



State of
New Hampshire

HOUSE RECORD

First Year of the 165th General Court

Calendar and Journal of the 2017 Session

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Vol. 39

Concord, N.H.

Thursday, November 2, 2017

No. 20

HOUSE JOURNAL No. 19 (Cont'd)

Thursday, June 22, 2017

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

HOUSE JOURNAL No. 20

Thursday, November 2, 2017

The House assembled at 1:00 p.m., and was called to order by the Speaker.

Prayer was offered by House Chaplain, Reverend Kate Atkinson, Rector of St. Paul's Church in Concord.
A meditation from the late Bishop Ken Untener of Saginaw, MI.

It helps, now and then, to step back and take a long view. The kingdom is not only beyond our efforts, it is even beyond our vision. We accomplish in our lifetime only a tiny fraction of the magnificent enterprise that is God's work. Nothing we do is complete, which is a way of saying that the Kingdom always lies beyond us. No statement says all that could be said. No prayer fully expresses our faith. No confession brings perfection. No set of goals and objectives includes everything. This is what we are about. We plant the seeds that one day will grow. We water seeds already planted, knowing that they hold future promise. We lay foundations that will need further development. We provide yeast that produces far beyond our capabilities. We cannot do everything, and there is a sense of liberation in realizing that. This enables us to do something, and to do it very well. It may be incomplete, but it is a beginning, a step along the way, an opportunity for God's grace to enter and do the rest. We may never see the end results, but that is the difference between the master builder and the worker. We are workers, not master builders. We are prophets of a future not our own. Amen.

Rep. Panasiti, member from Amherst, led the Pledge of Allegiance.

The National Anthem was sung by US Air Force Technical Sergeant Clint Yager of Manchester.

LEAVES OF ABSENCE

Reps. Hull, Douglas Long, Major, Mangipudi, Lynne Ober, Opderbecke, Pellegrino, Chip Rice, Richardson and Franklin Tilton, the day, illness.

Reps. Cote, DeSimone, Dontonville, Dowling, Fesh, Gagne, Suzanne Harvey, Howard, Huot, Knirk, Leishman, Martin, Frank McCarthy, Migliore, Milz, Murphy, Nasser, Nordgren, Nutting, O'Leary, Russell Ober, Osborne, Pitre, Rimol, Roberts, Rollins, Janice Schmidt, Schuett, Shaw, Gregory Smith, Somero, Soucy, Southworth, Spillane, Sykes, Sytek, Vincent, Thomas Walsh, White and Woolpert, the day, important business.

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

INTRODUCTION OF GUESTS

Colonel Kenneth Holmes, United States Air Force and his wife, Jessica, guests of Rep. Panasiti. J.P. Marzullo and Jeff Nelson, guests of Reps. Hinch and Shurtleff. Laurie Jasper, wife of the Speaker.

COMMUNICATION

July 10, 2017

Mr. Speaker,

I am writing to formally tender my resignation from the New Hampshire House of Representatives, effective June 30, 2017. I will not be able to attend the 2018 legislative session, but the voters of Strafford District 13 must not be without representation. I request that the City of Dover, the Secretary of State, and the Governor and Council schedule a special election to fill the vacancy as soon as is convenient.

During my time in the House, I have learned from members from every political faction, and I hope other members have learned something from me. My service has helped me to recognize the value of consensus, and to understand that consensus requires a sound legislative process. Serving my constituents has been one of the greatest honors of my life, and I hope that I have the opportunity to serve in the House again. I thank the voters of Ward 1 of Dover for trusting me to represent them in Concord. I thank the House Clerk for being such an outstanding parliamentarian, and I thank my colleagues from all across the state for all I have learned from them. And, finally, I want to thank you. I rarely agree with your politics, but I have nothing but respect for your dedication to the House.

