility for cash assistance as part of aid to the permanently and totally disabled be treated in the same manner as persons who were terminated. The bill also authorizes the Department of Health and Human Services to adopt rules relative to the continuation of cash assistance pending appeal of a termination or denial decision. Vote 12-0.

Referred to the Committee on Finance.

SB 427, establishing a committee to study the use of restraints when transporting a person subject to involuntary admission proceedings. **OUGHT TO PASS.**

Rep. John Fothergill for Health, Human Services and Elderly Affairs. This bill establishes a committee to study the use of restraints when transporting a person subject to involuntary admission proceedings. The committee heard considerable testimony regarding this matter and all agreed a study to determine best practice was warranted. Vote 15-0.

SB 193-FN-L, establishing a committee to study the duties of the attorney general and the county attorneys. **INEXPEDIENT TO LEGISLATE.**

Rep. Frank Heffron for Judiciary. The committee heard testimony that the office of the attorney general meets regularly with all county attorneys in a collegial manner to discuss their respective responsibilities in criminal cases. Accordingly, the committee concluded that it is not necessary to establish a study committee. Vote 17-0.

SB 341, establishing a committee to study guardianship in New Hampshire. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Linda Kenison for Judiciary. Regulations differ for court appointed public versus private guardians, raising questions regarding caseloads, compensation, jurisdiction, and requirements for becoming a guardian. These and other related issues are in need of review and will be studied under this bill. Vote 16-1.

Amendment (1281h)

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

(b) Four members of the house of representatives, one of whom shall be a member of the children and family law committee, 2 of whom shall be members of the judiciary committee, and one of whom shall be a member of the health, human services and elderly affairs committee, appointed by the speaker of the house of representatives.

Amend the bill by replacing sections 3 and 4 with the following:

3 Duties. The committee shall study guardianship in New Hampshire to determine:

I. Whether guardians should be registered and licensed by the state.

II. Who should have jurisdiction over guardians.

III. The number of guardians in New Hampshire and how the work of a private guardian differs from that of a public, court appointed guardian.

IV. The requirements, if any, for someone to become a guardian.

V. Whether New Hampshire should adopt, or adopt with amendment, the National Guardianship Association Standards of Practice.

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

SB 352, naming a cove in Lake Winnepesaukee as Ritson Cove. **OUGHT TO PASS.**

Rep. Ted Wright for Resources, Recreation and Development. Currently unnamed, this bill would name a cove at the south end of Governor's Island in Gilford after Ted Ritson who built a camp on the site in 1938. Over the last several decades, several generations of the Ritsons have been active in local conservation efforts and other community service. In particular, Ted Ritson, who died eight years ago, was very involved in water quality protection in the area. The committee feels this is a fitting tribute and, according to testimony, neighbors are in agreement. Vote 17-2.

SB 374, requiring the department of environmental services to update coastal flooding trends. **OUGHT TO PASS.**

Rep. Frederick Rice for Resources, Recreation and Development. The Coastal Risks and Hazards Commission recommended that their final report be updated every five years by collecting data on coastal flooding trends. Since the Department of Environmental Services was deeply involved in preparing the report and is familiar with the information involved, it is the most appropriate agency to perform this function and is therefore given this responsibility by the bill. Data will be used to update regional plans to protect the seacoast from damage due to storm surge, sea level rise, or flooding. Vote 19-0.

SB 375, establishing the coastal marine natural resources and environment commission. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Frederick Rice for Resources, Recreation and Development. One of the requirements of the Coastal Risks and Hazards Commission, which expires at the end of this year, is to recommend rules and regulations that will protect New Hampshire's coastal resources. In order to do this, data must be collected on a periodic basis to determine what steps must be taken. This bill forms a commission that will review the data collected and make further recommendations to the legislature and Governor on an annual basis for actions to be taken. The amendment adds sedimentation as a concern to be monitored by the commission. Vote 17-0.

Amendment (1204h)

Amend RSA 485-F:3 as inserted by section 1 of the bill by replacing it with the following:

485-F:3 Duties. The commission shall:

I. Investigate, monitor, and propose prevention and mitigation strategies for emerging environmental threats in coastal and Great Bay waters, including but not limited to warming of waters, ocean acidification, sedimentation, and nutrient loading, which impact fish, shellfish, and the food chain thereof.

II. Identify gaps and recommend improvements in water quality monitoring, including monitoring pH and evaluating its impact on the impaired waters designation of water bodies.

III. Recommend strategies for enhancing capacities for improving water quality.

IV. Examine the Blue Carbon credit program for sea grass promotion and oyster bed restoration.

V. Report annually on November 1 to the chairs of the house and senate committees with jurisdiction over issues affecting coastal marine resources and the environment, the senate president, the speaker of the house, and the governor.

SB 461-FN, relative to expenditures of the Winnepesaukee River Basin control program funds. **OUGHT TO PASS.**

Rep. James McConnell for Resources, Recreation and Development. This bill expands the purposes for which the Winnepesaukee River Basin Program funds collected from local member communities may be expended to include authority to fund studies to improve its operations. Vote 17-0.

SB 484, relative to the role of the Winnepesaukee River advisory board. **OUGHT TO PASS.**

Rep. James McConnell for Resources, Recreation and Development. This bill requires the Winnepesaukee River Advisory Board, which is composed of appointees from the towns and cities whose sewage is processed by the Winnepesaukee River Basin Program, to make a recommendation to the Governor and Council on each request for a contract to plan, design or construct capital improvements under RSA 485-A:49. Vote 17-0.

SB 309, relative to sulfur limits of certain liquid fuels. **OUGHT TO PASS.**

Rep. Glen Aldrich for Science, Technology and Energy. This bill will lower sulfur limits of certain fuels in New Hampshire to levels already adopted by all of the other New England states. Passing this bill not only helps the environment but our constituents as well. Oil burners that use low sulfur content fuel do not need to be cleaned as often. The Oil Heat Council of NH requested and supports this legislation. Vote 16-0.

SB 321, relative to incentive payments to certain churches which are owners of small renewable energy generation facilities. **INEXPEDIENT TO LEGISLATE.**

Rep. Glen Aldrich for Science, Technology and Energy. Only four towns in New Hampshire distribute their own electricity. This bill would require the Public Utilities Commission to make a one-time incentive payment to churches in those towns that install solar panels. Electricity users in those four towns do not contribute any funds to the Renewable Energy Fund, so the committee felt the churches should not be eligible to receive benefits from it. Vote 18-0.

SB 377, relative to emission levels of municipal waste combustion units. **OUGHT TO PASS.**

Rep. David Murotake for Science, Technology and Energy. This bill lowers the limits on certain emission levels of municipal waste combustion units. The bill amends RSA 125-C:10-a by placing new limits of emissions for municipal waste combustors of rated capacity between 35-250 tons of solid waste per day. Pollutants limited include particulate matter, cadmium, lead, mercury, sulfur dioxide, hydrogen chloride and dioxins. This change should improve the health of people and animals living near municipal waste combustors and reduce damage to the state's environment. Vote 17-0.

SB 357, relative to driver's license examinations. **OUGHT TO PASS.**

Rep. Steven Smith for Transportation. This bill adds specific items to be included in driver's license examinations covering changes to New Hampshire traffic law, driver road knowledge, and safety. These items are already in the examination and are being added to the statute. In addition to protecting drivers from tickets this will qualify NH for federal safety grants. Vote 13-2.

SB 359, relative to funding electric vehicle charging stations with municipal registration permits. **OUGHT TO PASS.**

Rep. Thomas Walsh for Transportation. This bill simply adds electric vehicle charging stations to the list of allowed projects that can be funded using the municipal and transportation improvement fund. Electric vehicles will start becoming more popular. Vote 14-0.

SB 362, requiring notice to planning boards of placement of signs on scenic byways. **OUGHT TO PASS.**

Rep. Thomas Walsh for Transportation. This bill simply requires the Department of Transportation to notify local planning boards of plans to add traffic signs in the state's historic and scenic areas. Testimony given mentioned new technology and requirements for road curve signs that spurred this change. Vote 15-2.

SB 519, relative to highway signs. **OUGHT TO PASS.**

Rep. Gladys Johnsen for Transportation. Essential motorist service signs regarding food, fuel, and attractions are permitted within limited distances on limited access highways. This bill extends the permissible zone from the Massachusetts border to Concord, and north of Concord on I-93 and I-89. Vote 17-0.

SB 343, establishing a commission to study apportionment of gross business profits under the business profits tax. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Brian Gallagher for Ways and Means. This proposal establishes a commission to study apportionment of gross business profits under the Business Profits Tax (BPT). Testimony highlighted the need for examination of our BPT apportionment factors as other states shift to systems that negatively impact New Hampshire based businesses engaged in cross-border commerce. The amendment increases the number of House members on the committee from 2 to 3. Vote 20-0.

Amendment (1275h)

Amend RSA 77-A:22, I(b) as inserted by section 1 of the bill by replacing it with the following:

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

SB 344-FN, relative to tax credits applicable to client companies of employee leasing companies. **OUGHT TO PASS.**

Rep. Brian Gallagher for Ways and Means. This bill clarifies the application of business tax credits based on employment to client companies of employee leasing companies. This bill is a result of work done last year which allowed companies utilizing the employee leasing model to be able to use the Business Enterprise Tax (BET) credit allowed against the Business Profits Tax (BPT) liability. This proposal addresses a language issue identified by the Department of Employment Security for a credit for taxes to cover unemployment. This language also fixes an oversight relating to the application for credits in calendar or fiscal years. The Department of Revenue Administration worked with the Department of Employment Security to create a solution. All New Hampshire companies using leasing companies will be able to use the credit for BET they pay starting January 1, 2016. Vote 20-0.

SB 442-L, establishing a commission to study the taxability of lease interests in public property. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Patrick Abrami for Ways and Means. This bill calls for a commission to study taxability of lease interests in public property. The committee agrees that this commission is required to develop suggested changes that would be uniform and fair and that could become the basis of future legislation. In section IV, the committee amended the bill to have the Senate member call the first meeting of the commission rather than the first named House member. Vote 18-2.

Amendment (1289h)

Amend RSA 72:79, II as inserted by section 1 of the bill by replacing it with the following:

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

- (a) One member of the senate, appointed by the president of the senate.
- (b) Two members of the house of representatives, appointed by the speaker of the house of representatives.
- (c) The commissioner of the department of revenue administration, or designee.
- (d) One representative of the New Hampshire Municipal Association, appointed by the association.
- (e) One representative of the New Hampshire Association of Assessing Officials, appointed by the association.

Amend RSA 72:79, IV as inserted by section 1 of the bill by replacing it with the following:

IV. The members of the commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the senate member. The first meeting of the commission shall be held within 45 days of the effective date of this section. Four members of the commission shall constitute a quorum.

SB 552-FN, relative to application of the Internal Revenue Code to provisions of the business profits tax. **REFER FOR INTERIM STUDY.**

Rep. Robert Nigrello for Ways and Means. The committee has heard multiple bills this session dealing with the application of the United States Internal Revenue Code of 1986 applicable to the Business Profits Tax, subject to certain adjustments. NH business tax limits for 179(a) capital deductions (\$25,000) and the gap between the recently passed increase in the Federal Internal Revenue Code (\$500,000) 179(a) deductions are important to our business community. The unanimous vote of the Ways and Means Committee was to do additional work on SB 239, one of the similar bills already in committee, and place this bill in interim study. Both SB 552 and SB 239 and the already passed HB 668 seek to increase the NH capital deduction for business and seek to have the Department of Revenue file a report informing the House and Senate of changes to the United States Internal Revenue Code, related Treasury regulations, and administrative rulings which would impact New Hampshire. Vote 20-0.

REFERRAL DECLINED

Rep. Rowe, Chairman of the Committee on Judiciary, under the provisions of House Rule 46 (f), declined the referral of **SB 488-FN-L**, establishing an advisory council on lactation, and **SB 543-FN**, relative to private transferring of adopted children.

REGULAR CALENDAR - PART I

SB 515-FN, relative to child neglect and other changes to the child protection act. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Frank Edelblut for the Majority of Children and Family Law. Under current law, the definition of a neglected child is one who is without proper parental care or control, subsistence, education as required by law, or other care or control necessary for physical, mental or emotional health, when it is established that health has suffered or is very likely to suffer serious impairment. This bill as amended creates, as a probable cause circumstance, to initiate an investigation of possible neglect because of an opioid abuse or dependence. This probable cause provides parental protections of a rebuttable presumption and participation in treatment for such dependence is a legitimate reason for rebuttal. There is no provision in this bill regarding prenatal care. Currently, this issue is being addressed by hospitals developing best practices procedures. This bill is specifically targeting the opioid crisis even though the committee recognizes there are other harmful drugs. The Division of Children, Youth and Families (DCYF) is flexible about treatment, especially where there is a scarcity of treatment; for example, there are Family Resource Centers and Licensed Alcohol and Drug Counselors in each county. There is a sunset provision in the bill of July 2020. Vote 11-3.

Rep. Elizabeth Ferreira for the Minority of Children and Family Law. Although the minority recognizes the good intentions behind the bill, significant concerns were raised during the public hearing about unintended consequences if the bill were to become law. OB/GYN doctors and nurses, as well as educators and advocates working against addiction, testified that the bill would discourage pregnant women with substance use disorder from seeking prenatal treatment. For example, a pregnant woman in recovery who slipped back into drug use might not be forthcoming with her health care provider about the relapse, or might avoid prenatal checkups altogether, to avoid legal consequences. This would endanger her unborn child. Some experts questioned why the bill was limited to opioids, and why the use of other substances would not also be considered neglect. In their view, this would create an incentive to use other drugs instead. Another concern raised was that the bill would require a level of treatment not available in certain parts of our state, and that, even where treatment programs are available, some have long waiting lists, making compliance difficult. There were also concerns that this law would add a lot of cases to an already burdened division of DHHS. Moreover, it was unclear what, precisely, would define compliance with the law. Therefore, the minority believes that the proposed legislation would cause more harm than good.

Majority Amendment (1354h)

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

AN ACT relative to the child protection act.

Amend the bill by replacing section 2 with the following:

2 New Section; Child Protection Act; Rebuttable Presumption of Harm. Amend RSA 169-C by inserting after section 12-d the following new section:

169-C:12-e Rebuttable Presumption of Harm. Evidence of a custodial parent's opioid drug abuse or opioid drug dependence, as defined in RSA 318-B:1, I or RSA 318-B:1, IX, shall create a rebuttable presumption that the child's health has suffered or is very likely to suffer serious impairment. The presumption may be rebutted by evidence of the parent's compliance with treatment for such use or dependence.

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

5 Repeal. RSA 169-C:12-e, as inserted by section 2 of this act, is repealed.

6 Effective Date.

I. Section 5 of this act shall take effect July 1, 2020.

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

2016-1354h
AMENDED ANALYSIS

This bill provides that evidence of a custodial parent's opioid drug abuse or dependence creates a rebuttable presumption of harm under the Child Protection Act. The bill also permits the court to order periodic alcohol or drug testing and provides that the parent may be responsible for the cost of such tests.

The bill is a request of the department of health and human services.

Majority committee amendment adopted.

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

Rep. Itse offered floor amendment (1481h).

Floor Amendment (1481h)

Amend the bill by replacing section 2 with the following:

2 New Section; Child Protection Act; Rebuttable Presumption of Harm. Amend RSA 169-C by inserting after section 12-d the following new section:

169-C:12-e Rebuttable Presumption of Harm. There shall be a rebuttable presumption that evidence of a custodial parent's opioid drug abuse or opioid drug dependence, as defined in RSA 318-B:1, I or RSA 318-B:1, IX, is evidence that a child's health has suffered or is very likely to suffer serious impairment or to issue an ex parte order. The presumption may be rebutted by evidence such as the parent's participation in treatment for such use or dependence or another responsible adult in the home acting as a caretaker.

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

5 Repeal. RSA 169-C:12-e, as inserted by section 2 of this act, is repealed.

6 Effective Date.

I. Section 5 of this act shall take effect July 1, 2020.

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

2016-1481h
AMENDED ANALYSIS

This bill provides that evidence of a custodial parent's opioid drug abuse or dependence creates a rebuttable presumption of harm under the child protection act. The bill also permits the court to order periodic alcohol or drug testing and provides that the parent may be responsible for the cost of such tests.

Rep. Itse spoke in favor.

Rep. Berrien spoke against.

Floor amendment (1481h) failed.

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

Rep. Simmons requested a roll call; sufficiently seconded.

YEAS 203 - NAYS 129

**YEAS - 203
BELKNAP**

Fields, Dennis

Flanders, Donald

Spanos, Peter

Fraser, Valerie

CARROLL

Buco, Thomas
Crawford, Karel
Umberger, Karen

Butler, Edward
McConkey, Mark

Chandler, Gene
Parker, Harold

Cordelli, Glenn
Schmidt, Stephen

CHESHIRE

Abbott, Michael
Bordenet, John
Johnsen, Gladys
Parkhurst, Henry
Shepardson, Marjorie

Ames, Richard
Chase, Cynthia
Hunt, John
Pearson, William
Weber, Lucy

Tilton, Benjamin
Eaton, Daniel
Roberts, Kris
Robertson, Timothy

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

COOS

Fothergill, John
Tholl, John

Froburg, Alethea
Thomas, Yvonne

Moynihan, Wayne

Theberge, Robert

GRAFTON

Abel, Richard
Brown, Duane
Higgins, Patricia
Massimilla, Linda
Smith, Suzanne

Almy, Susan
Hennessey, Erin
Ladd, Rick
Nordgren, Sharon
Sykes, George

Bennett, Travis
Ford, Susan
Hennessey, Martha
Piper, Wendy
Townsend, Charles

Cooney, Mary
Gionet, Edmond
Maes, Kevin
Shackett, Jeffrey

HILLSBOROUGH

Backus, Robert
Booras, Efstathia
Cote, David
Edelblut, Frank
Gagne, Larry
Gorman, Mary
Harvey, Suzanne
Infantine, William
Kurk, Neal
Mangipudi, Latha
Palmer, Barry
Porter, Marjorie
Snow, Kendall
Williams, Kermit

Baroody, Benjamin
Christensen, Chris
Sullivan, Daniel
Flanagan, Jack
Gargas, Carolyn
Guerette, C. Lee
Heath, Mary
Belanger, James
Ober, Lynne
Manley, Jonathan
Pellegrino, Anthony
Walsh, Robert
Soucy, Timothy
Wolf, Terry

Barry, Richard
Cohen, Alan
Danielson, David
Forest, Armand
Gidge, Kenneth
Haefner, Robert
Herbert, Christopher
Jack, Martin
Leishman, Peter
Marston, Dick
Peterson, Ken
Rowe, Robert
Vann, Ivy
Woodbury, David

Biggie, Barbara
Cornell, Patricia
DiSilvestro, Linda
Freitas, Mary
Goley, Jeffrey
Hansberry, Daniel
Hinch, Richard
Judy, Jean
O'Brien, Michael
Martel, Andre
Pierce, David
Shattuck, Gilman
O'Brien, William

MERRIMACK

Alicea, Caroletta
Rice, Chip
Gile, Mary
Frazer, June
Kotowski, Frank
Moffett, Howard
Saunderson, George
Wheeler, Deborah

French, Barbara
Carson, Clyde
Henle, Paul
Karrick, David
Luneau, David
Myler, Mel
Schuett, Dianne

Bartlett, Christy
Doherty, David
Hess, David
Kenison, Linda
MacKay, James
Patten, Dick
Shurtleff, Stephen

Bradley, Paula
Ebel, Karen
Hirsch, Geoffrey
Kidder, David
Martin, John
Rogers, Katherine
Wallner, Mary Jane

ROCKINGHAM

Abrami, Patrick
Berrien, Skip
Cushing, Robert
Elliott, Robert
Francesse, Paula
Hoelzel, Kathleen
Matthews, Carolyn
Milz, David
Sherman, Thomas
Weyler, Kenneth

Allen, Mary
Borden, David
Devine, James
Rice, Frederick
Ward, Gerald
Sweeney, Joe
McBeath, Rebecca
Packard, Sherman
Simpson, Alexis
Woitkun, Steven

Azarian, Gary
Cahill, Michael
DiFranco, Debbie
Ferrante, Beverly
Hagan, Joseph
Lovejoy, Patricia
McKinney, Betsy
Belanger, Ronald
Sytek, John

Barnes, Arthur
Cali-Pitts, Jacqueline
Edgar, Michael
Fesh, Robert
Heffron, Frank
Major, Norman
McMahon, Charles
Tilton, Rio
Welch, David

STRAFFORD

Baber, William
Cilley, Jacalyn
Smith, Marjorie
Sprague, Dale

Berube, Roger
Gray, James
Schmidt, Peter
Treleaven, Susan

Bixby, Peter
Horrigan, Timothy
Rollo, Deanna
Wall, Janet

Burton, Wayne
Ward, Kenneth
Southworth, Thomas

SULLIVAN

Schmidt, Andrew
Gottling, Suzanne
Oxenham, Lee

Cloutier, John
Grenier, James
Smith, Steven

Converse, Larry
Irwin, Virginia

Gagnon, Raymond
O'Hearne, Andrew

NAYS - 129**BELKNAP**

Aldrich, Glen
Howard, Raymond
Vadney, Herbert

Dumais, Russell
Hurt, George

Tilton, Franklin
LeBreche, Shari

Gallagher, Brian
Sylvia, Michael

CARROLL

Avellani, Lino
Ticehurst, Susan

Comeau, Ed

McCarthy, Frank

Nelson, Bill

CHESHIRE**COOS****GRAFTON****HILLSBOROUGH**

Bailey, Brad

Darrow, Stephen

Johnson, Eric

Hull, Robert

Adams, Christopher
Boehm, Ralph
Eastman, Eric
Smith, Gregory
Hogan, Edith
Lachance, Joseph

Ammon, Keith
Burt, John
Estevez, Eric
Gould, Linda
Hopper, Gary
LeBrun, Donald

Griffin, Barbara
Byron, Frank
Ferreira, Elizabeth
Halstead, Carolyn
Rice, Kimberly
McClarren, Donald

Balcom, John
Coffey, James
Fromuth, Bart
Hansen, Peter
Christiansen, Lars
McLean, Mark

Moore, Josh
Ohm, Bill
Ober, Russell
Simmons, Tammy
Twombly, Timothy

Murotake, David
McCarthy, Peggy
Rouillard, Claire
Souza, Kathleen
Ulery, Jordan

Murphy, Keith
Proulx, Mark
Sanborn, Laurie
Stepanek, Stephen
Sullivan, Victoria

Notter, Jeanine
Christie, Rick
Seidel, Carl
Straight, Phillip
Zaricki, Nick

MERRIMACK

Turcotte, Alan
McGuire, Dan
Horn, Werner
Seaworth, Brian

Brewster, Michael
French, Harold
Kuch, Bill

McGuire, Carol
Hill, Gregory
Marple, Richard

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

ROCKINGHAM

Abramson, Max
Chirichiello, Brian
Emerick, J. Tracy
Harris, Jeffrey
Kappler, Lawrence
Griffin, Mary
Peckham, Michele
Schroadter, Adam
Vose, Michael

Baldasaro, Alfred
Thomas, Douglas
Gannon, William
Hodgdon, Bruce
Katsakiores, Phyllis
Manning, John
Potucek, John
Spillane, James
Webb, James

Bates, David
Doucette, Fred
Green, Dennis
Itse, Daniel
Kolodziej, Walter
Nigrello, Robert
Prudhomme-O'Brien, Katherine
True, Chris

Cardon, G. Thomas
Duarte, Joe
Guthrie, Joseph
Ward, Joanne
Lundgren, David
Osborne, Jason
Gordon, Richard
Tucker, Pamela

STRAFFORD

Beaudoin, Steven
Hannon, Joseph
Turcotte, Leonard
Whitehouse, Joshua

Bickford, David
Jones, Laura
Leeman, Don
Wuelper, Kurt

DeLemus, Susan
Kaczynski, Thomas
Mullen, John

Groen, Warren
Knowles, Robert
Pitre, Joseph

SULLIVAN

Laware, Thomas

Rollins, Skip

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

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 **SB 323**, relative to the use of force by employees of hospitals or other health care facilities.

REGULAR CALENDAR PART I CONT'D

SB 500-FN, relative to student health insurance plans. **OUGHT TO PASS.**

Rep. Donald Flanders for Commerce and Consumer Affairs. The purpose of this bill is to establish a mechanism to provide formal authorization for Dartmouth College and the University of New Hampshire to continue to operate student health insurance plans on a self-funded basis. Both institutions have been operating such plans for several years. There is a need to provide for oversight of the plans by the New Hampshire Insurance Department, since they are currently not regulated with respect to financial solvency or consumer protections by any other state or federal regulator. The bill is the result of a collaborative discussion with the affected entities as to the best way to proceed on this issue. The Insurance Department has made it clear that they would like to continue to collaborate as the bill moves forward in the legislature, to ensure that its objectives are clear and that the contemplated process works smoothly. Vote 16-4.

Rep. Fromuth requested a roll call; sufficiently seconded.

YEAS 256 - NAYS 84

YEAS - 256

BELKNAP

Dumais, Russell
Hurt, George

Tilton, Franklin
Fraser, Valerie

Fields, Dennis
Vadney, Herbert

Flanders, Donald

CARROLL

Buco, Thomas
McConkey, Mark
Ticehurst, Susan

Butler, Edward
Nelson, Bill
Umberger, Karen

Chandler, Gene
Parker, Harold

Crawford, Karel
Schmidt, Stephen

CHESHIRE

Abbott, Michael
Bordenet, John
Johnsen, Gladys
Parkhurst, Henry
Shepardson, Marjorie

Ames, Richard
Chase, Cynthia
Hunt, John
Pearson, William
Sterling, Franklin

Tilton, Benjamin
Eaton, Daniel
Roberts, Kris
Robertson, Timothy
Weber, Lucy

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

COOS

Fothergill, John
Rideout, Leon

Froburg, Alethea
Theberge, Robert

Moynihan, Wayne
Tholl, John

Richardson, Herbert
Thomas, Yvonne

GRAFTON

Abel, Richard
Cooney, Mary
Ford, Susan
Hennessey, Martha
Piper, Wendy
White, Andrew

Almy, Susan
Brown, Duane
Gionet, Edmond
Maes, Kevin
Smith, Suzanne

Bailey, Brad
Darrow, Stephen
Higgins, Patricia
Massimilla, Linda
Sykes, George

Bennett, Travis
Hennessey, Erin
Ladd, Rick
Nordgren, Sharon
Townsend, Charles

HILLSBOROUGH

Backus, Robert
Beaulieu, Jane
Christensen, Chris
Cote, David
Edelblut, Frank
Smith, Gregory
Goley, Jeffrey
Haefner, Robert
Herbert, Christopher
Belanger, James
Kurk, Neal
Leishman, Peter
McClarren, Donald
Palmer, Barry
Proulx, Mark
Rowe, Robert
Shaw, Barbara
Straight, Phillip
Wolf, Terry

Balcom, John
Biggie, Barbara
Coffey, James
Sullivan, Daniel
Flanagan, Jack
Gagne, Larry
Gorman, Mary
Hansberry, Daniel
Hinch, Richard
Jack, Martin
Christiansen, Lars
O'Brien, Michael
Ohm, Bill
Pellegrino, Anthony
Walsh, Robert
Sanborn, Laurie
Snow, Kendall
Ulery, Jordan
Woodbury, David

Baroody, Benjamin
Boehm, Ralph
Cohen, Alan
Danielson, David
Forest, Armand
Gargas, Carolyn
Gould, Linda
Harvey, Suzanne
Hopper, Gary
Jeudy, Jean
Ober, Lynne
Mangipudi, Latha
Long, Patrick
Pierce, David
Rosenwald, Cindy
Seidel, Carl
Soucy, Timothy
Vann, Ivy

Barry, Richard
Booras, Efsthia
Cornell, Patricia
DiSilvestro, Linda
Freitas, Mary
Gidge, Kenneth
Guerette, C. Lee
Heath, Mary
Infantine, William
Rice, Kimberly
LeBrun, Donald
Manley, Jonathan
McCarthy, Peggy
Porter, Marjorie
Rouillard, Claire
Shattuck, Gilman
Souza, Kathleen
Williams, Kermit

MERRIMACK

Turcotte, Alan
Bradley, Paula
Ebel, Karen
Hess, David
Frazer, June
Kotowski, Frank
Moffett, Howard
Saunderson, George
Wheeler, Deborah

Alicea, Caroletta
Rice, Chip
Gile, Mary
Hill, Gregory
Karrick, David
Luneau, David
Myler, Mel
Schuett, Dianne

French, Barbara
Carson, Clyde
French, Harold
Hirsch, Geoffrey
Kenison, Linda
MacKay, James
Patten, Dick
Shurtleff, Stephen

Bartlett, Christy
Doherty, David
Henle, Paul
Horn, Werner
Kidder, David
Martin, John
Rogers, Katherine
Wallner, Mary Jane

ROCKINGHAM

Abrami, Patrick
Berrien, Skip
Cardon, G. Thomas
Devine, James
Rice, Frederick
Friel, William
Heffron, Frank
Kolodziej, Walter
Manning, John
Milz, David
Peckham, Michele
Tilton, Rio
Sytek, John
Weyler, Kenneth

Allen, Mary
Borden, David
Cushing, Robert
DiFranco, Debbie
Ferrante, Beverly
Ward, Gerald
Hoelzel, Kathleen
Lovejoy, Patricia
Matthews, Carolyn
Nigrello, Robert
Potucek, John
Schroadter, Adam
Tucker, Pamela
Woitkun, Steven

Azarian, Gary
Cahill, Michael
Thomas, Douglas
Edgar, Michael
Fesh, Robert
Guthrie, Joseph
Sweeney, Joe
Griffin, Mary
McKinney, Betsy
O'Connor, John
Prudhomme-O'Brien, Katherine
Sherman, Thomas
Webb, James

Barnes, Arthur
Cali-Pitts, Jacqueline
Dean-Bailey, Yvonne
Elliott, Robert
Francesco, Paula
Hagan, Joseph
Katsakiores, Phyllis
Major, Norman
McMahon, Charles
Packard, Sherman
Belanger, Ronald
Simpson, Alexis
Welch, David

STRAFFORD

Baber, William
Burton, Wayne
Gray, James
Leeman, Don
Rollo, Deanna
Wall, Janet

Berube, Roger
Cheney, Catherine
Horrigan, Timothy
Smith, Marjorie
Southworth, Thomas

Bickford, David
Cilley, Jacalyn
Ward, Kenneth
Mullen, John
Sprague, Dale

Bixby, Peter
Gardner, Janice
Knowles, Robert
Schmidt, Peter
Treleaven, Susan

SULLIVAN

Schmidt, Andrew
Gottling, Suzanne
Smith, Steven

Cloutier, John
Grenier, James

Converse, Larry
Irwin, Virginia

Gagnon, Raymond
Oxenham, Lee

NAYS - 84
BELKNAP

Aldrich, Glen
 Spanos, Peter

Gallagher, Brian
 Sylvia, Michael

Howard, Raymond

LeBreche, Shari

CARROLL

Avellani, Lino

Comeau, Ed

Cordelli, Glenn

McCarthy, Frank

CHESHIRE

McConnell, James

GRAFTON

Johnson, Eric

Hull, Robert

Shackett, Jeffrey

HILLSBOROUGH

Adams, Christopher
 Byron, Frank
 Fromuth, Bart
 Lachance, Joseph
 Moore, Josh
 Peterson, Ken
 Twombly, Timothy

Ammon, Keith
 Eastman, Eric
 Halstead, Carolyn
 Marston, Dick
 Murotake, David
 Christie, Rick
 Sullivan, Victoria

Griffin, Barbara
 Estevez, Eric
 Hansen, Peter
 Martel, Andre
 Murphy, Keith
 Ober, Russell
 O'Brien, William

Burt, John
 Ferreira, Elizabeth
 Hogan, Edith
 McLean, Mark
 Notter, Jeanine
 Simmons, Tammy
 Zaricki, Nick

MERRIMACK

Brewster, Michael
 Hoell, J.R.
 Seaworth, Brian

McGuire, Carol
 Kuch, Bill

Long, Douglas
 Marple, Richard

McGuire, Dan
 Parent, Jason

ROCKINGHAM

Abramson, Max
 Doucette, Fred
 Green, Dennis
 Kappler, Lawrence
 Gordon, Richard

Baldasaro, Alfred
 Duarte, Joe
 Harris, Jeffrey
 Lundgren, David
 Spillane, James

Bates, David
 Emerick, J. Tracy
 Hodgdon, Bruce
 McBeath, Rebecca
 True, Chris

Chirichiello, Brian
 Gannon, William
 Ward, Joanne
 Osborne, Jason
 Vose, Michael

STRAFFORD

Beaudoin, Steven
 Jones, Laura
 Whitehouse, Joshua

DeLemus, Susan
 Kaczynski, Thomas
 Wuelper, Kurt

Groen, Warren
 Turcotte, Leonard

Hannon, Joseph
 Pitre, Joseph

SULLIVAN

Laware, Thomas

O'Hearne, Andrew

Rollins, Skip

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

SB 503-FN-A, relative to pre-kindergarten education using “pay for success” financing. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Ralph Boehm for the Majority of Education. This bill establishes a commission to extend a request for proposals to provide pre-kindergarten education services to 4 year olds in New Hampshire by creating a “pay for success” partnership between providers of pre-kindergarten education services and investors. Although the bill indicates that program costs will be paid by private investment, at some point costs will ultimately be paid by the taxpayer. The question must be asked, “At what age will we allow the state to take over the job of parenting young children because the state knows best?” Studies from the National Institute of Child Health and Human Development show that children who spend time in non-maternal care before age 5 have more behavior problems later in life. The bill supposes that pre-kindergarten programming will result in less remedial or special education services in third grade, but these results may not be proven for at least four years from now. Further, with the way that success is measured or set up by the commission or third party evaluator, results data supporting an investment return to investors could be manipulated. Success of this program relies on private investments which could lead to lawsuits against the state should the investment return associated with the measures of student growth be questioned showing little or no student improvement. There are many variables in education associated with student growth. To say growth is a result of one variable such as pre-kindergarten programming would be difficult to prove. This bill has too many unanswered issues. Vote 16-4.

Rep. Mary Heath for the Minority of Education. The minority finds this bill establishes a commission to extend invitations to establish pilot pre-kindergarten education services in New Hampshire to improve educational outcomes for its youngest children utilizing a “pay for success” model to finance the pilot program. This tool allows for philanthropic funders and impact investors to provide the initial capital to implement the programs. This bill aims to improve third grade reading proficiency and to reduce the need

for special education remediation. To accomplish these goals this bill provides for an impact study project to expand proven, quality pre-kindergarten services without risking local or state dollars to determine if the proposed program will result in the promised goal attainment. Through pay for success, the commission will establish contracts between: (1) One or more providers of pre-k services, who will provide pre-k services to expand cohorts of 4-year olds in NH; (2) Third party investors will provide the upfront capital to expand and deliver those services. These investors may include investors seeking a return of both principal and interest, philanthropic investors seeking only a full or partial return of the principal and/or grantors and federal agencies that do not seek a financial return; and (3) The state would agree to repay investors only if the evaluator determines the services did improve the third grade reading and special education outcomes. This bill will help providers to identify quality pre-k programs using rigorous longitudinal data regarding student outcomes so that proven quality practices can be shared and implemented in NH by those providers wishing to offer such programs.

Majority committee report adopted.

SB 210-FN, relative to regulation of septic system evaluators. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: REFER FOR INTERIM STUDY.

Rep. Jacalyn Cilley for the Majority of Executive Departments and Administration. This bill establishes a Board of Septic System Evaluators for the licensure and regulation of persons engaged in the practice of septic system evaluations. The bill is proposed as a consumer protection measure. The committee heard testimony that 50% of NH homes are on individual septic systems, the second highest in the country. Yet, there are currently no state standards or guidelines for those engaged in the practice of septic system evaluation. This shortcoming in the practice can potentially lead to a cost exceeding \$10,000 for the unnecessary replacement of a septic field. The licensure and regulation proposed by this bill will help to ensure a more uniform set of standards by which septic evaluators provide their service. The legislation itself was proposed by the septic system trades. The amendment to the bill made several technical corrections and revised penalties to be in line with other statutes on certain criminal practices. The amendment also ensured liberal, yet functional, grandfathering provisions for those currently providing septic evaluations. This will permit practicing and qualified practitioners to continue to do their work without undue hardship. Vote 13-5.

Rep. J.R. Hoell for the Minority of Executive Departments and Administration. The bill seeks to create a new license for those that evaluate or inspect septic systems. These inspections are typically done when there are issues with the system or when there is a real estate transaction and the potential buyer wants to know if the septic system is in good working order. The draft of this bill was based on the home inspectors license and there were numerous issues found with that "boiler plate" language that was used as the basis for this potential law. After multiple subcommittee hearings and several executive sessions a significant rewrite of the bill took place. The issues with the proposed licensure system are as follows: current DES rules, Chapter Env-Wq 1000 Subdivision and Individual Sewerage Disposal System Design Rules, Env-Wq 1003.22, already require that an inspector get written confirmation from the town health inspector or building inspector when the inspector is stating the septic system is in "failure." With a state license the consumer may be lulled into a false sense of security. For example, it has been reported by government studies and as well the AMA that in one of the most regulated fields, that of medicine, that between 210,000 and 440,000 injuries including death occur in the US annually and this is a completely licensed set of professions. Furthermore, the training may indicate a level of classroom and field training, but with this license, there is no indication of efficiency, reliability, or honesty, nor is there any level of guaranteed competence. The consumers will still need to count on free market solutions to know the quality of the inspector that they are hiring. Lastly, the license system creates larger but not better government. Although the joint board overseeing this new license will be self-funding under this statute, there is no liability to the state if the individual licensed by the state fails to do a good job and therefore the consumer is paying for something that they are not getting. The minority recommends this bill be held for interim study to make sure the bill is ready to be turned into a statute.

Majority Amendment (1273h)

Amend RSA 310-A:203, III as inserted by section 2 of the bill by replacing it with the following:

III. "Code of ethics" means the code of ethics described in RSA 310-A:205 that is followed by septic system evaluators who are licensed as septic system evaluators by the board.

Amend RSA 310-A:205, V as inserted by section 2 of the bill by deleting subparagraph (f).

Amend RSA 310-A:206, I(e) as inserted by section 2 of the bill by replacing it with the following:

(e) An employee of the department of environmental services, appointed by the commissioner of the department of environmental services.

Amend RSA 310-A:206, V as inserted by section 2 of the bill by replacing it with the following:

V. Members shall be appointed for 5-year terms. Appointments for terms of less than 5 years may be made in order to stagger the appointments. No member shall be eligible to serve more than 2 full consecu-

tive terms, provided that for this purpose only a period actually served which exceeds 1/2 of the 5-year term shall be deemed a full term. Upon expiration of a member's term, the member shall serve until a successor is qualified and appointed. Vacancies occurring prior to the expiration of a specific term shall be filled by appointment for the unexpired term. Appointees to the unexpired portion of a full term shall become members of the board on the day following such appointment. A board member may be removed for cause by the governor and council under RSA 4:1.

Amend RSA 310-A:206, VIII and IX as inserted by section 2 of the bill by replacing them with the following:

VIII.(a) The board shall keep a record of its proceedings and a register of all applications for licensure, which shall show:

- (1) The name, age, and residence of each applicant.
- (2) The date of application.
- (3) The place of business of such applicant.
- (4) The applicant's educational and other qualifications.
- (5) Proof of passing the septic system evaluator exam.
- (6) Whether the applicant was rejected and the reasons for such rejection.
- (7) Whether a license was granted.
- (8) The date of the action of the board.
- (9) Such other information as may be deemed necessary by the board.

(b) The records of the board shall be prima facie evidence of the proceedings of the board, and a transcript of such records certified by the secretary of the board under seal shall be admissible in evidence with the same force and effect as if the original were produced. Biennially, as of December 31, the board shall submit to the executive director of the office of professional licensing and certification a report of the transactions of the preceding biennium, and a complete statement of the receipts and expenditures of the board.

IX. The secretary of the board shall maintain and regularly update a roster listing the names and addresses of all septic system evaluators certified under this subdivision by the board on the board's website. The board may include in such roster any other information it deems appropriate.

Amend RSA 310-A:210 as inserted by section 2 of the bill by replacing it with the following:

310-A:210 Eligibility Requirements for Licensure as a Septic System Evaluator.

I. Each applicant for licensure as a septic system evaluator shall meet the following minimum requirements:

- (a) Completion of classroom and field training at a board-approved evaluator course.
- (b) Proof of passing the board-adopted examination required for licensure.
- (c) Be at least 18 years of age.

II. A person who currently holds a Granite State Septic System Certified Evaluator designation or other recognized designation determined to be acceptable by the board shall be eligible for licensure by the board without completion of the requirements of subparagraph I(a) or I(b). An applicant under this paragraph shall be issued a license by providing evidence satisfactory to the board of such designation.

III. A person who was actively engaged in the business of septic system evaluation in this state as a means of his or her livelihood for at least 5 years and who provides the board with a sworn affidavit that he or she has performed a minimum of 25 septic evaluations preceding the effective date of this subdivision shall be eligible for licensure by the board without completion of the requirements of subparagraph I(a) or I(b). An application for licensure under this paragraph shall be made within one year following the effective date of this subdivision. The applicant shall be issued a license by providing evidence satisfactory to the board of the knowledge and experience equivalent to the requirements of subparagraphs I(a) and I(b).

IV. A person who currently holds a New Hampshire septic designer permit and who provides the board with a sworn affidavit that he or she has performed a minimum of 25 septic evaluations preceding the effective date of this subdivision shall be issued a license by the board without completion of the requirements of subparagraph I(a) or I(b) upon request of the applicant. An application for licensure under this paragraph shall be made within one year following the effective date of this subdivision.

V. All applicants shall meet the requirements of subparagraphs I(c) and (d), pay an initial fee, and fulfill all other license application requirements.

VI. The board shall approve all education programs under subparagraph I(a) of organizations or education institutions providing acceptable education and training.

VII. The board shall have the discretion to reject an applicant who is not of good professional character, as evidenced by:

- (a) Misstatement of facts by the applicant in connection with the application;
- (b) Violation of any of the standards of practice or code of ethics as they are set forth in this subdivision or in rules adopted by the board; or
- (c) Practicing septic system evaluations without being licensed in violation of laws of the jurisdiction in which the practice took place.

Amend RSA 310-A:215, II as inserted by section 2 of the bill by replacing it with the following:

II. All licenses issued by the board shall expire on the last day of the license holder's month of birth in the second year following the year of issuance, or upon such other biennial date as the board may adopt. If the renewal fee is not submitted within 12 months after the expiration date, the license holder's name shall be removed from current status, and application for reinstatement shall be required to return to current status provided that the license holder provides satisfactory proof that all required continuing education requirements have been met. The board shall charge a 20 percent late fee for each month or fraction of a month the renewal is late, up to 12 months, in addition to the renewal fee. Any renewal application received 12 months after the expiration date shall be rejected, unless accompanied by proof of successful completion of the examination required by the board. If a license holder fails to renew such license within the 12 months after the date of expiration, it shall become null and void and the license holder shall be required to reapply and to be re-examined for licensure.

Amend RSA 310-A:216 as inserted by section 2 of the bill by replacing it with the following:

310-A:216 Disciplinary Action.

I. The board may undertake disciplinary proceedings upon written complaint of any person which charges that a person certified by the board has committed misconduct under paragraph II and which specifies the grounds therefor.

II. Misconduct sufficient to support disciplinary proceedings under this section shall include:

(a) The practice of fraud or deceit in procuring or attempting to procure a license to practice under this subdivision.

(b) Any unprofessional conduct, or dishonorable conduct unworthy of, and affecting the practice of, the profession.

(c) Unfitness or incompetence by reason of negligence or other causes; or negligent or willful acts performed in a manner inconsistent with the interests of persons relying on the expertise of the license holder.

(d) Mental or physical incompetence to practice under this subdivision.

(e) Willful or repeated violation of the provisions of this subdivision.

(f) Suspension or revocation of a license, similar to one issued under this subdivision, in another jurisdiction and not reinstated.

(g) Violations of the code of ethics for septic system evaluators, or any other rule adopted by the board.

(h) Providing false testimony before the board.

(i) Failure to provide, within 30 calendar days of receipt of notice by certified mail, return receipt requested, information requested by the board as a result of any formal complaint to the board alleging a violation of this subdivision.

(j) Knowingly making or signing any false statement, license, or affidavit in connection with the practice of septic system evaluations.

Amend RSA 310-A:217, II as inserted by section 2 of the bill by replacing it with the following:

II.(a) The board shall have the power to administer oaths or affirmations and preserve testimony.

(b) The board may subpoena witnesses, and compel, by subpoena duces tecum, the production of all books, records, files and documents, whether originals, copies, or in electronic or other form, and other materials, relevant to its investigation of any grievance, complaint, or disciplinary proceeding before the board with the approval of the office of the attorney general.

(c) A minimum of 10 business days' notice shall be given for compliance with a subpoena under this subdivision.

Amend RSA 310-A:219 - RSA 310-A:221 as inserted by section 2 of the bill by replacing them with the following:

310-A:219 Violations; Penalty.

I. It shall be a class B misdemeanor, for the first offense, and a Class A misdemeanor for the second and any subsequent offense, for any natural person to:

(a) Present or attempt to use the license of another as one's own;

(b) Give any false or forged evidence of any kind to the board or to any board member in obtaining a license;

(c) Attempt to use a revoked license;

(d) Beginning January 1, 2017, practice septic system evaluations or to offer, advertise, or hold oneself out to the public as being in the practice of septic system evaluation in this state without a license; or

(e) Violate any of the provisions of this subdivision.

II. It shall be a violation for any natural person to attempt to use an expired license.

310-A:220 Restraint of Violations. The superior court shall have jurisdiction in equity to restrain violations of RSA 310-A:219 on proceedings brought by the attorney general, or the board.

310-A:221 Exemptions. Nothing in this subdivision shall be construed to prevent or affect the following persons from evaluating septic systems:

I. A person who is employed by a governmental entity if the inspection is within official duties and responsibilities.

II. A septic system designer holding a current valid permit issued under RSA 485-A:35.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.
 Reps. Hoell and Beaudoin spoke against and yielded to questions.
 Rep. Cilley spoke in favor.
 Rep. William O'Brien requested a roll call; sufficiently seconded.

