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Thursday, February 22, 2018

No. 5

HOUSE JOURNAL No. 4 (Cont'd)

Thursday, February 15, 2018

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

HOUSE JOURNAL NO. 5

Thursday, February 22, 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 guest Chaplain, Reverend Drew Courtright, Curate of St. Paul's Church in Concord. Gracious and loving God, bless the leaders of our land, that we may be a people at peace among ourselves and a blessing to other nations of the earth. To the President and members of the cabinet, to governors of states, mayors of cities, and to all in administrative authority, grant wisdom and grace in the exercise of their duties. To senators and representatives, and those who make our laws in states, cities, and towns, give courage, wisdom, and foresight to provide for the needs of all our people, especially those who are suffering and on the margins, and to work together for the common good. To the judges and officers of our courts, give understanding and integrity, that human rights may be safeguarded and justice served. And finally, help us to know our origins as a nation of immigrants, to realize that Black History is everyone's history, and to love one another as You love us. In Your Holy Name we pray. Amen.

Rep. DiLorenzo, member from Newmarket, Rep. Khan, member from Seabrook, and Rep. Mangipudi, member from Nashua, led the Pledge of Allegiance.

The National Anthem was sung by the former member from Brookline, the Honorable Melanie Levesque.

LEAVES OF ABSENCE

Reps. Chirichiello, Cote, Dontonville, Gidge, Hull, Johnsen, McBeath, O'Brien, Pantelakos, Shaw, Sofikitis and Robert Walsh, the day, illness.

Reps. Abel, Baldasaro, Binford, Burns, Christensen, Dean-Bailey, Fraser, Higgins, Manning, Frank McCarthy, McNamara, Howard Moffett, Murray, Newman, O'Neil, Rodd, Silber, Gregory Smith, Somero, Sprague, Stone, Brian Sullivan and Rio Tilton, the day, important business.

Reps. Lovejoy and Murotake, the day, illness in the family.

INTRODUCTION OF GUESTS

Herman Nixon and Cameron Tillman, students at Merrimack Valley High School, Pages for the day.

Wendy Thomas, guest of Rep. Doherty. Claudia Istel, guest of Rep. Gottling. Willis Griffith, guest of Rep. Chandley. Ashley Gibson, guest of Rep. Cordelli. Sparky Von Plinsky, guest of Rep. Weber. Kori Preble Boeckler, guest of Rep. Walz. Sandy Hodson, guest of Rep. Howard Moffett. Quintin Blaine, Joyce Weston, and Sallie Fellows, guests of Rep. Suzanne Smith. The Honorable Don Gorman, former member from Deerfield, and Teresa Scully, guest and Wife of Rep. Scully. Fourth-grade students from Dondero School in Portsmouth guests of Reps. Ward and Somssich.

HOUSE RESOLUTION #24

Honoring the victims of Parkland, Florida

WHEREAS, the New Hampshire House of Representatives learned with great sorrow of the tragic shooting at the Marjory Stoneman Douglas High School in Parkland, Florida; and

WHEREAS, all Americans are entitled to an excellent education, free from danger; and
WHEREAS, violence against students in any manner is wrong, dangerous, and a threat to our way of life; and
WHEREAS, the New Hampshire House has a long-standing history of affirming its support for communities, states and nations throughout the world, especially in times of distress; now, therefore, be it
RESOLVED, that the New Hampshire House of Representatives honors the victims of the shooting at Marjory Stoneman Douglas High School and offers its condolences to the families of the victims; and be it further
RESOLVED, that the House of Representatives in regular session convened, stands with the community of Parkland, Florida and offers its support, love, and prayers.
 Offered by the House of Representatives.
 Unanimously adopted.

MOMENT OF SILENCE

A moment of silence was observed for the victims and families of the tragedy in Parkland, Florida.

UNANIMOUS CONSENT

Rep. Alicea requested Unanimous Consent of the House regarding Black History month and addressed the House.

MOTION TO PRINT REMARKS

Rep. Hinch moved that the remarks made by Rep. Alicea during Unanimous Consent be printed in the Permanent Journal.
 Motion adopted.

REMARKS

Rep. Alicea: Thank you, Mister Speaker. Good Morning Mister Speaker, colleagues and guests of the House. I added a prefix to my original speech as it became obvious to me that people wanted answers to their question which is, why is it important to observe Black History Month? In the United States, which is one of the most diverse countries on the planet, the month of February is observed as Black History month or National African American History Month to remember and honor the contributions and achievements made by African Americans throughout history. Mr. Carter G. Woodson created Negro History Week February 1926 in Washington DC. Why you ask? He felt that contributions from African Americans were important and that all schoolchildren should be exposed to the positives as well as the negatives in the lives of African Americans. In 1976, the bicentennial, President Gerald Ford expanded the week to a month. Black History Month is now a great part of our nations tradition promoting positive examples of historical events, and great leaders which can create social change. This is very important to all communities and imperative to both national and world history. When we remember and relive challenges we create awareness and it serves as an inspiration to future lives creating inclusion and community engagement. We, as a society, decided a long time ago and are aware that discrimination is wrong. Here in New Hampshire, our laws are written to prohibit discrimination in housing, employment and public spaces on the basis of race, color, age, sex, marital status, familial status, physical or mental disability, religion, national origin or sexual orientation. My family moved here over 50 years ago in May. When we first moved here from Long Island in 1968 things were so very different. I never saw anyone walking down the street in Concord that look like me. Of course, in the winter, I could not see over the 50-foot snow banks down the middle of the street. I did not find out for years where they took the snow when it was moved from the middle of the street. I went straight to college; however, upon my choice to return, the place in which I chose to move was still not mine. People would stare, a lot, and many times they would say to me, "Are you a Bacon?" I thought are they trying to call me a name? Is this blatant racism or conscience stupidity? Well come to find out there was one other of color local family and their last name was Bacon. Today that is considered underhanded racism. Some may see it as a nice way to ask me if I was related to the other black family. What do you think? Seriously, ask yourselves, what would you think? Sometimes when I stop at a store, people say, "Oh are you just passing through?" I respond no, I live here, which of course they ask where and I respond Boscawen and they look at me almost with utter disbelief and then say, "Oh, Boston." Listen, you cannot drive a car by looking in the rear view mirror. Preconceived thoughts and judgments placed on a person that looks and sounds different than you are no longer accepted and most times will be challenged. Education is the new currency. Embrace everything that you are, as well as what you are not. Be honest with yourself and accept your weaknesses. Be aware that you can always rise. Celebrate that we are all a concoction of logic and people from different cultures that may hear and or see things differently. Everyone comes to the table with different things differently. Everyone comes to the table with different things on their place, some even have platters. Don't judge. We all have dreams. Do not let fears get in the way, bias's muddle thinking. I share this because many people have preconceived notions about person that they are not familiar with. Where does that come from? Zip code, family members? Friends, neighbors, history? Please let it go. New Hampshire is more diverse now than when I moved here. Times are changing and it's a new and different world. Persons that you may or may not be familiar with may be entering your neighborhood or where you work. I do not believe that anyone wants to mistreat anyone or be mistreated. Do

not accept or stand by discrimination. Stand by the rule, see something, say something. If you don't know, ask. Ask respectfully. What the point? The point is, take time to know your customer. What others think is a disadvantage can turn into an advantage. You can make your life and others lives around you easier by asking respectfully if there is anything that you need to know about their culture that will help you understand one another better. Make an effort. Make a difference and educate yourself. Know the rights of others and treat everyone appropriately. If you know better, you will do better because a house divided cannot stand. You have the power to make a difference. It's not where you come from; it's where you are going. The sky is not just the limit, it's the view.

MOTION TO SUSPEND HOUSE RULES

Reps. McGuire and Peter Schmidt moved that House Rule 65 be so far suspended as to allow the deadline for reporting of **HB 1255**, relative to the state fire code, and **HB 1732-FN**, establishing a nursing professionals' health program, be moved to March 15, 2018.

On a division vote, with 192 members having voted in the affirmative, and 139 in the negative, the motion failed lacking the necessary two-thirds vote.

AMENDMENT TO HOUSE RULES

Rep. Bates moved the adoption of an amendment to House Rule 12.

12. Members: first rising shall speak first. In all cases the member rising first shall speak first. When two or more members rise at the same time, the Speaker shall name the person to speak. When many members choose to speak, they may file their names with the Clerk, who shall supply the list to the Speaker. The Speaker shall name the order in which the members shall speak. *No member will be denied the opportunity to speak unless the House has consented to moving the previous question, has voted to limit debate and the time allotted for debate has expired, or the last speaker defending the moving party's recommendation has been recognized to speak.*

Rep. Bates spoke in favor.

On a division vote, with 247 members having voted in the affirmative, and 89 in the negative, the motion was adopted by the necessary two-thirds vote.

CONSENT CALENDAR

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

HB 1394, relative to animals in motor vehicles, removed by Rep. Verville.

HB 1644, prohibiting the combination of certain regulated utilities, removed by Rep. Cushing.

HB 1673-FN-L, relative to the interest charged on late and delinquent property tax payments, removed by Rep. Burt.

Consent Calendar adopted.

HB 1252-FN, relative to certificates of insurance. **OUGHT TO PASS.**

Rep. Barbara Biggie for Commerce and Consumer Affairs. This bill allows an insurance agent to provide any bank or lending institution with a copy of a certificate of insurance, policy of insurance or insurance binder on a piece of property with the permission of the property owner. The NH Insurance Department supports this bill. Vote 19-0.

HB 1285, relative to entertainers in premises serving alcoholic beverages. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John Hunt for Commerce and Consumer Affairs. This bill allows entertainers in establishments that are licensed to serve alcoholic beverages to drink alcohol while performing. The amendment allows "dancers" also to drink when performing. Vote 19-0.

Amendment (0368h)

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

AN ACT relative to dancers and entertainers in premises serving alcoholic beverages.

Amend RSA 179:20, II as inserted by section 1 of the bill by replacing it with the following:

II. No on-premises or off-premises licensee shall consume beverage or liquor while working. No employee, as defined in RSA 275:4, II, shall consume beverage or liquor while working. ***For the purposes of this paragraph the term "employee" shall not include "dancer" as defined by RSA 179:19, I(a) or "entertainer" as defined by RSA 179:19, I(b).***

AMENDED ANALYSIS

This bill allows dancers and entertainers in premises serving alcoholic beverages to drink alcohol while performing.

HB 1374, relative to financial regulation technicals. **OUGHT TO PASS.**

Rep. John Hunt for Commerce and Consumer Affairs. This bill was request by the Insurance Department and makes certain technical changes in the insurance laws relating to the NH Corporate Governance Annual Disclosure Act, health maintenance organizations, and Delta Dental Plan of New Hampshire. Vote 16-0.

HB 1489, relative to signs for specialty wine and beer stores. **INEXPEDIENT TO LEGISLATE.**

Rep. Michael Costable for Commerce and Consumer Affairs. This bill would allow specialty wine and beer stores to be included on business directional signs on state highways (the blue signs). The Commerce Committee agrees they should be included, however, through the testimony of the Department of Transportation, we learned that they can handle this administratively. The department has agreed to revise their rules to allow any specialty store to apply to be listed on the highway signs. Vote 20-0.

HB 1535, relative to the penalty for unfair insurance trade practices. **INEXPEDIENT TO LEGISLATE.**

Rep. Barbara Biggie for Commerce and Consumer Affairs. This bill would increase monetary penalties imposed on a person found to have violated insurance trade practices from the current \$2,500 to \$10,000 for each act. Under current law, after an Insurance Department hearing, the commissioner may suspend, revoke or refuse to renew a license. In addition or alternatively, the commissioner may order restitution to an individual, group or class of consumers. The monetary penalty could be applied per day for multiple infractions and, especially in the case of class actions, the penalty could easily be in the hundreds of thousands of dollars. The committee agreed that the increased financial burden was not warranted in this case and recommends this bill be found Inexpedient to Legislate. Vote 20-0.

HB 1620, relative to surplus lines insurance requirements. **INEXPEDIENT TO LEGISLATE.**

Rep. Kermit Williams for Commerce and Consumer Affairs. This bill requires insurance carriers licensed to do business in New Hampshire who write surplus lines insurance to include 2 percent of their policies in high risk categories. The sponsor of this bill told us that he no longer wished to pursue passage of this bill and asked the committee to find it Inexpedient to Legislate. Given the large number of bills both in our committee and the House, the committee was happy to oblige. Vote 20-0.

HB 1740, relative to costs of blood testing orders. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John Hunt for Commerce and Consumer Affairs. Last year, legislation was enacted to allow first responders who have been exposed to another person's bodily fluids to be tested. This bill repeals the provision requiring the costs of the blood testing orders to be paid by auto or health insurance policies under certain circumstances. Workers' compensation insurance is now the only and appropriate insurance to pay for the testing. Vote 20-0.

Amendment (0331h)

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

1 Notification After Exposure to Infectious Disease; Costs. Amend RSA 141-G:15 to read as follows:

141-G:15 Costs. Subject to rules adopted by the commissioner under RSA 141-G:19, an applicant's workers' compensation insurance carrier shall be responsible for paying the costs [relating to a testing order. Subject to rules adopted by the commissioner under RSA 141-G:19, the private health or automobile insurance of an applicant who does not have access to workers' compensation insurance which would cover medication for prophylaxis against potential bloodborne pathogens shall be responsible for paying the costs relating to a testing order] **of the test, including charges of the health care facility taking the blood sample and the charges of the laboratory for the analysis of the sample.** An applicant without insurance coverage may request testing under this subdivision, however, he or she shall be responsible for paying for the testing order and may be required to pay for testing in advance.

2 Notification After Exposure to Infectious Disease; Rules. Amend RSA 141-G:19, II(k) to read as follows:

(k) Circumstances in which workers' compensation insurance[,] **and** the government[,] ~~and private health or automobile insurance~~ shall be responsible for paying the costs referred to in RSA 141-G:15.

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

AMENDED ANALYSIS

This bill clarifies the provision of law relating to the costs of blood testing orders when certain individuals have been exposed to another person's bodily fluids.

HB 1780-FN, prohibiting price gouging by certain prescription drug companies. **INEXPEDIENT TO LEGISLATE.**

Rep. John Hunt for Commerce and Consumer Affairs. The bill was modeled after a law recently passed in Maryland which prohibits the manufacturers of essential off-patent or generic drugs from price gouging. Since the Maryland law is currently being litigated, the sponsor, after consultation with the Attorney's General office, asked that the bill be withdrawn and found Inexpedient to Legislate. Vote 20-0.

HB 1791-FN, allowing pharmacists to disclose information relative to lower cost drugs under the managed care law. **OUGHT TO PASS.**

Rep. Edward Butler for Commerce and Consumer Affairs. This bill prohibits what some refer to as the ‘gag rule’ in a contract between an insurance carrier or a pharmacy benefit manager and a pharmacy. The rule prohibits pharmacists, in some circumstances, to discuss with the consumer whether there is a lower price option. With a unanimous vote, the committee agrees that a pharmacist should not be bound or hindered by such a contractual restriction. Vote 20-0.

HB 1218-FN, increasing penalties for buyers under the law regarding trafficking in persons. **REFER FOR INTERIM STUDY.**

Rep. Shannon Chandley for Criminal Justice and Public Safety. This bill would have amended RSA 633:7, III-a to raise from a class B felony to a class A felony the crime of paying for, agreeing to pay for or offering to pay for sex with a minor victim of human-trafficking. The committee fully recognizes the offensiveness of the business of human trafficking, the trauma to the victim and the seriousness of the crime committed by those who pay or offer to pay for sex with minor victims of human trafficking. Members believe that, rather than enacting legislation to change this one aspect of the law, putting this bill into interim study will allow for a comprehensive approach to determining appropriate penalties. Vote 20-0.

HB 1245, establishing a committee to study alternatives to bail for indigent persons. **INEXPEDIENT TO LEGISLATE.**

Rep. John Burt for Criminal Justice and Public Safety. The committee believes that there is another bill which is currently in committee in the Senate, SB 556 relative to changes in bail procedures, which is more in-depth and comprehensive and will address this issue. Vote 20-0.

HB 1265, relative to the release of criminal conviction records. **OUGHT TO PASS.**

Rep. Robert Renny Cushing for Criminal Justice and Public Safety. This bill provides for the release of criminal records to a defendant or his or her lawyer in a criminal proceeding and the release of records to an individual who is the subject of the criminal conviction record. New Hampshire has an open discovery rule in criminal cases and this bill codifies what is the existing practice. There was no opposition to this bill. Vote 19-0.

HB 1291, relative to damage thresholds for criminal mischief. **INEXPEDIENT TO LEGISLATE.**

Rep. John Burt for Criminal Justice and Public Safety. The committee found this bill is not needed as the intent of this bill is already in RSA 651:63 which covers restitution. Vote 21-0.

HB 1306-FN, relative to aggravated felonious sexual assault in a public accommodation. **INEXPEDIENT TO LEGISLATE.**

Rep. Larry Gagne for Criminal Justice and Public Safety. This bill adds sexual assault in a place of public accommodation to the circumstances which constitute aggravated felonious sexual assault. Although well intentioned, the committee felt that this bill is not needed because there are sufficient laws that cover this charge in any venue. Vote 20-0.

HB 1329, relative to eyewitness identification procedures. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Richard O’Leary for Criminal Justice and Public Safety. This bill as amended represents a collaborative effort of the N.H. Attorney General’s office, the N.H. Association of Chiefs of Police, and the Innocence Project. The Attorney General adopted and endorsed a model policy in 2015 outlining best practices for eyewitness identification procedures to help ensure that no innocent person in our state is unjustly convicted of a crime and incarcerated based on a faulty identification. This bill takes the 2015 policy a step further by requiring police departments to submit their eyewitness ID policies to the Attorney General. It was amended by the committee to make implementation and reporting by local police departments less burdensome. This is a low-cost solution to a problem that could cost an innocent person his life and liberty and allow a guilty person to go free to commit additional crimes. Vote 20-0.

Amendment (0293h)

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

1 New Chapter; Eyewitness Identification Policy. Amend RSA by inserting after chapter 595-B the following new chapter:

CHAPTER 595-C EYEWITNESS IDENTIFICATION POLICY

595-C:1 Definitions. In this section:

I. “Live line-up” means an identification procedure in which a group of persons, including the suspected perpetrator of an offense and other persons not suspected of the offense, is displayed to an eyewitness for the purpose of determining whether the eyewitness identifies the suspect as the perpetrator.

II. “Photo line-up” means an identification procedure in which an array of photographs, including a photograph of the suspected perpetrator of an offense and additional photographs of other persons not suspected of the offense, is displayed to an eyewitness either in hard copy form or via computer for the purpose of determining whether the eyewitness identifies the suspect as the perpetrator.

III. "Show-up" means an identification procedure in which an eyewitness is presented with a single suspect for the purpose of determining whether the eyewitness identifies this individual as the perpetrator.

595-C:2 Written Policy Required. Each state, county, and local law enforcement agency that conducts photo line-ups, live line-ups, or show-ups shall adopt a written policy that set forth the manner in which they shall be conducted. Such policy shall conform to the standards and procedures established by the office of the attorney general and as contained in the latest version of the law enforcement manual pertaining to pretrial identification procedures. Such written policy shall be kept on file and available for inspection by the attorney general.

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

HB 1395, relative to the setting of cash bail. **REFER FOR INTERIM STUDY.**

Rep. Robert Renny Cushing for Criminal Justice and Public Safety. This bill changes the process of setting bail. The majority recognizes that issues related to bail have been the subject of discussions by the Interbranch Criminal and Juvenile Justice Council and also the subject of SB 556. The committee wishes to study this bill with other bills relating to bail reform and recommends Interim Study. Vote 18-2.

HB 1404, relative to the competing harms defense. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Frank Sapareto for Criminal Justice and Public Safety. This bill amends the statute regarding the defense of competing harms. It now entitles the defendant to explain why such action was taken that violated law. An example would be someone who broke into a cabin who was freezing to death and allows the defendant to explain to the court the reasons why they broke the law and allows the court to decide if they were justified. Vote 20-0.

Amendment (0489h)

Amend the bill by replacing section 1 with the following:

1 Justification; Competing Harms. Amend RSA 627:3, I to read as follows:

I. Conduct which the actor believes ~~[to be necessary to]~~ **will** avoid harm to himself or another is justifiable if ~~[the desirability and urgency of]~~ avoiding such harm ~~[outweigh]~~ **outweighs**, according to ordinary standards of reasonableness, the harm sought to be prevented by the statute defining the offense charged. ~~[The desirability and urgency of such conduct may not rest upon considerations pertaining to the morality and advisability of such statute, either in its general or particular application.]~~ ***Whether conduct is justifiable or not is a question of fact for the jury. The defendant shall be entitled to offer any relevant evidence in his or her defense. If the defendant presents evidence of a defense under this paragraph, the state shall be allowed to submit rebuttal evidence, including the harm sought to be prevented by this section.***

HB 1483, amending the wiretapping and eavesdropping statute to include private communication networks. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Scott Wallace for Criminal Justice and Public Safety. This bill seeks to broaden the wiretapping statute to include access and entry points not currently covered under the statute. This includes technology such as smart tv's, Alexa, Echo, baby monitors, smart thermostats and the like. We need to ensure that N.H. citizens are protected and have privacy in their modern high tech dwellings without unwanted intrusion. The amendment adds "access point" to the statute. Vote 19-1.

Amendment (0583h)

Amend the bill by replacing section 1 with the following:

1 Wiretapping and Eavesdropping; Definitions. Amend RSA 570-A:1, IX to read as follows:

IX. "Communications common carrier" means a person engaged in providing communications services to the general public through transmission of any form of information between subscribers by means of wire, cable, radio or electromagnetic transmission, optical or fiber-optic transmission, or other means which transfers information without physical transfer of medium, whether by switched or dedicated facilities. A person engaged in radio or television broadcasting or any other general distribution of any form of communications shall not thereby be deemed a communications common carrier. ***"Communications common carrier" shall include any wireless technology that uses a wireless entry or access point to transmit or receive any form of information.***

AMENDED ANALYSIS

This bill adds any technology utilizing wireless entry points or access points to the definition of a communications common carrier.

HB 1768-FN, establishing a cannabis control commission. **REFER FOR INTERIM STUDY.**

Rep. Robert Renny Cushing for Criminal Justice and Public Safety. This bill establishes a state cannabis control commission. The legalization, regulation, and taxation of marijuana is the subject of a number of bills before the legislature, and, in addition, there is a commission that is studying changes in cannabis policy. While this bill as introduced is not ready for passage, the committee believes the topic of regulation and oversight of legalized adult use of cannabis is something that should be explored further. Vote 14-4.

HB 1815-FN, relative to the penalties for possession of marijuana. **INEXPEDIENT TO LEGISLATE.**

Rep. Frank Sapareto for Criminal Justice and Public Safety. This bill adds a criminal penalty for persons 18 years or older for the possession and/or consumption of marijuana. The majority of the committee recognized this bill removed a judge's discretion in some misdemeanor marijuana cases and included unlimited fines in some instances. Since we had just passed the decriminalization of cannabis, this bill had the reverse effect and in some cases make the penalties more severe than our previous marijuana laws. Vote 13-4.

HB 1229, relative to the teachers' voting requirement for becoming a charter conversion school. **INEXPEDIENT TO LEGISLATE.**

Rep. Terry Wolf for Education. This bill changes the requirements to convert a traditional public school to a charter conversion school. As written, this bill would allow three members of a school board to change a traditional public school to a charter. There are no requirements for public hearings, or approval by the voters. Vote 18-2.

HB 1253, relative to membership of the cooperative school district budget committees. **INEXPEDIENT TO LEGISLATE.**

Rep. Robert Elliott for Education. Current statute provides cooperative school districts the ability to appoint a board member to the school budget committee. This bill would require the board appointment to be a non-voting member. It is the bipartisan belief of the Education Committee that the board presently have authority to adopt policy stating that the board appointed member to the budget committee may be a voting or non-voting member. This is a local decision. Vote 18-2.

HB 1469-LOCAL, relative to the dissolution of cooperative school districts. **INEXPEDIENT TO LEGISLATE.**

Rep. Terry Wolf for Education. This bill deals with the dissolution of a cooperative school district. Cooperatives are complex legal entities and each one has its own unique characteristics. Cooperatives were formed in the 1950s and 1960s and the laws governing them have been confusing. HB 122, clarifying the withdrawal process, was signed by the Governor in January 2018. HB 1598 changes the voting process for withdrawal. This bill does not provide clarity and another version should be filed in the future. Vote 19-0.

HB 1494, relative to the definition of academic standards. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Rick Ladd for Education. This bill as amended clarifies the definition "academic standards." Current law defines an academic standard as what a student should know and be able to do at each grade level. This bill amends current law to also include what a student should know and be able to do in a course, as curriculum is presented in courses at the high school level and in the middle school level where advanced students may complete a course such as Algebra I. Vote 19-0.

Amendment (0575h)

Amend RSA 193-E:2-a, VI(b) as inserted by section 1 of the bill by replacing it with the following:

(b) "Academic standards" [mean] *means* what a student should know and be able to do *in a course* *or* at each grade level.

HB 1498, relative to alternate certification pathways for career and technical education instructors. **OUGHT TO PASS.**

Rep. Glenn Cordelli for Education. This bill establishes an alternate certification for career and technical education (CTE) educators. Local boards will be able to offer three-year certificates for specific specialty areas in CTE Centers. The current law mandates successful completion of a specific assessment and it is a barrier to hiring qualified industry personnel possessing years of industry experience and technical licenses. This bill has the support of the Career and Technical Education Advisory Commission, CTE Centers, and industry organizations such as the NH Automobile Dealers Association. Vote 20-0.