Sincerely,
Representative Epstein
Strafford District 13

COMMUNICATION

October 3, 2017

Dear Speaker Jasper,
Due to health reasons, I am moving out of Hillsborough County District 42 and am unable to continue serving in the House. I wish all of my House colleagues the best as you continue serving the people of New Hampshire.
Representative Ken Snow
Hillsborough County District 42

COMMUNICATION

October 10, 2017

Dear Mr. Speaker:
I am writing to inform you that I no longer reside in the district I represent. It is with great regret that I must tender my resignation. Effective Friday October 13, 2017.
Sincerely,
Michael F. Maloney

COMMUNICATION

August 2, 2017

Mr. Paul Smith
Clerk of the House of Representatives
State House
Concord, NH 03301

Dear Paul:
Please be advised that the following representative-elect was sworn into office by the Governor and Executive Council on this day:
Merrimack County District No. 18
Kristina Schultz, d, Concord (806 Alton Woods Dr.) 03301

Sincerely,
William M. Gardner
Secretary of State

COMMUNICATION

September 13, 2017

Mr. Paul Smith
Clerk of the House of Representatives
State House
Concord, NH 03301

Dear Paul:
Please be advised that the following representative-elect was sworn into office by the Governor and Executive Council on this day:
Grafton County District No. 9
Vincent Paul Migliore, r, Bridgewater (198 Whittemore Point Rd., South Bristol) 03222

Sincerely,
William M. Gardner
Secretary of State

COMMUNICATION

September 27, 2017

Mr. Paul Smith
Clerk of the House of Representatives
State House
Concord, NH 03301

Dear Paul:

Please be advised that the following representatives-elect were sworn into office by the Governor and Executive Council on this day:

Belknap County District No. 3

Franklin T. Tilton, r, Laconia (56 Orchard St.) 03246

Belknap County District No. 9

Charlie St. Clair, d, Laconia (PO Box 5416) 03246

Sincerely,
William M. Gardner
Secretary of State

COMMUNICATION

October 11, 2017

Mr. Paul Smith
Clerk of the House of Representatives
State House
Concord, NH 03301

Dear Paul:

Please be advised that the following representative-elect was sworn into office by the Governor and Executive Council on this day:

Rockingham County District No. 4

Kari Lerner, d, Chester (PO Box 569, Derry) 03038

Sincerely,
William M. Gardner
Secretary of State

HOUSE RESOLUTION NO. 12**Memorializing State Representative Ronald J. Belanger of Salem**

WHEREAS, we have learned with profound sorrow of the death of our friend and colleague Ronald J. Belanger, who was serving his thirteenth term as a State Representative representing the citizens of Rockingham County District 8, the town of Salem; and

WHEREAS, beyond his service to the House of Representatives, Ron Belanger exemplified the notion of public service, having retired as a Detective with the Chelsea, Massachusetts Police Department, and then having served the town of Salem as a Selectman for twelve years, the Salem Planning Board for five years, and the Zoning Board of Adjustment for two years; and

WHEREAS, a member of the House Commerce and Consumer Affairs Committee for all thirteen of his terms, his Chairman recounted how Ron Belanger brought his extensive police background to the committee and was instrumental when the committee was tackling Sunday laws over many years; and

WHEREAS, beyond his civic engagement, Ron Belanger took part in many causes including serving as a director of the Arlington Pond Protective Association, organized to protect the water levels of Arlington Pond in Salem, and the Merrimack Diabetes Association, making a difference in the lives of those afflicted with illness; now, therefore, be it

RESOLVED, by the House of Representatives in Regular Session convened, Ronald J. Belanger be granted the highest praise and accolades and our profound thanks for his service to his country, the state, and the town he called home for many years, and, be it further

RESOLVED, that expressions of our most heartfelt sympathy be extended to his family and that a suitable copy of this Resolution be prepared for presentation to them.

Offered by the House of Representatives and adopted unanimously.

MOMENT OF SILENCE

A moment of silence was observed in honor and in memory of the Representative from Salem, the Honorable Ronald Belanger.

HOUSE RESOLUTION NO. 13**Memorializing State Representative Donald H. Flanders of Laconia**

WHEREAS, we have learned with profound sorrow of the death of our friend and colleague Donald H. Flanders, who was serving his ninth term as a State Representative representing the citizens of Belknap County District 3, the city of Laconia; and

WHEREAS, a member of the House Commerce and Consumer Affairs Committee for all nine of his terms, his Chairman recounted how Don Flanders brought his extensive background as a board member of Lakes Region General Hospital and in professional insurance to the committee and was widely respected by all members of the committee as THE property and casualty insurance expert who represented New Hampshire on the National Conference of Insurance Legislators; and

WHEREAS, Don Flanders was an active citizen in Laconia for over five decades, having served as a member of the city council, mayor pro tem, trustee of the trust funds, and chair of the Holy Trinity Catholic School Board; and

WHEREAS, a Past President and active member of the Laconia branch of Rotary International, Don Flanders espoused the virtues of the Four Way Test, the nonpartisan and nonsectarian ethical guide for Rotarians to use for their personal and professional relationships; now, therefore, be it

RESOLVED, by the House of Representatives in Regular Session convened, Donald H. Flanders be granted the highest praise and accolades and our profound thanks for his service to his country, the state, and the city he called home his entire life, and, be it further

RESOLVED, that expressions of our most heartfelt sympathy be extended to his family and that a suitable copy of this Resolution be prepared for presentation to them.

Offered by the House of Representatives and adopted unanimously.

MOMENT OF SILENCE

A moment of silence was observed in honor and in memory of the Representative from Laconia, the Honorable Donald Flanders.

PRESENTATION TO LIBERTY HOUSE

Reps. Hinch, Shurtleff and Michael Moffett presented a check to Liberty House. Accepting on behalf of Liberty House was Executive Director, Jeff Nelson and board member, J.P. Marzullo.

GOVERNOR'S VETO MESSAGE ON HB 86

July 10, 2017

By the authority vested in me, pursuant to part II, Article 44 of the New Hampshire Constitution, on July 10, 2017, I have vetoed House Bill 86, relative to voting on variances. Current law allows zoning boards to take one vote that covers all five criteria for granting a variance, a streamlined procedure which many boards have chosen to utilize. House Bill 86 would remove this option and require that every zoning board in the state take separate votes on each of the five variance criteria. Such a mandate needlessly imposes on local control and is inconsistent with my commitment to remove excess regulation and streamline development and economic growth. If a community wishes to require its zoning board to take a separate vote on each of the five variance criteria, that community may do so by including that requirement in its own zoning ordinance. For the reasons stated above, I have vetoed House Bill 86.

Respectfully submitted, Christopher T. Sununu, Governor

The question being, notwithstanding the Governor's veto, shall **HB 86**, relative to voting on variances, become law?

Rep. Hoell spoke against.

Rep. Belanger spoke in favor and yielded to questions.