YEAS 178 - NAYS 162**YEAS - 178****BELKNAP**

Fields, Dennis

CARROLLBuco, Thomas
Parker, HaroldButler, Edward
Ticehurst, SusanCrawford, Karel
Umberger, Karen

McConkey, Mark

CHESHIREAbbott, Michael
Bordenet, John
Johnsen, Gladys
Pearson, William
Sterling, FranklinAmes, Richard
Chase, Cynthia
Roberts, Kris
Robertson, Timothy
Weber, LucyTilton, Benjamin
Eaton, Daniel
Mann, John
Sad, TaraBerch, Paul
Emerson, Susan
Parkhurst, Henry
Shepardson, Marjorie**COOS**Fothergill, John
Theberge, RobertFroburg, Alethea
Tholl, JohnHatch, William
Thomas, Yvonne

Moynihan, Wayne

GRAFTONAbel, Richard
Ford, Susan
Massimilla, Linda
Smith, SuzanneAlmy, Susan
Higgins, Patricia
Nordgren, Sharon
Sykes, GeorgeBennett, Travis
Hennessey, Martha
Piper, Wendy
Townsend, CharlesCooney, Mary
Maes, Kevin
Brown, Rebecca
White, Andrew**HILLSBOROUGH**Backus, Robert
Booras, Efstathia
Sullivan, Daniel
Freitas, Mary
Goley, Jeffrey
Hansberry, Daniel
Hinch, Richard
Leishman, Peter
Martel, Andre
Peterson, Ken
Rosenwald, Cindy
Vann, IvyBaroody, Benjamin
Cohen, Alan
Danielson, David
Gagne, Larry
Gorman, Mary
Harvey, Suzanne
Jack, Martin
O'Brien, Michael
Long, Patrick
Porter, Marjorie
Shattuck, Gilman
Williams, KermitBarry, Richard
Cornell, Patricia
DiSilvestro, Linda
Gargas, Carolyn
Guerette, C. Lee
Heath, Mary
Judy, Jean
Mangipudi, Latha
McCarthy, Peggy
Proulx, Mark
Snow, Kendall
Wolf, TerryBeaulieu, Jane
Cote, David
Forest, Armand
Gidge, Kenneth
Haefner, Robert
Herbert, Christopher
Christiansen, Lars
Manley, Jonathan
Pellegrino, Anthony
Walsh, Robert
Soucy, Timothy
Woodbury, David**MERRIMACK**Turcotte, Alan
Bradley, Paula
Ebel, Karen
Hirsch, Geoffrey
Kotowski, Frank
Myler, Mel
Schuett, DianneAlicea, Caroletta
Rice, Chip
Gile, Mary
Frazer, June
Luneau, David
Patten, Dick
Shurtleff, StephenFrench, Barbara
Carson, Clyde
Henle, Paul
Karrick, David
MacKay, James
Rogers, Katherine
Wallner, Mary JaneBartlett, Christy
Doherty, David
Hess, David
Kenison, Linda
Moffett, Howard
Saunderson, George
Wheeler, Deborah**ROCKINGHAM**Abrami, Patrick
Cali-Pitts, Jacqueline
Edgar, Michael
Friel, William
Hoelzel, Kathleen
Milz, David
Sherman, ThomasBerrien, Skip
Cushing, Robert
Elliott, Robert
Ward, Gerald
Lovejoy, Patricia
Nigrello, Robert
Simpson, AlexisBorden, David
Devine, James
Rice, Frederick
Hagan, Joseph
Griffin, Mary
Belanger, Ronald
Sytek, JohnCahill, Michael
DiFranco, Debbie
Francese, Paula
Heffron, Frank
McBeath, Rebecca
Tilton, Rio
Woitkun, Steven**STRAFFORD**Baber, William
Cilley, Jacalyn
Ward, Kenneth
Southworth, ThomasBerube, Roger
Gardner, Janice
Smith, Marjorie
Spang, JudithBixby, Peter
Gray, James
Schmidt, Peter
Treleaven, SusanBurton, Wayne
Horrigan, Timothy
Rollo, Deanna
Wall, Janet

SULLIVAN

Schmidt, Andrew
Gottling, Suzanne
Oxenham, Lee

Cloutier, John
Grenier, James

Converse, Larry
Irwin, Virginia

Gagnon, Raymond
O'Hearne, Andrew

NAYS - 162**BELKNAP**

Aldrich, Glen
Gallagher, Brian
Spanos, Peter

Dumais, Russell
Howard, Raymond
Sylvia, Michael

Tilton, Franklin
Hurt, George
Fraser, Valerie

Flanders, Donald
LeBreche, Shari
Vadney, Herbert

CARROLL

Avellani, Lino
McCarthy, Frank

Chandler, Gene
Nelson, Bill

Comeau, Ed
Schmidt, Stephen

Cordelli, Glenn

CHESHIRE

Hunt, John

McConnell, James

COOS

Richardson, Herbert

Rideout, Leon

GRAFTON

Bailey, Brad
Johnson, Eric
Shackett, Jeffrey

Brown, Duane
Gionet, Edmond

Darrow, Stephen
Hull, Robert

Hennessey, Erin
Ladd, Rick

HILLSBOROUGH

Adams, Christopher
Biggie, Barbara
Byron, Frank
Estevez, Eric
Gould, Linda
Hopper, Gary
Lachance, Joseph
McLean, Mark
Notter, Jeanine
Christie, Rick
Sanborn, Laurie
Souza, Kathleen
Ulery, Jordan

Ammon, Keith
Boehm, Ralph
Coffey, James
Ferreira, Elizabeth
Halstead, Carolyn
Infantine, William
LeBrun, Donald
Moore, Josh
Ohm, Bill
Ober, Russell
Seidel, Carl
Stepanek, Stephen
Sullivan, Victoria

Griffin, Barbara
Bouldin, Amanda
Eastman, Eric
Fromuth, Bart
Hansen, Peter
Belanger, James
Marston, Dick
Murotake, David
Palmer, Barry
Rouillard, Claire
Shaw, Barbara
Straight, Phillip
O'Brien, William

Balcom, John
Burt, John
Edelblut, Frank
Smith, Gregory
Hogan, Edith
Rice, Kimberly
McClarren, Donald
Murphy, Keith
Pierce, David
Rowe, Robert
Simmons, Tammy
Twombly, Timothy
Zaricki, Nick

MERRIMACK

Brewster, Michael
French, Harold
Kuch, Bill
Seaworth, Brian

McGuire, Carol
Hoell, J.R.
Marple, Richard

Long, Douglas
Horn, Werner
Martin, John

McGuire, Dan
Kidder, David
Parent, Jason

ROCKINGHAM

Abramson, Max
Barnes, Arthur
Thomas, Douglas
Emerick, J. Tracy
Green, Dennis
Sweeney, Joe
Kolodziej, Walter
Matthews, Carolyn
Osborne, Jason
Prudhomme-O'Brien, Katherine
True, Chris
Welch, David

Allen, Mary
Bates, David
Dean-Bailey, Yvonne
Ferrante, Beverly
Guthrie, Joseph
Ward, Joanne
Lundgren, David
McKinney, Betsy
Packard, Sherman
Gordon, Richard
Tucker, Pamela
Weyler, Kenneth

Azarian, Gary
Cardon, G. Thomas
Doucette, Fred
Fesh, Robert
Harris, Jeffrey
Kappler, Lawrence
Major, Norman
McMahon, Charles
Peckham, Michele
Schroadter, Adam
Vose, Michael

Baldasaro, Alfred
Chirichiello, Brian
Duarte, Joe
Gannon, William
Hodgdon, Bruce
Katsakiores, Phyllis
Manning, John
O'Connor, John
Potucek, John
Spillane, James
Webb, James

STRAFFORD

Beaudoin, Steven
Groen, Warren
Knowles, Robert
Pitre, Joseph

Bickford, David
Hannon, Joseph
Turcotte, Leonard
Sprague, Dale

Cheney, Catherine
Jones, Laura
Leeman, Don
Whitehouse, Joshua

DeLemus, Susan
Kaczynski, Thomas
Mullen, John
Wuelper, Kurt

SULLIVAN

Laware, Thomas

Rollins, Skip

Smith, Steven

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

SB 533-FN-A-L, relative to the governor's commission on alcohol and drug abuse prevention, treatment, and recovery and making supplemental appropriations to the commission, the department of justice, and the department of health and human services. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Lucy Weber for Health, Human Services and Elderly Affairs. As amended, the bill changes the appointment process for members of the commission and removes the requirement that appointees be approved by the Governor and Council. It adds additional reporting requirements to the governor's commission, including biannual reports on financial expenditures for substance abuse related work, and presentations once each legislative session to the Finance Committees of the House and Senate, the Health and Human Services Committees of both bodies, and the Joint Fiscal Committee. The bill appropriates the additional sums of \$3,000,000 to the governor's commission for contracts for program services, \$2,000,000 for funding supportive housing projects for persons with substance abuse disorders in fiscal year ending June 30, 2017. The bill appropriates \$20,830 for fiscal year ending June 30, 2016 and \$104,492 for the fiscal year ending June 30 2017 to the department of justice for an additional assistant attorney general to prosecute drug cases. All sums appropriated will come from excess appropriations. Vote 18-0.

Amendment (1356h)

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

AN ACT relative to the governor's commission on alcohol and drug abuse prevention, treatment, and recovery and making supplemental appropriations to the commission, the department of justice, and the New Hampshire housing finance authority.

Amend the bill by replacing section 10 with the following:

10 Supplemental Appropriation for Governor's Commission on Alcohol and Drug Abuse Prevention, Treatment, and Recovery; Supplemental Appropriation for Supportive Housing Projects for Persons with Substance Abuse Disorders.

I. In addition to any other sums appropriated for fiscal year 2017, \$3,000,000 for the fiscal year ending June 30, 2017 is hereby appropriated to the governor's commission on alcohol and drug abuse prevention, treatment and recovery for the purpose of contracts for program services, within the department of health and human services. Additionally, \$2,000,000 for the fiscal year ending June 30, 2017 is hereby appropriated to the New Hampshire housing finance authority for the purposes set forth in RSA 204-C:56 through RSA 204-C:62, relative to the affordable housing fund, provided the appropriated funds are used for the purpose of funding supportive housing projects for persons with substance abuse disorders. The New Hampshire housing finance authority shall prepare a report on the status of projects funded, in whole or in part, by this appropriation to be delivered to the house health and human services and elderly affairs committee by December 31, 2017 and annually thereafter until the appropriated funds have been fully allocated.

II. For the purposes of funding the appropriation made in paragraph I, the governor shall identify excess appropriations from sums appropriated pursuant to 2015, 275 and 276, and shall transfer said sums to the appropriate class lines. Any transfers made pursuant to this section shall not require the prior approval of the fiscal committee of the general court and the governor and council and shall not be subject to the provisions of RSA 9:16-a, 9:17-a, and RSA 9:17-c.

Amend the bill by replacing all after section 11 with the following:

12 Health and Human Services; Prevention Services Appropriations. Amend 2015, 275:1, accounting unit 05-95-49-491510-2988 by inserting a class note immediately following such accounting unit as follows:

CLASS NOTE

102 F. This appropriation shall not lapse until June 30, 2017.

13 Health and Human Services; Clinical Services Appropriations. Amend 2015, 275:1, accounting unit 05-95-49-491510-2990 by inserting a class note immediately following such accounting unit as follows:

CLASS NOTE

102 F. This appropriation shall not lapse until June 30, 2017.

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

2016-1356h

AMENDED ANALYSIS

This bill makes changes in the membership, organization, duties, meetings, and reports of the governor's commission on alcohol and drug abuse prevention, treatment, and recovery, and establishes that the commission serves in an advisory capacity to both the governor and the general court.

The bill also makes supplemental appropriations to the commission, the department of justice, and the New Hampshire housing finance authority.

Committee amendment adopted.

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

Rep. Dan McGuire spoke against.

The Speaker ruled the debate by Rep. Dan McGuire out of order.

Rep. Weber spoke in favor.

Rep. Hoell requested a roll call; sufficiently seconded.

YEAS 235 - NAYS 109

YEAS - 235

BELKNAP

Dumais, Russell

Fields, Dennis

Flanders, Donald

Gallagher, Brian

Butler, Edward
Nelson, Bill
Umberger, Karen

Chandler, Gene
Parker, Harold

Crawford, Karel
Schmidt, Stephen

McConkey, Mark
Ticehurst, Susan

CHESHIRE

Abbott, Michael
Bordenet, John
Johnsen, Gladys
Parkhurst, Henry
Shepardson, Marjorie

Ames, Richard
Chase, Cynthia
Hunt, John
Pearson, William
Sterling, Franklin

Tilton, Benjamin
Eaton, Daniel
Roberts, Kris
Robertson, Timothy
Weber, Lucy

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

COOS

Fothergill, John
Richardson, Herbert

Froburg, Alethea
Theberge, Robert

Hatch, William
Tholl, John

Moynihan, Wayne
Thomas, Yvonne

GRAFTON

Abel, Richard
Hennessey, Erin
Hennessey, Martha
Piper, Wendy
Townsend, Charles

Almy, Susan
Ford, Susan
Maes, Kevin
Brown, Rebecca
White, Andrew

Bennett, Travis
Higgins, Patricia
Massimilla, Linda
Smith, Suzanne

Cooney, Mary
Ladd, Rick
Nordgren, Sharon
Sykes, George

HILLSBOROUGH

Backus, Robert
Beaulieu, Jane
Christensen, Chris
Sullivan, Daniel
Forest, Armand
Gargas, Carolyn
Guerette, C. Lee
Heath, Mary
Infantine, William
Rice, Kimberly
O'Brien, Michael
Long, Patrick
Peterson, Ken
Walsh, Robert
Shattuck, Gilman
Straight, Phillip
Woodbury, David

Balcom, John
Biggie, Barbara
Cohen, Alan
Danielson, David
Freitas, Mary
Gidge, Kenneth
Haefner, Robert
Herbert, Christopher
Belanger, James
Kurk, Neal
Mangipudi, Latha
McCarthy, Peggy
Pierce, David
Rosenwald, Cindy
Shaw, Barbara
Vann, Ivy

Baroody, Benjamin
Booras, Efstathia
Cornell, Patricia
DiSilvestro, Linda
Smith, Gregory
Goley, Jeffrey
Hansberry, Daniel
Hinch, Richard
Jack, Martin
LeBrun, Donald
Manley, Jonathan
Palmer, Barry
Porter, Marjorie
Rouillard, Claire
Snow, Kendall
Williams, Kermit

Barry, Richard
Byron, Frank
Cote, David
Flanagan, Jack
Gagne, Larry
Gorman, Mary
Harvey, Suzanne
Hopper, Gary
Judy, Jean
Leishman, Peter
Murotake, David
Pellegrino, Anthony
Proulx, Mark
Rowe, Robert
Soucy, Timothy
Wolf, Terry

MERRIMACK

Turcotte, Alan
Bradley, Paula
Ebel, Karen
Hirsch, Geoffrey
Kidder, David
Moffett, Howard
Saunderson, George
Wheeler, Deborah

Alicea, Caroletta
Rice, Chip
Gile, Mary
Frazer, June
Kotowski, Frank
Myler, Mel
Schuett, Dianne

French, Barbara
Carson, Clyde
Henle, Paul
Karrick, David
Luneau, David
Patten, Dick
Shurtleff, Stephen

Bartlett, Christy
Doherty, David
Hess, David
Kenison, Linda
MacKay, James
Rogers, Katherine
Wallner, Mary Jane

ROCKINGHAM

Abrami, Patrick
Borden, David
Chirichiello, Brian
DiFranco, Debbie
Rice, Frederick
Ward, Gerald
Hoelzel, Kathleen
Kolodziej, Walter
Manning, John

Abramson, Max
Cahill, Michael
Cushing, Robert
Doucette, Fred
Fesh, Robert
Guthrie, Joseph
Sweeney, Joe
Lovejoy, Patricia
Matthews, Carolyn

Azarian, Gary
Cali-Pitts, Jacqueline
Dean-Bailey, Yvonne
Edgar, Michael
Francese, Paula
Hagan, Joseph
Ward, Joanne
Griffin, Mary
McBeath, Rebecca

Berrien, Skip
Cardon, G. Thomas
Devine, James
Elliott, Robert
Friel, William
Heffron, Frank
Katsakiores, Phyllis
Major, Norman
McMahon, Charles

Milz, David
Peckham, Michele
Tilton, Rio
Tucker, Pamela

Nigrello, Robert
Potucek, John
Sherman, Thomas
Webb, James

O'Connor, John
Prudhomme-O'Brien, Katherine
Simpson, Alexis
Welch, David

Packard, Sherman
Belanger, Ronald
Sytek, John
Weyler, Kenneth

STRAFFORD

Baber, William
Burton, Wayne
Gray, James
Smith, Marjorie
Spang, Judith

Berube, Roger
Cheney, Catherine
Hannon, Joseph
Schmidt, Peter
Sprague, Dale

Bickford, David
Cilley, Jacalyn
Horrigan, Timothy
Rollo, Deanna
Treleven, Susan

Bixby, Peter
Gardner, Janice
Ward, Kenneth
Southworth, Thomas
Wall, Janet

SULLIVAN

Schmidt, Andrew
Gottling, Suzanne
Oxenham, Lee

Cloutier, John
Grenier, James
Rollins, Skip

Converse, Larry
Irwin, Virginia
Smith, Steven

Gagnon, Raymond
O'Hearne, Andrew

NAYS - 109

BELKNAP

Aldrich, Glen
LeBreche, Shari
Vadney, Herbert

Tilton, Franklin
Spanos, Peter

Howard, Raymond
Sylvia, Michael

Hurt, George
Fraser, Valerie

CARROLL

Avellani, Lino
McCarthy, Frank

Buco, Thomas

Comeau, Ed

Cordelli, Glenn

CHESHIRE

COOS

GRAFTON

Bailey, Brad
Gionet, Edmond

Brown, Duane
Hull, Robert

Darrow, Stephen
Shackett, Jeffrey

Johnson, Eric

HILLSBOROUGH

Adams, Christopher
Bouldin, Amanda
Edelblut, Frank
Gould, Linda
Christiansen, Lars
Martel, Andre
Murphy, Keith
Ober, Russell
Souza, Kathleen
Sullivan, Victoria

Ammon, Keith
Burt, John
Estevez, Eric
Halstead, Carolyn
Ober, Lynne
McClarren, Donald
Notter, Jeanine
Sanborn, Laurie
Stepanek, Stephen
O'Brien, William

Griffin, Barbara
Coffey, James
Ferreira, Elizabeth
Hansen, Peter
Lachance, Joseph
McLean, Mark
Ohm, Bill
Seidel, Carl
Twombly, Timothy
Zaricki, Nick

Boehm, Ralph
Eastman, Eric
Fromuth, Bart
Hogan, Edith
Marston, Dick
Moore, Josh
Christie, Rick
Simmons, Tammy
Ulery, Jordan

MERRIMACK

Brewster, Michael
French, Harold
Marple, Richard

McGuire, Carol
Hoell, J.R.
Martin, John

Long, Douglas
Horn, Werner
Parent, Jason

McGuire, Dan
Kuch, Bill
Seaworth, Brian

ROCKINGHAM

Allen, Mary
Thomas, Douglas
Gannon, William
Kappler, Lawrence
Gordon, Richard
Vose, Michael

Baldasaro, Alfred
Duarte, Joe
Green, Dennis
Lundgren, David
Schroader, Adam
Woitkun, Steven

Barnes, Arthur
Emerick, J. Tracy
Harris, Jeffrey
McKinney, Betsy
Spillane, James

Bates, David
Ferrante, Beverly
Hodgdon, Bruce
Osborne, Jason
True, Chris

STRAFFORD

Beaudoin, Steven
Kaczynski, Thomas
Mullen, John

DeLemus, Susan
Knowles, Robert
Pitre, Joseph

Groen, Warren
Turcotte, Leonard
Whitehouse, Joshua

Jones, Laura
Leeman, Don
Wuelper, Kurt

SULLIVAN

Laware, Thomas

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

SB 409-FN, relative to the first responder's critical injury benefit. **OUGHT TO PASS WITH AMENDMENT.** Rep. William Infantine for Labor, Industrial and Rehabilitative Services. This bill amends a prior law enacted in 2014 (SB 204, Chapter 242) that created a temporary workers' compensation-type benefit program for first responders injured in the line of duty. The law was temporary to give the legislature time to review this benefit for all workers and not just first responders. The bill that came from the Senate made this temporary benefit permanent even though a thorough study making this benefit for all workers was not completed. The committee amended the bill to continue the benefit for one additional year through June of 2017 and established a study committee made up of three House members and one Senator. Vote 15-1.

Amendment (1330h)

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

AN ACT relative to the first responder's critical injury benefit and establishing a committee to study soft tissue injuries under workers' compensation.

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

1 First Responder's Critical Injury Benefit. Amend RSA 281-A:32-a, II to read as follows:

II. Payments awarded under this section shall be subject to all other provisions of RSA 281-A. Total compensation payments for all additional compensation claims paid under this section shall not exceed \$125,000 per claimant. No payments shall be made after July 1, [2016] **2017**. Benefits paid under this section for all claimants shall not exceed \$500,000.

2 Prospective Repeal Extended. Amend 2014, 242:4, I to read as follows:

I. Paragraph I of section 2 of this act shall take effect June 30, [2016] **2017**.

3 Committee to Study Soft Tissue Injuries for Purposes of Workers' Compensation Established.

I. There is established a committee to study soft tissue injuries for purposes of workers' compensation.

(a) The members of the committee shall be as follows:

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

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

(b) Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.

II. The committee shall study soft tissue injuries for purposes of workers' compensation.

III. The members of the study committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the senate member. The first meeting of the committee shall be held within 45 days of the effective date of this section.

IV. The committee shall report its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before November 1, 2016.

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

2016-1330h

AMENDED ANALYSIS

This bill extends the prospective repeal of the first responder's critical injury benefit. This bill also establishes a committee to study soft tissue injuries for purposes of workers' compensation.

Committee amendment adopted.

Committee report adopted and referred to the Committee on Finance.

SB 480-FN-A, relative to the state house visitor's center revolving fund. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Lucy Weber for Legislative Administration. Currently, all funds from the special markups on the sale of commemorative bottles are deposited in the Historical Fund for the sole purpose of restoring the Civil War battle flags. Because some important preservation measures such as work on the display cases or preventing ultraviolet light from the windows are not done to the flags themselves, the bill, as amended, broadens the permitted use of markup revenue to allow for the preservation of the Hall of Flags and the battle flags on display there. Secondly, the bill abolishes three special accounts; the Bicentennial Diorama Account, the Historic Flag Restoration Account, and the Flag Restoration and Care Account and consolidates the sums contained in those accounts, along with the remaining sum in the already repealed Civil War Memorials Fund, in the Historical Fund. Finally, the bill as amended provides that sums over \$50,000 in the State House Visitor's Center Revolving Fund on June 30th of any fiscal year shall be deposited in the Historical Fund, instead of the General Fund. Vote 8-0.

Amendment (1350h)

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

AN ACT relative to the historical fund.

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

1 State House Visitor's Center Revolving Fund. Amend RSA 17-E:7 to read as follows:

17-E:7 State House Visitor's Center Revolving Fund. There is hereby established in the office of the state treasurer a nonlapsing fund to be known as the state house visitor's center revolving fund which shall be kept separate and distinct from all other funds. The state house visitor's center revolving fund shall be within the oversight of the joint legislative facilities committee established in RSA 17-E:1. Moneys received from the sale of merchandise at the state house visitor's center, including online sales, shall be deposited in such fund and used to purchase merchandise for the visitor's center. The amount in the fund shall not exceed \$50,000 on June 30 of any fiscal year and any moneys in excess of said amount shall be deposited in the ~~[general fund as unrestricted revenue]~~ **historical fund, established in RSA 177:8.**

2 Historical Fund; Preservation of the State House Hall of Flags. Amend RSA 177:8, II to read as follows:

II. All revenue from these special markups shall be reported separately by the commission and, after the cost of the pamphlets is subtracted, shall be credited to the legislative appropriation and kept as a special nonlapsing fund to be known as the historical fund. The historical fund shall be within the oversight of the joint legislative historical committee established in RSA 17-I:1. No part of the fund shall be transferred or expended for any purpose except by the joint legislative historical committee in carrying out its responsibilities under RSA 17-I. The joint legislative historical committee shall use the revenue from the special markups exclusively for the preservation of ~~[Civil War battle flags displayed at the state house]~~ **the state house hall of flags and the battle flags displayed in the hall of flags.**

3 Department of Administrative Services; Certain Special Legislative Accounts Abolished. The commissioner of administrative services shall abolish the following special accounts and transfer any balance remaining in the accounts as of June 30, 2016 to the historical fund, established in RSA 177:8:

I. The four bicentennial dioramas account (account organization code 1471).

II. The historic flag restoration account (account organization code 1479).

III. The flag restoration and care account (account organization code 1485).

4 Civil War Memorials Fund. On June 30, 2016, any balance remaining in the civil war memorials fund (account organization code 8875), established in RSA 21-K:22 and repealed December 31, 2010, by 2010, 368:1(38), shall be transferred to the historical fund, established in RSA 177:8.

5 Effective Date. This act shall take effect June 30, 2016.

2016-1350h
AMENDED ANALYSIS

This bill:

I. Provides that funds over \$50,000 in the state house visitor's center revolving fund shall be deposited in the historical fund.

II. Directs the joint legislative historical committee to use the funds from special markups on commemorative bottles for the preservation of the state house hall of flags and the battle flags displayed in the hall of flags.

III. Directs the commissioner of administrative services to abolish the bicentennial dioramas account, the historic flag restoration account, and the flag restoration and care account.

IV. Transfers any funds remaining in these accounts and in the civil war memorials fund on June 30, 2016 to the historical fund.

Committee amendment adopted.

Committee report adopted and referred to the Committee on Finance.

SB 368-FN-A, making a capital appropriation for department of environmental services monitoring equipment. **OUGHT TO PASS.**

Rep. Martin Jack for Public Works and Highways. This bill repurposes \$260,000 of the \$600,000 appropriated in HB 25 to purchase land for the Hampton Circuit Court. The funds are available since the land will cost substantially less than appropriated. Under the auspices of the department of environmental services, the bill proposes to use the funds to fill gaps in the state's ability to generate and analyze scientific data in the Great Bay and Hampton Harbor in order to better understand water quality trends and support local and state decision making. There is a detailed plan for how the funds will be spent, including additional areas of the Great Bay; a pH sensor, and new surface sensors for existing stations, and other items. The location is one of 28 nationally significant sites in the federal estuaries program. Monitoring is done by a formally organized partnership involving UNH and about 200 other stakeholders. Among other issues, it is important to keep the clam and oyster habitats and the eelgrass population vibrant to preserve the estuaries. Because the estuaries are economically significant and can be fragile, and new EPA rules have recently taken effect, it is advisable to take this action outside the normal capital budget cycle. Because the bill repurposes an existing appropriation, there is no impact on total bonded indebtedness. Vote 8-7.

Rep. Porter requested a roll call; sufficiently seconded.

YEAS 208 - NAYS 136**YEAS - 208
BELKNAP**

Fields, Dennis

Flanders, Donald

CARROLLBuco, Thomas
Parker, HaroldButler, Edward
Ticehurst, SusanMcCarthy, Frank
Umberger, Karen

McConkey, Mark

CHESHIREAbbott, Michael
Bordenet, John
Johnsen, Gladys
Parkhurst, Henry
Shepardson, MarjorieAmes, Richard
Chase, Cynthia
Hunt, John
Pearson, William
Weber, LucyTilton, Benjamin
Eaton, Daniel
Roberts, Kris
Robertson, TimothyBerch, Paul
Emerson, Susan
Mann, John
Sad, Tara**COOS**Fothergill, John
Richardson, HerbertFroburg, Alethea
Theberge, RobertHatch, William
Thomas, Yvonne

Moynihan, Wayne

GRAFTONAbel, Richard
Ford, Susan
Massimilla, Linda
Smith, SuzanneAlmy, Susan
Higgins, Patricia
Nordgren, Sharon
Sykes, GeorgeBennett, Travis
Hennessey, Martha
Piper, Wendy
Townsend, CharlesCooney, Mary
Maes, Kevin
Brown, Rebecca
White, Andrew**HILLSBOROUGH**Adams, Christopher
Beaulieu, Jane
Christensen, Chris
Sullivan, Daniel
Gargas, Carolyn
Gould, Linda
Harvey, Suzanne
Jack, Martin
O'Brien, Michael
McCarthy, Peggy
Pierce, David
Walsh, Robert
Shattuck, Gilman
Souza, Kathleen
Wolf, TerryBackus, Robert
Biggie, Barbara
Cohen, Alan
DiSilvestro, Linda
Gidge, Kenneth
Guerette, C. Lee
Heath, Mary
Judy, Jean
Mangipudi, Latha
Palmer, Barry
Porter, Marjorie
Rosenwald, Cindy
Shaw, Barbara
Takesian, Charlene
Woodbury, DavidBalcom, John
Booras, Efstathia
Cornell, Patricia
Forest, Armand
Goley, Jeffrey
Haefner, Robert
Herbert, Christopher
Christiansen, Lars
Manley, Jonathan
Pellegrino, Anthony
Proulx, Mark
Rowe, Robert
Snow, Kendall
Vann, IvyBaroody, Benjamin
Bouldin, Amanda
Cote, David
Freitas, Mary
Gorman, Mary
Hansberry, Daniel
Infantine, William
Leishman, Peter
Long, Patrick
Peterson, Ken
Christie, Rick
Seidel, Carl
Soucy, Timothy
Williams, Kermit**MERRIMACK**Turcotte, Alan
Bradley, Paula
Ebel, Karen
Hirsch, Geoffrey
Kidder, David
Moffett, Howard
Saunderson, George
Wheeler, DeborahAlicea, Caroletta
Rice, Chip
Gile, Mary
Frazer, June
Kotowski, Frank
Myler, Mel
Schuett, DianneFrench, Barbara
Carson, Clyde
Henle, Paul
Karrick, David
Luneau, David
Patten, Dick
Shurtleff, StephenBartlett, Christy
Doherty, David
Hess, David
Kenison, Linda
MacKay, James
Rogers, Katherine
Wallner, Mary Jane**ROCKINGHAM**Abrami, Patrick
Berrien, Skip
Cardon, G. Thomas
Doucette, Fred
Rice, Frederick
Friel, William
Heffron, Frank
Manning, John
Peckham, Michele
Sherman, Thomas
Woitkun, StevenAbramson, Max
Borden, David
Cushing, Robert
Edgar, Michael
Ferrante, Beverly
Ward, Gerald
Ward, Joanne
McBeath, Rebecca
Prudhomme-O'Brien, Katherine
Simpson, AlexisAzarian, Gary
Cahill, Michael
Devine, James
Elliott, Robert
Fesh, Robert
Guthrie, Joseph
Lovejoy, Patricia
McKinney, Betsy
Tilton, Rio
Tucker, PamelaBarnes, Arthur
Cali-Pitts, Jacqueline
DiFranco, Debbie
Emerick, J. Tracy
Francesca, Paula
Hagan, Joseph
Griffin, Mary
McMahon, Charles
Schroadter, Adam
Webb, James**STRAFFORD**Baber, William
Burton, WayneBerube, Roger
Cilley, JacalynBickford, David
Gardner, JaniceBixby, Peter
Gray, James

Horrigan, Timothy
Mullen, John
Spang, Judith
Whitehouse, Joshua

Ward, Kenneth
Schmidt, Peter
Sprague, Dale

Kaen, Naida
Rollo, Deanna
Treleaven, Susan

Smith, Marjorie
Southworth, Thomas
Wall, Janet

SULLIVAN

Schmidt, Andrew
Gottling, Suzanne
Oxenham, Lee

Cloutier, John
Grenier, James

Converse, Larry
Irwin, Virginia

Gagnon, Raymond
O'Hearne, Andrew

NAYS - 136

BELKNAP

Aldrich, Glen
Howard, Raymond
Sylvia, Michael

Dumais, Russell
Hurt, George
Fraser, Valerie

Tilton, Franklin
LeBreche, Shari
Vadney, Herbert

Gallagher, Brian
Spanos, Peter

CARROLL

Avellani, Lino
Crawford, Karel

Chandler, Gene
Nelson, Bill

Comeau, Ed
Schmidt, Stephen

Cordelli, Glenn

CHESHIRE

McConnell, James

Sterling, Franklin

COOS

Rideout, Leon

Tholl, John

GRAFTON

Bailey, Brad
Johnson, Eric
Shackett, Jeffrey

Brown, Duane
Gionet, Edmond

Darrow, Stephen
Hull, Robert

Hennessey, Erin
Ladd, Rick

HILLSBOROUGH

Ammon, Keith
Burt, John
Eastman, Eric
Flanagan, Jack
Halstead, Carolyn
Hopper, Gary
Ober, Lynne
McLean, Mark
Notter, Jeanine
Sanborn, Laurie
Twombly, Timothy
Zaricki, Nick

Griffin, Barbara
Byron, Frank
Edelblut, Frank
Fromuth, Bart
Hansen, Peter
Belanger, James
LeBrun, Donald
Moore, Josh
Ohm, Bill
Simmons, Tammy
Ulery, Jordan

Barry, Richard
Coffey, James
Estevez, Eric
Smith, Gregory
Hinch, Richard
Rice, Kimberly
Marston, Dick
Murotake, David
Ober, Russell
Stepanek, Stephen
Sullivan, Victoria

Boehm, Ralph
Danielson, David
Ferreira, Elizabeth
Gagne, Larry
Hogan, Edith
Kurk, Neal
McClarren, Donald
Murphy, Keith
Rouillard, Claire
Straight, Phillip
O'Brien, William

MERRIMACK

Brewster, Michael
French, Harold
Marple, Richard

McGuire, Carol
Hoell, J.R.
Martin, John

Long, Douglas
Horn, Werner
Parent, Jason

McGuire, Dan
Kuch, Bill
Seaworth, Brian

ROCKINGHAM

Allen, Mary
Thomas, Douglas
Green, Dennis
Sweeney, Joe
Lundgren, David
Nigrello, Robert
Potucek, John
Sytek, John
Weyler, Kenneth

Baldasaro, Alfred
Dean-Bailey, Yvonne
Harris, Jeffrey
Kappler, Lawrence
Major, Norman
O'Connor, John
Belanger, Ronald
True, Chris

Bates, David
Duarte, Joe
Hodgdon, Bruce
Katsakiores, Phyllis
Matthews, Carolyn
Osborne, Jason
Gordon, Richard
Vose, Michael

Chirichiello, Brian
Gannon, William
Hoelzel, Kathleen
Kolodziej, Walter
Milz, David
Packard, Sherman
Spillane, James
Welch, David

STRAFFORD

Beaudoin, Steven
Hannon, Joseph
Turcotte, Leonard

Cheney, Catherine
Jones, Laura
Leeman, Don

DeLemus, Susan
Kaczynski, Thomas
Pitre, Joseph

Groen, Warren
Knowles, Robert
Wuelper, Kurt

SULLIVAN

Laware, Thomas

Rollins, Skip

Smith, Steven

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

SB 521-FN, relative to an OHRV registration fee for persons who are members of an OHRV club. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John Mullen for Resources, Recreation and Development. This bill was brought forth from a study committee to provide needed revenue to help maintain OHRV trails in NH. Currently, snowmobilers, both club members and non-members, pay at registration a trail maintenance fee of \$30 which is payable to the Department of Resources and Economic Development, Bureau of Trails for the bureau's grant-in-aid program which provides for trail improvement and maintenance. Having good trails is an economic benefit to all of New Hampshire. This bill parallels the snowmobile statute and applies it to OHRV trail users who up until now have had little support for trail maintenance, repair, and construction. The new \$30 user fee attached to the registration fee is the same as is currently applied to snowmobile registrations. These OHRV funds will be administered the same way as with snowmobiles and the Bureau of Trails. Additionally, the bill instructs the Department of Fish and Game, Bureau of Trails, and the NH Off Highway Vehicle Association to study registration alternatives for OHRV users who do not use organized trail systems. Vote 17-2.

Amendment (1333h)

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

AN ACT relative to an OHRV registration fee for persons who are members of an OHRV club, and requiring a report on registration alternatives for OHRV users who do not use organized trail systems.

Amend the bill by replacing all after section 3 with the following:

4 Fish and Game Department; Report on Registration Alternatives. The executive director of the fish and game department shall work in conjunction with the New Hampshire Off Highway Vehicle Association to study registration alternatives for OHRV users who do not use organized trail systems. The executive director shall report any findings or recommendations resulting from the study to the president of the senate and the speaker of the house of representatives on or before December 1, 2017.

5 Effective Date.

I. Section 4 of this act shall take effect upon its passage.

II. The remainder of this act shall take effect May 1, 2018.

2016-1333h

AMENDED ANALYSIS

This bill establishes an OHRV registration fee for persons who are members of an OHRV club which is reduced \$30 from the increased fee paid by other registrants. The bill also requires the executive director of the fish and game department to report on registration alternatives for OHRV users who do not use organized trail systems.

Committee amendment adopted.

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

Rep. Sylvia requested a roll call; sufficiently seconded.

YEAS 262 - NAYS 83

YEAS - 262

BELKNAP

Dumais, Russell
Fraser, Valerie

Tilton, Franklin

Flanders, Donald

Gallagher, Brian

CARROLL

Buco, Thomas
Crawford, Karel
Schmidt, Stephen

Butler, Edward
McConkey, Mark
Ticehurst, Susan

Chandler, Gene
Nelson, Bill
Umberger, Karen

Cordelli, Glenn
Parker, Harold

CHESHIRE

Abbott, Michael
Bordenet, John
Johnsen, Gladys
McConnell, James
Sad, Tara

Ames, Richard
Chase, Cynthia
Hunt, John
Parkhurst, Henry
Shepardson, Marjorie

Tilton, Benjamin
Eaton, Daniel
Roberts, Kris
Pearson, William
Sterling, Franklin

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

COOS

Fothergill, John
Richardson, Herbert

Froburg, Alethea
Rideout, Leon

Hatch, William
Theberge, Robert

Moynihan, Wayne
Tholl, John

GRAFTON

Abel, Richard
Cooney, Mary

Almy, Susan
Brown, Duane

Bailey, Brad
Darrow, Stephen

Bennett, Travis
Hennessey, Erin

Ford, Susan
Hennessey, Martha
Piper, Wendy
Sykes, George

Gionet, Edmond
Maes, Kevin
Brown, Rebecca
Townsend, Charles

Higgins, Patricia
Massimilla, Linda
Shackett, Jeffrey
White, Andrew

Ladd, Rick
Nordgren, Sharon
Smith, Suzanne

HILLSBOROUGH

Adams, Christopher
Baroody, Benjamin
Boehm, Ralph
Cohen, Alan
Danielson, David
Forest, Armand
Gargas, Carolyn
Gould, Linda
Hansen, Peter
Hinch, Richard
Jeudy, Jean
LeBrun, Donald
Long, Patrick
Peterson, Ken
Walsh, Robert
Seidel, Carl
Soucy, Timothy
Williams, Kermit

Griffin, Barbara
Barry, Richard
Booras, Efsthathia
Cornell, Patricia
DiSilvestro, Linda
Freitas, Mary
Gidge, Kenneth
Guerette, C. Lee
Harvey, Suzanne
Hopper, Gary
Kurk, Neal
Leishman, Peter
McCarthy, Peggy
Pierce, David
Rosenwald, Cindy
Shattuck, Gilman
Straight, Phillip
Wolf, Terry

Backus, Robert
Beaulieu, Jane
Christensen, Chris
Cote, David
Eastman, Eric
Smith, Gregory
Goley, Jeffrey
Haefner, Robert
Heath, Mary
Belanger, James
Christiansen, Lars
O'Brien, Michael
Palmer, Barry
Porter, Marjorie
Rouillard, Claire
Shaw, Barbara
Takesian, Charlene
Woodbury, David

Balcom, John
Biggie, Barbara
Coffey, James
Sullivan, Daniel
Flanagan, Jack
Gagne, Larry
Gorman, Mary
Hansberry, Daniel
Herbert, Christopher
Jack, Martin
Ober, Lynne
Mangipudi, Latha
Pellegrino, Anthony
Proulx, Mark
Rowe, Robert
Snow, Kendall
Vann, Ivy

MERRIMACK

Alicea, Caroletta
Brewster, Michael
Long, Douglas
Henle, Paul
Karrick, David
Kuch, Bill
Moffett, Howard
Rogers, Katherine
Wallner, Mary Jane

French, Barbara
McGuire, Carol
Doherty, David
Hirsch, Geoffrey
Kenison, Linda
Luneau, David
Myler, Mel
Saunderson, George
Wheeler, Deborah

Bartlett, Christy
Rice, Chip
Ebel, Karen
Horn, Werner
Kidder, David
MacKay, James
Parent, Jason
Schuett, Dianne

Bradley, Paula
Carson, Clyde
Gile, Mary
Frazer, June
Kotowski, Frank
Martin, John
Patten, Dick
Shurtleff, Stephen

ROCKINGHAM

Abrami, Patrick
Berrien, Skip
Cardon, G. Thomas
Dean-Bailey, Yvonne
Edgar, Michael
Ferrante, Beverly
Guthrie, Joseph
Hoelzel, Kathleen
Lovejoy, Patricia
Manning, John
McMahon, Charles
Packard, Sherman
Belanger, Ronald
Simpson, Alexis
Weyler, Kenneth

Allen, Mary
Borden, David
Chirichiello, Brian
Devine, James
Elliott, Robert
Francese, Paula
Hagan, Joseph
Ward, Joanne
Lundgren, David
Matthews, Carolyn
Milz, David
Peckham, Michele
Tilton, Rio
Sytek, John
Woitkun, Steven

Azarian, Gary
Cahill, Michael
Cushing, Robert
DiFranco, Debbie
Emerick, J. Tracy
Friel, William
Heffron, Frank
Katsakiores, Phyllis
Griffin, Mary
McBeath, Rebecca
Nigrello, Robert
Potucek, John
Schroadter, Adam
Webb, James

Barnes, Arthur
Cali-Pitts, Jacqueline
Thomas, Douglas
Doucette, Fred
Rice, Frederick
Ward, Gerald
Hodgdon, Bruce
Kolodziej, Walter
Major, Norman
McKinney, Betsy
O'Connor, John
Prudhomme-O'Brien, Katherine
Sherman, Thomas
Welch, David

STRAFFORD

Baber, William
Burton, Wayne
Hannon, Joseph
Smith, Marjorie
Southworth, Thomas
Wall, Janet

Berube, Roger
Cilley, Jacalyn
Horriggan, Timothy
Mullen, John
Spang, Judith
Wuelper, Kurt

Bickford, David
Gardner, Janice
Ward, Kenneth
Schmidt, Peter
Sprague, Dale

Bixby, Peter
Gray, James
Kaen, Naida
Rollo, Deanna
Treleaven, Susan

SULLIVAN

Schmidt, Andrew
Gottling, Suzanne
Rollins, Skip

Cloutier, John
Grenier, James
Smith, Steven

Converse, Larry
O'Hearne, Andrew

Gagnon, Raymond
Oxenham, Lee

NAYS - 83 BELKNAP

Aldrich, Glen
LeBreche, Shari

Fields, Dennis
Spanos, Peter

Howard, Raymond
Sylvia, Michael

Hurt, George
Vadney, Herbert

CARROLL

Avellani, Lino

Comeau, Ed

McCarthy, Frank

COOS

Thomas, Yvonne

GRAFTON

Johnson, Eric

Hull, Robert

HILLSBOROUGH

Ammon, Keith
 Edelblut, Frank
 Halstead, Carolyn
 Lachance, Joseph
 McLean, Mark
 Notter, Jeanine
 Sanborn, Laurie
 Twombly, Timothy
 Zaricki, Nick

Bouldin, Amanda
 Estevez, Eric
 Hogan, Edith
 Manley, Jonathan
 Moore, Josh
 Ohm, Bill
 Simmons, Tammy
 Ulery, Jordan

Burt, John
 Ferreira, Elizabeth
 Infantine, William
 Marston, Dick
 Murotake, David
 Christie, Rick
 Souza, Kathleen
 Sullivan, Victoria

Byron, Frank
 Fromuth, Bart
 Rice, Kimberly
 McClarren, Donald
 Murphy, Keith
 Ober, Russell
 Stepanek, Stephen
 O'Brien, William

MERRIMACK

Turcotte, Alan
 Hoell, J.R.

McGuire, Dan
 Marple, Richard

French, Harold
 Seaworth, Brian

Hill, Gregory

ROCKINGHAM

Abramson, Max
 Fesh, Robert
 Sweeney, Joe
 Spillane, James

Baldasaro, Alfred
 Gannon, William
 Kappler, Lawrence
 True, Chris

Bates, David
 Green, Dennis
 Osborne, Jason
 Tucker, Pamela

Duarte, Joe
 Harris, Jeffrey
 Gordon, Richard
 Vose, Michael

STRAFFORD

Beaudoin, Steven
 Jones, Laura
 Leeman, Don

Cheney, Catherine
 Kaczynski, Thomas
 Pitre, Joseph

DeLemus, Susan
 Knowles, Robert
 Whitehouse, Joshua

Groen, Warren
 Turcotte, Leonard

SULLIVAN

Irwin, Virginia

Laware, Thomas

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

SB 492-FN, relative to expenditures from the energy efficiency fund. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Herbert Richardson for the Majority of Science, Technology and Energy. This bill creates close to \$40 million in new energy savings each year. The bill directs the business allocation from the Energy Efficiency Fund to go to rebates for business, thereby driving down electrical costs for our businesses, especially those large energy users. It directs the residential allocation from the Energy Efficiency Fund to support high demand, cost effective energy efficiency programs, all of which are privately managed, award winning state-wide programs run by the utilities and overseen by the NH Public Utilities Commission within the so-called CORE docket. Unlike previous proposals, this bill increases money going to low-income weatherization from the current 15% to 35%. This will service over 400 additional low-income renters and homeowners across the state and will cut their household energy bills by up to 30%, allowing them to afford other basic necessities, avoid springtime evictions and foreclosures, and reduce reliance on local welfare. Importantly, the low-income energy efficiency waitlist of over 10,000 households across our state will finally begin to be chipped away at. Hundreds more middle income residential customers falling above the qualification for the low-income program will also receive energy efficiency assistance. Moreover, aging school district and municipal buildings across our state will receive needed upgrades to significantly reduce their energy bills, which directly reduces operating expenses and thereby property tax liability. Finally, our manufacturing sector on the LG electric rate (greater than 1,000 kilowatt demand) will receive an average reduction of \$200 per month. The minority argues we should socialize the residential allocation and give an average of between \$1.30 and \$1.70 per month to every residential customer from the Energy Efficiency Fund, rather than supporting high quality energy efficiency for hundreds of residential households, municipalities, and school districts across the state that are clearly struggling to get their energy bills under control. The majority believes it is a much better return on investment to support hundreds of jobs, provide property tax relief, create about \$40 million in new energy savings each year, and drastically reduce energy and grid demands that drive down prices for all ratepayers. This bill is supported by a wide array of stakeholders, including the Business and Industry Association, the Office of Consumer Advocate (which represents residential ratepayers), NH Legal Assistance

which represents low-income residential ratepayers, the NH Municipal Association, and Community Action Programs which provide services to low-income clients across our state. Vote 12-5.