HB 1594, relative to the disposition of property upon withdrawal from cooperative school districts. **INEXPEDIENT TO LEGISLATE.**

Rep. Mary Heath for Education. This bill would require a cooperative school district to transfer land and buildings to a withdrawing district, provided the property is used by the withdrawing district and does not result in a capital expenditure for the cooperative. The majority of the committee recognizes that the dissolution of property is very complex with numerous variables that could adversely impact withdrawing towns on many levels. Wherein each cooperative has its own articles of agreement, this bill cannot be legislated fairly and effectively to work successfully across existing cooperative districts seeking to dissolve. Vote 19-0.

HB 1598-L, relative to the vote to withdraw from a cooperative school district. **OUGHT TO PASS WITH AMENDMENT.**

Rep. James Grenier for Education. This bill as amended will provide an opportunity for a pre-existing district to vote on continuing the withdrawal process after a withdrawal plan had been approved by the New Hampshire Board of Education. There will be an identifiable vote of the withdrawing district separate from the district wide cooperative vote. If the withdrawing district voters affirm withdrawal and the district wide vote is affirmative, then the withdrawal is approved. If the withdrawing district voters do not affirm withdrawal, then the withdrawal process terminates regardless of the district wide vote. Vote 19-1.

Amendment (0578h)

Amend the bill by replacing section 1 with the following:

1 Withdrawal from a Cooperative School District; Vote on Withdrawal. Amend RSA 195:29 to read as follows:
 195:29 Vote on Withdrawal. If the state board approves the plan for withdrawal, the board shall cause the withdrawal plan to be published once in some newspaper generally circulated within the cooperative school district. Upon receipt of a written notice of the board's approval of the withdrawal agreement, the school board of the cooperative district shall cause the withdrawal plan to be filed with the clerk of the cooperative school district and submitted to the voters of the district as soon as may reasonably be possible at an annual or special meeting called for the purpose, the voting to be by ballot with the use of the checklist, after reasonable opportunity for debate in open meeting. The article in the warrant for the district meeting and the question on the ballot to be used at the meeting shall be in substantially the following form:

"Shall the school district accept the provisions of RSA 195 (as amended) providing for the withdrawal of the pre-existing district of _____ from the _____ cooperative school district in accordance with the provisions of the proposed withdrawal plan filed with the school district clerk?"

Yes _____ No _____

If a majority of voters present and voting in the withdrawing preexisting district vote against withdrawal, then the withdrawal process is terminated. If a majority of the voters present and voting ***in the withdrawing preexisting district*** shall vote in the affirmative, ***and a majority of the voters present and voting in the entire cooperative district shall vote in the affirmative***, the clerk of the cooperative school district shall forthwith send to the state board of education a certified copy of the warrant, certificate of posting, evidence of publication, and minutes of the meeting. If the board finds that a majority of the voters present and voting have voted in favor of the withdrawal plan, it shall issue its certificate to that effect and such certificate shall be conclusive evidence of the withdrawal of the pre-existing district and the continuation of the cooperative school district as of the date of its issuance, or the dissolution of a 2-district cooperative if the cooperative was formed by 2 pre-existing districts, provided, however, that a withdrawal plan shall be prepared for a 2-district cooperative and it shall provide for the disposition of property held within the cooperative and a statement of assumption of liabilities. If a majority of voters present and voting reject the plan, the withdrawing district shall have the right to appeal such vote to the state board of education. The state board shall upon receipt of such appeal investigate and report back to the district on its findings and recommendations; and this report may require that there will be another special meeting for a vote of reconsideration.

HB 1637, requiring school districts to establish policies relating to suspensions and expulsions. **OUGHT TO PASS.** Rep. Mel Myler for Education. The majority believes that each school district should have established policy regarding the suspension and expulsion of students. The policy should include both in-school and out-of-school suspension. Such policy should be made available to parents and published on the school district's website. Vote 18-2.

HB 1674, relative to computer science and digital skills required for an adequate education. **OUGHT TO PASS.** Rep. Terry Wolf for Education. Technology has reached in to every single area of our lives - photography, music, news, medicine, travel, transportation, communication, shopping, politics. This bill adds computer science and digital skills as a component of the definition of an adequate education. Computer science is foundational and includes computational thinking, data analysis, algorithms, and programming. Integrating computer science in K-12 will help prepare our students to be college and career ready for the jobs of today and the future. Vote 20-0.

HB 1247, relative to administering oaths to certain state officers. **OUGHT TO PASS.**

Rep. Carol McGuire for Executive Departments and Administration. This bill adds two notaries to the list of those eligible to witness oaths of office, since there are a great many more notaries than justices of the peace. In some of the more sparsely populated areas of the state, this would be a convenience for elected officials. The Secretary of State supports this change. Vote 14-0.

HB 1281, establishing an executive order registry. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Carol McGuire for Executive Departments and Administration. This bill simply requires the governor's office to maintain and publish a directory of executive orders. It was a request of Governor Sununu, since his team was unable to confirm possession of all of Governor Hassan's executive orders. The committee amendment deletes the current requirement that executive orders be published in the Rulemaking Register, since they will be available on the governor's website. Vote 12-0.

Amendment (0193h)

Amend the bill by inserting after section 1 the following and renumbering the original section 2 to read as 4:

2 Administrative Procedure Act; Rulemaking Register. Amend RSA 541-A:9, I(c) to read as follows:

(c) [~~Executive orders and~~] Non-confidential opinions of the attorney general under RSA 541-A:28.

3 Administrative Procedure Act; Executive Orders and Opinions of the Attorney General; Publication in the Rulemaking Register. Amend RSA 541-A:28 to read as follows:

541-A:28 ~~[Executive Orders and]~~ Opinions of the Attorney General. ~~[The secretary of state shall transmit each executive order received from the governor to the director of legislative services, who shall publish the text of the executive order in the rulemaking register.]~~ The attorney general shall transmit a copy of every non-confidential opinion relative to rulemaking or rulemaking authority issued by the attorney general or in the attorney general's name to the director of legislative services. The director shall publish such opinions in the rulemaking register.

AMENDED ANALYSIS

This bill establishes a registry of executive orders issued by the governor on the state website. The bill also removes the requirement that the director of legislative services publish executive orders received by the secretary of state in the rulemaking register.

HB 1310, establishing a committee to study all non-regulatory boards and commissions. **OUGHT TO PASS.** Rep. Kristina Schultz for Executive Departments and Administration. This bill would create a committee to review statutory boards, committees, and councils. The ED&A Committee unanimously felt that it has merit. This review process was last done in 2009-2011, and eliminated approximately 65 such non-regulatory boards and commissions. Since that time, a number of new statutory boards and commissions have been created. Enough such bodies have failed to have any meetings in recent years that the committee felt it was time to identify the non-productive committees and reduce the list again. Vote 14-0.

HB 1335, relative to the cybersecurity software used by the state of New Hampshire. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Dianne Schuett for Executive Departments and Administration. This bill prohibits state agencies from using software developed by Kaspersky Lab because that company has been identified as a threat to the cybersecurity of state computer systems. This follows the lead of federal legislation signed in December, 2017 banning this software from federal systems. The amendment expanded the language to include software from any entity in which Kaspersky Lab has a majority ownership. Vote 14-0.

Amendment (0308h)

Amend RSA 21-R:15, I as inserted by section 1 of the bill by replacing it with the following:

I. No state agency shall use any software platform developed, in whole or in part, by Kaspersky Lab or any entity of which Kaspersky Lab has a majority ownership.

HB 1356, relative to data sharing between the department of environmental services and the department of health and human services. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Mark Proulx for Executive Departments and Administration. This bill encourages and allows the Department of Environmental Services and the Department of Health and Human Services to establish a data sharing protocol to meet current and emergent environmental health issues throughout the state. The amendment, which replaces the entire bill, was a result of collaboration between the departments and the bill sponsor to ensure needs were met for all parties in expanding collective work efforts. Vote 13-0.

Amendment (0374h)

Amend RSA 126-A:75 as inserted by section 1 of the bill by replacing it with the following:

126-A:75 Data Sharing Between the Department of Environmental Services and the Department of Health and Human Services.

I. The department of environmental services and the department of health and human services shall develop and implement a method by which the departments share certain health outcome and environmental data. On or before September 1, 2018, the commissioners of the department of environmental services and the department of health and human services shall:

(a) Enter into an updated memorandum of agreement on cooperation regarding data sharing between the department of health and human services and the department of environmental services.

(b) Sign a joint standard operating procedure on how data layers can be shared between the 2 departments to identify linkages between environmental contaminants and health outcomes in a collaborative fashion.

(c) Hold a presentation on the departments' ongoing, joint efforts under the Centers for Disease Control and Prevention environmental public health tracking cooperative agreement.

(d) Make a presentation to the commission to study environmentally-triggered chronic illness, established in RSA 126-A:73, regarding the departments' use of the standard operating procedure developed under subparagraph (b) to compare data, analyze community impacts, and communicate the results to the community.

II. Nothing in this section shall require the disclosure of confidential or personally identifiable information otherwise protected by state or federal law. In order to assure the privacy of protected health information, only non-protected health information or aggregated data shall be made available where it is pertinent to the matter being assessed.

III. On or before September 1, 2018, the commissioners of the department of environmental services and the department of health and human services shall submit a report regarding the data sharing practices required under paragraph I to the speaker of the house of representatives, the senate president, the state library, and the commission to study environmentally-triggered chronic illness, established in RSA 126-A:73. The report shall include a description and estimate of the cost to perform a 2-way pilot project between the departments on arsenic in drinking water, where both health effects and environmental data exist.

HB 1401, relative to the New Hampshire accountancy act. **OUGHT TO PASS.**

Rep. John Sytek for Executive Departments and Administration. This bill brings the NH Accountancy Act into conformity with the 2014 Edition (the seventh) of The Uniform Accounting Act. There are two principal changes. First, it updates the definition of “attest” which is the official certification by a Certified Public Accountant (CPA) firm of various financial documents. The range of such documents has expanded in recent years. The second change extends “mobility” to CPA firms and has been adopted by 22 other states. In addition to eliminating various out-of-state registrations and fees, it provides a very useful feature. That is, if a NH client uses a Boston based CPA firm and has a problem, the NH client can bring action here in NH and not have to go to Massachusetts. Vote 14-0.

HB 1472, relative to the state building code provisions for energy conservation in new building construction. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Steven Beaudoin for Executive Departments and Administration. This bill stipulates that the state Building Code Review Board (BCRB) provide, in electronic format, a simplified residential energy code compliance form based on the requirements of the International Residential Code and the International Energy Conservation Code. Since we follow the International Energy Conservation Code as our minimum building energy efficiency standard, it also repeals an outdated law, RSA 155-D, the NH Code for Energy Conservation in New Building Construction. The amendment changes the membership of the BCRB by replacing the representative from State Energy Conservation Code Office, which is repealed in the bill, with a representative of the PUC. Vote 14-0.

Amendment (0092h)

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

1 New Section; Building Code Review Board; Energy Code Compliance. Amend RSA 155-A by inserting after section 10 the following new section:

155-A:10-a Energy Code Compliance Form. The state building code review board shall prescribe by rule and make available to the public, in electronic formats, a simplified residential energy code compliance form based upon the energy provisions in the International Residential Code and the International Energy Conservation Code identified in RSA 155-A:1. The correctly completed form shall be accepted by all code enforcement authorities within the state of New Hampshire as one method of verification that the applicable project meets the code requirements. Completed compliance forms shall be submitted to the building official in those municipalities that have adopted an enforcement mechanism under RSA 674:51. For municipalities without an adopted code enforcement mechanism, completed compliance forms shall be submitted to the New Hampshire public utilities commission, on behalf of the building code review board, for verification that the applicable project meets the code requirements. The public utilities commission shall then forward the reviewed compliance forms to the municipality for retention in property records.

2 Building Code Review Board; Members; Reference Changed. Amend RSA 155-A:10, I(k) to read as follows:

(k) One representative from the ~~[state energy conservation code office under RSA 155-D]~~ ***New Hampshire public utilities commission***, nominated by the ~~[New Hampshire public utilities]~~ ***chairman of the commission***.

3 Repeal. RSA 155-D, relative to energy conservation in new building construction, is repealed.

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

HB 1545, relative to the statewide interoperability executive committee. **OUGHT TO PASS.**

Rep. Peter Hansen for Executive Departments and Administration. This bill revises the membership of the Statewide Interoperability Executive Committee (SIEC) to increase the membership so that it is more representative of the public safety community. It also reduces the membership of the Executive Management Group of the SEIC by reducing the overall size and ensuring that the chairman, vice-chairmen and a legislative member of the SEIC are among the members. Vote 14-0.

HB 1622, relative to organization of the department of information technology. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Dianne Schuett for Executive Departments and Administration. The committee agreed with this bill which makes some refinements to the recently reorganized Department of Information Technology. The one issue we found was that the 4 division directors' terms would all come due at the same time, which could have disrupted the department's activities. Under the committee amendment, each director will serve until being reappointed or replaced. Vote 14-0.

Amendment (0192h)

Amend the bill by replacing section 1 with the following:

1 Department of Information Technology; Division Directors. RSA 21-R:3, II is repealed and reenacted to read as follows:

II. The department shall consist of 4 divisions, which shall be under the direction of the commissioner. The commissioner shall nominate 4 division directors, who shall be appointed by the governor, with the consent of the council. Division directors shall serve for a term of 4 years; provided that a division director serving on the effective date of this paragraph may continue to serve in such capacity until appointed or replaced. The division directors shall be qualified to hold their respective positions by reason of education and relevant experience.

HB 1664, relative to terms of appointment of members of governing boards for allied health professionals. **OUGHT TO PASS.**

Rep. Peter Hansen for Executive Departments and Administration. This bill simply clarifies that a member of an allied health professional governing board, having served a partial term after filling a vacancy, is still eligible for two full terms if the partial term is less than half a full appointed term. The committee, aware of the difficulty in learning the procedures for such a board, supported the bill unanimously. Vote 13-0.

HB 1738, transferring the division of film and digital media to the division of travel and tourism in the department of business and economic affairs. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John Sytek for Executive Departments and Administration. This bill transfers the Division of Film and Digital Media from the Department of Natural and Cultural Resources to a newly established Bureau of Film and Digital Media ("State Film Office") within the Department of Business and Economic Affairs, Division of Travel and Tourism. The recent creation of the Department of Natural and Cultural Resources and the Department of Business and Economic Affairs provided an opportunity to evaluate their respective functions. Best practices in almost all other states position the Film Office as a bureau within the Division of Travel and Tourism. This bill makes that alignment and is agreed to by the Governor's office, the Department of Business and Economic Affairs, the Division of Travel and Tourism and the Division of Film and Digital Media. No new positions are created as a result of this transfer. The committee amendment adds provisions to ensure the smooth transfer of the director position and the responsibilities that go with it. Vote 19-1.

Amendment (0085h)

Amend the bill by replacing section 5 with the following:

5 New Section; Department of Business and Economic Development; Division of Travel and Tourism; Bureau of Film and Digital Media. Amend RSA 12-O by inserting after section 11 the following new section:

12-O:11-a Bureau of Film and Digital Media Established. There is hereby established within the division of travel and tourism the bureau of film and digital media, which shall also be known as the state film office. The office shall be under the supervision of a director of film and digital media, a classified position within the division of travel and tourism. The primary goal of the state film office shall be to market and promote film, video, and digital media production for the purpose of strengthening the cultural, educational, and economic impact of media production in New Hampshire.

Amend the bill by replacing all after section 6 with the following:

7 Transfer of the Division of Film and Digital Media to the Department of Business and Economic Affairs. On the effective date of this act, all powers, functions, duties, and responsibilities of the department of natural and cultural resources, division of film and digital media are hereby transferred to the department of business and economic affairs, division of travel and tourism development, bureau of film and digital media, established in this act. The transfer provided in this section shall include all personnel, property, and unexpended appropriations or other funds of the former division of film and digital media. The appropriation to the division of film and digital media in 2017, 155:1, accounting unit 03-35-352510, is hereby transferred to the department of business and economic affairs for the purposes of this act.

8 Position Abolished. Upon the transfer of funding for the position of director of film and digital media to the department of business and economic affairs, the unclassified position of director of film and digital media in the department of natural and cultural resources is hereby abolished.

9 Repeal. The following are repealed:

I. RSA 12-A:1-c, I(f), relative to promotion for film and digital media by the department of natural and cultural resources.

II. RSA 12-A:10-m, relative to the division of film and digital media.

III. RSA 94:1-a, I(b), CC department of natural and cultural resources director of film and digital media.

10 Effective Date. This act shall take effect July 1, 2018.

HB 1280-FN, relative to bow and arrow hunting licenses for permanently disabled military veterans. **OUGHT TO PASS.**

Rep. Ed Comeau for Fish and Game and Marine Resources. The committee believes that a permanently disabled veteran has already paid, through their selfless acts, for the right to hunt under a complimen-

tary, lifetime bow and arrow license. In most cases, a non-disabled licensed hunter would be assisting the veteran and would help heal the physical and/or mental wounds received while serving in our military. Vote 13-0.

HB 1289, relative to trespassing fowl. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Robert L'Heureux for Fish and Game and Marine Resources. The committee heard testimony from many individuals whose properties were being soiled by neighborhood free roaming chickens. This bill, as amended, defines domestic fowl and clarifies who the enforcement agencies are for any domestic fowl found trespassing on private property. The committee is in unanimous, bipartisan support of this legislation. Vote 13-0.

Amendment (0470h)

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

AN ACT relative to trespassing domestic fowl.

Amend the bill by replacing section 1 with the following:

1 Trespassing Stock; Addition of Trespassing Domestic Fowl. Amend RSA 635:3 to read as follows:

635:3 Trespassing Stock *or Domestic Fowl*. If any person having the charge or custody of any sheep, goats, cattle, horses, [or] swine, *or domestic fowl* shall knowingly, recklessly, or negligently suffer or permit the same to enter upon, pass over, or remain upon any improved or enclosed land of another without written permission of the owner, occupant, or his *or her* agent, and thereby injures [his] *the owner's* crops[,] or property, [he] *the person* shall be guilty of a violation. *Complaints shall be made to law enforcement officials or local animal control officers who shall enforce the provisions of this section.*

AMENDED ANALYSIS

This bill establishes a penalty for trespassing domestic fowl and requires enforcement by local law enforcement officials.

HB 1343, relative to the protection of beavers. **REFER FOR INTERIM STUDY.**

Rep. Robert L'Heureux for Fish and Game and Marine Resources. This bill would have required the Fish and Game Department to post advice relative to beaver control techniques on its website. The committee felt that there was some merit in the proposal but determined there were many other aspects relative to this issue that should be addressed and therefore in need of further study by the committee. Vote 14-0.

HB 1352-FN, eliminating the nonresident freshwater bait dealers license. **OUGHT TO PASS.**

Rep. Larry Laflamme for Fish and Game and Marine Resources. The most recent information from the Fish and Game Department indicated there were 107 freshwater bait dealer licenses granted in New Hampshire. Of these, only five were for non-residents, four of whom owned business in New Hampshire. The department stated that the administrative cost did not justify having separate licenses and fees for residents and non-residents. Vote 13-0.

HB 1458, relative to exempting certain rules governing marine species from the administrative procedures act. **OUGHT TO PASS.**

Rep. James Webb for Fish and Game and Marine Resources. The committee heard testimony that this bill would allow New Hampshire to more quickly align its rules with those adopted pursuant to a federal law that manages marine species, the Magnusson-Stevens Fishery Conservation and Management Act. It is important that the rules within adjoining state and federal waters are consistent in order to avoid confusion amongst commercial harvesters or saltwater recreational anglers who regularly travel between jurisdictions. Vote 15-0.

HB 1726-FN, relative to reimbursement to municipalities for certain search and rescue operations. **INEXPEDIENT TO LEGISLATE.**

Rep. James Webb for Fish and Game and Marine Resources. The committee received testimony from many people, including officials from towns that border the White Mountain National Forest. We heard that search and rescue operations put a burden on those towns. The committee sympathizes with the towns, but just as there is only so much blood you can get from a stone, the Fish and Game Department does not have any money to spare. It was discussed that the department should not be required to pay towns back as the bulk of rescues are for tourists, and tourism is a vital part of the area's economy. For those who become stranded, hurt, or unable to exit the wilderness, it is department that is charged with their rescue or, in many cases, their recovery. The committee believes the current system relies on many volunteers and it works. For these reasons, and many more, the committee cannot support the bill. Vote 15-0.

HB 1274, establishing a committee to study the needs of certain handicapped and disabled persons. **INEXPEDIENT TO LEGISLATE.**

Rep. Jess Edwards for Health, Human Services and Elderly Affairs. The committee recognizes the importance of having the people's House accessible to New Hampshire's citizens. Finding that there exists a Joint Facilities Committee consisting of the senior leaders of the Senate and House, as well as the Governor's Commission on Disability that have not yet been engaged by the bill's prime sponsors, it is thought that issues presented in testimony could be resolved in conversation rather than the establishment of another committee. Vote 19-3.

HB 1284, relative to the reports required by the incapacitated and vulnerable adult fatality review committee. **OUGHT TO PASS.**

Rep. John Fothergill for Health, Human Services and Elderly Affairs. The committee overwhelmingly supported the idea that this bill reduced the reporting requirements of the review committee but not their responsibility. Vote 21-1.

HB 1312, relative to adult changing stations in places of public accommodation. **REFER FOR INTERIM STUDY.** Rep. James MacKay for Health, Human Services and Elderly Affairs. It is the unanimous opinion of the committee that this legislation has the potential to address an important issue as to accommodating issues emanating from disabilities. It is felt that the present legislation provides an opportunity for the committee to give an extensive review of the possibilities including utilization of state and historic buildings. Vote 21-0.

HB 1388-FN, relative to testing for Lyme disease. **REFER FOR INTERIM STUDY.**

Rep. Charles McMahon for Health, Human Services and Elderly Affairs. The bill requires additional work to result in a workable policy to benefit all NH citizens. Therefore, Interim Study is required. Vote 19-0.

HB 1457-FN, relative to drug take-back programs. **INEXPEDIENT TO LEGISLATE.**

Rep. William Marsh for Health, Human Services and Elderly Affairs. The existing drug take-back program has been remarkably successful. Mixing illicit drugs into this program would preclude current disposal methods. This would likely force hospitals and law enforcement to cease participation in a very successful program. Therefore, this bill should be found is Inexpedient to Legislate. The committee is also concerned about the clause allowing municipalities to bill other municipalities; especially as this is inconsistent with anonymous drop offs. Vote 22-0.

HB 1468, establishing a commission to study legislative oversight activities related to the department of health and human services. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Martin Bove for Health, Human Services and Elderly Affairs. The committee feels that due to the number of oversight commissions, committees, boards, and councils that oversee the Department of Health and Human Services, we need to comprehensively review all such legislatively required groups to determine their effectiveness and make recommendations as appropriate. Vote 21-0.

Amendment (0208h)

Amend RSA 126-A:17-a, III(a)(1) as inserted by section 1 of the bill by replacing it with the following:

(1) Reviewing all New Hampshire statutes involving oversight of the department health and human services, including committees, commissions, boards, and councils. The review shall include identifying duplicative oversight and reporting requirements, comparing frequency of meetings and human resources currently necessary to perform the duties required, and defining the current authority of each oversight entity. Amend RSA 126-A:17-a, V as inserted by section 1 of the bill by replacing it with the following:

V. 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, 2019.

Amend paragraph I of section 3 of the bill by replacing it with the following:

I. Section 2 of this act shall take effect November 1, 2019.

HB 1617, relative to definitions regarding immunization requirements. **INEXPEDIENT TO LEGISLATE.**

Rep. Lucy Weber for Health, Human Services and Elderly Affairs. This bill would add definitions of "vaccination" and "vaccine" to the existing communicable disease statute. RSA 141-C:2 defines "immunization" as "inoculation with a specific antigen to promote antibody formation in the body, and "immunizing agent" as a vaccine, antitoxin or other substance used to increase a person's immunity to a disease." The majority believes that although there is considerable controversy about the practice of immunization, which is the term generally used in the statute, a definition of the words "vaccination" and "vaccine" is not necessary. Vote 19-2.

HB 1625, relative to digital foot scanning at hospitals. **INEXPEDIENT TO LEGISLATE.**

Rep. Jess Edwards for Health, Human Services and Elderly Affairs. This bill is unnecessary because privacy practices backed by law and regulatory oversight already require that facilities licensed under RSA 151 provide patients or agents an appropriate disclosure on how all personally identifiable information is collected and used, along with an opt-out opportunity. If digital foot scanning is done for the purpose of medical diagnosis then that digital information is protected under HIPAA and HITECH. Vote 19-0.

CACR 13, relating to the administrative head of the courts. Providing that the chief justice of the supreme court shall make rules governing employees of the courts and the practice and procedure to be followed in the courts. **INEXPEDIENT TO LEGISLATE.**

Rep. Dan Hynes for Judiciary. The committee feels this resolution violates separation of powers. Further, the judicial branch should be in charge of setting rules related to administration of the judicial branch. Vote 16-0.

HB 1203, relative to reports issued by the judicial council. **INEXPEDIENT TO LEGISLATE.**

Rep. Timothy Horrigan for Judiciary. This bill, if passed into law, would have required the Judicial Council to compile a statistical report on how the court system deals with civil and criminal cases. This task would be outside the scope of what the council currently does and the council does not have the staff or computing resources needed to do it effectively. The bill made no provisions for additional funding or staffing. Vote 17-0.

HB 1243, relative to exemptions from property attachments. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Kurt Wuelper for Judiciary. This bill, as amended, increases the value of an automobile that is exempt from attachment from \$4,000 to \$10,000. The prior \$4,000 exemption for an automobile was enacted in 1987. The committee agreed the increase to \$10,000 takes into account inflation and the cost of automobiles has considerably increased. Vote 16-1.

Amendment (0178h)

Amend RSA 511:2, XVI as inserted by section 1 of the bill by replacing it with the following:

XVI. One automobile to the value of [~~\$4,000~~] **\$10,000.**

HB 1257, relative to judicial review of proceedings before the human rights commission. **INEXPEDIENT TO LEGISLATE.**

Rep. Michael Sylvia for Judiciary. This bill, among other things, would change the appeals process for cases heard and decided by the Human Rights Commission. There was little testimony that would support the changes sought and there was no testimony from the Human Rights Commission. Vote 17-0.