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

YEAS 115 - NAYS 164

YEAS - 115

CARROLL

DesMarais, Edith

CHESHIRE

Abbott, Michael
Burridge, Delmar
Fenton, Donovan
Shepardson, Marjorie

Ames, Richard
Harvey, Cathryn
Johnsen, Gladys
Tatro, Bruce

Berch, Paul
Eaton, Daniel
Meader, David
Weber, Lucy

Bordenet, John
Faulkner, Barry
Parkhurst, Henry

COOS

Fothergill, John

Laflamme, Larry

Moynihan, Wayne

Tucker, Edith

GRAFTONAbel, Richard
Josephson, TimothyAlmy, Susan
Maes, KevinCampion, Polly
Mulligan, Mary JaneHiggins, Patricia
Rand, Steven**HILLSBOROUGH**Backus, Robert
Sullivan, Daniel
Gargas, Carolyn
Belanger, James
Lisle, David
Newman, Sue
Sofikitis, Catherine
Williams, KermitBeaulieu, Jane
Danielson, David
Goley, Jeffrey
Jack, Martin
MacKenzie, Mark
O'Brien, Michael
Ulery, JordanCleaver, Skip
Elber, Joel
Hansen, Peter
Keane, Amelia
Manley, Jonathan
Porter, Marjorie
Van Houten, ConnieCornell, Patricia
Freitas, Mary
Heath, Mary
King, Mark
McNamara, Richard
Rosenwald, Cindy
Vann, Ivy**MERRIMACK**Alicea, Caroletta
Moffett, Howard
Patten, DickBartlett, Christy
Henle, Paul
Richards, BethCarson, Clyde
MacKay, James
Shurtleff, StephenDoherty, David
Kenison, Linda
Walz, Mary Beth**ROCKINGHAM**Allen, Mary
Chase, Francis
Farnham, Betsey
Lerner, Kari
Messmer, Mindi
Read, Ellen
Ward, GeraldAltschiller, Debra
Cushing, Robert Renny
Gay, Betty
Lovejoy, Patricia
Murray, Kate
Stone, BrianBerrien, Skip
DiLorenzo, Charlotte
Gilman, Julie
Malloy, Dennis
Gordon, Pamela
Le, TamaraCahill, Michael
Edgar, Michael
Janvrin, Jason
McBeath, Rebecca
Pantelakos, Laura
Verville, Kevin**STRAFFORD**Bixby, Peter
Gourgue, Amanda
Krans, Hamilton
Sandler, Catt
Wall, JanetCilley, Jacalyn
Grassie, Chuck
Smith, Marjorie
Spang, Judith
Wuelper, KurtEllis, Donna
Horriggan, Timothy
Schmidt, Peter
Sprague, DaleFrost, Sherry
Keans, Sandra
Salloway, Jeffrey
Treleaven, Susan**SULLIVAN**

Gottling, Suzanne

Irwin, Virginia

Tanner, Linda

NAYS - 164**BELKNAP**Abear, Marc
Fraser, Valerie
Spanos, PeterAldrich, Glen
Lang, Timothy
St. Clair, CharlieComtois, Barbara
Plumer, John
Vadney, HerbertFields, Dennis
Silber, Norman**CARROLL**Avellani, Lino
Comeau, Ed
Nelson, BillBuco, Thomas
Cordelli, Glenn
Schmidt, StephenButler, Edward
Crawford, Karel
Umberger, KarenChandler, Gene
McConkey, Mark
Marsh, William**CHESHIRE**

Ley, Douglas

Hunt, John

McConnell, James

O'Day, John

COOS

Merner, Troy

GRAFTONBinford, David
Hennessey, ErinBrown, Duane
Ladd, RickDarrow, Stephen
Massimilla, LindaHam, Bonnie
Johnson, Tiffany**HILLSBOROUGH**Ammon, Keith
Burns, Charlie
Chandley, Shannon
Dyer, Caleb
Fromuth, Bart
Hinch, Richard
Klee, PatriciaGriffin, Barbara
Burt, John
Christensen, Chris
Edwards, Elizabeth
Griffin, Gerald
Hopper, Gary
Kurk, NealBarry, Richard
Byron, Frank
Christie, Rick
Fedolfi, Jim
Gould, Linda
Graham, John
L'Heureux, RobertBouldin, Amanda
Carr, John
Dickey, Glen
Ferreira, Elizabeth
Hellwig, Steve
Judy, Jean
Lascelles, Richard

LeBrun, Donald
McLean, Mark
Ohm, Bill
Prout, Andrew
Scully, Kevin
Twombly, Timothy

Lewicke, John
Murotake, David
Long, Patrick
Renzullo, Andrew
Seidel, Carl
Sullivan, Victoria

MacKay, Mariellen
Negron, Steve
Panasiti, Reed
Rouillard, Claire
Souza, Kathleen
Valera, John