Rep. Michael Vose for the Minority of Science, Technology and Energy. This bill provides language that duplicates an amendment that the Senate applied to HB 208 last year. It eliminates the ratepayer rebate of \$10 million of Regional Greenhouse Gas Initiative (RGGI) auction proceeds. Instead, it spends those funds to expand energy efficiency projects for low-income residents and local government buildings. This income redistribution will cost the average NH ratepayer \$1.70 per month or \$20 per year. It discourages civic responsibility by allowing towns and school districts to postpone energy efficiency projects while waiting and hoping for a state grant. It redistributes ratepayer monies to a narrow group of favored recipients. It requires seniors struggling to pay for food and medicine to pay higher electricity costs to support energy efficiency projects for others. The bill rebates funds to commercial/industrial customers at the expense of residential customers. Two local government representatives who testified said that energy efficiency projects in their towns did not lower the local tax rate.

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

Rep. Vose spoke against and yielded to questions.

Rep. Mann spoke in favor and yielded to questions.

MOTION TO LAY ON THE TABLE

Rep. Carol McGuire moved that **SB 492-FN**, relative to expenditures from the energy efficiency fund, be laid on the table.

Rep. Baber requested a roll call; sufficiently seconded.

YEAS 189 - NAYS 155

YEAS - 189

BELKNAP

Aldrich, Glen
Flanders, Donald
LeBreche, Shari
Vadney, Herbert

Dumais, Russell
Gallagher, Brian
Spanos, Peter

Tilton, Franklin
Howard, Raymond
Sylvia, Michael

Fields, Dennis
Hurt, George
Fraser, Valerie

CARROLL

Avellani, Lino
Nelson, Bill

Comeau, Ed
Schmidt, Stephen

Cordelli, Glenn
Umberger, Karen

Crawford, Karel

CHESHIRE

Emerson, Susan
Sterling, Franklin

Hunt, John

Roberts, Kris

McConnell, James

COOS

Rideout, Leon

Tholl, John

GRAFTON

Bailey, Brad
Johnson, Eric

Brown, Duane
Gionet, Edmond

Darrow, Stephen
Hull, Robert

Hennessey, Erin
Shackett, Jeffrey

HILLSBOROUGH

Adams, Christopher
Barry, Richard
Byron, Frank
Eastman, Eric
Flanagan, Jack
Gould, Linda
Hansen, Peter
Rice, Kimberly
Lachance, Joseph
McClarren, Donald
Notter, Jeanine
Pellegrino, Anthony
Christie, Rick
Sanborn, Laurie
Stepanek, Stephen
Ulery, Jordan
Zaricki, Nick

Ammon, Keith
Biggie, Barbara
Christensen, Chris
Edelblut, Frank
Fromuth, Bart
Guerette, C. Lee
Hinch, Richard
Kurk, Neal
LeBrun, Donald
McLean, Mark
Ohm, Bill
Peterson, Ken
Ober, Russell
Seidel, Carl
Straight, Phillip
Sullivan, Victoria

Griffin, Barbara
Boehm, Ralph
Coffey, James
Estevez, Eric
Smith, Gregory
Haefner, Robert
Hogan, Edith
Christiansen, Lars
Marston, Dick
Moore, Josh
McCarthy, Peggy
Pierce, David
Rouillard, Claire
Simmons, Tammy
Takesian, Charlene
O'Brien, William

Balcom, John
Burt, John
Danielson, David
Ferreira, Elizabeth
Gagne, Larry
Halstead, Carolyn
Belanger, James
Ober, Lynne
Martel, Andre
Murphy, Keith
Palmer, Barry
Proulx, Mark
Rowe, Robert
Souza, Kathleen
Twombly, Timothy
Wolf, Terry

MERRIMACK

Turcotte, Alan
McGuire, Dan
Kidder, David
Martin, John

Brewster, Michael
French, Harold
Kotowski, Frank
Parent, Jason

McGuire, Carol
Hill, Gregory
Kuch, Bill
Seaworth, Brian

Long, Douglas
Hoell, J.R.
Marple, Richard
Wheeler, Deborah

ROCKINGHAM

Abramson, Max
Barnes, Arthur
Thomas, Douglas
Duarte, Joe
Fesh, Robert
Guthrie, Joseph
Hoelzel, Kathleen
Katsakiores, Phyllis
Major, Norman
Milz, David
Potucek, John
Tilton, Rio
Tucker, Pamela
Weyler, Kenneth

Allen, Mary
Bates, David
Dean-Bailey, Yvonne
Emerick, J. Tracy
Friel, William
Hagan, Joseph
Sweeney, Joe
Kolodziej, Walter
Manning, John
Nigrello, Robert
Prudhomme-O'Brien, Katherine
Spillane, James
Vose, Michael
Woitkun, Steven

Azarian, Gary
Cali-Pitts, Jacqueline
Devine, James
Rice, Frederick
Gannon, William
Harris, Jeffrey
Ward, Joanne
Lundgren, David
Matthews, Carolyn
O'Connor, John
Belanger, Ronald
Sytek, John
Webb, James

Baldasaro, Alfred
Chirichiello, Brian
Doucette, Fred
Ferrante, Beverly
Green, Dennis
Hodgdon, Bruce
Kappler, Lawrence
Griffin, Mary
McKinney, Betsy
Osborne, Jason
Gordon, Richard
True, Chris
Welch, David

STRAFFORD

Beaudoin, Steven
DeLemus, Susan
Jones, Laura
Leeman, Don
Wuelper, Kurt

Bickford, David
Gray, James
Kaczynski, Thomas
Mullen, John

Cheney, Catherine
Groen, Warren
Knowles, Robert
Pitre, Joseph

Cilley, Jacalyn
Hannon, Joseph
Turcotte, Leonard
Whitehouse, Joshua

SULLIVAN

Laware, Thomas

Rollins, Skip

**NAYS - 155
CARROLL**

Buco, Thomas
McConkey, Mark

Butler, Edward
Parker, Harold

Chandler, Gene
Ticehurst, Susan

McCarthy, Frank

CHESHIRE

Abbott, Michael
Bordenet, John
Mann, John
Sad, Tara

Ames, Richard
Chase, Cynthia
Parkhurst, Henry
Shepardson, Marjorie

Tilton, Benjamin
Eaton, Daniel
Pearson, William
Weber, Lucy

Berch, Paul
Johnsen, Gladys
Robertson, Timothy

COOS

Fothergill, John
Richardson, Herbert

Froburg, Alethea
Theberge, Robert

Hatch, William
Thomas, Yvonne

Moynihan, Wayne

GRAFTON

Abel, Richard
Ford, Susan
Maes, Kevin
Brown, Rebecca
White, Andrew

Almy, Susan
Higgins, Patricia
Massimilla, Linda
Smith, Suzanne

Bennett, Travis
Ladd, Rick
Nordgren, Sharon
Sykes, George

Cooney, Mary
Hennessey, Martha
Piper, Wendy
Townsend, Charles

HILLSBOROUGH

Backus, Robert
Cohen, Alan
DiSilvestro, Linda
Gidge, Kenneth
Harvey, Suzanne
Infantine, William
O'Brien, Michael
Porter, Marjorie
Shaw, Barbara
Williams, Kermit

Baroody, Benjamin
Cornell, Patricia
Forest, Armand
Goley, Jeffrey
Heath, Mary
Jack, Martin
Mangipudi, Latha
Walsh, Robert
Snow, Kendall
Woodbury, David

Beaulieu, Jane
Cote, David
Freitas, Mary
Gorman, Mary
Herbert, Christopher
Judy, Jean
Manley, Jonathan
Rosenwald, Cindy
Soucy, Timothy

Booras, Efsthia
Sullivan, Daniel
Gargas, Carolyn
Hansberry, Daniel
Hopper, Gary
Leishman, Peter
Long, Patrick
Shattuck, Gilman
Vann, Ivy

MERRIMACK

Alicea, Caroletta
Rice, Chip
Gile, Mary
Horn, Werner
Luneau, David
Patten, Dick
Shurtleff, Stephen

French, Barbara
Carson, Clyde
Henle, Paul
Frazer, June
MacKay, James
Rogers, Katherine
Wallner, Mary Jane

Bartlett, Christy
Doherty, David
Hess, David
Karrick, David
Moffett, Howard
Saunderson, George

Bradley, Paula
Ebel, Karen
Hirsch, Geoffrey
Kenison, Linda
Myler, Mel
Schuett, Dianne

ROCKINGHAM

Abrami, Patrick
Cardon, G. Thomas

Berrien, Skip
Cushing, Robert

Borden, David
DiFranco, Debbie

Cahill, Michael
Edgar, Michael

Elliott, Robert
Lovejoy, Patricia
Peckham, Michele

Francese, Paula
McBeath, Rebecca
Sherman, Thomas

Ward, Gerald
McMahon, Charles
Simpson, Alexis

Heffron, Frank
Packard, Sherman

STRAFFORD

Baber, William
Gardner, Janice
Smith, Marjorie
Spang, Judith

Berube, Roger
Horrigan, Timothy
Schmidt, Peter
Sprague, Dale

Bixby, Peter
Ward, Kenneth
Rollo, Deanna
Treleven, Susan

Burton, Wayne
Kaen, Naida
Southworth, Thomas
Wall, Janet

SULLIVAN

Schmidt, Andrew
Gottling, Suzanne
Oxenham, Lee

Cloutier, John
Grenier, James
Smith, Steven

Converse, Larry
Irwin, Virginia

Gagnon, Raymond
O'Hearne, Andrew

and the motion was adopted.

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

REFERRAL DECLINED

Rep. Kurk, Chairman of the Committee on Finance, under the provisions of House Rule 46 (f), declined the referral of **SB 210-FN**, relative to regulation of septic system evaluators.

The Speaker referred **SB 210-FN** to the Committee on Ways and Means.

REGULAR CALENDAR PART I CONT'D

SB 510-FN, relative to parking at state park parking meters. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Thomas Walsh for the Majority of Transportation. This bill adds a set of restrictions from existing law regarding free parking by state park motor vehicle plate holders. The intent is to end the practice of these plate holders occupying prime parking during peak and weekend times with no limitations or fees, thus allowing more parking for all. A new paragraph does allow the commissioner to assess an increased rate during peak times, however the Fiscal Committee of the General Court can deny such a plan. Vote 14-3.

Rep. Chris True for the Minority of Transportation. The minority feels giving authority to the Commissioner of the Department of Resources and Economic Development to raise rates on weekends and holidays, with approval of the Fiscal Committee, unfairly hits the working man in the wallet. Many working people can only go to the beach on weekends and holidays, and those days may be subject to higher parking fees.

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

Rep. Steven Smith spoke in favor.

Rep. True spoke against and requested a roll call; sufficiently seconded.

YEAS 246 - NAYS 99

YEAS - 246

BELKNAP

Dumais, Russell
Gallagher, Brian

Tilton, Franklin
Hurt, George

Fields, Dennis
Fraser, Valerie

Flanders, Donald
Vadney, Herbert

CARROLL

Butler, Edward
McConkey, Mark
Umberger, Karen

Chandler, Gene
Nelson, Bill

Comeau, Ed
Parker, Harold

Crawford, Karel
Schmidt, Stephen

CHESHIRE

Abbott, Michael
Chase, Cynthia
Hunt, John
Pearson, William
Sterling, Franklin

Ames, Richard
Eaton, Daniel
Roberts, Kris
Robertson, Timothy
Weber, Lucy

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

Bordenet, John
Johnsen, Gladys
Parkhurst, Henry
Shepardson, Marjorie

COOS

Fothergill, John
Richardson, Herbert

Froburg, Alethea
Tholl, John

Hatch, William
Thomas, Yvonne

Moynihan, Wayne

GRAFTON

Abel, Richard
Brown, Duane
Gionet, Edmond

Almy, Susan
Darrow, Stephen
Higgins, Patricia

Bennett, Travis
Hennessey, Erin
Ladd, Rick

Cooney, Mary
Ford, Susan
Hennessey, Martha

Maes, Kevin
Shackett, Jeffrey
White, Andrew

Nordgren, Sharon
Smith, Suzanne

Piper, Wendy
Sykes, George

Brown, Rebecca
Townsend, Charles

Ammon, Keith
Baroody, Benjamin
Booras, Efstathia
Cohen, Alan
Edelblut, Frank
Freitas, Mary
Goley, Jeffrey
Harvey, Suzanne
Jack, Martin
Ober, Lynne
Marston, Dick
Moore, Josh
McCarthy, Peggy
Pierce, David
Rosenwald, Cindy
Shaw, Barbara
Williams, Kermit

Griffin, Barbara
Barry, Richard
Byron, Frank
Cornell, Patricia
Estevez, Eric
Fromuth, Bart
Guerette, C. Lee
Heath, Mary
Judy, Jean
Leishman, Peter
Martel, Andre
Murotake, David
Palmer, Barry
Porter, Marjorie
Rowe, Robert
Soucy, Timothy
Wolf, Terry

HILLSBOROUGH

Backus, Robert
Beaulieu, Jane
Christensen, Chris
Sullivan, Daniel
Flanagan, Jack
Gagne, Larry
Haefner, Robert
Herbert, Christopher
Kurk, Neal
Mangipudi, Latha
McClarren, Donald
Ohm, Bill
Pellegrino, Anthony
Ober, Russell
Seidel, Carl
Takesian, Charlene
Woodbury, David

Balcom, John
Biggie, Barbara
Coffey, James
DiSilvestro, Linda
Forest, Armand
Gidge, Kenneth
Hansberry, Daniel
Hinch, Richard
Christiansen, Lars
Manley, Jonathan
McLean, Mark
Long, Patrick
Peterson, Ken
Walsh, Robert
Shattuck, Gilman
Sullivan, Victoria
Zaricki, Nick

French, Barbara
Rice, Chip
Ebel, Karen
Hess, David
Karrick, David
Luneau, David
Parent, Jason
Schuett, Dianne

Bartlett, Christy
Carson, Clyde
Gile, Mary
Hill, Gregory
Kenison, Linda
MacKay, James
Patten, Dick
Shurtleff, Stephen

MERRIMACK

Bradley, Paula
Long, Douglas
French, Harold
Hirsch, Geoffrey
Kidder, David
Martin, John
Rogers, Katherine
Wallner, Mary Jane

McGuire, Carol
Doherty, David
Henle, Paul
Horn, Werner
Kotowski, Frank
Moffett, Howard
Saunderson, George

ROCKINGHAM

Abrami, Patrick
Berrien, Skip
Chirichiello, Brian
DiFranco, Debbie
Elliott, Robert
Fesh, Robert
Hagan, Joseph
Ward, Joanne
Griffin, Mary
McKinney, Betsy
Packard, Sherman
Tilton, Rio
Sytek, John
Woitkun, Steven

Allen, Mary
Borden, David
Cushing, Robert
Doucette, Fred
Emerick, J. Tracy
Francesse, Paula
Heffron, Frank
Katsakiores, Phyllis
Major, Norman
Milz, David
Peckham, Michele
Schroadter, Adam
Webb, James

Azarian, Gary
Cali-Pitts, Jacqueline
Thomas, Douglas
Duarte, Joe
Rice, Frederick
Friel, William
Hoelzel, Kathleen
Kolodziej, Walter
Manning, John
Nigrello, Robert
Potucek, John
Sherman, Thomas
Welch, David

Barnes, Arthur
Cardon, G. Thomas
Devine, James
Edgar, Michael
Ferrante, Beverly
Ward, Gerald
Sweeney, Joe
Lovejoy, Patricia
Matthews, Carolyn
O'Connor, John
Belanger, Ronald
Simpson, Alexis
Weyler, Kenneth

Baber, William
Cheney, Catherine
Ward, Kenneth
Mullen, John
Spang, Judith

Berube, Roger
Cilley, Jacalyn
Kaen, Naida
Schmidt, Peter
Sprague, Dale

STRAFFORD

Bickford, David
Gardner, Janice
Turcotte, Leonard
Pitre, Joseph
Treleaven, Susan

Bixby, Peter
Gray, James
Smith, Marjorie
Southworth, Thomas
Wall, Janet

Schmidt, Andrew
Gottling, Suzanne
Oxenham, Lee

Cloutier, John
Grenier, James
Rollins, Skip

SULLIVAN

Converse, Larry
Irwin, Virginia
Smith, Steven

Gagnon, Raymond
Laware, Thomas

NAYS - 99

BELKNAP

Aldrich, Glen
Sylvia, Michael

Howard, Raymond

LeBreche, Shari

Spanos, Peter

CARROLL

Avellani, Lino
Ticehurst, Susan

Buco, Thomas

Cordelli, Glenn

McCarthy, Frank

CHESHIRE

Tilton, Benjamin

McConnell, James

COOS

Rideout, Leon

Theberge, Robert

GRAFTON

Bailey, Brad

Johnson, Eric

Hull, Robert

Massimilla, Linda

HILLSBOROUGH

Adams, Christopher
 Danielson, David
 Gorman, Mary
 Hogan, Edith
 Rice, Kimberly
 Murphy, Keith
 Rouillard, Claire
 Souza, Kathleen
 Ulery, Jordan

Boehm, Ralph
 Eastman, Eric
 Gould, Linda
 Hopper, Gary
 Lachance, Joseph
 Notter, Jeanine
 Sanborn, Laurie
 Stepanek, Stephen
 Vann, Ivy

Burt, John
 Ferreira, Elizabeth
 Halstead, Carolyn
 Infantine, William
 LeBrun, Donald
 Proulx, Mark
 Simmons, Tammy
 Straight, Phillip
 O'Brien, William

Cote, David
 Smith, Gregory
 Hansen, Peter
 Belanger, James
 O'Brien, Michael
 Christie, Rick
 Snow, Kendall
 Twombly, Timothy

MERRIMACK

Turcotte, Alan
 Hoell, J.R.
 Myler, Mel

Alicea, Caroletta
 Frazer, June
 Seaworth, Brian

Brewster, Michael
 Kuch, Bill
 Wheeler, Deborah

McGuire, Dan
 Marple, Richard

ROCKINGHAM

Abramson, Max
 Dean-Bailey, Yvonne
 Harris, Jeffrey
 McBeath, Rebecca
 Gordon, Richard
 Vose, Michael

Baldasaro, Alfred
 Gannon, William
 Hodgdon, Bruce
 McMahon, Charles
 Spillane, James

Bates, David
 Green, Dennis
 Kappler, Lawrence
 Osborne, Jason
 True, Chris

Cahill, Michael
 Guthrie, Joseph
 Lundgren, David
 Prudhomme-O'Brien, Katherine
 Tucker, Pamela

STRAFFORD

Beaudoin, Steven
 Hannon, Joseph
 Knowles, Robert
 Wuelper, Kurt

Burton, Wayne
 Horrigan, Timothy
 Leeman, Don

DeLemus, Susan
 Jones, Laura
 Rollo, Deanna

Groen, Warren
 Kaczynski, Thomas
 Whitehouse, Joshua

SULLIVAN

O'Hearne, Andrew

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

SB 444-FN, relative to lottery retailer incentive awards. OUGHT TO PASS.

Rep. Bill Ohm for Ways and Means. The advent of large lottery jackpots has caused neighboring states to increase their seller incentives to promote sales. Awards of \$75,000 to \$100,000 for selling a winning ticket are now commonplace. New Hampshire currently caps the incentive at \$30,000. This bill would increase the cap to \$75,000 for an event likely to occur no more than once every year or two. Vote 20-0.

Committee report adopted and referred to the Committee on Finance.

SENATE MESSAGES**REQUESTS CONCURRENCE WITH AMENDMENTS**

HB 1616-FN, relative to drivers' licenses and identification cards that are compliant with federal identification law. (Amendment printed SJ 4/14/16)

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

Motion adopted.

REGULAR CALENDAR - PART II

SB 509-FN, relative to voter registration forms and relative to voter identity verification. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. James Gray for the Majority of Election Law. This bill incorporates changes to the Voter Registration form including the removal of existing wording requiring compliance with motor vehicle laws. The second section of this bill, as amended, changes the procedure for investigating voters who did not confirm their status after being sent a letter of identity verification. Vote 10-7.

Rep. Wayne Moynihan for the Minority of Election Law. As justification for this change to the law it was reported that, over the course of several elections, a "large" number of voter identification letters have accumulated in the office of the NH Secretary of State. Under the current law, it is the duty of the Attorney General's (AG's) Office to investigate these returned letters, and determine whether any voter fraud has occurred. The AG's Office states that it does not have the available staff or budget to enable the process of investigation to

be completed. This bill proposes to expand the power of investigation from the AG's Office to the Secretary of State and to town clerks and checklist supervisors. It would become the duty of the town clerks and checklist supervisors to undertake the time and effort to scrutinize the letters and investigate the circumstances, and then compile a "list" of "not...legal voters." The bill's fiscal note states that it would require additional staff time at the local level and could result in increased local expenditures. Even with this downshifting of investigation expenses to the local towns and cities, the Department of Justice further anticipates that some "temporary full-time" investigators and paralegals would be needed to implement the bill, at a cost to the department of at least \$167,000.00 per year. Over the years, the department's regular reports with respect the investigation of verifying letter has rarely if ever exposed any voter fraud. This bill downshifts unnecessary and burdensome state expenses onto cities and towns. It is opposed by the New Hampshire City and Town Clerks' Association. It creates expenses and personnel requirement upon the Department of Justice with no appropriations therefore, and no explanation as to the source of funding for the cities and towns.

Majority Amendment (1317h)

Amend the bill by replacing section 2 with the following:

2 Letters of Identity Verification. RSA 659:13, IV(b) is repealed and reenacted to read as follows:

(b) The secretary of state shall prepare a list of voters from any letters mailed pursuant to subparagraph (a) that are returned as undeliverable by the United States Post Office and of voters who were mailed letters under subparagraph (a) and have not responded to the secretary of state. The secretary of state shall revise the list based on input solicited from city and town clerks and supervisors of the checklist. The secretary of state shall forward the revised list of names to the attorney general for investigation.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.
Rep. Ohm offered floor amendment (1478h).

Floor Amendment (1478h)

Amend the bill by replacing section 2 with the following:

2 Letters of Identity Verification. RSA 659:13, IV(b) is repealed and reenacted to read as follows:

(b) The secretary of state shall prepare a list of voters from any letters mailed pursuant to subparagraph (a) that are returned as undeliverable by the United States Post Office and of voters who were mailed letters under subparagraph (a) and have not responded to the secretary of state. The secretary of state shall revise the list based on input solicited from the supervisors of the checklist. The secretary of state shall forward the revised list of names to the attorney general who shall cause an investigation to be made to determine whether fraudulent voting occurred.

Rep. Ohm spoke in favor.

Rep. Moynihan spoke against.

Rep. Shurtleff requested a roll call; sufficiently seconded.