HB 1237, relative to the definition of "public at large." **OUGHT TO PASS.**

Rep. Sherman Packard for Legislative Administration. This bill defines the term 'public at large' in the general definition section of the statutes. In this definition, a person from the public at large does not currently hold a public office or has not recently been elected to public office and not yet sworn in. Vote 11-0.

HB 1302, relative to private practice by the Carroll county attorney. **INEXPEDIENT TO LEGISLATE.**

Rep. Franklin Sterling for Municipal and County Government. The Carroll County Attorney is (under current statute (RSA 7:34-f)) restricted from the private practice of criminal law outside of his or her duties as the County Attorney. He or she may "engage in the private practice of civil." HB 1302 as introduced would change the Attorney's status so as to prohibit him or her from the private practice of law except when providing legal services to the Attorney's family so long as no fees are charged or when those services do not conflict with the Attorneys' official duties. The committee received written testimony from the majority of the Carroll County Delegation opposed to the change in status; the Committee believes the status of the County Attorney is best left to the desire of the Delegation. Vote 16-0.

HB 1303, relative to the purposes of revolving funds in towns. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Carolyn Matthews for Municipal and County Government. This bill enables towns who have combined their fire services with their ambulance services to establish a single revolving fund to serve both. The amendment clarifies that the revolving fund may be used for ambulance services, or fire services, or both. "Services," does not include payroll expenses. Revolving funds are established by vote of the legislative body, include a definition of purpose, and may include limitations on expenditures. Money in the fund can accumulate year to year and is not part of the town's general surplus. The committee agreed that the bill and its amendment offer a useful local option for towns that combine fire and ambulance services. Vote 12-0.

Amendment (0329h)

Amend RSA 31:95-h, I(b) as inserted by section 1 of the bill by replacing it with the following:

(b) Providing ambulance services, **or fire services, or both;**

HB 1304, relative to the authorization for forensic audits by a county convention. **OUGHT TO PASS.**

Rep. Frank McCarthy for Municipal and County Government. At present state law does not allow for county delegations to order and to pay for a forensic audit of the county's finances. Current law allows county conventions to appropriate funds, but they have absolutely no authority to spend funds; only county commissioners have that authority. County commissioners are not required, by law, to expend funds for the purpose expressed in the appropriation. They must not spend the funds for any other purpose, but are not obliged to spend it for the purpose appropriated. This is not satisfactory. County delegations are totally responsible to ensure the taxpayer is protected and informed. The Legislator's Handbook describes the members of the delegation as the people's "Watchdog" relative to taxpayer tax dollars. RSA 24:13 currently authorizes county delegations to appropriate a contingency fund to be used to conduct a performance audit. HB 1304 adds paragraph II-a to RSA 24-13 which, in the same manner as performance audits, adds forensic audits. Vote 16-0.

HB 1361, relative to county audits. **OUGHT TO PASS.**

Rep. Frank McCarthy for Municipal and County Government. Current law, RSA 28:3-a, allows counties a maximum of 90 days following the close of the county's fiscal year to complete their annual audit. Often, end-of-the-year figures are not readily available for 30 days or more. Therefore, it is generally believed that

additional completion time is needed. This bill increases the time element from 90 days to 120 days. The bill also adds a review aspect requiring the county delegation's executive committee to review the audit report for compliance with the required criteria described in RSA 28:3-a. Vote 16-0.

HB 1366, authorizing the town meeting to fund capital reserve funds through the operating budget. **INEXPEDIENT TO LEGISLATE.**

Rep. Clyde Carson for Municipal and County Government. This bill would allow towns to include funding of capital reserve funds as line items in the operating budget instead of funding them with separate warrant articles. The majority of the committee concluded that this practice would reduce budget transparency and is not in the public interest. Vote 12-1.

HB 1616, requiring legislative approval for regional planning commissions to accept money from governmental sources other than the state of New Hampshire or its political subdivisions. **INEXPEDIENT TO LEGISLATE.**

Rep. Clyde Carson for Municipal and County Government. This bill would require the approval of the General Court for all federal grants awarded to the state regional planning commissions. Each grant would become the subject of a bill, which would have to go through the legislative process. The committee unanimously concluded that this bill would unnecessarily jeopardize the receipt of grants, which benefit most municipalities in the state. Vote 13-0.

HB 1646, requiring reports of dropped cell phone calls by carriers. **INEXPEDIENT TO LEGISLATE.**

Rep. Troy Merner for Science, Technology and Energy. The committee finds that the bill is well intentioned but realizes that wireless calls are dropped for a variety of reasons. These include conditions such as lack of coverage, problems in placing new towers, and the age of some cell phones. Giving a state regulatory body tracking authority, within an industry that is regulated at the federal level, is without merit. Vote 19-0.

HB 1621, repealing the waiting period for federal regulations governing achieving a better life experience accounts. **INEXPEDIENT TO LEGISLATE.**

Rep. Skip Rollins for State-Federal Relations and Veterans Affairs. The intent of this bill has been accomplished by other legislation. Vote 14-0.

HB 1317-FN-A, exempting occupancies over 30 days from the rooms and meals tax. **INEXPEDIENT TO LEGISLATE.**

Rep. Jordan Ulery for Ways and Means. The Department of Revenue Administration had issues regarding the wording, implementation and operation of this proposed legislation. They also remarked on the lack of complaints. The committee also noted that certain appropriate long-term occupancies were exempted by existing law. Vote 23-0.

HB 1398, establishing a commission to study and evaluate providing financial incentives for professional media production activity in New Hampshire. **INEXPEDIENT TO LEGISLATE.**

Rep. Marc Abear for Ways and Means. The commission that would be established by this bill is charged to study and evaluate providing financial incentives for professional media production activities in New Hampshire. The charge assumes that tax policy is to be a main tool of central economic planning. The job of government does not include such responsibility. The industry is looking for portable tax credits which is a problematic tactic fiscally for the state. Vote 23-0.

HB 1429-FN-A, relative to exemptions from the tax on interest and dividends. **INEXPEDIENT TO LEGISLATE.**

Rep. Timothy Lang for Ways and Means. This bill increases the individual exemptions from the tax on interest and dividends and is a similar bill to HB 1554 on the same topic. That bill passed out of committee with an ought to pass recommendation, making this bill redundant. Vote 23-0.

HB 1430-FN, relative to emergency medical services license and fine revenue. **INEXPEDIENT TO LEGISLATE.**

Rep. Arthur Barnes for Ways and Means. This bill as written would do four things. 1. It would redirect any and all donations, fees for tuition, rents, services and any and all moneys and grants from any governmental unit, public agency, institution, person, firm, or corporation received by the Division of Fire Standards and Training and Emergency Medical Services away from the state general fund to the fund of the fire standards and training and emergency medical services fund established in RSA 21-P:12-d. 2. It would redirect any administrative fine imposed by the Commissioner of the Department of Safety away from the state general fund to the fund of the fire standards and training and emergency medical services fund established in RSA 21-P:12-d. 3. It would eliminate the current exemption that no fee as defined in RSA 153-A:15 shall be charged to a nonprofit corporation or volunteer association. 4) It would direct all fines imposed by the commission under RSA 153-A:22 to be directed to the fire standards and training and emergency medical services fund instead of the general fund. The committee felt there was not sufficient reason to make the change. Vote 23-0.

HB 1478-FN-A, reducing the rate on the tax on transfer of real property. **INEXPEDIENT TO LEGISLATE.** Rep. Timothy Lang for Ways and Means. Testimony over this bill was conflicting; with the industry saying the increase in housing sales and tight real estate market would more than recover the loss by the reduction of the tax, however the latest Department of Revenue Administration report shows a different story with the real estate transfer tax below House revenue plan for 2018 by more than 5%. Additionally, this would also impact each county's revenue projections for 2018 and 2019 with budgets already being set. With the reductions in other state taxes scheduled to take effect and not knowing the fiscal impact, at this time it would be unwise to add this reduction into the mix. Vote 23-0.

HB 1629, establishing a committee to study establishing business tax credits for companies that pay a livable wage and provide adequate benefits to their employees. **INEXPEDIENT TO LEGISLATE.** Rep. Marc Abear for Ways and Means. The bill establishes a committee to study establishing business tax credits for companies that pay a livable wage and provide adequate benefits to their employees without defining what those things are. The bill invites arbitrarily picking winners and losers through tax policy. It spends money to study a non-need when we have so many actual worthy ideas to pursue. As a matter of tax policy, this legislation should be a spending bill in order to make costs associated with the intended purpose visible to the taxpayer. Vote 23-0.

REGULAR CALENDAR

HB 1360, prohibiting the use of certain information to underwrite insurance coverage. **INEXPEDIENT TO LEGISLATE.**

Rep. Barbara Biggie for Commerce and Consumer Affairs. An insurance company uses many factors in developing premiums for private passenger automobile or homeowner insurance. When computing the premium for an individual, a person's credit rating is incorporated into the company's formula to determine the premium. The Insurance Department stated that there is a direct correlation between a person's credit score and claims activity. A lower score may show a person's propensity to fail to make timely bill payments. If a person has experienced a job loss, death in family or other life event which could affect the ability to pay bills, the Insurance Department does have a rule that allows an insurance company to take these life events into consideration. Current law allows insurers to use information obtained from an individual's credit rating, history or scoring model, if it is not the sole basis for setting a higher premium and they can document the correlation between credit scoring and higher claims. Therefore, the majority of the committee agreed the current law is reasonable, since it may result in lower premiums if you have a high credit score. Vote 13-7.
Committee report adopted.

HB 1790-FN-A, establishing a New Hampshire health access corporation. **INEXPEDIENT TO LEGISLATE.** Rep. Laurie Sanborn for Commerce and Consumer Affairs. The majority of the committee believes that NH residents already have adequate access to high quality health care in New Hampshire and prefer to find ways to make it more affordable by reducing the cost of health insurance. Creating a health access corporation is unnecessary and unrealistic at this time. Vote 11-9.
Committee report adopted.

HB 1283, prohibiting sobriety checkpoints. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. John Burt for the Majority of Criminal Justice and Public Safety. This bill would prohibit the police from using sobriety checkpoints. Presently, sobriety checkpoints are already limited and require a court order. While no one wants to see an increase in DWI, sobriety checkpoints are not a solution to decrease DWI arrests. The committee heard testimony on how ineffective sobriety checkpoints are. The testimony by a state trooper showed that less than 1% of drivers who are stopped at a checkpoint were charged with DWI. Some places even discounted sobriety checkpoints due to the rate being even lower. The testimony revealed this number is lower than the amount of arrests police would have made if they were out on patrol looking for people suspected of DWI. The trooper testified checkpoints have gone down in recent years and the state would still be able to use grants to increase patrols. There was further concern that DWI checkpoints invade a driver's right to be free from unlawful seizures. The majority feels checkpoints can lead to a worsening of public/police relations as many people will be upset after being stopped and detained without any evidence of them doing anything wrong. Additionally the officers involved are paid overtime which makes a flawed practice even more expensive. In order to increase DWI arrests while increasing our liberty, sobriety checkpoints should be abolished. Vote 12-8.

Rep. Laura Pantelakos for the Minority of Criminal Justice and Public Safety. The minority of the committee believes that sobriety checkpoints are one of the many tools that police departments have at their disposal. The circumstances under which a sobriety checkpoint can be conducted are highly regulated. While the number

of sobriety checkpoints being held has gone down in recent years, the minority of the committee believes that the decision to conduct them should remain with the police departments. If the police believe that the test is another way to keep drunk drivers off the road, the elected representatives of the people should not prohibit the police from using that tool to protect us on the road from drunk drivers.

Majority committee report adopted and ordered to third reading.

HB 1288, relative to petitions for annulment. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Larry Gagne for Criminal Justice and Public Safety. This bill amends the waiting period required for filing a petition for annulment of a criminal record. This bill would amend RSA 651:5, IV to read as follows: "If a petition for annulment is denied, no further petition shall be brought more frequently than every 3 years thereafter, except that any person whose arrest has resulted in a finding of not guilty, or whose case was dismissed or not prosecuted, may petition for annulment of the arrest record or court record, or both, every year after the petition for annulment is denied. The court shall include written findings stating the basis for denial." Vote 20-0.

Amendment (0493h)

Amend the bill by replacing section 1 with the following:

1 Annulment of Criminal Records. Amend RSA 651:5, IV to read as follows:

IV. If a petition for annulment is denied, no further petition shall be brought more frequently than every 3 years *thereafter, except that any person whose arrest has resulted in a finding of not guilty, or whose case was dismissed or not prosecuted, may petition for annulment of the arrest record or court record, or both, every year after the petition for annulment is denied. The court shall include written findings stating the basis for denial.*

AMENDED ANALYSIS

This bill amends the waiting period required for filing a petition for annulment of a criminal record and requires the denial of a petition for annulment to include written findings stating the basis for denial.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

HB 1298, relative to unalienable rights of inhabitants. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Dennis Fields for the Majority of Criminal Justice and Public Safety. This bill would create a cause of action for certain violations of inhabitants rights and privileges and also mandates that county attorneys process affidavits for trial of such violations. This bill would have allowed an individual to file a complaint of trespass against any public servant who the individual feels has wronged them, which must be prosecuted by the county attorney. This would create a heavy burden on the county, no matter if the public servant was a state, county or municipal employee. The committee felt that the bill was unnecessary. Vote 14-6.

Rep. John Burt for the Minority of Criminal Justice and Public Safety. Our natural rights are unalienable and those privileges are protected from trespass by government as a whole, this would include public servants. This legislation addresses a lack of adherence to existing and established protections. It allows for a process codified in the modern statutory structure. The legislation also provides that a county attorney must process affidavits to investigate complaints of nonfeasance by public officials. Additionally it adds a penalty to non-adherence. A public servant agrees to uphold these basic principles and refusing or remaining silent is deemed a breach of oath.

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

On a division vote, with 272 members having voted in the affirmative, and 64 in the negative, the majority committee report was adopted.

HB 1300, relative to probable cause supported by a sealed affidavit. **INEXPEDIENT TO LEGISLATE.**

Rep. Dennis Green for Criminal Justice and Public Safety. This bill would have allowed a defendant arrested under sealed affidavit a copy of the affidavit and would have allowed the court to prohibit the defendant from dissemination of the affidavit. The majority of the committee believes that current law regarding probable cause is sufficient. Under existing law, a hearing can be requested and must be held if requested and the state must bear the burden of proving probable cause to believe that a felony has been committed and that the person charged has committed it. Vote 15-5.

Rep. Horn spoke against.

Rep. Green spoke in favor.

On a division vote, with 257 members having voted in the affirmative, and 79 in the negative, the committee report was adopted.

HB 1413-FN, relative to false reports of protective order violations. **INEXPEDIENT TO LEGISLATE.**

Rep. Shannon Chandley for Criminal Justice and Public Safety. This bill sought to add to RSA 173-B:9, III a class A misdemeanor for a person who knowingly falsely reports a violation of a protective order. The majority

of the Committee on Criminal Justice and Public Safety believes that including this language here would not only be redundant, as falsely reporting a crime is already covered RSA 641:4, but may violate the principle of equal protection. Vote 14-7.

Committee report adopted.

MOTION TO SPECIAL ORDER

Rep. Russell Ober moved that **HCR 11**, urging a pardon of Gerald "Jerry" DeLemus, be made a Special Order for the next Session in its regular place in the calendar.

Motion adopted.

REGULAR CALENDAR CONT'D

HB 1416-FN, repealing the prohibition on bottle rockets. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. John Burt for the Majority of Criminal Justice and Public Safety. This bill looked at permissible fireworks and questioned why bottle rockets should be excluded. The process for placing items on the permissible fireworks list is pretty exhaustive as to safety provisions if responsibly handled. An accident caused by mishandling years ago seemed to be the reason for singling out this firework. The committee gave the issue careful deliberation and came up with an amendment that would increase the handling of this firework by including a rocket launcher, or proof of one, in all rocket purchases. This device would ensure that a stable holder would keep the rocket aimed in a safe direction and increase the safety of its use. Vote 12-8.

Rep. Laura Pantelakos for the Minority of Criminal Justice and Public Safety. While the minority recognizes the efforts of the dealers to improve safety by providing/requiring newly developed launchers, it is not persuaded that these measures are sufficient to justify repeal of the prohibition on the sale of bottle rockets in New Hampshire. The sale and use of bottle rockets has been opposed by the N.H. Fire Marshal and the N.H. Department of Safety as well as some medical professionals because of the hazards they present. The minority recommends that this bill be found inexpedient to legislate.

Majority Amendment (0347h)

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

1 Repeal. RSA 160-B:16-c, relative to the prohibition on the retail sale of bottle rockets, is repealed.

2 Reference Change; Definition of Permissible Fireworks. Amend RSA 160-C:1, V to read as follows:

V. "Permissible fireworks" means consumer fireworks, except for those items that are prohibited pursuant to RSA 160-B:16 ~~[and 160-B:16-c]~~.

3 New Section; Permissible Fireworks; Retail Sale of Bottle Rockets and Rocket Launchers. Amend RSA 160-C by inserting after section 12 the following new section:

160-C:12-a Retail Sale of Bottle Rockets and Rocket Launchers.

I. No person shall purchase a bottle rocket unless the person also purchases a rocket launcher or enables the seller to verify that he or she has a rocket launcher appropriate for use with the bottle rocket being purchased.

II. In this section, "bottle rocket" means a bottle rocket as defined by the American Pyrotechnics Association in APA Standard 87-1 (2001) 3.1.2.1, as amended.

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

AMENDED ANALYSIS

This bill removes the prohibition on the sale of bottle rockets. The purchase of bottle rockets is permitted, provided that the purchaser also buys or owns a rocket launcher.

Rep. Hoell requested a roll call; sufficiently seconded.

YEAS 224 - NAYS 113

YEAS - 224

BELKNAP

Abear, Marc
Huot, David

Aldrich, Glen
Lang, Timothy

Tilton, Franklin
Spanos, Peter

Fields, Dennis
Varney, Peter

CARROLL

Cordelli, Glenn
Schmidt, Stephen

Crawford, Karel
Umberger, Karen

Knirk, Jerry
Marsh, William

Nelson, Bill

CHESHIRE

Abbott, Michael
Harvey, Cathryn
Meador, David
Weber, Lucy

Ames, Richard
Ley, Douglas
Parkhurst, Henry

Berch, Paul
Eaton, Daniel
Sterling, Franklin

Bordenet, John
Faulkner, Barry
Pearson, William

COOS

Fothergill, John
Richardson, Herbert

Laflamme, Larry
Theberge, Robert

Merner, Troy
Tucker, Edith

Moynihan, Wayne
Thomas, Yvonne

GRAFTON

Almy, Susan
Hennessey, Erin
Mulligan, Mary Jane
Sykes, George

Campion, Polly
Josephson, Timothy
Nordgren, Sharon
White, Andrew

Dontonville, Roger
Ladd, Rick
Schwaegler, Vicki

Ham, Bonnie
Massimilla, Linda
Smith, Suzanne

HILLSBOROUGH

Ayala, Jessica
Biggie, Barbara
Chandlee, Shannon
Sullivan, Daniel
Freeman, Lisa
Goley, Jeffrey
Heath, Mary
Graham, John
Keane, Amelia
L'Heureux, Robert
Leishman, Peter
Mangipudi, Latha
Negron, Steve
Pierce, David
Rouillard, Claire
Smith, Timothy
Van Houten, Connie

Griffin, Barbara
Bouldin, Amanda
Cleaver, Skip
Donovan, Daniel
Freitas, Mary
Gould, Linda
Herbert, Christopher
Schmidt, Janice
King, Mark
Ober, Lynne
Lisle, David
Manley, Jonathan
O'Leary, Richard
Porter, Marjorie
Harvey, Suzanne
Wolf, Terry
Vann, Ivy

Backus, Robert
Byron, Frank
Connors, Erika
Edwards, Elizabeth
Gagne, Larry
Halstead, Carolyn
Hinch, Richard
Jack, Martin
Klee, Patricia
Lascelles, Richard
MacKay, Mariellen
Martin, Joelle
Panasiti, Reed
Ober, Russell
Scully, Kevin
Twombly, Timothy
Williams, Kermit

Beaulieu, Jane
Carr, John
Cornell, Patricia
Fedolfi, Jim
Gargas, Carolyn
Hansen, Peter
Belanger, James
Rice, Kimberly
Kurk, Neal
LeBrun, Donald
McCarthy, Michael
Martineau, Jesse
Pellegrino, Anthony
Rosenwald, Cindy
Seidel, Carl
Sullivan, Victoria

MERRIMACK

Turcotte, Alan
Wolf, Dan
Klose, John
Myler, Mel
Soucy, Timothy
Woolpert, David

Brewster, Michael
Ebel, Karen
Kotowski, Frank
Rogers, Katherine
Wallner, Mary Jane

Carson, Clyde
Henle, Paul
Leavitt, John
Schuett, Dianne
Walz, Mary Beth

Long, Douglas
Kenison, Linda
Luneau, David
Shurtleff, Stephen
Wells, Natalie

ROCKINGHAM

Abrami, Patrick
Bates, David
Cahill, Michael
DiLorenzo, Charlotte
Fesh, Robert
Gilman, Julie
Hoelzel, Kathleen
Katsakiores, Phyllis
Griffin, Mary
Matthews, Carolyn
Nigrello, Robert
Sapareto, Frank
Torosian, Peter
Weyler, Kenneth

Allen, Mary
Bean, Philip
Cali-Pitts, Jacqueline
Dowling, Patricia
Francese, Paula
Green, Dennis
Janigian, John
Khan, Aboul
Pearson, Mark
McKinney, Betsy
Packard, Sherman
Somssich, Peter
Vose, Michael
Willis, Brenda

Altschiller, Debra
Berrien, Skip
Cushing, Robert Renny
Edgar, Michael
Friel, William
Guthrie, Joseph
Janvrin, Jason
Kolodziej, Walter
Major, Norman
McMahon, Charles
Read, Ellen
Sytek, John
Webb, James

Barnes, Arthur
Bove, Martin
DeSimone, Debra
Elliott, Robert
Gay, Betty
Hagan, Joseph
O'Connor, John
Lerner, Kari
Malloy, Dennis
Milz, David
Rimol, Bob
Le, Tamara
Welch, David

STRAFFORD

Beaudoin, Steven
Ellis, Donna
Grassie, Chuck
Krans, Hamilton
Opderbecke, Linn
Scruton, Matthew

Berube, Roger
Fontneau, Timothy
Horgan, James
Smith, Marjorie
Schmidt, Peter
Southworth, Thomas

Cilley, Jacalyn
Frost, Sherry
Horrigan, Timothy
McNally, Jody
Graham, Robert
Spang, Judith

Conley, Casey
Gourgue, Amanda
Keans, Sandra
Mullen, John
Salloway, Jeffrey
Wall, Janet

SULLIVAN

Gagnon, Raymond
Oxenham, Lee

Gottling, Suzanne
Rollins, Skip

Grenier, James
Smith, Steven

Irwin, Virginia
Tanner, Linda

**NAYS - 113
BELKNAP**

Comtois, Barbara
Sylvia, Michael

Howard, Raymond
Vadney, Herbert

Plumer, John

St. Clair, Charlie

CARROLL

Avellani, Lino
McConkey, Mark

Buco, Thomas

Comeau, Ed

DesMarais, Edith

CHESHIRE

Burridge, Delmar
McConnell, James
Tatro, Bruce

Fenton, Donovan
O'Day, John

Hunt, John
Shepardson, Marjorie

Mann, John
Stallcop, Joseph

COOS

Hatch, William

GRAFTON

Bailey, Brad
Migliore, Vincent Paul

Bennett, Travis
Rand, Steven

Darrow, Stephen
Johnson, Tiffany

Maes, Kevin

HILLSBOROUGH

Ammon, Keith
Moore, Craig
DiSilvestro, Linda
Hellwig, Steve
Judy, Jean
Notter, Jeanine
Proulx, Mark
Sanborn, Laurie

Baroody, Benjamin
Christie, Rick
Elber, Joel
Hopper, Gary
Lewicke, John
Nutting, Allison
Prout, Andrew
Souza, Kathleen

Barry, Richard
Danielson, David
Ferreira, Elizabeth
Hynes, Dan
MacKenzie, Mark
Ohm, Bill
Renzullo, Andrew
Ulery, Jordan

Burt, John
Dickey, Glen
Griffin, Gerald
Moore, Josh
McLean, Mark
Long, Patrick
Roberts, Carol
Valera, John

MERRIMACK

Alicea, Caroletta
Doherty, David
MacKay, James
Patten, Dick
Walsh, Thomas

Kuch, Bill
Gile, Mary
Moffett, Michael
Pearl, Howard
Testerman, Dave

Bartlett, Christy
Hoell, J.R.
Marple, Richard
Schultz, Kristina

Copp, Anne
Horn, Werner
McGuire, Carol
Seaworth, Brian

ROCKINGHAM

Cook, Allen
Farnham, Betsey
Lundgren, David
Osborne, Jason
Tripp, Richard
Ward, Gerald

Costable, Michael
Marsh, Henry
Messmer, Mindi
Gordon, Pamela
True, Chris
Woitkun, Steven

Thomas, Douglas
Itse, Daniel
Morrison, Sean
Gordon, Richard
Verville, Kevin

Emerick, J. Tracy
Edwards, Jess
Nasser, Jim
Spillane, James
Wallace, Scott

STRAFFORD

Bixby, Peter
Turcotte, Leonard
Spencer, Matthew

Burton, Wayne
Phinney, Brandon
Treleaven, Susan

Harrington, Michael
Pitre, Joseph
Wuelper, Kurt

Kaczynski, Thomas
Sandler, Catt

SULLIVAN

Cloutier, John

Laware, Thomas

and the majority committee amendment was adopted.

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

YEAS 197 - NAYS 140**YEAS - 197****BELKNAP**

Abear, Marc
Fields, Dennis
Spanos, Peter
Varney, Peter

Aldrich, Glen
Howard, Raymond
St. Clair, Charlie

Comtois, Barbara
Lang, Timothy
Sylvia, Michael

Tilton, Franklin
Plumer, John
Vadney, Herbert

CARROLL

Avellani, Lino
McConkey, Mark
Marsh, William

Comeau, Ed
Nelson, Bill

Cordelli, Glenn
Schmidt, Stephen

Crawford, Karel
Umberger, Karen

CHESHIRE

Harvey, Cathryn
O'Day, John

Eaton, Daniel
Parkhurst, Henry

Hunt, John
Stallcop, Joseph

McConnell, James
Sterling, Franklin

COOS

Fothergill, John
Theberge, Robert

Laflamme, Larry

Merner, Troy

Richardson, Herbert

GRAFTON

Bailey, Brad
Josephson, Timothy
Johnson, Tiffany

Darrow, Stephen
Ladd, Rick

Ham, Bonnie
Migliore, Vincent Paul

Hennessey, Erin
Schwaegler, Vicki

HILLSBOROUGH

Ammon, Keith
Burt, John
Christie, Rick
Edwards, Elizabeth
Griffin, Gerald
Halstead, Carolyn
Hynes, Dan
Rice, Kimberly
Lascelles, Richard
Martin, Joelle
Notter, Jeanine
Pellegrino, Anthony
Ober, Russell
Scully, Kevin
Wolf, Terry
Williams, Kermit

Griffin, Barbara
Byron, Frank
Danielson, David
Fedolfi, Jim
Gagne, Larry
Hellwig, Steve
Belanger, James
Kurk, Neal
LeBrun, Donald
Martineau, Jesse
O'Leary, Richard
Pierce, David
Renzullo, Andrew
Seidel, Carl
Twombly, Timothy

Barry, Richard
Moore, Craig
Dickey, Glen
Ferreira, Elizabeth
Gargas, Carolyn
Hinch, Richard
Graham, John
L'Heureux, Robert
Lewicke, John
McLean, Mark
Ohm, Bill
Proulx, Mark
Rouillard, Claire
Souza, Kathleen
Ulery, Jordan

Biggie, Barbara
Carr, John
Donovan, Daniel
Freeman, Lisa
Gould, Linda
Hopper, Gary
Moore, Josh
Ober, Lynne
MacKay, Mariellen
Negron, Steve
Panasiti, Reed
Prout, Andrew
Sanborn, Laurie
Smith, Timothy
Sullivan, Victoria

MERRIMACK

Kuch, Bill
Long, Douglas
Klose, John
McGuire, Carol
Testerman, Dave

Brewster, Michael
Wolf, Dan
Kotowski, Frank
Pearl, Howard
Wells, Natalie

Carson, Clyde
Hoell, J.R.
Moffett, Michael
Seaworth, Brian

Copp, Anne
Horn, Werner
Marple, Richard
Walsh, Thomas

ROCKINGHAM

Cook, Allen
Bates, David
DeSimone, Debra
Emerick, J. Tracy
Green, Dennis
Hoelzel, Kathleen
Janvrin, Jason
Kolodziej, Walter
Matthews, Carolyn
Morrison, Sean
Packard, Sherman
Sytek, John
Verville, Kevin
Welch, David

Abrami, Patrick
Bove, Martin
Dowling, Patricia
Fesh, Robert
Guthrie, Joseph
Itse, Daniel
O'Connor, John
Lerner, Kari
McKinney, Betsy
Nasser, Jim
Rimol, Bob
Tosorian, Peter
Vose, Michael
Weyler, Kenneth

Allen, Mary
Costable, Michael
Edgar, Michael
Friel, William
Marsh, Henry
Edwards, Jess
Katsakiores, Phyllis
Griffin, Mary
McMahon, Charles
Nigrello, Robert
Sapareto, Frank
Tripp, Richard
Wallace, Scott

Barnes, Arthur
Thomas, Douglas
Elliott, Robert
Gay, Betty
Hagan, Joseph
Janigian, John
Khan, Aboul
Major, Norman
Milz, David
Osborne, Jason
Spillane, James
True, Chris
Webb, James

STRAFFORD

Beaudoin, Steven
Kaczynski, Thomas
Mullen, John
Salloway, Jeffrey

Ellis, Donna
Keans, Sandra
Phinney, Brandon
Scruton, Matthew

Harrington, Michael
Turcotte, Leonard
Pitre, Joseph
Spencer, Matthew

Horgan, James
McNally, Jody
Graham, Robert
Wuelper, Kurt

SULLIVAN

Grenier, James

Laware, Thomas

Rollins, Skip

Smith, Steven

**NAYS - 140
BELKNAP**

Huot, David

CARROLL

Buco, Thomas

DesMarais, Edith

Knirk, Jerry

CHESHIRE

Abbott, Michael
Burridge, Delmar
Mann, John
Pearson, William

Ames, Richard
Ley, Douglas
Meader, David
Weber, Lucy

Berch, Paul
Faulkner, Barry
Shepardson, Marjorie

Bordenet, John
Fenton, Donovan
Tatro, Bruce

COOS

Hatch, William

Moynihan, Wayne

Tucker, Edith

Thomas, Yvonne

GRAFTONAlmy, Susan
Maes, Kevin
Rand, StevenBennett, Travis
Massimilla, Linda
Smith, SuzanneCampion, Polly
Mulligan, Mary Jane
Sykes, GeorgeDontonville, Roger
Nordgren, Sharon
White, Andrew**HILLSBOROUGH**Ayala, Jessica
Bouldin, Amanda
Cornell, Patricia
Freitas, Mary
Herbert, Christopher
Keane, Amelia
Lisle, David
Manley, Jonathan
Roberts, Carol
Van Houten, ConnieBackus, Robert
Chandley, Shannon
Sullivan, Daniel
Goley, Jeffrey
Schmidt, Janice
King, Mark
McCarthy, Michael
Nutting, Allison
Rosenwald, Cindy
Vann, IvyBaroody, Benjamin
Cleaver, Skip
DiSilvestro, Linda
Hansen, Peter
Jack, Martin
Klee, Patricia
MacKenzie, Mark
Long, Patrick
Harvey, SuzanneBeaulieu, Jane
Connors, Erika
Elber, Joel
Heath, Mary
Judy, Jean
Leishman, Peter
Mangipudi, Latha
Porter, Marjorie
Valera, John**MERRIMACK**Turcotte, Alan
Ebel, Karen
Kenison, Linda
Patten, Dick
Shurtleff, Stephen
Woolpert, DavidAlicia, Caroletta
Gile, Mary
Leavitt, John
Rogers, Katherine
Soucy, TimothyBartlett, Christy
Henle, Paul
Luneau, David
Schuett, Dianne
Wallner, Mary JaneDoherty, David
MacKay, James
Myler, Mel
Schultz, Kristina
Walz, Mary Beth**ROCKINGHAM**Altschiller, Debra
Cali-Pitts, Jacqueline
Francese, Paula
Malloy, Dennis
Read, Ellen
Willis, BrendaBean, Philip
Cushing, Robert Renny
Gilman, Julie
Messmer, Mindi
Somssich, Peter
Woitkun, StevenBerrien, Skip
DiLorenzo, Charlotte
Lundgren, David
Gordon, Pamela
Le, TamaraCahill, Michael
Farnham, Betsey
Pearson, Mark
Gordon, Richard
Ward, Gerald**STRAFFORD**Berube, Roger
Conley, Casey
Grassie, Chuck
Opderbecke, Linn
Spang, JudithBixby, Peter
Fontneau, Timothy
Horrigan, Timothy
Schmidt, Peter
Treleaven, SusanBurton, Wayne
Frost, Sherry
Krans, Hamilton
Sandler, Catt
Wall, JanetCilley, Jacalyn
Gourgue, Amanda
Smith, Marjorie
Southworth, Thomas**SULLIVAN**Cloutier, John
Oxenham, LeeGagnon, Raymond
Tanner, Linda

Gottling, Suzanne

Irwin, Virginia

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

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

HB 1420-FN, relative to a criminal penalty for driving after certification as an habitual offender. **OUGHT TO PASS.**

Rep. Robert Renny Cushing for Criminal Justice and Public Safety. This is a housekeeping bill that restores language relative to habitual offenders that was inadvertently repealed by HB 605 in 2016. The language in this bill permits habitual offenders under motor vehicle laws to be charged either as a felony or misdemeanor. The committee supports giving flexibility in sentencing. Vote 18-2.

Committee report adopted and ordered to third reading.

HB 1425-FN, relative to simple assault. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Laura Pantelakos for the Majority of Criminal Justice and Public Safety. The majority of the committee feels that the simple assault statute, RSA 631:2-a, needs to be changed to a violation instead of a misdemeanor. This change does not affect the domestic violence statute. The bill simply states that absent any harm or injury, the charge will be a violation. If the simple assault results in any harm or injury which causes physical or emotional pain, the charge remains a misdemeanor. Vote 17-3.

Rep. Shannon Chandley for the Minority of Criminal Justice and Public Safety. The committee has heard a version of this bill at least five times since 1997. In each case, the majority of the committee recommended it be found ITL. The minority of the committee, while recognizing the intention of the majority to present a tighter definition of simple assault, maintains that to do so could jeopardize the prosecution of some offenders.

For example, under current law, a person who rubs, tickles or otherwise “grooms” a child for sexual pleasure may be charged with misdemeanor simple assault under RSA 631:2. By removing the language regarding unprivileged contact, no such charge could be brought.

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

Rep. Sapareto spoke in favor and yielded to questions.

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

YEAS 201 - NAYS 138

YEAS - 201

BELKNAP

Abear, Marc
Fields, Dennis
Spanos, Peter

Aldrich, Glen
Howard, Raymond
Sylvia, Michael

Comtois, Barbara
Lang, Timothy
Vadney, Herbert

Tilton, Franklin
Plumer, John
Varney, Peter

CARROLL

Avellani, Lino
Knirk, Jerry
Umberger, Karen

Comeau, Ed
McConkey, Mark
Marsh, William

Cordelli, Glenn
Nelson, Bill

Crawford, Karel
Schmidt, Stephen

CHESHIRE

Fenton, Donovan
O'Day, John

Hunt, John
Stallcop, Joseph

Mann, John
Sterling, Franklin

McConnell, James
Tatro, Bruce

COOS

Fothergill, John

Merner, Troy

Richardson, Herbert

Theberge, Robert

GRAFTON

Almy, Susan
Darrow, Stephen
Massimilla, Linda
Johnson, Tiffany

Bailey, Brad
Dontonville, Roger
Migliore, Vincent Paul

Bennett, Travis
Ham, Bonnie
Rand, Steven

Brown, Duane
Hennessey, Erin
Schwaegler, Vicki

HILLSBOROUGH

Ammon, Keith
Byron, Frank
Sullivan, Daniel
Edwards, Elizabeth
Griffin, Gerald
Halstead, Carolyn
Hopper, Gary
Moore, Josh
L'Heureux, Robert
Lewicke, John
Negron, Steve
Pellegrino, Anthony
Ober, Russell
Scully, Kevin
Twombly, Timothy

Griffin, Barbara
Moore, Craig
Danielson, David
Fedolfi, Jim
Gagne, Larry
Hansen, Peter
Hynes, Dan
Jack, Martin
Ober, Lynne
MacKay, Mariellen
Notter, Jeanine
Pierce, David
Renzullo, Andrew
Seidel, Carl
Ulery, Jordan

Biggie, Barbara
Carr, John
Dickey, Glen
Ferreira, Elizabeth
Gargas, Carolyn
Hellwig, Steve
Belanger, James
Rice, Kimberly
Lascelles, Richard
MacKenzie, Mark
Ohm, Bill
Proulx, Mark
Rouillard, Claire
Souza, Kathleen
Sullivan, Victoria

Burt, John
Christie, Rick
Donovan, Daniel
Freeman, Lisa
Gould, Linda
Hinch, Richard
Graham, John
Kurk, Neal
LeBrun, Donald
McLean, Mark
Panasiti, Reed
Prout, Andrew
Sanborn, Laurie
Wolf, Terry
Valera, John

MERRIMACK

Turcotte, Alan
Long, Douglas
Horn, Werner
Leavitt, John
Patten, Dick
Testerman, Dave

Kuch, Bill
Wolf, Dan
MacKay, James
Moffett, Michael
Pearl, Howard
Wells, Natalie

Brewster, Michael
Hill, Gregory
Klose, John
Marple, Richard
Seaworth, Brian

Copp, Anne
Hoell, J.R.
Kotowski, Frank
McGuire, Carol
Walsh, Thomas

ROCKINGHAM

Cook, Allen
Bove, Martin
DeSimone, Debra
Fesh, Robert
Guthrie, Joseph
Itse, Daniel
Kolodziej, Walter
Major, Norman
Morrison, Sean
Packard, Sherman
Somssich, Peter
Tripp, Richard
Webb, James

Abrami, Patrick
Cahill, Michael
Dowling, Patricia
Friel, William
Marsh, Henry
Janigian, John
Lundgren, David
Matthews, Carolyn
Nasser, Jim
Gordon, Richard
Spillane, James
True, Chris
Welch, David

Allen, Mary
Costable, Michael
Elliott, Robert
Gay, Betty
Hagan, Joseph
O'Connor, John
Griffin, Mary
McKinney, Betsy
Nigrello, Robert
Rimol, Bob
Sytek, John
Vose, Michael
Weyler, Kenneth

Barnes, Arthur
Thomas, Douglas
Emerick, J. Tracy
Green, Dennis
Hoelzel, Kathleen
Katsakiores, Phyllis
Pearson, Mark
McMahon, Charles
Osborne, Jason
Sapareto, Frank
Torosian, Peter
Wallace, Scott
Woitkun, Steven

STRAFFORD

Beaudoin, Steven
Turcotte, Leonard
Schmidt, Peter
Salloway, Jeffrey

Harrington, Michael
McNally, Jody
Phinney, Brandon
Spencer, Matthew

Horgan, James
Mullen, John
Pitre, Joseph
Wuelper, Kurt

Kaczynski, Thomas
Opderbecke, Linn
Graham, Robert

SULLIVAN

Grenier, James
Smith, Steven

Irwin, Virginia

Laware, Thomas

Rollins, Skip

**NAYS - 138
BELKNAP**

Huot, David

St. Clair, Charlie

CARROLL

Buco, Thomas

Butler, Edward

DesMarais, Edith

CHESHIRE

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

Ames, Richard
Harvey, Cathryn
Meader, David
Weber, Lucy

Berch, Paul
Ley, Douglas
Parkhurst, Henry

Bordenet, John
Eaton, Daniel
Shepardson, Marjorie

COOS

Hatch, William
Thomas, Yvonne

Laflamme, Larry

Moynihan, Wayne

Tucker, Edith

GRAFTON

Campion, Polly
Nordgren, Sharon

Josephson, Timothy
Smith, Suzanne

Maes, Kevin
Sykes, George

Mulligan, Mary Jane
White, Andrew

HILLSBOROUGH

Ayala, Jessica
Bouldin, Amanda
Cornell, Patricia
Goley, Jeffrey
Jeudy, Jean
Leishman, Peter
Manley, Jonathan
O'Leary, Richard
Rosenwald, Cindy
Vann, Ivy

Backus, Robert
Chandley, Shannon
DiSilvestro, Linda
Heath, Mary
Keane, Amelia
Lisle, David
Martin, Joelle
Long, Patrick
Harvey, Suzanne
Williams, Kermit

Baroody, Benjamin
Cleaver, Skip
Elber, Joel
Herbert, Christopher
King, Mark
McCarthy, Michael
Martineau, Jesse
Porter, Marjorie
Smith, Timothy

Beaulieu, Jane
Connors, Erika
Freitas, Mary
Schmidt, Janice
Klee, Patricia
Mangipudi, Latha
Nutting, Allison
Roberts, Carol
Van Houten, Connie

MERRIMACK

Alicea, Caroletta
Ebel, Karen
Luneau, David
Schultz, Kristina
Walz, Mary Beth

Bartlett, Christy
Gile, Mary
Myler, Mel
Shurtleff, Stephen
Woolpert, David

Carson, Clyde
Henle, Paul
Rogers, Katherine
Soucy, Timothy

Doherty, David
Kenison, Linda
Schuett, Dianne
Wallner, Mary Jane

ROCKINGHAM

Altschiller, Debra
Cali-Pitts, Jacqueline
Farnham, Betsey
Janvrin, Jason
Messmer, Mindi
Le, Tamara

Bates, David
Cushing, Robert Renny
Francese, Paula
Khan, Aboul
Milz, David
Verville, Kevin

Bean, Philip
DiLorenzo, Charlotte
Gilman, Julie
Lerner, Kari
Gordon, Pamela
Ward, Gerald

Berrien, Skip
Edgar, Michael
Edwards, Jess
Malloy, Dennis
Read, Ellen
Willis, Brenda

STRAFFORD

Berube, Roger
Conley, Casey
Gourgue, Amanda
Krans, Hamilton
Southworth, Thomas
Wall, Janet

Bixby, Peter
Ellis, Donna
Grassie, Chuck
Smith, Marjorie
Spang, Judith

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

Cilley, Jacalyn
Frost, Sherry
Keans, Sandra
Scruton, Matthew
Vincent, Kenneth

SULLIVAN

Cloutier, John
Tanner, Linda

Gagnon, Raymond

Gottling, Suzanne

Oxenham, Lee

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

HB 1467, relative to the penalty for driving after revocation or suspension. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John Burt for Criminal Justice and Public Safety. The majority of the committee knows that this bill as amended will allow the judge to make the decision to sentence the guilty to 7 consecutive days or serve their 7 days on weekends for driving while driver's license is suspended or revoked under RSA 265:82 or RSA 265:82-a. This will help the person to stay employed in many cases. Vote 12-7.

Amendment (0479h)

Amend the bill by replacing section 1 with the following:

1 Driving After Revocation or Suspension; Penalty. Amend RSA 263:64, IV to read as follows:

IV. Any person who violates this section by driving or attempting to drive a motor vehicle or by operating or attempting to operate an OHRV or snowmobile in this state during the period of suspension or revocation of his or her license or driving privilege for a violation of RSA 265:79 or an equivalent offense in another jurisdiction shall be guilty of a misdemeanor. Any person who violates this section by driving or attempting to drive a motor vehicle or by operating or attempting to operate an OHRV or snowmobile in this state during the period of suspension or revocation of his or her license or driving privilege for a violation of RSA 265-A:2, I, RSA 265-A:3, RSA 630:3, II, RSA 265:82, or RSA 265:82-a or an equivalent offense in another jurisdiction shall be guilty of a misdemeanor and shall be sentenced to imprisonment for a period not less than 7 ~~[consecutive 24-hour periods]~~ **days** to be served within 6 months of the conviction, shall be fined not more than \$1,000, and shall have his or her license or privilege revoked for an additional year. No portion of the minimum mandatory sentence of imprisonment shall be suspended by the court. No case brought to enforce this paragraph shall be continued for sentencing for longer than 35 days. No person serving the minimum mandatory sentence under this paragraph shall be discharged pursuant to authority granted under RSA 651:18, released pursuant to authority granted under RSA 651:19, or in any manner, except as provided in RSA 623:1, prevented from serving the full amount of such minimum mandatory sentence under any authority granted by title LXII or any other provision of law.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

HB 1477-FN, relative to annulment of arrests or convictions for possession of 3/4 of an ounce of marijuana, or less. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Robert Renny Cushing for Criminal Justice and Public Safety. This bill provides a mechanism for individuals who have criminal records for arrests or convictions for possession of 3/4 of an ounce or less of marijuana that took place before September 16, 2017 (the day the law decriminalizing possession of marijuana went into effect) to have those convictions and arrests annulled. Among reasons the legislature voted last year to remove the criminal penalty for possession of a small amount of marijuana and make possession a civil penalty was the long term negative impact a criminal record has upon individuals and their families, including loss of housing, loss of employment, denial of student loans and other barriers to social wellbeing. Fairness requires that we provide the opportunity to remove the shackles of a criminal record for an activity that no longer is criminal. No one spoke in opposition to the bill. Vote 15-4.

Amendment (0239h)

Amend the bill by replacing section 1 with the following:

1 New Section; Annulment of Arrests and Convictions for Marijuana Possession. Amend RSA 651 by inserting after section 5-a the following new section:

651:5-b Annulment of Arrests and Convictions for Marijuana Possession.

I. Any person who was arrested or convicted for knowingly or purposely obtaining, purchasing, transporting, or possessing, actually or constructively, or having under his or her control, 3/4 of an ounce of marijuana or less where the offense occurred before September 16, 2017 may, at any time, petition the court in which the person was convicted or arrested to annul the arrest record, court record, or both. The petition shall state that the amount of marijuana was 3/4 of an ounce or less. The petitioner shall furnish a copy of the petition to the office of the prosecutor of the underlying offense. The prosecutor may object within 10 days of receiving a copy of the petition and request a hearing. If the prosecutor does not object within 10 days, the court shall grant the petition for annulment. If the prosecutor timely objects, the court shall hold a hearing. In a hearing on the petition for annulment, the prosecutor shall be required to prove beyond a reasonable doubt that the petitioner knowingly or purposely obtained, purchased, transported, or possessed, actually or constructively, or had under his or her control, marijuana in an amount exceeding 3/4 of an ounce. At the close of the hearing, the court shall grant the petition unless the prosecutor has proven that the amount of marijuana exceeded 3/4 of an ounce. If the petition is granted, and an order of annulment is entered, the provisions of RSA 651:5, X-XI shall apply to the petitioner.

II. The department of safety shall charge the successful petitioner a fee of \$100 for researching and correcting the criminal history record accordingly, unless the petitioner demonstrates that he or she is in-

digent, or has been found not guilty, or the case has been dismissed or not prosecuted in accordance with RSA 651:5, II. The court shall provide a copy of the petition to the prosecutor of the underlying offense and permit the prosecutor to be heard regarding the interest of justice in regard to the petition.
Committee amendment adopted.

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

YEAS 314 - NAYS 24

YEAS - 314 BELKNAP

Aldrich, Glen
Howard, Raymond
Spanos, Peter
Varney, Peter

Comtois, Barbara
Huot, David
St. Clair, Charlie

Tilton, Franklin
Lang, Timothy
Sylvia, Michael

Fields, Dennis
Plumer, John
Vadney, Herbert

CARROLL

Avellani, Lino
Crawford, Karel
Nelson, Bill

Butler, Edward
DesMarais, Edith
Schmidt, Stephen

Comeau, Ed
Knirk, Jerry
Umberger, Karen

Cordelli, Glenn
McConkey, Mark
Marsh, William

CHESHIRE

Abbott, Michael
Burridge, Delmar
Faulkner, Barry
McConnell, James
Stallcop, Joseph
Weber, Lucy

Ames, Richard
Harvey, Cathryn
Fenton, Donovan
Meader, David
Sterling, Franklin

Berch, Paul
Ley, Douglas
Hunt, John
O'Day, John
Tatro, Bruce

Bordenet, John
Eaton, Daniel
Mann, John
Shepardson, Marjorie
Pearson, William

COOS

Fothergill, John
Richardson, Herbert

Hatch, William
Theberge, Robert

Laflamme, Larry
Tucker, Edith

Moynihan, Wayne
Thomas, Yvonne

GRAFTON

Almy, Susan
Darrow, Stephen
Josephson, Timothy
Mulligan, Mary Jane
Smith, Suzanne

Bailey, Brad
Dontonville, Roger
Ladd, Rick
Nordgren, Sharon
Sykes, George

Bennett, Travis
Ham, Bonnie
Maes, Kevin
Rand, Steven
Johnson, Tiffany

Campion, Polly
Hennessey, Erin
Massimilla, Linda
Schwaegler, Vicki
White, Andrew

HILLSBOROUGH

Ammon, Keith
Baroody, Benjamin
Burt, John
Christie, Rick
Sullivan, Daniel
Donovan, Daniel
Fedolfi, Jim
Griffin, Gerald
Halstead, Carolyn
Hinch, Richard
Moore, Josh
Rice, Kimberly
Kurk, Neal
Lewicke, John
MacKenzie, Mark
McLean, Mark
Ohm, Bill
Pierce, David
Ober, Russell
Rouillard, Claire
Souza, Kathleen
Sullivan, Victoria
Williams, Kermit

Ayala, Jessica
Beaulieu, Jane
Byron, Frank
Cleaver, Skip
Danielson, David
Dyer, Caleb
Ferreira, Elizabeth
Gagne, Larry
Heath, Mary
Hynes, Dan
Schmidt, Janice
Keane, Amelia
L'Heureux, Robert
Lisle, David
Mangipudi, Latha
Notter, Jeanine
Long, Patrick
Porter, Marjorie
Renzullo, Andrew
Harvey, Suzanne
Smith, Timothy
Valera, John

Griffin, Barbara
Biggie, Barbara
Carr, John
Connors, Erika
Dickey, Glen
Edwards, Elizabeth
Freeman, Lisa
Goley, Jeffrey
Hellwig, Steve
Belanger, James
Jack, Martin
King, Mark
Ober, Lynne
MacKay, Mariellen
Martin, Joelle
Nutting, Allison
Panasiti, Reed
Proulx, Mark
Roberts, Carol
Sanborn, Laurie
Wolf, Terry
Van Houten, Connie

Backus, Robert
Bouldin, Amanda
Chandley, Shannon
Cornell, Patricia
DiSilvestro, Linda
Elber, Joel
Freitas, Mary
Gould, Linda
Herbert, Christopher
Graham, John
Jeudy, Jean
Klee, Patricia
Leishman, Peter
McCarthy, Michael
Martineau, Jesse
O'Leary, Richard
Pellegrino, Anthony
Prout, Andrew
Rosenwald, Cindy
Scully, Kevin
Ulery, Jordan
Vann, Ivy

MERRIMACK

Turcotte, Alan
Brewster, Michael
Doherty, David

Alicea, Caroletta
Carson, Clyde
Ebel, Karen

Kuch, Bill
Long, Douglas
Gile, Mary

Bartlett, Christy
Wolf, Dan
Henle, Paul

Hill, Gregory
Kenison, Linda
Marple, Richard
Pearl, Howard
Seaworth, Brian
Testerman, Dave
Woolpert, David

Hoell, J.R.
Leavitt, John
McGuire, Carol
Rogers, Katherine
Shurtleff, Stephen
Wallner, Mary Jane

Horn, Werner
Luneau, David
Myler, Mel
Schuett, Dianne
Soucy, Timothy
Walz, Mary Beth

MacKay, James
Moffett, Michael
Patten, Dick
Schultz, Kristina
Walsh, Thomas
Wells, Natalie

ROCKINGHAM

Cook, Allen
Barnes, Arthur
Bove, Martin
Cushing, Robert Renny
Dowling, Patricia
Fesh, Robert
Gilman, Julie
Itse, Daniel
O'Connor, John
Lundgren, David
Matthews, Carolyn
Milz, David
Osborne, Jason
Read, Ellen
Spillane, James
Tripp, Richard
Wallace, Scott
Weyler, Kenneth

Abrami, Patrick
Bates, David
Cahill, Michael
Thomas, Douglas
Edgar, Michael
Francese, Paula
Guthrie, Joseph
Edwards, Jess
Katsakiores, Phyllis
Griffin, Mary
McKinney, Betsy
Morrison, Sean
Gordon, Pamela
Rimol, Bob
Sytek, John
True, Chris
Ward, Gerald
Willis, Brenda

Allen, Mary
Bean, Philip
Cali-Pitts, Jacqueline
DeSimone, Debra
Emerick, J. Tracy
Friel, William
Marsh, Henry
Janigian, John
Khan, Aboul
Major, Norman
McMahon, Charles
Nasser, Jim
Packard, Sherman
Sapareto, Frank
Le, Tamara
Verville, Kevin
Webb, James
Woitkun, Steven

Altschiller, Debra
Berrien, Skip
Costable, Michael
DiLorenzo, Charlotte
Farnham, Betsey
Gay, Betty
Hagan, Joseph
Janvrin, Jason
Lerner, Kari
Malloy, Dennis
Messmer, Mindi
Nigrello, Robert
Gordon, Richard
Somssich, Peter
Torosian, Peter
Vose, Michael
Welch, David

STRAFFORD

Beaudoin, Steven
Cilley, Jacalyn
Gourgue, Amanda
Horrigan, Timothy
Turcotte, Leonard
Schmidt, Peter
Salloway, Jeffrey
Spang, Judith
Wall, Janet

Berube, Roger
Conley, Casey
Grassie, Chuck
Kaczynski, Thomas
Smith, Marjorie
Phinney, Brandon
Sandler, Catt
Spencer, Matthew
Wuelper, Kurt

Bixby, Peter
Fontneau, Timothy
Harrington, Michael
Keans, Sandra
Mullen, John
Pitre, Joseph
Scruton, Matthew
Treleaven, Susan

Burton, Wayne
Frost, Sherry
Horgan, James
Krans, Hamilton
Opderbecke, Linn
Graham, Robert
Southworth, Thomas
Vincent, Kenneth

SULLIVAN

Cloutier, John
Laware, Thomas
Tanner, Linda

Gottling, Suzanne
Oxenham, Lee

Grenier, James
Rollins, Skip

Irwin, Virginia
Smith, Steven

NAYS - 24 BELKNAP

Abear, Marc

CARROLL

Buco, Thomas

CHESHIRE

Parkhurst, Henry

COOS

Merner, Troy

GRAFTON

Brown, Duane

Migliore, Vincent Paul

HILLSBOROUGH

Moore, Craig
Manley, Jonathan

Gargas, Carolyn
Negron, Steve

Hansen, Peter
Seidel, Carl

LeBrun, Donald
Twombly, Timothy

MERRIMACK

Copp, Anne

Klose, John

Kotowski, Frank

ROCKINGHAM

Elliott, Robert
Pearson, Mark

Green, Dennis

Hoelzel, Kathleen

Kolodziej, Walter

STRAFFORD

Ellis, Donna

McNally, Jody

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

HB 1542, relative to carrying a pistol or revolver on university system and community college system property. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.** Rep. Beth Rodd for the Majority of Criminal Justice and Public Safety. Students carrying arms on college campuses presents issues of concern to college officials, security personnel, parents and students. In the event of an active shooter incident, it might be unclear who was the shooter and who was the defender. This could have fatal consequences for innocent bystanders. The youngest students on our campuses are adolescents who may be experimenting with alcohol and/or other mind-altering substances that may have an effect on judgment and behavior. Providing youngsters with arms in a college environment is not in the best interest of the college community. Vote 15-5.

Rep. John Burt for the Minority of Criminal Justice and Public Safety. The minority of the committee knows that the University System of New Hampshire and Community College System of New Hampshire are imposing a gun ban that is not authorized by statute. Even though we feel that this bill is not needed, we supported it because we felt that sometimes, unneeded legislation is just what is needed to force officials to back down from illegal policies which are prohibiting law-abiding adults from making their own personal protection choices. Colleges in New Hampshire are not shielded from what happened at Virginia Polytechnic Institute in Blacksburg, VA where 32 young people were murdered or Umpqua Community College in Roseburg, Oregon where 10 young people were murdered. The committee found many N.H. colleges do not have armed security. The right to protection of one's self is guaranteed in the Constitution and should be respected by college administration and the General Court.

MOTION TO SPECIAL ORDER

Rep. Horn moved that **HB 1542**, relative to carrying a pistol or revolver on university system and community college system property, be made a Special Order for the next Session in its regular place in the calendar.

Rep. Horn spoke in favor.

Rep. Burton spoke against.

On a division vote, with 131 members having voted in the affirmative, and 207 in the negative, the motion failed.

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

Rep. Shurtleff requested a roll call; sufficiently seconded.

YEAS 231 - NAYS 110**YEAS - 231****BELKNAP**

Tilton, Franklin
Spanos, Peter

Fields, Dennis
St. Clair, Charlie

Huot, David

Lang, Timothy

CARROLL

Buco, Thomas
Knirk, Jerry
Marsh, William

Butler, Edward
Nelson, Bill

Crawford, Karel
Schmidt, Stephen

DesMarais, Edith
Umberger, Karen

CHESHIRE

Abbott, Michael
Burridge, Delmar
Faulkner, Barry
Parkhurst, Henry
Tatro, Bruce

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

Berch, Paul
Ley, Douglas
Mann, John
Stallcop, Joseph
Weber, Lucy

Bordenet, John
Eaton, Daniel
Meader, David
Sterling, Franklin

COOS

Fothergill, John
Richardson, Herbert

Hatch, William
Theberge, Robert

Laflamme, Larry
Tucker, Edith

Moynihan, Wayne
Thomas, Yvonne

GRAFTON

Almy, Susan
Dontonville, Roger
Ladd, Rick
Nordgren, Sharon
Sykes, George

Bennett, Travis
Ham, Bonnie
Maes, Kevin
Rand, Steven
White, Andrew

Campion, Polly
Hennessey, Erin
Massimilla, Linda
Schwaegler, Vicki

Darrow, Stephen
Josephson, Timothy
Mulligan, Mary Jane
Smith, Suzanne

HILLSBOROUGH

Ayala, Jessica
Beaulieu, Jane

Griffin, Barbara
Bouldin, Amanda

Backus, Robert
Byron, Frank

Baroody, Benjamin
Carr, John

Chandley, Shannon
Sullivan, Daniel
Elber, Joel
Goley, Jeffrey
Graham, John
Keane, Amelia
Ober, Lynne
MacKay, Mariellen
Martin, Joelle
Long, Patrick
Porter, Marjorie
Harvey, Suzanne
Wolf, Terry
Williams, Kermit

Cleaver, Skip
DiSilvestro, Linda
Fedolfi, Jim
Hansen, Peter
Schmidt, Janice
King, Mark
LeBrun, Donald
MacKenzie, Mark
Martineau, Jesse
Panasiti, Reed
Roberts, Carol
Seidel, Carl
Twombly, Timothy

Connors, Erika
Donovan, Daniel
Freitas, Mary
Heath, Mary
Jack, Martin
Klee, Patricia
Leishman, Peter
Mangipudi, Latha
Nutting, Allison
Pellegrino, Anthony
Rosenwald, Cindy
Souza, Kathleen
Van Houten, Connie

Cornell, Patricia
Edwards, Elizabeth
Gargas, Carolyn
Herbert, Christopher
Judy, Jean
Kurk, Neal
Lisle, David
Manley, Jonathan
O'Leary, Richard
Pierce, David
Rouillard, Claire
Smith, Timothy
Vann, Ivy

Turcotte, Alan
Long, Douglas
Gile, Mary
Klose, John
Myler, Mel
Schuett, Dianne
Wallner, Mary Jane

Alicea, Caroletta
Wolf, Dan
Henle, Paul
Kotowski, Frank
Patten, Dick
Schultz, Kristina
Walz, Mary Beth

Bartlett, Christy
Doherty, David
MacKay, James
Leavitt, John
Richards, Beth
Shurtleff, Stephen
Wells, Natalie

Carson, Clyde
Ebel, Karen
Kenison, Linda
Luneau, David
Rogers, Katherine
Soucy, Timothy
Woolpert, David

MERRIMACK

Abrami, Patrick
Bean, Philip
Cali-Pitts, Jacqueline
DiLorenzo, Charlotte
Emerick, J. Tracy
Friel, William
Janigian, John
Pearson, Mark
McKinney, Betsy
Nasser, Jim
Read, Ellen
Le, Tamara
Welch, David

Allen, Mary
Berrien, Skip
Cushing, Robert Renny
Dowling, Patricia
Farnham, Betsey
Gilman, Julie
Katsakiores, Phyllis
Major, Norman
McMahon, Charles
Nigrello, Robert
Rimol, Bob
Tripp, Richard
Weyler, Kenneth

Altschiller, Debra
Bove, Martin
Thomas, Douglas
Edgar, Michael
Fesh, Robert
Guthrie, Joseph
Lerner, Kari
Malloy, Dennis
Messmer, Mindi
Gordon, Pamela
Sapareto, Frank
Ward, Gerald
Willis, Brenda

Barnes, Arthur
Cahill, Michael
DeSimone, Debra
Elliott, Robert
Francese, Paula
Hagan, Joseph
Lundgren, David
Matthews, Carolyn
Milz, David
Packard, Sherman
Somssich, Peter
Webb, James

ROCKINGHAM

Berube, Roger
Conley, Casey
Gourgue, Amanda
Krans, Hamilton
Salloway, Jeffrey
Treleaven, Susan

Bixby, Peter
Ellis, Donna
Grassie, Chuck
Smith, Marjorie
Sandler, Catt
Vincent, Kenneth

Burton, Wayne
Fontneau, Timothy
Horrigan, Timothy
Opderbecke, Linn
Southworth, Thomas
Wall, Janet

Cilley, Jacalyn
Frost, Sherry
Keans, Sandra
Schmidt, Peter
Spang, Judith

STRAFFORD

Cloutier, John
Irwin, Virginia

Gagnon, Raymond
Oxenham, Lee

Gottling, Suzanne
Smith, Steven

Grenier, James
Tanner, Linda

SULLIVAN

NAYS - 110

BELKNAP

Abear, Marc
Plumer, John

Aldrich, Glen
Sylvia, Michael

Comtois, Barbara
Vadney, Herbert

Howard, Raymond
Varney, Peter

CARROLL

Avellani, Lino

Comeau, Ed

Cordelli, Glenn

McConkey, Mark

CHESHIRE

Hunt, John

McConnell, James

O'Day, John

COOS

Merner, Troy

GRAFTON

Bailey, Brad

Brown, Duane

Migliore, Vincent Paul

Johnson, Tiffany

HILLSBOROUGH

Ammon, Keith
Christie, Rick

Biggie, Barbara
Danielson, David

Burt, John
Dickey, Glen

Moore, Craig
Dyer, Caleb

Ferreira, Elizabeth
Gould, Linda
Hopper, Gary
Rice, Kimberly
McCarthy, Michael
Ohm, Bill
Renzullo, Andrew
Sullivan, Victoria

Freeman, Lisa
Halstead, Carolyn
Hynes, Dan
L'Heureux, Robert
McLean, Mark
Proulx, Mark
Sanborn, Laurie
Valera, John

Griffin, Gerald
Hellwig, Steve
Belanger, James
Lascelles, Richard
Negron, Steve
Prout, Andrew
Scully, Kevin

Gagne, Larry
Hinch, Richard
Moore, Josh
Lewicke, John
Notter, Jeanine
Ober, Russell
Ulery, Jordan

MERRIMACK

Kuch, Bill
Hoell, J.R.
Pearl, Howard

Brewster, Michael
Horn, Werner
Seaworth, Brian

Copp, Anne
Moffett, Michael
Walsh, Thomas

Hill, Gregory
Marple, Richard
Testerman, Dave

ROCKINGHAM

Cook, Allen
Green, Dennis
Edwards, Jess
Kolodziej, Walter
Gordon, Richard
True, Chris
Woitkun, Steven

Bates, David
Marsh, Henry
Janvrin, Jason
Griffin, Mary
Spillane, James
Verville, Kevin

Costable, Michael
Hoelzel, Kathleen
O'Connor, John
Morrison, Sean
Sytek, John
Vose, Michael

Gay, Betty
Itse, Daniel
Khan, Aboul
Osborne, Jason
Torosian, Peter
Wallace, Scott

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

Laware, Thomas

Rollins, Skip

and the majority committee report was adopted.

HB 1709-FN, relative to physical force in defense of a person. **MAJORITY: REFER FOR INTERIM STUDY. MINORITY: OUGHT TO PASS.**

Rep. Frank Sapareto for the Majority of Criminal Justice and Public Safety. This bill permits the use of physical force against another person who is aiding or abetting a perpetrator who is committing or about to commit kidnapping or a forcible sex offense. Some members of the committee believed the current competing harms defense covers such action. Interim Study is recommended by the majority to look further into the practical application of this law and whether or not protections exist for good Samaritans who take action to protect someone for being kidnapped or raped. Vote 13-7.

Rep. John Burt for the Minority of Criminal Justice and Public Safety. This bill makes explicit the current law which permits the use of deadly force upon another person when that other person is physically aiding or abetting another person who is committing or about to commit kidnapping or a forcible sex offense. Making the current law explicit will help ensure that New Hampshire does not suffer the fate of those locations in Europe experiencing a sharp rise in kidnappings and sexual assaults.

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

Reps. McConnell and Burt spoke against.

Rep. Sapareto spoke in favor.

Rep. McConnell requested a roll call; not sufficiently seconded.

On a division vote, with 222 members having voted in the affirmative, and 109 in the negative, the majority committee report was adopted.

HB 1217, amending the certification requirements for school nurses. **MAJORITY: OUGHT TO PASS. MINORITY: REFER FOR INTERIM STUDY.**

Rep. Victoria Sullivan for the Majority of Education. This bill simply reverts the requirements for school nurses back to the standards that were required prior to the passing of more restrictive requirements last session. This bill still requires that school nurses be registered and licensed in the State of New Hampshire. The changes implemented last year placed unforeseen financial and other burdens on school districts and would have resulted in a shortage of qualified school nurses. Vote 13-7.

Rep. Linda Tanner for the Minority of Education. While the minority agrees that the current legislation for school nurse certification is too restrictive and offers problems for schools to recruit and hire qualified nurses, we have concerns that nursing in the school environment requires specialized skills and professional development. We recommended an interim study that could look at more effective and workable certification for school nursing.

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

Rep. Tanner spoke against.

Rep. Victoria Sullivan spoke in favor.

On a division vote, with 233 members having voted in the affirmative, and 107 in the negative, the majority committee report was adopted and ordered to third reading.

HB 1474, designating the New Hampshire Red as the official state poultry. **OUGHT TO PASS.**

Rep. Paula Francese for Environment and Agriculture. The students in the fourth grade at Canaan Elementary School did a commendable job of researching the history of the New Hampshire Red. This poultry breed has been prominently raised in New Hampshire since 1935. Naming the New Hampshire Red as the state poultry will boost the reputation of our state. Vote 13-0.

MOTION TO SPECIAL ORDER

Rep. Josephson moved that **HB 1474**, designating the New Hampshire Red as the official state poultry, be made a Special Order for the Session of March 8, 2018 as the first order of business.

Rep. Josephson spoke in favor.

On a division vote, with 264 members having voted in the affirmative, and 72 in the negative, the motion was adopted.

REGULAR CALENDAR CONT'D

HB 1441-FN, establishing the office of the ombudsman in the department of state. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. J.R. Hoell for the Majority of Executive Departments and Administration. This bill creates an independent office under the Secretary of State which ultimately reports to the legislature to investigate allegations that an officer, employee or contractor of the state government or its political subdivisions has committed a crime against a member of the general public. It ensures that such allegations cannot be swept under the carpet. Furthermore, this office can serve the legislature in any investigations it requires. The amendment adds a provision that the nominee be approved unanimously by the House Speaker and Senate President and the minority leaders from both chambers to ensure the candidate is apolitical. Vote 15-4.

Rep. Jacalyn Cilley for the Minority of Executive Departments and Administration. This is not the first time that we have seen this bill. It has been resubmitted several times and over time many of the stakeholders have come together to improve the overall bill. Those in the minority would agree that there are likely occasions when a citizen is aggrieved by the actions of a public employee and when this happens, that citizen may well experience difficulty in finding someone to investigate the situation and champion his or her cause. An ombudsman has the potential to do that. However, the manner in which this office is set up in this bill and the circumstances under which the ombudsman will serve, is the worst possible confluence between those who adhere to limited government ideals and those who believe that government should be adequately resourced. This ombudsman will be a volunteer with no organized structure and unclear authority to investigate citizen complaints. If such an office is needed, if we want this individual to be successful and if we wish for our citizens to have at least one positive experience with their government when they are otherwise frustrated by a set of circumstances, this is not the way to do it. If we are going to set up a champion for our citizens, then let's do it in an appropriate way with adequate resources to actually accomplish what he or she is tasked with accomplishing.

Majority Amendment (0069h)

Amend RSA 5:52, I as inserted by section 1 of the bill by replacing it with the following:

I. There is hereby established in the department of state an independent office of the ombudsman. The secretary of state shall nominate an ombudsman for approval by the house of representatives and the senate convened in joint session. Before a vote of the general court, the nominee shall receive unanimous support from the president of the senate, the speaker of the house of representatives, and the minority leader of each chamber. The ombudsman shall serve a term of 2 years. Any vacancy in the position shall be filled in the same manner as the original appointment for the unexpired term.

Amend RSA 5:52, II as inserted by section 1 of the bill by deleting subparagraph (d).

Majority committee amendment adopted.

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

On a division vote, with 190 members having voted in the affirmative, and 148 in the negative, the majority committee report was adopted and ordered to third reading.

The House recessed at 12:05 p.m.

RECESS

The House reconvened at 1:10 p.m.

(Speaker Chandler in the Chair)
REGULAR CALENDAR CONT'D

HB 1446, relative to childhood cancer awareness month. **OUGHT TO PASS.**

Rep. Kristina Schultz for Executive Departments and Administration. New Hampshire must face the sad reality of the newly identified NH seacoast double pediatric cancer cluster. While NH's governors have previously recognized a pediatric cancer awareness month, which highlighted the environmental public health risks unique to our seacoast, we need to make sure that this recognition continues. For the sake of public health awareness, this bill ought to pass. Vote 13-0.

Committee report adopted and ordered to third reading.

HB 1565-FN, relative to requiring the secure psychiatric unit to be accredited as a psychiatric hospital. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jacalyn Cilley for Executive Departments and Administration. This bill requires the secure psychiatric unit (SPU) be accredited as a psychiatric hospital. The SPU is located inside the state men's prison and houses extreme and violent psychotic cases from the prison system, from county jails, individuals not guilty by reason of insanity, and also civil commitments. Patients from New Hampshire Hospital (NHH) can be sent to the SPU in cases of violence or danger to staff, other patients, or themselves. NHH is an accredited psychiatric hospital, but the SPU currently has no accreditation. The committee heard testimony of problems with care and treatment of civil commitments in the SPU, and believed that accreditation is an appropriate step to address these concerns. The committee amendment deletes the specific accreditation listed in the bill as introduced since there are at least four different ones that might be sought, and we could not decide which would be most appropriate. It also deletes the unrealistic deadline to complete the accreditation, and funds the effort with \$1.00. The bulk of the cost will be incurred in the next biennium and funding can be included in the budget. Vote 20-0.

Amendment (0348h)

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

AN ACT relative to requiring the secure psychiatric unit to be accredited as a psychiatric hospital and making an appropriation therefor.

Amend the bill by inserting after the enacting clause the following and renumbering the original sections 1-4 to read as 2-5, respectively:

1 Statement of Findings.

I. The general court hereby finds that:

(a) A separate forensic psychiatric hospital would be the preferred solution for persons who are violently psychotic.

(b) The placement of the secure psychiatric unit inside the state's men's prison causes problems for civil patients and their families.

(c) Transferring patients to forensic facilities outside of New Hampshire is not a viable option.

II. Therefore the general court hereby seeks to have the secure psychiatric unit accredited as a psychiatric hospital.

Amend RSA 21-H:8, XI-a(b) as inserted by section 2 of the bill by replacing it with the following:

(b) The commissioner shall seek to have the secure psychiatric unit accredited as a psychiatric hospital.

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

5 Appropriation. The sum of \$1 is hereby appropriated to the department of corrections for the fiscal year ending June 30, 2019 for the purpose of seeking the accreditation required under RSA 21-H:8, XI-a(b) as inserted by section 2 of the act. This sum shall be in addition to any other sums appropriated to the department of corrections. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

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

Committee amendment adopted.

Committee report adopted and ordered to third reading.

HB 1638, declaring April 7, 2018 as tabletop gaming day in New Hampshire. **OUGHT TO PASS.**

Rep. Kristina Schultz for Executive Departments and Administration. A Tabletop Gaming Day should be recognized in New Hampshire because it is not only an increasingly popular hobby here but it is also a growing industry in the state. The Granite State has multiple game manufacturers, notable and award-winning game creators, multiple game stores, countless tabletop gaming circles, and will soon have our first tabletop gam-

ing cafe. Tabletop gaming includes common family games like Monopoly & Risk, strategy games, role-playing games, bridge, chess and more. It doesn't include casino or video games or arcade games. This growing hobby should be encouraged and proliferated. Too many people do not yet know of its increasing popularity, and, therefore, this bill ought to pass. Vote 12-2.

Committee report adopted and ordered to third reading.

HB 1676-FN, repealing the licensing requirement for open-air shows and repealing the laws related to the keeping of billiard tables. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.** Rep. J.R. Hoell for the Majority of Executive Departments and Administration. This bill repeals the license requirement for showmen, such as those who perform on sidewalks, and other similar performers, removes the penalty for failing to obtain a municipal license for open-air shows and removes the statute authorizing municipal licenses for billiard tables and bowling alleys. The intent of the bill is to remove these erroneous and unenforceable regulations that have no impact on municipalities or the state. Neither the state or municipalities have an influx of sidewalk or street performers causing disturbances that would require a criminal penalty or a necessity for a license, although local ordinances could be reasonably implemented, if these requirements are absolutely necessary. The New Hampshire Municipal Association states it appears that many municipalities either do not enforce the existing license requirements, charge only a nominal fee, or charge no fee. There should be no effect on municipal expenditures. The Judicial Branch indicates there may be savings to the branch due to fewer cases having to be brought to court involving the engaging in these activities without a municipal license. The current penalties for operating an open-air show without a license are a misdemeanor B for a natural person, a felony for all other persons. The penalty for operating billiard table or bowling alley without a license is a violation. Only 6 cases in the past 10 fiscal years (2008-2017) have been brought pursuant to the relevant statutes. Vote 12-7.

Rep. Peter Schmidt for the Minority of Executive Departments and Administration. The minority believes this bill is both unnecessary and unwise. Repealing the referenced statutes robs the municipalities of the authority to regulate individuals and entities which may appear in their town and wish to perform. The committee heard one legal opinion that a locality could continue to regulate, even after the repeal this bill would effectuate, which begs the question as to why the repeal should be undertaken in the first place.

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

Rep. Phinney spoke in favor and yielded to questions.

Rep. Ammon requested a roll call; not sufficiently seconded.

On a division vote, with 193 members having voted in the affirmative, and 132 in the negative, the majority committee report was adopted and ordered to third reading.

HB 1526, relative to fish and game authority to adopt rules to set fees. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Cathryn Harvey for the Majority of Fish and Game and Marine Resources. The majority of the committee felt that the Executive Director of Fish and Game and the Fish and Game Commission knows best when it comes to the department's budget and operating costs. The current fee setting process has well established procedures, including public hearings. The legislature gave the Executive Director, in consultation with the Commission, the power to set fees in 2015. According to testimony, this type of delegation of power has been upheld by the Supreme Court three times, thereby proving its constitutionality. Vote 13-2.

Rep. Ed Comeau for the Minority of Fish and Game and Marine Resources. The minority feels that it is a conflict of interest for a state agency to set its own fees. Constitutionally, the authority resides with the peoples elected legislature. Administrative rules cannot and should not take precedence over the rule of law.

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

Rep. Hoell spoke against.

Rep. L'Heureux spoke in favor.

Majority committee report adopted.

HB 1367, removing tetanus from the law requiring certain immunizations. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Joseph Guthrie for the Majority of Health, Human Services and Elderly Affairs. Removing tetanus from the list of required immunizations would be ill advised. Our Health's Department goals through immunization policy are to provide public health protection while appropriately balancing individual and parental choice and keeping children enrolled in school while protecting their health. Tetanus is an acute, often fatal disease caused by a bacterial toxin. Vote 17-5.

Rep. Jess Edwards for the Minority of Health, Human Services and Elderly Affairs. The minority supports the inoculation of children with the tetanus shot. From a practical perspective, it comes with a diphtheria and pertussis inoculation (DPT). The issue is that the state's interest is in prevention of communicable diseases by children in the confines of school. Tetanus is not transmitted between children. Including tetanus

on the list of required immunizations represents the state's intrusion into a choice a parent should properly make. While recommending tetanus shots, the decision is the parent's, even if no rational parent would not immunize against tetanus.

MOTION TO SPECIAL ORDER

Rep. William Marsh moved that **HB 1367**, removing tetanus from the law requiring certain immunizations, be made a Special Order for the Session of March 6, 2018 in its regular place in the calendar.

Rep. William Marsh spoke in favor.

Rep. Horn requested a roll call; not sufficiently seconded.

Motion adopted.

REGULAR CALENDAR CONT'D

HB 1659, establishing a committee to study possible health and safety impacts of the alkali-silica reaction on the seacoast. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. William Marsh for the Majority of Health, Human Services and Elderly Affairs. This bill is duplicative of ongoing oversight by the Nuclear Regulatory Commission. Further, within the short time frame proposed the committee is highly unlikely to accomplish anything of significance before the November 2018 expiration. Therefore, this should be found Inexpedient to Legislate. Vote 14-5.

Rep. Mindi Messmer for the Minority of Health, Human Services and Elderly Affairs. The minority of the committee feel that this bill would provide an important function to oversee serious concerns about concrete degradation at Seabrook Nuclear Power Plant. We heard in testimony from Nextera that more than half of the concrete structures have degraded to stage 3, the most serious. The minority of the committee is concerned that the situation represents a serious public health risk to the entire Northeast and specifically to the seacoast where there is a CDC-defined double pediatric cancer cluster and more than two times the expected rate of pediatric brain cancer.

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

Reps. Messmer and Cushing spoke against.

Rep. William Marsh spoke in favor.

Rep. Janvrin requested a roll call; sufficiently seconded.

YEAS 195 - NAYS 143

YEAS - 195

BELKNAP

Abear, Marc
Fields, Dennis
Sylvia, Michael

Aldrich, Glen
Howard, Raymond
Vadney, Herbert

Comtois, Barbara
Lang, Timothy
Varney, Peter

Tilton, Franklin
Spanos, Peter

CARROLL

Avellani, Lino
McConkey, Mark
Marsh, William

Comeau, Ed
Nelson, Bill

Cordelli, Glenn
Schmidt, Stephen

Crawford, Karel
Umberger, Karen

CHESHIRE

Bordenet, John
O'Day, John

Harvey, Cathryn
Sterling, Franklin

Faulkner, Barry

Hunt, John

COOS

Fothergill, John

Merner, Troy

Richardson, Herbert

Theberge, Robert

GRAFTON

Bailey, Brad
Ladd, Rick

Brown, Duane
Migliore, Vincent Paul

Darrow, Stephen
Johnson, Tiffany

Hennessey, Erin

HILLSBOROUGH

Griffin, Barbara
Byron, Frank
Connors, Erika
Dyer, Caleb
Freeman, Lisa
Goley, Jeffrey
Hellwig, Steve
Belanger, James
Rice, Kimberly
Lascelles, Richard
McCarthy, Michael

Barry, Richard
Moore, Craig
Danielson, David
Edwards, Elizabeth
Griffin, Gerald
Gould, Linda
Hinch, Richard
Graham, John
Kurk, Neal
LeBrun, Donald
MacKenzie, Mark

Biggie, Barbara
Carr, John
Dickey, Glen
Fedolfi, Jim
Gagne, Larry
Halstead, Carolyn
Hopper, Gary
Moore, Josh
L'Heureux, Robert
Lewicke, John
McLean, Mark

Burt, John
Christie, Rick
Donovan, Daniel
Ferreira, Elizabeth
Gargas, Carolyn
Hansen, Peter
Hynes, Dan
Jack, Martin
Ober, Lynne
MacKay, Mariellen
Murphy, Keith

Negron, Steve
Pellegrino, Anthony
Ober, Russell
Scully, Kevin
Twombly, Timothy

Notter, Jeanine
Pierce, David
Renzullo, Andrew
Seidel, Carl
Ulery, Jordan

Ohm, Bill
Proulx, Mark
Rouillard, Claire
Souza, Kathleen
Sullivan, Victoria

Panasiti, Reed
Prout, Andrew
Sanborn, Laurie
Wolf, Terry

MERRIMACK

Kuch, Bill
Wolf, Dan
Horn, Werner
Leavitt, John
Patten, Dick
Testerman, Dave

Brewster, Michael
Henle, Paul
MacKay, James
Moffett, Michael
Pearl, Howard
Wells, Natalie

Copp, Anne
Hill, Gregory
Klose, John
Marple, Richard
Seaworth, Brian

Long, Douglas
Hoell, J.R.
Kotowski, Frank
McGuire, Carol
Walsh, Thomas

ROCKINGHAM

Cook, Allen
Bates, David
Costable, Michael
Elliott, Robert
Green, Dennis
Itse, Daniel
Katsakiores, Phyllis
Griffin, Mary
McKinney, Betsy
Nigrello, Robert
Rimol, Bob
Torosian, Peter
Vose, Michael
Weyler, Kenneth

Abrami, Patrick
Bove, Martin
Thomas, Douglas
Fesh, Robert
Guthrie, Joseph
Edwards, Jess
Khan, Aboul
Pearson, Mark
McMahon, Charles
Osborne, Jason
Sapareto, Frank
Tripp, Richard
Wallace, Scott
Woitkun, Steven

Allen, Mary
Cahill, Michael
DeSimone, Debra
Friel, William
Hagan, Joseph
Janigian, John
Kolodziej, Walter
Major, Norman
Milz, David
Packard, Sherman
Spillane, James
True, Chris
Webb, James

Barnes, Arthur
Chase, Francis
Dowling, Patricia
Gillman, Julie
Hoelzel, Kathleen
O'Connor, John
Lundgren, David
Matthews, Carolyn
Nasser, Jim
Gordon, Richard
Sytek, John
Verville, Kevin
Welch, David

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Pitre, Joseph
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Harrington, Michael
McNally, Jody
Graham, Robert
Wuelper, Kurt

Horgan, James
Mullen, John
Salloway, Jeffrey

SULLIVAN

Grenier, James

Laware, Thomas

Rollins, Skip

Smith, Steven

NAYS - 143

BELKNAP

Huot, David

Plumer, John

St. Clair, Charlie

CARROLL

Buco, Thomas

Butler, Edward

DesMarais, Edith

Knirk, Jerry

CHESHIRE

Abbott, Michael
Ley, Douglas
McConnell, James
Stallcop, Joseph

Ames, Richard
Eaton, Daniel
Meador, David
Tatro, Bruce

Berch, Paul
Fenton, Donovan
Parkhurst, Henry
Pearson, William

Burridge, Delmar
Mann, John
Shepardson, Marjorie
Weber, Lucy

COOS

Laflamme, Larry

Moynihan, Wayne

Tucker, Edith

Thomas, Yvonne

GRAFTON

Almy, Susan
Dontonville, Roger
Massimilla, Linda
Smith, Suzanne

Bennett, Travis
Ham, Bonnie
Mulligan, Mary Jane
Sykes, George

Boutin, Skylar
Josephson, Timothy
Nordgren, Sharon
White, Andrew

Campion, Polly
Maes, Kevin
Rand, Steven

HILLSBOROUGH

Ammon, Keith
Beaulieu, Jane
Cornell, Patricia
Freitas, Mary
Keane, Amelia
Mangipudi, Latha
Nutting, Allison
Roberts, Carol
Van Houten, Connie

Ayala, Jessica
Bouldin, Amanda
Sullivan, Daniel
Herbert, Christopher
King, Mark
Manley, Jonathan
O'Leary, Richard
Rosenwald, Cindy
Vann, Ivy

Backus, Robert
Chandley, Shannon
DiSilvestro, Linda
Schmidt, Janice
Klee, Patricia
Martin, Joelle
Long, Patrick
Harvey, Suzanne
Williams, Kermit

Baroody, Benjamin
Cleaver, Skip
Elber, Joel
Jeudy, Jean
Lisle, David
Martineau, Jesse
Porter, Marjorie
Smith, Timothy

MERRIMACK

Turcotte, Alan
Doherty, David
Luneau, David
Schuett, Dianne
Wallner, Mary Jane

Alicea, Caroletta
Ebel, Karen
Myler, Mel
Schultz, Kristina
Walz, Mary Beth

Bartlett, Christy
Gile, Mary
Richards, Beth
Shurtleff, Stephen
Woolpert, David

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

ROCKINGHAM

Altschiller, Debra
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Krans, Hamilton
Sandler, Catt
Wall, Janet

Conley, Casey
Grassie, Chuck
Smith, Marjorie
Southworth, Thomas

SULLIVAN

Cloutier, John
Oxenham, Lee

Gagnon, Raymond
Tanner, Linda

Gottling, Suzanne

Irwin, Virginia

and the majority committee report was adopted.

CACR 12, relating to the election of judges. Providing that judges be elected for specific terms. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Kurt Wuelper for the Majority of Judiciary. This resolution changes the way we select judges from appointment for life to election for a term to be specified by the General Court. This change will give the voting public a voice about who will be making crucial decisions that have deep and wide impact on all our lives. This resolution will add a measure of accountability for judges that is currently absent. Under the existing system, judges serve as long as they exhibit "good behavior." In practice, this amounts to forever. This resolution would empower the people to remove a judge when they consider his/her decisions outrageous. Opponents argue that this resolution will "politicize" the judicial selection process, but our system is already political, as one political party typically holds both the Governor's office and control of the Executive Council and thereby the appointment process. Thirty-eight states have some type of judicial elections for their supreme court and 39 states hold elections for trial courts without issue, further refuting the "politicization" argument. This resolution puts our faith in our voters and offers those who know the person best to evaluate his/her performance. Vote 9-8.

Rep. Paul Berch for the Minority of Judiciary. The proposed constitutional amendment would end New Hampshire's current and widely admired system of judicial selection – utilizing a selection commission, consisting of lawyers and non-lawyers from all Executive Council districts, which evaluates and recommends qualified candidates. From the group of qualified nominees, the Governor selects a nominee, who must then be approved by the Executive Council. Thus, our present system supports a merit selection system, which includes major roles for popularly elected officials. There appear to be remarkably few complaints about the quality of N.H. judges. Election of judges, widely used in the past, has become increasingly disfavored. Judicial elections impair the administration of justice because judges no longer appear to be unbiased and impartial – they seek money and votes in order to be elected. Judges, due to our campaign disclosure laws, will know who contributed financially and who refused. Judges will no longer be perceived as neutral arbiters of cases and controversies. The people who lose out will be the little guys and the politically powerless – the ones who cannot compete with big business and big money. The American ideal has been that our courts are the last place that big money should decide the results. If it is not broke, don't fix it! The minority believes we don't need the best justice that money can buy.

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

Rep. Berch spoke against.

Rep. Wuelper spoke in favor.

Rep. Brewster requested a roll call; sufficiently seconded.

YEAS 138 - NAYS 202**YEAS - 138****BELKNAP**

Abear, Marc
Plumer, John
Varney, Peter

Aldrich, Glen
Spanos, Peter

Comtois, Barbara
Sylvia, Michael

Howard, Raymond
Vadney, Herbert

CARROLL

Avellani, Lino
Schmidt, Stephen

Comeau, Ed
Marsh, William

Cordelli, Glenn

McConkey, Mark

CHESHIRE

McConnell, James

O'Day, John

COOS

Merner, Troy

GRAFTON

Bailey, Brad
Ladd, Rick

Brown, Duane
Migliore, Vincent Paul

Ham, Bonnie
Johnson, Tiffany

Hennessey, Erin

HILLSBOROUGH

Griffin, Barbara
Byron, Frank
Fedolfi, Jim
Gagne, Larry
Hynes, Dan
Ober, Lynne
McLean, Mark
Ohm, Bill
Rouillard, Claire
Souza, Kathleen

Barry, Richard
Moore, Craig
Ferreira, Elizabeth
Gould, Linda
Moore, Josh
Lascelles, Richard
Murphy, Keith
Panasiti, Reed
Sanborn, Laurie
Twombly, Timothy

Biggie, Barbara
Christie, Rick
Freeman, Lisa
Hellwig, Steve
Rice, Kimberly
LeBrun, Donald
Negron, Steve
Proulx, Mark
Scully, Kevin
Ulery, Jordan

Burt, John
Dickey, Glen
Griffin, Gerald
Hopper, Gary
L'Heureux, Robert
Lewicke, John
Notter, Jeanine
Renzullo, Andrew
Seidel, Carl
Sullivan, Victoria

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

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

ROCKINGHAM

Cook, Allen
Bove, Martin
Elliott, Robert
Gay, Betty
Hagan, Joseph
Kolodziej, Walter
Major, Norman
Nigrello, Robert
Spillane, James
Wallace, Scott
Woitkun, Steven

Abrami, Patrick
Chase, Francis
Emerick, J. Tracy
Green, Dennis
Itse, Daniel
Lundgren, David
Matthews, Carolyn
Osborne, Jason
Torosian, Peter
Webb, James

Barnes, Arthur
Costable, Michael
Fesh, Robert
Guthrie, Joseph
Janigian, John
Griffin, Mary
McMahon, Charles
Packard, Sherman
True, Chris
Welch, David

Bates, David
Thomas, Douglas
Friel, William
Marsh, Henry
Janvrin, Jason
Pearson, Mark
Morrison, Sean
Gordon, Richard
Vose, Michael
Weyler, Kenneth

STRAFFORD

Beaudoin, Steven
Turcotte, Leonard
Graham, Robert

Harrington, Michael
McNally, Jody
Spencer, Matthew

Horgan, James
Mullen, John
Wuelper, Kurt

Kaczynski, Thomas
Pitre, Joseph

SULLIVAN

Laware, Thomas

Rollins, Skip

Smith, Steven

NAYS - 202**BELKNAP**

Tilton, Franklin
St. Clair, Charlie

Fields, Dennis

Huot, David

Lang, Timothy

CARROLL

Buco, Thomas
Knirk, Jerry

Butler, Edward
Nelson, Bill

Crawford, Karel
Umberger, Karen

DesMarais, Edith

CHESHIRE

Abbott, Michael
Burridge, Delmar
Faulkner, Barry
Meador, David
Sterling, Franklin

Ames, Richard
Harvey, Cathryn
Fenton, Donovan
Parkhurst, Henry
Tatro, Bruce

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

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

COOS

Fothergill, John
Richardson, Herbert

Hatch, William
Theberge, Robert

Laflamme, Larry
Tucker, Edith

Moynihan, Wayne
Thomas, Yvonne

GRAFTON

Almy, Susan
Darrow, Stephen
Massimilla, Linda
Smith, Suzanne

Bennett, Travis
Dontonville, Roger
Mulligan, Mary Jane
Sykes, George

Boutin, Skylar
Josephson, Timothy
Nordgren, Sharon
White, Andrew

Campion, Polly
Maes, Kevin
Rand, Steven

HILLSBOROUGH

Ammon, Keith
Beaulieu, Jane
Cleaver, Skip
Danielson, David
Edwards, Elizabeth
Goley, Jeffrey
Hinch, Richard
Jack, Martin
Klee, Patricia
MacKay, Mariellen
Manley, Jonathan
O'Leary, Richard
Porter, Marjorie
Rosenwald, Cindy
Van Houten, Connie

Ayala, Jessica
Bouldin, Amanda
Connors, Erika
DiSilvestro, Linda
Elber, Joel
Halstead, Carolyn
Belanger, James
Judy, Jean
Kurk, Neal
McCarthy, Michael
Martin, Joelle
Long, Patrick
Prout, Andrew
Harvey, Suzanne
Vann, Ivy

Backus, Robert
Carr, John
Cornell, Patricia
Donovan, Daniel
Freitas, Mary
Hansen, Peter
Graham, John
Keane, Amelia
Leishman, Peter
MacKenzie, Mark
Martineau, Jesse
Pellegrino, Anthony
Ober, Russell
Smith, Timothy
Williams, Kermit

Baroody, Benjamin
Chandley, Shannon
Sullivan, Daniel
Dyer, Caleb
Gargas, Carolyn
Herbert, Christopher
Schmidt, Janice
King, Mark
Lisle, David
Mangipudi, Latha
Nutting, Allison
Pierce, David
Roberts, Carol
Wolf, Terry

MERRIMACK

Turcotte, Alan
Wolf, Dan
Henle, Paul
Myler, Mel
Schuett, Dianne
Wallner, Mary Jane

Alicea, Caroletta
Doherty, David
MacKay, James
Patten, Dick
Schultz, Kristina
Walz, Mary Beth

Bartlett, Christy
Ebel, Karen
Kenison, Linda
Richards, Beth
Shurtleff, Stephen
Woolpert, David

Carson, Clyde
Gile, Mary
Luneau, David
Rogers, Katherine
Soucy, Timothy

ROCKINGHAM

Allen, Mary
Cahill, Michael
DiLorenzo, Charlotte
Francese, Paula
O'Connor, John
Malloy, Dennis
Nasser, Jim
Sapareto, Frank
Verville, Kevin

Altschiller, Debra
Cali-Pitts, Jacqueline
Dowling, Patricia
Gilman, Julie
Katsakiores, Phyllis
McKinney, Betsy
Gordon, Pamela
Sytek, John
Ward, Gerald

Bean, Philip
Cushing, Robert Renny
Edgar, Michael
Hoelzel, Kathleen
Khan, Aboul
Messmer, Mindi
Read, Ellen
Le, Tamara
Willis, Brenda

Berrien, Skip
DeSimone, Debra
Farnham, Betsey
Edwards, Jess
Lerner, Kari
Milz, David
Rimol, Bob
Tripp, Richard

STRAFFORD

Berube, Roger
Conley, Casey
Grassie, Chuck
Smith, Marjorie
Salloway, Jeffrey
Spang, Judith

Bixby, Peter
Ellis, Donna
Horrigan, Timothy
Opderbecke, Linn
Sandler, Catt
Treleaven, Susan

Burton, Wayne
Fontneau, Timothy
Keans, Sandra
Schmidt, Peter
Scruton, Matthew
Wall, Janet

Cilley, Jacalyn
Gourgue, Amanda
Krans, Hamilton
Phinney, Brandon
Southworth, Thomas

SULLIVAN

Cloutier, John
Irwin, Virginia

Gagnon, Raymond
Oxenham, Lee

Gottling, Suzanne
Tanner, Linda

Grenier, James

and the majority committee report failed.

Rep. Berch moved the minority committee report of Inexpedient to Legislate.
Minority committee report adopted.

CACR 16, relating to privacy. Providing that an individual's right to live free of governmental interference is fundamental. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: REFER FOR INTERIM STUDY.**

Rep. Kurt Wuelper for the Majority of Judiciary. This constitutional amendment formally recognizes our right to privacy in our personal information. We've long protected our privacy in our "person, houses, papers and effects," but this omits the modern ability to collect/analyze personal information, things like health data, information from our DNA, etc. Our personal information, today, is perhaps more important than those items already protected, and this resolution will provide the same protection to our personal data that we have for our physical things. Vote 15-2.

Rep. Timothy Horrigan for the Minority of Judiciary. The minority agrees with the majority that people have a natural right to privacy. The proposed language, however, was vague and subject to misinterpretation by the courts. The minority is also concerned that the amendment might interfere with legitimate law enforcement activities. This amendment is not ready to be placed on the general election ballot.

Majority Amendment (0118h)

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

RELATING TO: privacy.

PROVIDING THAT: an individual's right to live free of governmental intrusion is natural, essential, and inherent.

Amend the resolution by replacing paragraph I with the following:

I. That the first part of the constitution be amended by inserting after article 2-a the following new article:

[Art.] 2-b. [Right to Privacy.] An individual's right to live free from governmental intrusion in private or personal information is natural, essential, and inherent.

Amend the resolution by replacing paragraph IV with the following:

IV. That the wording of the question put to the qualified voters shall be:

"Are you in favor of amending the first part of the constitution by inserting after article 2-a a new article to read as follows:

[Art.] 2-b. [Right to Privacy.] An individual's right to live free from governmental intrusion in private or personal information is natural, essential, and inherent."

AMENDED ANALYSIS

This constitutional amendment concurrent resolution provides that there is a natural, essential, and inherent right to live free of governmental intrusion.

Majority committee amendment adopted.

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

Rep. Timothy Smith offered floor amendment (0757h).

Floor Amendment (0757h)

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

RELATING TO: privacy.

PROVIDING THAT: an individual's right to live free of unauthorized interference is natural, essential, and inherent.

Amend the resolution by replacing paragraph I with the following:

I. That the first part of the constitution be amended by inserting after article 2-a the following new article:

[Art.] 2-b. [Right to Privacy.] An individual's right to live free from unauthorized interference in private or personal information is natural, essential, and inherent.

Amend the resolution by replacing paragraph IV with the following:

IV. That the wording of the question put to the qualified voters shall be:

"Are you in favor of amending the first part of the constitution by inserting after article 2-a a new article to read as follows:

[Art.] 2-b. [Right to Privacy.] An individual's right to live free from unauthorized interference in private or personal information is natural, essential, and inherent."

AMENDED ANALYSIS

This constitutional amendment concurrent resolution provides that there is a fundamental right to live free of unauthorized interference.

Rep. Timothy Smith spoke in favor.

Rep. Kurk spoke against.

On a division vote, with 79 members having voted in the affirmative, and 255 in the negative, floor amendment (0757h) failed.

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

Rep. Horrigan spoke against.

Rep. Wuelper spoke in favor and yielded to questions.

On a division vote, with 235 members having voted in the affirmative, and 96 in the negative, the majority committee report was adopted by the necessary three-fifths vote and ordered to third reading.

MOTION TO PRINT DEBATE

Rep. Timothy Smith moved that the debate on **CACR 16**, Relating to privacy. Providing that an individual's right to live free of governmental intrusion is natural, essential, and inherent, be printed in the Permanent Journal. Motion adopted.

DEBATE ON CACR 16

Speaker Chandler: The question is on the adoption of the majority committee amendment, 0118h, and printed in House Record 7 on pages 33-34. Are you ready for the question? All those in favor of adopting the committee amendment, signify by saying Aye; opposed, Nay. The Ayes have it and the committee amendment is adopted. The bill is on second reading open to further amendment. Rep. Tim Smith moves the adoption of floor amendment 0757h, which is in your seat pockets. Rep. Smith is recognized to speak in favor of his floor amendment.

Rep. Timothy Smith: Thank you, Mister Speaker. So, who doesn't like a right to privacy? I certainly do. I almost introduced a right to privacy amendment a couple of terms ago myself. The issue is the specific language in this amendment. It says that the individual has a right to live free from government intrusion, blah, blah, blah. That's fine. The problem is that language opens up the State of New Hampshire to a flood of lawsuits from people who say that their right to privacy protects them from the DMV knowing whether or not they wear glasses. From the town welfare office knowing how much income they have and they want their benefits anyway. The unintended consequences of making that special carve-out from government intrusion are enormous, never mind all of the federal things people might need to do, like filing your taxes with the IRS that you have to put your social security number on. We already have some carve-outs in New Hampshire laws, like if you want to keep your social security number out of the DMV records and stuff. We're capable of processing specific exemptions like that, but if we're going to do a line itemed right to privacy, which I'll be voting for, I certainly think that we deserve to get it right. The reason the language needs to be really specific and really correct, just look at the national debate going on right now about the meaning of the 2nd amendment. I think everyone in this room would absolutely love it if there were some extra footnotes from the founding fathers that maybe cleared up exactly what they were talking about one way or the other. This is going to be the subject of case law and judicial examination decades after all of us have gone on to other things. We deserve to do it right. This amendment makes the simple change swapping the word "government" for the word "unauthorized." The reason for this is that if you need to sign a form or something like that, I'm not going to go into all the background, but I checked up on this. There is precedent that if you sign a form at the DMV or you sign an insurance contract or something, you are authorizing the other party of that form to have the information on it. That alone will stop a bunch of the lawsuits. The other reason is that I take exception to having the right to privacy only from government intrusion. I want a right to privacy from commercial intrusion and from creepy stalker intrusion. The language as written in the underlying bill would allow some creepy stalker to raid your trashcan for a hairbrush, send it to that 23 & Me Company and put your genetic history out on the internet. You don't have any right to privacy against that with the existing language. I think you should have a right to privacy against that because you are not authorizing that person to have your personal information and make it public. Hence the change we have there. I want you to think for a second before you vote on this about all of the unintended consequences it would have without this one simple change. What if somebody wants to apply for a security clearance with the federal government? But, they want to claim that their right under the New Hampshire Constitution to privacy with their personal information exempts them from having to provide background information about themselves. They want that security clearance anyway. What if some person is applying for SNAP benefits? And, again, the number of children in their family is private information. They don't feel they should have to give that out and they sue the state to get their benefits anyway. Some of these might seem like unlikely scenarios but I promise that if you talk to a police officer and we have some of you here in the House and I'm pretty sure there's probably at least one or two of you that have been a judge or something. The things that get filed in court would blow your mind. I promise you that if we pass this, with that carve-out for government intrusion, and without fixing it, the lawsuits that are going to be filed against the State of New Hampshire in the coming decades will blow your mind. This is absolutely something we have to be incredibly careful with. I really like the idea of a right to privacy and I really hope the amended resolution passes and honestly, I think this is one of the few CACR's we've heard in my entire time here that actually stands a chance at getting ratified by the general public. If nothing else, that alone increases our duty to get this one right and close the loopholes before anybody tries to take advantage of them. Thank you, Mister Speaker, and I request a division vote.

Speaker Chandler: The question before the House is on Rep. Smith's floor amendment. The Chair recognizes the member from Weare, Rep. Kurk.

Rep. Kurk: Thank you, Mister Speaker. I'd like to remind members that we are dealing with a Constitutional Amendment and not legislation. Constitutional Amendments establish very important principles, such as the 1st amendment and the 2nd amendment and all of the protections that are in there. If the former speaker were a member of the continental congress or some of the other bodies that in fact amended our constitution, I don't think we would have the 1st or 2nd amendment because the gentleman is trying to put in the constitution statutory kinds of provisions. I don't think I can answer each one of the comments he made and the examples he did in the time that is reasonably available, but suffice it to say that most of them are taken care of currently by statute and wouldn't be affected by this amendment. The original amendment that the

committee adopted and that's before us, not the floor amendment, was approved and vetted by a professor from the University of New Hampshire Law School. It has been thoroughly researched. It's supported by the ACLU and a whole variety of other individuals and groups. This amendment creates a real problem because it says "unauthorized." Does that mean that the legislature can overturn the constitutional amendment in affect by saying we authorize a particular intrusive practice with respect to individual personal information and the answer is yes. This says "unauthorized" interference is prohibited which means authorized interference is allowed. That's not what we want or certainly not what I want in a constitutional prohibition. This applies to government not the entire panoply of information about us, it applies to government because that's the first and most important body that I think many of us are concerned about that would have intrusive and personal information about us and might use it in ways that we don't approve. If there is a desire to incorporate other privacy protections against the private sector, I think those should be considered in a different Constitutional Amendment on another day. But for now, if you really want to protect the privacy of individual information from government intrusion, then I ask that you vote against this floor amendment and in favor of the underlying proposed Constitutional Amendment. Thank you, Mister Speaker.

Speaker Chandler: The question before the House is on the adoption of floor amendment 0757h. Are you ready for the question? Division? This is a division vote. Members will remain in their seats. The question before the House is on the motion to approve floor amendment 0757h. If you are in favor of that, you'll be pressing the green button. If you are opposed, you'll be pressing the red button. The voting stations are open for 30 seconds. Have all members voted who were here when the question was put? The House will attend to the state of the vote. 79 in the affirmative, 255 in the negative. The motion fails. The question before the House is on the motion of Ought to Pass with Amendment. The Chair recognizes the member from Durham, Rep. Horrigan.

Rep. Horrigan: Thank you very much, Mister Speaker. The minority actually agrees with the majority and also with the two members who debated the amendment that privacy is a fundamental right and definitely loved the chapter heading for the proposed Article, Part First, to be "[right to privacy.]" Unfortunately that's just a chapter heading so those of us in the majority of the committee and many of my colleagues won't be able to support voting for a Constitutional Amendment just because we like the chapter heading. The proposed language uses a weak and incomplete definition of privacy, as we heard a couple of minutes ago, and it couples it with what seems like a random set of three admittedly beautiful adjectives, natural, essential and inherent. It's unclear how this language will be interpreted by our states' lawyers and judges. I'm one of those that believe that CACR 16 language would likely have many unintended consequences. This resolution is literally not ready for primetime. The proposed language is not ready to go into 2018 general election ballot and it isn't ready to go into our State Constitution either. Please vote no on the Ought to Pass as Amended motion so that an alternative motion can be considered. Thank you very much.

Speaker Chandler: The question before the House is on the adoption of the majority committee report of Ought to Pass with Amendment. The Chair recognizes the member from Strafford, Rep. Wuelper to speak in favor of the committee report.

Rep. Wuelper: Thank you, Mister Speaker. After my last very persuasive speech, I hope this one will be better. I think we all recognize that we have a right to privacy in the information about us and our own personal information and it's just an omission from our constitution that it wasn't included in the first place. In the days when the constitution was written, information about you didn't go far from your immediate surrounds. Today, information about you is worldwide. It can be found out by anybody and never mind, I won't go there again. I got in trouble for that the last time. Russia, we'll say Russia. So the amendment is important that we adopt. The words, "inherent" or "essential" already appear in our constitution. These are the types of rights. Inherent, essential natural rights that our constitution and national constitution are written to support the principle as stated in the Declaration of Independence that we have inalienable rights not defined anywhere that are granted to us by God, so we codify within our constitution our own natural rights, rights that supersede and transcend the power of legislators and government in general. Mister Speaker, I argue these words are natural and essential to underscore the importance of our right to privacy. I urge everyone to support the amendment.

Speaker Chandler: Does the member yield to a question? The member yields, Rep. Almy you may inquire.

Rep. Almy: Thank you, Mister Speaker. I have two visions in my head and I want you to tell me what happens if either of them was true after this was passed. The first is nine children severely malnourished changed in a house by a couple and the second one is a massive meth lab run by a couple. Do they have the right under this amendment, if it passes, to tell the authorities that they cannot come into that house?

Rep. Wuelper: So, the short answer would be no. There was just a case recently in the news much like you describe where there were 17 children or something like that were captive, enslaved in their own house. The state has the inherent right to protect those children. Yes, you have a right to privacy of your own information, but those children are not your information. What you do to them is not your own information. Those are acts for which the legislature retains and the law enforcement retains the right to act and by doing the typical criminal process, they do that.

Speaker Chandler: The question before the House is on the majority committee report of Ought to Pass with Amendment. This will be a division vote. All members will remain in their seats. This is a division vote. The question before the House is on the majority committee report of Ought to Pass with Amendment. If you are in favor of that, you will be pressing the green button. If you are opposed, you will be pressing the red button. The Chair recognizes Rep. Horrigan for a parliamentary inquiry.

Rep. Horrigan: Thank you very much, Mister Speaker. If I know that yes, it might be nice to have a constitutional provision with the header right to privacy, but if I also know that a constitutional amendment needs more than just a good phrase as the chapter heading. And, if I know that the proposed language is not ready to go into the state constitution and could have many unintended consequences and is incomplete, would I then press the red button in order to overturn the Ought to Pass motion.

Speaker Chandler: The question before the House is on the adoption of the majority committee report of Ought to Pass with Amendment. If you are in favor of that, you'll be pressing the green button. If you are opposed, you'll be pressing the red button. Chair recognizes Rep. Rouillard for a parliamentary inquiry.

Rep. Rouillard: Thank you, Mister Speaker. If I know that our founding fathers did a great job hundreds of years ago in crafting the language of our constitution, but that they could not have known about the technology that we have today and the information and how it streams through our citizenry. And if I know that they perhaps had different meanings for the word twitter, snapchat, google or yahoo, that they would not have known to include them in the constitution. And if I know that the citizens of this state have a right to have their private information protected from government intrusion, delineated in our constitution would I now vote with the bipartisan majority of the Judiciary Committee and finally press the green button so we can get it done. Thank you, Mister Speaker.

Speaker Chandler: The question before the House is on the adoption of the majority committee report of Ought to Pass with Amendment. If you are in favor of that, you'll be pressing the green button. If you are opposed, you'll be pressing the red button. The voting stations are open for 30 seconds. The House will attend to the state of the vote. Just so you know, the Chair votes yes, so 235 voted in the affirmative and 96 in the negative, the motion is adopted.

REGULAR CALENDAR CONT'D

HB 1576, creating managed asset trusts for real property. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Gary Hopper for the Majority of Judiciary. This bill creates a new type of trust for people to acquire property such as a home or business. The trust could be set up by an employer for an employee: The employer would buy a house, set it up in a trust, and, over time, the employee would gain equity in the property by paying the trust and eventually be able to buy the home. We heard from the Rockingham County Register of Deeds that the Managed Asset Trust (MAT) would set up a deed recording system outside of the registry of deeds; the MAT is managed by the trust and the employee will act as the trust agent with the power to mortgage, transfer, assign, or perform other unidentified transactions without recording them at the registry of deeds. This bill is an interesting idea but it also could be creating a lot of problems. The bill's stated purpose was to create a vehicle so that an employer could help a prospective employee get in a home with little or no upfront expense to the employee. This can already be done by buying a home and letting the person rent with an option to buy. Vote 8-7.

Rep. Debra Altschiller for the Minority of Judiciary. The minority believes Managed Asset Trusts (MAT) offer a financial tool to help New Hampshire's workforce grow real wealth through home ownership. MATs address the challenges low deposit borrowers face, many of whom are often young people in the beginning of their career and simultaneously managing massive student debt. We believe MATs offer an opportunity to build equity while encouraging investment in their homes, communities and our state. The support of the New Hampshire Housing Authority and Neighbor Works as participants with pre- and post-purchase council give us confidence in these programs. Supporting our next generation by offering financial tools to them is in the best interest of our state's growth.

MOTION TO LAY ON THE TABLE

Rep. White moved that **HB 1576**, creating managed asset trusts for real property, be laid on the table. On a division vote, with 181 members having voted in the affirmative, and 139 in the negative, the motion was adopted.

HB 1301-FN, including the legislature as a public employer under the public employee labor relations act. **INEXPEDIENT TO LEGISLATE.**

Rep. Sherman Packard for Legislative Administration. This bill is a perennial attempt to create a collective bargaining unit (union) for our legislative employees. The prime sponsor disclosed in testimony that no member of the staff approached him to sponsor this legislation nor did anyone contact him to offer support during the hearing. The bill is flawed in that it would take away the authority of the presiding officers to deal directly with hiring and firing and instead place it in the hands of the respective subcommittee of the Joint Committee

on Legislative Facilities. This bill has unintended consequences. The legislative branch is a political body and the leadership of both chambers, and both parties, must have the option of having the people around them that they need in order to be effective. Imagine having a division head who is actively working against the interests of a Speaker and yet is bound to the Speaker because he or she is a member of a union. The Public Employee Labor Relations Board (PELRB) stated in the fiscal note analysis that "costs would be incurred in connection with the filing of any unfair labor practice complaints at the PELRB and processing any employee grievances under the collective bargaining grievance procedure." Additional costs would be incurred by the need to respond to a petition to form a bargaining unit, and even more if the petitions were challenged. How much cost would be borne by our already meager legislative budget to accommodate this request that no one asked for? This bill is a solution looking for a problem that does not exist anywhere in the General Court. The bipartisan majority of the committee recommends defeating this legislation, once again; our employees in the General Court like their jobs, like the flexibility that comes with their jobs, and believe in the mission of our branch of government. Vote 6-2.

MOTION TO LAY ON THE TABLE

Rep. Hinch moved that **HB 1301-FN**, including the legislature as a public employer under the public employee labor relations act, be laid on the table.

Rep. Cushing requested a roll call; sufficiently seconded.

YEAS 197 - NAYS 127

YEAS - 197 BELKNAP

Abear, Marc
Howard, Raymond
Vadney, Herbert

Aldrich, Glen
Lang, Timothy
Varney, Peter

Comtois, Barbara
Plumer, John

Fields, Dennis
Sylvia, Michael

CARROLL

Avellani, Lino
McConkey, Mark
Marsh, William

Comeau, Ed
Nelson, Bill

Cordelli, Glenn
Schmidt, Stephen

Crawford, Karel
Umberger, Karen

CHESHIRE

Bordenet, John
McConnell, James
Tatro, Bruce

Harvey, Cathryn
O'Day, John

Hunt, John
Stallcop, Joseph

Mann, John
Sterling, Franklin

COOS

Fothergill, John
Thomas, Yvonne

Merner, Troy

Richardson, Herbert

Theberge, Robert

GRAFTON

Almy, Susan
Ham, Bonnie
Mulligan, Mary Jane

Bailey, Brad
Hennessey, Erin
Johnson, Tiffany

Boutin, Skylar
Ladd, Rick

Darrow, Stephen
Migliore, Vincent Paul

HILLSBOROUGH

Ammon, Keith
Barry, Richard
Moore, Craig
Danielson, David
Fedolfi, Jim
Gagne, Larry
Hellwig, Steve
Belanger, James
Klee, Patricia
Lascelles, Richard
McCarthy, Michael
Notter, Jeanine
Pierce, David
Renzullo, Andrew
Seidel, Carl
Ulery, Jordan

Ayala, Jessica
Biggie, Barbara
Carr, John
Dickey, Glen
Ferreira, Elizabeth
Gargas, Carolyn
Hinch, Richard
Graham, John
Kurk, Neal
LeBrun, Donald
McLean, Mark
Ohm, Bill
Proulx, Mark
Rouillard, Claire
Souza, Kathleen
Sullivan, Victoria

Griffin, Barbara
Burt, John
Christie, Rick
Donovan, Daniel
Freeman, Lisa
Halstead, Carolyn
Hopper, Gary
Moore, Josh
L'Heureux, Robert
Lewicke, John
Murphy, Keith
Panasiti, Reed
Prout, Andrew
Sanborn, Laurie
Wolf, Terry

Backus, Robert
Byron, Frank
Connors, Erika
Dyer, Caleb
Griffin, Gerald
Hansen, Peter
Hynes, Dan
Rice, Kimberly
Ober, Lynne
MacKay, Mariellen
Negron, Steve
Pellegrino, Anthony
Ober, Russell
Scully, Kevin
Twombly, Timothy

MERRIMACK

Kuch, Bill
Wolf, Dan
MacKay, James

Brewster, Michael
Hill, Gregory
Klose, John

Copp, Anne
Hoell, J.R.
Kotowski, Frank

Long, Douglas
Horn, Werner
Moffett, Michael

Marple, Richard
Seaworth, Brian
Wells, Natalie

McGuire, Carol
Shurtleff, Stephen

Pearl, Howard
Walsh, Thomas

Schuett, Dianne
Testerman, Dave

ROCKINGHAM

Cook, Allen
Bean, Philip
Costable, Michael
Emerick, J. Tracy
Marsh, Henry
Edwards, Jess
Khan, Aboul
Major, Norman
Milz, David
Osborne, Jason
Sapareto, Frank
True, Chris
Webb, James

Abrami, Patrick
Bove, Martin
Thomas, Douglas
Fesh, Robert
Hagan, Joseph
Janigian, John
Kolodziej, Walter
Matthews, Carolyn
Morrison, Sean
Packard, Sherman
Sytek, John
Verville, Kevin
Welch, David

Allen, Mary
Cahill, Michael
Dowling, Patricia
Gay, Betty
Hoelzel, Kathleen
O'Connor, John
Lundgren, David
McKinney, Betsy
Nasser, Jim
Gordon, Richard
Torosian, Peter
Vose, Michael
Weyler, Kenneth

Barnes, Arthur
Chase, Francis
Elliott, Robert
Green, Dennis
Itse, Daniel
Katsakiores, Phyllis
Griffin, Mary
McMahon, Charles
Nigrello, Robert
Rimol, Bob
Tripp, Richard
Wallace, Scott
Willis, Brenda

STRAFFORD

Fontneau, Timothy
Krans, Hamilton
Schmidt, Peter
Scruton, Matthew

Harrington, Michael
Turcotte, Leonard
Phinney, Brandon
Spencer, Matthew

Horgan, James
McNally, Jody
Pitre, Joseph
Wuelper, Kurt

Kaczynski, Thomas
Mullen, John
Graham, Robert

SULLIVAN

Grenier, James

Laware, Thomas

Rollins, Skip

Smith, Steven

NAYS - 127

BELKNAP

Tilton, Franklin

Huot, David

Spanos, Peter

St. Clair, Charlie

CARROLL

Buco, Thomas

Butler, Edward

DesMarais, Edith

Kirk, Jerry

CHESHIRE

Abbott, Michael
Ley, Douglas
Meador, David
Weber, Lucy

Ames, Richard
Eaton, Daniel
Parkhurst, Henry

Berch, Paul
Faulkner, Barry
Shepardson, Marjorie

Burridge, Delmar
Fenton, Donovan
Pearson, William

COOS

Hatch, William

Laflamme, Larry

Moynihan, Wayne

Tucker, Edith

GRAFTON

Campion, Polly
Massimilla, Linda
Sykes, George

Dontonville, Roger
Nordgren, Sharon
White, Andrew

Josephson, Timothy
Rand, Steven

Maes, Kevin
Smith, Suzanne

HILLSBOROUGH

Beaulieu, Jane
Cornell, Patricia
Goley, Jeffrey
Keane, Amelia
Mangipudi, Latha
Nutting, Allison
Roberts, Carol
Vann, Ivy

Bouldin, Amanda
Edwards, Elizabeth
Herbert, Christopher
King, Mark
Manley, Jonathan
O'Leary, Richard
Harvey, Suzanne
Williams, Kermit

Chandley, Shannon
Elber, Joel
Jack, Martin
Leishman, Peter
Martin, Joelle
Long, Patrick
Smith, Timothy

Cleaver, Skip
Freitas, Mary
Judy, Jean
MacKenzie, Mark
Martineau, Jesse
Porter, Marjorie
Van Houten, Connie

MERRIMACK

Turcotte, Alan
Doherty, David
Kenison, Linda
Patten, Dick
Soucy, Timothy

Alicea, Caroletta
Ebel, Karen
Leavitt, John
Richards, Beth
Wallner, Mary Jane

Bartlett, Christy
Gile, Mary
Luneau, David
Rogers, Katherine
Walz, Mary Beth

Carson, Clyde
Henle, Paul
Myler, Mel
Schultz, Kristina
Woolpert, David

ROCKINGHAM

Altschiller, Debra
Cushing, Robert Renny
Francese, Paula
Janvrin, Jason
Gordon, Pamela

Bates, David
DiLorenzo, Charlotte
Friel, William
Lerner, Kari
Read, Ellen

Berrien, Skip
Edgar, Michael
Gilman, Julie
Malloy, Dennis
Le, Tamara

Cali-Pitts, Jacqueline
Farnham, Betsey
Guthrie, Joseph
Messmer, Mindi
Ward, Gerald

STRAFFORD

Bixby, Peter
Ellis, Donna
Keans, Sandra
Sandler, Catt
Wall, Janet

Burton, Wayne
Gourgue, Amanda
Smith, Marjorie
Southworth, Thomas

Cilley, Jacalyn
Grassie, Chuck
Opderbecke, Linn
Spang, Judith

Conley, Casey
Horrigan, Timothy
Salloway, Jeffrey
Treleaven, Susan

SULLIVAN

Cloutier, John
Tanner, Linda

Gottling, Suzanne

Irwin, Virginia

Oxenham, Lee

and the motion was adopted.

REGULAR CALENDAR CONT'D

HB 1227, relative to an unattended idling vehicle on private property. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Jeanine Notter for the Majority of Science, Technology and Energy. The committee concluded that many people are already warming up their cars on very cold mornings. Presently, only people with remote starters are allowed to do this legally. Additionally, current car seat guidelines call for removing a child's jacket for the most secure restraint. The majority feels the child should not have to freeze. Vote 13-6.

Rep. Robert Backus for the Minority of Science, Technology and Energy. Within the Rules of the Road law, RSA 265, there is a long-standing prohibition on the idling of unattended vehicles. This bill would allow such idling when it occurs on the premises of the vehicle's owner. There was no testimony that on premise idling has ever been subject to enforcement action, so this bill is a solution in search of a problem. Moreover, in fact, on premise idling can cause health concerns for neighbors because of the pollutants emitted. To prohibit the Department of Environmental Services from even being able to request that a person refrain from idling their unattended vehicle seems unwise. The majority claims that everyone with a vehicle on premise should be able to warm it up on cold mornings, but there is nothing to suggest this ever has been or is likely to be a problem. For these reasons, the minority does not support this bill.

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

Rep. Backus spoke against and yielded to questions.

Rep. Notter spoke in favor.

Rep. Sylvia requested a roll call; sufficiently seconded.

YEAS 208 - NAYS 116**YEAS - 208****BELKNAP**

Abear, Marc
Howard, Raymond
Sylvia, Michael

Aldrich, Glen
Plumer, John
Vadney, Herbert

Tilton, Franklin
Spanos, Peter
Varney, Peter

Fields, Dennis
St. Clair, Charlie

CARROLL

Avellani, Lino
Crawford, Karel
Umberger, Karen

Buco, Thomas
McConkey, Mark
Marsh, William

Comeau, Ed
Nelson, Bill

Cordelli, Glenn
Schmidt, Stephen

CHESHIRE

Fenton, Donovan
Parkhurst, Henry

Hunt, John
Stallcop, Joseph

McConnell, James
Sterling, Franklin

O'Day, John

COOS

Fothergill, John

Merner, Troy

Richardson, Herbert

Theberge, Robert

GRAFTON

Bailey, Brad
Ham, Bonnie
Migliore, Vincent Paul
White, Andrew

Boutin, Skylar
Hennessey, Erin
Mulligan, Mary Jane

Darrow, Stephen
Ladd, Rick
Rand, Steven

Dontonville, Roger
Massimilla, Linda
Johnson, Tiffany

HILLSBOROUGH

Ammon, Keith
Biggie, Barbara
Carr, John
Donovan, Daniel
Gagne, Larry
Hansen, Peter
Hynes, Dan

Ayala, Jessica
Burt, John
Christie, Rick
Dyer, Caleb
Gargas, Carolyn
Hellwig, Steve
Belanger, James

Griffin, Barbara
Byron, Frank
Danielson, David
Ferreira, Elizabeth
Goley, Jeffrey
Hinch, Richard
Graham, John

Barry, Richard
Moore, Craig
Dickey, Glen
Griffin, Gerald
Halstead, Carolyn
Hopper, Gary
Moore, Josh

Rice, Kimberly
 Lascelles, Richard
 McCarthy, Michael
 Negron, Steve
 Pellegrino, Anthony
 Ober, Russell
 Scully, Kevin
 Wolf, Terry
 Vann, Ivy

Kurk, Neal
 LeBrun, Donald
 Martineau, Jesse
 Notter, Jeanine
 Pierce, David
 Renzullo, Andrew
 Seidel, Carl
 Twombly, Timothy

L'Heureux, Robert
 Lewicke, John
 McLean, Mark
 Ohm, Bill
 Proulx, Mark
 Rouillard, Claire
 Souza, Kathleen
 Ulery, Jordan

Ober, Lynne
 MacKay, Mariellen
 Murphy, Keith
 Panasiti, Reed
 Prout, Andrew
 Sanborn, Laurie
 Smith, Timothy
 Sullivan, Victoria

MERRIMACK

Turcotte, Alan
 Long, Douglas
 Hoell, J.R.
 Luneau, David
 Myler, Mel
 Testerman, Dave

Kuch, Bill
 Wolf, Dan
 Klose, John
 Moffett, Michael
 Pearl, Howard
 Wells, Natalie

Brewster, Michael
 Ebel, Karen
 Kotowski, Frank
 Marple, Richard
 Seaworth, Brian

Copp, Anne
 Hill, Gregory
 Leavitt, John
 McGuire, Carol
 Walsh, Thomas

ROCKINGHAM

Cook, Allen
 Bates, David
 Costable, Michael
 Elliott, Robert
 Gay, Betty
 Marsh, Henry
 Edwards, Jess
 Khan, Aboul
 Matthews, Carolyn
 Morrison, Sean
 Packard, Sherman
 Sytek, John
 True, Chris
 Webb, James

Abrami, Patrick
 Bean, Philip
 Thomas, Douglas
 Emerick, J. Tracy
 Gilman, Julie
 Hagan, Joseph
 Janigian, John
 Kolodziej, Walter
 McKinney, Betsy
 Nasser, Jim
 Gordon, Richard
 Le, Tamara
 Verville, Kevin
 Welch, David

Allen, Mary
 Bove, Martin
 Dowling, Patricia
 Fesh, Robert
 Green, Dennis
 Hoelzel, Kathleen
 O'Connor, John
 Griffin, Mary
 McMahon, Charles
 Nigrello, Robert
 Rimol, Bob
 Torosian, Peter
 Vose, Michael
 Weyler, Kenneth

Barnes, Arthur
 Chase, Francis
 Edgar, Michael
 Friel, William
 Guthrie, Joseph
 Itse, Daniel
 Katsakiores, Phyllis
 Major, Norman
 Milz, David
 Osborne, Jason
 Sapareto, Frank
 Tripp, Richard
 Wallace, Scott
 Willis, Brenda

STRAFFORD

Beaudoin, Steven
 Conley, Casey
 Kaczynski, Thomas
 Phinney, Brandon
 Scruton, Matthew

Berube, Roger
 Fontneau, Timothy
 Turcotte, Leonard
 Pitre, Joseph
 Spencer, Matthew

Burton, Wayne
 Harrington, Michael
 McNally, Jody
 Graham, Robert
 Wuelper, Kurt

Cilley, Jacalyn
 Horgan, James
 Mullen, John
 Sandler, Catt

SULLIVAN

Grenier, James
 Smith, Steven

Irwin, Virginia

Laware, Thomas

Rollins, Skip

NAYS - 116 BELKNAP

Huot, David

CARROLL

Butler, Edward

DesMarais, Edith

Knirk, Jerry

CHESHIRE

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

Ames, Richard
 Harvey, Cathryn
 Mann, John
 Pearson, William

Berch, Paul
 Ley, Douglas
 Meader, David
 Weber, Lucy

Bordenet, John
 Eaton, Daniel
 Shepardson, Marjorie

COOS

Hatch, William
 Thomas, Yvonne

Laflamme, Larry

Moynihan, Wayne

Tucker, Edith

GRAFTON

Almy, Susan
 Maes, Kevin

Bennett, Travis
 Nordgren, Sharon

Campion, Polly
 Smith, Suzanne

Josephson, Timothy
 Sykes, George

HILLSBOROUGH

Backus, Robert
 Cleaver, Skip
 Edwards, Elizabeth
 Herbert, Christopher

Beaulieu, Jane
 Connors, Erika
 Elber, Joel
 Jack, Martin

Bouldin, Amanda
 Cornell, Patricia
 Fedolfi, Jim
 Jeudy, Jean

Chandley, Shannon
 Sullivan, Daniel
 Freitas, Mary
 Keane, Amelia

King, Mark
MacKenzie, Mark
Nutting, Allison
Roberts, Carol

Klee, Patricia
Mangipudi, Latha
O'Leary, Richard
Harvey, Suzanne

Leishman, Peter
Manley, Jonathan
Long, Patrick
Van Houten, Connie

Lisle, David
Martin, Joelle
Porter, Marjorie
Williams, Kermit

MERRIMACK

Alicea, Caroletta
Gile, Mary
Patten, Dick
Schultz, Kristina
Walz, Mary Beth

Bartlett, Christy
Henle, Paul
Richards, Beth
Shurtleff, Stephen
Woolpert, David

Carson, Clyde
MacKay, James
Rogers, Katherine
Soucy, Timothy

Doherty, David
Kenison, Linda
Schuett, Dianne
Wallner, Mary Jane

ROCKINGHAM

Altschiller, Debra
Cushing, Robert Renny
Lerner, Kari
Read, Ellen

Berrien, Skip
DiLorenzo, Charlotte
Malloy, Dennis
Ward, Gerald

Cahill, Michael
Farnham, Betsey
Messmer, Mindi

Cali-Pitts, Jacqueline
Francese, Paula
Gordon, Pamela

STRAFFORD

Bixby, Peter
Horrigan, Timothy
Opderbecke, Linn
Spang, Judith

Ellis, Donna
Keans, Sandra
Schmidt, Peter
Treleaven, Susan

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

Grassie, Chuck
Smith, Marjorie
Southworth, Thomas

SULLIVAN

Cloutier, John
Tanner, Linda

Gagnon, Raymond

Gottling, Suzanne

Oxenham, Lee

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

HB 1524, relative to election-related amendments to the United States Constitution. **INEXPEDIENT TO LEGISLATE.**

Rep. Alfred Baldasaro for State-Federal Relations and Veterans Affairs. The committee feels that this bill, although well intentioned, should have been filed in a resolution that supports the amendment of the Constitution, asking for an Article V Constitutional Convention. The second part seeks to put in a hearing to discuss the amendments in law which should be in a separate bill for a study commission. This bill is not ready for this session. There is no referral to a law or chapter law on this bill. Vote 10-7.

Rep. Timothy Smith spoke against.

(Rep. Packard in the Chair)

Rep. Russell Ober spoke in favor.

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

YEAS 185 - NAYS 138

YEAS - 185

BELKNAP

Abear, Marc
Howard, Raymond
Spanos, Peter

Aldrich, Glen
Huot, David
Sylvia, Michael

Tilton, Franklin
Lang, Timothy
Vadney, Herbert

Fields, Dennis
Plumer, John
Varney, Peter

CARROLL

Avellani, Lino
McConkey, Mark
Marsh, William

Comeau, Ed
Nelson, Bill

Cordelli, Glenn
Schmidt, Stephen

Crawford, Karel
Umberger, Karen

CHESHIRE

Bordenet, John
O'Day, John

Hunt, John
Parkhurst, Henry

Mann, John
Stallcop, Joseph

McConnell, James
Sterling, Franklin

COOS

Hatch, William
Thomas, Yvonne

Merner, Troy

Theberge, Robert

Tucker, Edith

GRAFTON

Bailey, Brad
Ham, Bonnie

Boutin, Skylar
Hennessey, Erin

Brown, Duane
Ladd, Rick

Darrow, Stephen
Johnson, Tiffany

HILLSBOROUGH

Ammon, Keith
Biggie, Barbara

Ayala, Jessica
Burt, John

Griffin, Barbara
Byron, Frank

Barry, Richard
Moore, Craig

Carr, John
 Dickey, Glen
 Griffin, Gerald
 Hellwig, Steve
 Graham, John
 Ober, Lynne
 McCarthy, Michael
 Notter, Jeanine
 Pierce, David
 Rouillard, Claire
 Souza, Kathleen
 Sullivan, Victoria

Christie, Rick
 Dyer, Caleb
 Gagne, Larry
 Hinch, Richard
 Moore, Josh
 Lascelles, Richard
 McLean, Mark
 Ohm, Bill
 Prout, Andrew
 Sanborn, Laurie
 Wolf, Terry

Sullivan, Daniel
 Ferreira, Elizabeth
 Halstead, Carolyn
 Hopper, Gary
 Kurk, Neal
 LeBrun, Donald
 Murphy, Keith
 Panasiti, Reed
 Ober, Russell
 Scully, Kevin
 Twombly, Timothy

Danielson, David
 Freeman, Lisa
 Hansen, Peter
 Belanger, James
 L'Heureux, Robert
 MacKay, Mariellen
 Negrón, Steve
 Pellegrino, Anthony
 Renzullo, Andrew
 Seidel, Carl
 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
 Bean, Philip
 Thomas, Douglas
 Friel, William
 Marsh, Henry
 Edwards, Jess
 Katsakiores, Phyllis
 Major, Norman
 Milz, David
 Osborne, Jason
 Sytek, John
 Verville, Kevin
 Welch, David

Abrami, Patrick
 Bove, Martin
 Dowling, Patricia
 Gay, Betty
 Hagan, Joseph
 Janigian, John
 Khan, Aboul
 Matthews, Carolyn
 Morrison, Sean
 Packard, Sherman
 Torosian, Peter
 Vose, Michael
 Weyler, Kenneth

Allen, Mary
 Chase, Francis
 Emerick, J. Tracy
 Green, Dennis
 Hoelzel, Kathleen
 Janvrin, Jason
 Kolodziej, Walter
 McKinney, Betsy
 Nasser, Jim
 Gordon, Richard
 Tripp, Richard
 Wallace, Scott
 Willis, Brenda

Bates, David
 Costable, Michael
 Fesh, Robert
 Guthrie, Joseph
 Itse, Daniel
 O'Connor, John
 Griffin, Mary
 McMahon, Charles
 Nigrello, Robert
 Sapareto, Frank
 True, Chris
 Webb, James

STRAFFORD

Beaudoin, Steven
 Keans, Sandra
 Schmidt, Peter
 Sandler, Catt
 Wuelper, Kurt

Harrington, Michael
 Turcotte, Leonard
 Phinney, Brandon
 Scruton, Matthew

Horgan, James
 McNally, Jody
 Pitre, Joseph
 Spencer, Matthew

Kaczynski, Thomas
 Mullen, John
 Graham, Robert
 Wall, Janet

SULLIVAN

Grenier, James

Laware, Thomas

Rollins, Skip

Smith, Steven

NAYS - 138 BELKNAP

St. Clair, Charlie

CARROLL

Buco, Thomas

Butler, Edward

DesMarais, Edith

Knirk, Jerry

CHESHIRE

Abbott, Michael
 Harvey, Cathryn
 Fenton, Donovan
 Pearson, William

Ames, Richard
 Ley, Douglas
 Meader, David
 Weber, Lucy

Berch, Paul
 Eaton, Daniel
 Shepardson, Marjorie

Burridge, Delmar
 Faulkner, Barry
 Tatro, Bruce

COOS

Fothergill, John

Laflamme, Larry

Moynihan, Wayne

Richardson, Herbert

GRAFTON

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

Bennett, Travis
 Maes, Kevin
 Nordgren, Sharon
 White, Andrew

Campion, Polly
 Massimilla, Linda
 Rand, Steven

Dontonville, Roger
 Migliore, Vincent Paul
 Smith, Suzanne

HILLSBOROUGH

Backus, Robert
 Cleaver, Skip
 Edwards, Elizabeth

Beaulieu, Jane
 Connors, Erika
 Elber, Joel

Bouldin, Amanda
 Cornell, Patricia
 Freitas, Mary

Chandley, Shannon
 Donovan, Daniel
 Goley, Jeffrey

Herbert, Christopher
King, Mark
Lisle, David
Martin, Joelle
Long, Patrick
Van Houten, Connie

Jack, Martin
Klee, Patricia
MacKenzie, Mark
Martineau, Jesse
Roberts, Carol
Vann, Ivy

Judy, Jean
Leishman, Peter
Mangipudi, Latha
Nutting, Allison
Harvey, Suzanne
Williams, Kermit

Keane, Amelia
Lewicke, John
Manley, Jonathan
O'Leary, Richard
Smith, Timothy

MERRIMACK

Turcotte, Alan
Long, Douglas
Henle, Paul
Myler, Mel
Schuett, Dianne
Wallner, Mary Jane

Alicea, Caroletta
Doherty, David
MacKay, James
Patten, Dick
Schultz, Kristina
Walz, Mary Beth

Bartlett, Christy
Ebel, Karen
Kenison, Linda
Richards, Beth
Shurtleff, Stephen
Woolpert, David

Carson, Clyde
Gile, Mary
Luneau, David
Rogers, Katherine
Soucy, Timothy

ROCKINGHAM

Altschiller, Debra
Cali-Pitts, Jacqueline
Elliott, Robert
Lerner, Kari
Read, Ellen

Barnes, Arthur
Cushing, Robert Renny
Farnham, Betsey
Malloy, Dennis
Rimol, Bob

Berrien, Skip
DiLorenzo, Charlotte
Francese, Paula
Messmer, Mindi
Le, Tamara

Cahill, Michael
Edgar, Michael
Gilman, Julie
Gordon, Pamela
Ward, Gerald

STRAFFORD

Berube, Roger
Conley, Casey
Grassie, Chuck
Opderbecke, Linn
Treleaven, Susan

Bixby, Peter
Ellis, Donna
Horrigan, Timothy
Salloway, Jeffrey

Burton, Wayne
Fontneau, Timothy
Krans, Hamilton
Southworth, Thomas

Cilley, Jacalyn
Gourgue, Amanda
Smith, Marjorie
Spang, Judith

SULLIVAN

Cloutier, John
Oxenham, Lee

Gagnon, Raymond
Tanner, Linda

Gottling, Suzanne

Irwin, Virginia

and the committee report was adopted.

(Speaker Chandler in the Chair)

HB 1554-FN, increasing exemptions under the interest and dividends tax and decreasing the total amount of research and development credits against business taxes. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Bill Ohm for the Majority of Ways and Means. This bill reduces the research and development (R&D) tax credit from \$7 million to \$2 million, and applies the proceeds to a reduction in the interest and dividends (I&D) tax. The I&D tax exemption for individuals and other parties would be raised from \$2,400 to \$3,500. In addition, the exemptions for taxpayers who are over 65, blind, or disabled would be raised from \$1,200 to \$1,750. The bill is intended to be revenue neutral. The majority feels that the proper business tax policy should be broad based, as low as possible, and not provide exemptions or incentives to targeted segments or special interests. The recent reductions in business taxes is sufficient incentive for promoting business in NH without the need for a higher level of R&D tax credits, which had been increased from \$2 million to \$7 million. The I&D tax for individuals is not adjusted for inflation, and the bill provides this inflationary adjustment. Vote 13-10.

Rep. Richard Ames for the Minority of Ways and Means. The minority agrees that exemptions under the interest and dividends tax are too low and supports the modest exemption increases that make up one part of this bill. The minority also agrees with and welcomes the majority's commitment to pay within the four corners of this bill for the business tax revenue loss that will result from enactment of higher exemptions. But the minority, agreeing with testimony at the bill's public hearing by representatives of the Business and Industry Association and the NH Division of Economic Development, believes that the part of this bill that would eliminate the \$5 million increase in allowable research and development tax credits against business taxes less than one year after the enactment of that increase is unwise and premature. In this regard, the minority notes that the Division of Economic Development representative testifying on the bill agreed at the hearing that this is a good time to initiate a new survey probing the impact of the expanded tax credit program. The minority looks forward to receiving the results of that survey. For these reasons, the minority recommends that the bill be found inexpedient to legislate.

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

Rep. Almy requested a roll call; sufficiently seconded.

YEAS 182 - NAYS 143**YEAS - 182****BELKNAP**

Abear, Marc
Howard, Raymond
Sylvia, Michael

Aldrich, Glen
Lang, Timothy
Vadney, Herbert

Tilton, Franklin
Plumer, John
Varney, Peter

Fields, Dennis
Spanos, Peter

CARROLL

Avellani, Lino
McConkey, Mark
Marsh, William

Comeau, Ed
Nelson, Bill

Cordelli, Glenn
Schmidt, Stephen

Crawford, Karel
Umberger, Karen

CHESHIRE

Hunt, John
Sterling, Franklin

McConnell, James

O'Day, John

Stallcop, Joseph

COOS

Fothergill, John

Merner, Troy

Richardson, Herbert

Theberge, Robert

GRAFTON

Bailey, Brad
Ham, Bonnie
Johnson, Tiffany

Boutin, Skylar
Hennessey, Erin

Brown, Duane
Ladd, Rick

Darrow, Stephen
Migliore, Vincent Paul

HILLSBOROUGH

Ammon, Keith
Burt, John
Christie, Rick
Dyer, Caleb
Gagne, Larry
Hinch, Richard
Moore, Josh
Ober, Lynne
MacKay, Mariellen
Negron, Steve
Pellegrino, Anthony
Ober, Russell
Scully, Kevin
Twombly, Timothy

Griffin, Barbara
Byron, Frank
Danielson, David
Ferreira, Elizabeth
Halstead, Carolyn
Hopper, Gary
Rice, Kimberly
Lascelles, Richard
McCarthy, Michael
Notter, Jeanine
Pierce, David
Renzullo, Andrew
Seidel, Carl
Ulery, Jordan

Barry, Richard
Moore, Craig
Dickey, Glen
Freeman, Lisa
Hansen, Peter
Belanger, James
Kurk, Neal
LeBrun, Donald
McLean, Mark
Ohm, Bill
Proulx, Mark
Rouillard, Claire
Souza, Kathleen
Sullivan, Victoria

Biggie, Barbara
Carr, John
Donovan, Daniel
Griffin, Gerald
Hellwig, Steve
Graham, John
L'Heureux, Robert
Lewicke, John
Murphy, Keith
Panasiti, Reed
Prout, Andrew
Sanborn, Laurie
Wolf, Terry

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

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

ROCKINGHAM

Cook, Allen
Bates, David
Costable, Michael
Emerick, J. Tracy
Green, Dennis
Hoelzel, Kathleen
Janvrin, Jason
Kolodziej, Walter
McKinney, Betsy
Nasser, Jim
Gordon, Richard
Torosian, Peter
Vose, Michael
Weyler, Kenneth

Abrami, Patrick
Bean, Philip
Thomas, Douglas
Fesh, Robert
Guthrie, Joseph
Itse, Daniel
O'Connor, John
Griffin, Mary
McMahon, Charles
Nigrello, Robert
Rimol, Bob
Tripp, Richard
Wallace, Scott
Willis, Brenda

Allen, Mary
Bove, Martin
Dowling, Patricia
Friel, William
Marsh, Henry
Edwards, Jess
Katsakiores, Phyllis
Major, Norman
Milz, David
Osborne, Jason
Sapareto, Frank
True, Chris
Webb, James

Barnes, Arthur
Chase, Francis
Elliott, Robert
Gay, Betty
Hagan, Joseph
Janigian, John
Khan, Aboul
Matthews, Carolyn
Morrison, Sean
Packard, Sherman
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

Grenier, James

Laware, Thomas

Rollins, Skip

Smith, Steven

NAYS - 143 BELKNAP

Huot, David St. Clair, Charlie

CARROLL

Buco, Thomas Butler, Edward DesMarais, Edith Knirk, Jerry

CHESHIRE

Abbott, Michael Ames, Richard Berch, Paul Bordenet, John
Burridge, Delmar Harvey, Cathryn Ley, Douglas Eaton, Daniel
Faulkner, Barry Fenton, Donovan Mann, John Meader, David
Parkhurst, Henry Shepardson, Marjorie Tatro, Bruce Weber, Lucy

COOS

Hatch, William Laflamme, Larry Moynihan, Wayne Tucker, Edith
Thomas, Yvonne

GRAFTON

Almy, Susan Bennett, Travis Campion, Polly Dontonville, Roger
Josephson, Timothy Maes, Kevin Massimilla, Linda Mulligan, Mary Jane
Nordgren, Sharon Rand, Steven Smith, Suzanne Sykes, George
White, Andrew

HILLSBOROUGH

Ayala, Jessica Backus, Robert Beaulieu, Jane Bouldin, Amanda
Chandley, Shannon Cleaver, Skip Connors, Erika Cornell, Patricia
Sullivan, Daniel Edwards, Elizabeth Elber, Joel Freitas, Mary
Goley, Jeffrey Herbert, Christopher Jack, Martin Jeudy, Jean
Keane, Amelia King, Mark Klee, Patricia Leishman, Peter
Lisle, David MacKenzie, Mark Mangipudi, Latha Manley, Jonathan
Martin, Joelle Martineau, Jesse Nutting, Allison O'Leary, Richard
Long, Patrick Porter, Marjorie Roberts, Carol Harvey, Suzanne
Smith, Timothy Van Houten, Connie Vann, Ivy Williams, Kermit

MERRIMACK

Turcotte, Alan Alicea, Caroletta Bartlett, Christy Carson, Clyde
Wolf, Dan Doherty, David Ebel, Karen Gile, Mary
Henle, Paul MacKay, James Kenison, Linda Luneau, David
Myler, Mel Patten, Dick Richards, Beth Rogers, Katherine
Schuett, Dianne Schultz, Kristina Shurtleff, Stephen Soucy, Timothy
Wallner, Mary Jane Walz, Mary Beth Woolpert, David

ROCKINGHAM

Altschiller, Debra Berrien, Skip Cahill, Michael Cali-Pitts, Jacqueline
Cushing, Robert Renny DiLorenzo, Charlotte Edgar, Michael Farnham, Betsey
Francese, Paula Gilman, Julie Lerner, Kari Malloy, Dennis
Messmer, Mindi Gordon, Pamela Read, Ellen Le, Tamara
Ward, Gerald

STRAFFORD

Berube, Roger Bixby, Peter Burton, Wayne Cilley, Jacalyn
Conley, Casey Ellis, Donna Fontneau, Timothy Gourgue, Amanda
Grassie, Chuck Horrigan, Timothy Keans, Sandra Krans, Hamilton
Smith, Marjorie Opderbecke, Linn Schmidt, Peter Salloway, Jeffrey
Sandler, Catt Southworth, Thomas Spang, Judith Treleaven, Susan
Wall, Janet

SULLIVAN

Cloutier, John Gagnon, Raymond Gottling, Suzanne Irwin, Virginia
Oxenham, Lee Tanner, Linda

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

HB 1808, repealing certain inactive dedicated funds. OUGHT TO PASS WITH AMENDMENT.

Rep. Susan Almy for Ways and Means. The Joint Committee on Dedicated Funds and the Department of Administrative Services identify each year those dedicated funds that have not had income or outgo in the prior five years, and further screens the list for false positives and funds that are about to become active. The amendment removes two funds from the list that had been caught in the split of the Department of Resources and Economic Development. These funds are the barn preservation fund and the job-training fund. Those that remain on the repeal list are the special account for agriculture development rights, the

non-TANF financial assistance program fund, the vital records user fee fund, the substance abuse treatment fund, the Skyhaven airport maintenance and operations fund, payments to experts by the public utilities commission, civil penalties for hazardous materials violations, the Cheshire bridge toll account, the eastern New Hampshire turnpike toll account, the turnpike system toll account, and the Sam Whidden trust of the state university system. Vote 23-0.

Amendment (0471h)

Amend section 1 of the bill by deleting paragraphs II and III, relative to the barn preservation fund and the job training fund, and renumbering the remaining paragraphs IV-XIV to read as paragraphs II-XII, respectively. Amend the bill by deleting sections 3-5 and renumbering the remaining sections 6-13 to read as 3-10, respectively.

AMENDED ANALYSIS

This bill repeals certain inactive funds identified by the joint committee on dedicated funds.
Committee amendment adopted.
Committee report adopted and ordered to third reading.

BILLS REMOVED FROM THE CONSENT CALENDAR

HB 1394, relative to animals in motor vehicles. **INEXPEDIENT TO LEGISLATE.**

Rep. Dennis Fields for Criminal Justice and Public Safety. The majority of the committee feels this bill creates a liability problem. If a person cannot find the owner and the vehicle is locked and the animal in the vehicle cannot be removed by assistance not arriving in time or if a person or owner of the vehicle is not found, it could be a liability for anyone other than an authorized law enforcement or animal control officer to remove the animal. If anyone breaks in to remove the animal, the animal could get away and also could hurt someone. Who would be responsible for liability if someone else is injured? While this bill is well intentioned, the current law seems to be adequate. Vote 18-2.

MOTION TO SPECIAL ORDER

Rep. Verville moved that **HB 1394**, relative to animals in motor vehicles, be made a Special Order for the next Session in its regular place in the calendar.

On a division vote, with 174 members having voted in the affirmative, and 142 in the negative, the motion was adopted.

BILLS REMOVED FROM THE CONSENT CALENDAR CONT'D

HB 1644, prohibiting the combination of certain regulated utilities. **INEXPEDIENT TO LEGISLATE.**

Rep. Michael Vose for Science, Technology and Energy. This bill sought to prevent the merger of an electric utility with a water utility in the same jurisdiction. Testimony revealed that at least one NH utility currently owns gas, electricity, and water utilities with no known ill effects. In fact, such combinations save on customer costs by using shared billing systems and shared marketing and management functions. The Public Utilities Commission explored such combinations in a recent docket and found no adverse effects. Finally, the committee was reluctant to alter current law to deal with a single situation. Vote 18-1.

Rep. Vose spoke in favor.

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

YEAS 204 - NAYS 109

YEAS - 204

BELKNAP

Abear, Marc
Howard, Raymond
Sylvia, Michael

Aldrich, Glen
Lang, Timothy
Vadney, Herbert

Tilton, Franklin
Plumer, John
Varney, Peter

Fields, Dennis
Spanos, Peter

CARROLL

Avellani, Lino
McConkey, Mark
Marsh, William

Comeau, Ed
Nelson, Bill

Cordelli, Glenn
Schmidt, Stephen

Crawford, Karel
Umberger, Karen

CHESHIRE

Abbott, Michael
Ley, Douglas
Shepardson, Marjorie

Ames, Richard
Hunt, John
Sterling, Franklin

Bordenet, John
Mann, John

Harvey, Cathryn
O'Day, John

COOS

Fothergill, John
Theberge, Robert

Laflamme, Larry
Tucker, Edith

Merner, Troy

Richardson, Herbert

GRAFTON

Bailey, Brad
Massimilla, Linda
Johnson, Tiffany

Brown, Duane
Migliore, Vincent Paul
White, Andrew

Darrow, Stephen
Mulligan, Mary Jane

Hennessey, Erin
Smith, Suzanne

HILLSBOROUGH

Ammon, Keith
Biggie, Barbara
Carr, John
Dickey, Glen
Freeman, Lisa
Halstead, Carolyn
Hopper, Gary
Jack, Martin
L'Heureux, Robert
MacKay, Mariellen
McLean, Mark
Ohm, Bill
Porter, Marjorie
Renzullo, Andrew
Sanborn, Laurie
Wolf, Terry
Van Houten, Connie

Griffin, Barbara
Burt, John
Christie, Rick
Donovan, Daniel
Griffin, Gerald
Hansen, Peter
Belanger, James
Rice, Kimberly
Ober, Lynne
McCarthy, Michael
Murphy, Keith
Panasiti, Reed
Proulx, Mark
Roberts, Carol
Scully, Kevin
Twombly, Timothy

Backus, Robert
Byron, Frank
Connors, Erika
Dyer, Caleb
Gagne, Larry
Hellwig, Steve
Graham, John
Klee, Patricia
Lascelles, Richard
Martin, Joelle
Negron, Steve
Pellegrino, Anthony
Prout, Andrew
Rouillard, Claire
Seidel, Carl
Ulery, Jordan

Barry, Richard
Moore, Craig
Danielson, David
Ferreira, Elizabeth
Goley, Jeffrey
Hinch, Richard
Moore, Josh
Kurk, Neal
LeBrun, Donald
Martineau, Jesse
Notter, Jeanine
Pierce, David
Ober, Russell
Harvey, Suzanne
Souza, Kathleen
Sullivan, Victoria

MERRIMACK

Kuch, Bill
Henle, Paul
Kenison, Linda
Moffett, Michael
Pearl, Howard
Testerman, Dave

Carson, Clyde
Hill, Gregory
Klose, John
Marple, Richard
Seaworth, Brian
Wells, Natalie

Copp, Anne
Hoell, J.R.
Kotowski, Frank
McGuire, Carol
Shurtleff, Stephen

Long, Douglas
MacKay, James
Luneau, David
Myler, Mel
Walsh, Thomas

ROCKINGHAM

Cook, Allen
Bates, David
Cali-Pitts, Jacqueline
Elliott, Robert
Gilman, Julie
Hagan, Joseph
Janigian, John
Kolodziej, Walter
Matthews, Carolyn
Morrison, Sean
Packard, Sherman
Torosian, Peter
Vose, Michael
Weyler, Kenneth

Abrami, Patrick
Bean, Philip
Chase, Francis
Emerick, J. Tracy
Green, Dennis
Hoelzel, Kathleen
O'Connor, John
Griffin, Mary
McKinney, Betsy
Nasser, Jim
Gordon, Richard
Tripp, Richard
Wallace, Scott

Allen, Mary
Bove, Martin
Costable, Michael
Fesh, Robert
Guthrie, Joseph
Itse, Daniel
Katsakiores, Phyllis
Major, Norman
McMahon, Charles
Nigrello, Robert
Rimol, Bob
True, Chris
Webb, James

Barnes, Arthur
Cahill, Michael
Thomas, Douglas
Friel, William
Marsh, Henry
Edwards, Jess
Khan, Aboul
Malloy, Dennis
Milz, David
Osborne, Jason
Sytek, John
Verville, Kevin
Welch, David

STRAFFORD

Beaudoin, Steven
McNally, Jody
Graham, Robert
Wuelper, Kurt

Harrington, Michael
Mullen, John
Scruton, Matthew

Horgan, James
Phinney, Brandon
Spencer, Matthew

Kaczynski, Thomas
Pitre, Joseph
Wall, Janet

SULLIVAN

Gottling, