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New Hampshire

HOUSE RECORD

Second Year of the 165th General Court Calendar and Journal of the 2018 Session

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Concord, N.H.

Thursday, February 8, 2018

No. 3

HOUSE JOURNAL NO. 2 (Cont'd)

Tuesday, January 9, 2018

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

HOUSE JOURNAL NO. 3

Thursday, February 8, 2018

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

Prayer was offered by House Chaplain, Reverend Kate Atkinson, Rector of St. Paul's Church in Concord. Lighten our darkness, O God, when clouds of uncertainty or doubt threaten to envelop us. When we can catch only glimpses of a brighter future, when new possibilities elude us, set us free from the constraints of what we know and guide us into the radiance of what could be. Give us courage, energy, and curiosity; help us to look beyond what is familiar and safe - and open our eyes, our souls, and our minds to the promptings of Your Spirit. You have called us to be Your feet and hands, Your heart and Your voice. We pray that You would lead us to those places that need us most, that You would reach out through us in generosity and care, that You would make us channels of Your compassionate love, and give us words to speak for those who cannot speak for themselves. Lighten our darkness, O God, that we may be Your light in the world.

Representative Craig Moore, member from New Ipswich, led the Pledge of Allegiance.

The National Anthem was sung by Mahala Rose Damery, a 16-year old student at Mascenic Regional High School in New Ipswich.

LEAVES OF ABSENCE

Reps. Carr, Dontonville, Hull, Mangipudi, McBeath, Patten, Plumer, Yvonne Thomas, Twombly and Robert Walsh, the day, illness.

Reps. Ammon, Binford, Brown, Bucu, Cote, Myler, Negron, Rimol, Gregory Smith, Somero, St. Clair, Valera and Woitkun, the day, important business.

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

Rep. Fraser, the day, death in the family.

INTRODUCTION OF GUESTS

Matthew and Kimberly Place, guests of Rep. Mary Beth Walz. Susan Mullen, guest of Rep. Heath. Andrew, Sophia, Alisia and Mikayla, Husband, Daughter and Guests of Rep. Bouldin. Pamela Milz, Wife of Rep. Milz. Marlene, Michael, Madelyn Grace and Miranda Faith Damery and Diane, Paul and Isabella Diane Knisley, Mother, Father, Sisters, Grandmother, Grandfather and Cousin of the singer, guests of Rep. Craig Moore.

COMMUNICATION

Via Email dated February 7, 2018

Speaker Chandler, Chairman Major, Ways and Means Colleagues, and my Colleagues in the House. It is with regret, and sadness, that I must resign my seat in the NH House. Over my four terms, I have had the opportunity to meet and work with many great people, and form many lasting relationships. It was my hope, and intention, to finish this term and not seek re-election in November. However, a strong real estate market in the southern tier has allowed us to liquidate our assets in Salem quicker than anticipated,

leaving me without a domicile in Salem, Rockingham 8, and accelerating our long range plans. It has been my pleasure to serve in this great institution. I always tried to represent my district, my committee, and the NH House with honesty, integrity, and professionalism. I wish you all the best, and thank you for your service to the citizens of NH.

Representative Gary S. Azarian
Rockingham 8

CONSENT CALENDAR

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

HB 1293-FN, establishing the complex divorce court within the judicial branch family division, removed by Rep. Rice.

HB 1437, relative to tattoos on state law enforcement officers, removed by Rep. Stone.

HB 1557-FN, requiring meetings and sessions of committees of the house of representatives to be recorded and made available on the Internet, removed by Rep. McConnell.

HB 1649, relative to the determination of mileage for legislators and legislative officers, removed by Rep. Horrigan. Consent Calendar adopted.

HB 1341, relative to the definition of child abuse. **INEXPEDIENT TO LEGISLATE.**

Rep. Daniel Itse for Children and Family Law. This bill would make the administration of hormone therapy or surgery for gender re-assignment abuse under RSA 169-C:3. It was the intent of the sponsor to make the administration of such procedures a crime for both parents and physicians. However, RSA 169-C is not a criminal statute and could not be enforced upon physicians. The only potential result would be the removal of an already fragile child from all existing familial support structures. The committee does not believe it is the best interest of children to expand the causes for which the state would separate them from their parents. Vote 13-2.

HB 1322, relative to risk-based capital for health maintenance organizations. **OUGHT TO PASS.**

Rep. Edward Butler for Commerce and Consumer Affairs. When this statute was originally adopted in 2000, it combined the National Association of Insurance Commissioners (NAIC) Model Laws for Risk-Based Capital (RBC) and for RBC for Health Maintenance Organizations (HMOs). In so doing, HMOs were defined under life and health insurers for the purposes of calculating their RBC reports. The Insurance Department now understands that HMOs should actually use the same formula as Property and Casualty insurers for these calculations, in accordance with the model law for HMOs. This bill makes that correction and also amends the definition of life and/or health insurer to clarify that HMOs use a different formula when it comes to calculating RBC. Vote 16-0.

HB 1669-FN, relative to commerce in food in New Hampshire. **INEXPEDIENT TO LEGISLATE.**

Rep. Valerie Fraser for Commerce and Consumer Affairs. Although we want as little federal regulatory involvement in our NH agriculture as possible, this bill is overbroad and could create more harm than good. Not too long ago the USDA proposed a new regulation that would charge a registration fee for every head of livestock. Luckily that didn't pass. This legislature has been responsive to the needs of small farmers. Food production licenses are not required for farmers who sell less than \$20,000 worth of homestead food products or 20 gallons of raw milk or raw milk products directly from their family farms. Laws have also been adopted to make it easier for small farmers to sell large numbers of poultry and rabbits. This bill didn't address slaughter regulations. The committee thought it best to recommend that the bill be found Inexpedient to Legislate. Vote 18-0.

HB 1357, relative to the delivery of articles to a prisoner in a state or county correctional facility. **OUGHT TO PASS.**

Rep. Larry Gagne for Criminal Justice and Public Safety. This bill permits the commissioner of the department of corrections and the superintendent of a county correctional facility to appoint a designee to manage issues relating to the delivery of prohibited articles to prisoners. This bill will make it easier to process reports of contraband without having to wait for the superintendent to give permission in person. Vote 20-0.

HB 1380, relative to unauthorized use of firearms. **INEXPEDIENT TO LEGISLATE.**

Rep. Shannon Chandley for Criminal Justice and Public Safety. This bill sought to replace existing local authority from the process by which an individual might seek to gain permission to discharge a firearm in a compact district. Rather than securing written permission from the local chief of police or governing body, a person could, instead, get signatures from all abutting property owners. Such a change raises obvious questions as to how abutters would be identified, who would be responsible for verifying and maintaining the written document, and how often written permission would be required (e.g. before each outing or once a year). The strong, bipartisan majority of the committee agreed that existing law provides for a reasonable determination of public safety with minimal burden to the person seeking to discharge a firearm in a compact district. Vote 17-3.

HB 1406, relative to canceled carry licenses and evidence of domicile for voting purposes. **INEXPEDIENT TO LEGISLATE.**

Rep. Scott Wallace for Criminal Justice and Public Safety. This bill intends to add a concealed carry license to the acceptable forms of proof of domicile for the purpose of voting. There is no need to amend RSA 159:6, I, only RSA 654:12, II (a) needs to be amended to add a concealed carry license to the list of acceptable documents. The fact that RSA 159:6, I was amended last year by SB 12 setting the term of issue for a CCW license to 5 years makes this bill unnecessary. Vote 20-0.

HB 1426-FN, requiring persons convicted of nonconsensual dissemination of private sexual images to register as a sexual offender. **REFER FOR INTERIM STUDY.**

Rep. John Burt for Criminal Justice and Public Safety. The committee believes that this behavior is unacceptable yet does not fall to the level of being placed on the sexual offender list for 10 years. The committee knows current laws dealing with this unacceptable act are sufficient, but will search out penalties to fit the crime. Vote 20-0.

HB 1447, relative to the use of video conferencing for arraignments. **INEXPEDIENT TO LEGISLATE.**

Rep. Beth Rodd for Criminal Justice and Public Safety. This legislation would require mandatory video conferencing. This legislation would be impractical and expensive. A public defender would be required to be in the courtroom with the prosecutor and their public defender would be required to be with the client. This mandatory legislation would hamper the defendant's ability to confer with counsel privately in reference to questions about process and bail status issues. Counties should remain free to utilize video conferencing as they deem appropriate. Vote 18-2.

HB 1537, relative to a second opinion on health care matters for state or county prisoners. **OUGHT TO PASS.**

Rep. John Burt for Criminal Justice and Public Safety. This bill clarifies "necessary" medical care to include a second opinion. There is no fiscal note because there is no impact on state or county budgets. This bill would give prisoners the right to seek a second opinion out-of-pocket. Testimony showed support from state and county corrections facilities. The committee agreed that this legislation is a simple, commonsense way to tackle the complex issue of healthcare within a correctional environment. Vote 19-0.

HB 1564-FN, relative to sexual assault of a victim who is incarcerated in a correctional institution by a person with supervisory or disciplinary authority over the victim. **OUGHT TO PASS.**

Rep. Robert Renny Cushing for Criminal Justice and Public Safety. This bill strengthens and clarifies the current law governing custodial rape, which is sex with a prisoner by someone who has direct supervisory or disciplinary authority over, or direct responsibility for maintaining custody of, a person being detained or incarcerated in a correctional institution, the secure psychiatric unit, a juvenile detention facility or other custodial setting. It has long been the policy in New Hampshire that a person engaging in sexual activity, sexual harassment or abuse of a detained or incarcerated individual is in clear violation of ethical and professional standards and such conduct is illegal. A recent N.H. Supreme Court decision in *State v Blanchette* overturned a conviction of felonious sexual assault of a deputy sheriff for having sex with a prisoner and identified a flaw in the current law. The Attorney General's office told the committee that, in that case, while transporting a prisoner, the sheriff stopped along the way, unshackled the prisoner's arms and legs to have sex with her, then re-shackled the prisoner and continued on to deliver her to the state prison. When the sheriff's having sex with the prisoner was uncovered, he was arrested for and convicted of felonious sexual assault. Upon appeal, the N.H. Supreme Court ruled the law as written only applied to Department of Corrections employees transporting a prisoner, and set aside the conviction. Rape is never a part of a prisoner's sentence, and passage of this bill will ensure that prisoners will be protected from coercive sexual assault by those who hold them in custody. Vote 20-0.

HB 1567-FN, relative to the penalties for prostitution and related offenses. **INEXPEDIENT TO LEGISLATE.**

Rep. John Burt for Criminal Justice and Public Safety. Although well intentioned, this bill falls short in a few places. First, it was written without input from the people it purports to help, sex workers. Second, it does not solve the problem of stigma, which begets violence or the problem of mistrust between sex workers and police, which enables so much harm. Further, it leaves the most vulnerable street-based worker in arguably a worse position, since most cannot afford the fine and would lose their right to legal counsel. These are just a few of the problems that lead the committee to recommend ITL. Vote 20-0.

HB 1739-FN, prohibiting female genital mutilation. **OUGHT TO PASS.**

Rep. John Burt for Criminal Justice and Public Safety. The committee felt that New Hampshire's young girls deserve protection from Female Genital Mutilation or FGM. FGM has been listed by the World Health Organization as a violation of human rights. There is no medical reason to ever have this procedure. FGM is not a religious ritual as is commonly thought. In fact it pre-dates most organized religions. This is simply a cultural practice that mutilates the genitals of young girls as a way to control their sexuality. This barbaric procedure often results in severe bleeding, lifelong problems urinating, infections, painful

intercourse, cysts later in life, complications in childbirth, increased risk of newborn fatalities and death of the mother during delivery. This procedure is often performed underground within immigrant communities and young girls have no protections. This legislation protects these young girls, and the women around them. It will give the women in these communities the support they need to stand up against the cultural norm. Vote 21-0.

HB 1820-FN, relative to requiring the use of body cameras by law enforcement officers. **INEXPEDIENT TO LEGISLATE.**

Rep. Larry Gagne for Criminal Justice and Public Safety. This bill amends RSA 105-D to require the use of body-worn cameras by law enforcement officers. Based on information provided from the various agencies subject to this bill, compliance would include costs related to camera purchases, software licenses and data storage, plus administration of the program. Ultimately, it appears this bill will result in a general fund expenditure increase in excess of the additional revenue generated by the penalty assessment increase. Although well intentioned, the committee felt that the cost would be prohibitive and should leave it to the discretion of the local departments. Vote 19-1.

HB 1311, prohibiting schools from prohibiting the wearing or display of the American flag. **INEXPEDIENT TO LEGISLATE.**

Rep. Victoria Sullivan for Education. This bill originated in response to an incident at a local school. The situation was a misunderstanding and has been resolved. The wording of this bill was a concern as it could be interpreted to mean that the flag itself could be worn resulting in the violation of U.S. Flag Code. The committee supports the respectful display of the U.S. flag. Vote 20-0.

HB 1351, relative to notification to parents by charter schools when a child's teacher has not met certification requirements. **INEXPEDIENT TO LEGISLATE.**

Rep. Dan Wolf for Education. This bill would require chartered public schools to provide parents certain notifications. The information is currently and readily available for any parent that desires the information. The bill is not needed. Vote 20-0.

HB 1353, establishing a commission to study equal access and opportunity for students with disabilities to participate in athletics. **REFER FOR INTERIM STUDY.**

Rep. Mel Myler for Education. The committee is committed to the intent of this bill, but had concern over the process to consider action on the topic. The committee supports interim study because it can be initiated immediately and include various stakeholders in the dialogue around the mission and purpose of the bill. Vote 20-0.

HB 1370, relative to a school's emergency management plan. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Mary Heath for Education. The majority finds that this bill as amended requires every public and non-public school to develop a site-specific school emergency plan, which is based on and conforms to the Incident Command System and the National Incident Management System, and submit the plan to the NH Department of Education by September 1 of each year. The department will submit a copy to the Director of Homeland Security and Emergency Management, Department of Safety. Schools will conduct an emergency response drill within one year of the plan's completion. If the school has a building schematic floor plan, the school may, with school board approval, submit the diagram which will enable the state to better prepare and respond to a situation should the need arise. Vote 15-0.

Amendment (0099h)

Amend RSA 189:64, I as inserted by section 1 of the bill by replacing it with the following:

I. ~~[Within 2 years of the effective date of this section,]~~ Every public and nonpublic school shall develop a site-specific school emergency response plan which is based on and conforms to the Incident Command System and the National Incident Management System and submit such plan to the department of education by September 1 of each year. ***Upon receiving a school's emergency management plan, the department shall provide a copy of such plan to the director of homeland security and emergency management, department of safety.*** The plan should be documented at the time of school approval review. The plan shall provide that at least 2 of the currently required number of fire evacuation drills shall be emergency response drills. The plan shall address hazards including but not limited to acts of violence, threats, earthquakes, floods, tornadoes, structural fire, wildfire, internal and external hazardous materials releases, medical emergencies, and any other hazard deemed necessary by school officials and local emergency authorities. The first emergency response drill shall be conducted within one year of the completion of the plan. If the school has a building schematic floor plan diagram, the school may, with the approval of the local school board, submit the diagram to the division of homeland security and emergency management, department of safety, in a commonly used digital format. Submission of the diagram will enable the state to better prepare, respond, and mitigate potentially dangerous conditions should the need arise.

HB 1452, relative to equalized property valuation used to apportion expenses in cooperative school districts. **INEXPEDIENT TO LEGISLATE.**

Rep. Glenn Cordelli for Education. There are 33 cooperative school districts. Each has an existing and differing agreement on the apportionment formula to determine the amount to be paid by each town. While this bill raises the valid discussion of the formula of attendance vs. town equalized valuation, it would not be appropriate for the state to intercede in these local agreements. Vote 19-0.

HB 1551, relative to the retention of records of individualized education programs. **OUGHT TO PASS.**

Rep. Dan Wolf for Education. This bill reduces the number of years that a student's special education (IEP) records are kept by the local education agency. The bill reduces the time frame from the 60th birthday to the 30th birthday of the former student. This is a sensible solution to reduce record keeping. Vote 20-0.

HB 1593, authorizing a school district meeting to adopt an article authorizing the trustees of the trust fund to charge certain expenses against capital reserve funds. **OUGHT TO PASS.**

Rep. Terry Wolf for Education. The legislature passed HB 297 in 2014, which allowed voters to authorize the trustee of the trust funds to pay for professional investment advice directly from the capital reserve funds. After HB 297 became law, questions arose around the applicability to school district capital reserve funds. The bill corrects the ambiguity. Vote 20-0.

Referred to the Committee on Municipal and County Government.

HB 1698-FN-L, relative to the cost of special education services for foster children. **OUGHT TO PASS.**

Rep. James Grenier for Education. This bill will establish the fiscal liability for a foster child receiving special education services placed in a school district. The sending district will be liable for the actual prorated cost of special education and related services. This change will help reduce the unexpected costs incurred by a receiving school district when a foster child receiving special education services is placed in a school district. Vote 20-0.

Referred to the Committee on Finance.

HB 1765, relative to policies regarding chartered public schools. **INEXPEDIENT TO LEGISLATE.**

Rep. Glenn Cordelli for Education. This bill attempts to link requirements of school districts to public charter schools under the responsibilities of the State Board of Education. In addition, it adds language that students cannot be excluded from activities because of refusal to participate in the pledge or national anthem. In that same paragraph, however, it is already in statute that participation is voluntary. This bill is not needed. Vote 20-0.

HB 1212, establishing a local option for commercial buildings with environmental liability that are delinquent on property taxes. **INEXPEDIENT TO LEGISLATE.**

Rep. Howard Pearl for Environment and Agriculture. The committee believes that current statute provides municipalities with the ability to take a delinquent tax property. This bill would have allowed a municipality to revoke a certificate of occupancy in lieu of taking the property. Revoking the occupancy permit would cause tenant businesses to unfairly lose their ability to operate. Additional unintended consequences could occur relating to loss of funding that may be used to mitigate environmental issues, property maintenance, and settling past due taxes. Vote 13-0.

HB 1231-FN-LOCAL, relative to dog licenses. **INEXPEDIENT TO LEGISLATE.**

Rep. Richard Gordon for Environment and Agriculture. This bill would have raised by \$0.50 the dog license fee for seniors, those 65 years or older. The increase was requested solely by one town clerk who thought that the currently discounted dog license fee for seniors set in statute causes his or her office to receive \$0.50 less of the normal \$1 administrative fee for processing dog licenses. Since this is not true, the fee for seniors does not need to be raised. Vote 13-0.

HB 1349, relative to biological products and diagnostic reagents for animal use. **OUGHT TO PASS.**

Rep. Barbara Comtois for Environment and Agriculture. Current statute requires certification of licensure by the US Department of Agriculture (USDA) before biological products and animal reagents can be approved for use in the state by the Commissioner of the NH Department of Agriculture, Markets and Food. However, the department has received several requests for use of certain of these products for which the USDA does not require licensure. The bill will allow the department to approve the use of such products, provided the requests for use are accompanied by a letter from the USDA stating the exemption in lieu of licensure. Vote 12-0.

HB 1407, repealing the prohibition on the use of milk containers. **OUGHT TO PASS.**

Rep. Matthew Scruton for Environment and Agriculture. This bill repeals the prohibition on the use of milk containers for substances other than milk. The committee supports the bill as there is a memorandum of understanding between the Health and Human Services Department and the federal government that adopts the federal Pasteurized Milk Ordinance and it does not include a financial penalty. Vote 13-0.

HB 1723-FN, relative to the reckless beating of animals. **INEXPEDIENT TO LEGISLATE.**

Rep. Anne Copp for Environment and Agriculture. This bill has unintended consequences with grave results by making it a felony for an individual to cause the death of an animal through negligence, even for a first offense, or to cause harm to an animal unknowingly. Other bills were introduced this session that may better address this important issue, in particular, one that is now working its way through the Senate. Vote 13-0.

HB 1708-FN-A, requiring the state to remove standing deadwood trees and making an appropriation therefor. **INEXPEDIENT TO LEGISLATE.**

Rep. Jacalyn Cilley for Executive Departments and Administration. This bill sought to mandate conditions for clearing deadwood trees adjacent to developed property and made an appropriation for this purpose. The state argued that the Department of Natural and Cultural Resources currently uses forest management plans for state property that is based on standards of prudent forest management. The committee believes that this bill has the potential to interfere with such plans and believes state forests are best left in the hands of forestry experts. Vote 18-0.

HB 1411-FN-A, relative to funds transferred to the nongame species account. **OUGHT TO PASS.**

Rep. Ellen Read for Fish and Game and Marine Resources. This bill increases the cap, from \$50,000 to \$100,000, on the amount that the state will match of private donations made to the Nongame Species Account. The account and match were established in 1988 to supplement and encourage such donations. The work that this fund allows has prevented numerous species from being placed on state and federal threatened lists and resulted in many species being removed from such lists. The wildlife protected by this work results in \$281 million in economic activity and \$36 million in state and local taxes, due to non-hunting recreational activity. Therefore, it is the unanimous opinion of this committee that this bill protects the ecology of New Hampshire and boosts our economy. Vote 15-0.

Referred to the Committee on Finance.

HB 1714-FN, relative to chemical analysis of fish in stocked waterways. **INEXPEDIENT TO LEGISLATE.**

Rep. James Spillane for Fish and Game and Marine Resources. This bill should be directed at the Department of Environmental Services, not the Fish and Game Department. Detections from tissue testing would be due to water contamination, as the fish stocked by the Fish and Game Department are healthy and clean. The unknown costs to the department are beyond their budgetary means. Vote 18-0.

HB 1794-FN, requiring a portion of rental fees for canoes, kayaks, and personal watercraft to be deposited in the fish and game search and rescue fund. **INEXPEDIENT TO LEGISLATE.**

Rep. Robert L'Heureux for Fish and Game and Marine Resources. The committee established a subcommittee to analyze and evaluate this legislation. After receiving testimony from various individuals and the Fish and Game Department, the committee determined that this legislation was not necessary to accomplish the sponsors goal since the department has the authority to receive donations for their various projects through electronic and written promotions. Vote 18-0.

HB 1375, repealing the prohibition on inhaling toxic vapors for effect. **INEXPEDIENT TO LEGISLATE.**

Rep. Jess Edwards for Health, Human Services and Elderly Affairs. HB 1375 is recommended to be Inexpedient to Legislate. The Committee recognizes that the act of inhaling toxic materials is detrimental to the individual and creates social costs that should be avoided. **Vote 18-0.**

HB 1503, authorizing minors 16 years of age or older to independently consent to medical procedures. **INEXPEDIENT TO LEGISLATE.**

Rep. Mark Pearson for Health, Human Services and Elderly Affairs. The committee found the bill ambiguous as to whether it was advocating that minors 16 years of age or older could consent to medical procedures independent of any parental consent, or whether such minors' consent was necessary alongside parental consent. Because of this ambiguity, the committee unanimously voted ITL. Vote 18-0.

HB 1574, requiring health care providers to provide an opioid disclosure form to patients for whom an opioid is prescribed. **INEXPEDIENT TO LEGISLATE.**

Rep. Jerry Knirk for Health, Human Services and Elderly Affairs. This bill is unnecessary, as it is redundant and layered on top of a robust consent process which was adopted as a new regulation in May 2016. This bill would burden providers with unnecessary paperwork. Vote 18-0.

HB 1695, relative to payment for child care services by the department of health and human services. **INEXPEDIENT TO LEGISLATE.**

Rep. John Fothergill for Health, Human Services and Elderly Affairs. This bill was presented as a solution to a payment process that clearly is a banking issue. The committee unanimously voted to recommend Inexpedient to Legislate, as passing the bill would not solve the problem. Vote 21-0.

HB 1747-FN, relative to packaging of certain controlled drugs. **INEXPEDIENT TO LEGISLATE.**

Rep. Martin Bove for Health, Human Services and Elderly Affairs. We acknowledge that the idea of this bill has merit, but we recognize that there are many concerns for implementation as well as undetermined cost to the state and consumers. We believe that this may interfere with federal authority regarding drug packaging and interstate commerce issues. Vote 18-1.

HB 1785, changing “hearing impaired” to “deaf” or “hard of hearing” in the New Hampshire laws. **OUGHT TO PASS.**

Rep. Mariellen MacKay for Health, Human Services and Elderly Affairs. This legislation was brought at the request of the deaf community and the Commission on Deafness and Hearing Loss. This community does not consider themselves as impaired. The word impaired means weakened or damaged, which individuals who are deaf or hard of hearing are not. This legislation changes the word “hearing impaired” to “deaf” or “hard of hearing” which is a language change and not a medical diagnosis change or a definition change. This bill does not have a fiscal impact as the services to the deaf and hard of hearing are provided currently under the law through vocational rehabilitation and the Governor’s Commission on Disability. This is a change in language which is identifying individuals by a medical diagnosis and/or condition and does not any longer identify them as damaged or weakened. Vote 18-0.

HB 1799-FN, relative to blood testing for individuals exposed to perfluorinated chemicals in private or public water supplies. **REFER FOR INTERIM STUDY.**

Rep. Charles McMahon for Health, Human Services and Elderly Affairs. The consensus of the committee upon review of the information provided and testimony heard during the hearing was that the bill requires substantial work and study to ensure it presents a viable course of action. Therefore, interim study is recommended. Vote 21-0.

HB 1807-FN, relative to exploitation of elderly, disabled, or impaired adults and establishing a protective order for vulnerable adults. **OUGHT TO PASS.**

Rep. Jerry Knirk for Health, Human Services and Elderly Affairs. From the committee’s point of view, this bill is needed. This bill expands RSA 631:8-10 to include criminal liability if the perpetrator sought consent from a vulnerable adult whom they knew lacked capacity to consent to give away control of their property. The bill also establishes civil protective orders to stop abuse and an opportunity for the victim to recoup damages. The Criminal Justice Committee will need to evaluate the criminal justice components. Vote 18-0. Referred to the Committee on Criminal Justice and Public Safety.

HB 1204, relative to the duties of the judicial council. **INEXPEDIENT TO LEGISLATE.**

Rep. Sandra Keans for Judiciary. The sponsor of this bill would like to expand the duties of the Judicial Council. He would like to see more analysis of criminal trends. The committee believes the Judicial Council is fulfilling their responsibilities and that there are other agencies that have the ability to compile statistics. Vote 11-0.

HB 1205, amending a duty of the judicial council. **INEXPEDIENT TO LEGISLATE.**

Rep. Kurt Wuelper for Judiciary. This bill sought to require the Judicial Council have “open conversations” with litigants about their experiences with the judicial system. The committee found the bill unnecessary. Vote 12-0.

HB 1209, requiring bonding for clerks of court. **INEXPEDIENT TO LEGISLATE.**

Rep. Linda Kenison for Judiciary. This bill seeks to require clerks of court to have personal bonding. Court employees are already bonded. Personal bonding is not necessary and furthermore this bill discriminates by only adding clerks of court and not all court employees. Vote 12-0.

HB 1296, relative to rules of the judicial council. **INEXPEDIENT TO LEGISLATE.**

Rep. Michael Sylvia for Judiciary. This bill seeks to change the rules under which the Judicial Council may operate. As the statute does not mandate rules, nor does the bill, the bill makes no meaningful change. Vote 11-0.

HB 1297, relative to compensation of jurors. **INEXPEDIENT TO LEGISLATE.**

Rep. Kurt Wuelper for Judiciary. This bill seeks to put payment to jurors under the employment statute. This statute is already being followed, making the bill redundant. Vote 11-0.

HB 1387, relative to the penalty for tampering with public records or information. **INEXPEDIENT TO LEGISLATE.**

Rep. Charlotte DiLorenzo for Judiciary. Current statute is sufficient in that it already carries a misdemeanor penalty for all acts described in the proposed statute; therefore, this bill is unnecessary. Vote 11-1.

HB 1399, relative to statutes of limitations in civil actions against public servants. **INEXPEDIENT TO LEGISLATE.**

Rep. Robert Graham for Judiciary. This bill amends the current statute of limitations and subjects public servants to being served at any time in their career plus three years thereafter. The committee believes that the current law is sufficient and that this bill is unnecessary. Vote 12-0.

HB 1408, relative to fraudulent documents purporting to create a lien or assert a claim against property. **INEXPEDIENT TO LEGISLATE.**

Rep. Timothy Horrigan for Judiciary. The committee agreed that liens should continue to be issued only by the state or federal courts. This bill, if passed, would have extended this power to the General Court, which, in spite of its name, is a legislative body. Vote 12-0.

HB 1410, establishing a penalty for violations related to statutory liens on personal property. **INEXPEDIENT TO LEGISLATE.**

Rep. Kurt Wuelper for Judiciary. This bill seeks to make failure to make certain postings and recordings a violation. The committee did not think we should make violations for failure to properly follow administrative procedures. Vote 12-0.

HB 1504, expanding the jurisdiction of the state commission for human rights to hear civil rights and civil liberty issues. **INEXPEDIENT TO LEGISLATE.**

Rep. Linda Kenison for Judiciary. The purpose of this bill is to add additional responsibilities to the Human Rights Commission to provide an additional forum to hear individual grievances. The Human Rights Commission is an administrative agency created by statute and cases are very narrow per said statute. This bill would significantly expand its responsibilities, require more staff and expand financial needs substantially. Vote 14-0.

HB 1735-FN-A, relative to the use of funds in the drug forfeiture fund. **INEXPEDIENT TO LEGISLATE.**

Rep. Kurt Wuelper for Judiciary. This bill proposed to take some money that now goes to law enforcement from the Drug Forfeiture Fund and re-allocate it to grants for drug and alcohol treatment programs. The committee thought this could not be done without changing other statutes relating to forfeiture. Vote 14-1.

HB 1314, repealing the board of conciliation and arbitration. **INEXPEDIENT TO LEGISLATE.**

Rep. Brian Seaworth for Labor, Industrial and Rehabilitative Services. This bill was submitted as a housekeeping bill for the department. Comment has come back suggesting complications and, with the department's concurrence, the sponsor requested a recommendation of Inexpedient to Legislate. The committee unanimously agreed. Vote 11-0.

HB 1326, repealing the compensation appeals advisory board. **INEXPEDIENT TO LEGISLATE.**

Rep. Brian Seaworth for Labor, Industrial and Rehabilitative Services. Intended to be a housekeeping bill, this concept turned out to be more complex. With the support of the department, the sponsor requested a recommendation of Inexpedient to Legislate. The committee unanimously agreed. Vote 12-0.

HB 1330, relative to the wrongful discharge of an employee. **INEXPEDIENT TO LEGISLATE.**

Rep. Troy Merner for Labor, Industrial and Rehabilitative Services. This bill was well intentioned, but we have learned information that this would actually hurt employees. Both employers and employees voiced opposition to this proposal, and the sole sponsor asked for a unanimous recommendation of Inexpedient to Legislate on consent. Vote 14-0.

CACR 10, relating to sessions of the legislature. Providing that there be no secret sessions of the legislature. **INEXPEDIENT TO LEGISLATE.**

Rep. Kathleen Hoelzel for Legislative Administration. Under the State Constitution and House Rules, which require all committees to operate under RSA 91-A, all sessions of the legislature are open to the public. The State Constitution does include an exception permitting the legislature to meet in secrecy only if such an action is required for the welfare of the state. This provision was adopted in 1792 and has never been amended. The last time the New Hampshire legislature held a closed session was during the Civil War. That closed session was for the purposes of national security. Vote 11-0.

HB 1225, relative to removal of public officers for cause. **INEXPEDIENT TO LEGISLATE.**

Rep. Douglas Thomas for Legislative Administration. This bill permits any member of the legislature to petition the Governor and Council for removal of certain public officials for cause. Under current law the Attorney General, the Governor, an Executive Councilor or the person who appointed an unclassified public official, such as a commissioner or assistant commissioner, may petition for the removal of such official. The committee sees no need to change this law. Vote 11-0.

HB 1268, relative to selection of delegates to an Article V convention. **INEXPEDIENT TO LEGISLATE.**

Rep. Phyllis Katsakiores for Legislative Administration. Under Article V of the United States Constitution, constitutional amendments may be proposed by a convention of states called for by two-thirds of the state legislatures. This bill establishes a procedure for the selection of delegates to an Article V convention. Since no such convention is currently scheduled, the committee felt that this bill is not needed. If one is scheduled in the future, the legislature can decide at that time how to elect delegates. Vote 10-0.

HB 1336, establishing a commission to study the construction of a memorial wall to honor state legislators. **INEXPEDIENT TO LEGISLATE.**

Rep. Skylar Boutin for Legislative Administration. This bill establishes an 8-member legislative committee to study the construction of a memorial wall to honor state legislators who have served 10 consecutive terms in the legislature and either retired or died while in office. The committee is required to report by November 1, 2018. Though it is a very interesting and generous idea we find there to be a variety of hurdles that must be addressed before we take action. Work would need to be done on developing a budget, identifying funding sources, and identifying the appropriate location for such a wall. Vote 10-0.

HB 1481, relative to intervention in administrative law cases and matters before the public utilities commission by members of the general court. **INEXPEDIENT TO LEGISLATE.**

Rep. Kathleen Hoelzel for Legislative Administration. This bill requires members of the legislature to be permitted to intervene in contested cases before administrative agencies in general and before the Public Utilities Commission specifically. The committee felt that this legislation is not necessary as citizens already have the option to be heard. According to testimony received, the commissions and agencies allow testimony from the public when the person is directly impacted by the proposed rules or actions. A person can also submit written testimony or have a legislator speak on her or his behalf, provided the person has submitted written permission for the legislator to speak. Vote 9-1.

HB 1639, relative to compensation of members of the New Hampshire legislature. **INEXPEDIENT TO LEGISLATE.**

Rep. Phyllis Katsakiores for Legislative Administration. This bill requires that legislators be paid in quarterly installments at the completion of each 6 months of service. No one appeared to testify on this bill and the committee could see no reason to change the manner in which legislative compensation is disbursed. Vote 10-0.

HB 1642-FN, relative to the compensation of the house chief of staff. **INEXPEDIENT TO LEGISLATE.**

Rep. Stephen Shurtleff for Legislative Administration. This bill would reduce the salary of the House Chief of Staff to the lowest level possible on the legislative personnel pay scale. This committee appreciates the amount of work performed by the Chief of Staff. We appreciate all of the efforts the Chief of Staff has undertaken for the staff and members of the House and do not support this legislation. Vote 10-0.

HB 1675, relative to state house Internet service and relative to calendars and journals of the house and senate. **OUGHT TO PASS.**

Rep. Brad Bailey for Legislative Administration. This bill requires the members of the legislature to be provided with access to secure wireless Internet service. It also requires that House and Senate calendars and journals be made available to the public through an e-mail subscription service. In the opinion of the committee that this bill will, at no cost, increase government transparency and public engagement with the General Court. Vote 9-0.

HB 1776-FN-A, requiring installation of electric vehicle charging stations for use by members of the general court and making an appropriation therefor. **REFER FOR INTERIM STUDY.**

Rep. Stephen Shurtleff for Legislative Administration. This bill would require the installation of charging stations for electric vehicles in legislative parking facilities. The committee could see the merit in this legislation. However, there are several factors that would make it more feasible to wait before this legislation is passed. Among these factors is the current pilot study being done by the state to determine the need for charging stations at state facilities. Also, the Department of Environmental Services is still in the decision making process as how best to use the \$31 million dollars from the Volkswagen settlement. Lastly the state is also looking at the feasibility of constructing a new legislative parking garage. For these reasons the committee recommended referring the bill for Interim Study. Vote 10-0.

HJR 5, that the New Hampshire house of representatives and senate reject hate, bigotry, and violence in all their forms. **OUGHT TO PASS.**

Rep. Allison Nutting for Legislative Administration. The resolution recognizes the importance of the worth of all people, and states that hate, bigotry and violence is wrong for the State of New Hampshire. The committee feels it is important for the House and Senate to affirm this statement. Vote 9-0.

HB 1202-L, relative to town revolving funds for group net metering. **OUGHT TO PASS.**

Rep. Clyde Carson for Municipal and County Government. This bill adds municipal group net metering to the list of allowable revolving fund purposes. Under the state's group net metering rules, towns receive a check from their electricity provider for excess electricity produced, but not used by the host site and pumped into the grid. They also receive revenue from the sale of renewable energy credits. Locations in the group not directly connected, continue to receive and pay electric bills from the local electric company. There may also be financing costs associated with the project. Allowing municipalities to set up a revolving fund would enable them to ensure that the revenue received under the group net metering program would be applied to the costs associated with the program. Vote 13-0.

Referred to the Committee on Science, Technology and Energy.

HB 1221, relative to petitioned warrant articles. **INEXPEDIENT TO LEGISLATE.**

Rep. Brian Stone for Municipal and County Government. The majority of the committee believes that the language in this bill is too vague in regards to how 'intent' would be determined by a moderator. Since 2007 several similar bills have been brought to the committee with the same issues and were deemed ITL. Passage of this bill could open up the issue to potential litigation in court where a judge may decide on a case-by-case basis what the intent of a particular warrant article is. It is also concerning that an amended warrant article may not reflect the wishes of voters who petitioned the warrant in the first place and would, therefore, interfere with the democratic process. The bi-partisan majority of the committee recommends ITL. Vote 15-1.

HB 1244, relative to applicability of local zoning ordinances. **INEXPEDIENT TO LEGISLATE.**

Rep. Jane Beaulieu for Municipal and County Government. After a thorough discussion in committee, the majority of members were confused with the language in the bill and could not support the bill as drafted. Vote 17-0.

HB 1266, relative to apportionment of property taxes in municipalities that are part of cooperative school districts. **INEXPEDIENT TO LEGISLATE.**

Rep. Steven Rand for Municipal and County Government. This bill allows for the value of cooperative school district property, which is not subject to a local property tax, to be added to the taxable property valuation portion of the formula that determines the allocation of school costs between the member towns. It is unreasonable to expect that any school district host town would choose to increase its share of the costs of the school district by doing this voluntarily. Host towns already bear the extra costs of safety services and lose the taxable property value of the land used for the school. The committee finds this bill to be impractical and unnecessary. Vote 15-0.

HB 1299-FN-L, relative to the recall of selectmen. **INEXPEDIENT TO LEGISLATE.**

Rep. Franklin Sterling for Municipal and County Government. The purpose of this bill is to establish a process by which to remove a selectman from office by way of a recall petition. The process contained in the bill would require that 30 percent of the number of voters voting in the election to elect the selectman named in the recall petition to sign the petition. A special election would then be called at which 50 percent of the qualified voters in a town would then have to vote in favor of the recall. The committee found that the atmosphere of a special election would become very divisive and lead to strained relationships amongst the voters. The bill does not contain a method or forum through which a selectman named in the petition could defend him or herself from the charges listed in the recall petition. The committee believes that the process of filing a writ in Superior Court to remove a selectman is preferable. At trial a selectman can present evidence against his or her removal in front of a judge in a forum removed from the turmoil of a political action. Vote 14-1.

HB 1332, allowing warrant articles to be split by the deliberative session. **OUGHT TO PASS.**

Rep. Franklin Sterling for Municipal and County Government. This bill will give the State's political subdivisions that have adopted the official ballot form of government (RSA 40-13 or SB 2) the long standing legislative practice of separating a warrant article that contains sections that can stand independently of each other into two or more separate warrant articles, each to be voted on separately. Vote 15-1.

HB 1392, relative to publishing the tallies of votes of municipal budget committee members on warrant articles. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Frank McCarthy for Municipal and County Government. Current law allows the town, school district or village district to require budget committees to record their votes on warrant articles with budget implications. However, if the town, school district or village district has not voted to require the votes of the budget committee be posted, the posting of such votes is not specifically allowed, which makes it unclear if this is permitted. This bill specifically allows the budget committee, on its own initiative, to post its votes on the warrant article, eliminating any uncertainty about this action. As amended this bill allows advisory budget committees or municipal budget committees to record voting tallies on any warrant article on their own initiative unless the legislative body has voted otherwise. Since municipal governing bodies already have this authority, this bill will even the field between two elected bodies. Vote 11-0.

Amendment (0152h)

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

AN ACT relative to tallies of votes on budget items or warrant articles.

Amend RSA 32:5, V-a as inserted by section 1 of the bill by replacing it with the following:

V-a. The legislative body of any town, school district, or village district may vote to require that all votes by an advisory budget committee, a town, school district, or village district budget committee, and the governing body or, in towns, school districts, or village districts without a budget committee, all votes of the governing

body relative to budget items or any warrant articles shall be recorded votes and the numerical tally of any such vote shall be printed in the town, school district, or village district warrant next to the affected warrant article. Unless the legislative body has voted otherwise, if a town or school district has not voted to require such tallies to be printed in the town or school district warrant next to the affected warrant article, the governing body, ***the advisory budget committee, or the municipal budget committee*** may do so on its own initiative.

AMENDED ANALYSIS

This bill permits the municipal budget committee or the advisory budget committee to require that the numerical tally of all votes be printed on the affected warrant unless the legislative body has voted otherwise.

HB 1402, relative to ordinances regarding forestry activities. **OUGHT TO PASS.**

Rep. James Belanger for Municipal and County Government. The General Court has long supported forestland ownership and management. This bill addresses an emerging problem forestland owners and managers are facing – inconsistent, unreasonable, and adverse local regulations. The problem is addressed by this bill in three ways. First, it bundles the spirit of New Hampshire law towards forestland ownership and management in RSA chapter 47, *Powers of City Councils*, and RSA chapter 31, *Powers and Duties of Towns*. Second, it establishes a standard that a town or city must meet when seeking to enact an ordinance that will adversely affect forestry activities by requiring that the town or city consider the effects and take any reasonably available steps to minimize such effects. Lastly, it prohibits a town or city from adopting an ordinance that discriminates against forestry activities. This bill does not prohibit local ordinances. Instead it facilitates bringing the stakeholders together to minimize the potential adverse impacts before the ordinance is enacted. The committee heard no testimony opposing this bill and voted unanimously to recommend this bill Ought to Pass. Vote 17-0.