YEAS 173 - NAYS 125

YEAS - 173 BELKNAP

Tilton, Franklin
Howard, Raymond
Fraser, Valerie

Fields, Dennis
Hurt, George
Vadney, Herbert

Flanders, Donald
LeBreche, Shari

Gallagher, Brian
Spanos, Peter

CARROLL

Avellani, Lino
McCarthy, Frank

Chandler, Gene
McConkey, Mark

Comeau, Ed
Nelson, Bill

Cordelli, Glenn
Schmidt, Stephen

CHESHIRE

Emerson, Susan

Hunt, John

McConnell, James

Sterling, Franklin

COOS

Richardson, Herbert

Rideout, Leon

Tholl, John

GRAFTON

Bailey, Brad
Johnson, Eric

Brown, Duane
Gionet, Edmond

Darrow, Stephen
Hull, Robert

Hennessey, Erin
Ladd, Rick

HILLSBOROUGH

Adams, Christopher
Biggie, Barbara

Ammon, Keith
Boehm, Ralph

Griffin, Barbara
Burt, John

Balcom, John
Byron, Frank

Christensen, Chris
Edelblut, Frank
Smith, Gregory
Haefner, Robert
Hopper, Gary
LeBrun, Donald
Murotake, David
Palmer, Barry
Rouillard, Claire
Simmons, Tammy
Ulery, Jordan

Coffey, James
Estevez, Eric
Gagne, Larry
Halstead, Carolyn
Rice, Kimberly
McClarren, Donald
Murphy, Keith
Peterson, Ken
Rowe, Robert
Straight, Phillip
Sullivan, Victoria

Danielson, David
Ferreira, Elizabeth
Gargas, Carolyn
Hansen, Peter
Kurk, Neal
McLean, Mark
Notter, Jeanine
Proulx, Mark
Sanborn, Laurie
Takesian, Charlene
Zaricki, Nick

Eastman, Eric
Fromuth, Bart
Gould, Linda
Hinch, Richard
Christiansen, Lars
Moore, Josh
Ohm, Bill
Christie, Rick
Seidel, Carl
Twombly, Timothy

MERRIMACK

Brewster, Michael
Hill, Gregory
Kuch, Bill
Seaworth, Brian

McGuire, Carol
Hoell, J.R.
Marple, Richard

Long, Douglas
Horn, Werner
Martin, John

McGuire, Dan
Kotowski, Frank
Parent, Jason

ROCKINGHAM

Abrami, Patrick
Baldasaro, Alfred
Chirichiello, Brian
Doucette, Fred
Rice, Frederick
Green, Dennis
Hodgdon, Bruce
Kappler, Lawrence
Major, Norman
Milz, David
Packard, Sherman
Gordon, Richard
Sytek, John
Webb, James

Abramson, Max
Barnes, Arthur
Thomas, Douglas
Duarte, Joe
Fesh, Robert
Guthrie, Joseph
Hoelzel, Kathleen
Katsakiores, Phyllis
Manning, John
Nigrello, Robert
Peckham, Michele
Tilton, Rio
True, Chris
Welch, David

Allen, Mary
Bates, David
Dean-Bailey, Yvonne
Elliott, Robert
Friel, William
Hagan, Joseph
Sweeney, Joe
Kolodziej, Walter
Matthews, Carolyn
O'Connor, John
Potucek, John
Schroader, Adam
Tucker, Pamela
Weyler, Kenneth

Azarian, Gary
Cardon, G. Thomas
Devine, James
Emerick, J. Tracy
Gannon, William
Harris, Jeffrey
Ward, Joanne
Griffin, Mary
McMahon, Charles
Osborne, Jason
Prudhomme-O'Brien, Katherine
Spillane, James
Vose, Michael
Woitkun, Steven

STRAFFORD

Beaudoin, Steven
Gray, James
Kaczynski, Thomas
Mullen, John

Bickford, David
Groen, Warren
Knowles, Robert
Pitre, Joseph

Cheney, Catherine
Hannon, Joseph
Turcotte, Leonard
Whitehouse, Joshua

DeLemus, Susan
Jones, Laura
Leeman, Don
Wuelper, Kurt

SULLIVAN

Grenier, James

Laware, Thomas

Rollins, Skip

Smith, Steven

NAYS - 125 CARROLL

Butler, Edward

Crawford, Karel

Parker, Harold

Ticehurst, Susan

CHESHIRE

Abbott, Michael
Bordenet, John
Roberts, Kris
Robertson, Timothy

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

Tilton, Benjamin
Eaton, Daniel
Parkhurst, Henry
Weber, Lucy

Berch, Paul
Johnsen, Gladys
Pearson, William

COOS

Fothergill, John
Theberge, Robert

Froburg, Alethea

Hatch, William

Moynihan, Wayne

GRAFTON

Abel, Richard
Ford, Susan
Massimilla, Linda
Smith, Suzanne

Almy, Susan
Higgins, Patricia
Nordgren, Sharon
Sykes, George

Bennett, Travis
Hennessey, Martha
Piper, Wendy
Townsend, Charles

Cooney, Mary
Maes, Kevin
Brown, Rebecca
White, Andrew

HILLSBOROUGH

Backus, Robert
Forest, Armand
Hansberry, Daniel

Beaulieu, Jane
Goley, Jeffrey
Harvey, Suzanne

Cohen, Alan
Gorman, Mary
Herbert, Christopher

Cote, David
Guerette, C. Lee
Hogan, Edith

Belanger, James
Manley, Jonathan
Porter, Marjorie
Vann, Ivy

Jack, Martin
Long, Patrick
Walsh, Robert
Williams, Kermit

Judy, Jean
Pellegrino, Anthony
Shattuck, Gilman
Woodbury, David

Leishman, Peter
Pierce, David
Shaw, Barbara

MERRIMACK

Turcotte, Alan
Rice, Chip
French, Harold
Karrick, David
Patten, Dick
Shurtleff, Stephen

Alicea, Caroletta
Carson, Clyde
Henle, Paul
Kenison, Linda
Rogers, Katherine
Wallner, Mary Jane

Bartlett, Christy
Doherty, David
Hirsch, Geoffrey
MacKay, James
Saunderson, George
Wheeler, Deborah

Bradley, Paula
Gile, Mary
Frazer, June
Moffett, Howard
Schuett, Dianne

ROCKINGHAM

Borden, David
DiFranco, Debbie
Heffron, Frank
Sherman, Thomas

Cahill, Michael
Edgar, Michael
McBeath, Rebecca
Simpson, Alexis

Cali-Pitts, Jacqueline
Francese, Paula
McKinney, Betsy

Cushing, Robert
Ward, Gerald
Belanger, Ronald

STRAFFORD

Baber, William
Cilley, Jacalyn
Kaen, Naida
Sprague, Dale

Berube, Roger
Gardner, Janice
Smith, Marjorie
Wall, Janet

Bixby, Peter
Horrigan, Timothy
Rollo, Deanna

Burton, Wayne
Ward, Kenneth
Southworth, Thomas

SULLIVAN

Schmidt, Andrew
Gottling, Suzanne

Cloutier, John
Irwin, Virginia

Converse, Larry
O'Hearne, Andrew

Gagnon, Raymond

and floor amendment (1478h) was adopted.

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

Rep. Gray spoke in favor.

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

YEAS 194 - NAYS 133

YEAS - 194

BELKNAP

Aldrich, Glen
Gallagher, Brian
Spanos, Peter

Tilton, Franklin
Howard, Raymond
Fraser, Valerie

Fields, Dennis
Hurt, George
Vadney, Herbert

Flanders, Donald
LeBreche, Shari

CARROLL

Avellani, Lino
Crawford, Karel
Schmidt, Stephen

Chandler, Gene
McCarthy, Frank

Comeau, Ed
McConkey, Mark

Cordelli, Glenn
Nelson, Bill

CHESHIRE

Emerson, Susan
Sterling, Franklin

Hunt, John

Roberts, Kris

McConnell, James

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Richardson, Herbert

Rideout, Leon

Tholl, John

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Shackett, Jeffrey

Brown, Duane
Gionet, Edmond

Darrow, Stephen
Hull, Robert

Hennessey, Erin
Ladd, Rick

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Barry, Richard
Byron, Frank
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Christiansen, Lars
McLean, Mark

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Christensen, Chris
Edelblut, Frank
Fromuth, Bart
Gidge, Kenneth
Hansen, Peter
Belanger, James
Lachance, Joseph
Moore, Josh

Griffin, Barbara
Boehm, Ralph
Coffey, James
Estevez, Eric
Smith, Gregory
Gould, Linda
Hinch, Richard
Rice, Kimberly
LeBrun, Donald
Murotake, David

Balcom, John
Burt, John
Danielson, David
Ferreira, Elizabeth
Gagne, Larry
Haefner, Robert
Hogan, Edith
Kurk, Neal
McClarren, Donald
Murphy, Keith

Notter, Jeanine
Pellegrino, Anthony
Christie, Rick
Sanborn, Laurie
Souza, Kathleen
Sullivan, Victoria

Ohm, Bill
Peterson, Ken
Ober, Russell
Scontsas, Lisa
Straight, Phillip
Wolf, Terry

McCarthy, Peggy
Pierce, David
Rouillard, Claire
Seidel, Carl
Twombly, Timothy
Zaricki, Nick

Palmer, Barry
Proulx, Mark
Rowe, Robert
Simmons, Tammy
Ulery, Jordan

MERRIMACK

Brewster, Michael
French, Harold
Horn, Werner
Martin, John

McGuire, Carol
Hess, David
Kotowski, Frank
Parent, Jason

Long, Douglas
Hill, Gregory
Kuch, Bill
Seaworth, Brian

McGuire, Dan
Hoell, J.R.
Marple, Richard

ROCKINGHAM

Abrami, Patrick
Baldasaro, Alfred
Chirichiello, Brian
Doucette, Fred
Rice, Frederick
Green, Dennis
Hodgdon, Bruce
Kappler, Lawrence
Griffin, Mary
McKinney, Betsy
O'Connor, John
Potucek, John
Tilton, Rio
True, Chris
Welch, David

Abramson, Max
Barnes, Arthur
Thomas, Douglas
Duarte, Joe
Fesh, Robert
Guthrie, Joseph
Hoelzel, Kathleen
Katsakiores, Phyllis
Major, Norman
McMahon, Charles
Osborne, Jason
Prudhomme-O'Brien, Katherine
Schroadter, Adam
Tucker, Pamela
Weyler, Kenneth

Allen, Mary
Bates, David
Dean-Bailey, Yvonne
Elliott, Robert
Friel, William
Hagan, Joseph
Sweeney, Joe
Kolodziej, Walter
Manning, John
Milz, David
Packard, Sherman
Belanger, Ronald
Spillane, James
Vose, Michael
Woitkun, Steven

Azarian, Gary
Cardon, G. Thomas
Devine, James
Emerick, J. Tracy
Gannon, William
Harris, Jeffrey
Ward, Joanne
Lundgren, David
Matthews, Carolyn
Nigrello, Robert
Peckham, Michele
Gordon, Richard
Sytek, John
Webb, James

STRAFFORD

Beaudoin, Steven
Gray, James
Kaczynski, Thomas
Mullen, John

Bickford, David
Groen, Warren
Knowles, Robert
Pitre, Joseph

Cheney, Catherine
Hannon, Joseph
Turcotte, Leonard
Whitehouse, Joshua

DeLemus, Susan
Jones, Laura
Leeman, Don
Wuelper, Kurt

SULLIVAN

Grenier, James

Rollins, Skip

Smith, Steven

NAYS - 133

CARROLL

Butler, Edward

Parker, Harold

Ticehurst, Susan

CHESHIRE

Abbott, Michael
Bordenet, John
Mann, John
Sad, Tara

Ames, Richard
Chase, Cynthia
Parkhurst, Henry
Shepardson, Marjorie

Tilton, Benjamin
Eaton, Daniel
Pearson, William
Weber, Lucy

Berch, Paul
Johnsen, Gladys
Robertson, Timothy

COOS

Froburg, Alethea

Hatch, William

Moynihan, Wayne

Theberge, Robert

GRAFTON

Abel, Richard
Ford, Susan
Massimilla, Linda
Smith, Suzanne

Almy, Susan
Higgins, Patricia
Nordgren, Sharon
Sykes, George

Bennett, Travis
Hennessey, Martha
Piper, Wendy
Townsend, Charles

Cooney, Mary
Maes, Kevin
Brown, Rebecca
White, Andrew

HILLSBOROUGH

Backus, Robert
Cohen, Alan
DiSilvestro, Linda
Guerette, C. Lee
Herbert, Christopher
O'Brien, Michael
Porter, Marjorie
Shaw, Barbara
Williams, Kermit

Baroody, Benjamin
Cornell, Patricia
Freitas, Mary
Hansberry, Daniel
Jack, Martin
Mangipudi, Latha
Walsh, Robert
Soucy, Timothy
Woodbury, David

Beaulieu, Jane
Cote, David
Goley, Jeffrey
Harvey, Suzanne
Judy, Jean
Manley, Jonathan
Rosenwald, Cindy
Takesian, Charlene

Booras, Efsthathia
Sullivan, Daniel
Gorman, Mary
Heath, Mary
Leishman, Peter
Long, Patrick
Shattuck, Gilman
Vann, Ivy

MERRIMACK

Turcotte, Alan
Rice, Chip
Henle, Paul
Kenison, Linda
Rogers, Katherine
Wallner, Mary Jane

Alicea, Caroletta
Carson, Clyde
Hirsch, Geoffrey
MacKay, James
Saunderson, George
Wheeler, Deborah

Bartlett, Christy
Doherty, David
Frazer, June
Moffett, Howard
Schuett, Dianne

Bradley, Paula
Gile, Mary
Karrick, David
Patten, Dick
Shurtleff, Stephen

ROCKINGHAM

Berrien, Skip
DiFranco, Debbie
Heffron, Frank
Simpson, Alexis

Borden, David
Edgar, Michael
Lovejoy, Patricia

Cahill, Michael
Francese, Paula
McBeath, Rebecca

Cushing, Robert
Ward, Gerald
Sherman, Thomas

STRAFFORD

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

Berube, Roger
Gardner, Janice
Smith, Marjorie
Spang, Judith

Bixby, Peter
Horrigan, Timothy
Schmidt, Peter
Sprague, Dale

Burton, Wayne
Ward, Kenneth
Rollo, Deanna
Treleaven, Susan

SULLIVAN

Schmidt, Andrew
Gottling, Suzanne
Oxenham, Lee

Cloutier, John
Irwin, Virginia

Converse, Larry
Laware, Thomas

Gagnon, Raymond
O'Hearne, Andrew

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

REMARKS PRINTED

Without objection, the Speaker ordered the question by Rep. Marjorie Smith and the answer by the Speaker, be printed in the Permanent Journal.

REMARKS

Rep. Marjorie Smith: Thank you, Mister Speaker. I do have a question for you and I offer this only knowing that I hold you in the highest regard. Whether this is an unfunded mandate or not since if there is a directive for the local officials to do something, they are going to have to do it. Since there are very clear costs that are mentioned in our official calendar, I wonder if you would send this bill to the Finance committee since we don't have enough work to do as it is.

Speaker Jasper: Thank you and if you will give me one minute. While I just looked at the fiscal note and we have done that. I will say first of all that the bill does not mandate anything. It requests the cooperation and as we all know when we request someone to cooperate, that does not mean they will cooperate so this is a request. We are doing the exact same thing on the state level that we are doing. This is actually something that came about because there was verification by the city of Dover and they very quickly cleaned this up and cleared up many of the cases. We had 2,400 two years ago and the attorney general's office essentially threw up his arms and said I don't have the staff for this and that was a concern. So this is a way of clearing that up. The fiscal impact statement makes it clear that there will be no fiscal impact on state, county and local revenues or county expenditures. Because it's not a mandate on the towns and the cities, there is no fiscal impact on them unless they choose to cooperate, which they are not mandated to do, therefore there is nothing for the Finance committee to look at.

Rep. Marjorie Smith: Thank you. Could I ask? I noticed that you said there would be no county expenditures. You did not say anything about local expenditures.

Speaker Jasper: That was the last part of my question. I said because this is not a mandate, if they choose to spend some time, and that's all it would be. If they choose to spend some time, that's up to them. So there is no impact.

Rep. Marjorie Smith: So on the one hand, the legislature thinks this is very important and we should have the opportunity to resolve this problem by involving local officials, but on the other hand we don't care if they do it or not?

Speaker Jasper: Well, how long have you been around here?

Rep. Marjorie Smith: Long enough to ask the question, Mister Speaker.

Speaker Jasper: I appreciate your question and the fact is this is something that occurs on a very infrequent basis and this is the choice that the legislature has made. By our vote here today, this is the choice we have made. You are certainly free to disagree with that, but that is where we are and there is no fiscal impact that requires this bill to move to Finance.

Rep. Marjorie Smith: But, Mister Speaker, would it be appropriate to establish a written record of your decision that the locals would not be obliged to do this and that there would, therefore, be no mandated costs? Could we put that response in the Permanent Record?

Speaker Jasper: We will put this exchange in the Permanent Journal. My belief is that the bill itself makes that clear, but for your comfort, we will put our exchange in the Permanent Journal.

Rep. Marjorie Smith: Thank you very much, Mister Speaker.

REGULAR CALENDAR PART II CONT'D

SB 546-FN, relative to petitions for verification of checklists. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: REFER FOR INTERIM STUDY.**

Rep. Duane Brown for the Majority of Election Law. The procedure for verification of checklists upon the petition of a required number of registered voters is currently working properly with the Ballot Law Commission conducting the investigation. This bill interjects the Secretary of State's office into what could be construed as a partisan political issue. Additionally, this bill puts the burden on the petitioners of providing "sufficient evidence" to even begin an investigation. Vote 10-7.

Rep. William Pearson for the Minority of Election Law. This bill is an effort to prevent baseless petitions for revisions of the checklist. Such was the case in Dover last year when, after considerable expense from the Secretary of State, Attorney General, and the town of Dover, the Ballot Law Commission determined that there were no errors on the checklist and no purge was needed. While the minority does not believe that this bill is ready for passage, we do believe that the issue in Dover is significant enough to warrant further study.

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

Rep. Pearson spoke against.

Rep. Gray spoke in favor.

On a division vote, with 203 members having voted in the affirmative, and 121 in the negative, the majority committee report was adopted.

SB 388, requiring a public hearing on proposed changes to the state retiree group insurance plan. **OUGHT TO PASS.**

Rep. Jeffrey Goley for Executive Departments and Administration. This bill is a simple, straightforward bill that requires that the Fiscal Committee hold a public hearing before any changes are made to the state employee retiree health care plan. Prior to last year, the legislature heard public input on proposed changes to the retiree health plan because they had to go through the full legislative process. But now, the responsibility for making these policy changes has been delegated to the 10 members of the Fiscal Committee, where only agency heads are heard from, not the public. The New Hampshire legislature has always believed in the importance of taking public input, which is why every bill gets a public hearing. With an issue as complex as health care, we should be seeking all kinds of input, not just from the agency involved with a program. The committee also felt that the least we can do as we wrestle with these decisions is to give the more than 10,000 retirees who are affected by potential changes, the opportunity to have their voices heard in a public hearing. Retirees and members of the general public may have ideas that departments and the legislature may not have considered. Understanding how specific proposed changes on premiums, co-pays or plan design affect real people may lead to a better final decision, even if it is not the desired outcome of the participant. Vote 15-2. Committee report adopted and ordered to third reading.

SB 334, establishing a commission to study the planning functions of the office of energy and planning. **WITHOUT RECOMMENDATION**

Statement in support of Ought to Pass: Planners help to facilitate the development of land, resources, facilities, and services for our municipalities while considering economic, social, environmental, and health impacts. When the Office of State Planning had the resources to fulfill the planning function of the NH state government, approximately 40 staff members dealt with the many and complex planning issues which confront our communities, made possible by a mix of funding resources. Over the last decade as the Office of State Planning has been folded into the Office of Energy and Planning, the planning staff has been reduced to six. Although this reflects greater efficiency and some programs being transferred to other agencies, much of the planning function has been downshifted to our towns, which has a major impact on small communities that rely on volunteers and part time staff. This bill was requested and strongly supported by the NH Planners Association to take a careful look at our planning needs and resources, and to consider how we want to ensure that we are properly resourced to help our communities and our state plan for the future.

Rep. David Borden

Statement in support of Inexpedient to Legislate: This bill sought to create a study commission to do research and evaluate the function, structure and operation of the Office of Energy and Planning (OEP). The bill was requested by the NH Planners Association which believes that OEP support has been declining for several years. One side of the committee felt that such a study should more appropriately be undertaken by the Governor's office since OEP is an administrative department. Since staffing and the strategic direction of OEP are directed by the Governor, that office can better determine what functions OEP should provide and the best way to accomplish those activities.

Rep. Michael Vose

Rep. Borden moved Ought to Pass and spoke in favor.

Rep. Vose spoke against.

On a division vote, with 150 members having voted in the affirmative, and 167 in the negative, the motion failed.

Rep. Vose moved Inexpedient to Legislate.

On a division vote, with 189 members having voted in the affirmative, and 130 in the negative, the motion was adopted.

SB 386, adding biodiesel to electric renewable energy sources. **MAJORITY: OUGHT TO PASS. MINORITY: REFER FOR INTERIM STUDY.**

Rep. Herbert Richardson for the Majority of Science, Technology and Energy. This bill clarifies that the production of biodiesel in New Hampshire is a qualifying renewable fuel within Class I of the Renewable Portfolio Standard. It finally resolves an ongoing debate amongst various parties about whether or not biodiesel already falls under the existing definition of "biomass fuels" in RSA 362-F:2, II. In making it abundantly clear, the bill adds New Hampshire produced biodiesel in a limited manner, with reasonable safeguards. No one testified in opposition to the bill, and the stakeholders who work on renewable issues were either neutral or supportive. The bill doesn't increase Class I provider requirements or rates, rather, because it diversifies Class I even more, it likely reduces the compliance trading prices in Class I. Additionally, by supporting New Hampshire produced biodiesel, this bill helps to support New Hampshire jobs and put downward pressure on home heating costs in cases where biodiesel is blended with traditional home heating oil. Vote 12-6.

Rep. Jacqueline Cali-Pitts for the Minority of Science, Technology and Energy. Many members of the committee are reluctant to change the way Renewable Portfolio Standard certificates are awarded. The bill would include biodiesel in Class I and would monetarily benefit the producers of biodiesel instead of the ordinary way in which the users of renewables to produce electricity or heat receive the benefits. Biodiesel is also not a 100% renewable form of energy. The minority felt more deliberation would have been in order considering the possible future consequences of our actions.

Majority committee report adopted and ordered to third reading.

SB 489, requiring a demonstration project using a Stirling engine system. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Robert Backus for Science, Technology and Energy. This bill accepts an offer for the provision of a Stirling engine for a demonstration project in a state building, with a report on the results of the demonstration to be due in five years. The bill does not specify a particular provider. However, at this time the offer to provide such an engine comes from DEKA industries, which has installed such an engine in a building in the Manchester mill yard. The project involves no cost to the state. The project's goal would be to demonstrate quantifiable energy and cost savings. Any contract would have to be without cost to the state and have to be approved by the Governor and Council. The Department of Administrative Services would be the agency to designate an appropriate site. Vote 14-4.

Amendment (1231h)

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

AN ACT authorizing a demonstration project using a Stirling engine system.

Amend the bill by replacing section 1 with the following:

1 Stirling Engine System; Demonstration Project Authorized; State Building.

I. The department of administrative services may identify a state building or facility that would be a suitable candidate for a 5-year demonstration project for the installation of a Stirling engine system to provide electricity and/or heating needs for that building or facility.