Martineau, Jesse
Notter, Jeanine
Pierce, David
Sanborn, Laurie
Wolf, Terry

MERRIMACK

Kuch, Bill
Gile, Mary
Kotowski, Frank
McGuire, Carol
Schultz, Kristina

Brewster, Michael
Hill, Gregory
Luneau, David
Myler, Mel
Seaworth, Brian

Copp, Anne
Hoell, J.R.
Moffett, Michael
Pearl, Howard
Wallner, Mary Jane

Wolf, Dan
Horn, Werner
Marple, Richard
Rogers, Katherine
Wells, Natalie

ROCKINGHAM

Abrami, Patrick
Bean, Philip
Costable, Michael
Francesc, Paula
Hoelzel, Kathleen
O'Connor, John
Pearson, Mark
Nigrello, Robert
Torosian, Peter
Wallace, Scott

Baldasaro, Alfred
Bove, Martin
Thomas, Douglas
Green, Dennis
Itse, Daniel
Katsakiores, Phyllis
Matthews, Carolyn
Packard, Sherman
Tripp, Richard
Webb, James

Barnes, Arthur
Cali-Pitts, Jacqueline
Dean-Bailey, Yvonne
Guthrie, Joseph
Edwards, Jess
Khan, Aboul
McMahon, Charles
Gordon, Richard
True, Chris
Welch, David

Bates, David
Chirichiello, Brian
Emerick, J. Tracy
Marsh, Henry
Janigian, John
Lundgren, David
Morrison, Sean
Sapareto, Frank
Vose, Michael
Weyler, Kenneth

STRAFFORD

Berube, Roger
Horgan, James
Mullen, John
Spencer, Matthew

Burton, Wayne
Kaczynski, Thomas
Phinney, Brandon

Fontneau, Timothy
Turcotte, Leonard
Graham, Robert

Harrington, Michael
McNally, Jody
Scruton, Matthew

SULLIVAN

Cloutier, John

Gagnon, Raymond

Laware, Thomas

Smith, Steven

and the veto was sustained.

MOTION TO PRINT REMARKS

Rep. Shurtleff moved that the remarks made by Speaker Jasper be printed in the Permanent Journal.
Motion adopted unanimously.

REMARKS BY SPEAKER JASPER

Speaker Jasper: At this time I am going to use the Speaker's prerogative and my joke was that I was going to lock the doors so you would have to listen to what I have to say, but I'm not going to. Being an old poultry farmer, I've learned not to count my chickens before they hatch. This may well be my last opportunity to address the House so hoping that things go according to plan, I'm going to use this opportunity to say goodbye and leave you with a few thoughts. In 1994, I made a goodbye speech from that podium. A couple of the things I said back then I think are still relevant today. That is my concern that we continue to make this legislature too hard for people to serve in, ordinary people. I would encourage you as you move forward to think about that. We are going to be facing probably 1,100 bills between the House and the Senate this year. We're the only legislature that I know of that requires every bill to have a fair hearing and I think that's a good thing. However, we probably need to think about some restrictions in terms of, can you put in as many bills as you want without having co-sponsors? Is that an unreasonable thing to require that after one or two bills without any co-sponsors, that you need to find at least five or six or seven people who would support your idea to begin with? How much time can we require of people to serve here? So, I ask you to think about that. There are other ways to do that. That's essentially the same thought that I had 23 years ago and I think it's a valid concern. Unlike when I left in 1994 and I had hoped someday to come back and of course I did, I don't expect ever to be back in this Chamber again. Hopefully moving on to a different phase in my life. It has certainly been the greatest honor of my life to stand here for the last three years as your presiding officer. I thank you for that opportunity. I thank you for the courtesy that this House has shown to the members of the public, to each other, in most cases, by the vast majority. We can always strive to do better and that starts with the presiding officer and hopefully we will continue to do so. I also want to thank a few people and that really needs to start with my wife who is here today. No married man can be successful in what he does if he does not have the support of his family, starting with his wife. So, Laurie, thank you very much. Only she and the good Lord knows the things that I have put her through over the years. I want to talk a little bit and thank the staff. This legislature is only successful because of the great staff that we have. We are truly blessed with the employees that we have here and I know that most of them don't think of themselves as employees and truly I don't either. They are

really part of this team. They are what makes this work. They work hours that most of us can never understand when we are in the crunch time. They get the job done. They do it without complaining. That starts with the Chief of Staff and I have served under many Speakers and under many Chiefs of Staff and I can tell you that many of them are not truly concerned about the institution or the staff or this physical plant. We have been, I believe, blessed to have twice had Terry Pfaff as the Chief of Staff because he cares about all of those things. I have said from day one that if Terry had not been willing to come on as the Chief, I would not have ever been willing to move forward because none of you can understand the things that the Speaker has to deal with until you have been Speaker. Thankfully I had someone willing to come on board who understood all of those things and he made me a better Speaker. He was a friend before. We served together in the legislature in the 90's under Harold Burns leadership team. So I am grateful for his service to this institution and I'm grateful for his love of this building and for everything that we do here. Thank you, Terry. I don't know where he is at the moment. Terry, thank you. I want to thank our Clerk and his staff who do a tremendous job. I've learned the rules over the years pretty well, but there are so many times when I have a lapse and Paul has always been here ready with the answer or knowing exactly where to turn in that big book to find that answer. Again, Paul has been a friend over the years. We served together in the House. He was a member of the Republican majority office and then moved on to the Clerk's office and while at the time I wasn't so happy that he did that, I'm very glad that he did move on and now serves as a very able Clerk of this House. Thank you, Paul. Thank you to all the staff for the work you do for all of us. So, after having been first elected here in 1984 during Ronald Reagan's second term of office and out for a total of ten years, during those times, but on the legislative ethics committee for eight of those years I was out, I've spent over half of my adult life as part of this institution or connected to it, and I truly, truly love this body. I have nothing but respect for members who sacrifice to serve here and let no one think it is not a sacrifice to be a member of this body. It is regardless of your circumstances you sacrifice from your families, from your personal lives, from your businesses and I hope that the people of the State of New Hampshire appreciate that. I never sought the job that I hopefully am going to be nominated to next week, but it's an opportunity that I didn't feel that I could pass up. There have actually only been seven Commissioners of Agriculture in over one-hundred years. It's not a job that will likely come open again in my working lifetime so while I quite frankly feel guilty about the idea of leaving here, I know that for me and for my family that it's the right thing and I know that this legislature will endure without me. The man that I wanted to call first to tell about this had been my Ag teacher, Wilbur Palmer. He passed away a year ago. He told me something that I will never forget, "If you think you're going to make a difference and leave a mark? Put your finger in the middle of a bucket of water and pull it out and see the hole that it leaves." So, I know that this legislature will be in good hands and so I know that I am not leaving you in the lurch. My final words to you are to be kind to each other. Be kind to family. Be kind to the staff. If you do those things, you will be remembered for more than just being a legislator. You will be remembered for what is most important in life, being a good person. Thank you very much.

MOTION TO PRINT REMARKS

Rep. Hinch moved that the remarks made by Rep. Shurtleff be printed in the Permanent Journal.
Motion adopted unanimously.

REMARKS BY REP. SHURTLEFF

Representative Shurtleff: Thank you, Mister Speaker. I always hate having to speak after you so I'm going to be very brief. Mister Speaker, speaking for myself personally in the loyal opposition, we are grateful that the governor reached out to you with this nomination and we are even more grateful that you accepted. We know it's the right move for yourself and for your family and it's the right move for the Agriculture Commission. Mister Speaker, you just told us that you will not be rejoining this body and I have always looked at being elected to the New Hampshire House as joining an organized crime family. Once you are a made member of the New Hampshire House of Representatives, you never leave. You're always part of our family. Mister Speaker, whatever the future holds for you, we wish you the very best and we do hope that at one point, you will return to us. Thank you, Mister Speaker.

ADJOURN FROM THE EARLY SESSION

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.
Motion adopted.

RECESS MOTION

Rep. Hinch moved that the House stand in recess to the Call of the Chair.
Motion adopted.

The House recessed at 1:50 p.m.

RECESS