HB 1431, prohibiting the state and political subdivisions from acquiring military-equipped vehicles or equipment which are not readily available in an open national commercial market. **INEXPEDIENT TO LEGISLATE.**

Rep. Jane Beaulieu for Municipal and County Government. This bill is filled with several unintended consequences including disarming the National Guard. The New Hampshire Division of Forests and Lands sees no justification for government red tape to stand in the way of helping first responders getting the equipment they need to respond to wild fires, floods, and other natural disasters. In addition, only 16 percent of this military surplus equipment acquired is for vehicles and weapons. Vote 13-0.

HB 1444, requiring the legislative body to approve the appointment of town managers and prohibiting town managers from hiring contractors to perform the duties of town managers. **INEXPEDIENT TO LEGISLATE.**

Rep. Richard Tripp for Municipal and County Government. This bill adds new regulations which impact the ability of the municipality to operate on a daily basis by denying it the ability to appoint a town manager or administrator and make use of contractors for the performance of specialized or infrequent tasks. The bill would require legislative body approval, and that only happens once a year unless special town meetings are called. It further makes any official violating these new regulations subject to dismissal. It was determined by the committee these new regulations would create an unnecessary impediment to the town's ability to function in a timely and cost efficient manner. Vote 15-0.

HB 1461, relative to penalties for unconstitutional actions by municipal officials. **INEXPEDIENT TO LEGISLATE.**

Rep. Bruce Tatro for Municipal and County Government. This bill provides for the dismissal of municipal officials in the event that the municipality takes action that is later determined to be unconstitutional, even if those officials had no part in the unconstitutional action. Vote 15-0.

HB 1631-LOCAL, relative to the assessment of property in municipalities that are part of a multi-town school district. **INEXPEDIENT TO LEGISLATE.**

Rep. James Belanger for Municipal and County Government. There are no other towns except one cooperative school district that this bill would affect, now or in the future. The committee felt that this district can, and has, negotiated to arrive at an agreement and that this bill is not needed. Vote 13-2.

HB 1655-L, relative to fines for violations of town or city code violations. **INEXPEDIENT TO LEGISLATE.**

Rep. Bruce Tatro for Municipal and County Government. This bill is intended to alter the amount of a fine issued for planning and zoning violations. The bill as written accomplishes this intent, but also increases the amount of the fine instead of reducing it. The intent of the sponsor was to reduce the fine. Vote 14-0.

HB 1657, relative to the removal of an elected treasurer. **INEXPEDIENT TO LEGISLATE.**

Rep. James Belanger for Municipal and County Government. This bill provides for the removal of an elected treasurer if the Department of Revenue Administration (DRA) determines that the treasurer is not in compliance with his or her oath of office. It does not provide for legal action, court trial or any other opinion other than the DRA. There are existing statutes that deal with removal elected officials and this bill is not necessary. Vote 15-0.

HB 1232, naming a portion of Route 4A as the Alan Leslie Seamans highway. **INEXPEDIENT TO LEGISLATE.**

Rep. Virginia Irwin for Public Works and Highways. The committee voted to recommend this bill inexpedient to legislate because the sponsor had not obtained letters of support from the town or towns on Route 4A. While the committee did not opine on the merits of naming a section of Route 4A, they did suggest to the sponsor that if he obtained letters of support, he could file a new bill in the next session. Vote 19-0.

HB 1248, establishing a committee to study the construction of a parking facility at Hampton Beach. **INEXPEDIENT TO LEGISLATE.**

Rep. David Milz for Public Works and Highways. The committee felt that a study regarding this matter should be initiated at the local level, in Hampton, and the findings regarding issues such as ownership, revenue, financing, private/public partnership, etc. should be resubmitted to the House for consideration. Vote 18-1.

HB 1536-FN, requiring certain signs on divided highways. **INEXPEDIENT TO LEGISLATE.**

Rep. John Graham for Public Works and Highways. This bill requires the Commissioner of the Department of Transportation (DOT) to erect signs on divided highways directing motorists to keep right except to pass. While a laudable sentiment, there is currently no prohibition on driving in the left lane. The committee was aware that another bill on this issue was being considered by the Transportation Committee this session. Additionally, the DOT estimates that to implement this plan in FY 2019 would cost approximately \$180,960 all of which would come from the Highway Fund. For these reasons the committee recommends that this bill be found inexpedient to legislate. Vote 19-0.

HB 1640-L, relative to the definition of "occasion" relating to the laying out of roads. **INEXPEDIENT TO LEGISLATE.**

Rep. Virginia Irwin for Public Works and Highways. The committee voted to recommend this bill inexpedient to legislate because they felt that the language in the bill was too obscure. The sponsor was unable to provide support for the proposed change. Furthermore, the committee believes that the current process for laying out new class IV, V or VI highways is sufficient. Vote 19-0.

HB 1693, relative to appropriations for bridge construction or reconstruction. **INEXPEDIENT TO LEGISLATE.**

Rep. John Graham for Public Works and Highways. This bill would modify the definition of "bridge" for the purpose of qualification for state bridge aid. This bill would also permit the Commissioner of the Department of Transportation (DOT) to reduce or eliminate aid for the construction or reconstruction of certain bridges. State bridge aid is a collaborative program between the state and a municipality providing for the construction or reconstruction of a municipally owned bridge. This process begins at the local level, and the committee feels that the current program is working and should not be modified at this time. The committee also feels that since it is a collaborative process, the Commissioner of DOT should not be given more control over spending within the program than the commissioner currently has. Vote 19-0.

HB 1696-FN, relative to the Hampton Beach capital improvement fund. **INEXPEDIENT TO LEGISLATE.**

Rep. John Graham for Public Works and Highways. This bill would change the name of the Hampton Beach capital improvement fund to the Hampton Beach capital improvement and maintenance fund, and double the amount transferred to this fund from the Hampton Beach parking revenues fund. The current amount transferred annually is \$200,000 and doubling it to \$400,000 would adversely impact the operations and maintenance activities at the remainder of the state parks. Additionally, the bill proposes that the money in this improvement fund be used "for infrastructure, equipment, and maintenance expenses of the town of Hampton," a concept the committee cannot accept. Finally, the bill proposes allowing the town to directly become involved in making recommendations on state funding in the Hampton area. The committee feels that Hampton is currently well represented in the General Court and any issue dealing with state spending in either the capital or operating budgets can be addressed by these elected members. The committee recommends the bill be found inexpedient to legislate. Vote 18-1.

HB 1470-FN, repealing the timber tax. **INEXPEDIENT TO LEGISLATE.**

Rep. Judith Spang for Resources, Recreation and Development. Testimony indicated dissatisfaction with the present timber tax and the cumbersome way it has been administered. The committee decided that rather than just repealing the tax, first it should be evaluated by the many affected interests. A group of representative interests have agreed to do this with the goal of suggesting legislation for next session. Vote 19-0.

HB 1777-FN, relative to energy infrastructure corridor revenue. **OUGHT TO PASS.**

Rep. Jeanine Notter for Science, Technology and Energy. This bill requires all revenue generated from the use of state-owned land or assets within energy infrastructure corridors within a turnpike to be deposited in the Turnpike Fund, rather than the Highway Fund. All other funds generated by such energy infrastructure corridor will continue to be used to fund state transportation programs funded by state and federal monies and included in the state Ten Year Transportation Improvement Plan. Vote 12-0.

Referred to the Committee on Public Works and Highways.

HB 1249, relative to the Honor and Remember Flag as an official symbol to recognize and honor members of the armed forces. **INEXPEDIENT TO LEGISLATE.**

Rep. Alfred Baldasaro for State-Federal Relations and Veterans Affairs. The committee supported the request of the sponsor of this bill that it be recommended Inexpedient to Legislate. This flag bill has come forward three times and was voted Inexpedient to Legislate each time. There are many issues within the veteran's community, and they are divided on this flag. Vietnam Veterans have stated the flag reminds them of the North Vietnamese Flag and the State Veterans Advisory Committee (SVAC) does not support this bill. There is a constitutional monopoly issue about flags with this bill. Vote 14-0.

HB 1273, relative to the National Guard force protection policy. **OUGHT TO PASS WITH AMENDMENT.** Rep. Skip Rollins for State-Federal Relations and Veterans Affairs. As amended this bill suspends New Hampshire state licensure laws, rules, and regulations for certain physicians and physician assistants employed by the United States Department of Veterans Affairs. The amendment also changes the reporting date of the State Veterans Advisory Committee. This means more physicians for veterans' medical issues. Vote 19-0.

Amendment (0104h)

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

AN ACT suspending state licensure laws for physicians and physician assistants employed by the United States Department of Veterans Affairs.

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

1 New Section; Physicians Employed by the USDVA; Suspension Of Licensing Requirements. Amend RSA 329 by inserting after section 23 the following new section:

329:23-a License Requirements Suspended.

I. New Hampshire state licensure laws, rules, and regulations for physicians are hereby suspended for those physicians from other states or countries who are employed by the United States Department of Veterans Affairs and who are offering medical services to patients of the Manchester Veterans Administration Medical Center (VAMC) at licensed medical facilities outside of the Manchester VAMC, provided that such physicians are acting within the scope of their employment at the VAMC and possess a current medical license in good standing in their respective state or country of licensure.

II. The acting director of the Manchester VAMC shall submit to the executive director of the New Hampshire office of professional licensure and certification, or designee, a list of all out-of-state or out-of-country physicians offering services in the state of New Hampshire.

III. Nothing in this section shall be construed to preempt or supplant an individual licensed medical facility's policies regarding the emergency credentialing of physicians or any other medical personnel.

2 New Section; Physician Assistants Employed by USDVA; Suspension of Licensing Requirements. Amend RSA 328-D by inserting after section 2 the following new section:

328-D:2-a Licensure Requirements Suspended.

I. New Hampshire state licensure laws, rules, and regulations for physician assistants are hereby suspended for those physician assistants from other states or countries who are employed by the United States Department of Veterans Affairs and who are offering medical services to patients of the Manchester Veterans Administration Medical Center (VAMC) at licensed medical facilities outside of the Manchester VAMC, provided that such physician assistants are acting within the scope of their employment at the VAMC and possess a current license in good standing in their respective state or country of licensure.

II. The acting director of the Manchester VAMC shall submit to the executive director of the New Hampshire office of professional licensure and certification, or designee, a list of all out-of-state or out-of-country physician assistants offering services in the state of New Hampshire.

III. Nothing in this section shall be construed to preempt or supplant an individual licensed medical facility's policies regarding the emergency credentialing of physician assistants or any other medical personnel.

3 State Veterans' Advisory Committee; Report. Amend RSA 115-A:8, III to read as follows:

III. The committee shall issue ~~biannual~~ **annual** reports of its actions, findings, and recommendations on ~~May~~ **October** 1 ~~[and November 1]~~ of each year to the speaker of the house, the president of the senate, the governor and council, and all veterans' organizations in the state.

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

AMENDED ANALYSIS

This bill suspends New Hampshire state licensure laws, rules, and regulations for certain physicians and physician assistants employed by the United States Department of Veterans Administration.

This bill also changes the reporting date of the state veterans' advisory committee. Referred to the Committee on Executive Departments and Administration.

HB 1346, establishing a committee to study the New Hampshire veterans cemetery. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Reed Panasiti for State-Federal Relations and Veterans Affairs. As amended this bill would create a commission to study the New Hampshire Veterans Cemetery, in order to address issues including, but not limited to, the following: 1. Whether non-veterans should be eligible to be interred at the cemetery at no expense. Currently spouses and eligible dependents pay \$350. 2. Whether the non-veteran fee should be the same as the plot allowance for a veteran. 3. If a fee is charged for a non-veteran whether there should be a mechanism for prepaying the fee. The commission members shall be comprised of three members of the House, two members of the Senate, with the direction of the New Hampshire Veterans Cemetery. Vote 19-0.

Amendment (0115h)

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

AN ACT establishing a commission to study the New Hampshire veterans cemetery.

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

1 New Section; Commission to Study the New Hampshire Veterans Cemetery. Amend RSA 110-B by inserting after section 79 the following new section:

110-B:79-a Commission to Study the New Hampshire Veterans Cemetery.

I. There is established a commission to study the New Hampshire veterans cemetery.

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

(1) Three members of the house of representatives, one of whom shall be from the finance committee, appointed by the speaker of the house of representatives.

(2) Two members of the senate, appointed by the president of the senate.

(3) The director of the New Hampshire veterans cemetery, or designee.

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

II.(a) The commission's study shall include, but not be limited to the following:

(1) Whether non-veterans should be eligible to be interred at the cemetery at no expense.

(2) Whether the non-veteran fee should be the same as the plot allowance for a veteran.

(3) If a fee is charged for a non-veteran whether there should be a mechanism for pre-paying the fee.

(4) An examination of federal and state laws relative to burial for National Guard members.

(b) The commission may solicit input from any person or entity the commission deems relevant to its study.

III. The members of the commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the first-named house 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.

IV. The commission shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2018.

3 Repeal. RSA 110-B:79-a, relative to a commission to study the New Hampshire veterans cemetery, is repealed.

4 Effective Date.

I. Section 3 of this act shall take effect November 1, 2018.

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

AMENDED ANALYSIS

This bill establishes a commission to study the New Hampshire veterans cemetery.

HR 21, urging Congress to repeal or amend the Apportionment Act of 1911. **INEXPEDIENT TO LEGISLATE.**

Rep. Richard Lascelles for State-Federal Relations and Veterans Affairs. The committee understands the attempt to increase representation, but feels the resolution would: a) make progress on legislation more difficult, b) would negatively affect New Hampshire's role in the Electoral College, and c) would be very expensive to implement. Vote 19-0.

HB 1219, relative to drivers' licenses renewals. **INEXPEDIENT TO LEGISLATE.**

Rep. Werner Horn for Transportation. As written, this bill would provide the opportunity to renew a driver's license online once. After that, a driver could not renew online again. This is an unintended consequence that we are seeking to prevent. Vote 15-0.

HB 1256, relative to decal fees for multi-use veterans decal plates. **OUGHT TO PASS.**

Rep. Steven Smith for Transportation. This bill clarifies a grammatical error in current statute. The legislature's intent when creating the veterans decal program was for each veteran to pay ten dollars to the State Office of Veterans Services for a set of stickers, one for each plate. The wording implies that they pay ten dollars per sticker, or twenty dollars per car. This bill fixes the language. Vote 14-0.

HB 1334, establishing a commission to review the structure of motor vehicle laws. **OUGHT TO PASS.**

Rep. Thomas Walsh for Transportation. This bill creates a commission to study the structure of motor vehicle laws. The commission will be charged with recommending legislation that could clean up and streamline decades of accumulating and possibly unneeded statutes. Vote 15-1.

HB 1364, relative to use of amber lights on vehicles. **OUGHT TO PASS.**

Rep. Peter Torosian for Transportation. This bill as proposed will amend RSA 266:78-i with regard to the use of amber lights on wreckers and emergency tow vehicles. This bill will no longer require these vehicles to operate amber lights when transporting a disabled vehicle. The committee felt that due to new high intensity LED lights, this would help reduce distraction and stop desensitizing drivers of surrounding vehicles on the roadway to hazardous conditions. Vote 16-0.

HB 1455, relative to vehicle operation at uncontrolled intersections. **OUGHT TO PASS.**

Rep. Chris True for Transportation. This bill corrects an omission in the law concerning rules of the road. This bill puts into statute how vehicles are to yield at intersections where a traffic control device is not operational. Vote 16-0.

HB 1509-FN, authorizing Granite Pathways to issue decals for multi-use decal number plates. **OUGHT TO PASS.**

Rep. Chris True for Transportation. This bill allows Granite State Pathways, a 501(c)(3), to issue decals for multi-use decal number plates. Vote 14-0.

HB 1513-FN, authorizing the New Hampshire Law Enforcement Officers Memorial Association to issue decals for multi-use decal plates. **OUGHT TO PASS.**

Rep. Werner Horn for Transportation. Qualifying organizations have an opportunity to raise funds through participating in the multi-use decal plate program. The transportation committee fully supports New Hampshire Law Enforcement Officers Memorial Association in their efforts to support their organization. Vote 14-0.

HB 1518, repealing the requirement that motor vehicle lighting and safety equipment be approved by the director of the division of motor vehicles. **OUGHT TO PASS.**

Rep. Peter Torosian for Transportation. This bill frees up the Director of the Division of Motor Vehicles from approving vehicle lighting and safety equipment. Motor vehicle manufacturers already conduct extensive testing and use vigorous industry standards to ensure that safe lighting and safety equipment are installed on motor vehicles and approved by NHTSA. Vote 15-0.

HB 1525, relative to reporting medically unfit drivers. **INEXPEDIENT TO LEGISLATE.**

Rep. Karel Crawford for Transportation. This bill would allow any person to report a driver's lack of ability to operate a motor vehicle confidentially to the division of motor vehicles. The committee was concerned about false reporting by persons with vendettas, and not actual poor performance on the road and the inability of the reported driver to face their accuser. Vote 15-0.

HB 1538-FN, authorizing Friends of the Hampton Falls Bandstand, Inc. to issue decals for multi-use decal plates. **OUGHT TO PASS.**

Rep. Charlie St. Clair for Transportation. This bill will authorize Friends of the Hampton Falls Bandstand, Inc. to issue decals for multi-use decal plates. Vote 15-0.

HB 1539-FN, authorizing official cover plates for former elected officials. **INEXPEDIENT TO LEGISLATE.**

Rep. Thomas Walsh for Transportation. This bill authorizes official cover plates for any former legislator in NH . . . forever. This is the third largest legislative body in the English-speaking world, thus the number of plates could be astronomical. Questions arose on how to differentiate between current and former legislators, and more importantly, how that will be done at the tolls. For those reasons the committee recommended ITL unanimously. Vote 15-0.

HB 1546-FN, authorizing Seacoast Youth Services to issue decals for multi-use decal plates. **OUGHT TO PASS.**

Rep. Chris True for Transportation. This bill allows Seacoast Youth Services, a 501(c)(3), to issue decals for multi-use decal number plates. Vote 13-0.

HB 1580, relative to equipment required for vehicle inspections. **INEXPEDIENT TO LEGISLATE.**

Rep. Peter Torosian for Transportation. The list of equipment required on NH vehicles is contained in both RSA 266:1 and administrative rules. It is also not clear and inclusive. By filing this bill, the sponsor has highlighted the need to clarify this. This work is proposed for a legislative commission which will review the entire motor vehicle code. Since the current list is not clear and explicit, implementation of this bill is not possible. Vote 15-0.

HB 1614, relative to the international registration plan. **OUGHT TO PASS.**

Rep. Steven Smith for Transportation. The international registration plan simplifies the process of complying with multiple states' permits and fees for commercial truckers. It also facilitates truck travel back and forth to Canada. This bill allows the Department of Safety to make rule changes to maintain our federal compliance, particularly when the legislature is not in session. Vote 15-0.

HB 1651, establishing a committee to study the use of liquid de-icers on roads. **OUGHT TO PASS.**

Rep. Chris True for Transportation. This bill would establish a committee to study the effect of liquid de-icers on roads and vehicles. The committee heard testimony concerning the use of de-icers on roads and the resulting corrosion of vehicles. Vote 15-0.

HB 1658-FN, relative to notice of driver's license suspension or revocation. **INEXPEDIENT TO LEGISLATE.**

Rep. Chris True for Transportation. The intent of the bill is to have the notice of driver's license suspension or revocation delivered by certified mail or hand delivered to the addressed person. Testimony stated that it could take an officer many attempts to complete the delivery. Certified mail does not guarantee it would be signed for by the addressed person. The committee could not support the cost of certified mail of over \$400,000 each year. Vote 15-0.

HB 1731-FN, relative to regulating bicycles and requiring that driver's license applicants be informed of and examined on laws relating to bicyclists rights and safety. **OUGHT TO PASS WITH AMENDMENT.**

Rep. George Sykes for Transportation. The committee amendment replaces the original bill and adds an additionally approved right turn hand signal to the already approved right turn hand and arm extended upward, and optionally extending the right hand and arm horizontally. It also adds bicycles to the approved list of vehicles that may be equipped with a device that provides alternate flashing of headlamps. Finally, a vehicle may cross two immediately adjacent solid yellow lines in order to pass a pedestrian, or a device moved by human power, including a bicycle, skateboard, or foot scooter, provided it can be done safely. Vote 15-0.

Amendment (0271h)

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

AN ACT relative to regulating bicycles.

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

1 Highway Markings; Passing. Amend RSA 265:22, I(c) to read as follows:

(c) In case such driver has an unobstructed view and can see the end of the said unbroken painted line; **or**

(d) In order to pass a pedestrian or a device moved by human power, including a bicycle, skateboard, or foot-scooter, provided such movement can be made safely.

2 Method of Giving Hand-and-Arm Signals. Amend RSA 265:47, II to read as follows:

II. Right turn--Hand and arm extended upward. ***Or optionally, when on a bicycle, by extending the right hand and arm horizontally.***

3 Flashing Lights. Amend RSA 266:78-e to read as follows:

266:78-e Other Flashing Lamps Prohibited. Only authorized emergency vehicles, including law enforcement, fire, and emergency medical services vehicles, [and] state department of transportation vehicles engaged in construction or maintenance activities, ***and bicycles*** may be equipped with a device that provides for alternate flashing of headlamps.

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

AMENDED ANALYSIS

This bill:

I. Allows crossing an unbroken traffic line to pass a pedestrian or device moved by human power.

II. Modifies hand signal requirements for bicyclists.

III. Allows flashing headlamps on bicycles.

HB 1250, establishing a committee to study the use and location of Lucky 7 machines. **REFER FOR INTERIM STUDY.**

Rep. Patrick Abrami for Ways and Means. The bill called for the establishment of a committee jointly with the Senate to study the use and location of Lucky 7 machines. The committee agreed that this issue needed to be studied, but felt it should be studied internally through House Ways and Means and thus unanimously voted interim study. The committee also agreed that HB 1534, which is related to Lucky 7, be interim studied and that the issues in both bills be studied simultaneously. Vote 23-0.

HB 1251, relative to indicia for payment of taxes on the transfer of real property. **OUGHT TO PASS.**

Rep. Jordan Ulery for Ways and Means. This is a housekeeping bill to allow marking of land transfers with an "indicia" of tax payment rather than force the state to expend unnecessary funds for costly, antiquated and corruptible "stamps" as required by the wording of law. Reference to "stamps" was deleted and "indicia" was inserted to allow development of modern methods compatible with the electronic age. Vote 23-0.

HB 1260, relative to the payout value of bingo games at private campgrounds and hotels. **OUGHT TO PASS.**

Rep. Susan Almy for Ways and Means. Bingo games are currently allowed at campgrounds and hotels for bona fide guests, without licensing, up to a maximum payout of \$1,000 for the night. Some of these venues see attendance in the hundreds when the night is rainy, and this bill increases the maximum pay out to \$2,000 to accommodate them. The law requires the entire revenue from cards sold to be paid out to the players. This bill may increase tourism and reduce traffic accidents and rainy-night moose collisions. Vote 17-1.

HB 1276, adding an exemption for certain raffles conducted by charitable organizations. **OUGHT TO PASS.** Rep. Patrick Abrami for Ways and Means. This bill clarifies when a charitable organization may conduct a raffle and sell tickets without a permit. The bill explicitly states that if tickets are sold at an event lasting 12 hours or less, no permit is required. The committee feels this clarification within the statutes was needed to eliminate confusion as to when a permit is required. Vote 17-1.

HB 1282, repealing the provisions for tax exemptions for certain chartered public school facilities. **INEXPEDIENT TO LEGISLATE.**

Rep. Russell Ober for Ways and Means. This bill would repeal the provision of RSA 79-H which allows cities or towns to give tax breaks to chartered public schools which lease taxable real estate for their functions. State law prevents chartered public schools from owning their own property for the first five years of their existence. If towns or cities wish to encourage public charter schools to produce good students too, they should be allowed to do so. Vote 23-0.

HB 1292, relative to the effective dates of changes to the rates for the business profits tax and the business enterprise tax. **OUGHT TO PASS.**

Rep. Marc Abear for Ways and Means. This bill changes the effective dates of the rate reductions to the business profits tax and business enterprise tax to the beginning of the respective calendar year. This has no impact on tax rates or periods of collection. The measure is supported by the business community and the administering agency. It adds clarity to the existing law. Vote 23-0.

HB 1390-FN, using a portion of meals and rooms revenues for fish and game search and rescue operations. **INEXPEDIENT TO LEGISLATE.**

Rep. Arthur Barnes for Ways and Means. As written, this bill would distribute the sum of one dollar in each fiscal year from the net income of the room and meals tax revenues to the Fish and Game search and rescue fund. The only person to testify was a representative from the Fish and Game Department who said they did not know why this bill had been filed and they had not asked for it to be filed. Vote 23-0.

HB 1491-FN-A-L, relative to the disposition of meals and rooms tax revenues to town and cities. **INEXPEDIENT TO LEGISLATE.**

Rep. Patrick Abrami for Ways and Means. Currently, the portion of the rooms and meals tax that is remitted back to the cities and towns is done so proportionally, based upon the population of each municipality. This bill maintains this concept, but then calls for a different formula to be utilized once a threshold amount of overall room and meals tax revenue is reached. This new formula for revenues that exceed the threshold would be based upon the amount of room and meals revenue generated within each municipality. The committee found three major issues with this proposed changes. First, this is a departure from the long held practice in the state that all revenues in the state should benefit all those in the state in a proportional manner. If this bill passed it would open up this concept of disproportional allocation of revenue from other revenue streams as well. This would lead to a very slippery slope when it comes to who should benefit from other revenues. Second, many businesses do not file their room and meals tax returns in the location in which their hotel or restaurant is based. Compounding this, is that owners with multiple sites across the state file consolidated returns with no break out as to the amount of revenue generated within an actual municipality. If this bill were to pass, the whole concept of consolidated returns would need to be modified so that the Department of Revenue Administration would know exactly the municipality in which the room and meals taxable revenue is generated. Finally, the tourist cities and towns that generate more of the rooms and meals tax, because of the number of hotels and restaurants they have, claim they need this extra revenue to cover the extra police and fire demands tourists bring. Many on the committee feel that the property taxes paid by these establishments more than cover these increased protective requirements. For these reasons, the committee overwhelmingly recommends this concept inexpedient to legislate. Vote 22-1.

HB 1534-FN, relative to Lucky 7. **REFER FOR INTERIM STUDY.**

Rep. Patrick Abrami for Ways and Means. This bill called for Lucky 7 tickets to be sold where any licensed games of chance are operated, which is a departure from current statute linking Lucky 7 to the playing of bingo. The prime sponsor, seeing that HB 1250, which called for the study of the use and location of Lucky 7 machines, was also being considered, asked that the merits of HB 1534 be considered within this study vehicle. The committee agreed and voted unanimously to interim study this legislation as part of the larger Lucky 7 review. Vote 23-0.

HB 1758-FN, establishing a credit against business taxes for paid maternity and paternity leave. **INEXPEDIENT TO LEGISLATE.**

Rep. Marc Abear for Ways and Means. The bill establishes a paid maternity and paternity leave tax credit against the business profits tax (BPT) and the business enterprise tax (BET) administered by the Department of Business and Economic Affairs. The tax credit is 50% of the amount paid to an employee by the business as paid maternity or paternity leave. The tax credit is capped at \$10 million in any given year. This

bill as written could reduce the BET base by approximately \$740 million if \$5 million of the credit is used against BET and reduce the BPT base by \$63 million if the other \$5 million of the credit is used against BPT. Members of the committee felt this bill should have been a credit against wages and/or profits rather than a credit against taxes due. In addition, the administrative cost to the state would be about \$89,000 per year. This should be a spending bill so its cost is visible to the taxpayers. A new state-funded entitlement should not be undertaken as a tax credit. There are policy bills in the appropriate policy committees being heard on the issue. Vote 22-1.

REGULAR CALENDAR - PART I

HB 628-FN, relative to a family and medical leave insurance program. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Laurie Sanborn for the Majority of Commerce and Consumer Affairs. This bill came to the Commerce Committee for a review of the insurance and business aspects. Testimony made it clear that the bill has many flaws and innumerable unanswered questions. Importantly, it became immediately apparent that the plan design will not bring in enough money to pay estimated claims and expenses, and as such, is unsustainable. The minority realizes this and tried to pass an amendment that raised employee contribution rates and limited the number of weeks of paid leave. Unfortunately, this still doesn't come close to solving the problem of solvency. States like Rhode Island, in comparison, charge double the rates the minority is proposing and make private sector participation mandatory. All original cost/benefit scenarios were based upon 100% participation of both public and private employers. This bill allows disinterested employees to opt-out, creating an insurmountable lack of funding. Another major concern is that this new regulation goes well beyond the Family and Medical Leave Act in terms of the size of employer it covers and the extended family members it covers, potentially creating excessive hardships for small businesses, which are the backbone of our economy. While we are compassionate and understand the challenges many families face, a Family and Medical Leave Insurance program run by state government creates more unfunded liabilities than we can afford. Let's fix our unfunded pension responsibilities first, before creating any new commitments we can't keep. Vote 11-9.

Rep. Edward Butler for the Minority of Commerce and Consumer Affairs. Following a favorable vote on the House floor this bill came to the Commerce Committee for the purpose of ensuring its viability as an insurance program. Surveys show an overwhelming majority of Granite Staters – 82% – support the establishment of a Family and Medical Leave Insurance Program and the weight of testimony to our committee underscored that this is critical to New Hampshire's efforts to address some of our most significant challenges: growing and maintaining our workforce, caring for our seniors and an aging population, and supporting recovery from the opioid public health epidemic. The House previously amended the bill to allow individuals to opt out of the program. As part of its presentation to the Commerce Committee, the Department of Employment Security (DES) provided the committee with an updated analysis to predict program performance. Deputy Commissioner Lavers reported that if premiums are set conservatively for a temporary period, and if we look at program performance after a two-year period from implementation, the Legislature can be comfortable and reassured that the necessary revenue to get the program up, running and operational will be available. The Deputy Commissioner testified that if the premium rates were increased to 0.67% and the maximum number of allowable weeks of leave changed to 6 weeks (from 0.5% and 12 weeks) the program would be financially viable at the projected 70% participation rate. In fact, they modeled the program down to a 50% participation rate and the program remained solvent with these changes. The minority of the committee recommends this bill ought to pass with an amendment. This amendment is based on the testimony presented by DES Deputy Commissioner Lavers. The amendment also adopts the department's recommendation for a review of program performance in the first two years at which time the Commissioner would recommend any changes to the benefits or premium and long-term solvency controls. And, of course, the Legislature will be able to review the program performance and recommend policy changes, if needed.

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

Reps. Sanborn and Hunt spoke in favor.

Rep. Luneau spoke against and yielded to questions.

Rep. Stone spoke against.

Rep. Sanborn requested a roll call; sufficiently seconded.

YEAS 168 - NAYS 178

YEAS - 168

BELKNAP

Abear, Marc
Fields, Dennis
Spanos, Peter

Aldrich, Glen
Howard, Raymond
Sylvia, Michael

Comtois, Barbara
Lang, Timothy
Vadney, Herbert

Tilton, Franklin
Silber, Norman
Varney, Peter

CARROLL

Avellani, Lino
McConkey, Mark
Marsh, William

Comeau, Ed
Nelson, Bill

Cordelli, Glenn
Schmidt, Stephen

McCarthy, Frank
Umberger, Karen

CHESHIRE

Hunt, John
Sterling, Franklin

McConnell, James

O'Day, John

Stallcop, Joseph

COOS

Theberge, Robert
Bailey, Brad
Schwaegler, Vicki

Darrow, Stephen
Johnson, Tiffany

Hennessey, Erin

GRAFTON
Ladd, Rick

HILLSBOROUGH

Griffin, Barbara
Byron, Frank
Danielson, David
Ferreira, Elizabeth
Gould, Linda
Hopper, Gary
Moore, Josh
Ober, Lynne
McLean, Mark
Pellegrino, Anthony
Renzullo, Andrew
Scully, Kevin
Ulery, Jordan

Barry, Richard
Moore, Craig
Dickey, Glen
Fromuth, Bart
Halstead, Carolyn
Hynes, Dan
Rice, Kimberly
Lascelles, Richard
Notter, Jeanine
Pierce, David
Rouillard, Claire
Seidel, Carl
Sullivan, Victoria

Burns, Charlie
Christensen, Chris
Donovan, Daniel
Griffin, Gerald
Hansen, Peter
Belanger, James
Kurk, Neal
LeBrun, Donald
Ohm, Bill
Prout, Andrew
Sanborn, Laurie
Souza, Kathleen

Burt, John
Christie, Rick
Fedolli, Jim
Gagne, Larry
Hinch, Richard
Graham, John
L'Heureux, Robert
Lewicke, John
Panasiti, Reed
Ober, Russell
Schleien, Eric
Wolf, Terry

MERRIMACK

Kuch, Bill
Wolf, Dan
Klose, John
Marple, Richard
Walsh, Thomas

Brewster, Michael
Hill, Gregory
Kotowski, Frank
McGuire, Carol
Testerman, Dave

Copp, Anne
Hoell, J.R.
Leavitt, John
Pearl, Howard
Wells, Natalie

Long, Douglas
Horn, Werner
Moffett, Michael
Seaworth, Brian

ROCKINGHAM

Cook, Allen
Barnes, Arthur
Costable, Michael
Emerick, J. Tracy
Green, Dennis
Itse, Daniel
Khan, Aboul
Manning, John
Nasser, Jim
Gordon, Richard
Torosian, Peter
Wallace, Scott

Abrami, Patrick
Bates, David
Thomas, Douglas
Fesh, Robert
Marsh, Henry
Edwards, Jess
Kolodziej, Walter
Matthews, Carolyn
Nigrello, Robert
Sapareto, Frank
Tripp, Richard
Webb, James

Allen, Mary
Chase, Francis
Dean-Bailey, Yvonne
Friel, William
Hagan, Joseph
Janigian, John
Pearson, Mark
McKinney, Betsy
Osborne, Jason
Spillane, James
True, Chris
Welch, David

Baldasaro, Alfred
Chirichiello, Brian
DeSimone, Debra
Gay, Betty
Hoelzel, Kathleen
O'Connor, John
Major, Norman
Milz, David
Packard, Sherman
Sytek, John
Vose, Michael
Weyler, Kenneth

STRAFFORD

Beaudoin, Steven
Turcotte, Leonard
Pitre, Joseph

Harrington, Michael
McNally, Jody
Graham, Robert

Horgan, James
Mullen, John
Spencer, Matthew

Kaczynski, Thomas
Phinney, Brandon
Wuelper, Kurt

SULLIVAN

Gauthier, Francis
Rollins, Skip

Grenier, James
Smith, Steven

O'Connor, John

Laware, Thomas

**NAYS - 178
BELKNAP**

Huot, David

CARROLL

Butler, Edward

Crawford, Karel

DesMarais, Edith

Knirk, Jerry

CHESHIRE

Abbott, Michael
Burridge, Delmar
Faulkner, Barry
Meader, David
Pearson, William

Ames, Richard
Harvey, Cathryn
Fenton, Donovan
Parkhurst, Henry
Weber, Lucy

Berch, Paul
Ley, Douglas
Johnsen, Gladys
Shepardson, Marjorie

Bordenet, John
Eaton, Daniel
Mann, John
Tatro, Bruce

COOS

Fothergill, John
Moynihan, Wayne

Hatch, William
Richardson, Herbert

Laflamme, Larry
Tucker, Edith

Merner, Troy

GRAFTON

Abel, Richard
Higgins, Patricia
Mulligan, Mary Jane
Sykes, George

Almy, Susan
Josephson, Timothy
Nordgren, Sharon
White, Andrew

Bennett, Travis
Maes, Kevin
Rand, Steven

Campion, Polly
Massimilla, Linda
Smith, Suzanne

HILLSBOROUGH

Ayala, Jessica
Bouldin, Amanda
Cornell, Patricia
Forest, Armand
Heath, Mary
Judy, Jean
Leishman, Peter
MacKenzie, Mark
McNamara, Richard
O'Leary, Richard
Proulx, Mark
Sofikitis, Catherine

Backus, Robert
Chandlee, Shannon
Sullivan, Daniel
Freitas, Mary
Herbert, Christopher
Keane, Amelia
Lisle, David
Manley, Jonathan
Newman, Sue
O'Neil, William
Roberts, Carol
Van Houten, Connie

Baroody, Benjamin
Cleaver, Skip
DiSilvestro, Linda
Gargas, Carolyn
Schmidt, Janice
King, Mark
MacKay, Mariellen
Martin, Joelle
Nutting, Allison
Long, Patrick
Rosenwald, Cindy
Vann, Ivy

Beaulieu, Jane
Connors, Erika
Elber, Joel
Goley, Jeffrey
Jack, Martin
Klee, Patricia
McCarthy, Michael
Martineau, Jesse
O'Brien, Michael
Porter, Marjorie
Harvey, Suzanne
Williams, Kermit

MERRIMACK

Turcotte, Alan
Doherty, David
Henle, Paul
Richards, Beth
Schultz, Kristina
Walz, Mary Beth

Alicea, Caroletta
Ebel, Karen
MacKay, James
Rodd, Beth
Shurtleff, Stephen
Woolpert, David

Bartlett, Christy
Gile, Mary
Kenison, Linda
Rogers, Katherine
Soucy, Timothy

Carson, Clyde
Moffett, Howard
Luneau, David
Schuett, Dianne
Wallner, Mary Jane

ROCKINGHAM

Altschiller, Debra
Cahill, Michael
Dowling, Patricia
Francese, Paula
Katsakiores, Phyllis
Malloy, Dennis
Murray, Kate
Somssich, Peter
Willis, Brenda

Bean, Philip
Cali-Pitts, Jacqueline
Edgar, Michael
Gilman, Julie
Lerner, Kari
McMahon, Charles
Gordon, Pamela
Stone, Brian

Berrien, Skip
Cushing, Robert Renny
Elliott, Robert
Guthrie, Joseph
Lovejoy, Patricia
Messmer, Mindi
Pantelakos, Laura
Le, Tamara

Bove, Martin
DiLorenzo, Charlotte
Farnham, Betsey
Janvrin, Jason
Griffin, Mary
Morrison, Sean
Read, Ellen
Ward, Gerald

STRAFFORD

Bixby, Peter
Ellis, Donna
Grassie, Chuck
Smith, Marjorie
Sandler, Catt
Sprague, Dale

Burton, Wayne
Fontneau, Timothy
Horrigan, Timothy
Opderbecke, Linn
Scruton, Matthew
Treleaven, Susan

Cilley, Jacalyn
Frost, Sherry
Keans, Sandra
Schmidt, Peter
Southworth, Thomas
Vincent, Kenneth

Conley, Casey
Gourgue, Amanda
Krans, Hamilton
Salloway, Jeffrey
Spang, Judith
Wall, Janet

SULLIVAN

Cloutier, John
Oxenham, Lee

Gagnon, Raymond
Sullivan, Brian

Gottling, Suzanne
Tanner, Linda

Irwin, Virginia

and the majority committee report failed.

Rep. Ley moved the minority committee report of Ought to Pass with Amendment and offered minority committee amendment (0225h).

Minority Amendment (0225h)

Amend RSA 282-B:3, II as inserted by section 1 of the bill by replacing it with the following:

II. All employers subject to this chapter shall remit FMLI premium payments on a calendar quarter basis. These quarterly insurance premium payments shall amount to 0.67 percent of wages per employee per week for each week of the preceding quarter. Employers may withhold or divert no greater than 0.67 percent of wages per week per employee to satisfy this paragraph, provided that such employers provide employees, before employment commences, a department approved information sheet containing conspicuous language explaining the costs and benefits of the insurance and indicating that employees are able to affirmatively opt-out of the insurance by downloading a form from the department and that such form, if the employee chooses to opt-out, shall be notarized and submitted to the department and the employer before employment

commences, and that the employee shall be provided the opportunity to opt in on January 1 of each year. No employer shall make opting-out of the insurance a condition of employment nor discriminate against an employee in compensation or in terms, conditions, or privileges of employment based on whether or not the employee opts-out of the insurance.

Amend RSA 282-B:6, I as inserted by section 1 of the bill by replacing it with the following:

I. An employee shall be limited up to 6 weeks of FMLI in any one application period. An employee shall have had premium payments remitted as a percent of his or her wages for at least 6 months to be eligible for benefits and shall have worked in employment resulting in wages in the amount of at least 1,040 multiplied by the applicable minimum wage, in either the "base period" or "alternative base period", as those terms are defined in RSA 282-A:2.