II. The goal of the demonstration project is to ascertain the reliability, commercial viability, and cost effectiveness of supplying electricity and/or heat to a state-owned building using a Stirling engine system, provided that the project shall not increase the energy or heating costs of operating a state building for the period of the demonstration project.

III. The commissioner of administrative services, may enter into a contract in accordance with RSA 21-I, including approval by governor and council, not to exceed a 5-year period, for the demonstration project to be undertaken by a willing provider of a Stirling engine system. Any such contract that requires changes to the infrastructure of the state building shall be at the expense of the provider of the Stirling engine system. Any contract negotiated by the state of New Hampshire shall result in reimbursing the provider of the Stirling engine technology for electricity and/or the cost of heat provided at no more than the cost of the electricity and/or heat based on the current market rate, or the rate under any state contract for energy, whichever is lower. At the end of the demonstration project, the department of administrative services may retain any equipment provided it is in the best interest of the efficient operation of the building. If the department does not wish to retain the equipment, the provider shall remove the equipment and restore the building back to its original condition, or better, at no expense to the state, at which time any liability of the state for costs of the project shall terminate.

IV. The department of administrative services shall prepare an annual report to the governor, the senate president, the speaker of the house of representatives, and the chairman of the public utilities commission, presenting the results of any demonstration project to be filed on or before July 1 of each year of the project, and a final report filed no later than 6 months after the end of the project. The reports shall include any recommendations related to future use of Stirling engine technology if appropriate.

2016-1231h

AMENDED ANALYSIS

This bill authorizes the department of administrative services to undertake a 5-year demonstration project for the use of a Stirling engine system to provide electricity and/or heat to a state building.
Committee amendment adopted.

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

Rep. Halstead spoke against.

Rep. Townsend spoke in favor and yielded to questions.

Committee report adopted and referred to the Committee on Executive Departments and Administration.

SB 356-FN, relative to agricultural plates for vehicles of commercial fishing operations. **OUGHT TO PASS.** Rep. Thomas Walsh for Transportation. This bill simply allows commercial fishing operators to register certain vehicles using our current agricultural plates. The vehicles must be used exclusively for the fishing operation and used only within a 10-mile radius of the operation. During a period of increased regulations from the federal government, the committee hopes the reduced cost of these plates will help them survive. Vote 16-0. Committee report adopted and ordered to third reading.

SB 358, relative to use of navigation devices in motor vehicles. **OUGHT TO PASS WITH AMENDMENT.** Rep. Werner Horn for Transportation. The "Hands Free Law" (RSA 265:79-c) prevents young drivers from utilizing navigation devices that may enable them to travel safely. This bill will enable all drivers, regardless of age, to utilize navigation services under specific circumstances. The committee amendment specifically makes mobile electronic devices available to utilize navigation services. Vote 12-2.

Amendment (1223h)

Amend RSA 265:79-c, V as inserted by section 1 of the bill by replacing it with the following:

V. Nothing in this section shall prohibit a driver, regardless of age, from receiving aural routing information from a hands-free global positioning device or navigation service through a mobile electronic device; or receiving turn-by-turn routing information from the screen of a global positioning device or navigation service through a mobile electronic device that is integrated into the vehicle or mounted on the dashboard, windshield, or visor of the vehicle.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

SB 433, relative to exclusions from seasonal highway weight limit regulation. **OUGHT TO PASS.**

Rep. Gladys Johnsen for Transportation. Seasonal weight limits on certain state roads are designed to protect the roads. There is often a need for overweight trucks to go over these roads. There are exceptions in law already, including emergency vehicles, milk trucks, maple syrup trucks and heating delivery trucks. This bill adds septic trucks to those existing exceptions. Vote 10-4.

Rep. Sykes spoke against and yielded to questions.

Rep. Steven Smith spoke in favor.

Committee report adopted and ordered to third reading.

SB 466-FN, relative to the detention of a minor while waiting for the disposition of his or her case. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Debra DeSimone for Children and Family Law. The committee agreed that this bill as amended would protect youthful offenders who have been classified as adults by detaining them at the Sununu Youth Development Center until age 18. This bill as amended also makes New Hampshire compliant with the Federal Prison Rape Elimination Act (PREA) mandates. Vote 15-0.

Amendment (1345h)

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

AN ACT relative to the detention of youthful offenders at the youth development center.

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

2 New Section; Sentences; Transfer of Youthful Offender. Amend RSA 651 by inserting after RSA 651:17 the following new section:

651:17-a Transfer of Youthful Offender. Any person under the age of 18 who has been certified as an adult pursuant to RSA 169-B:24 and sentenced to the state prison pursuant to RSA 651:15 or to a county correc-

tional facility pursuant to RSA 651:17, may be transferred to the youth development center established under RSA 621 for service of their sentence until they reach the age of 18. Thereafter, any remaining portion of the sentence shall be served at the state prison or county correctional facility. The department of corrections, county correctional facilities, and the department of health and human services shall develop a memorandum of agreement which sets forth the roles and responsibilities of the parties when such a transfer occurs.

3 New Section; Youth Services Center; Service of Adult Sentence of Incarceration. Amend RSA 621 by inserting after RSA 621:35 the following new section:

621:36 Service of Adult Sentence of Incarceration at the Youth Development Center. Notwithstanding any provision of law or rule to the contrary, the department may accept any youthful offender who is transferred to the youth development center pursuant to RSA 651:17-a for service of their adult sentence of incarceration until the youth reaches the age of 18.

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

2016-1345h

AMENDED ANALYSIS

This bill provides that a minor whose case is to be transferred to the superior court may be detained at a county correctional facility or the youth development center. The bill also permits a youthful offender who has been sentenced as an adult to serve his or her sentence at the youth development center until the offender reaches the age of 18, at which time he or she shall be transferred to the state prison or county correctional facility.

Committee amendment adopted.

Committee report adopted and referred to the Committee on Finance.

SB 465-FN, relative to the nonconsensual dissemination of private sexual images. **OUGHT TO PASS.**

Rep. Len DiSesa for Criminal Justice and Public Safety. As we are all very much aware, anything that is posted on the internet is out there forever. For example, once e-mails are sent or photos posted, it is virtually impossible to pull them back. While there is much good that came with the growth of the world wide web and social networks, its massive outreach potential has spawned despicable behavior in the form of men and women who would post on the Internet what were initially very private photos or videos, many with a suggestive or even an overt sexual nature, in a malicious attempt to punish a former romantic partner or to exact revenge against that person. These photos and videos that were once sent willingly to a partner when the relationship was loving, mutual and ongoing, have been used to literally wreck the other person's life or to create a situation where he or she loses his or her job by sending the images to an employer or to fellow employees. Oftentimes the photos and/or videos are sent to the victim's children or other extended family members. Sometimes they are used as a threat for illegal leverage to prevent a victim from testifying in an ongoing domestic violence court action. The committee heard testimony from several victims of this kind of awful retaliation and the underlying thread was how devastating this was to the victims' lives. One woman testified that this occurred at the hands of her divorced husband almost ten years ago and still the photos resurface today. One female victim had left her phone in her coat pocket while she was volunteering at a shelter, only to have a male acquaintance – without her permission – access her phone and send the suggestive photos he found there to her e-mail address list, which forced her to leave the university she was attending. The committee heard testimony that was overwhelming in support of this bill from the NH Coalition Against Domestic and Sexual Violence, the Women's Information Service, the Attorney General's Office, and the Rockingham County Attorney's Office. All agreed that the language crafted in this bill was both substantive and all-encompassing and that this bill was necessary in order to effectively prosecute this kind of crime. The committee also heard from the Manchester Police Sergeant in charge of the Domestic Violence Unit in that city and he was in total support of this bill. He specifically recounted instances where a person could have been charged under the bill's language if it had been in place at the time of the investigation. This type of reprehensible crime is being committed with more and more frequency and it affects people at every level of social strata. Twenty-six states have already enacted similar legislation and it is well-tested. Vote 13-0. Committee report adopted and ordered to third reading.

SB 418, relative to obtaining a ballot to vote and adding National Guard members to the absentee voting laws. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Rick Christie for Election Law. This bill adds active service National Guard members to the list of active-duty military personnel who may be allowed to request an absentee ballot. The bill also clarifies when voters are allowed to enter the space enclosed by the guard rail prior to receiving a ballot. The amendment modifies procedures for enrolling bills and resolutions to match current practice. Vote 17-0.

Amendment (1284h)

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

AN ACT relative to obtaining a ballot to vote, adding National Guard members to the absentee voting laws, and relative to enrollment of laws.

Amend the bill by inserting after section 2 the following and renumbering the original section 3 to read as 4:

3 Enrollment of Laws. Amend RSA 14:8 to read as follows:

14:8 Enrollment of Laws. All bills and resolutions which have passed both branches of the legislature shall be forwarded to the office of legislative services to be there enrolled and prepared for submission to the governor. After such enrollment the bill or resolution shall be forwarded **by the secretary of state** to the committee on enrolled bills for final approval~~[- After said final approval the bill or resolution shall be forwarded to the secretary of state. He shall keep such bills and resolutions]~~, **and they shall be kept** as public records of the state.

2016-1284h
AMENDED ANALYSIS

This bill:

- I. Includes active service National Guard members in the definition of absent uniformed services voters.
- II. Requires voters to enter the space enclosed by the guardrail prior to receiving a ballot.
- III. Modifies procedures for enrolling bills and resolutions.

This bill was requested by the secretary of state.

Committee amendment adopted.

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

Rep. Hoelzel offered floor amendment (1479h).

Floor Amendment (1479h)

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

AN ACT adding National Guard members to the absentee voting laws and relative to enrollment of laws.

Amend the bill by deleting section 2 and renumbering the original sections 3-4 to read as 2-3, respectively.

2016-1479h
AMENDED ANALYSIS

This bill:

- I. Includes active service National Guard members in the definition of absent uniformed services voters.
- II. Modifies procedures for enrolling bills and resolutions.

Rep. Hoelzel spoke in favor.

Floor amendment (1479h) adopted.

Committee report adopted and referred to the Committee on Legislative Administration.

SB 481-FN, relative to a special health care service license and establishing a fund. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John Fothergill for Health, Human Services and Elderly Affairs. This bill is relative to a special health care service license and establishing a fund which outlines steps to be taken to ensure patients will receive high quality care by any new provider offering cardiac catheterization, open heart or coronary artery bypass, graft surgery or megavoltage radiation therapy. Any new service proposed to open within 15 miles of a critical access hospital may be scrutinized if it jeopardizes the essential services offered by the critical access hospital. Vote 16-0.

Amendment (1383h)

Amend RSA 151:4, VII as inserted by section 3 of the bill by replacing it with the following:

VII. Any person shall have the right, within 30 days after the filing of any application, to object in writing prior to action by the department on any license on the grounds that the application does not meet the applicable requirements of this chapter or any rule adopted under this chapter. If the license is granted by the department over a timely objection, the person who objected shall have a right to request a rehearing by the commissioner of the department of health and human services under RSA 541:3 within 30 days and to appeal under RSA 541 based on the grounds stated in the objection. If the license is denied by the department in the first instance or after rehearing, the applicant may appeal within 30 days of the date of the department's notice of decision to the supreme court.

Committee amendment adopted.

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

Rep. Dan McGuire offered floor amendment (1458h).

Floor Amendment (1458h)

Amend RSA 151:2-e, II as inserted by section 1 of the bill by replacing it with the following:

II. In this chapter, "special health care service" means:

- (a) Cardiac catheterization laboratory services;
- (b) Open heart surgery or coronary artery bypass graft surgery; and
- (c) Megavoltage radiation therapy.

Rep. Dan McGuire spoke in favor.

Rep. Kotowski spoke against.

On a division vote, with 123 members having voted in the affirmative, and 188 in the negative, floor amendment (1458h) failed.

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

Rep. Edelblut spoke against.

(Rep. Packard in the Chair)

Reps. Fothergill and Stephen Schmidt spoke in favor.

Rep. Joanne Ward spoke against.

Reps. Dan McGuire and Sanborn spoke against and yielded to questions.

MOTION TO LAY ON THE TABLE

Rep. Baldasaro moved that **SB 481-FN**, relative to a special health care service license and establishing a fund, be laid on the table.

Rep. Baldasaro requested a roll call; sufficiently seconded.

YEAS 129 - NAYS 182

YEAS - 129

BELKNAP

Aldrich, Glen
Spanos, Peter

Howard, Raymond
Fraser, Valerie

Hurt, George
Vadney, Herbert

LeBreche, Shari

CARROLL

Avellani, Lino

Comeau, Ed

Cordelli, Glenn

McCarthy, Frank

CHESHIRE

Tilton, Benjamin
Sterling, Franklin

Hunt, John

Roberts, Kris

McConnell, James

COOS

Rideout, Leon

GRAFTON

Darrow, Stephen

Johnson, Eric

Gionet, Edmond

Hull, Robert

HILLSBOROUGH

Adams, Christopher
Boehm, Ralph
Coffey, James
Ferreira, Elizabeth
Hansen, Peter
Rice, Kimberly
Moore, Josh
Ohm, Bill
Rouillard, Claire
Simmons, Tammy
Ulery, Jordan

Ammon, Keith
Burt, John
Eastman, Eric
Fromuth, Bart
Hogan, Edith
Ober, Lynne
Murotake, David
Pellegrino, Anthony
Sanborn, Laurie
Souza, Kathleen
Zaricki, Nick

Griffin, Barbara
Byron, Frank
Edelblut, Frank
Gould, Linda
Hopper, Gary
McClarren, Donald
Murphy, Keith
Proulx, Mark
Scotsas, Lisa
Straight, Phillip

Biggie, Barbara
Christensen, Chris
Estevez, Eric
Halstead, Carolyn
Belanger, James
McLean, Mark
Notter, Jeanine
Christie, Rick
Seidel, Carl
Twombly, Timothy

MERRIMACK

Brewster, Michael
French, Harold
Horn, Werner
Marple, Richard

McGuire, Carol
Hess, David
Karrick, David
Martin, John

Long, Douglas
Hill, Gregory
Kenison, Linda
Seaworth, Brian

McGuire, Dan
Hoell, J.R.
Kuch, Bill
Wheeler, Deborah

ROCKINGHAM

Abrami, Patrick
Bates, David
Dean-Bailey, Yvonne
Rice, Frederick
Hodgdon, Bruce
Major, Norman
Osborne, Jason
Spillane, James
Weyler, Kenneth

Abramson, Max
Cardon, G. Thomas
Doucette, Fred
Gannon, William
Sweeney, Joe
Manning, John
Gordon, Richard
True, Chris
Woitkun, Steven

Allen, Mary
Chirichiello, Brian
Duarte, Joe
Green, Dennis
Ward, Joanne
Matthews, Carolyn
Tilton, Rio
Tucker, Pamela

Baldasaro, Alfred
Thomas, Douglas
Emerick, J. Tracy
Harris, Jeffrey
Kappler, Lawrence
McKinney, Betsy
Schroader, Adam
Vose, Michael

STRAFFORD

Beaudoin, Steven
Groen, Warren
Knowles, Robert
Pitre, Joseph

Beube, Roger
Hannon, Joseph
Turcotte, Leonard
Whitehouse, Joshua

Cheney, Catherine
Jones, Laura
Leeman, Don
Wuelper, Kurt

DeLemus, Susan
Kaczynski, Thomas
Mullen, John

SULLIVAN

Rollins, Skip

**NAYS - 182
BELKNAP**

Tilton, Franklin

Fields, Dennis

Flanders, Donald

Gallagher, Brian

CARROLLBuco, Thomas
McConkey, Mark
Ticehurst, SusanButler, Edward
Nelson, Bill
Umberger, KarenChandler, Gene
Parker, HaroldCrawford, Karel
Schmidt, Stephen**CHESHIRE**Abbott, Michael
Eaton, Daniel
Parkhurst, Henry
Shepardson, MarjorieAmes, Richard
Emerson, Susan
Pearson, William
Weber, LucyBerch, Paul
Johnsen, Gladys
Robertson, TimothyBordenet, John
Mann, John
Sad, Tara**COOS**Fothergill, John
Richardson, HerbertFroburg, Alethea
Theberge, RobertHatch, William
Tholl, John

Moynihan, Wayne

GRAFTONAbel, Richard
Cooney, Mary
Hennessey, Martha
Piper, Wendy
Townsend, CharlesAlmy, Susan
Ford, Susan
Maes, Kevin
Brown, RebeccaBailey, Brad
Higgins, Patricia
Massimilla, Linda
Smith, SuzanneBennett, Travis
Ladd, Rick
Nordgren, Sharon
Sykes, George**HILLSBOROUGH**Backus, Robert
Beaulieu, Jane
Cote, David
Flanagan, Jack
Gargas, Carolyn
Gorman, Mary
Harvey, Suzanne
Jack, Martin
Lachance, Joseph
Mangipudi, Latha
Pierce, David
Rosenwald, Cindy
Soucy, Timothy
Wolf, TerryBalcom, John
Booras, Efsthathia
Sullivan, Daniel
Forest, Armand
Gidge, Kenneth
Guerette, C. Lee
Heath, Mary
Judy, Jean
LeBrun, Donald
Manley, Jonathan
Porter, Marjorie
Rowe, Robert
Takesian, Charlene
Woodbury, DavidBaroody, Benjamin
Cohen, Alan
Danielson, David
Freitas, Mary
Goley, Jeffrey
Haefner, Robert
Herbert, Christopher
Kurk, Neal
Leishman, Peter
McCarthy, Peggy
Ober, Russell
Shattuck, Gilman
Vann, IvyBarry, Richard
Cornell, Patricia
DiSilvestro, Linda
Gagne, Larry
Gonzalez, Carlos
Hansberry, Daniel
Hinch, Richard
Christiansen, Lars
O'Brien, Michael
Peterson, Ken
Walsh, Robert
Shaw, Barbara
Williams, Kermit**MERRIMACK**Alicea, Caroletta
Carson, Clyde
Hirsch, Geoffrey
Moffett, Howard
Shurtleff, StephenFrench, Barbara
Doherty, David
Frazer, June
Rogers, Katherine
Wallner, Mary JaneBartlett, Christy
Gile, Mary
Kotowski, Frank
Saunderson, GeorgeBradley, Paula
Henle, Paul
MacKay, James
Schuett, Dianne**ROCKINGHAM**Azarian, Gary
Cahill, Michael
DiFranco, Debbie
Friel, William
Hoelzel, Kathleen
McBeath, Rebecca
O'Connor, John
Simpson, AlexisBarnes, Arthur
Cali-Pitts, Jacqueline
Edgar, Michael
Ward, Gerald
Katsakiores, Phyllis
McMahon, Charles
Potucek, John
Sytek, JohnBerrien, Skip
Cushing, Robert
Elliott, Robert
Guthrie, Joseph
Lovejoy, Patricia
Milz, David
Belanger, Ronald
Webb, JamesBorden, David
Devine, James
Francesca, Paula
Heffron, Frank
Griffin, Mary
Nigrello, Robert
Sherman, Thomas
Welch, David**STRAFFORD**Baber, William
Gardner, Janice
Smith, Marjorie
Spang, JudithBickford, David
Gray, James
Schmidt, Peter
Sprague, DaleBixby, Peter
Horriggan, Timothy
Rollo, Deanna
Treleaven, SusanCilley, Jacalyn
Kaen, Naida
Southworth, Thomas
Wall, Janet**SULLIVAN**Cloutier, John
Grenier, James
Oxenham, LeeConverse, Larry
Irwin, Virginia
Smith, StevenGagnon, Raymond
Laware, ThomasGottling, Suzanne
O'Hearne, Andrew

and the motion failed.

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

(Speaker Jasper in the Chair)

Rep. Kappler requested a roll call; sufficiently seconded.

YEAS 198 - NAYS 114

YEAS - 198

BELKNAP

Tilton, Franklin

Fields, Dennis

Flanders, Donald

Gallagher, Brian

Buco, Thomas
McConkey, Mark
Ticehurst, Susan

Butler, Edward
Nelson, Bill
Umberger, Karen

Chandler, Gene
Parker, Harold

Crawford, Karel
Schmidt, Stephen

CHESHIRE

Abbott, Michael
Eaton, Daniel
Mann, John
Sad, Tara

Ames, Richard
Emerson, Susan
Parkhurst, Henry
Shepardson, Marjorie

Berch, Paul
Johnsen, Gladys
Pearson, William
Weber, Lucy

Bordenet, John
Roberts, Kris
Robertson, Timothy

COOS

Fothergill, John
Richardson, Herbert

Froburg, Alethea
Theberge, Robert

Hatch, William
Tholl, John

Moynihan, Wayne

GRAFTON

Abel, Richard
Cooney, Mary
Gionet, Edmond
Maes, Kevin
Brown, Rebecca

Almy, Susan
Brown, Duane
Higgins, Patricia
Massimilla, Linda
Smith, Suzanne

Bailey, Brad
Darrow, Stephen
Ladd, Rick
Nordgren, Sharon
Sykes, George

Bennett, Travis
Ford, Susan
Hennessey, Martha
Piper, Wendy
Townsend, Charles

HILLSBOROUGH

Backus, Robert
Beaulieu, Jane
Cornell, Patricia
DiSilvestro, Linda
Gagne, Larry
Gonzalez, Carlos
Hansberry, Daniel
Hinch, Richard
Christiansen, Lars
Leishman, Peter
McCarthy, Peggy
Porter, Marjorie
Rowe, Robert
Souza, Kathleen
Wolf, Terry

Balcom, John
Booras, Efsthathia
Cote, David
Flanagan, Jack
Gargas, Carolyn
Gorman, Mary
Harvey, Suzanne
Jack, Martin
Ober, Lynne
O'Brien, Michael
Pellegrino, Anthony
Proulx, Mark
Shattuck, Gilman
Takesian, Charlene
Woodbury, David

Baroody, Benjamin
Coffey, James
Sullivan, Daniel
Forest, Armand
Gidge, Kenneth
Guerette, C. Lee
Heath, Mary
Jeudy, Jean
Lachance, Joseph
Mangipudi, Latha
Peterson, Ken
Walsh, Robert
Shaw, Barbara
Vann, Ivy

Barry, Richard
Cohen, Alan
Danielson, David
Freitas, Mary
Goley, Jeffrey
Haefner, Robert
Herbert, Christopher
Kurk, Neal
LeBrun, Donald
Manley, Jonathan
Pierce, David
Rosenwald, Cindy
Soucy, Timothy
Williams, Kermit

MERRIMACK

Alicea, Caroletta
Carson, Clyde
Henle, Paul
Kenison, Linda
Rogers, Katherine
Wallner, Mary Jane

French, Barbara
Doherty, David
Hirsch, Geoffrey
Kotowski, Frank
Saunderson, George
Wheeler, Deborah

Bartlett, Christy
Gile, Mary
Frazer, June
MacKay, James
Schuett, Dianne

Bradley, Paula
French, Harold
Karrick, David
Moffett, Howard
Shurtleff, Stephen

ROCKINGHAM

Barnes, Arthur
Cali-Pitts, Jacqueline
DiFranco, Debbie
Rice, Frederick
Heffron, Frank
Matthews, Carolyn
Nigrello, Robert
Tilton, Rio
Webb, James

Berrien, Skip
Cardon, G. Thomas
Doucette, Fred
Francese, Paula
Hoelzel, Kathleen
McBeath, Rebecca
O'Connor, John
Sherman, Thomas
Welch, David

Borden, David
Cushing, Robert
Edgar, Michael
Ward, Gerald
Lovejoy, Patricia
McMahon, Charles
Packard, Sherman
Simpson, Alexis