Amend RSA 282-A:128 as inserted by section 2 of the bill by replacing it with the following:

282-A:128 Advisory Council. There is hereby created within the unemployment compensation bureau an advisory council on unemployment compensation *and family medical leave insurance*, hereinafter called the advisory council. The advisory council shall consist of 9 members to be appointed, with the exception of the legislative members, by the governor with the consent and advice of the governor's council. Three of the appointees of this advisory council shall be persons who, because of their vocations, employment or affiliations, shall be classed as representing the point of view of employers; 3 shall be persons who, because of their vocations, employment or affiliations, shall be classed as representing the point of view of employees; one shall be a senator from the insurance committee appointed by the senate president; one shall be a representative from the labor, industrial and rehabilitative services committee appointed by the speaker of the house; the remaining appointee, who shall be designated as chairman, shall be a person whose training and experience qualify him to deal with the problems of unemployment compensation. Such advisory council shall meet no later than 45 days after each calendar quarter and aid the commissioner in formulating policies and discussing problems related to the administration of this chapter *and RSA 282-B* and in assuring impartiality and freedom from political influence in the solution of such problems. Advisory council meetings shall provide opportunity for public comment. *The advisory council shall quarterly review and evaluate family medical leave insurance and, after 2 years of administration, the commissioner shall assess utilization, finances, and benefit levels and provide the general court with rate adjustment or fiscal recommendations.*

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

YEAS 208 - NAYS 141

YEAS - 208

BELKNAP

Tilton, Franklin

Fields, Dennis

Huot, David

Vadney, Herbert

CARROLL

Butler, Edward
Nelson, Bill

Crawford, Karel
Umberger, Karen

DesMarais, Edith
Marsh, William

Knirk, Jerry

CHESHIRE

Abbott, Michael
Burridge, Delmar
Faulkner, Barry
Meador, David
Tatro, Bruce

Ames, Richard
Harvey, Cathryn
Fenton, Donovan
Parkhurst, Henry
Pearson, William

Berch, Paul
Ley, Douglas
Johnsen, Gladys
Shepardson, Marjorie
Weber, Lucy

Bordenet, John
Eaton, Daniel
Mann, John
Sterling, Franklin

COOS

Fothergill, John
Moynihan, Wayne

Hatch, William
Richardson, Herbert

Laflamme, Larry
Tucker, Edith

Merner, Troy

GRAFTON

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

Almy, Susan
Josephson, Timothy
Mulligan, Mary Jane
Sykes, George

Bennett, Travis
Ladd, Rick
Nordgren, Sharon
White, Andrew

Campion, Polly
Maes, Kevin
Rand, Steven

HILLSBOROUGH

Ayala, Jessica
Beaulieu, Jane
Connors, Erika
DiSilvestro, Linda
Griffin, Gerald
Halstead, Carolyn
Jack, Martin
Klee, Patricia

Griffin, Barbara
Bouldin, Amanda
Cornell, Patricia
Elber, Joel
Gargas, Carolyn
Heath, Mary
Judy, Jean
Leishman, Peter

Backus, Robert
Chandley, Shannon
Sullivan, Daniel
Forest, Armand
Gidge, Kenneth
Herbert, Christopher
Keane, Amelia
Lewicke, John

Baroody, Benjamin
Cleaver, Skip
Dickey, Glen
Freitas, Mary
Goley, Jeffrey
Schmidt, Janice
King, Mark
Lisle, David

MacKay, Mariellen
Martin, Joelle
Nutting, Allison
Long, Patrick
Roberts, Carol
Souza, Kathleen

McCarthy, Michael
Martineau, Jesse
O'Brien, Michael
Pierce, David
Rosenwald, Cindy
Van Houten, Connie

MacKenzie, Mark
McNamara, Richard
O'Leary, Richard
Porter, Marjorie
Harvey, Suzanne
Vann, Ivy

Manley, Jonathan
Newman, Sue
O'Neil, William
Proulx, Mark
Sofikitis, Catherine
Williams, Kermit

MERRIMACK

Turcotte, Alan
Carson, Clyde
Gile, Mary
Kenison, Linda
Rogers, Katherine
Soucy, Timothy
Woolpert, David

Alicea, Caroletta
Wolf, Dan
Moffett, Howard
Luneau, David
Schuett, Dianne
Testerman, Dave

Kuch, Bill
Doherty, David
Henle, Paul
Richards, Beth
Schultz, Kristina
Wallner, Mary Jane

Bartlett, Christy
Ebel, Karen
MacKay, James
Rodd, Beth
Shurtleff, Stephen
Walz, Mary Beth

ROCKINGHAM

Cook, Allen
Bove, Martin
Thomas, Douglas
Elliott, Robert
Gilman, Julie
Lovejoy, Patricia
McMahon, Charles
Murray, Kate
Somssich, Peter
Ward, Gerald

Altschiller, Debra
Cahill, Michael
Dean-Bailey, Yvonne
Farnham, Betsey
Guthrie, Joseph
Griffin, Mary
Messmer, Mindi
Gordon, Pamela
Stone, Brian
Welch, David

Bean, Philip
Cali-Pitts, Jacqueline
DiLorenzo, Charlotte
Francese, Paula
Edwards, Jess
Pearson, Mark
Milz, David
Pantelakos, Laura
Sytek, John
Weyler, Kenneth

Berrien, Skip
Cushing, Robert Renny
Edgar, Michael
Gay, Betty
Lerner, Kari
Malloy, Dennis
Morrison, Sean
Read, Ellen
Le, Tamara
Willis, Brenda

STRAFFORD

Bixby, Peter
Ellis, Donna
Grassie, Chuck
Smith, Marjorie
Salloway, Jeffrey
Spang, Judith
Wall, Janet

Burton, Wayne
Fontneau, Timothy
Horrigan, Timothy
McNally, Jody
Sandler, Catt
Sprague, Dale
Wuelper, Kurt

Cilley, Jacalyn
Frost, Sherry
Keans, Sandra
Opderbecke, Linn
Scruton, Matthew
Treleaven, Susan

Conley, Casey
Gourgue, Amanda
Krans, Hamilton
Schmidt, Peter
Southworth, Thomas
Vincent, Kenneth

SULLIVAN

Cloutier, John
Irwin, Virginia
Tanner, Linda

Gagnon, Raymond
Oxenham, Lee

Gottling, Suzanne
Smith, Steven

Grenier, James
Sullivan, Brian

NAYS - 141

BELKNAP

Abear, Marc
Lang, Timothy
Varney, Peter

Aldrich, Glen
Silber, Norman

Comtois, Barbara
Spanos, Peter

Howard, Raymond
Sylvia, Michael

CARROLL

Avellani, Lino
McConkey, Mark

Comeau, Ed
Schmidt, Stephen

Cordelli, Glenn

McCarthy, Frank

CHESHIRE

Hunt, John

McConnell, James

O'Day, John

Stallcop, Joseph

COOS

GRAFTON

Bailey, Brad
Johnson, Tiffany

Darrow, Stephen

Hennessey, Erin

Schwaegler, Vicki

HILLSBOROUGH

Barry, Richard
Moore, Craig
Donovan, Daniel
Gagne, Larry
Hinch, Richard
Graham, John
L'Heureux, Robert
McLean, Mark
Pellegrino, Anthony
Rouillard, Claire
Seidel, Carl

Burns, Charlie
Christensen, Chris
Fedolfi, Jim
Gould, Linda
Hopper, Gary
Moore, Josh
Ober, Lynne
Notter, Jeanine
Prout, Andrew
Sanborn, Laurie
Wolf, Terry

Burt, John
Christie, Rick
Ferreira, Elizabeth
Hansen, Peter
Hynes, Dan
Rice, Kimberly
Lascelles, Richard
Ohm, Bill
Ober, Russell
Schleien, Eric
Ulery, Jordan

Byron, Frank
Danielson, David
Fromuth, Bart
Hellwig, Steve
Belanger, James
Kurk, Neal
LeBrun, Donald
Panasiti, Reed
Renzullo, Andrew
Scully, Kevin
Sullivan, Victoria

MERRIMACK

Brewster, Michael
Hoell, J.R.
Leavitt, John
Pearl, Howard

Copp, Anne
Horn, Werner
Moffett, Michael
Seaworth, Brian

Long, Douglas
Klose, John
Marple, Richard
Walsh, Thomas

Hill, Gregory
Kotowski, Frank
McGuire, Carol
Wells, Natalie

ROCKINGHAM

Abrami, Patrick
Bates, David
DeSimone, Debra
Friel, William
Hoelzel, Kathleen
O'Connor, John
Lundgren, David
McKinney, Betsy
Packard, Sherman
Torosian, Peter
Wallace, Scott

Allen, Mary
Chase, Francis
Dowling, Patricia
Green, Dennis
Itse, Daniel
Katsakiores, Phyllis
Major, Norman
Nasser, Jim
Gordon, Richard
Tripp, Richard
Webb, James

Baldasaro, Alfred
Chirichiello, Brian
Emerick, J. Tracy
Marsh, Henry
Janigian, John
Khan, Aboul
Manning, John
Nigrello, Robert
Sapareto, Frank
True, Chris

Barnes, Arthur
Costable, Michael
Fesh, Robert
Hagan, Joseph
Janvrin, Jason
Kolodziej, Walter
Matthews, Carolyn
Osborne, Jason
Spillane, James
Vose, Michael

STRAFFORD

Beaudoin, Steven
Turcotte, Leonard
Graham, Robert

Harrington, Michael
Mullen, John
Spencer, Matthew

Horgan, James
Phinney, Brandon

Kaczynski, Thomas
Pitre, Joseph

SULLIVAN

Gauthier, Francis

O'Connor, John

Laware, Thomas

Rollins, Skip

and the minority committee amendment was adopted.

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

Rep. Sanborn spoke against and yielded to questions.

Rep. Gile spoke in favor.

Rep. Sylvia requested a roll call; sufficiently seconded.

YEAS 186 - NAYS 164**YEAS - 186****BELKNAP**

Fields, Dennis

Huot, David

CARROLL

Butler, Edward
Nelson, Bill

Crawford, Karel

DesMarais, Edith

Knirk, Jerry

CHESHIRE

Abbott, Michael
Burridge, Delmar
Faulkner, Barry
Meador, David
Tatro, Bruce

Ames, Richard
Harvey, Cathryn
Fenton, Donovan
Parkhurst, Henry
Pearson, William

Berch, Paul
Ley, Douglas
Johnsen, Gladys
Shepardson, Marjorie
Weber, Lucy

Bordenet, John
Eaton, Daniel
Mann, John
Sterling, Franklin

COOS

Fothergill, John
Moynihan, Wayne

Hatch, William
Richardson, Herbert

Laflamme, Larry
Tucker, Edith

Merner, Troy

GRAFTON

Abel, Richard
Higgins, Patricia
Mulligan, Mary Jane
Sykes, George

Almy, Susan
Josephson, Timothy
Nordgren, Sharon
White, Andrew

Bennett, Travis
Maes, Kevin
Rand, Steven

Campion, Polly
Massimilla, Linda
Smith, Suzanne

HILLSBOROUGH

Ayala, Jessica
Bouldin, Amanda
Cornell, Patricia
Forest, Armand
Goley, Jeffrey
Jack, Martin
Klee, Patricia
McCarthy, Michael
Martineau, Jesse
O'Brien, Michael
Porter, Marjorie
Harvey, Suzanne
Williams, Kermit

Backus, Robert
Chandlee, Shannon
Sullivan, Daniel
Freitas, Mary
Heath, Mary
Judy, Jean
Leishman, Peter
MacKenzie, Mark
McNamara, Richard
O'Leary, Richard
Proulx, Mark
Sofikitis, Catherine

Baroody, Benjamin
Cleaver, Skip
DiSilvestro, Linda
Gargas, Carolyn
Herbert, Christopher
Keane, Amelia
Lisle, David
Manley, Jonathan
Newman, Sue
O'Neil, William
Roberts, Carol
Van Houten, Connie

Beaulieu, Jane
Connors, Erika
Elber, Joel
Gidge, Kenneth
Schmidt, Janice
King, Mark
MacKay, Mariellen
Martin, Joelle
Nutting, Allison
Long, Patrick
Rosenwald, Cindy
Vann, Ivy

MERRIMACK

Turcotte, Alan
Doherty, David
Henle, Paul
Richards, Beth
Schultz, Kristina
Walz, Mary Beth

Alicea, Caroletta
Ebel, Karen
MacKay, James
Rodd, Beth
Shurtleff, Stephen
Woolpert, David

Bartlett, Christy
Gile, Mary
Kenison, Linda
Rogers, Katherine
Soucy, Timothy

Carson, Clyde
Moffett, Howard
Luneau, David
Schuett, Dianne
Wallner, Mary Jane

ROCKINGHAM

Cook, Allen
Bove, Martin
DiLorenzo, Charlotte
Farnham, Betsey
Guthrie, Joseph
Griffin, Mary
Morrison, Sean
Read, Ellen
Ward, Gerald

Altschiller, Debra
Cahill, Michael
Dowling, Patricia
Francese, Paula
Khan, Aboul
Malloy, Dennis
Murray, Kate
Somssich, Peter
Willis, Brenda

Bean, Philip
Cali-Pitts, Jacqueline
Edgar, Michael
Gay, Betty
Lerner, Kari
McMahon, Charles
Gordon, Pamela
Stone, Brian

Berrien, Skip
Cushing, Robert Renny
Elliott, Robert
Gilman, Julie
Lovejoy, Patricia
Messmer, Mindi
Pantelakos, Laura
Le, Tamara

STRAFFORD

Bixby, Peter
Ellis, Donna
Grassie, Chuck
Smith, Marjorie
Salloway, Jeffrey
Spang, Judith
Wall, Janet

Burton, Wayne
Fontneau, Timothy
Horrigan, Timothy
McNally, Jody
Sandler, Catt
Sprague, Dale

Cilley, Jacalyn
Frost, Sherry
Keans, Sandra
Opderbecke, Linn
Scruton, Matthew
Treleaven, Susan

Conley, Casey
Gourgue, Amanda
Krans, Hamilton
Schmidt, Peter
Southworth, Thomas
Vincent, Kenneth

SULLIVAN

Cloutier, John
Irwin, Virginia
Tanner, Linda

Gagnon, Raymond
Oxenham, Lee

Gottling, Suzanne
Smith, Steven

Grenier, James
Sullivan, Brian

NAYS - 164**BELKNAP**

Abear, Marc
Howard, Raymond
Sylvia, Michael

Aldrich, Glen
Lang, Timothy
Vadney, Herbert

Comtois, Barbara
Silber, Norman
Varney, Peter

Tilton, Franklin
Spanos, Peter

CARROLL

Avellani, Lino
McConkey, Mark

Comeau, Ed
Schmidt, Stephen

Cordelli, Glenn
Umberger, Karen

McCarthy, Frank
Marsh, William

CHESHIRE

Hunt, John

McConnell, James

O'Day, John

Stallcop, Joseph

COOS**GRAFTON**

Bailey, Brad
Schwaegler, Vicki

Darrow, Stephen
Johnson, Tiffany

Hennessey, Erin

Ladd, Rick

HILLSBOROUGH

Griffin, Barbara
Byron, Frank
Danielson, David
Ferreira, Elizabeth
Gagne, Larry
Hellwig, Steve
Belanger, James
Kurk, Neal
LeBrun, Donald
Ohm, Bill
Prout, Andrew
Sanborn, Laurie
Souza, Kathleen

Barry, Richard
Moore, Craig
Dickey, Glen
Freeman, Lisa
Gould, Linda
Hinch, Richard
Graham, John
L'Heureux, Robert
Lewicke, John
Panasiti, Reed
Ober, Russell
Schleien, Eric
Wolf, Terry

Burns, Charlie
Christensen, Chris
Donovan, Daniel
Fromuth, Bart
Halstead, Carolyn
Hopper, Gary
Moore, Josh
Ober, Lynne
McLean, Mark
Pellegrino, Anthony
Renzullo, Andrew
Scully, Kevin
Ulery, Jordan

Burt, John
Christie, Rick
Fedolfi, Jim
Griffin, Gerald
Hansen, Peter
Hynes, Dan
Rice, Kimberly
Lascelles, Richard
Notter, Jeanine
Pierce, David
Rouillard, Claire
Seidel, Carl
Sullivan, Victoria

MERRIMACK

Kuch, Bill
Wolf, Dan
Klose, John
Marple, Richard
Walsh, Thomas

Brewster, Michael
Hill, Gregory
Kotowski, Frank
McGuire, Carol
Testerman, Dave

Copp, Anne
Hoell, J.R.
Leavitt, John
Pearl, Howard
Wells, Natalie

Long, Douglas
Horn, Werner
Moffett, Michael
Seaworth, Brian

ROCKINGHAM

Abrami, Patrick
 Bates, David
 Thomas, Douglas
 Fesh, Robert
 Hagan, Joseph
 Janigian, John
 Kolodziej, Walter
 Manning, John
 Nasser, Jim
 Gordon, Richard
 Torosian, Peter
 Wallace, Scott

Allen, Mary
 Chase, Francis
 Dean-Bailey, Yvonne
 Friel, William
 Hoelzel, Kathleen
 Janvrin, Jason
 Lundgren, David
 Matthews, Carolyn
 Nigrello, Robert
 Sapareto, Frank
 Tripp, Richard
 Webb, James

Baldasaro, Alfred
 Chirichiello, Brian
 DeSimone, Debra
 Green, Dennis
 Itse, Daniel
 O'Connor, John
 Pearson, Mark
 McKinney, Betsy
 Osborne, Jason
 Spillane, James
 True, Chris
 Welch, David

Barnes, Arthur
 Costable, Michael
 Emerick, J. Tracy
 Marsh, Henry
 Edwards, Jess
 Katsakiores, Phyllis
 Major, Norman
 Milz, David
 Packard, Sherman
 Sytek, John
 Vose, Michael
 Weyler, Kenneth

STRAFFORD

Beaudoin, Steven
 Turcotte, Leonard
 Graham, Robert

Harrington, Michael
 Mullen, John
 Spencer, Matthew

Horgan, James
 Phinney, Brandon
 Wuelper, Kurt

Kaczynski, Thomas
 Pitre, Joseph

SULLIVAN

Gauthier, Francis

O'Connor, John

Laware, Thomas

Rollins, Skip

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

HB 1793-FN-A, establishing a New Hampshire single payer health care system. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: REFER FOR INTERIM STUDY.**

Rep. Laurie Sanborn for the Majority of Commerce and Consumer Affairs. The majority believes that New Hampshire has some of the best health care in the nation, but what stops us from being the best is the cost. This bill will result in millions of dollars of cost increases to our residents and taxpayers and reduce timely access to care, thus making health care in New Hampshire significantly less effective. This program provides virtually unlimited benefits, zero cost control measures and a massive increase in the size of government. States such as Vermont have studied the adoption of a single payer health care system and rejected it because it would bankrupt their state, even if double-digit increases in income taxes were enacted above and beyond their existing tax rates. Testimony failed to identify a revenue source to fund the staggering cost increases of a single payer system in NH and left many unanswered questions. The majority is concerned that the only way to pay for this program is through a broad-based tax increase to every resident and business in the state. We have worked long and hard to make New Hampshire attractive to businesses, reducing tax rates and making it more cost effective to run a business here. This would completely negate any gains we have made for attracting new employers. Imposing any additional taxes on our residents would be unjustifiable and eradicate the NH Advantage. In addition to higher health care costs, this bill would result in fewer choices, no competition and fewer doctors, resulting in substantially longer wait times for appointments and decreased access to specialty providers. It would also eliminate an entire industry of private employers in our state, along with their associated tax revenues and jobs. While the majority would like to make health insurance more affordable in New Hampshire, we don't believe a single payer or a government in charge of health care is the solution. Vote 10-8. Rep. Edward Butler for the Minority of Commerce and Consumer Affairs. Though the minority understands that we may not be ready, yet, to embark on a one-state single-payer health care solution, it believes that it is high time that we listen to the professionals and advocates who note that our health care system is biased towards those who have the means to afford costly deductibles and insurance policies. Ours is a system that performs poorly against all of the major industrialized nations, all of which offer universal health care, in terms of infant mortality, maternal health and life expectancy among other indicators. The minority believes that we should further study this issue and work within the health care industry to begin to transform our system to one which provides good, quality, affordable health care for all.

Majority committee report adopted.

HB 1730-FN-A, establishing a public safety enhancement revolving fund, establishing a grant program for body cameras worn by police, and creating prestige number vanity plates. **INEXPEDIENT TO LEGISLATE.** Rep. John Burt for Criminal Justice and Public Safety. The majority of the committee found during testimony that the \$40.00, 4 digits or less vehicle plate fee would come from the elderly and veterans. Many of these elderly and veterans have had these non-vanity plates on their vehicles for 30-40 plus years and this bill would turn them into vanity plates. The money this new fee would raise would not be enough to support this program. In addition, this would cause a financial burden on our most vulnerable citizens. Vote 12-8. Committee report adopted.

HB 1819-FN, relative to administration of the education tax credit. **OUGHT TO PASS WITH AMENDMENT.** Rep. Victoria Sullivan for Education. This bill as amended does not change the intent of existing law. It simply clarifies definitions and language. It also changes the time line from a calendar year to a fiscal year for the definition of the program year. Changing to the fiscal year parallels other established education budget processes. Vote 17-3.

Amendment (0295h)

Amend the bill by inserting after section 3 the following and renumbering the original section 4-15 to read as 5-16, respectively:

4 Definition; Scholarship Receipt. Amend RSA 77-G:1, XX to read as follows:

XX. "Scholarship receipt" means a document developed by the department of revenue administration and submitted by a scholarship organization to the business organization or business enterprise and that contains at a minimum:

(a) The business organization's or business enterprise's name, address, and federal taxpayer identification number.

(b) The amount of the donations used or carried forward and the amount not used.

(c) *The scholarship organization's name and address.*

(d) *The donation amount and date received or postmarked.*

Amend the bill by inserting after section 15 the following and renumbering section 16 to read as 18:

16 Repeal. RSA 77-G:1, V, relative to the definition of a donation receipt, is repealed.

17 Transition Provision. This act shortens the 2018 program year to a 6-month period running from January 1, 2018 to June 30, 2018. Notwithstanding the provisions of RSA 77-G:5, I(g) prior to amendment by this act, all education tax credit donations received by the scholarship organization from January 1, 2018 to June 30, 2018 shall be carried forward into the 2019 program year, which begins on July 1, 2018 and ends on June 30, 2019, and shall count as aggregate tax credits under RSA 77-G:4, I for the July 1, 2018 to June 30, 2019 program year. Education tax credit donations received by the scholarship organization, during the shortened 2018 program year shall be reported on the scholarship organization's 2019 ED-05, to be submitted under RSA 77-G:5, II(g) and within 30 days following the June 30, 2019 end of that program year.

Committee amendment adopted.

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

Rep. Spillane requested a roll call; sufficiently seconded.

YEAS 303 - NAYS 42**YEAS - 303****BELKNAP**

Abear, Marc
Howard, Raymond
Spanos, Peter

Comtois, Barbara
Huot, David
Sylvia, Michael

Tilton, Franklin
Lang, Timothy
Vadney, Herbert

Fields, Dennis
Silber, Norman
Varney, Peter

CARROLL

Avellani, Lino
DesMarais, Edith
Nelson, Bill

Comeau, Ed
McCarthy, Frank
Schmidt, Stephen

Cordelli, Glenn
Knirk, Jerry
Umberger, Karen

Crawford, Karel
McConkey, Mark
Marsh, William

CHESHIRE

Abbott, Michael
Eaton, Daniel
Hunt, John
O'Day, John
Sterling, Franklin

Ames, Richard
Faulkner, Barry
Mann, John
Parkhurst, Henry
Tatro, Bruce

Bordenet, John
Fenton, Donovan
McConnell, James
Shepardson, Marjorie
Weber, Lucy

Ley, Douglas
Johnsen, Gladys
Meador, David
Stallcop, Joseph

COOS

Fothergill, John
Richardson, Herbert

Laflamme, Larry
Theberge, Robert

Merner, Troy
Tucker, Edith

Moynihan, Wayne

GRAFTON

Abel, Richard
Hennessey, Erin
Maes, Kevin
Schwaegler, Vicki
White, Andrew

Bailey, Brad
Higgins, Patricia
Massimilla, Linda
Smith, Suzanne

Bennett, Travis
Josephson, Timothy
Nordgren, Sharon
Sykes, George

Darrow, Stephen
Ladd, Rick
Rand, Steven
Johnson, Tiffany

HILLSBOROUGH

Ayala, Jessica
Bouldin, Amanda
Moore, Craig
Cleaver, Skip
Danielson, David
Fedolfi, Jim
Freitas, Mary

Griffin, Barbara
Burns, Charlie
Chandley, Shannon
Connors, Erika
Dickey, Glen
Ferreira, Elizabeth
Fromuth, Bart

Barry, Richard
Burt, John
Christensen, Chris
Cornell, Patricia
Donovan, Daniel
Forest, Armand
Griffin, Gerald

Beaulieu, Jane
Byron, Frank
Christie, Rick
Sullivan, Daniel
Dyer, Caleb
Freeman, Lisa
Gagne, Larry

Gargas, Carolyn
Halstead, Carolyn
Herbert, Christopher
Belanger, James
Rice, Kimberly
Lascelles, Richard
Lisle, David
Martin, Joelle
Newman, Sue
Ohm, Bill
Proulx, Mark
Roberts, Carol
Schleien, Eric
Souza, Kathleen
Vann, Ivy

Gidge, Kenneth
Hansen, Peter
Hinch, Richard
Graham, John
Klee, Patricia
LeBrun, Donald
MacKay, Mariellen
Martineau, Jesse
Notter, Jeanine
Panasiti, Reed
Prout, Andrew
Rouillard, Claire
Scully, Kevin
Wolf, Terry

Goley, Jeffrey
Heath, Mary
Hopper, Gary
Moore, Josh
Kurk, Neal
Leishman, Peter
McCarthy, Michael
McLean, Mark
O'Brien, Michael
Pierce, David
Ober, Russell
Harvey, Suzanne
Seidel, Carl
Ulery, Jordan

Gould, Linda
Hellwig, Steve
Hynes, Dan
Jack, Martin
Ober, Lynne
Lewicke, John
Manley, Jonathan
McNamara, Richard
O'Leary, Richard
Porter, Marjorie
Renzullo, Andrew
Sanborn, Laurie
Sofikitis, Catherine
Sullivan, Victoria

MERRIMACK

Turcotte, Alan
Carson, Clyde
Ebel, Karen
Horn, Werner
Kotowski, Frank
Pearl, Howard
Soucy, Timothy
Walz, Mary Beth

Kuch, Bill
Copp, Anne
Henle, Paul
MacKay, James
Luneau, David
Schuett, Dianne
Walsh, Thomas
Wells, Natalie

Bartlett, Christy
Wolf, Dan
Hill, Gregory
Kenison, Linda
Moffett, Michael
Seaworth, Brian
Testerman, Dave
Woolpert, David

Brewster, Michael
Doherty, David
Hoell, J.R.
Klose, John
Marple, Richard
Shurtleff, Stephen
Wallner, Mary Jane

ROCKINGHAM

Cook, Allen
Baldasaro, Alfred
Berrien, Skip
Chase, Francis
Thomas, Douglas
Dowling, Patricia
Farnham, Betsey
Gay, Betty
Marsh, Henry
Edwards, Jess
Katsakiores, Phyllis
Lovejoy, Patricia
Major, Norman
McKinney, Betsy
Murray, Kate
Gordon, Pamela
Sapareto, Frank
Sytek, John
Vose, Michael
Welch, David

Abrami, Patrick
Barnes, Arthur
Bove, Martin
Chirichiello, Brian
Dean-Bailey, Yvonne
Edgar, Michael
Fesh, Robert
Gilman, Julie
Hagan, Joseph
Janigian, John
Khan, Aboul
Lundgren, David
Malloy, Dennis
McMahon, Charles
Nasser, Jim
Packard, Sherman
Somssich, Peter
Torosian, Peter
Wallace, Scott
Weyler, Kenneth

Allen, Mary
Bates, David
Cahill, Michael
Costable, Michael
DeSimone, Debra
Elliott, Robert
Francesse, Paula
Green, Dennis
Hoelzel, Kathleen
Janvrin, Jason
Kolodziej, Walter
Griffin, Mary
Manning, John
Miz, David
Nigrello, Robert
Pantelakos, Laura
Spillane, James
Tripp, Richard
Ward, Gerald
Willis, Brenda

Altschiller, Debra
Bean, Philip
Cali-Pitts, Jacqueline
Cushing, Robert Renny
DiLorenzo, Charlotte
Emerick, J. Tracy
Friel, William
Guthrie, Joseph
Itse, Daniel
O'Connor, John
Lerner, Kari
Pearson, Mark
Matthews, Carolyn
Morrison, Sean
Osborne, Jason
Gordon, Richard
Stone, Brian
True, Chris
Webb, James

STRAFFORD

Beaudoin, Steven
Ellis, Donna
Kaczynski, Thomas
Smith, Marjorie
Schmidt, Peter
Salloway, Jeffrey
Spang, Judith
Vincent, Kenneth

Bixby, Peter
Fontneau, Timothy
Keans, Sandra
McNally, Jody
Phinney, Brandon
Sandler, Catt
Spencer, Matthew
Wall, Janet

Cilley, Jacalyn
Grassie, Chuck
Krans, Hamilton
Mullen, John
Pitre, Joseph
Scruton, Matthew
Sprague, Dale
Wuelper, Kurt

Conley, Casey
Harrington, Michael
Turcotte, Leonard
Operbecke, Linn
Graham, Robert
Southworth, Thomas
Treleaven, Susan

SULLIVAN

Cloutier, John
O'Connor, John
Smith, Steven

Gauthier, Francis
Laware, Thomas
Sullivan, Brian

Gottling, Suzanne
Oxenham, Lee

Grenier, James
Rollins, Skip

NAYS - 42 BELKNAP

CARROLL

CHESHIRE

Aldrich, Glen

Butler, Edward

Berch, Paul

Burridge, Delmar

Harvey, Cathryn

Pearson, William

COOS

Hatch, William

GRAFTON

Almy, Susan

Campion, Polly

HILLSBOROUGHBackus, Robert
Schmidt, Janice
MacKenzie, Mark
Pellegrino, AnthonyBaroody, Benjamin
Judy, Jean
Nutting, Allison
Rosenwald, CindyDiSilvestro, Linda
Keane, Amelia
O'Neil, William
Van Houten, ConnieElber, Joel
King, Mark
Long, Patrick
Williams, Kermit**MERRIMACK**Moffett, Howard
Rogers, KatherineMcGuire, Carol
Schultz, Kristina

Richards, Beth

Rodd, Beth

ROCKINGHAM

Messmer, Mindi

Read, Ellen

Le, Tamara

STRAFFORDBurton, Wayne
Horrigan, Timothy

Frost, Sherry

Gourgue, Amanda

Horgan, James

SULLIVAN

Gagnon, Raymond

Irwin, Virginia

Tanner, Linda

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

HB 1423-FN, relative to election assistance for cities and towns. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Lisa Freeman for the Majority of Election Law. This bill creates a new program which would be funded by dollars that the Secretary of State already expends in accordance with state and federal laws for the support of elections. The committee heard that the duties which the bill would require, such as maintaining a website and providing training, are already done by the Secretary of State. The money to be used is not a recurring grant, but a fund that will need general taxpayer dollars to continue once depleted. The committee heard no support for the bill from municipalities. The concerns expressed about the website maintained by the Secretary of State's office arose from a report on NH Public Radio. There were no complaints made to the Secretary of State's office by users; the office heard of the issue from a reporter. The majority agrees that support to our municipalities for elections is important, but also agrees this bill adds no new support while expending funds that have no replacement mechanism. Vote 14-5.

Rep. William Pearson for the Minority of Election Law. This bill creates a municipal grant program whereby the NH Secretary of State would be able to allocate dollars retained from the Help America Vote Act to assist municipalities with elections. The bill also requires by law that the Secretary of State must maintain a current, accurate, and navigable website so that voters and election officials will be able to know their rights and responsibilities with greater ease. The minority sees these changes as being worthwhile for elections in New Hampshire and thus disagrees with the majority's recommendation. Instead, the minority would recommend that this bill Ought to Pass.

Majority committee report adopted.

HB 1773-FN-A, relative to campaign contributions and expenditures. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: REFER FOR INTERIM STUDY.**

Rep. Barbara Griffin for the Majority of Election Law. The majority of the committee believes that this bill, as proposed, fails to provide meaningful campaign finance reform in a manner that would work in New Hampshire. It would expand state government in a complex new way by establishing a Clean Elections Board to administer a Clean Elections Fund. The costs of such a board are indeterminable. The board would undermine the responsibilities of the Attorney General's office by interfering with the existing authority and powers of our Attorney General to enforce violations of existing state campaign finance laws. Since the work of this Clean Elections Board would only apply to three designated offices, the Department of Justice and Secretary of State's office would still maintain all current duties in regards to enforcement of laws relating to other elected offices. This bill also creates new burdens by requiring certain on line databases for campaign finances to be administered by an office other than the Secretary of State. Funding for the operations of the new Clean Elections Board is not provided for. This new government board would distribute \$100 dollars' worth of civic dollars to registered voters to contribute to candidates. These dollars would be paid for by the State in some undefined way. While the committee understands the proponents' desire for campaign finance reform, this bill does not do it. A proposed amendment, defeated by a vote of 11-8, would have replaced the bill with new language to establish a committee to study campaign financing for the offices of governor, executive councilor, state senator and state representative. Vote 16-3.

Rep. Marjorie Porter for the Minority of Election Law. The citizens of New Hampshire have long supported campaign finance reform and measures which would help to keep our elections "clean." This bill, in proposing a system of public financing for the offices of governor, executive council, and state senate, is just such a measure. The bill as presented is not ready for passage; however, the minority finds merit in the proposal and believes it deserves more study.

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

Rep. Barbara Griffin spoke in favor.

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

YEAS 214 - NAYS 135

YEAS - 214

BELKNAP

Abear, Marc
Fields, Dennis
Spanos, Peter

Aldrich, Glen
Howard, Raymond
Sylvia, Michael

Comtois, Barbara
Lang, Timothy
Vadney, Herbert

Tilton, Franklin
Silber, Norman
Varney, Peter

CARROLL

Avellani, Lino
McCarthy, Frank
Umberger, Karen

Comeau, Ed
McConkey, Mark
Marsh, William

Cordelli, Glenn
Nelson, Bill

Crawford, Karel
Schmidt, Stephen

CHESHIRE

Abbott, Michael
Meador, David
Tatro, Bruce

Bordenet, John
O'Day, John

Hunt, John
Stallcop, Joseph

McConnell, James
Sterling, Franklin

COOS

Fothergill, John
Theberge, Robert

Merner, Troy
Tucker, Edith

Moynihan, Wayne

Richardson, Herbert

GRAFTON

Bailey, Brad
Ladd, Rick

Darrow, Stephen
Schwaegler, Vicki

Ham, Bonnie
Johnson, Tiffany

Hennessey, Erin
White, Andrew

HILLSBOROUGH

Ayala, Jessica
Burt, John
Christie, Rick
Dickey, Glen
Ferreira, Elizabeth
Gagne, Larry
Halstead, Carolyn
Hopper, Gary
Moore, Josh
L'Heureux, Robert
Lewicke, John
McLean, Mark
Pellegrino, Anthony
Ober, Russell
Schleien, Eric
Wolf, Terry

Griffin, Barbara
Byron, Frank
Connors, Erika
Donovan, Daniel
Freeman, Lisa
Gargas, Carolyn
Hansen, Peter
Hynes, Dan
Jack, Martin
Ober, Lynne
MacKay, Mariellen
Notter, Jeanine
Pierce, David
Renzullo, Andrew
Scully, Kevin
Ulery, Jordan

Barry, Richard
Moore, Craig
Sullivan, Daniel
Dyer, Caleb
Fromuth, Bart
Goley, Jeffrey
Hellwig, Steve
Belanger, James
Rice, Kimberly
Lascelles, Richard
McCarthy, Michael
Ohm, Bill
Proulx, Mark
Rouillard, Claire
Seidel, Carl
Sullivan, Victoria

Burns, Charlie
Christensen, Chris
Danielson, David
Fedolfi, Jim
Griffin, Gerald
Gould, Linda
Hinch, Richard
Graham, John
Kurk, Neal
LeBrun, Donald
Martineau, Jesse
Panasiti, Reed
Prout, Andrew
Sanborn, Laurie
Souza, Kathleen

MERRIMACK

Kuch, Bill
Moffett, Howard
MacKay, James
Leavitt, John
Pearl, Howard
Testerman, Dave

Brewster, Michael
Hill, Gregory
Kenison, Linda
Moffett, Michael
Seaworth, Brian
Wells, Natalie

Copp, Anne
Hoell, J.R.
Klose, John
Marple, Richard
Soucy, Timothy

Wolf, Dan
Horn, Werner
Kotowski, Frank
McGuire, Carol
Walsh, Thomas

ROCKINGHAM

Cook, Allen
Barnes, Arthur
Chase, Francis
Dean-Bailey, Yvonne
Emerick, J. Tracy
Green, Dennis
Hoelzel, Kathleen

Abrami, Patrick
Bates, David
Chirichiello, Brian
DeSimone, Debra
Fesh, Robert
Guthrie, Joseph
Itse, Daniel

Allen, Mary
Bean, Philip
Costable, Michael
Dowling, Patricia
Friel, William
Marsh, Henry
Edwards, Jess

Baldasaro, Alfred
Bove, Martin
Thomas, Douglas
Elliott, Robert
Gay, Betty
Hagan, Joseph
Janigian, John

Janvrin, Jason
Kolodziej, Walter
Major, Norman
McMahon, Charles
Nigrello, Robert
Sapareto, Frank
Torosian, Peter
Wallace, Scott
Willis, Brenda

O'Connor, John
Lundgren, David
Manning, John
Milz, David
Osborne, Jason
Spillane, James
Tripp, Richard
Webb, James

Katsakiores, Phyllis
Griffin, Mary
Matthews, Carolyn
Morrison, Sean
Packard, Sherman
Stone, Brian
True, Chris
Welch, David

Khan, Aboul
Pearson, Mark
McKinney, Betsy
Nasser, Jim
Gordon, Richard
Sytek, John
Vose, Michael
Weyler, Kenneth

Beaudoin, Steven
Turcotte, Leonard
Pitre, Joseph
Spencer, Matthew

Harrington, Michael
McNally, Jody
Graham, Robert
Sprague, Dale

Horgan, James
Mullen, John
Sandler, Catt
Vincent, Kenneth

Kaczynski, Thomas
Phinney, Brandon
Scruton, Matthew
Wuelper, Kurt

Gauthier, Francis
Rollins, Skip

Grenier, James
Smith, Steven

O'Connor, John
Sullivan, Brian

Laware, Thomas

STRAFFORD

SULLIVAN

NAYS - 135

BELKNAP

Huot, David

Butler, Edward

DesMarais, Edith

CARROLL

Knirk, Jerry

CHESHIRE

Ames, Richard
Ley, Douglas
Johnsen, Gladys
Pearson, William

Berch, Paul
Eaton, Daniel
Mann, John
Weber, Lucy

Burridge, Delmar
Faulkner, Barry
Parkhurst, Henry

Harvey, Cathryn
Fenton, Donovan
Shepardson, Marjorie

COOS

Hatch, William

Laflamme, Larry

GRAFTON

Abel, Richard
Higgins, Patricia
Nordgren, Sharon

Almy, Susan
Josephson, Timothy
Rand, Steven

Bennett, Travis
Maes, Kevin
Smith, Suzanne

Campion, Polly
Massimilla, Linda
Sykes, George

HILLSBOROUGH

Backus, Robert
Chandley, Shannon
Elber, Joel
Heath, Mary
Keane, Amelia
Lisle, David
McNamara, Richard
O'Leary, Richard
Roberts, Carol
Van Houten, Connie

Baroody, Benjamin
Cleaver, Skip
Forest, Armand
Herbert, Christopher
King, Mark
MacKenzie, Mark
Newman, Sue
O'Neil, William
Rosenwald, Cindy
Vann, Ivy

Beaulieu, Jane
Cornell, Patricia
Freitas, Mary
Schmidt, Janice
Klee, Patricia
Manley, Jonathan
Nutting, Allison
Long, Patrick
Harvey, Suzanne
Williams, Kermit

Bouldin, Amanda
DiSilvestro, Linda
Gidge, Kenneth
Judy, Jean
Leishman, Peter
Martin, Joelle
O'Brien, Michael
Porter, Marjorie
Sofikitis, Catherine

MERRIMACK

Turcotte, Alan
Ebel, Karen
Richards, Beth
Schultz, Kristina
Woolpert, David

Bartlett, Christy
Gile, Mary
Rodd, Beth
Shurtleff, Stephen

Carson, Clyde
Henle, Paul
Rogers, Katherine
Wallner, Mary Jane

Doherty, David
Luneau, David
Schuett, Dianne
Walz, Mary Beth

ROCKINGHAM

Altschiller, Debra
Cushing, Robert Renny
Francese, Paula
Malloy, Dennis
Pantelakos, Laura
Ward, Gerald

Berrien, Skip
DiLorenzo, Charlotte
Gilman, Julie
Messmer, Mindi
Read, Ellen

Cahill, Michael
Edgar, Michael
Lerner, Kari
Murray, Kate
Somssich, Peter

Cali-Pitts, Jacqueline
Farnham, Betsey
Lovejoy, Patricia
Gordon, Pamela
Le, Tamara

STRAFFORD

Bixby, Peter
Ellis, Donna
Grassie, Chuck
Smith, Marjorie
Southworth, Thomas

Burton, Wayne
Fontneau, Timothy
Horrigan, Timothy
Opderbecke, Linn
Spang, Judith

Cilley, Jacalyn
Frost, Sherry
Keans, Sandra
Schmidt, Peter
Treleaven, Susan

Conley, Casey
Gourgue, Amanda
Krans, Hamilton
Salloway, Jeffrey
Wall, Janet

SULLIVAN

Cloutier, John
Oxenham, Lee

Gagnon, Raymond
Tanner, Linda

Gottling, Suzanne

Irwin, Virginia

and the majority committee report was adopted.

HB 636-FN, establishing a department of military and veterans services. **REFER FOR INTERIM STUDY.** Rep. Carol McGuire for Executive Departments and Administration. This bill would create a new Department of Veteran's Affairs, consolidating veteran's services in one location for better access and communications. Opposition from within the veterans' community, and a conviction that funds would be better spent on actual services than on reorganization, led the committee to decide to refer the bill for Interim Study. Vote 15-2.

Rep. Morrison spoke against and yielded to questions.

Rep. McGuire spoke in favor.

Rep. Baldasaro spoke against and requested a roll call; not sufficiently seconded.

On a division vote, with 273 members having voted in the affirmative, and 72 in the negative, the committee report was adopted.

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Parkhurst moved that the House reconsider its action whereby, on a roll call vote of 166-165, the House adopted the majority committee report of Inexpedient to Legislate on **HB 587-FN**, relative to conversion therapy seeking to change a person's sexual orientation.

Rep. Butler spoke in favor.