Cahill, Michael
Devine, James
Elliott, Robert
Guthrie, Joseph
Major, Norman
Milz, David
Belanger, Ronald
Sytek, John

STRAFFORD

Baber, William
Cilley, Jacalyn
Kaen, Naida
Rollo, Deanna
Treleaven, Susan

Berube, Roger
Gardner, Janice
Leeman, Don
Southworth, Thomas
Wall, Janet

Bickford, David
Gray, James
Smith, Marjorie
Spang, Judith

Bixby, Peter
Horrigan, Timothy
Schmidt, Peter
Sprague, Dale

SULLIVAN

Cloutier, John
Grenier, James
Oxenham, Lee

Converse, Larry
Irwin, Virginia
Smith, Steven

Gagnon, Raymond
Laware, Thomas

Gottling, Suzanne
O'Hearne, Andrew

NAYS - 114**BELKNAP**

Aldrich, Glen
Spanos, Peter

Howard, Raymond
Fraser, Valerie

Hurt, George
Vadney, Herbert

LeBreche, Shari

CARROLL

Avellani, Lino

Comeau, Ed

Cordelli, Glenn

McCarthy, Frank

CHESHIRE

Tilton, Benjamin

Hunt, John

McConnell, James

Sterling, Franklin

COOS

Rideout, Leon

GRAFTON

Johnson, Eric

Hull, Robert

HILLSBOROUGH

Adams, Christopher
Boehm, Ralph
Edelblut, Frank
Gould, Linda
Hopper, Gary
McLean, Mark
Notter, Jeanine
Rouillard, Claire
Simmons, Tammy
Zaricki, Nick

Ammon, Keith
Burt, John
Estevez, Eric
Halstead, Carolyn
Belanger, James
Moore, Josh
Ohm, Bill
Sanborn, Laurie
Straight, Phillip

Griffin, Barbara
Byron, Frank
Ferreira, Elizabeth
Hansen, Peter
Rice, Kimberly
Murotake, David
Christie, Rick
Scoutsas, Lisa
Twombly, Timothy

Biggie, Barbara
Eastman, Eric
Fromuth, Bart
Hogan, Edith
McClarren, Donald
Murphy, Keith
Ober, Russell
Seidel, Carl
Ulery, Jordan

MERRIMACK

Brewster, Michael
Hess, David
Kuch, Bill

McGuire, Carol
Hill, Gregory
Marple, Richard

Long, Douglas
Hoell, J.R.
Martin, John

McGuire, Dan
Horn, Werner
Seaworth, Brian

ROCKINGHAM

Abrami, Patrick
Baldasaro, Alfred
Dean-Bailey, Yvonne
Gannon, William
Sweeney, Joe
Griffin, Mary
Potucek, John
True, Chris
Woitkun, Steven

Abramson, Max
Bates, David
Duarte, Joe
Green, Dennis
Ward, Joanne
Manning, John
Gordon, Richard
Tucker, Pamela

Allen, Mary
Chirichiello, Brian
Emerick, J. Tracy
Harris, Jeffrey
Kappler, Lawrence
McKinney, Betsy
Schroadter, Adam
Vose, Michael

Azarian, Gary
Thomas, Douglas
Friel, William
Hodgdon, Bruce
Katsakiores, Phyllis
Osborne, Jason
Spillane, James
Weyler, Kenneth

STRAFFORD

Beaudoin, Steven
Hannon, Joseph
Turcotte, Leonard
Wuelper, Kurt

Cheney, Catherine
Jones, Laura
Mullen, John

DeLemus, Susan
Kaczynski, Thomas
Pitre, Joseph

Groen, Warren
Knowles, Robert
Whitehouse, Joshua

SULLIVAN

Rollins, Skip

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

SB 491-FN, relative to Medicaid home health care services and relative to the scope of practice of licensed nursing assistants. **OUGHT TO PASS.**

Rep. Lucy Weber for Health, Human Services and Elderly Affairs. Historically, Medicaid home health care services had to be delivered inside the recipient's home. This bill recognizes the therapeutic benefits of being able to deliver care outside the home, when appropriate. The bill tracks recent changes to this effect in the federal rules. The bill does not change the amount of services allocated to a recipient, it just allows delivery of services in a wider setting. The bill also amends the Licensed Nursing Assistant Scope of Practice statute to make it clear that licensed nursing assistants (LNAs) may deliver services outside the home, or a health care facility. This ensures that LNAs may provide services in a school or community setting, when appropriate. Vote 18-0. Committee report adopted and referred to the Committee on Finance.

SB 496-FN, relative to personal care attendant services. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John Fothergill for Health, Human Services and Elderly Affairs. This bill addresses the services provided by personal care attendants. This bill allows personal care services to be delivered in locations in which normal life activities occur. Without this bill, an attendant could not assist their client on the front porch of their residence, but with this bill they can. This bill allows severely physically disabled persons to receive care outside the home. This bill does not increase the hours of service available, but expands the places where services can be offered. Vote 18-0.

Amendment (1342h)

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

1 Personal Care for the Severely Physically Disabled; Definitions. Amend RSA 161-E:1, III to read as follows:

III. "Severely physically disabled person" shall mean an *adult* individual *over the age of 18* who has been approved to participate in an independent living program and who requires a minimum of 2 hours of medically oriented personal care per day in order to maintain himself or herself in a noninstitutional setting. Such care may include ~~hands-on~~ assistance in the following areas: basic personal care and grooming, assistance with bladder and bowel care, assistance with medications, assistance with nutrition including meal preparation and essential household services.

2 Personal Care for the Severely Physically Disabled; Personal Care Attendant Services Program. Amend RSA 161-E:2 to read as follows:

161-E:2 Services Provided. The commissioner of the department of health and human services shall develop a program under which severely physically disabled persons eligible for coverage under medical assistance programs are provided with personal care attendants to provide ~~on a periodic basis~~ medically oriented long-term maintenance and supportive care to assist them, as is required in each individual case, to maintain themselves in their homes and gain greater control over their own lives. *Personal care services under this chapter shall be delivered in locations in which normal life activities occur.*

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

2016-1342h

AMENDED ANALYSIS

This bill clarifies the definition of a severely physically disabled person and includes access to the community for such persons under the law governing personal care for the severely physically disabled.

Committee amendment adopted.

Committee report adopted and referred to the Committee on Finance.

SB 535-FN-A, establishing a grant program for high schools for heroin and opiate prevention education. **INEXPEDIENT TO LEGISLATE.**

Rep. John Fothergill for Health, Human Services and Elderly Affairs. This bill sought a one year fund for a single program to provide a heroin and opiate prevention educational session to high schools. The committee felt this program should be considered along with all other programs. The state's response to the opioid epidemic needs to be well coordinated. This coordination should include the Governor's Commission on Alcohol and Drug Abuse Prevention, treatment and recovery, local schools as well as many others. Ear marking money for a single program is contrary to this strategy. Vote 13-0.

Reps. Duane Brown and Cooney spoke against.

Reps. Fothergill and Lynne Ober spoke in favor.

On a division vote, with 193 members having voted in the affirmative, and 91 in the negative, the committee report was 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, May 11, 2016 at 10:00 a.m.

LATE SESSION**Third Reading and Final Passage**

SB 152, relative to criminal history records checks for school employees and designated school volunteers.
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.
SB 450, relative to investments by insurance companies.
SB 468-FN, relative to changes to the sex offender registry.
SB 475-FN, requiring law enforcement agencies to file crime reports with the department of safety.
SB 517-FN, increasing the amount deducted from a fine for each day of a person's incarceration.
SB 326, relative to the membership of the community college system of New Hampshire board of trustees.
SB 353, relative to names on ballots.
SB 456-FN, relative to reporting of receipts and expenditures by candidates and candidate committees.
SB 345, relative to the definition of agritourism.
SB 524, relative to state procurement card rebates.
SB 427, establishing a committee to study the use of restraints when transporting a person subject to involuntary admission proceedings.
SB 341, establishing a committee to study guardianship in New Hampshire.
SB 352, naming a cove in Lake Winnepesaukee as Ritson Cove.
SB 374, requiring the department of environmental services to update coastal flooding trends.
SB 375, establishing the coastal marine natural resources and environment commission.
SB 461-FN, relative to expenditures of the Winnepesaukee River Basin control program funds.
SB 484, relative to the role of the Winnepesaukee River advisory board.
SB 309, relative to sulfur limits of certain liquid fuels.
SB 377, relative to emission levels of municipal waste combustion units.
SB 357, relative to driver's license examinations.
SB 359, relative to funding electric vehicle charging stations with municipal registration permits.
SB 362, requiring notice to planning boards of placement of signs on scenic byways.
SB 519, relative to highway signs.
SB 343, establishing a commission to study apportionment of gross business profits under the business profits tax.
SB 344-FN, relative to tax credits applicable to client companies of employee leasing companies.
SB 442-FN, establishing a commission to study the taxability of lease interests in public property.
SB 488-FN-L, establishing an advisory council on lactation.
SB 543-FN, relative to private transferring of adopted children.
SB 323, relative to the use of force by employees of hospitals or other health care facilities.
SB 509-FN, relative to voter registration forms and relative to voter identity verification.
SB 388, requiring a public hearing on proposed changes to the state retiree group insurance plan.
SB 386, adding biodiesel to electric renewable energy sources.
SB 356-FN, relative to agricultural plates for vehicles of commercial fishing operations.
SB 358, relative to use of navigation devices in motor vehicles.
SB 433, relative to exclusions from seasonal highway weight limit regulation.
SB 465-FN, relative to the nonconsensual dissemination of private sexual images.

UNANIMOUS CONSENTS

Reps. Biggie and Weber requested Unanimous Consent of the House regarding an apology and addressed the House.
 Rep. Leeman requested Unanimous Consent of the House regarding the earthquake in Ecuador and addressed the House.
 Rep. Dan McGuire requested Unanimous Consent of the House regarding the constitution and addressed the House.

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 3:40 p.m.

RECESS

(Rep. Schuett in the Chair)

ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 216, 351, 499, 1219, 1225 and 1285 and Senate Bills numbered 25, 237, 257, 312, 314, 316, 322, 328, 370, 371, 390, 392, 397, 398 and 446.

Rep. Hinch, Sen. Prescott for the Committee

REFERRAL DECLINED

Rep. Kurk, Chairman of the Committee on Finance, under the provisions of House Rule 46 (f), declined the referral of **SB 480-FN-A**, relative to the historical fund.

SENATE MESSAGES**CONCURRENCE**

HB 601-FN, relative to cash dispensing machine requirements.

HB 1124, relative to the membership of the occupational therapy governing board.

HB 1130, relative to placement on school property of a memorial or memorial plaque honoring those who have died during military service.

HB 1154-FN, authorizing and regulating the use of license plate scanning devices.

HB 1175-FN, relative to post-judgment real estate liens.

HB 1195, relative to prepayment contracts for petroleum products.

HB 1202, relative to applications submitted to a planning board.

HB 1223, relative to changes of address on election day.

HB 1226, relative to administration of pharmaceutical agents by optometrists.

HB 1292, relative to the use of abandoned agricultural property.

HB 1329, relative to transportation of alcoholic beverages.

HB 1331, relative to the membership of the compensation appeals board.

HB 1340, relative to producer licensing.

HB 1352-FN, relative to the penalty for retirement system employers' noncompliance with reporting requirements for retirees.

HB 1372, permitting a child with a disability to use audio or video recording devices in the classroom.

HB 1378, relative to disabled voters requiring assistance.

HB 1409, relative to life, accident, and health insurance.

HB 1410, relative to motor vehicle coverage.

HB 1450, relative to risk-based capital for insurers.

HB 1451-FN, relative to the annulment of certain criminal offenses.

HB 1459, relative to commercial coverage.

HB 1467, relative to notice of village district elections.

HB 1515, requiring persons sending absentee ballot applications to comply with identification requirements for political advertising.

HB 1579, relative to regulation of the practice of out-of-state brokers by the real estate commission.

HB 1587, relative to limitations on capital reserve funds of counties.

HB 1599-FN, relative to shining a laser pointing device at an aircraft or vessel, or at another person.

HB 1618, relative to debt adjustment services.

HB 1655-FN, relative to the municipal registration fee for an agricultural/industrial utility vehicle.

REFERRED FOR INTERIM STUDY

HB 334, establishing a committee to study ways of requiring Internet entities to keep the personal information of customers confidential.

HB 1114, relative to the number of inspectors of election.

LAID ON THE TABLE

HB 1231, relative to school district policy regarding objectionable course material.

NONCONCURRENCE

HB 617-FN-A, requiring state police to wear a camera when interacting with the public.

HB 1232, relative to visits to schools by non-academic government or private organizations.

HB 1288, relative to the National Guard force protection policy.

HB 1434-FN, relative to out-of-home placements under the child protection act.

HB 1569-FN, relative to volunteers under the department of resources and economic development.

HB 1631-FN, relative to penalties for possession of marijuana.

CONCURRENCE WITH AMENDMENTS

SB 378, relative to the availability of net metering tariffs.

SB 545, proclaiming February as Cancer Prevention month, February 4th as Cancer Prevention Day, and August as Cure all Cancer month.

RECESS

(Rep. Gottling in the Chair)
ENROLLED BILL AMENDMENT

SB 378, relative to the availability of net metering tariffs. (Amendment printed SJ 4/21/16)
 Motion adopted.

RECESS

(Speaker Jasper in the Chair)
ENROLLED BILL AMENDMENTS

HB 377, establishing a state geographic information system committee.

Amendment 2016-1544EBA

Amend RSA 4-F:1, II as inserted by section 2 of the bill by replacing line 23 with the following:

(e) A regional planning commissioner, appointed by the New Hampshire Association of
 Amend RSA 4-F:1, III as inserted by section 2 of the bill by replacing line 2 with the following:
 resources with the exception of information that is nonpublic, is statutorily restricted, or is part of a
 Motion adopted.

HB 1289, making technical corrections to certain tax laws.

Amendment 2016-1561EBA

Amend RSA 84-C:5, I as inserted by section 6 of the bill by replacing line 1 with the following:

I. Except as provided in RSA 84-C:5-a *and rules adopted pursuant to RSA 84-C:9, I-a*,
 Motion adopted.

HB 1239, relative to certain terminology in the education statutes.

Amendment 2016-1567EBA

Amend section 3 of the bill by replacing line 1 with the following:

3 Statewide Education Improvement and Assessment Program; Statement of Purpose.
 Amend RSA 193-E:1, II as inserted by section 6 of the bill by replacing line 4 with the following:
 system, the state establishes[, through] *minimum standards for public* school approval [and
 Amend RSA 193-E:2-a, VI as inserted by section 7 of the bill by replacing line 3 with the following:
approval" [shall] mean the applicable criteria that public schools and public academies shall meet in
 Motion adopted.

ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 535, 1116, 1165, 1181, 1197, 1208, 1220, 1244, 1245, 1283, 1290, 1300, 1332, 1497 and 1665 and Senate Bills numbered 313, 330, 332, 378, 400 and 460.

Rep. Hinch, Sen. Prescott for the Committee

RECESS

(Speaker Jasper in the Chair)
ENROLLED BILL AMENDMENTS

HB 1195, relative to prepayment contracts for petroleum products.

Amendment 2016-1600EBA

Amend section 1 of the bill by replacing line 2 with the following:

RSA 339:79, III and RSA 339:79, III(a) to read as follows:
 Motion adopted.

HB 1616-FN, relative to drivers' licenses and identification cards that are compliant with federal identification law.

Amendment 2016-1707EBA

Amend RSA 263:42, I-c as inserted by section 13 of the bill by replacing line 1 with the following:

I-c. For the conversion of a driver's license to an enhanced driver's license, which shall be for
 Motion adopted.

SB 386, adding biodiesel to electric renewable energy sources. (Amendment printed 4/28/16)
 Motion adopted.

SENATE MESSAGES
CONCURRENCE

HB 659-FN-L, relative to eligibility for an absentee ballot.

HB 1170, relative to special permits for OHRV operation in Jericho Mountain State Park.

HB 1264, relative to carnival or amusement ride inspections.

HB 1266-FN, legalizing firecrackers.

HB 1286, relative to days when fishing without a license is permitted.

HB 1294, relative to exemptions from licensure as a massage therapist.

HB 1349-FN, relative to the location of the Merrimack county superior court.

HB 1391, relative to the price of bingo cards at senior bingo and bingo at private campgrounds and hotels.

HB 1588, repealing certain prohibitions on employment of state employees.

REFERRED FOR INTERIM STUDY

HB 1141, defining "agritourism."

HB 1586-FN, prohibiting the impersonation of an emergency medical technician or firefighter.

HB 1633-FN, relative to the use of the Family and Medical Leave Act time as it applies to workers' compensation.

NONCONCURRENCE

HB 513, relative to complaint investigation procedures of the guardian ad litem board.

HB 594-FN-A, establishing keno.

HB 1381-FN, relative to the sale of smoke bombs.

HB 1445-FN, relative to tinted windows on motor vehicles.

HB 1540-FN, relative to direct shipments of beer.

HB 1626-FN, relative to drug take-back programs.

HB 1654-FN, relative to flying a drone above a correctional facility.

CONCURRENCE WITH AMENDMENTS

SB 343, establishing a commission to study apportionment of gross business profits under the business profits tax.

SB 358, relative to use of navigation devices in motor vehicles.

SB 375, establishing the coastal marine natural resources and environment commission.

SB 442-L, establishing a commission to study the taxability of lease interests in public property.

ENROLLED BILL REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bill numbered HB 1616.
Rep. Hinch, Sen. Prescott for the Committee

RECESS

(Rep. Haefner in the Chair)

ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 377 and 1289 and Senate Bill numbered 427.

Rep. Hinch, Sen. Prescott for the Committee

ENROLLED BILL AMENDMENTS

HB 1331, relative to the membership of the compensation appeals board.

Amendment 2016-1776EBA

Amend section 1 of the bill by replacing line 1 with the following:

1 Compensation Appeals Board; Membership. RSA 281-A:42-a, I is repealed and reenacted to read as follows:
Amend RSA 281-A:42-a, I as inserted by section 1 of the bill by replacing line 11 with the following:
or human resources or administrative law. As a condition to maintaining eligibility to hear
Motion adopted.

HB 1349, relative to the Merrimack county superior court.

Amendment 2016-1895EBA

Amend 2015, 220:1, II, D as inserted by section 1 of the bill by replacing lines 1-5 with the following:

D. Court Facilities

1. Merrimack County Superior Court

New Courthouse *

[16,600,000] **15,700,000**

2. Hampton Circuit Court, Architectural/Engineering

300,000

3. Milford Circuit Court, Architectural/Engineering 255,500

Motion adopted.

HB 1618, relative to debt adjustment services.

Amendment 2016-1898EBA

Amend RSA 399-D:7, I(b) as inserted by section 1 of the bill by replacing it with the following:

(b) File an annual report pursuant to RSA 399-D:9, I(a).

Amend RSA 399-D:7, III as inserted by section 1 of the bill by replacing line 3 with the following:
RSA 399-D:21.

Amend RSA 399-D:12, I as inserted by section 1 of the bill by replacing line 11 with the following:

and vaults of all such persons, and may require the attendance of any person to examine him or

Amend RSA 399-D:12, III as inserted by section 1 of the bill by replacing line 1 with the following:

III. The department may subpoena witnesses and administer oaths and compel, by

Amend RSA 399-D:12, V as inserted by section 1 of the bill by replacing line 3 with the following:

institutions for the cost of examinations under RSA 383:11, except when the principal office of the

Amend RSA 399-D:12, VI(a) as inserted by section 1 of the bill by replacing line 8 with the following:

commissioner within 7 calendar days and shall return the files selected by the commissioner to the

Amend RSA 399-D:12, VI(b) as inserted by section 1 of the bill by replacing line 2 with the following:

shall subject a licensee or person to a fine of \$50 per day for each day after 21 days that the files and

Amend RSA 399-D:12, VII as inserted by section 1 of the bill by replacing line 3 with the following:

business of debt adjustment, or is participating in such business as principal, agent, broker, or

Amend RSA 399-D:14, II(a) as inserted by section 1 of the bill by replacing it with the following:

(a) A clear description of the services to be provided to the debtor;

Amend RSA 399-D:16, IV(a) as inserted by section 1 of the bill by replacing it with the following:

(a) Every 90 days;

Amend RSA 399-A:18 as inserted by section 1 of the bill by replacing line 1 with the following:

399-D:18 Powers of the Commissioner.

Amend RSA 399-D:19, I(b) as inserted by section 1 of the bill by replacing line 1 with the following:

(b) Barring any person from licensure if it is in the public interest and the applicant,

Motion adopted.

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. (Amendment printed SJ 5/5/16)

Motion adopted.

SB 543-FN, relative to private transferring of adopted children. (Amendment printed SJ 5/5/16)

Motion adopted.

RECESS**(Speaker Jasper in the Chair)**

SB 375, establishing the coastal marine natural resources and environment commission. (Amendment printed SJ 5/12/16)

Motion adopted.

SENATE MESSAGES**CONCURRENCE**

HB 466, relative to farm tractor plates for certain specialized vehicles.

HB 582-FN, repealing the license requirement for carrying a concealed pistol or revolver.

HB 1280, relative to grounds for modification of parental rights and responsibilities.

HB 1287, repealing a provision of the harassment statute.

HB 1302, relative to driver's license requirements for operation of a mixed use school bus.

HB 1316, relative to hospital rates for self-pay patients.

HB 1357, relative to the duties of the department of cultural resources.

HB 1394, relative to the appropriation for developmental services.

HB 1403, relative to reinsurance.

HB 1452, relative to motor vehicle laws applicable to diplomats and certain officials.

HB 1594-FN, relative to emergency medical services.

HB 1601, relative to certain continuing care communities.

HB 1664-FN, relative to contracts between carriers or pharmacy benefit managers and certain pharmacies.

HCR 12, urging support of the 65/25 initiative in New Hampshire.

REFERRED FOR INTERIM STUDY

HB 1279, relative to grounds for termination of parental rights.

HB 1478, establishing a commission to develop a structure for the implementation of an alternative contract for health care payments.

HB 1493, relative to ownership of DNA.

LAI D ON THE TABLE

HB 629-FN, relative to induced termination of pregnancy statistics.

HB 1153, prohibiting a political subdivision from adopting residency restrictions on sex offenders.

HB 1252, permitting employers to pay wages to employees weekly or biweekly.

HB 1570-FN, repealing the law governing access to reproductive health care facilities.

NONCONCURRENCE

HB 1117, establishing a child support maximum under the guidelines based on the parents' combined income.

HB 1118, relative to the determination of parental rights and responsibilities and establishing a presumption in favor of shared residential responsibility.

HB 1127, relative to qualifications of referees in the superior courts and circuit courts.

HB 1152, relative to the definition of specialty beer.

HB 1188, relative to the brew pub license.

HB 1211, relative to requirements for certain alcoholic beverage licenses.

HB 1229, prohibiting the inclusion of statewide assessment results in a student's transcript without consent.

HB 1236, relative to hearings on modifications of parental rights and responsibilities.

HB 1248, relative to the waiver of counsel in juvenile delinquency proceedings.

HB 1250, relative to medical neglect of children.

HB 1270, relative to a jury's determination as to the applicability of a law.

HB 1338, relative to student exemption from the statewide assessment.

HB 1370, relative to termination of tenancy.

HB 1408-FN, relative to a school building inventory.

HB 1471, relative to parental rights.

RECESS