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

YEAS 178 - NAYS 169**YEAS - 178****BELKNAP**

Huot, David

CARROLL

Butler, Edward

Crawford, Karel

DesMarais, Edith

Knirk, Jerry

CHESHIRE

Abbott, Michael
Burridge, Delmar
Faulkner, Barry
Meador, David
Tatro, Bruce

Ames, Richard
Harvey, Cathryn
Fenton, Donovan
Parkhurst, Henry
Pearson, William

Berch, Paul
Ley, Douglas
Johnsen, Gladys
Shepardson, Marjorie
Weber, Lucy

Bordenet, John
Eaton, Daniel
Mann, John
Stallcop, Joseph

COOS

Fothergill, John
Tucker, Edith

Hatch, William

Laflamme, Larry

Moynihan, Wayne

GRAFTON

Abel, Richard
Campion, Polly
Maes, Kevin
Smith, Suzanne

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

Bennett, Travis
Higgins, Patricia
Nordgren, Sharon
White, Andrew

Boutin, Skylar
Josephson, Timothy
Rand, Steven

HILLSBOROUGH

Ayala, Jessica
Bouldin, Amanda
Cornell, Patricia
Dyer, Caleb
Freitas, Mary
Heath, Mary
Jack, Martin
Klee, Patricia
Manley, Jonathan
Newman, Sue
O'Neil, William
Rosenwald, Cindy
Wolf, Terry

Backus, Robert
Chandley, Shannon
Sullivan, Daniel
Edwards, Elizabeth
Gargas, Carolyn
Herbert, Christopher
Judy, Jean
Leishman, Peter
Martin, Joelle
Nutting, Allison
Long, Patrick
Harvey, Suzanne
Van Houten, Connie

Baroody, Benjamin
Cleaver, Skip
DiSilvestro, Linda
Elber, Joel
Gidge, Kenneth
Belanger, James
Keane, Amelia
Lisle, David
Martineau, Jesse
O'Brien, Michael
Porter, Marjorie
Schleien, Eric
Vann, Ivy

Beaulieu, Jane
Connors, Erika
Donovan, Daniel
Forest, Armand
Goley, Jeffrey
Schmidt, Janice
King, Mark
MacKenzie, Mark
McNamara, Richard
O'Leary, Richard
Roberts, Carol
Sofikitis, Catherine
Williams, Kermit

MERRIMACK

Turcotte, Alan
Doherty, David
Henle, Paul
Richards, Beth
Schultz, Kristina
Walz, Mary Beth

Bartlett, Christy
Ebel, Karen
MacKay, James
Rodd, Beth
Shurtleff, Stephen
Woolpert, David

Carson, Clyde
Gile, Mary
Kenison, Linda
Rogers, Katherine
Soucy, Timothy

Wolf, Dan
Moffett, Howard
Luneau, David
Schuett, Dianne
Wallner, Mary Jane

ROCKINGHAM

Altschiller, Debra
Cali-Pitts, Jacqueline
Edgar, Michael
Gay, Betty
Major, Norman
Nasser, Jim
Somssich, Peter
Willis, Brenda

Bean, Philip
Cushing, Robert Renny
Elliott, Robert
Gilman, Julie
Malloy, Dennis
Gordon, Pamela
Stone, Brian

Berrien, Skip
Dean-Bailey, Yvonne
Farnham, Betsey
Lerner, Kari
Messmer, Mindi
Pantelakos, Laura
Le, Tamara

Cahill, Michael
DiLorenzo, Charlotte
Francese, Paula
Lovejoy, Patricia
Murray, Kate
Read, Ellen
Ward, Gerald

STRAFFORD

Bixby, Peter
Ellis, Donna
Grassie, Chuck
Smith, Marjorie
Salloway, Jeffrey
Sprague, Dale

Burton, Wayne
Fontneau, Timothy
Horrigan, Timothy
Opderbecke, Linn
Sandler, Catt
Treleven, Susan

Cilley, Jacalyn
Frost, Sherry
Keans, Sandra
Schmidt, Peter
Southworth, Thomas
Vincent, Kenneth

Conley, Casey
Gourgue, Amanda
Krans, Hamilton
Phinney, Brandon
Spang, Judith
Wall, Janet

SULLIVAN

Cloutier, John
Oxenham, Lee

Gagnon, Raymond
Sullivan, Brian

Gottling, Suzanne
Tanner, Linda

Irwin, Virginia

NAYS - 169**BELKNAP**

Abear, Marc
Fields, Dennis
Spanos, Peter

Aldrich, Glen
Howard, Raymond
Sylvia, Michael

Comtois, Barbara
Lang, Timothy
Vadney, Herbert

Tilton, Franklin
Silber, Norman
Varney, Peter

CARROLL

Avellani, Lino
McConkey, Mark
Marsh, William

Comeau, Ed
Nelson, Bill

Cordelli, Glenn
Schmidt, Stephen

McCarthy, Frank
Umberger, Karen

CHESHIRE

Hunt, John

McConnell, James

O'Day, John

COOS

Merner, Troy

Richardson, Herbert

Theberge, Robert

GRAFTON

Bailey, Brad
Schwaegler, Vicki

Darrow, Stephen
Johnson, Tiffany

Ham, Bonnie

Ladd, Rick

HILLSBOROUGH

Griffin, Barbara
Byron, Frank
Danielson, David
Freeman, Lisa
Gould, Linda
Hinch, Richard
Rice, Kimberly
Lascalles, Richard
McCarthy, Michael
Panasiti, Reed
Prout, Andrew
Sanborn, Laurie
Ulery, Jordan

Barry, Richard
Moore, Craig
Dickey, Glen
Fromuth, Bart
Halstead, Carolyn
Hopper, Gary
Kurk, Neal
LeBrun, Donald
McLean, Mark
Pellegrino, Anthony
Ober, Russell
Scully, Kevin
Sullivan, Victoria

Burns, Charlie
Christensen, Chris
Fedolli, Jim
Griffin, Gerald
Hansen, Peter
Graham, John
L'Heureux, Robert
Lewicke, John
Notter, Jeanine
Pierce, David
Renzullo, Andrew
Seidel, Carl

Burt, John
Christie, Rick
Ferreira, Elizabeth
Gagne, Larry
Hellwig, Steve
Moore, Josh
Ober, Lynne
MacKay, Mariellen
Ohm, Bill
Proulx, Mark
Rouillard, Claire
Souza, Kathleen

MERRIMACK

Kuch, Bill
Hoell, J.R.
Leavitt, John
Seaworth, Brian

Brewster, Michael
Horn, Werner
Moffett, Michael
Walsh, Thomas

Copp, Anne
Klose, John
Marple, Richard
Testerman, Dave

Hill, Gregory
Kotowski, Frank
Pearl, Howard
Wells, Natalie

ROCKINGHAM

Cook, Allen
Barnes, Arthur
Chirichiello, Brian
Dowling, Patricia
Green, Dennis
Hoelzel, Kathleen
Janvrin, Jason
Kolodziej, Walter

Abrami, Patrick
Bates, David
Costable, Michael
Emerick, J. Tracy
Guthrie, Joseph
Itse, Daniel
O'Connor, John
Lundgren, David

Allen, Mary
Bove, Martin
Thomas, Douglas
Fesh, Robert
Marsh, Henry
Edwards, Jess
Katsakiores, Phyllis
Griffin, Mary

Baldasaro, Alfred
Chase, Francis
DeSimone, Debra
Friel, William
Hagan, Joseph
Janigian, John
Khan, Aboul
Pearson, Mark

Manning, John
Milz, David
Packard, Sherman
Sytek, John
Vose, Michael
Weyler, Kenneth

Matthews, Carolyn
Morrison, Sean
Gordon, Richard
Torosian, Peter
Wallace, Scott

McKinney, Betsy
Nigrello, Robert
Sapareto, Frank
Tripp, Richard
Webb, James

McMahon, Charles
Osborne, Jason
Spillane, James
True, Chris
Welch, David

STRAFFORD

Beaudoin, Steven
Turcotte, Leonard
Graham, Robert

Harrington, Michael
McNally, Jody
Scruton, Matthew

Horgan, James
Mullen, John
Spencer, Matthew

Kaczynski, Thomas
Pitre, Joseph
Wuelper, Kurt

SULLIVAN

Gauthier, Francis
Smith, Steven

O'Connor, John

Laware, Thomas

Rollins, Skip

and the motion was adopted.

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

Rep. Fothergill spoke against.

Rep. Knirk spoke against and yielded to questions.

Rep. Mark Pearson spoke in favor.

Rep. Notter requested a roll call; sufficiently seconded.

YEAS 171 - NAYS 177

YEAS - 171

BELKNAP

Abear, Marc
Fields, Dennis
Spanos, Peter

Aldrich, Glen
Howard, Raymond
Sylvia, Michael

Comtois, Barbara
Lang, Timothy
Varney, Peter

Tilton, Franklin
Silber, Norman

CARROLL

Avellani, Lino
McConkey, Mark
Marsh, William

Comeau, Ed
Nelson, Bill

Cordelli, Glenn
Schmidt, Stephen

McCarthy, Frank
Umberger, Karen

CHESHIRE

Hunt, John

McConnell, James

O'Day, John

COOS

Merner, Troy

Richardson, Herbert

GRAFTON

Bailey, Brad
Schwaegler, Vicki

Darrow, Stephen
Johnson, Tiffany

Ham, Bonnie

Ladd, Rick

HILLSBOROUGH

Griffin, Barbara
Byron, Frank
Danielson, David
Ferreira, Elizabeth
Gagne, Larry
Hellwig, Steve
Moore, Josh
Ober, Lynne
McCarthy, Michael
Panasiti, Reed
Prout, Andrew
Sanborn, Laurie
Ulery, Jordan

Barry, Richard
Moore, Craig
Dickey, Glen
Freeman, Lisa
Gould, Linda
Hinch, Richard
Rice, Kimberly
Lascelles, Richard
McLean, Mark
Pellegrino, Anthony
Ober, Russell
Scully, Kevin
Sullivan, Victoria

Burns, Charlie
Christensen, Chris
Donovan, Daniel
Fromuth, Bart
Halstead, Carolyn
Hopper, Gary
Kurk, Neal
LeBrun, Donald
Notter, Jeanine
Pierce, David
Renzullo, Andrew
Seidel, Carl

Burt, John
Christie, Rick
Fedolff, Jim
Griffin, Gerald
Hansen, Peter
Graham, John
L'Heureux, Robert
Lewicke, John
Ohm, Bill
Proulx, Mark
Rouillard, Claire
Souza, Kathleen

MERRIMACK

Kuch, Bill
Hoell, J.R.
Leavitt, John
Pearl, Howard
Wells, Natalie

Brewster, Michael
Horn, Werner
Moffett, Michael
Seaworth, Brian

Copp, Anne
Klose, John
Marple, Richard
Walsh, Thomas

Hill, Gregory
Kotowski, Frank
McGuire, Carol
Testerman, Dave

ROCKINGHAM

Cook, Allen
Barnes, Arthur

Abrami, Patrick
Bates, David

Allen, Mary
Bove, Martin

Baldasaro, Alfred
Chase, Francis

Chirichiello, Brian
Dowling, Patricia
Green, Dennis
Hoelzel, Kathleen
Janvrin, Jason
Kolodziej, Walter
Major, Norman
McMahon, Charles
Osborne, Jason
Spillane, James
True, Chris
Webb, James

Costable, Michael
Emerick, J. Tracy
Guthrie, Joseph
Itse, Daniel
O'Connor, John
Lundgren, David
Manning, John
Milz, David
Packard, Sherman
Sytek, John
Verville, Kevin
Welch, David

Thomas, Douglas
Fesh, Robert
Marsh, Henry
Edwards, Jess
Katsakiores, Phyllis
Griffin, Mary
Matthews, Carolyn
Morrison, Sean
Gordon, Richard
Torosian, Peter
Vose, Michael
Weyler, Kenneth

DeSimone, Debra
Friel, William
Hagan, Joseph
Janigian, John
Khan, Aboul
Pearson, Mark
McKinney, Betsy
Nigrello, Robert
Sapareto, Frank
Tripp, Richard
Wallace, Scott
Willis, Brenda

Beaudoin, Steven
Turcotte, Leonard
Graham, Robert

Harrington, Michael
McNally, Jody
Scruton, Matthew

Horgan, James
Mullen, John
Spencer, Matthew

Kaczynski, Thomas
Pitre, Joseph
Wuelper, Kurt

Gauthier, Francis
Smith, Steven

O'Connor, John

Laware, Thomas

Rollins, Skip

STRAFFORD

SULLIVAN

NAYS - 177

BELKNAP

Huot, David
Butler, Edward

Vadney, Herbert
Crawford, Karel

DesMarais, Edith

CARROLL
Knirk, Jerry

Abbott, Michael
Burridge, Delmar
Faulkner, Barry
Meader, David
Tatro, Bruce
Fothergill, John
Theberge, Robert

Ames, Richard
Harvey, Cathryn
Fenton, Donovan
Parkhurst, Henry
Pearson, William
Hatch, William
Tucker, Edith

Berch, Paul
Ley, Douglas
Johnsen, Gladys
Shepardson, Marjorie
Weber, Lucy
Laflamme, Larry

Bordenet, John
Eaton, Daniel
Mann, John
Stallcop, Joseph
COOS
Moynihan, Wayne

CHESHIRE

GRAFTON

Abel, Richard
Campion, Polly
Maes, Kevin
Smith, Suzanne

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

Bennett, Travis
Higgins, Patricia
Nordgren, Sharon
White, Andrew

Boutin, Skylar
Josephson, Timothy
Rand, Steven

HILLSBOROUGH

Ayala, Jessica
Bouldin, Amanda
Cornell, Patricia
Edwards, Elizabeth
Gargas, Carolyn
Herbert, Christopher
Jeudy, Jean
Leishman, Peter
Martin, Joelle
Nutting, Allison
Long, Patrick
Harvey, Suzanne
Van Houten, Connie

Backus, Robert
Chandley, Shannon
Sullivan, Daniel
Elber, Joel
Gidge, Kenneth
Belanger, James
Keane, Amelia
Lisle, David
Martineau, Jesse
O'Brien, Michael
Porter, Marjorie
Schleien, Eric
Vann, Ivy

Baroody, Benjamin
Cleaver, Skip
DiSilvestro, Linda
Forest, Armand
Goley, Jeffrey
Schmidt, Janice
King, Mark
MacKenzie, Mark
McNamara, Richard
O'Leary, Richard
Roberts, Carol
Sofikitis, Catherine
Williams, Kermit

Beaulieu, Jane
Connors, Erika
Dyer, Caleb
Freitas, Mary
Heath, Mary
Jack, Martin
Klee, Patricia
Manley, Jonathan
Newman, Sue
O'Neil, William
Rosenwald, Cindy
Wolf, Terry

MERRIMACK

Turcotte, Alan
Doherty, David
Henle, Paul
Richards, Beth
Schultz, Kristina
Walz, Mary Beth

Bartlett, Christy
Ebel, Karen
MacKay, James
Rodd, Beth
Shurtleff, Stephen
Woolpert, David

Carson, Clyde
Gile, Mary
Kenison, Linda
Rogers, Katherine
Soucy, Timothy

Wolf, Dan
Moffett, Howard
Luneau, David
Schuett, Dianne
Wallner, Mary Jane

ROCKINGHAM

Altschiller, Debra
Cali-Pitts, Jacqueline
Edgar, Michael
Gay, Betty
Malloy, Dennis
Gordon, Pamela
Stone, Brian

Bean, Philip
Cushing, Robert Renny
Elliott, Robert
Gilman, Julie
Messmer, Mindi
Pantelakos, Laura
Le, Tamara

Berrien, Skip
Dean-Bailey, Yvonne
Farnham, Betsey
Lerner, Kari
Murray, Kate
Read, Ellen
Ward, Gerald

Cahill, Michael
DiLorenzo, Charlotte
Francese, Paula
Lovejoy, Patricia
Nasser, Jim
Somssich, Peter

STRAFFORD

Bixby, Peter
Ellis, Donna
Grassie, Chuck
Smith, Marjorie
Salloway, Jeffrey
Treleaven, Susan

Burton, Wayne
Fontneau, Timothy
Horrigan, Timothy
Opderbecke, Linn
Sandler, Catt
Vincent, Kenneth

Cilley, Jacalyn
Frost, Sherry
Keans, Sandra
Schmidt, Peter
Southworth, Thomas
Wall, Janet

Conley, Casey
Gourgue, Amanda
Krans, Hamilton
Phinney, Brandon
Spang, Judith

SULLIVAN

Cloutier, John
Irwin, Virginia

Gagnon, Raymond
Oxenham, Lee

Gottling, Suzanne
Sullivan, Brian

Grenier, James
Tanner, Linda

and the majority committee report failed.

Rep. White moved the minority committee report of Ought to Pass.

Rep. Jess Edwards offered floor amendment (0438h).

Floor Amendment (0438h)

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

1 New Chapter; Prohibiting Conversion Therapy on Minors. Amend RSA by inserting after chapter 332-K the following new chapter:

CHAPTER 332-L**PROHIBITING CONVERSION THERAPY ON MINORS**

332-L:1 Definition. In this chapter "conversion therapy" means any practices or treatments that seek to convert, cure, suppress, or repair an individual's sexual orientation or gender identity. "Conversion therapy" shall not mean counseling that provides assistance to a person undergoing gender transition, or counseling that provides acceptance, support, and understanding of a person or facilitates a person's self-discovery, coping, social support, and identity exploration and development, including interventions to prevent or address unlawful conduct or unsafe sexual practices if such counseling does not seek to impose a change to an individual's sexual orientation or gender identity.

332-L:2 Prohibition; Enforcement.

I. A person who is licensed to provide professional counseling under RSA 326-B, RSA 328-D, RSA 329, RSA 329-B, RSA 330-A:16, RSA 330-A:18, RSA 330-A:19, RSA-A:20, RSA 330-A:21, or RSA 330-C, including, but not limited to, a nurse, physician assistant, physician, psychologist, clinical social worker, clinical mental health counselor, marriage and family therapist, or licensed alcohol and drug counselor, or a person who performs counseling as part of the person's professional training for any of these professions, shall not engage in conversion therapy with a person under 18 years of age.

II. Any licensed professional, as listed in paragraph I, who proposes to engage or engages in conversion therapy on a patient under 18 years of age shall be considered to have engaged in unprofessional conduct and shall be subject to such discipline as the relevant licensing authority deems appropriate.

2 Effective Date. This act shall take effect January 1, 2019.

Rep. Jess Edwards spoke in favor.

Rep. Butler spoke against.

On a division vote, with 167 members having voted in the affirmative, and 183 in the negative, floor amendment (0438h) failed.

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

Rep. Butler spoke in favor.

Rep. Notter requested a roll call; sufficiently seconded.

YEAS 179 - NAYS 171**YEAS - 179****BELKNAP**

Huot, David

Vadney, Herbert

CARROLL

Butler, Edward

Crawford, Karel

DesMarais, Edith

Knirk, Jerry

CHESHIRE

Abbott, Michael
Burridge, Delmar
Faulkner, Barry
Meader, David
Tatro, Bruce

Ames, Richard
Harvey, Cathryn
Fenton, Donovan
Parkhurst, Henry
Pearson, William

Berch, Paul
Ley, Douglas
Johnsen, Gladys
Shepardson, Marjorie
Weber, Lucy

Bordenet, John
Eaton, Daniel
Mann, John
Stallcop, Joseph

COOS

Fothergill, John
Theberge, Robert

Hatch, William
Tucker, Edith

Laflamme, Larry

Moynihan, Wayne

GRAFTON

Abel, Richard
Boutin, Skylar
Josephson, Timothy
Rand, Steven

Almy, Susan
Campion, Polly
Maes, Kevin
Smith, Suzanne

Bailey, Brad
Hennessey, Erin
Massimilla, Linda
Sykes, George

Bennett, Travis
Higgins, Patricia
Nordgren, Sharon
White, Andrew

HILLSBOROUGH

Ayala, Jessica
Bouldin, Amanda
Cornell, Patricia
Edwards, Elizabeth
Gargas, Carolyn
Herbert, Christopher
Judy, Jean
Leishman, Peter
Martin, Joelle
Nutting, Allison
Long, Patrick
Rosenwald, Cindy
Wolf, Terry

Backus, Robert
Chandley, Shannon
Sullivan, Daniel
Elber, Joel
Gidge, Kenneth
Belanger, James
Keane, Amelia
Lisle, David
Martineau, Jesse
O'Brien, Michael
Pellegrino, Anthony
Harvey, Suzanne
Van Houten, Connie

Baroody, Benjamin
Cleaver, Skip
DiSilvestro, Linda
Forest, Armand
Goley, Jeffrey
Schmidt, Janice
King, Mark
MacKenzie, Mark
McNamara, Richard
O'Leary, Richard
Porter, Marjorie
Schleien, Eric
Vann, Ivy

Beaulieu, Jane
Connors, Erika
Dyer, Caleb
Freitas, Mary
Heath, Mary
Jack, Martin
Klee, Patricia
Manley, Jonathan
Newman, Sue
O'Neil, William
Roberts, Carol
Sofikitis, Catherine
Williams, Kermit

MERRIMACK

Turcotte, Alan
Doherty, David
Henle, Paul
Richards, Beth
Schultz, Kristina
Walz, Mary Beth

Bartlett, Christy
Ebel, Karen
MacKay, James
Rodd, Beth
Shurtleff, Stephen
Woolpert, David

Carson, Clyde
Gile, Mary
Kenison, Linda
Rogers, Katherine
Soucy, Timothy

Wolf, Dan
Moffett, Howard
Luneau, David
Schuett, Dianne
Wallner, Mary Jane

ROCKINGHAM

Altschiller, Debra
Cali-Pitts, Jacqueline
Edgar, Michael
Gay, Betty
Malloy, Dennis
Gordon, Pamela
Stone, Brian

Bean, Philip
Cushing, Robert Renny
Elliott, Robert
Gilman, Julie
Messmer, Mindi
Pantelakos, Laura
Le, Tamara

Berrien, Skip
Dean-Bailey, Yvonne
Farnham, Betsey
Lerner, Kari
Murray, Kate
Read, Ellen
Ward, Gerald

Cahill, Michael
DiLorenzo, Charlotte
Francese, Paula
Lovejoy, Patricia
Nasser, Jim
Somssich, Peter

STRAFFORD

Bixby, Peter
Ellis, Donna
Grassie, Chuck
Smith, Marjorie
Salloway, Jeffrey
Treleaven, Susan

Burton, Wayne
Fontneau, Timothy
Horrigan, Timothy
Opderbecke, Linn
Sandler, Catt
Vincent, Kenneth

Cilley, Jacalyn
Frost, Sherry
Keans, Sandra
Schmidt, Peter
Southworth, Thomas
Wall, Janet

Conley, Casey
Gourgue, Amanda
Krans, Hamilton
Phinney, Brandon
Spang, Judith

SULLIVAN

Cloutier, John
Irwin, Virginia

Gagnon, Raymond
Oxenham, Lee

Gottling, Suzanne
Sullivan, Brian

Grenier, James
Tanner, Linda

NAYS - 171**BELKNAP**

Abear, Marc
Fields, Dennis
Spanos, Peter

Aldrich, Glen
Howard, Raymond
Sylvia, Michael

Comtois, Barbara
Lang, Timothy
Varney, Peter

Tilton, Franklin
Silber, Norman

CARROLL

Avellani, Lino
McConkey, Mark
Marsh, William

Comeau, Ed
Nelson, Bill

Cordelli, Glenn
Schmidt, Stephen

McCarthy, Frank
Umberger, Karen

CHESHIRE

Hunt, John

McConnell, James

O'Day, John

COOS

Merner, Troy

Richardson, Herbert

GRAFTONDarrow, Stephen
Johnson, Tiffany

Ham, Bonnie

Ladd, Rick

Schwaegler, Vicki

HILLSBOROUGHGriffin, Barbara
Byron, Frank
Danielson, David
Ferreira, Elizabeth
Gagne, Larry
Hellwig, Steve
Graham, John
L'Heureux, Robert
Lewicke, John
Notter, Jeanine
Proulx, Mark
Rouillard, Claire
Souza, KathleenBarry, Richard
Moore, Craig
Dickey, Glen
Freeman, Lisa
Gould, Linda
Hinch, Richard
Moore, Josh
Ober, Lynne
MacKay, Mariellen
Ohm, Bill
Prout, Andrew
Sanborn, Laurie
Ulery, JordanBurns, Charlie
Christensen, Chris
Donovan, Daniel
Fromuth, Bart
Halstead, Carolyn
Hopper, Gary
Rice, Kimberly
Lascelles, Richard
McCarthy, Michael
Panasiti, Reed
Ober, Russell
Scully, Kevin
Sullivan, VictoriaBurt, John
Christie, Rick
Fedolff, Jim
Griffin, Gerald
Hansen, Peter
Hynes, Dan
Kurk, Neal
LeBrun, Donald
McLean, Mark
Pierce, David
Renzullo, Andrew
Seidel, Carl**MERRIMACK**Kuch, Bill
Hoell, J.R.
Leavitt, John
Pearl, Howard
Wells, NatalieBrewster, Michael
Horn, Werner
Moffett, Michael
Seaworth, BrianCopp, Anne
Klose, John
Marple, Richard
Walsh, ThomasHill, Gregory
Kotowski, Frank
McGuire, Carol
Testerman, Dave**ROCKINGHAM**Cook, Allen
Barnes, Arthur
Chirichiello, Brian
Dowling, Patricia
Green, Dennis
Hoelzel, Kathleen
Janvrin, Jason
Kolodziej, Walter
Major, Norman
McMahon, Charles
Osborne, Jason
Spillane, James
True, Chris
Webb, JamesAbrami, Patrick
Bates, David
Costable, Michael
Emerick, J. Tracy
Guthrie, Joseph
Itse, Daniel
O'Connor, John
Lundgren, David
Manning, John
Milz, David
Packard, Sherman
Sytek, John
Verville, Kevin
Welch, DavidAllen, Mary
Bove, Martin
Thomas, Douglas
Fesh, Robert
Marsh, Henry
Edwards, Jess
Katsakiores, Phyllis
Griffin, Mary
Matthews, Carolyn
Morrison, Sean
Gordon, Richard
Torosian, Peter
Vose, Michael
Weyler, KennethBaldasaro, Alfred
Chase, Francis
DeSimone, Debra
Friel, William
Hagan, Joseph
Janigian, John
Khan, Aboul
Pearson, Mark
McKinney, Betsy
Nigrello, Robert
Sapareto, Frank
Tripp, Richard
Wallace, Scott
Willis, Brenda**STRAFFORD**Beaudoin, Steven
Turcotte, Leonard
Graham, RobertHarrington, Michael
McNally, Jody
Scruton, MatthewHorgan, James
Mullen, John
Spencer, MatthewKaczynski, Thomas
Pitre, Joseph
Wuelper, Kurt**SULLIVAN**Gauthier, Francis
Smith, Steven

O'Connor, John

Laware, Thomas

Rollins, Skip

and the minority committee report was adopted and ordered to third reading.
Rep. Willis voted Nay and intended to vote Yea.

The House recessed at 12:30 p.m.

RECESS

The House reconvened at 1:30 p.m.

(Speaker Chandler in the Chair)

REGULAR CALENDAR - PART I CONT'D

HB 1415-FN-A, establishing a death benefit for a school employee killed in the line of duty. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Kristina Schultz for the Majority of Executive Departments and Administration. Mirroring death benefits for police and firefighters in New Hampshire, this bill provides a specific benefit for school employees killed in the line of duty. School violence has increased in the US at a dramatic rate. The public service given by school employees under these more violent conditions increases the threat to their safety and raises their status to that of New Hampshire's other first responders. The amendment ensures that a neutral party will make the determination that the incident qualifies as a line-of-duty death and that a family member who is responsible for the employee's death would not be able to collect the benefit. We support the adoption of this bill with the hope that such a benefit will never be needed. Vote 11-6.

Rep. J.R. Hoell for the Minority of Executive Departments and Administration. The minority of the committee opposed this bill for the following critical reasons. While the bill seeks to correct the current inequities of treating first responders differently, the bill does not treat all government employees equally. Clearly a violation of the Constitution, Part First, Art 10, "Government being instituted for the common benefit, protection, and security, of the whole community, and not for the private interest or emolument of any one man, family, or class of men..." Secondly, the bill strips away local control for municipalities to decide what should be in their contracts with their teaching staff. Lastly, there are no prohibitions on allowing individual school boards to draft policies as an incentive to recruit good teaching staff. Mandating this for all will make it harder for certain schools to attract and retain the staff they would like.

Majority Amendment (0398h)

Amend RSA 189-A:1, II and III as inserted by section 1 of the bill by replacing them with the following:

II. In addition to any other benefit for which the school employee or family is eligible, the state treasurer shall pay a \$100,000 death benefit to the family of a school employee killed in the line of duty; provided that under no circumstance shall a family member responsible for the school employee's death be eligible for such benefit. Payment to a dependent child shall be made to the child's trustee for the benefit of the child. The governor, with the consent of the executive council, is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

III. The attorney general or a designee from the department of justice shall review the records that relate to the circumstances of the employee's death and shall render a determination whether the incident qualifies as a line-of-duty death as defined in subparagraph I(d).

(a) Such determination shall be rendered within 30 days of the incident.

(b) If the death of the school employee is determined to qualify as a line-of-duty death as defined in subparagraph I(d), the attorney general or a designee from the department of justice shall notify the commissioner of the department of education, who shall adopt the attorney general's recommendation and submit a request to the governor for payment of the benefit.

(c) Any records received in order to make the determination if the school employee's death qualifies as a line-of-duty death as defined in subparagraph I(d) shall be exempt from RSA 91-A. Upon the request of the decedent's family, any medical records or other records which otherwise are nonpublic shall be destroyed following the vote by the governor and executive council on this matter.

Majority committee amendment adopted.

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

Rep. Schultz spoke in favor.

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

YEAS 176 - NAYS 161

YEAS - 176

BELKNAP

Huot, David

CARROLL

Butler, Edward

DesMarais, Edith

Knirk, Jerry

Nelson, Bill

CHESHIRE

Abbott, Michael

Ames, Richard

Berch, Paul

Bordenet, John

Burridge, Delmar

Harvey, Cathryn

Ley, Douglas

Eaton, Daniel

Faulkner, Barry

Fenton, Donovan

Johnsen, Gladys

Meador, David

Shepardson, Marjorie

Tatro, Bruce

Pearson, William

Weber, Lucy

COOS

Laflamme, Larry

Moynihan, Wayne

Richardson, Herbert

Tucker, Edith

GRAFTON

Abel, Richard

Almy, Susan

Bennett, Travis

Campion, Polly

Darrow, Stephen

Hennessey, Erin

Higgins, Patricia

Josephson, Timothy

Maes, Kevin

Massimilla, Linda

Migliore, Vincent Paul

Nordgren, Sharon

Schwaegler, Vicki

Smith, Suzanne

Sykes, George

White, Andrew

HILLSBOROUGH

Ayala, Jessica

Backus, Robert

Baroody, Benjamin

Beaulieu, Jane

Bouldin, Amanda

Chandley, Shannon

Cleaver, Skip

Connors, Erika

Cornell, Patricia

Sullivan, Daniel

DiSilvestro, Linda

Donovan, Daniel

Edwards, Elizabeth

Elber, Joel

Forest, Armand

Freitas, Mary

Gargas, Carolyn

Gidge, Kenneth

Goley, Jeffrey

Heath, Mary

Herbert, Christopher
Keane, Amelia
LeBrun, Donald
McCarthy, Michael
Martineau, Jesse
O'Leary, Richard
Porter, Marjorie
Harvey, Suzanne
Van Houten, Connie

Schmidt, Janice
King, Mark
Leishman, Peter
MacKenzie, Mark
McNamara, Richard
O'Neil, William
Proulx, Mark
Seidel, Carl
Vann, Ivy

Jack, Martin
Klee, Patricia
Lisle, David
Manley, Jonathan
Newman, Sue
Long, Patrick
Roberts, Carol
Sofikitis, Catherine
Williams, Kermit

Jeudy, Jean
L'Heureux, Robert
MacKay, Mariellen
Martin, Joelle
Nutting, Allison
Pellegrino, Anthony
Rosenwald, Cindy
Wolf, Terry

MERRIMACK

Bartlett, Christy
Ebel, Karen
MacKay, James
Richards, Beth
Schultz, Kristina
Woolpert, David

Carson, Clyde
Gile, Mary
Kenison, Linda
Rodd, Beth
Shurtleff, Stephen

Wolf, Dan
Moffett, Howard
Kotowski, Frank
Rogers, Katherine
Soucy, Timothy

Doherty, David
Henle, Paul
Luneau, David
Schuett, Dianne
Walz, Mary Beth

ROCKINGHAM

Altschiller, Debra
Cali-Pitts, Jacqueline
Elliott, Robert
Gilman, Julie
Lovejoy, Patricia
Nigrello, Robert
Somssich, Peter

Bean, Philip
Cushing, Robert Renny
Farnham, Betsey
Guthrie, Joseph
Malloy, Dennis
Gordon, Pamela
Le, Tamara

Berrien, Skip
DiLorenzo, Charlotte
Francesco, Paula
Marsh, Henry
Messmer, Mindi
Pantelakos, Laura
Ward, Gerald

Cahill, Michael
Edgar, Michael
Friel, William
Lerner, Kari
Murray, Kate
Read, Ellen
Willis, Brenda

STRAFFORD

Bixby, Peter
Fontneau, Timothy
Smith, Marjorie
Salloway, Jeffrey
Spang, Judith

Burton, Wayne
Grassie, Chuck
McNally, Jody
Sandler, Catt
Treleaven, Susan

Conley, Casey
Horrigan, Timothy
Opderbecke, Linn
Scruton, Matthew
Vincent, Kenneth

Ellis, Donna
Krans, Hamilton
Schmidt, Peter
Southworth, Thomas
Wall, Janet

SULLIVAN

Cloutier, John
Irwin, Virginia
Smith, Steven

Gagnon, Raymond
O'Connor, John
Sullivan, Brian

Gottling, Suzanne
Oxenham, Lee
Tanner, Linda

Grenier, James
Rollins, Skip

NAYS - 161

BELKNAP

Abear, Marc
Fields, Dennis
Sylvia, Michael

Aldrich, Glen
Howard, Raymond
Vadney, Herbert

Comtois, Barbara
Lang, Timothy
Varney, Peter

Tilton, Franklin
Silber, Norman

CARROLL

Avellani, Lino
McConkey, Mark

Comeau, Ed
Schmidt, Stephen

Cordelli, Glenn
Umberger, Karen

McCarthy, Frank
Marsh, William

CHESHIRE

Hunt, John
Sterling, Franklin

McConnell, James

O'Day, John

Stallcop, Joseph

COOS

Fothergill, John

Merner, Troy

Theberge, Robert

GRAFTON

Bailey, Brad
Rand, Steven

Boutin, Skylar
Johnson, Tiffany

Ham, Bonnie

Ladd, Rick

HILLSBOROUGH

Griffin, Barbara
Byron, Frank
Danielson, David
Ferreira, Elizabeth
Gagne, Larry
Hellwig, Steve
Belanger, James
Ober, Lynne
Murphy, Keith
Pierce, David
Rouillard, Claire
Ulery, Jordan

Barry, Richard
Moore, Craig
Dickey, Glen
Freeman, Lisa
Gould, Linda
Hinch, Richard
Graham, John
Lascelles, Richard
Notter, Jeanine
Prout, Andrew
Sanborn, Laurie
Sullivan, Victoria

Burns, Charlie
Christensen, Chris
Dyer, Caleb
Fromuth, Bart
Halstead, Carolyn
Hopper, Gary
Moore, Josh
Lewicke, John
Ohm, Bill
Ober, Russell
Scully, Kevin

Burt, John
Christie, Rick
Fedolli, Jim
Griffin, Gerald
Hansen, Peter
Hynes, Dan
Kurk, Neal
McLean, Mark
Panasiti, Reed
Renzullo, Andrew
Souza, Kathleen

MERRIMACK

Kuch, Bill
Hoell, J.R.
Marple, Richard
Walsh, Thomas

Brewster, Michael
Klose, John
McGuire, Carol
Testerman, Dave

Copp, Anne
Leavitt, John
Pearl, Howard
Wells, Natalie

Hill, Gregory
Moffett, Michael
Seaworth, Brian

ROCKINGHAM

Cook, Allen
Barnes, Arthur
Chirichiello, Brian
DeSimone, Debra
Green, Dennis
Edwards, Jess
Katsakiores, Phyllis
Griffin, Mary
Matthews, Carolyn
Morrison, Sean
Gordon, Richard
Sytek, John
Verville, Kevin
Welch, David

Abrami, Patrick
Bates, David
Costable, Michael
Emerick, J. Tracy
Hagan, Joseph
Janigian, John
Khan, Aboul
Pearson, Mark
McKinney, Betsy
Nasser, Jim
Sapareto, Frank
Torosian, Peter
Vose, Michael
Weyler, Kenneth

Allen, Mary
Bove, Martin
Thomas, Douglas
Fesh, Robert
Hoelzel, Kathleen
Janvrin, Jason
Kolodziej, Walter
Major, Norman
McMahon, Charles
Osborne, Jason
Spillane, James
Tripp, Richard
Wallace, Scott

Baldasaro, Alfred
Chase, Francis
Dean-Bailey, Yvonne
Gay, Betty
Itse, Daniel
O'Connor, John
Lundgren, David
Manning, John
Milz, David
Packard, Sherman
Stone, Brian
True, Chris
Webb, James

STRAFFORD

Beaudoin, Steven
Turcotte, Leonard
Graham, Robert

Harrington, Michael
Mullen, John
Spencer, Matthew

Horgan, James
Phinney, Brandon
Wuelper, Kurt

Kaczynski, Thomas
Pitre, Joseph

SULLIVAN

Gauthier, Francis

Laware, Thomas

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

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Sandler moved that the House reconsider its action whereby, on a roll call vote of 172-166, the House adopted the committee report of Inexpedient to Legislate on **HB 413-FN-A-L**, relative to payment by the state of a portion of retirement system contributions of political subdivision employers. Reps. Cloutier, Lerner, Martin and Bean spoke in favor.

Rep. Lynne Ober spoke against and yielded to questions.

Rep. White requested a roll call; sufficiently seconded.

YEAS 170 - NAYS 171

**YEAS - 170
BELKNAP**

Huot, David

CARROLL

Butler, Edward

DesMarais, Edith

Knirk, Jerry

CHESHIRE

Abbott, Michael
Burridge, Delmar
Faulkner, Barry
Meador, David
Weber, Lucy

Ames, Richard
Harvey, Cathryn
Fenton, Donovan
Shepardson, Marjorie

Berch, Paul
Ley, Douglas
Johnsen, Gladys
Tatro, Bruce

Bordenet, John
Eaton, Daniel
McConnell, James
Pearson, William

COOS

Hatch, William
Tucker, Edith

Laflamme, Larry

Moynihan, Wayne

Richardson, Herbert

GRAFTON

Abel, Richard
Campion, Polly
Maes, Kevin
Smith, Suzanne

Almy, Susan
Ham, Bonnie
Massimilla, Linda
Sykes, George

Bennett, Travis
Higgins, Patricia
Nordgren, Sharon
White, Andrew

Boutin, Skylar
Josephson, Timothy
Rand, Steven

HILLSBOROUGH

Ayala, Jessica
Bouldin, Amanda
Cornell, Patricia

Backus, Robert
Chandley, Shannon
Sullivan, Daniel

Baroody, Benjamin
Clever, Skip
DiSilvestro, Linda

Beaulieu, Jane
Connors, Erika
Edwards, Elizabeth

Elber, Joel
Goley, Jeffrey
Jack, Martin
Klee, Patricia
Manley, Jonathan
Newman, Sue
O'Neil, William
Roberts, Carol
Van Houten, Connie

Forest, Armand
Heath, Mary
Judy, Jean
Lisle, David
Martin, Joelle
Nutting, Allison
Long, Patrick
Rosenwald, Cindy
Vann, Ivy

Freitas, Mary
Herbert, Christopher
Keane, Amelia
McCarthy, Michael
Martineau, Jesse
O'Brien, Michael
Porter, Marjorie
Harvey, Suzanne
Williams, Kermit

Gidge, Kenneth
Schmidt, Janice
King, Mark
MacKenzie, Mark
McNamara, Richard
O'Leary, Richard
Proulx, Mark
Sofikitis, Catherine

Turcotte, Alan
Ebel, Karen
MacKay, James
Rodd, Beth
Shurtleff, Stephen
Woolpert, David

Bartlett, Christy
Gile, Mary
Kenison, Linda
Rogers, Katherine
Soucy, Timothy

Carson, Clyde
Moffett, Howard
Luneau, David
Schuett, Dianne
Wallner, Mary Jane

Doherty, David
Henle, Paul
Richards, Beth
Schultz, Kristina
Walz, Mary Beth

MERRIMACK

ROCKINGHAM

Altschiller, Debra
Cali-Pitts, Jacqueline
Edgar, Michael
O'Connor, John
Malloy, Dennis
Murray, Kate
Sapareto, Frank
Webb, James

Bean, Philip
Chirichiello, Brian
Farnham, Betsey
Katsakiores, Phyllis
Messmer, Mindi
Gordon, Pamela
Somssich, Peter
Willis, Brenda

Berrien, Skip
Cushing, Robert Renny
Francese, Paula
Khan, Aboul
Milz, David
Pantelakos, Laura
Le, Tamara

Cahill, Michael
DiLorenzo, Charlotte
Gilman, Julie
Lerner, Kari
Morrison, Sean
Read, Ellen
Ward, Gerald

Bixby, Peter
Ellis, Donna
Keans, Sandra
Schmidt, Peter
Spang, Judith

Burton, Wayne
Fontneau, Timothy
Krans, Hamilton
Salloway, Jeffrey
Treleaven, Susan

Cilley, Jacalyn
Grassie, Chuck
Smith, Marjorie
Sandler, Catt
Vincent, Kenneth

Conley, Casey
Horrigan, Timothy
Opderbecke, Linn
Southworth, Thomas
Wall, Janet

STRAFFORD

Cloutier, John
Grenier, James
Oxenham, Lee

Gagnon, Raymond
Irwin, Virginia
Sullivan, Brian

Gauthier, Francis
O'Connor, John
Tanner, Linda

Gottling, Suzanne
Laware, Thomas

SULLIVAN

NAYS - 171

BELKNAP

Abear, Marc
Fields, Dennis
Sylvia, Michael

Aldrich, Glen
Howard, Raymond
Vadney, Herbert

Comtois, Barbara
Lang, Timothy
Varney, Peter

Tilton, Franklin
Silber, Norman

CARROLL

Avellani, Lino
McConkey, Mark
Marsh, William

Comeau, Ed
Nelson, Bill

Cordelli, Glenn
Schmidt, Stephen

McCarthy, Frank
Umberger, Karen

CHESHIRE

Hunt, John

O'Day, John

Stallcop, Joseph

Sterling, Franklin

COOS

Fothergill, John

Merner, Troy

Theberge, Robert

GRAFTON

Bailey, Brad
Migliore, Vincent Paul

Darrow, Stephen
Schwaegler, Vicki

Hennessey, Erin
Johnson, Tiffany

Ladd, Rick

HILLSBOROUGH

Griffin, Barbara
Byron, Frank
Danielson, David
Fedolfi, Jim
Gagne, Larry
Hansen, Peter
Hynes, Dan
Kurk, Neal
LeBrun, Donald

Barry, Richard
Moore, Craig
Dickey, Glen
Ferreira, Elizabeth
Gargas, Carolyn
Hellwig, Steve
Belanger, James
L'Heureux, Robert
Leishman, Peter

Burns, Charlie
Christensen, Chris
Donovan, Daniel
Fromuth, Bart
Gould, Linda
Hinch, Richard
Graham, John
Ober, Lynne
Lewicke, John

Burt, John
Christie, Rick
Dyer, Caleb
Griffin, Gerald
Halstead, Carolyn
Hopper, Gary
Moore, Josh
Lascelles, Richard
McLean, Mark

Murphy, Keith
Pellegrino, Anthony
Renzullo, Andrew
Seidel, Carl
Sullivan, Victoria

Notter, Jeanine
Pierce, David
Rouillard, Claire
Souza, Kathleen

Ohm, Bill
Prout, Andrew
Sanborn, Laurie
Wolf, Terry

Panasiti, Reed
Ober, Russell
Scully, Kevin
Ulery, Jordan

MERRIMACK

Kuch, Bill
Hill, Gregory
Kotowski, Frank
McGuire, Carol
Testerman, Dave

Brewster, Michael
Hoell, J.R.
Leavitt, John
Pearl, Howard
Wells, Natalie

Copp, Anne
Horn, Werner
Moffett, Michael
Seaworth, Brian

Wolf, Dan
Klose, John
Marple, Richard
Walsh, Thomas

ROCKINGHAM

Cook, Allen
Barnes, Arthur
Costable, Michael
Elliott, Robert
Gay, Betty
Hagan, Joseph
Janigian, John
Lundgren, David
Manning, John
Nasser, Jim
Gordon, Richard
Torosian, Peter
Vose, Michael

Abrami, Patrick
Bates, David
Thomas, Douglas
Emerick, J. Tracy
Green, Dennis
Hoelzel, Kathleen
Janvrin, Jason
Griffin, Mary
Matthews, Carolyn
Nigrello, Robert
Spillane, James
Tripp, Richard
Wallace, Scott

Allen, Mary
Bove, Martin
Dean-Bailey, Yvonne
Fesh, Robert
Guthrie, Joseph
Itse, Daniel
Kolodziej, Walter
Pearson, Mark
McKinney, Betsy
Osborne, Jason
Stone, Brian
True, Chris
Welch, David

Baldasaro, Alfred
Chase, Francis
DeSimone, Debra
Friel, William
Marsh, Henry
Edwards, Jess
Lovejoy, Patricia
Major, Norman
McMahon, Charles
Packard, Sherman
Sytek, John
Verville, Kevin
Weyler, Kenneth

STRAFFORD

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

Harrington, Michael
McNally, Jody
Graham, Robert

Horgan, James
Mullen, John
Scruton, Matthew

Kaczynski, Thomas
Phinney, Brandon
Spencer, Matthew

SULLIVAN

Smith, Steven
and the motion failed.

REGULAR CALENDAR - PART I CONT'D

HB 1771-FN-A, relative to hiring a state toxicologist and making an appropriation therefor. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Peter Hansen for the Majority of Executive Departments and Administration. This bill proposed establishing the position of State Toxicologist within the Department of Health and Human Services (DHHS). The committee believes that this function is being fulfilled admirably by the close coordination between a number of state and federal agencies such as the Department of Environmental Services, DHHS, the Division of Public Health, the Environmental Protection Agency, and others. With the need covered by other professionals, the majority does not believe a new position is appropriate. Vote 11-8.

Rep. Kristina Schultz for the Minority of Executive Departments and Administration. The desire for a NH State Toxicologist comes from two very important sources. First, via written and oral testimony, officials from the Department of Health and Human Services request a toxicologist to address the "gap in our response capacity" to address the growing public health concerns derived from human-made contamination of our air, water, and land. Second, the need for a toxicologist is specifically included in key recommendations from the Commission on the Seacoast Cancer Cluster Investigation. Knowing that NH's seacoast has a double cancer cluster, we owe it to our citizens to act swiftly in support of all of the recommendations that the Cancer Cluster Commission has requested. Finally, as toxicologists exist within other state governments to great benefit to their general public, New Hampshire citizens deserve the same for our own people and our own public health.

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

Rep. McGuire spoke in favor.

Reps. Bean and Cushing spoke against.

Majority committee report adopted.

HB 1817-FN, establishing the position of state demographer and a commission on demographic trends; requiring state agencies to prepare a 10-year current services budget; and requiring demographic impact notes on legislation. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Peter Schmidt for Executive Departments and Administration. The committee recognizes the ever-increasing importance of demographics in informed policymaking and wise governance, especially in NH,

where an aging population and an outward migration of young adults combine to threaten long-term economic and population viability. This bill proposes common sense steps to supply essential data for good decision making, also to provide additional tools for evaluating proposed legislation for better budget forecasting. The committee amendment simplifies the look forward budgeting to specified programs within major departments, which still comprise most of the budget, and limits the requirement for demographic impact notes to 20 bills per year, selected by both majority and minority leadership. Vote 19-0.

Amendment (0345h)

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

AN ACT establishing the position of state demographer and a commission on demographic trends; requiring state agencies to prepare a 10-year current services budget; and relative to the inclusion of a demographic analysis as part of the legislative fiscal note process.

Amend RSA 4-C:36, IV as inserted by section 1 of the bill by replacing it with the following:

IV. The state demographer shall provide assistance and data to the legislative budget assistant in the preparation of demographic analyses requested pursuant to RSA 14:46, VII.

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

2 New Section; Budget and Appropriations; Ten-Year Current Services Budget. Amend RSA 9 by inserting after section 9:9-c the following new section:

9:9-d Ten-Year Current Services Budget.

I. Each of the following state agencies shall project its portion of the state budget forward 10 years for the identified service or program:

(a) The department of administrative services: state employer retirement contributions, state retiree health insurance, and in conjunction with the department of revenue administration, state revenues.

(b) The state treasurer: debt service.

(c) The department of health and human services: uncompensated care, Medicaid care management, Medicaid-funded home and community based services known as the Choices for Independence Program, nursing home services, and developmental services.

(d) The department of education: adequate education grants.

II. The projected budget shall be based on current policy, programs, and tax rates, and shall be adjusted only for demographically-induced changes in demand for public services and projected effects on state government revenues.

3 New Paragraph; Preparation of Fiscal Notes; Demographic Analysis. Amend RSA 14:46 by inserting after paragraph VI the following new paragraph:

VII.(a) The speaker of the house of representatives, the minority leader of the house of representatives, the president of the senate, or the minority leader of the senate may request the legislative budget assistant to prepare and include in the fiscal note a demographic analysis on bills and resolutions having an effect on the demographics of the state. Each requestor shall be entitled to no more than 5 such requests during each annual legislative session.

(b) When possible, the demographic analysis contained in a fiscal note pursuant to subparagraph (a) shall be prepared and incorporated prior to the introduction of the bill or resolution. The demographic analysis shall accompany the bill throughout its course of passage through the general court and to the governor for action and shall be amended as necessary to correct errors or to agree with substantive amendments to the bill.

(c) In preparation of demographic analyses required pursuant to subparagraph (a), the legislative budget assistant shall seek the assistance and data from the state demographer or may request assistance from any other source of data which is deemed reliable, including but not limited to private individuals, research and educational organizations, corporations, and associations located within or outside the state.

4 Phase-in, Funding for Position of State Demographer. The state demographer shall be a part-time contractor for the fiscal years 2018 and 2019 and a full-time position beginning in fiscal year 2020.

5 Effective Date.

I. Section 3 of this act shall take effect July 1, 2019.

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

AMENDED ANALYSIS

This bill establishes the position of state demographer in the office of strategic initiatives; establishes a commission on demographic trends; requires certain state agencies to prepare a 10-year current services budget for identified programs; and requires the legislative budget assistant to include a demographic analysis as part of the fiscal note for certain legislation.

Committee amendment adopted.

Committee report adopted and referred to the Committee on Finance.

HB 1412-FN, relative to cruelty to non-captive wildlife. **MAJORITY: REFER FOR INTERIM STUDY. MINORITY: OUGHT TO PASS.**

Rep. James Spillane for the Majority of Fish and Game and Marine Resources. The committee heard testimony from the public on this bill, which included many sportsmen's groups, landowners, and animal activists. Although the minority of the committee believes that New Hampshire is one of a handful of states that do not have laws protecting its wild animals, the majority of the committee was unable to verify this information. The majority also reviewed RSA 644:8 (Cruelty to Animals), and it appears to address the cruel treatment of animals. The minority submitted an amendment and then withdrew that amendment. The majority still has many concerns with this bill such as not adequately distinguishing between captive and non-captive. For example, is a fish in a live well captive or is a chipmunk in a have a heart trap captive? The Fish and Game Department testified in writing that "this proposal would cloud, rather than clarify the manner of take." The agency goes on to say that "this proposal is conceptually flawed, and is not capable of repair." For these reasons the majority would ask that it be given more time so that these concerns, along with any others, can be thoroughly studied and vetted to eliminate the possibility of unintended consequences to the homeowners, landowners and sportsmen of New Hampshire. Vote 12-7.

Rep. Ellen Read for the Minority of Fish and Game and Marine Resources. The minority of the committee strongly believes that there are instances of cruelty to wildlife in New Hampshire, and that such cruelty should be illegal as it is virtually nationwide. The committee did not have the opportunity to vote on suggested changes to the bill, prepared by the Fish and Game Department, that would simplify this bill and ensure that all normal and otherwise legal activities, including hunting, fishing, trapping, and pest management, would be exempt from its provisions. We believe that this issue does not need further study, and that the department's language is the solution that satisfies all stakeholders' interests. In the event the majority's recommendation is overturned, the minority intends to offer an amendment based on the department's suggestions.

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

Rep. Horrigan spoke against.

Rep. Spillane spoke in favor.

MOTION TO LAY ON THE TABLE

Rep. John T. O'Connor moved that **HB 1412-FN**, relative to cruelty to non-captive wildlife, be laid on the table. On a division vote, with 202 members having voted in the affirmative, and 136 in the negative, the motion was adopted.

REGULAR CALENDAR - PART I CONT'D

HB 1471-FN, relative to telemedicine. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Charles McMahon for the Majority of Health, Human Services and Elderly Affairs. The committee found the bill provides enhanced access to medical counseling and support utilizing a cost-effective model called telemedicine to assist and enhance the delivery of care. Further, the bill as amended provides reasonable cost policy relative to providers' reimbursement rates and the individual's insurance coverage to incentivize participation for both, and to help improve and enhance continuing care for all in NH. Vote 17-4.

Rep. Donald LeBrun for the Minority of Health, Human Services and Elderly Affairs. It is the feeling of the minority that while telemedicine is a viable concept, this bill leaves too many unanswered questions, such as a definite definition of the frequency with which a patient must physically meet with the provider.

Majority Amendment (0016h)

Amend RSA 415-J:3, II as inserted by section 3 of the bill by replacing it with the following:

II. An insurer offering a health plan in this state may not deny coverage on the sole basis that the coverage is provided through telemedicine if the health care service would be covered if it were provided through in-person consultation between the covered person and a health care provider. ***The insurance reimbursement rates for telemedicine services shall be the same as that for such services provided in the provider's office or facility, provided that such rates do not exceed rates for in-person consultation at the originating site.*** Majority committee amendment adopted.

Majority committee report adopted and referred to the Committee on Commerce and Consumer Affairs.

HB 1531, establishing a commission to study the performance of the Medicaid managed care program and making an appropriation therefor. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. William Marsh for the Majority of Health, Human Services and Elderly Affairs. The majority of the committee grants that the data this commission would study would be valuable. We do have significant reservations regarding the amount appropriated. We note that there is no significant variance between the two MCOs in costs, and that would indicate both organizations are managing their population well. Last, we are concerned passage of this bill would complicate efforts to negotiate the future of expanded Medicaid. Vote 12-9.

Rep. Jerry Knirk for the Minority of Health, Human Services and Elderly Affairs. The minority feels that it is important to study the performance of the Medicaid managed care program and alternative payment models with regard to cost, quality, patient satisfaction and provider satisfaction. This would provide valuable data to guide decisions about how the Medicaid program can be improved, giving more value to the State of New Hampshire. We do not feel that studying the performance will interfere with any of the proposed bills regarding reauthorization of Medicaid expansion coming before the legislature, as this study process would be adaptable to whatever bill the legislature passes.

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

Rep. Knirk spoke against.

Rep. William Marsh spoke in favor.

Majority committee report adopted.

HB 1783-FN, relative to newborn screening for Krabbe Leukodystrophy. **INEXPEDIENT TO LEGISLATE.**

Rep. William Marsh for Health, Human Services and Elderly Affairs. The committee believes the inclusion of diseases is being appropriately done by the Newborn Screening Advisory Committee. Further, we received testimony that this disease is being re-evaluated on a regular basis and that the committee would reverse its position and recommend inclusion of Krabbe Leukodystrophy upon receiving convincing evidence of the efficacy of treatment. Therefore, we conclude this bill is unnecessary. The entire committee wishes to express its sympathy to families affected by Krabbe Leukodystrophy. Vote 15-6.

Rep. Walz spoke against and yielded to questions.

Rep. William Marsh spoke in favor.

On a division vote, with 179 members having voted in the affirmative, and 157 in the negative, the committee report was adopted.

MOTION TO VACATE

Rep. Kotowski moved that the House vacate the reference of **HB 1787-FN**, relative to the rights of conscience for medical professionals, to the Committee on Health, Human Services and Elderly Affairs.

Motion adopted.

The Speaker referred HB 1787-FN to the Committee on Judiciary.

REGULAR CALENDAR - PART I CONT'D

HB 1811-FN-A, relative to the New Hampshire health protection program. **MAJORITY: REFER FOR INTERIM STUDY. MINORITY: OUGHT TO PASS.**

Rep. William Marsh for the Majority of Health, Human Services and Elderly Affairs. This bill would reauthorize expanded Medicaid in its current form as a premium assistance program. It does include cost savings from expansion of the definition of "medically frail" amounting to \$65.97 on a per member per month basis, per Milliman data. It does not include conversion of the program to a managed care program amounting to cost savings of \$436.12 per member per month. The majority believes more work is required to create a program that the taxpayers can support and therefore recommends Interim Study. Vote 12-8.

Rep. Lucy Weber for the Minority of Health, Human Services and Elderly Affairs. This bill reauthorizes the New Hampshire Health Protection Program, New Hampshire's unique program that provides health insurance coverage for over 50,000 low-income adults who do not qualify for Medicaid. If not reauthorized, this successful program will end on December 31. Health care providers and the treatment community have been clear that the New Hampshire Health Protection Program is our best tool to address the opioid crisis. Over the three and a half years since the program began, 20,000 individuals have accessed drug treatment services, and more than 40,000 have received behavioral health treatment services. HB 1811 is structured to relieve cost pressure on commercial carriers in the individual insurance market by transferring coverage for complex, expensive patients to the managed care program where they may also benefit from improved coordination of their medical care. The Insurance Department's actuaries testified to the Premium Assistance Program Commission last fall that moving coverage for these individuals could have a significant positive effect on premium rates. Moving the most expensive enrollees from the commercial market to managed care is projected to save money while also helping to stabilize this segment of the insurance market by keeping the size of the coverage pool higher. Recognizing that this successful program is voluntary and can be ended at any time with advance notice, no new sunset date is added. In response to the federal government's rejection of part of the previous financing option, the bill allows the governor to draw a warrant for a fraction of the non-federal cost (equivalent to 3% in the 2019) from surplus funds. Finally, this bill aligns a potential work requirement with Temporary Assistance to Needy Families, an administrative simplification for the department of health and human services that is also consistent with the recent guidance from the Centers for Medicare and Medicaid services.

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

Rep. William Marsh spoke in favor.

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

YEAS 192 - NAYS 154**YEAS - 192****BELKNAP**

Abear, Marc
Fields, Dennis
Sylvia, Michael

Aldrich, Glen
Howard, Raymond
Vadney, Herbert

Comtois, Barbara
Lang, Timothy
Varney, Peter

Tilton, Franklin
Silber, Norman

CARROLL

Avellani, Lino
McConkey, Mark
Marsh, William

Comeau, Ed
Nelson, Bill

Cordelli, Glenn
Schmidt, Stephen

McCarthy, Frank
Umberger, Karen

CHESHIRE

Hunt, John
Sterling, Franklin

McConnell, James
Tatro, Bruce

O'Day, John

Stallcop, Joseph

COOS

Fothergill, John

Merner, Troy

Theberge, Robert

GRAFTON

Bailey, Brad
Hennessey, Erin
Johnson, Tiffany

Boutin, Skylar
Ladd, Rick

Darrow, Stephen
Migliore, Vincent Paul

Ham, Bonnie
Schwaegler, Vicki

HILLSBOROUGH

Griffin, Barbara
Byron, Frank
Danielson, David
Fedolfi, Jim
Griffin, Gerald
Hansen, Peter
Hynes, Dan
Kurk, Neal
LeBrun, Donald
McLean, Mark
Panasiti, Reed
Prout, Andrew
Sanborn, Laurie
Wolf, Terry

Barry, Richard
Moore, Craig
Dickey, Glen
Ferreira, Elizabeth
Gagne, Larry
Hellwig, Steve
Belanger, James
L'Heureux, Robert
Lewicke, John
Murphy, Keith
Pellegrino, Anthony
Ober, Russell
Scully, Kevin
Ulery, Jordan

Burns, Charlie
Christensen, Chris
Donovan, Daniel
Freeman, Lisa
Gould, Linda
Hinch, Richard
Graham, John
Ober, Lynne
MacKay, Mariellen
Notter, Jeanine
Pierce, David
Renzullo, Andrew
Seidel, Carl
Sullivan, Victoria

Burt, John
Christie, Rick
Dyer, Caleb
Fromuth, Bart
Halstead, Carolyn
Hopper, Gary
Moore, Josh
Lascelles, Richard
McCarthy, Michael
Ohm, Bill
Proulx, Mark
Rouillard, Claire
Souza, Kathleen

MERRIMACK

Kuch, Bill
Hill, Gregory
Kotowski, Frank
McGuire, Carol
Testerman, Dave

Brewster, Michael
Hoell, J.R.
Leavitt, John
Pearl, Howard
Wells, Natalie

Copp, Anne
Horn, Werner
Moffett, Michael
Seaworth, Brian

Wolf, Dan
Klose, John
Marple, Richard
Walsh, Thomas

ROCKINGHAM

Cook, Allen
Barnes, Arthur
Chase, Francis
Dean-Bailey, Yvonne
Fesh, Robert
Guthrie, Joseph
Itse, Daniel
O'Connor, John
Griffin, Mary
Matthews, Carolyn
Morrison, Sean
Packard, Sherman
Somssich, Peter
Torosian, Peter
Vose, Michael
Weyler, Kenneth

Abrami, Patrick
Bates, David
Chirichiello, Brian
DeSimone, Debra
Friel, William
Marsh, Henry
Edwards, Jess
Katsakiores, Phyllis
Pearson, Mark
McKinney, Betsy
Nasser, Jim
Pantelakos, Laura
Spillane, James
Tripp, Richard
Wallace, Scott
Willis, Brenda

Allen, Mary
Bean, Philip
Costable, Michael
Dowling, Patricia
Gay, Betty
Hagan, Joseph
Janigian, John
Khan, Aboul
Major, Norman
McMahon, Charles
Nigrello, Robert
Gordon, Richard
Stone, Brian
True, Chris
Webb, James

Baldasaro, Alfred
Bove, Martin
Thomas, Douglas
Emerick, J. Tracy
Green, Dennis
Hoelzel, Kathleen
Janvrin, Jason
Kolodziej, Walter
Manning, John
Milz, David
Osborne, Jason
Sapareto, Frank
Sytek, John
Verville, Kevin
Welch, David

STRAFFORD

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

Harrington, Michael
McNally, Jody
Graham, Robert

Horgan, James
Mullen, John
Scruton, Matthew

Kaczynski, Thomas
Phinney, Brandon
Spencer, Matthew

SULLIVAN

Gauthier, Francis
Rollins, Skip

Grenier, James
Smith, Steven

O'Connor, John

Laware, Thomas

NAYS - 154**BELKNAP**

Huot, David

CARROLL

Butler, Edward

DesMarais, Edith

Knirk, Jerry

CHESHIRE

Abbott, Michael
Burridge, Delmar
Faulkner, Barry
Shepardson, Marjorie

Ames, Richard
Harvey, Cathryn
Fenton, Donovan
Pearson, William

Berch, Paul
Ley, Douglas
Johnsen, Gladys
Weber, Lucy

Bordenet, John
Eaton, Daniel
Meador, David

COOS

Hatch, William
Tucker, Edith

Laflamme, Larry

Moynihan, Wayne

Richardson, Herbert

GRAFTON

Abel, Richard
Higgins, Patricia
Nordgren, Sharon
White, Andrew

Almy, Susan
Josephson, Timothy
Rand, Steven

Bennett, Travis
Maes, Kevin
Smith, Suzanne

Campion, Polly
Massimilla, Linda
Sykes, George

HILLSBOROUGH

Ayala, Jessica
Bouldin, Amanda
Cornell, Patricia
Forest, Armand
Goley, Jeffrey
Jack, Martin
Klee, Patricia
Manley, Jonathan
Newman, Sue
O'Neil, William
Rosenwald, Cindy
Vann, Ivy

Backus, Robert
Chandley, Shannon
Sullivan, Daniel
Freitas, Mary
Heath, Mary
Judy, Jean
Leishman, Peter
Martin, Joelle
Nutting, Allison
Long, Patrick
Harvey, Suzanne
Williams, Kermit

Baroody, Benjamin
Cleaver, Skip
DiSilvestro, Linda
Gargas, Carolyn
Herbert, Christopher
Keane, Amelia
Lisle, David
Martineau, Jesse
O'Brien, Michael
Porter, Marjorie
Sofikitis, Catherine

Beaulieu, Jane
Connors, Erika
Elber, Joel
Gidge, Kenneth
Schmidt, Janice
King, Mark
MacKenzie, Mark
McNamara, Richard
O'Leary, Richard
Roberts, Carol
Van Houten, Connie

MERRIMACK

Turcotte, Alan
Doherty, David
Henle, Paul
Richards, Beth
Schultz, Kristina
Walz, Mary Beth

Alicea, Caroletta
Ebel, Karen
MacKay, James
Rodd, Beth
Shurtleff, Stephen
Woolpert, David

Bartlett, Christy
Gile, Mary
Kenison, Linda
Rogers, Katherine
Soucy, Timothy

Carson, Clyde
Moffett, Howard
Luneau, David
Schuett, Dianne
Wallner, Mary Jane

ROCKINGHAM

Altschiller, Debra
Cushing, Robert Renny
Farnham, Betsey
Lovejoy, Patricia
Gordon, Pamela

Berrien, Skip
DiLorenzo, Charlotte
Francesse, Paula
Malloy, Dennis
Read, Ellen

Cahill, Michael
Edgar, Michael
Gilman, Julie
Messmer, Mindi
Le, Tamara

Cali-Pitts, Jacqueline
Elliott, Robert
Lerner, Kari
Murray, Kate
Ward, Gerald

STRAFFORD

Bixby, Peter
Ellis, Donna
Horrigan, Timothy
Opderbecke, Linn
Southworth, Thomas
Vincent, Kenneth

Burton, Wayne
Fontneau, Timothy
Keans, Sandra
Schmidt, Peter
Spang, Judith
Wall, Janet

Cilley, Jacalyn
Gourgue, Amanda
Krans, Hamilton
Salloway, Jeffrey
Sprague, Dale

Conley, Casey
Grassie, Chuck
Smith, Marjorie
Sandler, Catt
Treleaven, Susan

SULLIVAN

Cloutier, John
Oxenham, Lee

Gagnon, Raymond
Sullivan, Brian

Gottling, Suzanne
Tanner, Linda

Irwin, Virginia

and the majority committee report was adopted.

HB 1822-FN, making hormonal contraceptives available directly from pharmacists by means of a standing order.
MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.

Rep. Mindi Messmer for the Majority of Health, Human Services and Elderly Affairs. The majority of the committee recommends this bill as Inexpedient to Legislate. This finding was based on concerns relating to standing orders that may expose physicians and pharmacists to liability in the case of an adverse event. The committee felt this issue rose to the level of concern especially in light of limited counseling services offered in a pharmacy setting. While the minority believes it's important to improve access to birth control, this legislation would create unintended consequences with respect to liability. Vote 13-8.

Rep. William Marsh for the Minority of Health, Human Services and Elderly Affairs. This bill came to the committee recommended unanimously by the 2017 HB 264 study commission. The minority feels there is overwhelming support to expand access to hormonal contraceptives both among the public and professional organizations. Anything that would reduce the 41 percent incidence of unintended pregnancy in NH is in the public interest. Every concern brought up in executive session had been addressed by the commission. The minority feels this bill should pass.

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

Rep. Stone spoke against.

(Rep. Packard in the Chair)

Reps. William Marsh, Lynne Ober, Elizabeth Edwards and Messmer spoke against.

Rep. Mark Pearson spoke in favor.

Rep. Fothergill yielded to questions.

Rep. Elizabeth Edwards requested a roll call; sufficiently seconded.

YEAS 76 - NAYS 265

YEAS - 76

BELKNAP

Abear, Marc
Vadney, Herbert

Comtois, Barbara
Varney, Peter

Tilton, Franklin

Fields, Dennis

CARROLL

Cordelli, Glenn

McConkey, Mark

Nelson, Bill

CHESHIRE

Hunt, John

O'Day, John

Weber, Lucy

COOS

Fothergill, John

Merner, Troy

GRAFTON

Johnson, Tiffany

HILLSBOROUGH

Moore, Craig
Gagne, Larry
Moore, Josh
Notter, Jeanine
Seidel, Carl

Danielson, David
Gould, Linda
L'Heureux, Robert
Long, Patrick
Souza, Kathleen

Fedolfi, Jim
Hansen, Peter
LeBrun, Donald
Pellegrino, Anthony
Ulery, Jordan

Freeman, Lisa
Hopper, Gary
McLean, Mark
Renzullo, Andrew
Sullivan, Victoria

MERRIMACK

Copp, Anne
Leavitt, John

Hoell, J.R.
Walz, Mary Beth

Klose, John
Wells, Natalie

Kotowski, Frank

ROCKINGHAM

Baldasaro, Alfred
DeSimone, Debra
Marsh, Henry
O'Connor, John
Major, Norman
Gordon, Richard
Weyler, Kenneth

Bates, David
Dowling, Patricia
Hoelzel, Kathleen
Katsakiores, Phyllis
Manning, John
Sytek, John

Bove, Martin
Elliott, Robert
Itse, Daniel
Griffin, Mary
Matthews, Carolyn
Verville, Kevin

Chase, Francis
Green, Dennis
Janvrin, Jason
Pearson, Mark
McMahon, Charles
Webb, James

STRAFFORD

Beaudoin, Steven
Kaczynski, Thomas

Cilley, Jacalyn
Pitre, Joseph

Horgan, James
Graham, Robert

Horrigan, Timothy
Wuelper, Kurt

SULLIVAN

Laware, Thomas

NAYS - 265 BELKNAP

Aldrich, Glen
Silber, Norman

Howard, Raymond
Sylvia, Michael

Huot, David

Lang, Timothy

Avellani, Lino
McCarthy, Frank
Marsh, William

Butler, Edward
Knirk, Jerry

Comeau, Ed
Schmidt, Stephen

DesMarais, Edith
Umberger, Karen

CARROLL

Abbott, Michael
Burridge, Delmar
Faulkner, Barry
Meader, David
Tatro, Bruce

Ames, Richard
Harvey, Cathryn
Fenton, Donovan
Shepardson, Marjorie

Berch, Paul
Ley, Douglas
Johnsen, Gladys
Stallcop, Joseph

Bordenet, John
Eaton, Daniel
McConnell, James
Sterling, Franklin

CHESHIRE

COOS

Hatch, William
Tucker, Edith

Laflamme, Larry

Moynihan, Wayne

Theberge, Robert

GRAFTON

Abel, Richard
Boutin, Skylar
Hennessey, Erin
Maes, Kevin
Rand, Steven
White, Andrew

Almy, Susan
Campion, Polly
Higgins, Patricia
Massimilla, Linda
Schwaegler, Vicki

Bailey, Brad
Darrow, Stephen
Josephson, Timothy
Migliore, Vincent Paul
Smith, Suzanne

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

HILLSBOROUGH

Ayala, Jessica
Barry, Richard
Burt, John
Christie, Rick
Sullivan, Daniel
Dyer, Caleb
Forest, Armand
Gargas, Carolyn
Heath, Mary
Hynes, Dan
Jack, Martin
Klee, Patricia
Leishman, Peter
McCarthy, Michael
Martineau, Jesse
Nutting, Allison
Ohm, Bill
Proulx, Mark
Rouillard, Claire
Sofikitis, Catherine
Williams, Kermit

Griffin, Barbara
Beaulieu, Jane
Byron, Frank
Cleaver, Skip
Dickey, Glen
Edwards, Elizabeth
Freitas, Mary
Gidge, Kenneth
Hellwig, Steve
Belanger, James
Judy, Jean
Kurk, Neal
Lewicke, John
MacKenzie, Mark
McNamara, Richard
O'Brien, Michael
Panasiti, Reed
Prout, Andrew
Harvey, Suzanne
Wolf, Terry

Backus, Robert
Bouldin, Amanda
Chandley, Shannon
Connors, Erika
DiSilvestro, Linda
Elber, Joel
Fromuth, Bart
Goley, Jeffrey
Herbert, Christopher
Graham, John
Keane, Amelia
Ober, Lynne
Lisle, David
Manley, Jonathan
Murphy, Keith
O'Leary, Richard
Pierce, David
Ober, Russell
Sanborn, Laurie
Van Houten, Connie

Baroody, Benjamin
Burns, Charlie
Christensen, Chris
Cornell, Patricia
Donovan, Daniel
Ferreira, Elizabeth
Griffin, Gerald
Halstead, Carolyn
Hinch, Richard
Schmidt, Janice
King, Mark
Lascelles, Richard
MacKay, Mariellen
Martin, Joelle
Newman, Sue
O'Neil, William
Porter, Marjorie
Roberts, Carol
Scully, Kevin
Vann, Ivy

MERRIMACK

Turcotte, Alan
Brewster, Michael
Ebel, Karen
Hill, Gregory
Luneau, David
Pearl, Howard
Schuett, Dianne
Soucy, Timothy
Woolpert, David

Alicea, Caroletta
Carson, Clyde
Gile, Mary
Horn, Werner
Moffett, Michael
Richards, Beth
Schultz, Kristina
Walsh, Thomas

Kuch, Bill
Wolf, Dan
Moffett, Howard
MacKay, James
Marple, Richard
Rodd, Beth
Seaworth, Brian
Testerman, Dave

Bartlett, Christy
Doherty, David
Henle, Paul
Kenison, Linda
McGuire, Carol
Rogers, Katherine
Shurtleff, Stephen
Wallner, Mary Jane

ROCKINGHAM

Cook, Allen
Barnes, Arthur
Cali-Pitts, Jacqueline
Thomas, Douglas
Emerick, J. Tracy
Friel, William

Abrami, Patrick
Bean, Philip
Chirichiello, Brian
Dean-Bailey, Yvonne
Farnham, Betsey
Gay, Betty

Allen, Mary
Berrien, Skip
Costable, Michael
DiLorenzo, Charlotte
Fesh, Robert
Gilman, Julie

Altschiller, Debra
Cahill, Michael
Cushing, Robert Renny
Edgar, Michael
Francese, Paula
Guthrie, Joseph

Hagan, Joseph
Kolodziej, Walter
Messmer, Mindi
Nasser, Jim
Packard, Sherman
Somssich, Peter
Tripp, Richard
Ward, Gerald

Edwards, Jess
Lerner, Kari
Milz, David
Nigrello, Robert
Pantelakos, Laura
Stone, Brian
True, Chris
Welch, David

Janigian, John
Lovejoy, Patricia
Morrison, Sean
Osborne, Jason
Read, Ellen
Le, Tamara
Vose, Michael
Willis, Brenda

Khan, Aboul
Malloy, Dennis
Murray, Kate
Gordon, Pamela
Sapareto, Frank
Torosian, Peter
Wallace, Scott

STRAFFORD

Bixby, Peter
Fontneau, Timothy
Keans, Sandra
McNally, Jody
Phinney, Brandon
Southworth, Thomas
Treleaven, Susan

Burton, Wayne
Gourgue, Amanda
Krans, Hamilton
Mullen, John
Salloway, Jeffrey
Spang, Judith
Vincent, Kenneth

Conley, Casey
Grassie, Chuck
Turcotte, Leonard
Opderbecke, Linn
Sandler, Catt
Spencer, Matthew
Wall, Janet

Ellis, Donna
Harrington, Michael
Smith, Marjorie
Schmidt, Peter
Scruton, Matthew
Sprague, Dale

SULLIVAN

Cloutier, John
Grenier, James
Smith, Steven

Gagnon, Raymond
O'Connor, John
Sullivan, Brian

Gauthier, Francis
Oxenham, Lee
Tanner, Linda

Gottling, Suzanne
Rollins, Skip

and the majority committee report failed.

(Speaker Chandler in the Chair)

Rep. Lynne Ober moved the minority committee report of Ought to Pass.

Minority committee report adopted and referred to the Committee on Commerce and Consumer Affairs.

MOTION TO SPECIAL ORDER

Reps. Hinch and Shurtleff moved that the bills from the Committee on Ways and Means be made Special Orders as the next order of business.

Motion adopted.

SPECIAL ORDER

HB 579-FN, relative to registration of semi-trailers. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Marc Abear for the Majority of Ways and Means. This bill passed the policy committee, Transportation, as well as the full House in the Session of February 15, 2017. It came to Ways and Means for revenue issue review. Proponents of the bill assert Maine takes in \$10-\$15 million from licensing of out of state trailers with multi-year registrations of up to 20 years in duration. Indiana has a similar program. Third party agents would be authorized to process such registrations and remit fees to the state. Discounts would be offered for multi-year registrations. Opponents expressed concern NH based companies can avoid municipal taxes by registering in Maine. An amendment was adopted to ensure municipal taxes and fees would be collected, remitted, and discounts would be limited to 12 years. Supporters note that NH companies currently can acquire Maine registrations to avoid NH taxes and fees by simply forming a Maine entity to own the trailers; an option which has been available for over two decades. Finally, this is a second committee bill to look at only the revenue impact, not the policy decision previously made by the Transportation Committee and the House. Vote 13-10.

Rep. Suzanne Gottling for the Minority of Ways and Means. This bill creates a new bureaucracy intended to bring revenues to New Hampshire state government by opening a revenue stream not currently available at the expense of residents and local governments. The bill mimics Maine's process, which allows registration of semi-trailers not garaged in Maine. Multi-year registrations of up to 12 years are offered at a discount price. NH registrations would be pursued by private agents trained and supervised by the Department of Safety. The Department of Safety (Motor Vehicles), the NH City and Town Clerks Association, and the New Hampshire Municipal Association strongly oppose this legislation. This bill places New Hampshire residents as well as cities and towns at a monetary disadvantage. The bill penalizes NH citizens who must pay both the state and the town portions of registration fees while out-of-state entities need only pay the state portion. The City of Manchester calls this "reverse residency." The New Hampshire City and Town Clerk's Association asserts the bill encourages a local business to register a shell company out of state in order to evade the town fee, substantially reducing revenue for our cities and towns. The Department of Motor Vehicles opposes the bill, as it requires them to set up a system and then manage it with a \$500,000 cost for the initial set-up and about \$200,000 in subsequent years, with no guarantee that revenues to cover costs will be generated. In fact, given the state of the market, it is unlikely NH will attract enough business to cover the costs that will be incurred by the Department. A final concern is the state of the market. Maine has been registering out of state semi-trailers for at least 25 years and has only acquired 111,000 of the eleven million registered trailers in the country, including trailers owned by Maine companies; Maine's total share of the market is only 1%. Federal data shows other states already

have the lion's share of the market. If Maine has been unable to lure more registrations and NH is mimicking Maine, there is no reason to expect NH will be successful. Owners of semi-trailers will have no incentive to change their registrations, since Maine has exempted these trailers from their sales tax. By registering trailers for up to twelve years, New Hampshire will be locking itself into this costly revenue scheme and bureaucratic expansion for at least that long. The state should not spend taxpayer money creating a costly new bureaucracy. Scrambling for these revenue crumbs is likely to penalize our own citizens, rob our cities and towns of important revenue, and create a budget deficit at the Department of Safety.

Majority Amendment (0866h)

Amend RSA 261:74-t as inserted by section 3 of the bill by replacing it with the following:

261:74-t Registrations by Nongovernmental Registering Trailer Agents.

I. Out-of-state semi-trailer registrations may be issued, renewed, or transferred through nongovernmental registering trailer agents appointed in accordance with this subdivision. Trailer agents shall be residents of and have a verified business address in this state. The director is authorized to limit the number of nongovernmental registering trailer agents appointed under this subdivision based on resource limitations, provided that at least 3 trailer agents are appointed and provided that any limitation established shall not be the basis for revoking any appointment previously made.

II.(a) Each applicant for appointment as a trailer agent shall furnish the following to the department:

- (1) Whether the application is an original, renewal, or change of location;
- (2) Corporate or business name;
- (3) Trade name, if applicable;
- (4) Legal address;
- (5) Mailing address;
- (6) Telephone number;
- (7) Business hours;
- (8) Name, address, and date of birth of at least one owner, partner, or officer, and title, if applicable;
- (9) Name of the person who will be responsible for filing monthly reports;
- (10) An agreement to notify the department of any change of ownership, address, or corporate or trade name; and

(11) Signature and title of the person identified in subparagraph (8) and date signed.

(b)(1) Upon submission of an application that is incomplete or might indicate lack of fitness or qualification for appointment as a trailer agent, the director or his or her designee shall require an applicant to appear for an interview.

(2) The director or his or her designee shall inform the applicant in writing of the interview. The written notice shall include the date, time, and location of the interview.

(3) At the interview, the director or his or her designee shall:

- (A) Explain any discrepancy or concerns to the applicant.
- (B) Answer any questions that the applicant may have about the process.
- (C) Allow the applicant to make corrections to the application or address any concerns expressed.

(4) If an applicant refuses or neglects to appear for a scheduled interview, the director shall deny his or her application.

(5) If an applicant fails to explain any discrepancy or concerns at the interview, the director shall deny his or her application.

(c) In order to be appointed as a trailer agent by the director, each applicant shall:

- (1) Complete the application.
- (2) Complete the training requirements.
- (3) Complete an interview if applicable.
- (4) Obtain a surety bond.
- (5) Agree to allow the director or his or her designee to enter the agent's premises during business hours for the purposes of auditing or verifying compliance with the terms and conditions of this section.
- (6) Agree to keep current with forms and software as determined by the department.

(d) Trailer agents:

- (1) Shall furnish registration information concerning vehicle information as the director may require.
- (2) Collect fees.
- (3) Issue registrations.

(e)(1) Each trailer agent shall maintain a record of all trailer registration certificates issued by him or her, including:

- (A) Date of registration.
- (B) Full name of the registrant.
- (C) Identifying number.
- (D) Address and phone number of record.

(2) The trailer agent shall maintain all records for a period of 15 years.

(f)(1) Prior to being appointed as a trailer agent, each applicant shall complete a training program conducted at the division of motor vehicles, or such other location as the department shall determine.

(2) The training program shall include the following instruction:

(A) Completing a trailer registration using either online equipment furnished by the department or offline equipment including forms and tables furnished by the department.

(B) Filing monthly reports.

(C) Collecting trailer registration fees.

(D) Maintaining records.

(E) Retaining the agent fee.

(F) Posting office hours.

(g)(1) If a trailer agent is deficient in any area, the department shall request the trailer agent to undergo retraining.

(2) Depending upon the areas of deficiency, retraining shall consist of one or more of the following:

(A) Repeat the training program.

(B) Repeat any portion of the training program.

(C) Undergo further training, the substance of which shall be determined by the department.

(h) Before any appointment shall become effective, each trailer agent shall file a surety bond with the department, pursuant to RSA 41:6.

(i)(1) Each trailer agent shall mail a monthly report of nonresident registrations to the department containing:

(A) The physical address and telephone number where the trailer agent is located;

(B) Period the report begins and ends;

(C) Number of trailers registered; and

(D) Amount of registration fee collected.

(2) The monthly reports shall be submitted along with all fees due to the department in the form of a check or money order.

(j) Whenever a trailer agent's office is closed or unattended, all decals, stamps, and other registration materials shall be placed in a locked file cabinet or other secure container.

III. A nonresident may register a semi-trailer in this state through a nongovernmental registering trailer agent, even if the trailer is not garaged exclusively in this state in accordance with RSA 261:46. Registrations of nonresidents for semi-trailers that are not garaged exclusively in this state shall bear the address of the owner's residence and the address of the nongovernmental registering trailer agent.

Amend the bill by inserting after section 4 the following and renumbering the original sections 5-6 to read as 7-8, respectively:

5 Nonresident Registration. Amend RSA 261:46 to read as follows:

261:46 Nonresident Registration. Notwithstanding RSA 261:45, a nonresident who garages a vehicle exclusively in this state **or who registers a semi-trailer through a nongovernmental agent** may register such vehicle in this state as a nonresident. No exemption from the payment of a permit fee shall be granted by reason of nonresidence except by the director, who shall in all cases require proof satisfactory to him or her of residence elsewhere, and of the liability of a nonresident owner, otherwise entitled to such exemption, to pay a property tax on the vehicle for the current year in the state of his or her residence.

6 New Paragraph; Fees for Registration Permits; Multiyear Registrations. Amend RSA 261:153 by inserting after paragraph VI the following new paragraph:

VII. A person registering a semi-trailer for multiple years in accordance with RSA 261:141, XI shall, when offering the semi-trailer for registration, pay all permit fees and other municipal fees associated with the registration for the entire multiyear period. Permit fees for the multiyear period shall be determined under paragraph I. If the registration is for 12 years, the permit fee shall be reduced by 10 percent.

Majority committee amendment adopted.

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

Rep. Almy spoke against.

Reps. Steven Smith and Abear spoke in favor.

Rep. Herbert requested a roll call; sufficiently seconded.

YEAS 172 - NAYS 163

YEAS - 172

BELKNAP

Abear, Marc
Fields, Dennis
Sylvia, Michael

Aldrich, Glen
Howard, Raymond
Vadney, Herbert

Comtois, Barbara
Lang, Timothy
Varney, Peter

Tilton, Franklin
Silber, Norman

CARROLL

Avellani, Lino
McConkey, Mark
Marsh, William

Comeau, Ed
Nelson, Bill

Cordelli, Glenn
Schmidt, Stephen

McCarthy, Frank
Umberger, Karen

CHESHIRE

Hunt, John

O'Day, John

Sterling, Franklin

COOS

Fothergill, John

Theberge, Robert

GRAFTON

Bailey, Brad
Schwaegler, Vicki

Darrow, Stephen
Johnson, Tiffany

Hennessey, Erin

Ladd, Rick

HILLSBOROUGH

Griffin, Barbara
Byron, Frank
Danielson, David
Ferreira, Elizabeth
Griffin, Gerald
Hinch, Richard
Graham, John
Ober, Lynne
MacKay, Mariellen
Notter, Jeanine
Proulx, Mark
Rouillard, Claire
Wolf, Terry

Barry, Richard
Moore, Craig
Dickey, Glen
Forest, Armand
Gagne, Larry
Hopper, Gary
Moore, Josh
Lascelles, Richard
McCarthy, Michael
Ohm, Bill
Prout, Andrew
Sanborn, Laurie
Ulery, Jordan

Burns, Charlie
Christensen, Chris
Donovan, Daniel
Freeman, Lisa
Gargas, Carolyn
Hynes, Dan
Kurk, Neal
LeBrun, Donald
McLean, Mark
Panasiti, Reed
Ober, Russell
Scully, Kevin
Sullivan, Victoria

Burt, John
Christie, Rick
Dyer, Caleb
Fromuth, Bart
Gould, Linda
Belanger, James
L'Heureux, Robert
Lewicke, John
Murphy, Keith
Pellegrino, Anthony
Renzullo, Andrew
Seidel, Carl

MERRIMACK

Kuch, Bill
Hill, Gregory
Kotowski, Frank
McGuire, Carol
Testerman, Dave

Copp, Anne
Hoell, J.R.
Leavitt, John
Pearl, Howard
Wells, Natalie

Wolf, Dan
Horn, Werner
Moffett, Michael
Seaworth, Brian

Moffett, Howard
Klose, John
Marple, Richard
Walsh, Thomas

ROCKINGHAM

Cook, Allen
Barnes, Arthur
Chase, Francis
Dean-Bailey, Yvonne
Fesh, Robert
Guthrie, Joseph
Itse, Daniel
Katsakiores, Phyllis
Pearson, Mark
McMahon, Charles
Nigrello, Robert
Sapareto, Frank
True, Chris
Welch, David

Abrami, Patrick
Bates, David
Chirichiello, Brian
DeSimone, Debra
Friel, William
Marsh, Henry
Edwards, Jess
Khan, Aboul
Major, Norman
Milz, David
Osborne, Jason
Stone, Brian
Vose, Michael
Weyler, Kenneth

Allen, Mary
Bean, Philip
Costable, Michael
Elliott, Robert
Gay, Betty
Hagan, Joseph
Janigian, John
Kolodziej, Walter
Manning, John
Morrison, Sean
Packard, Sherman
Sytek, John
Wallace, Scott
Willis, Brenda

Baldasaro, Alfred
Bove, Martin
Thomas, Douglas
Emerick, J. Tracy
Green, Dennis
Hoelzel, Kathleen
O'Connor, John
Griffin, Mary
Matthews, Carolyn
Nasser, Jim
Gordon, Richard
Torosian, Peter
Webb, James

STRAFFORD

Conley, Casey
Mullen, John
Scruton, Matthew

Kaczynski, Thomas
Pitre, Joseph
Spencer, Matthew

Turcotte, Leonard
Graham, Robert
Wuelper, Kurt

McNally, Jody
Sandler, Catt

SULLIVAN

Gauthier, Francis
Rollins, Skip

Grenier, James
Smith, Steven

O'Connor, John

Laware, Thomas

NAYS - 163**BELKNAP**

Huot, David

CARROLL

Butler, Edward

DesMarais, Edith

Knirk, Jerry

CHESHIRE

Abbott, Michael
Burridge, Delmar
Faulkner, Barry
Meader, David
Weber, Lucy

Ames, Richard
Harvey, Cathryn
Fenton, Donovan
Shepardson, Marjorie

Berch, Paul
Ley, Douglas
Johnsen, Gladys
Stallcop, Joseph

Bordenet, John
Eaton, Daniel
McConnell, James
Tatro, Bruce

COOS

Hatch, William
Tucker, Edith

Laflamme, Larry

Merner, Troy

Moynihan, Wayne

GRAFTON

Abel, Richard
Campion, Polly
Maes, Kevin
Rand, Steven

Almy, Susan
Ham, Bonnie
Massimilla, Linda
Smith, Suzanne

Bennett, Travis
Higgins, Patricia
Migliore, Vincent Paul
Sykes, George

Boutin, Skylar
Josephson, Timothy
Nordgren, Sharon
White, Andrew

HILLSBOROUGH

Ayala, Jessica
Bouldin, Amanda
Cornell, Patricia
Elber, Joel
Halstead, Carolyn
Schmidt, Janice
King, Mark
MacKenzie, Mark
McNamara, Richard
O'Leary, Richard
Porter, Marjorie
Van Houten, Connie

Backus, Robert
Chandley, Shannon
Sullivan, Daniel
Freitas, Mary
Hansen, Peter
Jack, Martin
Klee, Patricia
Manley, Jonathan
Newman, Sue
O'Neil, William
Roberts, Carol
Vann, Ivy

Baroody, Benjamin
Cleaver, Skip
DiSilvestro, Linda
Gidge, Kenneth
Heath, Mary
Judy, Jean
Leishman, Peter
Martin, Joelle
Nutting, Allison
Long, Patrick
Harvey, Suzanne
Williams, Kermit

Beaulieu, Jane
Connors, Erika
Edwards, Elizabeth
Goley, Jeffrey
Herbert, Christopher
Keane, Amelia
Lisle, David
Martineau, Jesse
O'Brien, Michael
Pierce, David
Sofikitis, Catherine

MERRIMACK

Turcotte, Alan
Carson, Clyde
Henle, Paul
Rodd, Beth
Shurtleff, Stephen
Woolpert, David

Alicea, Caroletta
Doherty, David
MacKay, James
Rogers, Katherine
Soucy, Timothy

Bartlett, Christy
Ebel, Karen
Luneau, David
Schuett, Dianne
Wallner, Mary Jane

Brewster, Michael
Gile, Mary
Richards, Beth
Schultz, Kristina
Walz, Mary Beth

ROCKINGHAM

Altschiller, Debra
Cushing, Robert Renny
Farnham, Betsey
Lerner, Kari
Murray, Kate
Somssich, Peter
Ward, Gerald

Berrien, Skip
DiLorenzo, Charlotte
Francesca, Paula
Lovejoy, Patricia
Gordon, Pamela
Le, Tamara

Cahill, Michael
Dowling, Patricia
Gilman, Julie
Malloy, Dennis
Pantelakos, Laura
Tripp, Richard

Cali-Pitts, Jacqueline
Edgar, Michael
Janvrin, Jason
Messmer, Mindi
Read, Ellen
Verville, Kevin

STRAFFORD

Bixby, Peter
Fontneau, Timothy
Horgan, James
Smith, Marjorie
Salloway, Jeffrey
Treleaven, Susan

Burton, Wayne
Gourgue, Amanda
Horrigan, Timothy
Opderbecke, Linn
Southworth, Thomas
Wall, Janet

Cilley, Jacalyn
Grassie, Chuck
Keans, Sandra
Schmidt, Peter
Spang, Judith

Ellis, Donna
Harrington, Michael
Krans, Hamilton
Phinney, Brandon
Sprague, Dale

SULLIVAN

Cloutier, John
Sullivan, Brian

Gagnon, Raymond
Tanner, Linda

Gottling, Suzanne

Oxenham, Lee

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

SPECIAL ORDER

HB 1316-FN, relative to revenue collected from concealed carry licenses. **OUGHT TO PASS.**

Rep. Charlie Burns for Ways and Means. This bill requires a portion of revenues collected from concealed carry permits to be credited to the Department of Safety permit and licensing unit of the state police instead of the general fund. It requires the first \$400,000 collected to support permit and licensing operations. Currently, this permit and licensing unit receives funding from the general fund through the normal budgeting process. The bill has no changes to the concealed carry permit fee. The Ways and Means Committee only addressed the fee impact and did not address the appropriation impact. Vote 17-0.

Committee report adopted and referred to the Committee on Finance.

SPECIAL ORDER

HB 1763-FN-A, establishing a road usage fee and making an appropriation therefor. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Timothy Lang for Ways and Means. The means to pay for transportation infrastructure has traditionally been primarily supplied by a gas tax. Gasoline purchases serve as an imperfect proxy for wear and tear on the roads and bridges, however, because new vehicles have been trending more efficient and some vehicles have abandoned gas as a fuel for propulsion entirely. This creates a quandary on how to maintain roads and bridges with declining state gas tax revenues. This bill corrects that problem by establishing a road usage fee (RUF),

due at the time of annual registration, for all motor vehicles with a US Environmental Protection Agency (EPA) fuel economy rating of more than 20 miles per gallon (MPG). All fee revenue collected, less a \$1 registration agent fee and highway block grant payments to municipalities pursuant to RSA 235:23, I, would be credited to a newly established separate account within the highway fund that would be non-lapsing and continually appropriated to the Department of Transportation for the maintenance, design, rehabilitation, and construction of state roads and bridges, including right-of-way acquisition. In addition, this bill makes a general fund appropriation of \$330,000 in FY 2018 to the Department of Safety for the purpose of implementation. The RUF shall be based on a vehicle that travels 10,000 miles per year and averages 20 MPG. Such a base vehicle would pay \$111 per year in road toll (gasoline tax). The RUF for such base vehicle is \$0. The RUF for all other vehicles shall be \$111 minus the New Hampshire road toll paid per year based on 10,000 miles of travel. The RUF shall not apply to motorcycles as defined in RSA 259:63, mopeds as defined in RSA 259:57, OHRVs as defined in RSA 259:69, and motor vehicles that are model year 1983 or older. The Department of Safety, in conjunction with the Department of Transportation, shall develop and maintain a system which links the United States Environmental Protection Agency's fuel economy data system with the Department of Safety's vehicle identification number (VIN) data system, allowing registration agents to collect the road usage fee established in amounts based on fuel economy ranges at 10,000 miles per year. The amendment simplifies the administration by reducing the number of MPG ranges by using 10 MPG ranges instead of 5 MPG ranges. It is estimated that 43% of the 1,398,718 registered vehicles would pay no RUF if implemented today. High efficiency gas and hybrid vehicles with a fuel economy range of 40-50 MPG would pay a RUF of \$62.21 (an estimated 10,862 vehicles). A vehicle that uses no gasoline (an estimated 5,019 vehicles) would pay a RUF of \$111, the same as a vehicle rated at 20 MPG or less that pays \$20 or more in gas tax. The advantage of the RUF over Vehicle Miles Traveled (VMT) are: 1) it utilizes no tracking device; 2) the state will not have to bill each owner for miles traveled; 3) no additional staff are needed to monitor and implement the program; 4) the location of miles driven is not a factor; and 5) the RUF is collected when the vehicle is registered. The RUF concept was unanimously approved in 2016 by a commission to study revenue alternatives to the road toll established under RSA 21-J:48. Vote 23-0.

Amendment (0322h)

Amend RSA 260:32-d, III as inserted by section 1 of the bill by replacing it with the following:

III. The department of safety, in conjunction with the department of transportation, shall develop and maintain a system which links the United States Environmental Protection Agency's MPG data system with the department of safety's vehicle identification number (VIN) data system, allowing registration agents to collect the road usage fee established in amounts based on the following MPG ranges:

MPG range at 10,000 miles per year

- 20 or less
- greater than 20 to 30
- greater than 30 to 40
- greater than 40 to 50
- greater than 50
- no gasoline

Amend the bill by replacing section 2 with the following:

2 Implementation of Road Usage Fee. Before April 1, 2019, the commissioner of safety, in conjunction with the commissioner of transportation, shall develop the linked data system required under RSA 260:32-d as inserted by section 1 of this act and adopt rules pursuant to RSA 541-A to establish road usage fees based on the requirements and mileage per gallon ranges (MPG) established in RSA 260:32-d, I and III.

Committee amendment adopted.

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

Reps. Oxenham and Stone spoke against.

Rep. Somssich spoke against and yielded to questions.

Rep. Lang spoke in favor.

Rep. Major spoke in favor and yielded to questions.

MOTION TO LAY ON THE TABLE

Rep. Hynes moved that **HB 1763-FN-A**, establishing a road usage fee and making an appropriation therefor, be laid on the table.

Rep. Hynes requested a roll call; sufficiently seconded.

YEAS 123 - NAYS 200

YEAS - 123

BELKNAP

Aldrich, Glen
Silber, Norman

Comtois, Barbara
Sylvia, Michael

Howard, Raymond

Huot, David

CARROLL

Avellani, Lino

Comeau, Ed

Cordelli, Glenn

McConkey, Mark

CHESHIREHarvey, Cathryn
Shepardson, MarjorieMcConnell, James
Stallcop, JosephMeader, David
Tatro, Bruce

O'Day, John

GRAFTONBailey, Brad
Schwaegler, VickiDarrow, Stephen
Johnson, Tiffany

Ham, Bonnie

Ladd, Rick

HILLSBOROUGHAyala, Jessica
Connors, Erika
Ferreira, Elizabeth
Hellwig, Steve
Schmidt, Janice
Ober, Lynne
McNamara, Richard
Prout, Andrew
Sanborn, Laurie
Sullivan, VictoriaBurt, John
Sullivan, Daniel
Freeman, Lisa
Hopper, Gary
Jack, Martin
Lewicke, John
Notter, Jeanine
Renzullo, Andrew
Scully, KevinMoore, Craig
Dickey, Glen
Gould, Linda
Hynes, Dan
King, Mark
Martineau, Jesse
Pellegrino, Anthony
Roberts, Carol
Sofikitis, CatherineChristie, Rick
Dyer, Caleb
Halstead, Carolyn
Moore, Josh
L'Heureux, Robert
McLean, Mark
Proulx, Mark
Rouillard, Claire
Souza, Kathleen**MERRIMACK**Turcotte, Alan
Hoell, J.R.
Marple, Richard
Soucy, TimothyKuch, Bill
Horn, Werner
McGuire, Carol
Testerman, DaveEbel, Karen
Kenison, Linda
Pearl, Howard
Wells, NatalieHill, Gregory
Klose, John
Richards, Beth**ROCKINGHAM**Allen, Mary
Cali-Pitts, Jacqueline
DiLorenzo, Charlotte
Kolodziej, Walter
Nasser, Jim
Somssich, Peter
Verville, KevinBaldasaro, Alfred
Chirichiello, Brian
Dowling, Patricia
Lerner, Kari
Osborne, Jason
Stone, Brian
Wallace, ScottBates, David
Costable, Michael
Gilman, Julie
Morrison, Sean
Read, Ellen
Torosian, Peter
Willis, BrendaBerrien, Skip
Dean-Bailey, Yvonne
Edwards, Jess
Murray, Kate
Sapareto, Frank
True, Chris**STRAFFORD**Beaudoin, Steven
Horgan, James
Mullen, John
Salloway, Jeffrey
Treleaven, SusanBurton, Wayne
Horrigan, Timothy
Opderbecke, Linn
Sandler, Catt
Wuelper, KurtGrassie, Chuck
Kaczynski, Thomas
Schmidt, Peter
Spang, JudithHarrington, Michael
Turcotte, Leonard
Pitre, Joseph
Spencer, Matthew**SULLIVAN**

O'Connor, John

Oxenham, Lee

Sullivan, Brian

NAYS - 200**BELKNAP**Abear, Marc
Vadney, HerbertTilton, Franklin
Varney, Peter

Fields, Dennis

Lang, Timothy

CARROLLButler, Edward
Schmidt, StephenDesMarais, Edith
Umberger, KarenMcCarthy, Frank
Marsh, William

Knirk, Jerry

CHESHIREAbbott, Michael
Burridge, Delmar
Fenton, DonovanAmes, Richard
Ley, Douglas
Johnsen, GladysBerch, Paul
Eaton, Daniel
Hunt, JohnBordenet, John
Faulkner, Barry
Weber, Lucy**COOS**Fothergill, John
Moynihan, WayneHatch, William
Theberge, RobertLaflamme, Larry
Tucker, Edith

Merner, Troy

GRAFTONAbel, Richard
Hennessey, Erin
Massimilla, Linda
Sykes, GeorgeAlmy, Susan
Higgins, Patricia
Migliore, Vincent Paul
White, AndrewBennett, Travis
Josephson, Timothy
Nordgren, SharonCampion, Polly
Maes, Kevin
Smith, Suzanne

HILLSBOROUGH

Griffin, Barbara
Bouldin, Amanda
Christensen, Chris
Edwards, Elizabeth
Griffin, Gerald
Hansen, Peter
Belanger, James
Klee, Patricia
Leishman, Peter
MacKenzie, Mark
Nutting, Allison
Ohm, Bill
Ober, Russell
Ulery, Jordan

Backus, Robert
Burns, Charlie
Cornell, Patricia
Elber, Joel
Gagne, Larry
Heath, Mary
Graham, John
Kurk, Neal
Lisle, David
Manley, Jonathan
O'Brien, Michael
Panasiti, Reed
Harvey, Suzanne
Van Houten, Connie

Barry, Richard
Byron, Frank
Danielson, David
Forest, Armand
Gargas, Carolyn
Herbert, Christopher
Jeudy, Jean
Lascelles, Richard
MacKay, Mariellen
Martin, Joelle
O'Leary, Richard
Pierce, David
Seidel, Carl
Vann, Ivy

Beaulieu, Jane
Chandlee, Shannon
DiSilvestro, Linda
Freitas, Mary
Gidge, Kenneth
Hinch, Richard
Keane, Amelia
LeBrun, Donald
McCarthy, Michael
Newman, Sue
O'Neil, William
Porter, Marjorie
Wolf, Terry
Williams, Kermit

MERRIMACK

Alicea, Caroletta
Copp, Anne
Moffett, Howard
Luneau, David
Schuett, Dianne
Walsh, Thomas

Bartlett, Christy
Wolf, Dan
Henle, Paul
Moffett, Michael
Schultz, Kristina
Wallner, Mary Jane

Brewster, Michael
Doherty, David
MacKay, James
Rodd, Beth
Seaworth, Brian
Walz, Mary Beth

Carson, Clyde
Gile, Mary
Kotowski, Frank
Rogers, Katherine
Shurtleff, Stephen
Woolpert, David

ROCKINGHAM

Abrami, Patrick
Bove, Martin
Thomas, Douglas
Emerick, J. Tracy
Friel, William
Marsh, Henry
Janigian, John
Khan, Aboul
Major, Norman
McMahon, Charles
Packard, Sherman
Tripp, Richard
Welch, David

Altschiller, Debra
Cahill, Michael
DeSimone, Debra
Farnham, Betsey
Gay, Betty
Hagan, Joseph
Janvrin, Jason
Lovejoy, Patricia
Malloy, Dennis
Milz, David
Pantelakos, Laura
Vose, Michael
Weyler, Kenneth

Barnes, Arthur
Chase, Francis
Edgar, Michael
Fesh, Robert
Green, Dennis
Hoelzel, Kathleen
O'Connor, John
Griffin, Mary
Manning, John
Nigrello, Robert
Gordon, Richard
Ward, Gerald

Bean, Philip
Cushing, Robert Renny
Elliott, Robert
Francese, Paula
Guthrie, Joseph
Itse, Daniel
Katsakiores, Phyllis
Pearson, Mark
Matthews, Carolyn
Gordon, Pamela
Sytek, John
Webb, James

STRAFFORD

Bixby, Peter
Keans, Sandra
Phinney, Brandon
Sprague, Dale

Cilley, Jacalyn
Krans, Hamilton
Graham, Robert
Vincent, Kenneth

Conley, Casey
Smith, Marjorie
Scruton, Matthew
Wall, Janet

Fontneau, Timothy
McNally, Jody
Southworth, Thomas

SULLIVAN

Cloutier, John
Grenier, James
Tanner, Linda

Gagnon, Raymond
Laware, Thomas

Gauthier, Francis
Rollins, Skip

Gottling, Suzanne
Smith, Steven

and the motion failed.

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

YEAS 194 - NAYS 132**YEAS - 194****BELKNAP**

Abear, Marc
Vadney, Herbert

Tilton, Franklin
Varney, Peter

Fields, Dennis

Lang, Timothy

CARROLL

Butler, Edward
Schmidt, Stephen

DesMarais, Edith
Umberger, Karen

McCarthy, Frank
Marsh, William

Knirk, Jerry

CHESHIRE

Abbott, Michael
Burridge, Delmar
Faulkner, Barry
Meader, David

Ames, Richard
Harvey, Cathryn
Fenton, Donovan
Tatro, Bruce

Berch, Paul
Ley, Douglas
Johnsen, Gladys
Weber, Lucy

Bordenet, John
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Hatch, William
Theberge, Robert

Laflamme, Larry
Tucker, Edith

Merner, Troy

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Smith, Suzanne

Almy, Susan
Migliore, Vincent Paul
Sykes, George

Bennett, Travis
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White, Andrew

Hennessey, Erin
Schwaegler, Vicki

HILLSBOROUGH

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Cornell, Patricia
Edwards, Elizabeth
Griffin, Gerald
Hansen, Peter
Graham, John
Kurk, Neal
LeBrun, Donald
McCarthy, Michael
Newman, Sue
Ohm, Bill
Pierce, David
Rosenwald, Cindy
Ulery, Jordan

Backus, Robert
Byron, Frank
Sullivan, Daniel
Elber, Joel
Gagne, Larry
Heath, Mary
Judy, Jean
L'Heureux, Robert
Leishman, Peter
MacKenzie, Mark
Nutting, Allison
Long, Patrick
Porter, Marjorie
Harvey, Suzanne
Vann, Ivy

Barry, Richard
Chandlee, Shannon
Danielson, David
Forest, Armand
Gargas, Carolyn
Herbert, Christopher
Keane, Amelia
Ober, Lynne
Lisle, David
Manley, Jonathan
O'Brien, Michael
Panasiti, Reed
Proulx, Mark
Seidel, Carl
Williams, Kermit

Bouldin, Amanda
Christensen, Chris
DiSilvestro, Linda
Freitas, Mary
Gidge, Kenneth
Hinch, Richard
Klee, Patricia
Lascelles, Richard
MacKay, Mariellen
Martin, Joelle
O'Neil, William
Pellegrino, Anthony
Ober, Russell
Wolf, Terry

MERRIMACK

Alicea, Caroletta
Ebel, Karen
Horn, Werner
Rogers, Katherine
Walsh, Thomas

Bartlett, Christy
Gile, Mary
MacKay, James
Schuett, Dianne
Wallner, Mary Jane

Wolf, Dan
Moffett, Howard
Kotowski, Frank
Shurtleff, Stephen
Walz, Mary Beth

Doherty, David
Henle, Paul
Richards, Beth
Soucy, Timothy
Woolpert, David

ROCKINGHAM

Abrami, Patrick
Bean, Philip
Thomas, Douglas
Elliott, Robert
Gay, Betty
Hagan, Joseph
Janvrin, Jason
Griffin, Mary
Manning, John
Nigrello, Robert
Sytek, John
Weyler, Kenneth

Allen, Mary
Bove, Martin
DeSimone, Debra
Emerick, J. Tracy
Green, Dennis
Hoelzel, Kathleen
O'Connor, John
Pearson, Mark
Matthews, Carolyn
Gordon, Pamela
Tripp, Richard

Altschiller, Debra
Chase, Francis
Dowling, Patricia
Fesh, Robert
Guthrie, Joseph
Itse, Daniel
Katsakiores, Phyllis
Major, Norman
McMahon, Charles
Packard, Sherman
Webb, James

Barnes, Arthur
Cushing, Robert Renny
Edgar, Michael
Friel, William
Marsh, Henry
Janigian, John
Lovejoy, Patricia
Malloy, Dennis
Milz, David
Pantelakos, Laura
Welch, David

STRAFFORD

Bixby, Peter
Krans, Hamilton
Schmidt, Peter
Sprague, Dale

Cilley, Jacalyn
Smith, Marjorie
Graham, Robert
Vincent, Kenneth

Fontneau, Timothy
McNally, Jody
Scruton, Matthew
Wall, Janet

Keans, Sandra
Mullen, John
Southworth, Thomas
Wuelper, Kurt

SULLIVAN

Cloutier, John
Grenier, James

Gagnon, Raymond
Laware, Thomas

Gauthier, Francis
Rollins, Skip

Gottling, Suzanne
Smith, Steven

NAYS - 132**BELKNAP**

Aldrich, Glen
Silber, Norman

Comtois, Barbara
Sylvia, Michael

Howard, Raymond

Huot, David

CARROLL

Avellani, Lino

Comeau, Ed

Cordelli, Glenn

McConkey, Mark

CHESHIRE

McConnell, James

O'Day, John

Shepardson, Marjorie

Stallcop, Joseph

GRAFTON

Bailey, Brad
Josephson, Timothy
Rand, Steven

Campion, Polly
Ladd, Rick
Johnson, Tiffany

Darrow, Stephen
Maes, Kevin

Ham, Bonnie
Massimilla, Linda

HILLSBOROUGH

Ayala, Jessica
Christie, Rick
Ferreira, Elizabeth
Hellwig, Steve
Moore, Josh
Lewicke, John
Notter, Jeanine
Roberts, Carol
Sofikitis, Catherine

Beaulieu, Jane
Connors, Erika
Freeman, Lisa
Hopper, Gary
Schmidt, Janice
Martineau, Jesse
O'Leary, Richard
Rouillard, Claire
Souza, Kathleen

Burt, John
Dickey, Glen
Gould, Linda
Hynes, Dan
Jack, Martin
McLean, Mark
Prout, Andrew
Sanborn, Laurie
Sullivan, Victoria

Moore, Craig
Dyer, Caleb
Halstead, Carolyn
Belanger, James
King, Mark
McNamara, Richard
Renzullo, Andrew
Scully, Kevin
Van Houten, Connie

MERRIMACK

Turcotte, Alan
Copp, Anne
Klose, John
McGuire, Carol
Seaworth, Brian

Kuch, Bill
Hill, Gregory
Luneau, David
Pearl, Howard
Testerman, Dave

Brewster, Michael
Hoell, J.R.
Moffett, Michael
Rodd, Beth
Wells, Natalie

Carson, Clyde
Kenison, Linda
Marple, Richard
Schultz, Kristina

ROCKINGHAM

Baldasaro, Alfred
Cali-Pitts, Jacqueline
DiLorenzo, Charlotte
Edwards, Jess
Morrison, Sean
Gordon, Richard
Stone, Brian
Vose, Michael

Bates, David
Chirichiello, Brian
Farnham, Betsey
Khan, Aboul
Murray, Kate
Read, Ellen
Torosian, Peter
Wallace, Scott

Berrien, Skip
Costable, Michael
Francese, Paula
Kolodziej, Walter
Nasser, Jim
Sapareto, Frank
True, Chris
Ward, Gerald

Cahill, Michael
Dean-Bailey, Yvonne
Gilman, Julie
Lerner, Kari
Osborne, Jason
Somssich, Peter
Verville, Kevin
Willis, Brenda

STRAFFORD

Beaudoin, Steven
Harrington, Michael
Turcotte, Leonard
Salloway, Jeffrey
Treleaven, Susan

Burton, Wayne
Horgan, James
Opderbecke, Linn
Sandler, Catt

Conley, Casey
Horrigan, Timothy
Phinney, Brandon
Spang, Judith

Grassie, Chuck
Kaczynski, Thomas
Pitre, Joseph
Spencer, Matthew

SULLIVAN

O'Connor, John

Oxenham, Lee

Sullivan, Brian

Tanner, Linda

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

SPECIAL ORDER

SB 205-FN-A, establishing the small business jobs fund and tax credit. **REFER FOR INTERIM STUDY.** Rep. Jordan Ulery for Ways and Means. Due to last minute concerns raised and stakeholders who recently became aware of the benefits, the committee felt that additional study was warranted. Issues included both meshing this business growth bill with recent legislation and potential increase or decrease in net revenues. The committee voted interim study on this bill to further understand its revenue and economic impact. Vote 23-0. Rep. Emerick spoke against. Rep. Williams spoke in favor. Committee report adopted.

REGULAR CALENDAR - PART I CONT'D

HB 1749-FN, relative to the state's authority to prohibit or regulate firearms and relative to the selectmen's authority to manage town property. **REFER FOR INTERIM STUDY.**

Rep. Frank McCarthy for Municipal and County Government. This bill came about as the result of infractions of state statute by local officials. This bill should have been directed at any violation of state law by local officials, governing bodies, etc. Since existing statutes don't specify a fine or punishment for such violations, the Attorney General does not consider it a crime and, therefore, prosecution is not administered. This bill could have corrected that issue. During the initial presentation at the first hearing in Representatives Hall, the bill's sponsor had an amendment to make changes to the bill. Since then, two other major amendments have been filed and there is a report that a third may be in the process. The committee felt this bill had merit and should not be found Inexpedient to Legislate but, at the same time, the details in the amendments needed attention which could only be ironed out in a subcommittee. Since the bill was an early bill, the only reasonable course of action was to refer it to interim study. This way the bill is not lost, the amendments can be considered and possibly combined, and the entire bill can receive the attention it deserves. It is expected to result in a correctly worded report to be presented as a bill for future action. Vote 18-2.

Rep. Stone spoke against.

Rep. Belanger spoke in favor and yielded to questions.

Rep. Hoell requested a roll call; sufficiently seconded.

YEAS 239 - NAYS 71**YEAS - 239
BELKNAP**

Abear, Marc
Vadney, Herbert

Tilton, Franklin
Varney, Peter

Fields, Dennis

Huot, David

CARROLL

Butler, Edward
Knirk, Jerry
Marsh, William

Cordelli, Glenn
McConkey, Mark

DesMarais, Edith
Schmidt, Stephen

McCarthy, Frank
Umberger, Karen

CHESHIRE

Abbott, Michael
Burridge, Delmar
Faulkner, Barry
Meader, David
Weber, Lucy

Ames, Richard
Harvey, Cathryn
Fenton, Donovan
O'Day, John

Berch, Paul
Ley, Douglas
Johnsen, Gladys
Shepardson, Marjorie

Bordenet, John
Eaton, Daniel
Hunt, John
Tatro, Bruce

COOS

Fothergill, John

Laflamme, Larry

Moynihan, Wayne

Tucker, Edith

GRAFTON

Abel, Richard
Boutin, Skylar
Ladd, Rick
Nordgren, Sharon
Sykes, George

Almy, Susan
Campion, Polly
Maes, Kevin
Rand, Steven
White, Andrew

Bailey, Brad
Higgins, Patricia
Massimilla, Linda
Schwaegler, Vicki

Bennett, Travis
Josephson, Timothy
Migliore, Vincent Paul
Smith, Suzanne

HILLSBOROUGH

Ayala, Jessica
Bouldin, Amanda
Christensen, Chris
Danielson, David
Freeman, Lisa
Gidge, Kenneth
Hinch, Richard
Moore, Josh
King, Mark
Lascelles, Richard
MacKay, Mariellen
Martin, Joelle
Nutting, Allison
Pierce, David
Rouillard, Claire
Wolf, Terry
Vann, Ivy

Backus, Robert
Burns, Charlie
Connors, Erika
DiSilvestro, Linda
Freitas, Mary
Goley, Jeffrey
Hopper, Gary
Schmidt, Janice
Klee, Patricia
LeBrun, Donald
McCarthy, Michael
Martineau, Jesse
O'Brien, Michael
Porter, Marjorie
Harvey, Suzanne
Ulery, Jordan
Williams, Kermit

Barry, Richard
Byron, Frank
Cornell, Patricia
Edwards, Elizabeth
Gagne, Larry
Hansen, Peter
Belanger, James
Jack, Martin
Kurk, Neal
Leishman, Peter
MacKenzie, Mark
McNamara, Richard
Long, Patrick
Roberts, Carol
Seidel, Carl
Sullivan, Victoria

Beaulieu, Jane
Chandlee, Shannon
Sullivan, Daniel
Elber, Joel
Gargas, Carolyn
Heath, Mary
Graham, John
Judy, Jean
L'Heureux, Robert
Lisle, David
Manley, Jonathan
Newman, Sue
Pellegrino, Anthony
Rosenwald, Cindy
Sofikitis, Catherine
Van Houten, Connie

MERRIMACK

Turcotte, Alan
Copp, Anne
Moffett, Howard
Kenison, Linda
Pearl, Howard
Schuett, Dianne
Walsh, Thomas
Woolpert, David

Alicea, Caroletta
Wolf, Dan
Henle, Paul
Kotowski, Frank
Richards, Beth
Schultz, Kristina
Wallner, Mary Jane

Bartlett, Christy
Doherty, David
Horn, Werner
Luneau, David
Rodd, Beth
Shurtleff, Stephen
Walz, Mary Beth

Carson, Clyde
Ebel, Karen
MacKay, James
McGuire, Carol
Rogers, Katherine
Soucy, Timothy
Wells, Natalie

ROCKINGHAM

Abrami, Patrick
Berrien, Skip
Chase, Francis
DiLorenzo, Charlotte
Farnham, Betsey
Gilman, Julie
Edwards, Jess
Khan, Aboul
Pearson, Mark
McMahon, Charles
Murray, Kate

Allen, Mary
Bove, Martin
Chirichiello, Brian
Dowling, Patricia
Francese, Paula
Marsh, Henry
Janigian, John
Lerner, Kari
Malloy, Dennis
Messmer, Mindi
Nasser, Jim

Altschiller, Debra
Cahill, Michael
Cushing, Robert Renny
Edgar, Michael
Friel, William
Hagan, Joseph
O'Connor, John
Lovejoy, Patricia
Manning, John
Milz, David
Nigrello, Robert

Bean, Philip
Cali-Pitts, Jacqueline
Thomas, Douglas
Emerick, J. Tracy
Gay, Betty
Hoelzel, Kathleen
Katsakiores, Phyllis
Griffin, Mary
Matthews, Carolyn
Morrison, Sean
Gordon, Pamela

Pantelakos, Laura
Tripp, Richard
Webb, James

Read, Ellen
Verville, Kevin
Welch, David

Sapareto, Frank
Vose, Michael
Weyler, Kenneth

Sytek, John
Ward, Gerald
Willis, Brenda

STRAFFORD

Bixby, Peter
Fontneau, Timothy
Smith, Marjorie
Schmidt, Peter
Sandler, Catt
Sprague, Dale

Burton, Wayne
Grassie, Chuck
McNally, Jody
Phinney, Brandon
Scruton, Matthew
Treleaven, Susan

Cilley, Jacalyn
Keans, Sandra
Mullen, John
Graham, Robert
Southworth, Thomas
Vincent, Kenneth

Conley, Casey
Krans, Hamilton
Opderbecke, Linn
Salloway, Jeffrey
Spang, Judith
Wall, Janet

SULLIVAN

Cloutier, John
O'Connor, John
Sullivan, Brian

Gagnon, Raymond
Oxenham, Lee
Tanner, Linda

Gottling, Suzanne
Rollins, Skip

Grenier, James
Smith, Steven

NAYS - 71

BELKNAP

Aldrich, Glen
Silber, Norman

Comtois, Barbara
Sylvia, Michael

Howard, Raymond

Lang, Timothy

CARROLL

Avellani, Lino

Comeau, Ed

CHESHIRE

McConnell, James

Stallcop, Joseph

COOS

Merner, Troy

GRAFTON

Darrow, Stephen

Ham, Bonnie

Johnson, Tiffany

HILLSBOROUGH

Griffin, Barbara
Dickey, Glen
Griffin, Gerald
Lewicke, John
Proulx, Mark
Scully, Kevin

Burt, John
Dyer, Caleb
Gould, Linda
McLean, Mark
Prout, Andrew
Souza, Kathleen

Moore, Craig
Ferreira, Elizabeth
Hellwig, Steve
Notter, Jeanine
Renzullo, Andrew

Christie, Rick
Forest, Armand
Hynes, Dan
Ohm, Bill
Sanborn, Laurie

MERRIMACK

Kuch, Bill
Klose, John
Testerman, Dave

Brewster, Michael
Moffett, Michael

Hill, Gregory
Marple, Richard

Hoell, J.R.
Seaworth, Brian

ROCKINGHAM

Baldasaro, Alfred
Fesh, Robert
Kolodziej, Walter
Stone, Brian

Bates, David
Green, Dennis
Osborne, Jason
Toriosian, Peter

Costable, Michael
Itse, Daniel
Packard, Sherman
True, Chris

Dean-Bailey, Yvonne
Janvrin, Jason
Gordon, Richard
Wallace, Scott

STRAFFORD

Harrington, Michael
Turcotte, Leonard

Horgan, James
Pitre, Joseph

Horrigan, Timothy
Spencer, Matthew

Kaczynski, Thomas
Wuelper, Kurt

SULLIVAN

Gauthier, Francis

Laware, Thomas

and the committee report was adopted.

HB 1101-FN, regulating groundwater pollution caused by polluting emissions in the air. OUGHT TO PASS WITH AMENDMENT.

Rep. Chris Christensen for Resources, Recreation and Development. This bill, as amended, sets timelines for the Department of Environmental Services (DES) to review certain contaminants that may be in drinking and ground water. It also gives DES authority to regulate air emissions devices where emissions may lead to ground water contamination. The language on these closely matches that of HB 485 which was passed by the House in January 2018. Repeating the passage of this language demonstrates how important this clean water language is to the House and to our constituents. The bill, as amended, specifically directs the DES

Commissioner to adopt a drinking water maximum contaminant limit for perfluorooctanoic acid, perfluorotanesulfonic acid, perfluorononanoic acid, and perfluorohexanesulfonic acid. In addition, the commissioner is required to adopt an ambient groundwater quality standard for PFNA and PFHxS, and to review the adequacy of the existing groundwater standards for PFOA and PFOS. Vote 20-0.

Amendment (0334h)

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

1 New Subparagraph; Rulemaking; Air Contaminant Impacts on Soil and Water. Amend RSA 125-C:4, I by inserting after subparagraph (s) the following new subparagraph:

(t) The determination of air contaminants subject to regulation, applicability thresholds, determination of best available control technology, and procedures to determine potential impacts of the deposit of such contaminants from the air on soils or water resources to implement RSA 125-C:10-e.

2 New Section; Requirements for Air Emissions of Perfluorinated Compounds Impacting Soil and Water. Amend RSA 125-C by inserting after section 10-d the following new section:

125-C:10-e Requirements for Air Emissions of Perfluorinated Compounds Impacting Soil and Water.

I. For the purposes of this section:

(a) "Best available control technology" means "best available control technology" as defined in RSA 125-C:10-b, I(a).

(b) "Ambient groundwater quality standard" means "ambient groundwater quality standard" as defined in RSA 485-C:2, I.

(c) "Surface water quality standard" means "surface water quality standard" established in or pursuant to RSA 485-A.

(d) "Perfluorinated Compounds" or "PFCs" means the list of compounds identified in paragraph 1.1 of Environmental Protection Agency Document#: EPA/600/R-08/092 Method 537. "Determination of Selected Perfluorinated Alkyl Acids in Drinking Water by Solid Phase Extraction and Liquid Chromatography/Tandem Mass Spectrometry (LC/MS/MS)", Version 1.1 (September 2009).

(e) "Precursor" means any substance that has been shown by sound science to be transformed into a PFC under ambient conditions reasonably expected to occur in New Hampshire.

II. A device that emits to the air any PFCs or precursors that have caused or contributed to an exceedance of an ambient groundwater quality standard or surface water quality standard as a result of the deposition of any such PFCs or precursors from the air, shall be subject to the determination and application of best available control technology. Within 6 months of the department determining that the device is subject to such control technology, the owner of the device shall submit to the department an application for a permit. Within 12 months of permit issuance, the applicant shall complete construction and installation of controls consistent with the permit. Operation of the source may continue through the permitting, construction, and installation time period. A source which can demonstrate to the department that its device no longer contributes to an exceedance of an ambient groundwater quality standard or surface water quality standard shall be exempt from this section.

III. The construction, installation, or modification of any device that has the potential, based on an applicability threshold adopted by the department, to cause or contribute to an exceedance of an ambient groundwater quality standard or surface water quality standard as a result of the deposition of any PFCs or precursors from the air, shall be prohibited without first applying for and obtaining a permit from the department that establishes emission limitations for such device based on best available control technology.

IV. Part of the initial application for a permit under this section shall include an analysis of best available control technology for controlling emissions. Any permit issued shall contain inspection, testing, and reporting requirements, as applicable, to ensure the conditions of the permit are met.

V. Any determination of best available control technology under this section shall be subject to the following:

(a) In no event shall application of best available control technology result in:

(1) Emission of any air contaminant that would exceed the emissions allowed by any applicable standard under RSA 125-C or RSA 125-I or rules adopted pursuant to either chapter.

(2) Emission of any air contaminant subject to this section in an amount disproportionate to the emissions of such air contaminant from other similar air pollution control devices for that air contaminant at facilities using similar technology.

(3) Emission of any air contaminant subject to this section which causes or contributes to or has the potential to cause or contribute to an exceedance of an ambient groundwater quality standard or surface water quality standard, as a result of the deposition of the contaminant from the air.

(b) If the department determines that the facility has more than one device that emits air contaminants subject to this section, the department shall determine best available control technology emission limitations for each such device.

VI. This section shall only pertain to PFCs for which at least one study has been conducted in accordance with generally accepted scientific principles that demonstrates that the PFC of concern is known to

cause or may reasonably be anticipated to cause acute, chronic, mutagenic, reproductive, or developmental health effects in humans as a result of exposure to such PFC. The implementation of this section shall only rely upon standards that are based on federal maximum contaminant levels, health advisories, provisional health advisories; standards that are derived from federally published toxicological data; or more restrictive New Hampshire state standards.

3 New Subparagraph; Statement of Purpose. Amend RSA 485:1, II by inserting after paragraph (h) the following new subparagraph:

(i) Adopt primary drinking water standards by establishing maximum contaminant limits or treatment techniques.

4 Drinking Water Rules. Amend RSA 485:3 I(b) to read as follows:

(b) ***After consideration of the extent to which the contaminant is found in New Hampshire, the ability to detect the contaminant in public water systems, the ability to remove the contaminant from drinking water, and the costs to government entities that will result from establishing the standard, a*** specification for each contaminant of either:

(1) A maximum contaminant level that is acceptable in water for human consumption[~~if it is feasible to ascertain the level of such contaminant in water in public water systems~~]; or

(2) One or more treatment techniques or methods which lead to a reduction of the level of such contaminant sufficient to protect the public health, if it is not feasible to ascertain the level of such contaminant in water in the public water system; and

5 New Subdivision; Perfluorochemicals. Amend 485 by inserting after section 16-d the following new subdivision:

Perfluorochemicals

485:16-e Perfluorochemicals. By January 1, 2019, the commissioner shall, in consultation with the commissioner of the department of health and human services and other interested parties, initiate rulemaking in accordance with RSA 541-A to adopt a maximum contaminant limit for perfluorooctanoic acid (PFOA), perfluorooctanesulfonic acid (PFOS), perfluorononanoic acid (PFNA), and perfluorohexanesulfonic acid (PFHxS).

6 Ambient Groundwater Quality Standards. Amend RSA 485-C:6 to read as follows:

485-C:6 Ambient Groundwater Quality Standards.

I. The commissioner shall establish and adopt ambient groundwater quality standards for regulated contaminants which adversely affect human health or the environment. Ambient groundwater standards shall apply to all regulated contaminants which result from human operations or activities, but do not apply to naturally occurring contaminants. ***Where state maximum contaminant levels have been adopted under RSA 485:3, I(b), ambient groundwater quality standards shall be equivalent to such standards.*** Where federal maximum contaminant level or health advisories have been promulgated under the Federal Safe Drinking Water Act or rules relevant to such act, ambient groundwater quality standards shall be [equivalent to] ***no less stringent than*** such standards. ***The commissioner may adopt standards more stringent than federal maximum contaminant levels or health advisories if, accounting for an adequate margin of safety to protect human health at all life stages, including but not limited to pre-natal development, the commissioner determines federal standards are insufficient for protection of human health.*** Where such standards are ***established*** based upon ***health advisories that address*** cancer risks, the ambient groundwater quality standards shall be equivalent to that exposure which causes a lifetime exposure risk of one cancer in 1,000,000 exposed population. Where no federal ***or state*** maximum contaminant level or health advisory has been issued, the commissioner may adopt ambient groundwater quality standards on a basis which provides for an adequate margin of safety to protect human health and safety.

II. ***Health advisories that are adopted as ambient groundwater quality standards shall be reviewed by the department at least every 5 years to determine if new research warrants revising the current ambient groundwater quality standard. If the department finds a revision is necessary it shall conduct rulemaking to adopt the revised standard.***

III. Ambient groundwater quality standards shall be the water quality basis for issuance of groundwater discharge permits under RSA 485-A: 13.

[HH:] IV. Except for discharges of domestic wastewater regulated under RSA 485-A:13 and RSA 485-A:29, no person shall violate ambient groundwater quality standards.

V. ***By January 1, 2019, the commissioner shall, in consultation with the commissioner of the department of health and human services and interested parties, initiate rulemaking to adopt ambient groundwater quality standards for perfluorononanoic acid (PFNA) and perfluorohexanesulfonic acid (PFHxS).***

VI. ***By January 1, 2019, the commissioner shall, in consultation with the commissioner of the department of health and human services and interested parties, conduct a review to determine whether current research warrants revising the existing ambient groundwater quality standards for perfluorooctanoic acid (PFOA) and perfluorooctanesulfonic acid (PFOS).***

7 Department of Environmental Services; Positions Established; Appropriation. There is established within the department of environmental services one classified toxicologist position and one classified human health risk assessor for the purposes of monitoring groundwater under RSA 485-C. The sum necessary to pay the salary, benefits, and other costs related to the positions established in this section is hereby appropriated to the department of environmental services for the biennium ending June 30, 2019. This appropriation shall be in addition to any other appropriations made to the department in the biennium. The governor is authorized to draw a warrant for said sum out of any money in treasury not otherwise appropriated.

8 Effective Date.

I. Sections 1 and 2 of this act shall take effect 60 days after its passage.

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

AMENDED ANALYSIS

This bill:

I. Allows the department of environmental services to make rules regarding air pollution and the deposit of such pollutants on soils and water.

II. Regulates devices emitting or having the potential to emit air pollutants that may harm soil and water through the deposit of such pollutants.

III. Clarifies the basis for and requires periodic review of ambient groundwater quality standards.

IV. Directs the department to evaluate the ambient ground water quality standards for perfluorooctanoic acid (PFOA) and perfluorooctanesulfonic acid (PFOS) and set ambient groundwater quality standards for perfluorononanoic acid (PFNA), and perfluorohexanesulfonic acid (PFHxS).

V. Establishes the criteria for setting maximum contaminant limits for public drinking water and directs the department to set maximum contaminant limits for perfluorooctanoic acid (PFOA), perfluorooctanesulfonic acid (PFOS), perfluorononanoic acid (PFNA), and perfluorohexanesulfonic acid (PFHxS).

VI. Establishes a toxicologist position and a human health risk assessor position in the department of environmental services and makes an appropriation to fund the positions.

Committee amendment adopted.

Committee report adopted and referred to the Committee on Science, Technology and Energy.

HB 1104-FN, relative to certain regulatory permits and forms and relative to time limits under RSA 541-A. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: REFER FOR INTERIM STUDY.**

Rep. Chris Christensen for the Majority of Resources, Recreation and Development. This bill came out of recommendations from the Governor's Regulatory Reform Steering Committee which has been meeting throughout the fall of 2017. The bill was filed in anticipation of the Steering Committee's report, and the amendment, which rewrites the entire bill, was based on that report which was issued January 22, 2018. The first part of the amendment deals with tightening up timelines in permitting processes for such things as Dredge and Fill permits. To free up personnel for these changes, the bill allows certain individuals, such as permitted septic system designers and soil scientists, engineers and others licensed or certified by the Office of Professional Licensure and Certification to essentially obtain a "permit by notification" for certain minimum impact projects. The second part of the amendment deals with licensure and certification reciprocity with other states and rulemaking under RSA 541-A. These generally fall under the purview of the Committee on Executive Departments and Administration which would be the second committee to review this bill. After the committee's approval of the amendment, it was determined that some parts of the amendment, such as timelines for alteration of terrain projects, were non-germane. Consequently, that amendment will not be introduced and a floor amendment will be presented. Vote 11-9.

Rep. Judith Spang for the Minority of Resources, Recreation and Development. This bill sets significantly shorter time limits on the Department of Environmental Services for its review and action on permitting for developments affecting wetlands and water quality. As introduced, it was in such a preliminary form that an amendment was immediately presented at the hearing to replace the whole bill. It was obvious that the original bill set unreasonable and unattainable conditions for agency performance of its functions. The committee never had a subcommittee to fully review, analyze, or discuss the original flawed bill. The final 11-page amendment was presented to the committee at its executive session. It is the bipartisan opinion of the committee that any effort such as this to streamline and increase the efficiency of state agencies is beneficial. The permits that are addressed in this bill are important to sustaining a positive environment for both current and potential businesses in NH. However, greater study is needed of how to improve permitting for the heavy volume of complex development projects done by the agency with its very limited resources. A simple cut of permit time frames will have far-reaching negative consequences, including more denials of permits, costly appeals, and inadequate performance of the environmental protection responsibilities that the legislature has given the agency. Interim study will allow for a more considered evaluation of how to streamline permitting without placing unattainable time frames on this important agency responsibility.

Majority Amendment (0353h)

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

AN ACT relative to dredge and fill permit time limits; relative to time limits under the administrative procedure act; relative to online filing with the secretary of state's office; relative to foster family home licensing; relative to the state building code; and relative to reciprocity for professional and occupational licenses and certifications.

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

1 Wetlands and Shorelands Review Fund; Reference Added. Amend RSA 482-A:3, III to read as follows:

III. The filing fees collected pursuant to paragraphs I, V(c), XI(h), ~~and~~ XII(c), **and X** are continually appropriated to and shall be expended by the department for paying per diem and expenses of the public members of the council, hiring additional staff, reviewing applications and activities relative to the wetlands of the state and protected shorelands under RSA 483-B, conducting field investigations, and holding public hearings. Such fees shall be held by the treasurer in a nonlapsing fund identified as the wetlands and shorelands review fund.

2 Reduction of Dredge and Fill Permit Timelines. Amend RSA 482-A:3, XIV to read as follows:

XIV.(a) In processing an application for permits under this chapter, except for a permit by notification, the department shall:

(1) Within ~~[14]~~ **10** days of receipt by the department, issue a notice of administrative completeness or send notice to the applicant, at the address provided on the application, identifying any additional information required to make the application administratively complete and providing the applicant with the name and telephone number of the department employee to whom all correspondence shall be directed by the designated department employee regarding incompleteness of the application. Each receipt of additional information in response to any notice shall re-commence the ~~[14-day]~~ **10-day** period until the department issues a notice of administrative completeness. Any notice of incompleteness sent under this subparagraph shall specify that the applicant or authorized agent shall submit such information as soon as practicable and shall notify the applicant or authorized agent that if the requested information is not received within 60 days of the notice, the department shall deny the application.

(2) Within ~~[75]~~ **50** days of the issuance of a notice of administrative completeness for projects where the applicant proposes under one acre of jurisdictional impact and ~~[105]~~ **75** days for all other projects, request any additional information that the department is permitted by law to require to complete its evaluation of the application, together with any written technical comments the department deems necessary. Such request and technical comments may be sent by electronic means if the applicant or authorized agent has indicated an agreement to accept communications by electronic means, either by so indicating on the application or by a signed statement from the applicant or authorized agent that communicating by electronic means is acceptable. Any request for additional information under this subparagraph shall specify that the applicant submit such information as soon as practicable and shall notify the applicant that if the requested information is not received within 60 days of the request, the department shall deny the application. The department ~~[may]~~ **shall** grant an extension of this 60-day time period upon request of the applicant.

(3) Where the department requests additional information pursuant to subparagraph (a)(2), within 30 days of the department's receipt of a complete response to the department's information request:

(A) Approve the application, in whole or in part, and issue a permit; or

(B) Deny the application and issue written findings in support of the denial; or

(C) Schedule a public hearing **within 30 days** in accordance with this chapter and rules adopted by the commissioner; or

(D) Extend the time for rendering a decision on the application for good cause and with the written agreement of the applicant; or

(4) Where no request for additional information is made pursuant to subparagraph (a)(2), within ~~[75]~~ **50** days from the issuance of the notice of administrative completeness for proposed projects under one acre of jurisdictional impact, or ~~[105]~~ **75** days for all others:

(A) Approve the application, in whole or in part, and issue a permit; or

(B) Deny the application and issue written findings in support of the denial; or

(C) Schedule a public hearing **within 30 days** in accordance with this chapter and rules adopted by the commissioner; or

(D) Extend the time for rendering a decision on the application for good cause and with the written agreement of the applicant.

(5) Where the department has held a public hearing on an application filed under this chapter, within ~~[60]~~ **45** days following the closure of the hearing record, approve the application in whole or in part, and issue a permit or deny the application and issue written findings in support of the denial.

(b)(1) The time limits prescribed by this paragraph shall supersede any time limits provided in any other provision of law. If the department fails to act within the applicable time frame established in sub-

paragraphs (a)(3), (a)(4), and (a)(5), the applicant may ask the department to issue the permit by submitting a written request. If the applicant has previously agreed to accept communications from the department by electronic means, a request submitted electronically by the applicant shall constitute a written request.

(2) Within 14 days of the date of receipt of a written request from the applicant to issue the permit, the department shall:

(A) Approve the application, in whole or in part, and issue a permit; or

(B) Deny the application and issue written findings in support of the denial.

(3) If the department does not issue either a permit or a written denial within the 14-day period, the applicant shall be deemed to have a permit by default and may proceed with the project as presented in the application. The authorization provided by this subparagraph shall not relieve the applicant of complying with all requirements applicable to the project, including but not limited to requirements established in or under this chapter, RSA 485-A relating to water quality, and federal requirements.

(4) Upon receipt of a written request from an applicant, the department shall issue written confirmation that the applicant has a permit by default pursuant to subparagraph (b)(3), which authorizes the applicant to proceed with the project as presented in the application and requires the work to comply with all requirements applicable to the project, including but not limited to requirements established in or under this chapter, and RSA 485-A relating to water quality, and federal requirements.

(c) If extraordinary circumstances prevent the department from conducting its normal function, time frames prescribed by this paragraph shall be suspended until such condition has ended, as determined by the commissioner.

(d) The time limits prescribed by this paragraph shall not apply to an application filed after the applicant has already undertaken some or all of the work covered by the application, or where the applicant has been adjudicated after final appeal, or otherwise does not contest, the department's designation as a chronic non-complier in accordance with rules adopted pursuant to this chapter.

(e) Any request for a significant amendment to a pending application or an existing permit which changes the footprint of the permitted fill or dredge area shall be deemed a new application subject to the provisions of RSA 482-A:3, I and the time limits prescribed by this paragraph. "Significant amendment" means an amendment which changes the proposed or previously approved acreage of the permitted fill or dredge area by 20 percent or more, relocates the proposed footprint of the permitted fill or dredge area, includes a prime wetland or surface waters of the state, includes a wetland of a different classification as classified by the department, or includes non-wetland areas requiring permits for filling and dredging. This meaning of "significant amendment" shall not apply to an application amendment that is in response to a request from the department.

(f) The department may extend the time for rendering a decision under subparagraphs (a)(3)(D) and (a)(4)(D), without the applicant's agreement, on an application from an applicant who, ~~previously~~ ***within the 5 years preceding the application***, has been determined, after the exhaustion of available appellate remedies, to have failed to comply with this chapter or any rule adopted or permit or approval issued under this chapter, or to have misrepresented any material fact made in connection with any activity regulated or prohibited by this chapter, pursuant to an action initiated under RSA 482-A:13, RSA 482-A:14, or RSA 482-A:14-b. The length of such an extension shall be no longer than reasonably necessary to complete the review of the application, but shall not exceed ~~[30]~~ **20** days unless the applicant agrees to a longer extension. The department shall notify the applicant of the length of the extension.

(g) The department may suspend review of an application for a proposed project on a property with respect to which the department has commenced an enforcement action against the applicant for any violation of this chapter, RSA 483-B, RSA 485-A:17, or RSA 485-A:29-44, or of any rule adopted or permit or approval issued pursuant to this chapter, RSA 483-B, RSA 485-A:17, or RSA 485-A:29-44. Any such suspension shall expire upon conclusion of the enforcement action and completion of any remedial actions the department may require to address the violation; provided, however, that the department may resume its review of the application sooner if doing so will facilitate resolution of the violation. The department shall resume its review of the application at the point the review was suspended, except that the department may extend any of the time limits under this paragraph and its rules up to a total of 30 days for all such extensions. For purposes of this subparagraph, "enforcement action" means an action under RSA 482-A:13, RSA 482-A:14, RSA 482-A:14-b, RSA 483-B:18, RSA 485-A:22, RSA 485-A:42, or RSA 485-A:43.

3 New Paragraph; Excavating and Dredging Permit; Certified Application Preparer Program for Certain Wetlands Applications. Amend RSA 482-A:3 by inserting after paragraph XIX the following new paragraph:

XX.(a) The department shall develop a voluntary certified application preparer program for submission of applications for all qualifying minimum impact projects. The commissioner shall adopt rules to establish the qualifications to become a certified application preparer and to identify qualifying minimum impact projects. The qualifications established shall include that the individual is a permitted septic system designer or is licensed or certified by the office of professional licensure and certification as a certified wetland scientist,

certified soil scientist, professional engineer, licensed land surveyor, or any other professional designated by the department, and shall include training and continuing education requirements. Qualifying minimum impact projects shall include, but not necessarily be limited to, all projects which the department has designated as minimum impact projects in its wetlands rules.

(b) Applications for qualifying minimum impact projects submitted by a certified application preparer shall not require technical review by the department and the department shall issue a permit within 10 days of receipt of a complete application.

(c) The department may revoke a certificate for good cause after notification to the certificate holder and opportunity for an adjudicative proceeding under RSA 541-A:31 and rules adopted by the department.

(d) The certification shall be valid for one year from the date of issuance and may be renewed every year. The initial fee for certification shall be \$200 and the fee for renewal shall be \$50. The department shall not issue a certification or a renewal certification if the required fee is not paid. All fees shall be deposited into the wetlands and shoreland review fund established in RSA 482-A:3, III.

4 Administrative Provisions; Extensions for Conservation Commission Action on Wetlands Applications. Amend RSA 482-A:11, III(a) to read as follows:

III.(a) Upon written notification to the department by a municipal conservation commission that it intends to investigate any notice received by it pursuant to RSA 482-A:3, the department shall not make its decision on the application that is the subject of the notice until it has received and acknowledged receipt of a written report from such commission, or until 40 days from the date of filing with the municipal clerk of such notice, whichever occurs earlier~~[- subject to an extension as permitted by the department]~~. In connection with any local investigation, a conservation commission may hold a public informational meeting or a public hearing, the record of which shall be made a part of the record of the department. ~~[Where the department grants an extension, the time limits prescribed by RSA 482-A:3, XIV(b) shall be suspended until a date agreed to by the applicant and the department.]~~ If a conservation commission makes a recommendation to the department in its report, the department shall specifically consider such recommendation and shall make written findings with respect to each issue raised in such report which is contrary to the decision of the department. If notification by a local conservation commission pursuant to this paragraph is not received by the department within 14 days following the date the notice is filed with the municipal clerk, the department shall not suspend its normal action, but shall proceed as if no notification has been made.

5 Reduction of Dredge and File Retroactive Enforcement Period. Amend RSA 482-A:14-c to read as follows:

482-A:14-c Limitation on Enforcement Action. No person who acquires property, by any means, more than ~~[5]~~ **2** years after an activity constituting a violation of this chapter has been completed, shall be subject to an enforcement action under this chapter for such violation, provided such person allows restoration of impacted areas, unless the person knew of the existence of the violation at the time that the person acquired the property. Nothing in this section shall limit any enforcement action for violation of this chapter, including injunctive relief requiring restoration of impacted areas, against the person who committed the violation. Nothing in this section shall limit any enforcement action with respect to any violation of this chapter, including injunctive relief requiring restoration of impacted areas, for which written notice of the violation has been provided to the owner by the department prior to January 1, 2013. In addition to any common law remedy, any person who suffers damages as a result of a violation of this chapter committed by another may seek compensation from the person who committed the violation, including diminution in property value and reasonable attorney's fees.

6 Time Limit for Recommendation on Grant of Right Petitions. Amend RSA 482-A:22 to read as follows:

482-A:22 Grant of Right. The governor and council, upon petition and upon the recommendation of the department, may, for just consideration, grant to an owner of a shoreline on public waters the right to excavate, remove, or dredge any bank, flat, marsh, swamp or lake bed before the owner's shoreline. Every petition to excavate or dredge said areas shall be filed with the department. The department, after 30 days' notice to abutters **and within 60 days of receipt of a petition**, the local governing body of the municipality in which the property is situate, and the department of health and human services shall hold a public hearing. Notice of the hearing shall be published twice in 2 different weeks, the last publication to be 7 days before the hearing, in one newspaper of general circulation throughout the state and another newspaper of general circulation in the municipality. The notice shall also be posted in 2 public places in the municipality. Upon appropriate investigation **and within 30 days of a public hearing**, the department shall make its recommendations to the governor and council with regard to such petition. If the department recommends that the petition be granted, in whole or in part, such recommendation shall include appropriate specifications and conditions necessary to the protection of public rights and to the protection of the rights and privileges of persons owning land in the vicinity of the area to be excavated or dredged by the petitioner.

7 Terrain Alteration; Reduction of Permit Timelines. Amend RSA 485-A:17, II-b to read as follows:

II-b. In processing an application for permits under RSA 485-A:17:

(a) Within ~~[50]~~ **40** days of receipt of the application, the department shall request any additional information required to complete its evaluation of the application, together with any written technical comments the

department deems necessary. Any request for additional information shall specify that the applicant submit such information as soon as practicable and shall notify the applicant that if all of the requested information is not received within 120 days of the request, the department shall deny the application.

(b) If the department requests additional information pursuant to subparagraph (a), the department shall, within 30 days of the department's receipt of the information:

- (1) Approve the application in whole or in part and issue a permit; or
- (2) Deny the application and issue written findings in support of the denial; or
- (3) Extend the time for rendering a decision on the application for good cause and with the written agreement of the applicant.

(c) If no request for additional information is made pursuant to subparagraph (b), the department shall, within [50] **40** days of receipt of the application:

- (1) Approve the application, in whole or in part and issue a permit; or
- (2) Deny the application, and issue written findings in support of the denial; or
- (3) Extend the time for rendering a decision on the application for good cause and with the written agreement of the applicant.

(d)(1) The time limits prescribed by this paragraph shall supersede any time limits provided in any other provision of law. If the department fails to act within the applicable time frame established in subparagraphs (b) and (c), the applicant may ask the department to issue the permit by submitting a written request. If the applicant has previously agreed to accept communications from the department by electronic means, a request submitted electronically by the applicant shall constitute a written request.

(2) Within 14 days of the date of receipt of a written request from the applicant to issue the permit, the department shall:

- (A) Approve the application, in whole or in part, and issue a permit; or
- (B) Deny the application and issue written findings in support of the denial.

(3) If the department does not issue either a permit or a written denial within the 14-day period, the applicant shall be deemed to have a permit by default and may proceed with the project as presented in the application. The authorization provided by this subparagraph shall not relieve the applicant of complying with all requirements applicable to the project, including but not limited to requirements established in or under this section and RSA 485-A relating to water quality.

(4) Upon receipt of a written request from an applicant, the department shall issue written confirmation that the applicant has a permit by default pursuant to subparagraph (d)(3), which authorizes the applicant to proceed with the project as presented in the application and requires the work to comply with all requirements applicable to the project, including but not limited to requirements established in or under this section and RSA 485-A relating to water quality.

(e) The time limits under this paragraph shall not apply to an application from an applicant that has [previously] been found in violation of this chapter pursuant to RSA 485-A:22-a ***within the 5 years preceding the application*** or an application that does not otherwise ***substantially*** comply with the department's rules relative to the permit application process.

(f) The department may extend the time for rendering a decision under subparagraphs (b)(3) and (c)(3), without the applicant's agreement, on an application from an applicant who, [previously] ***within the 5 years preceding the application***, has been determined, after the exhaustion of available appellate remedies, to have failed to comply with this section or any rule adopted or permit or approval issued under this section, or to have misrepresented any material fact made in connection with any activity regulated or prohibited by this section, pursuant to an action initiated under RSA 485-A:22. The length of such an extension shall be no longer than reasonably necessary to complete the review of the application, and shall not exceed 30 days unless the applicant agrees to a longer extension. The department shall notify the applicant of the length of the extension.

(g) The department may suspend review of an application for a proposed project on a property with respect to which the department has commenced an enforcement action against the applicant for any violation of this section, RSA 482-A, RSA 483-B, or RSA 485-A:29-44, or of any rule adopted or permit or approval issued pursuant to this section, RSA 482-A, RSA 483-B, or RSA 485-A:29-44. Any such suspension shall expire upon conclusion of the enforcement action and completion of any remedial actions the department may require to address the violation; provided, however, that the department may resume its review of the application sooner if doing so will facilitate resolution of the violation. The department shall resume its review of the application at the point the review was suspended, except that the department may extend any of the time limits under this paragraph and its rules up to a total of 30 days for all such extensions. For purposes of this subparagraph, "enforcement action" means an action initiated under RSA 482-A:13, RSA 482-A:14, RSA 482-A:14-b, RSA 483-B:18, RSA 485-A:22, RSA 485-A:42, or RSA 485-A:43.

8 Reduction of Time Limits for Agency Action on Application, Petitions, and Requests. Amend RSA 541-A:29 to read as follows:

541-A:29 Agency Action on Applications, Petitions and Requests. In processing an application, petition, or request, in any matter other than rulemaking or a declaratory ruling, in which a response is specifically addressed to the applicant, petitioner, or requester, the agency shall:

I. Within [60] **30** days of receipt, examine the application, petition, or request, notify the applicant of any apparent errors or omissions, request any additional information that the agency is permitted by law to require, and notify the applicant of the name, official title, address, and telephone number of an agency official or employee who may be contacted regarding the application.

II. Within a reasonable time, not to exceed [120] **60** days, after receipt of the application, petition or request, or of the response to a timely request made by the agency pursuant to paragraph I, the agency shall:

(a) Approve or deny the application, in whole or in part, on the basis of nonadjudicative processes, if disposition of the application by the use of these processes is not precluded by any provision of law; or

(b) Commence an adjudicative proceeding in accordance with this chapter.

III. If the time limits prescribed by this section conflict with specific time limits provided for by other provisions of law, the specific time limits provided for by such other provisions shall control.

IV. An agency may extend the time periods for review provided for in this section or in any other provision of law upon written agreement of the applicant.

9 New Section; Failure of Agency to Act. Amend RSA 541-A by inserting after section 29 the following new section:

541-A:29-a Failure of Agency to Act. If an agency fails to take any required action on an application, petition, or request within the time limits prescribed by RSA 541-A:29 or any other provisions of law, the application, petition, or request shall be deemed approved and any permit, approval, or other item requested shall be deemed granted to or received by the applicant, petitioner, or requestor.

II. If a permit, approval, or other item has been granted under paragraph I, the applicant may request written confirmation of such grant from the agency. The agency shall provide an applicant written confirmation of such an approval within 14 days of the applicant's request.

III. A permit, approval, or other item shall not be granted by default if an applicant has agreed in writing to extend an agency's time for review pursuant to RSA 541-A:29, IV or any other provision of law.

10 New Section; Voluntary Corporations and Associations; Online Filing. Amend RSA 292 by inserting after section 5-b the following new section:

292:5-c Online Filing. No later than January 1, 2020, the secretary of state shall provide for and allow the online filing of all forms, certificates, or other documents required under this chapter.

11 New Section; New Hampshire Business Corporations Act; Online Filing. Amend RSA 293-A by inserting after section 1.21 the following new section:

293-A:1.21-a Online Filing. No later than January 1, 2020, the secretary of state shall provide for and allow the online filing of all forms, certificates, or other documents required under this subdivision.

12 New Section; Uniform Partnership Act; Online Filing. Amend RSA 304-A by inserting after section 5 the following new section:

304-A:5-a Online Filing. No later than January 1, 2020, the secretary of state shall provide for and allow the online filing of all forms, certificates, or other documents required under this chapter.

13 New Section; Uniform Limited Partnership Act; Online Filing. Amend RSA 304-B by inserting after section 8 the following new section:

304-B:8-a Online Filing. No later than January 1, 2020, the secretary of state shall provide for and allow the online filing of all forms, certificates, or other documents required under this chapter.

14 New Section; Limited Liability Companies; Online Filing. Amend RSA 304-C by inserting after section 28 the following new section:

304-C:28-a Online Filing. No later than January 1, 2020, the secretary of state shall provide for and allow the online filing of all forms, certificates, or other documents required under this chapter.

15 Foster Family Homes; Compliance with State and Local Codes; Review by State Fire Marshal. Amend RSA 170-E:28, II to read as follows:

II. ~~[Either]~~ The state fire marshal ~~[or the local fire department]~~ shall review compliance of the foster family home with applicable state fire safety laws and local ordinances. In conducting the review, the state fire marshal ~~[or local fire department]~~ shall apply the appropriate single family or multi-unit dwelling provisions of the applicable code. **The local fire department shall assist the state fire marshal with review of applicable state fire safety laws or local ordinances if the state fire marshal so requests.**

16 State Building Code; Conflict with State Fire Code Prohibited. Amend RSA 155-A:2, II to read as follows:

II. **The state building code shall not conflict with the state fire code.** To the extent that there is any conflict between the state building code and the state fire code, the code creating the greater degree of life safety shall take precedence, subject to the review provisions contained in RSA 155-A:10. If the municipal building and fire code officials cannot agree which code creates the greater degree of life safety, the property owner may notify the 2 officials in writing that if agreement is not reached within 2 business days of delivery

of said notification, that the decision shall be made by the property owner to comply with either the applicable building code or fire code. Such decision by the property owner after proper notification shall not be grounds for the denial of a certificate of occupancy.

17 State Building Code; Conflict with State Fire Code Prohibited. Amend RSA 155-A:2, V to read as follows:

V. Counties, towns, cities, and village districts may adopt by ordinance pursuant to RSA 674:51 or RSA 47:22 any additional regulations provided that such regulations are not less stringent than the requirements of the state building code and the state fire code. ***Counties, towns, cities, and village districts may not adopt additional regulations that result in conflicts between their local fire code and local building code.***

18 Licensure Reciprocity. RSA 332-G:12 is repealed and reenacted to read as follows:

332-G:12 Reciprocity.

I. Beginning January 1, 2019, a person who is licensed or certified to practice an occupation or profession in another state and who is in good standing without disciplinary action pending, where such occupation or profession is regulated in this state by a board or commission, shall be deemed licensed or certified to practice such occupation or profession in this state. A board or commission may not establish additional or inconsistent conditions or requirements for reciprocal licensure or certification, provided that a board or commission may require submission of an application with such information as the board or commission deems appropriate and the payment of an application fee.

II. A person licensed or certified to practice an occupation or profession under paragraph I shall submit any required application and written proof of their licensure or certification in good standing and without disciplinary action pending in another state to the relevant board or commission in this state no later than 30 days after beginning to practice such occupation or profession in this state. Within 30 days of submission of such application and written proof, the board or commission shall issue to the applicant a license or certificate to practice in this state, provided that an applicant need not wait to receive such a license or certificate before beginning to practice the relevant occupation or profession in this state.

III. The provisions of paragraph I and II shall not apply where a board or commission has determined, after a 30-day notice period and a public hearing, that a substantial difference exists between the licensure or certification requirements of the other state and the licensure or certification requirements of this state and that such difference would very likely result in a significant risk to the public health of this state were the occupational or professional license or certification to be recognized by this state. Such a determination by a board or commission shall not affect reciprocal licensure or certification granted prior to the determination.

IV. A board or commission may, after a 30-day notice period and public hearing, reverse a determination made under paragraph III and reinstate reciprocal licensure or certification for a given state and occupation or profession.

V. After a person has received an initial licensure or certification pursuant to this section, that person shall comply with all other provisions of law or board or commission rules applicable to the practice of that person's occupation or profession.

VI. Each board or commission shall revise its rules as necessary to ensure compliance with the provisions of this section.

19 New Sections; Licensure; Reciprocity Information. Amend RSA 332-G by inserting after section 12 the following new section:

332-G:13 Reciprocity Information. All boards or commissions, including the board of hearing care providers established in RSA 137-F:3, shall post information on their website relative to reciprocal licensure or certification for persons holding a current and valid license or certification for the practice of the regulated profession in another state. Such information shall include a list of the states for which the board or commission has determined pursuant to RSA 332-G:12, III that reciprocal licensure will not be granted.

20 Effective Date. This act shall take effect January 1, 2019.

AMENDED ANALYSIS

This bill:

I. Reduces certain timelines related to dredge and fill permit applications.

II. Reduces certain time limits for agency actions on applications under the administrative procedure act.

III. Provides that if an agency fails to act on an application, petition, or request within a specific period of time, it shall be deemed to have been granted or approved.

IV. Requires the secretary of state to permit online business and corporate filings.

V. Prohibits conflicts between the state building code and state fire code and between local fire codes and local building codes.

VI. Provides that the state fire marshal shall review compliance of foster family homes with state fire safety laws and ordinances.

VII. Establishes reciprocity for out of state occupational licenses and certifications.

The Speaker ruled the majority committee amendment non-germane.

Rep. Christensen offered floor amendment (0399h).

Floor Amendment (0399h)

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

AN ACT relative to dredge and fill permit time limits; relative to time limits under the administrative procedure act; and relative to online filing with the secretary of state's office.

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

1 Wetlands and Shorelands Review Fund; Reference Added. Amend RSA 482-A:3, III to read as follows:

III. The filing fees collected pursuant to paragraphs I, V(c), XI(h), ~~and~~ XII(c), **and X** are continually appropriated to and shall be expended by the department for paying per diem and expenses of the public members of the council, hiring additional staff, reviewing applications and activities relative to the wetlands of the state and protected shorelands under RSA 483-B, conducting field investigations, and holding public hearings. Such fees shall be held by the treasurer in a nonlapsing fund identified as the wetlands and shorelands review fund.

2 Reduction of Dredge and Fill Permit Timelines. Amend RSA 482-A:3, XIV to read as follows:

XIV.(a) In processing an application for permits under this chapter, except for a permit by notification, the department shall:

(1) Within ~~[14]~~ **10** days of receipt by the department, issue a notice of administrative completeness or send notice to the applicant, at the address provided on the application, identifying any additional information required to make the application administratively complete and providing the applicant with the name and telephone number of the department employee to whom all correspondence shall be directed by the designated department employee regarding incompleteness of the application. Each receipt of additional information in response to any notice shall re-commence the ~~[14-day]~~ **10-day** period until the department issues a notice of administrative completeness. Any notice of incompleteness sent under this subparagraph shall specify that the applicant or authorized agent shall submit such information as soon as practicable and shall notify the applicant or authorized agent that if the requested information is not received within 60 days of the notice, the department shall deny the application.

(2) Within ~~[75]~~ **50** days of the issuance of a notice of administrative completeness for projects where the applicant proposes under one acre of jurisdictional impact and ~~[105]~~ **75** days for all other projects, request any additional information that the department is permitted by law to require to complete its evaluation of the application, together with any written technical comments the department deems necessary. Such request and technical comments may be sent by electronic means if the applicant or authorized agent has indicated an agreement to accept communications by electronic means, either by so indicating on the application or by a signed statement from the applicant or authorized agent that communicating by electronic means is acceptable. Any request for additional information under this subparagraph shall specify that the applicant submit such information as soon as practicable and shall notify the applicant that if the requested information is not received within 60 days of the request, the department shall deny the application. The department ~~[may]~~ **shall** grant an extension of this 60-day time period upon request of the applicant.

(3) Where the department requests additional information pursuant to subparagraph (a)(2), within 30 days of the department's receipt of a complete response to the department's information request:

(A) Approve the application, in whole or in part, and issue a permit; or

(B) Deny the application and issue written findings in support of the denial; or

(C) Schedule a public hearing **within 30 days** in accordance with this chapter and rules adopted by the commissioner; or

(D) Extend the time for rendering a decision on the application for good cause and with the written agreement of the applicant; or

(4) Where no request for additional information is made pursuant to subparagraph (a)(2), within ~~[75]~~ **50** days from the issuance of the notice of administrative completeness for proposed projects under one acre of jurisdictional impact, or ~~[105]~~ **75** days for all others:

(A) Approve the application, in whole or in part, and issue a permit; or

(B) Deny the application and issue written findings in support of the denial; or

(C) Schedule a public hearing **within 30 days** in accordance with this chapter and rules adopted by the commissioner; or

(D) Extend the time for rendering a decision on the application for good cause and with the written agreement of the applicant.

(5) Where the department has held a public hearing on an application filed under this chapter, within ~~[60]~~ **45** days following the closure of the hearing record, approve the application in whole or in part, and issue a permit or deny the application and issue written findings in support of the denial.

(b)(1) The time limits prescribed by this paragraph shall supersede any time limits provided in any other provision of law. If the department fails to act within the applicable time frame established in subparagraphs (a)(3), (a)(4), and (a)(5), the applicant may ask the department to issue the permit by submitting a written request. If the applicant has previously agreed to accept communications from the department by electronic means, a request submitted electronically by the applicant shall constitute a written request.

(2) Within 14 days of the date of receipt of a written request from the applicant to issue the permit, the department shall:

(A) Approve the application, in whole or in part, and issue a permit; or

(B) Deny the application and issue written findings in support of the denial.

(3) If the department does not issue either a permit or a written denial within the 14-day period, the applicant shall be deemed to have a permit by default and may proceed with the project as presented in the application. The authorization provided by this subparagraph shall not relieve the applicant of complying with all requirements applicable to the project, including but not limited to requirements established in or under this chapter, RSA 485-A relating to water quality, and federal requirements.

(4) Upon receipt of a written request from an applicant, the department shall issue written confirmation that the applicant has a permit by default pursuant to subparagraph (b)(3), which authorizes the applicant to proceed with the project as presented in the application and requires the work to comply with all requirements applicable to the project, including but not limited to requirements established in or under this chapter, and RSA 485-A relating to water quality, and federal requirements.

(c) If extraordinary circumstances prevent the department from conducting its normal function, time frames prescribed by this paragraph shall be suspended until such condition has ended, as determined by the commissioner.

(d) The time limits prescribed by this paragraph shall not apply to an application filed after the applicant has already undertaken some or all of the work covered by the application, or where the applicant has been adjudicated after final appeal, or otherwise does not contest, the department's designation as a chronic non-complier in accordance with rules adopted pursuant to this chapter.

(e) Any request for a significant amendment to a pending application or an existing permit which changes the footprint of the permitted fill or dredge area shall be deemed a new application subject to the provisions of RSA 482-A:3, I and the time limits prescribed by this paragraph. "Significant amendment" means an amendment which changes the proposed or previously approved acreage of the permitted fill or dredge area by 20 percent or more, relocates the proposed footprint of the permitted fill or dredge area, includes a prime wetland or surface waters of the state, includes a wetland of a different classification as classified by the department, or includes non-wetland areas requiring permits for filling and dredging. This meaning of "significant amendment" shall not apply to an application amendment that is in response to a request from the department.

(f) The department may extend the time for rendering a decision under subparagraphs (a)(3)(D) and (a)(4)(D), without the applicant's agreement, on an application from an applicant who, **previously within the 5 years preceding the application**, has been determined, after the exhaustion of available appellate remedies, to have failed to comply with this chapter or any rule adopted or permit or approval issued under this chapter, or to have misrepresented any material fact made in connection with any activity regulated or prohibited by this chapter, pursuant to an action initiated under RSA 482-A:13, RSA 482-A:14, or RSA 482-A:14-b. The length of such an extension shall be no longer than reasonably necessary to complete the review of the application, but shall not exceed [30] **20** days unless the applicant agrees to a longer extension. The department shall notify the applicant of the length of the extension.

(g) The department may suspend review of an application for a proposed project on a property with respect to which the department has commenced an enforcement action against the applicant for any violation of this chapter, RSA 483-B, RSA 485-A:17, or RSA 485-A:29-44, or of any rule adopted or permit or approval issued pursuant to this chapter, RSA 483-B, RSA 485-A:17, or RSA 485-A:29-44. Any such suspension shall expire upon conclusion of the enforcement action and completion of any remedial actions the department may require to address the violation; provided, however, that the department may resume its review of the application sooner if doing so will facilitate resolution of the violation. The department shall resume its review of the application at the point the review was suspended, except that the department may extend any of the time limits under this paragraph and its rules up to a total of 30 days for all such extensions. For purposes of this subparagraph, "enforcement action" means an action under RSA 482-A:13, RSA 482-A:14, RSA 482-A:14-b, RSA 483-B:18, RSA 485-A:22, RSA 485-A:42, or RSA 485-A:43.

3 New Paragraph; Excavating and Dredging Permit; Certified Application Preparer Program for Certain Wetlands Applications. Amend RSA 482-A:3 by inserting after paragraph XIX the following new paragraph:

XX.(a) The department shall develop a voluntary certified application preparer program for submission of applications for all qualifying minimum impact projects. The commissioner shall adopt rules to establish the qualifications to become a certified application preparer and to identify qualifying minimum impact projects. The qualifications established shall include that the individual is a permitted septic system designer or is licensed or certified by the office of professional licensure and certification as a certified wetland scientist, certified soil scientist, professional engineer, licensed land surveyor, or any other professional designated by the department, and shall include training and continuing education requirements. Qualifying minimum impact projects shall include, but not necessarily be limited to, all projects which the department has designated as minimum impact projects in its wetlands rules.

(b) Applications for qualifying minimum impact projects submitted by a certified application preparer shall not require technical review by the department and the department shall issue a permit within 10 days of receipt of a complete application.

(c) The department may revoke a certificate for good cause after notification to the certificate holder and opportunity for an adjudicative proceeding under RSA 541-A:31 and rules adopted by the department.

(d) The certification shall be valid for one year from the date of issuance and may be renewed every year. The initial fee for certification shall be \$200 and the fee for renewal shall be \$50. The department shall not issue a certification or a renewal certification if the required fee is not paid. All fees shall be deposited into the wetlands and shoreland review fund established in RSA 482-A:3, III.

4 Administrative Provisions; Extensions for Conservation Commission Action on Wetlands Applications. Amend RSA 482-A:11, III(a) to read as follows:

III.(a) Upon written notification to the department by a municipal conservation commission that it intends to investigate any notice received by it pursuant to RSA 482-A:3, the department shall not make its decision on the application that is the subject of the notice until it has received and acknowledged receipt of a written report from such commission, or until 40 days from the date of filing with the municipal clerk of such notice, whichever occurs earlier[~~, subject to an extension as permitted by the department~~]. In connection with any local investigation, a conservation commission may hold a public informational meeting or a public hearing, the record of which shall be made a part of the record of the department. [~~Where the department grants an extension, the time limits prescribed by RSA 482-A:3, XIV(b) shall be suspended until a date agreed to by the applicant and the department.~~] If a conservation commission makes a recommendation to the department in its report, the department shall specifically consider such recommendation and shall make written findings with respect to each issue raised in such report which is contrary to the decision of the department. If notification by a local conservation commission pursuant to this paragraph is not received by the department within 14 days following the date the notice is filed with the municipal clerk, the department shall not suspend its normal action, but shall proceed as if no notification has been made.

5 Reduction of Dredge and File Retroactive Enforcement Period. Amend RSA 482-A:14-c to read as follows:

482-A:14-c Limitation on Enforcement Action. No person who acquires property, by any means, more than [5] **2** years after an activity constituting a violation of this chapter has been completed, shall be subject to an enforcement action under this chapter for such violation, provided such person allows restoration of impacted areas, unless the person knew of the existence of the violation at the time that the person acquired the property. Nothing in this section shall limit any enforcement action for violation of this chapter, including injunctive relief requiring restoration of impacted areas, against the person who committed the violation. Nothing in this section shall limit any enforcement action with respect to any violation of this chapter, including injunctive relief requiring restoration of impacted areas, for which written notice of the violation has been provided to the owner by the department prior to January 1, 2013. In addition to any common law remedy, any person who suffers damages as a result of a violation of this chapter committed by another may seek compensation from the person who committed the violation, including diminution in property value and reasonable attorney's fees.

6 Reduction of Time Limits for Agency Action on Application, Petitions, and Requests. Amend RSA 541-A:29 to read as follows:

541-A:29 Agency Action on Applications, Petitions and Requests. In processing an application, petition, or request, in any matter other than rulemaking or a declaratory ruling, in which a response is specifically addressed to the applicant, petitioner, or requester, the agency shall:

I. Within [60] **30** days of receipt, examine the application, petition, or request, notify the applicant of any apparent errors or omissions, request any additional information that the agency is permitted by law to require, and notify the applicant of the name, official title, address, and telephone number of an agency official or employee who may be contacted regarding the application.

II. Within a reasonable time, not to exceed [120] **60** days, after receipt of the application, petition or request, or of the response to a timely request made by the agency pursuant to paragraph I, the agency shall:

(a) Approve or deny the application, in whole or in part, on the basis of nonadjudicative processes, if disposition of the application by the use of these processes is not precluded by any provision of law; or

(b) Commence an adjudicative proceeding in accordance with this chapter.

III. If the time limits prescribed by this section conflict with specific time limits provided for by other provisions of law, the specific time limits provided for by such other provisions shall control.

IV. An agency may extend the time periods for review provided for in this section or in any other provision of law upon written agreement of the applicant.

7 New Section; New Hampshire Business Corporation Act; Online Filing. Amend RSA 293-A by inserting after section 1.21 the following new section:

293-A:1.21-a Online Filing. The secretary of state shall provide for and allow the online filing of all forms, certificates, and other documents required under this subdivision.

8 Effective Date. This act shall take effect January 1, 2019.

Rep. Christensen spoke in favor.

Floor amendment (0399h) adopted.

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

Reps. Spang and Grassie spoke against.

Reps. Leishman and McConkey spoke in favor.

On a division vote, with 157 members having voted in the affirmative, and 140 in the negative, the majority committee report was adopted and referred to the Committee on Executive Departments and Administration.

REFERRAL DECLINED

Rep. Barry, Chairman of the Committee on Science; Technology and Energy, under the provisions of House Rule 46 (f), declined the referral of **HB 1202-L**, relative to town revolving funds for group net metering.

REGULAR CALENDAR - PART I CONT'D

HB 1592-FN, requiring the commissioner of the department of environmental services to revise rules relative to arsenic contamination in drinking water. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Chris Christensen for the Majority of Resources, Recreation and Development. As introduced, this bill would have set a new standard for arsenic in drinking water of 4 parts per trillion (ppt), compared to the current standard of 10 parts per billion (ppb) set in 2001. The 4 ppt standard is at a non-detect level and is unenforceable. Several options were discussed, such as setting a standard of 5 ppb. In many areas the General Court has given rulemaking authority to an agency, which provides more flexibility and quicker action when situations change. The amendment requires the Commissioner of Environmental Services to review existing standards by January 1, 2019 and initiate rulemaking if it is determined that a lower standard is feasible. Vote 15-2.

Rep. Chuck Grassie for the Minority of Resources, Recreation and Development. A recent Dartmouth College study has shown that arsenic levels in ground water sources are a major concern throughout NH. This bill sought to require the New Hampshire Department of Environmental Services (NHDES) to lower the maximum contaminant level in public water systems for arsenic, a known carcinogen, from the current federal and NH standard adopted in 2001 of 10 parts per billion, which is associated with a 1 in 300 risk of cancer. The proposed committee amendment to this bill effectively neuters this bill by removing any reference to a minimum standard. The minority offers an amendment that would reduce the amounts allowed in public drinking water systems from 10 parts per billion to a maximum of 5 parts per billion, a level NHDES concedes is technically and fiscally feasible. This reduction would effectively reduce expected cancer cases in NH.

Majority Amendment (0324h)

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

AN ACT requiring the commissioner of the department of environmental services to review standards relative to arsenic contamination in drinking water.

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

1 New Paragraph; Ambient Groundwater Quality Standards. Amend RSA 485-C:4 by inserting after paragraph XII the following new paragraph:

XIII. By January 1, 2019, the commissioner shall review the ambient groundwater standard for arsenic to determine whether it should be lowered and, if it is determined that it should be lowered, shall initiate rulemaking in accordance with RSA 541-A to establish the new ambient groundwater quality standard.

2 New Paragraph; Contaminants in Drinking Water. Amend RSA 485:3 by inserting after paragraph XIV the following new paragraph:

XV. By January 1, 2019, the commissioner shall review the maximum contaminant level for arsenic to determine whether it should be lowered and, if it is determined that it should be lowered, shall initiate rulemaking in accordance with RSA 541-A to establish the new maximum contaminant level.

AMENDED ANALYSIS

This bill requires the commissioner of the department of environmental services to review standards relative to arsenic contamination in drinking water and make new rules if he or she determines there ought to be new standards.

Rep. Grassie spoke against.

Rep. Christensen spoke in favor and yielded to questions.

Rep. McConnell requested a roll call; sufficiently seconded.

YEAS 187 - NAYS 104

YEAS - 187 BELKNAP

Tilton, Franklin

Fields, Dennis

Lang, Timothy

Vadney, Herbert

CARROLL

Avellani, Lino
McCarthy, Frank
Marsh, William

Comeau, Ed
McConkey, Mark

Cordelli, Glenn
Schmidt, Stephen

DesMarais, Edith
Umberger, Karen

CHESHIRE

Ames, Richard
Harvey, Cathryn
Johnsen, Gladys

Berch, Paul
Ley, Douglas
Hunt, John

Bordenet, John
Faulkner, Barry
Tatro, Bruce

Burridge, Delmar
Fenton, Donovan
Weber, Lucy

COOS

Hatch, William

Laflamme, Larry

Moynihan, Wayne

GRAFTON

Abel, Richard
Darrow, Stephen
Massimilla, Linda

Bennett, Travis
Higgins, Patricia
Nordgren, Sharon

Boutin, Skylar
Josephson, Timothy

Campion, Polly
Ladd, Rick

HILLSBOROUGH

Griffin, Barbara
Moore, Craig
Connors, Erika
DiSilvestro, Linda
Freitas, Mary
Goley, Jeffrey
Hopper, Gary
Jack, Martin
L'Heureux, Robert
McCarthy, Michael
Ohm, Bill
Proulx, Mark
Scully, Kevin

Barry, Richard
Chandley, Shannon
Sullivan, Daniel
Edwards, Elizabeth
Gagne, Larry
Gould, Linda
Belanger, James
Judy, Jean
Lascelles, Richard
Martineau, Jesse
Long, Patrick
Renzullo, Andrew
Seidel, Carl

Burns, Charlie
Christensen, Chris
Danielson, David
Elber, Joel
Gargas, Carolyn
Hansen, Peter
Graham, John
Klee, Patricia
LeBrun, Donald
McLean, Mark
Pellegrino, Anthony
Roberts, Carol
Wolf, Terry

Byron, Frank
Christie, Rick
Dickey, Glen
Ferreira, Elizabeth
Gidge, Kenneth
Hinch, Richard
Moore, Josh
Kurk, Neal
MacKay, Mariellen
Newman, Sue
Pierce, David
Rouillard, Claire
Van Houten, Connie

MERRIMACK

Turcotte, Alan
Wolf, Dan
Henle, Paul
Luneau, David
Schuett, Dianne
Walsh, Thomas

Bartlett, Christy
Doherty, David
Horn, Werner
Moffett, Michael
Seaworth, Brian
Testerman, Dave

Brewster, Michael
Ebel, Karen
Klose, John
McGuire, Carol
Shurtleff, Stephen
Wallner, Mary Jane

Copp, Anne
Moffett, Howard
Kotowski, Frank
Richards, Beth
Soucy, Timothy
Walz, Mary Beth

ROCKINGHAM

Abrami, Patrick
Cahill, Michael
Thomas, Douglas
Fesh, Robert
Hoelzel, Kathleen
Katsakiores, Phyllis
Lovejoy, Patricia
Matthews, Carolyn
Nigrello, Robert
Gordon, Richard
True, Chris
Webb, James

Allen, Mary
Cali-Pitts, Jacqueline
Dean-Bailey, Yvonne
Francese, Paula
Edwards, Jess
Khan, Aboul
Griffin, Mary
McMahon, Charles
Gordon, Pamela
Read, Ellen
Verville, Kevin
Welch, David

Baldasaro, Alfred
Chase, Francis
Dowling, Patricia
Friel, William
Janigian, John
Kolodziej, Walter
Pearson, Mark
Milz, David
Packard, Sherman
Sytek, John
Vose, Michael
Weyler, Kenneth

Bove, Martin
Chirichiello, Brian
Emerick, J. Tracy
Hagan, Joseph
O'Connor, John
Lerner, Kari
Manning, John
Nasser, Jim
Pantelakos, Laura
Tripp, Richard
Ward, Gerald

STRAFFORD

Beaudoin, Steven
Horgan, James
Schmidt, Peter
Salloway, Jeffrey
Spang, Judith

Bixby, Peter
Krans, Hamilton
Phinney, Brandon
Sandler, Catt
Treleaven, Susan

Burton, Wayne
Mullen, John
Pitre, Joseph
Scruton, Matthew
Wall, Janet

Cilley, Jacalyn
Opderbecke, Linn
Graham, Robert
Southworth, Thomas
Wuelper, Kurt

SULLIVAN

Cloutier, John
Smith, Steven

Gottling, Suzanne
Tanner, Linda

Laware, Thomas

Oxenham, Lee

NAYS - 104**BELKNAP**

Abear, Marc
Sylvia, Michael

Aldrich, Glen

Comtois, Barbara

Huot, David

CARROLL**CHESHIRE**

Abbott, Michael
O'Day, John

Eaton, Daniel
Shepardson, Marjorie

McConnell, James
Stallcop, Joseph

Meador, David

COOS

Tucker, Edith

GRAFTONAlmy, Susan
Rand, Steven
Johnson, TiffanyBailey, Brad
Schwaegler, Vicki
White, AndrewHam, Bonnie
Smith, SuzanneMaes, Kevin
Sykes, George**HILLSBOROUGH**Ayala, Jessica
Burt, John
Heath, Mary
Leishman, Peter
Martin, Joelle
Harvey, Suzanne
Ulery, JordanBackus, Robert
Cornell, Patricia
Hellwig, Steve
Lewicke, John
Nutting, Allison
Sanborn, Laurie
Sullivan, VictoriaBeaulieu, Jane
Dyer, Caleb
Schmidt, Janice
Lisle, David
O'Brien, Michael
Sofikitis, Catherine
Vann, IvyBouldin, Amanda
Griffin, Gerald
King, Mark
MacKenzie, Mark
Prout, Andrew
Souza, Kathleen
Williams, Kermit**MERRIMACK**Kuch, Bill
Hoell, J.R.
Pearl, Howard
Wells, NatalieCarson, Clyde
MacKay, James
Rodd, Beth
Woolpert, DavidGile, Mary
Kenison, Linda
Rogers, KatherineHill, Gregory
Marple, Richard
Schultz, Kristina**ROCKINGHAM**Altschiller, Debra
Costable, Michael
Farnham, Betsey
Marsh, Henry
Morrison, Sean
Torosian, PeterBates, David
Cushing, Robert Renny
Gay, Betty
Itse, Daniel
Murray, Kate
Wallace, ScottBean, Philip
DiLorenzo, Charlotte
Gilman, Julie
Malloy, Dennis
Osborne, Jason
Willis, BrendaBerrien, Skip
Edgar, Michael
Green, Dennis
Messmer, Mindi
Stone, Brian**STRAFFORD**Conley, Casey
Kaczynski, Thomas
McNally, JodyFontneau, Timothy
Keans, Sandra
Spencer, MatthewGrassie, Chuck
Turcotte, Leonard
Vincent, KennethHorrigan, Timothy
Smith, Marjorie**SULLIVAN**

Gauthier, Francis

O'Connor, John

Sullivan, Brian

and the majority committee amendment was adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.
Rep. Messmer offered minority committee amendment (0375h).

Minority Amendment (0375h)

Amend RSA 485-C:4, XIII as inserted by section 1 of the bill by replacing it with the following:

XIII. The commissioner shall initiate rulemaking within 120 days of the effective date of this paragraph to revise the ambient groundwater quality standard for arsenic to 5 parts per billion.

Amend RSA 485:3, XV as inserted by section 2 of the bill by replacing it with the following:

XV. The commissioner shall initiate rulemaking within 120 days of the effective date of this paragraph to adopt a maximum contaminant limit for arsenic of 5 parts per billion for public water systems regulated by this chapter.

Rep. Messmer spoke in favor.

Rep. Christensen spoke against.

Rep. McConnell requested a roll call; sufficiently seconded.

YEAS 137 - NAYS 156**YEAS - 137
BELKNAP**

Aldrich, Glen

Huot, David

CARROLL

Butler, Edward

Knirk, Jerry

CHESHIREAbbott, Michael
Ley, Douglas
McConnell, James
Weber, LucyAmes, Richard
Eaton, Daniel
O'Day, JohnBerch, Paul
Fenton, Donovan
Shepardson, MarjorieBurridge, Delmar
Johnsen, Gladys
Stallcop, Joseph

COOS

Hatch, William

Laflamme, Larry

Tucker, Edith

GRAFTON

Abel, Richard
Campion, Polly
Maes, Kevin
Schwaegler, Vicki
White, Andrew

Almy, Susan
Ham, Bonnie
Massimilla, Linda
Smith, Suzanne

Bennett, Travis
Higgins, Patricia
Nordgren, Sharon
Sykes, George

Boutin, Skylar
Josephson, Timothy
Rand, Steven
Johnson, Tiffany

HILLSBOROUGH

Ayala, Jessica
Chandley, Shannon
Dyer, Caleb
Gidge, Kenneth
Jeudy, Jean
Lisle, David
Newman, Sue
Roberts, Carol
Vann, Ivy

Backus, Robert
Sullivan, Daniel
Edwards, Elizabeth
Goley, Jeffrey
King, Mark
MacKay, Mariellen
Nutting, Allison
Sofikitis, Catherine
Williams, Kermit

Beaulieu, Jane
Danielson, David
Elber, Joel
Heath, Mary
Klee, Patricia
MacKenzie, Mark
O'Brien, Michael
Souza, Kathleen

Bouldin, Amanda
DiSilvestro, Linda
Freitas, Mary
Schmidt, Janice
Leishman, Peter
Martin, Joelle
Proulx, Mark
Van Houten, Connie

MERRIMACK

Carson, Clyde
MacKay, James
Rogers, Katherine
Soucy, Timothy

Doherty, David
McGuire, Carol
Schuett, Dianne
Wallner, Mary Jane

Gile, Mary
Richards, Beth
Schultz, Kristina
Walz, Mary Beth

Moffett, Howard
Rodd, Beth
Shurtleff, Stephen
Woolpert, David

ROCKINGHAM

Allen, Mary
Cahill, Michael
Edgar, Michael
Gilman, Julie
Manning, John
Gordon, Pamela
Ward, Gerald

Altschiller, Debra
Cali-Pitts, Jacqueline
Farnham, Betsey
Janvrin, Jason
Messmer, Mindi
Pantelakos, Laura
Willis, Brenda

Bean, Philip
Cushing, Robert Renny
Francese, Paula
Lerner, Kari
Morrison, Sean
Read, Ellen

Berrien, Skip
DiLorenzo, Charlotte
Gay, Betty
Malloy, Dennis
Murray, Kate
Stone, Brian

STRAFFORD

Bixby, Peter
Grassie, Chuck
Krans, Hamilton
Schmidt, Peter
Treleaven, Susan

Burton, Wayne
Horgan, James
Smith, Marjorie
Graham, Robert
Vincent, Kenneth

Conley, Casey
Horrigan, Timothy
McNally, Jody
Salloway, Jeffrey
Wall, Janet

Fontneau, Timothy
Keans, Sandra
Opderbecke, Linn
Southworth, Thomas

SULLIVAN

Cloutier, John
Tanner, Linda

Gottling, Suzanne

Oxenham, Lee

Sullivan, Brian

NAYS - 156**BELKNAP**

Abear, Marc
Howard, Raymond

Comtois, Barbara
Lang, Timothy

Tilton, Franklin
Sylvia, Michael

Fields, Dennis
Vadney, Herbert

CARROLL

Avellani, Lino
McCarthy, Frank
Marsh, William

Comeau, Ed
McConkey, Mark

Cordelli, Glenn
Schmidt, Stephen

DesMarais, Edith
Umberger, Karen

CHESHIRE

Bordenet, John
Meador, David

Harvey, Cathryn
Tatro, Bruce

Faulkner, Barry

Hunt, John

COOS**GRAFTON**

Bailey, Brad

Darrow, Stephen

Ladd, Rick

HILLSBOROUGH

Griffin, Barbara
Byron, Frank
Connors, Erika
Griffin, Gerald
Hansen, Peter
Belanger, James
Kurk, Neal

Barry, Richard
Moore, Craig
Cornell, Patricia
Gagne, Larry
Hellwig, Steve
Graham, John
L'Heureux, Robert

Burns, Charlie
Christensen, Chris
Dickey, Glen
Gargas, Carolyn
Hinch, Richard
Moore, Josh
Lascelles, Richard

Burt, John
Christie, Rick
Ferreira, Elizabeth
Gould, Linda
Hopper, Gary
Jack, Martin
LeBrun, Donald

Lewicke, John
Ohm, Bill
Renzullo, Andrew
Scully, Kevin
Sullivan, Victoria

McCarthy, Michael
Pellegrino, Anthony
Rouillard, Claire
Seidel, Carl

Martineau, Jesse
Pierce, David
Harvey, Suzanne
Wolf, Terry

McLean, Mark
Prout, Andrew
Sanborn, Laurie
Ulery, Jordan

MERRIMACK

Turcotte, Alan
Copp, Anne
Hill, Gregory
Klose, John
Marple, Richard
Testerman, Dave

Kuch, Bill
Wolf, Dan
Hoell, J.R.
Kotowski, Frank
Pearl, Howard
Wells, Natalie

Bartlett, Christy
Ebel, Karen
Horn, Werner
Luneau, David
Seaworth, Brian

Brewster, Michael
Henle, Paul
Kenison, Linda
Moffett, Michael
Walsh, Thomas

ROCKINGHAM

Abrami, Patrick
Chase, Francis
Dean-Bailey, Yvonne
Friel, William
Hoelzel, Kathleen
O'Connor, John
Lovejoy, Patricia
McMahon, Charles
Osborne, Jason
Torosian, Peter
Vose, Michael
Weyler, Kenneth

Baldasaro, Alfred
Chirichiello, Brian
Dowling, Patricia
Green, Dennis
Itse, Daniel
Katsakiores, Phyllis
Griffin, Mary
Milz, David
Packard, Sherman
Tripp, Richard
Wallace, Scott

Bates, David
Costable, Michael
Emerick, J. Tracy
Marsh, Henry
Edwards, Jess
Khan, Aboul
Pearson, Mark
Nasser, Jim
Gordon, Richard
True, Chris
Webb, James

Bove, Martin
Thomas, Douglas
Fesh, Robert
Hagan, Joseph
Janigian, John
Kolodziej, Walter
Matthews, Carolyn
Nigrello, Robert
Sytek, John
Verville, Kevin
Welch, David

STRAFFORD

Beaudoin, Steven
Mullen, John
Scruton, Matthew
Wuelper, Kurt

Cilley, Jacalyn
Phinney, Brandon
Spang, Judith

Kaczynski, Thomas
Pitre, Joseph
Spencer, Matthew

Turcotte, Leonard
Sandler, Catt
Sprague, Dale

SULLIVAN

Gauthier, Francis

O'Connor, John

Laware, Thomas

Smith, Steven

and the minority committee amendment failed.

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

HB 1745-FN-A, making appropriations for costs involved in controlling invasive aquatic species. **OUGHT TO PASS.**

Rep. James McConnell for Resources, Recreation and Development. This bill seeks an appropriation to address the costs associated with the control of invasive aquatic species. Current spending seeks to ensure invasive aquatics do not significantly increase their numbers or expand their range, but is insufficient to make progress towards their removal. The risk, if the problem isn't more aggressively addressed, is that invasive aquatics will continue to expand to the point where their numbers and spread become unmanageable. The proposed effort over a five-year period, managed by the state's one full time employee in this area with assistance from state lake and river associations, is estimated to cost \$13.5 million beyond the \$1.2 million currently spent annually. Vote 16-3.

Committee report adopted and referred to the Committee on Finance.

HB 1797-FN-A, adding a 50 percent charge to all amounts assessed to persons liable for costs of containment, cleanup, and remediation of water, air and soil pollution. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Andrew Renzullo for the Majority of Resources, Recreation and Development. This bill would enact laws assessing a penalty against anyone found to have violated any one of nine environmental statutes and the rules thereof. The penalty assessed would be a surcharge of 50% of the costs the person or business would pay for containment, cleanup, and remediation of water, air and soil pollution. So an occurrence which might not even elicit a minor fine, like an accidental fuel spill or a sewage leak, could end up costing the individual or business an additional 50% over and above the cost of containment, cleanup and remediation. Fixing the failed sewage system that might have cost \$20,000, will now cost an additional \$10,000. And where would that additional money go? Into the general fund, of course. There are already significant penalties associated with these statutes to ensure compliance, including criminal penalties and \$25,000 per day fines. The draconian penalty enumerated in this bill is anti-business and counterproductive to the role of the Department of Environmental Services in that it immediately creates an adversarial atmosphere between the department and the individual or business involved. It would also create an incentive for individuals and businesses to do as cheap a remedy as possible because a better job would actually increase the penalty. In addition, many businesses insure against accidental spills or occurrences. The penalty in this bill would probably not be covered. And finally, all (save one) of the blue sheet signers were against the bill. They represented various business interests, including contractors and timber. The sole signer in favor was a co-sponsor. Vote 15-4.

Rep. James McConnell for the Minority of Resources, Recreation and Development. This bill adds a 50% charge, payable to the general fund, to those liable for costs of containment, cleanup, and remediation of water, air and soil pollution. The purpose of this bill is to ensure that New Hampshire's penalties for pollution are no longer among the most lenient in the region. Once enacted into law, the likelihood of a company, like St. Gobain Performance Plastics, opting to bring their problems - arguably well known to the company - to New Hampshire from other states that are in the process of raising their environmental standards will be greatly reduced. It will also ensure that a new company looking for a place to start their business will recognize, should their business be a likely polluter, that other locations will be less costly in the long run.

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

Reps. McConnell and Cushing spoke against.

Rep. Renzullo spoke in favor.

Rep. McConnell requested a roll call; sufficiently seconded.

YEAS 191 - NAYS 94

YEAS - 191

BELKNAP

Abear, Marc
Fields, Dennis
Vadney, Herbert

Aldrich, Glen
Howard, Raymond

Comtois, Barbara
Lang, Timothy

Tilton, Franklin
Sylvia, Michael

CARROLL

Avellani, Lino
McCarthy, Frank
Marsh, William

Butler, Edward
McConkey, Mark

Comeau, Ed
Schmidt, Stephen

Cordelli, Glenn
Umberger, Karen

CHESHIRE

Ames, Richard
Hunt, John
Tatro, Bruce

Bordenet, John
Meador, David
Weber, Lucy

Harvey, Cathryn
O'Day, John

Johnsen, Gladys
Stallcop, Joseph

COOS

Moynihan, Wayne

GRAFTON

Almy, Susan
Ladd, Rick
Smith, Suzanne

Bailey, Brad
Massimilla, Linda
Johnson, Tiffany

Boutin, Skylar
Rand, Steven

Darrow, Stephen
Schwaegler, Vicki

HILLSBOROUGH

Ayala, Jessica
Burt, John
Christensen, Chris
Danielson, David
Griffin, Gerald
Hansen, Peter
Belanger, James
Judy, Jean
Leishman, Peter
McLean, Mark
Pierce, David
Rouillard, Claire
Souza, Kathleen
Williams, Kermit

Griffin, Barbara
Byron, Frank
Christie, Rick
Dickey, Glen
Gagne, Larry
Hellwig, Steve
Graham, John
Kurk, Neal
Lewicke, John
Newman, Sue
Proulx, Mark
Harvey, Suzanne
Wolf, Terry

Barry, Richard
Moore, Craig
Connors, Erika
Dyer, Caleb
Gargas, Carolyn
Hinch, Richard
Moore, Josh
Lascelles, Richard
MacKay, Mariellen
Notter, Jeanine
Prout, Andrew
Sanborn, Laurie
Ulery, Jordan

Burns, Charlie
Chandlee, Shannon
Sullivan, Daniel
Ferreira, Elizabeth
Gould, Linda
Hopper, Gary
Jack, Martin
LeBrun, Donald
McCarthy, Michael
Ohm, Bill
Renzullo, Andrew
Scully, Kevin
Sullivan, Victoria

MERRIMACK

Turcotte, Alan
Ebel, Karen
Hoell, J.R.
Kotowski, Frank
McGuire, Carol
Shurtleff, Stephen
Wells, Natalie

Kuch, Bill
Moffett, Howard
Horn, Werner
Luneau, David
Pearl, Howard
Soucy, Timothy

Copp, Anne
Henle, Paul
Kenison, Linda
Moffett, Michael
Schuett, Dianne
Walsh, Thomas

Wolf, Dan
Hill, Gregory
Klose, John
Marple, Richard
Seaworth, Brian
Testerman, Dave

ROCKINGHAM

Abrami, Patrick
Bove, Martin
Thomas, Douglas
Fesh, Robert
Marsh, Henry
Edwards, Jess

Allen, Mary
Cahill, Michael
Dean-Bailey, Yvonne
Friel, William
Hagan, Joseph
Janigan, John

Baldasaro, Alfred
Chase, Francis
Dowling, Patricia
Gilman, Julie
Hoelzel, Kathleen
Janvrin, Jason

Bates, David
Costable, Michael
Emerick, J. Tracy
Green, Dennis
Itse, Daniel
O'Connor, John

Katsakiores, Phyllis
Griffin, Mary
Matthews, Carolyn
Nasser, Jim
Gordon, Richard
True, Chris
Welch, David

Khan, Aboul
Pearson, Mark
Milz, David
Nigrello, Robert
Sytek, John
Verville, Kevin
Weyler, Kenneth

Kolodziej, Walter
Malloy, Dennis
Morrison, Sean
Packard, Sherman
Torosian, Peter
Vose, Michael
Willis, Brenda

Lovejoy, Patricia
Manning, John
Murray, Kate
Pantelakos, Laura
Tripp, Richard
Wallace, Scott

STRAFFORD

Beaudoin, Steven
Kaczynski, Thomas
Mullen, John
Scruton, Matthew

Bixby, Peter
Krans, Hamilton
Phinney, Brandon
Spencer, Matthew

Fontneau, Timothy
Turcotte, Leonard
Pitre, Joseph
Sprague, Dale

Horgan, James
McNally, Jody
Graham, Robert
Wuelper, Kurt

SULLIVAN

Cloutier, John
Laware, Thomas

Gauthier, Francis
Smith, Steven

Gottling, Suzanne
Sullivan, Brian

O'Connor, John

NAYS - 94 BELKNAP

Huot, David

CARROLL

DesMarais, Edith

Knirk, Jerry

CHESHIRE

Abbott, Michael
Eaton, Daniel
Shepardson, Marjorie

Berch, Paul
Faulkner, Barry

Burridge, Delmar
Fenton, Donovan

Ley, Douglas
McConnell, James

COOS

Hatch, William

Laflamme, Larry

Tucker, Edith

GRAFTON

Abel, Richard
Higgins, Patricia
Sykes, George

Bennett, Travis
Josephson, Timothy
White, Andrew

Campion, Polly
Maes, Kevin

Ham, Bonnie
Nordgren, Sharon

HILLSBOROUGH

Beaulieu, Jane
Edwards, Elizabeth
Goley, Jeffrey
Klee, Patricia
Martin, Joelle
Roberts, Carol

Bouldin, Amanda
Elber, Joel
Heath, Mary
L'Heureux, Robert
Martineau, Jesse
Sofikitis, Catherine

Cornell, Patricia
Freitas, Mary
Schmidt, Janice
Lisle, David
Nutting, Allison
Van Houten, Connie

DiSilvestro, Linda
Gidge, Kenneth
King, Mark
MacKenzie, Mark
O'Brien, Michael
Vann, Ivy

MERRIMACK

Alicea, Caroletta
Doherty, David
Rogers, Katherine
Woolpert, David

Bartlett, Christy
Gile, Mary
Schultz, Kristina

Brewster, Michael
Richards, Beth
Wallner, Mary Jane

Carson, Clyde
Rodd, Beth
Walz, Mary Beth

ROCKINGHAM

Altschiller, Debra
Cushing, Robert Renny
Francese, Paula
Gordon, Pamela

Bean, Philip
DiLorenzo, Charlotte
Gay, Betty
Read, Ellen

Berrien, Skip
Edgar, Michael
Lerner, Kari
Stone, Brian

Cali-Pitts, Jacqueline
Farnham, Betsey
Messmer, Mindi
Ward, Gerald

STRAFFORD

Burton, Wayne
Horrigan, Timothy
Schmidt, Peter
Vincent, Kenneth

Cilley, Jacalyn
Keans, Sandra
Sandler, Catt
Wall, Janet

Conley, Casey
Smith, Marjorie
Southworth, Thomas

Grassie, Chuck
Opderbecke, Linn
Treleaven, Susan

SULLIVAN

Oxenham, Lee

Tanner, Linda

and the majority committee report was adopted.

MOTION TO REMOVE FROM THE TABLE

Rep. Read moved that **HB 1412-FN**, relative to cruelty to non-captive wildlife, be removed from the table. On a division vote, with 107 members having voted in the affirmative, and 178 in the negative, the motion failed.

MOTION TO SUSPEND HOUSE RULES

Reps. Hinch and Shurtleff moved that House Rule 65 be so far suspended as to allow action on **HB 1328-FN**, relative to motor vehicle inspections, **HB 1778-FN-A-L**, relative to registration of commercial motor vehicles and operator's/drivers' licenses, **HB 1293-FN**, establishing the complex divorce court within the judicial branch family division, and **HB 1557-FN**, requiring meetings and sessions of committees of the house of representatives to be recorded and made available on the Internet.

Motion adopted by the necessary two-thirds vote.

SPECIAL ORDERED

Without objection, the Speaker special ordered the remainder of bills to the beginning of the next Calendar.

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, Thursday, February 15, 2018 at 10:00 a.m.

LATE SESSION**Third Reading and Final Passage**

HB 1322, relative to risk-based capital for health maintenance organizations.

HB 1357, relative to the delivery of articles to a prisoner in a state or county correctional facility.

HB 1537, relative to a second opinion on health care matters for state or county prisoners.

HB 1564-FN, relative to sexual assault of a victim who is incarcerated in a correctional institution by a person with supervisory or disciplinary authority over the victim.

HB 1739-FN, prohibiting female genital mutilation.

HB 1370, relative to a school's emergency management plan.

HB 1551, relative to the retention of records of individualized education programs.

HB 1349, relative to biological products and diagnostic reagents for animal use.

HB 1407, repealing the prohibition on the use of milk containers.

HB 1785, changing "hearing impaired" to "deaf" or "hard of hearing" in the New Hampshire laws.

HB 1675, relative to state house Internet service and relative to calendars and journals of the house and senate.

HJR 5, that the New Hampshire house of representatives and senate reject hate, bigotry, and violence in all their forms.

HB 1332, allowing warrant articles to be split by the deliberative session.

HB 1392, relative to tallies of votes on budget items or warrant articles.

HB 1402, relative to ordinances regarding forestry activities.

HB 1346, establishing a commission to study the New Hampshire veterans cemetery.

HB 1256, relative to decal fees for multi-use veterans decal plates.

HB 1334, establishing a commission to review the structure of motor vehicle laws.

HB 1364, relative to use of amber lights on vehicles.

HB 1455, relative to vehicle operation at uncontrolled intersections.

HB 1509-FN, authorizing Granite Pathways to issue decals for multi-use decal number plates.

HB 1513-FN, authorizing the New Hampshire Law Enforcement Officers Memorial Association to issue decals for multi-use decal plates.

HB 1518, repealing the requirement that motor vehicle lighting and safety equipment be approved by the director of the division of motor vehicles.

HB 1538-FN, authorizing Friends of the Hampton Falls Bandstand, Inc. to issue decals for multi-use decal plates.

HB 1546-FN, authorizing Seacoast Youth Services to issue decals for multi-use decal plates.

HB 1614, relative to the international registration plan.

HB 1651, establishing a committee to study the use of liquid de-icers on roads.

HB 1731-FN, relative to regulating bicycles.

HB 1251, relative to indicia for payment of taxes on the transfer of real property.

HB 1260, relative to the payout value of bingo games at private campgrounds and hotels.

HB 1276, adding an exemption for certain raffles conducted by charitable organizations.

HB 1292, relative to the effective dates of changes to the rates for the business profits tax and the business enterprise tax.

HB 587-FN, relative to conversion therapy seeking to change a person's sexual orientation.

UNANIMOUS CONSENT

Rep. Jeudy requested Unanimous Consent of the House regarding Haiti.

MOTION TO PRINT REMARKS

Rep. Hinch moved that the remarks made by Rep. Jeudy during Unanimous Consent be printed in the Permanent Journal.

Without objection, the Speaker ordered.

REMARKS

Rep. Jeudy: Thank you, Mister Speaker. My name is Jean Jeudy, State Representative from Manchester, Ward 3, District 10. Thank you again, Mister Speaker, the Honorable Members in the House, in everyday life there is a moment of joy, there is a moment of sadness. Thursday, January 11, 2018, the eve of the 8th anniversary of the earthquake in Haiti, which killed more than 300,000 people, the president of the United States, the most powerful man in the nation, spewed out a disgraceful comment about Haiti, my native country. The most painful words in Haitian history. Mr. Trump, during his presidential campaign, made it clear he would be a champion for the Haitians, that's why he received the most Haitian votes in Florida. Mr. Trump told the Haitians he was going to investigate the billions raised for the earthquake victims. The billions to rebuild Haiti. This money went unaccounted without a trace. He promised that he would investigate this matter further; instead he used a dirty comment about Haiti. Yes Haiti is going through difficult times. After the earthquake several hurricanes struck, plus there is corruption in the administration. Some of the entrepreneurs don't want to pay taxes and most of the politicians in Haiti are corrupt. President Trump, all Haitians do not have AIDS. President Trump, Haiti is not a s-hole country. Mr. President, Haitians come from a proud nation. We are so proud to be the first and only independent national in the western hemisphere that broke the chains of slavery on January 1, 1804. Haiti is a poor country with natural resources, however there is an estimated potential worth of \$20 billion US money in precious metals, including gold located in the north of Haiti. In 1970, the United Nations development program confirmed the existence of gold in Haiti in abundance. Haiti is too rich to be poor. A brief history lesson. The United States of America fought for its independence from Britain in 1775 and 1783. During that fight 243 years ago, Haitians helped the United States. On October 9, 1779, a group of more than 500 Haitians got together with American colonist and French troops to help drive the British out of Savannah in coastal Georgia. Haitians are remarkable people. We have contributed largely in fighting for American independence. Some historical personalities like Mr. Jean Baptiste Point du Sable founded the City of Chicago. Little Henry Christopher, 14-years old, a teenager, was in the battlefield of Savannah, Georgia. Today it is a privilege to acknowledge the courage and spirit of those Haitian volunteers, who in 1779 risked their lives for the cause of American liberty. Mr. Speaker, Honorable Members of the House, please, I want you to recognize the sacrifice rendered by Haitians on behalf of the United States. The contributions of Haitians to the US and the world date back to the revolutionary war in which Haitian soldiers, who had secured their freedom from slavery, fought side by side the Americans for their independence. When British soldiers wanted to reconquer the United States in 1812, Haitian President, Mr. Alexandre Petion sent Haitian soldiers to the battlefield of New Orleans to protect the independence of the United States by defending Napoleon Bonaparte's army in Haiti. Haitians forced the French to sell Louisiana to the United States doubling the size of the country. During World War II in 1943, Haitian President Mr. Elie Lescot gave a check of \$1 million to the American government to support the war. More history about Haitians. In 1787, the same year the constitutional convention took place in Philadelphia, an enslaved immigrant from Haiti named Mr. Pierre Toussaint arrived in New York. He was the sort of person you dream of meeting. He was kind, respectful and generous. Mr. Pierre Toussaint became one of the best hairstylists. A celebration happens for the first time hairstylists in New York and it was his idea. Mr. Pierre Toussaint became a great entrepreneur. He fed the homeless, sheltered refugees, took care of the sick and helped to build New York's first cathedral. Pope John Paul II advanced him along the path to sainthood in 1803 while he worked as a hairstylist. Another Haitian immigrant arrived in the US when the author of the Declaration of Independence lived in the White House. His name was Mr. John James Audubon and he was a genius. In 2010, the first edition set of "The Birds of America," commanded \$11.5 million at auction. Mr. Audubon was a naturalist with such creativity and power for his signature work. Furthermore, we have Mr. Louis Moreau Gottschalk, a Haitian pianist. He was the son of a Haitian from Louisiana and was praised by one of the best pianist at that time, Chopin. Mr. Gottschalk became one of the greatest American composers of his time. When we are talking about Jazz, we have to think about him, a Haitian immigrant. I thank the Honorable State Senator, Mr. Jeff Woodburn, who asked the Governor to do the right thing. And also, State Representative Suzanne Smith, who is going to Haiti to help my native country. Thank you Mrs. Smith. God bless you. I also have to thank Representative Henry Parkhurst, who always helped me to carry the Haitian flag. I have some members of the House who speak French with me. Also there are some of them that speak creole and those people; I have them in my heart. I have my twin brother here, Dan Sullivan, State Representative. That's what we call each other, brothers. Honorable members of the House, please help me to honor those Haitian soldiers who dedicated their lives, dedicated themselves to the pursuit of American liberty. It's about time to recognize their sacrifice for American independence. Every February we celebrate National

African American. This is an occasion to remember the contributions made by Haitians on the battlefield of Savannah, Georgia and New Orleans, Louisiana. We must honor the Haitian soldiers officially in American history. *Mr. le president de la chambre des deputes. Honorable members de l'assemblee, Je vous remercie pour votre attention soutenue. Que Dieu vous benisse et je vous aime tous.* I thank you very much. God Bless you and I love you. Haiti is my mother-*Haiti es mi madre. Haitise maman mouin-Haiti est ma mere.* I love you all. God Bless you.

RECESS MOTION

Rep. Hinch moved that the House stand in recess for the purposes of the introduction of bills, receiving Senate messages, enrolled bill amendments and enrolled bill reports.
Motion adopted.

The House recessed at 6:30 p.m.

RECESS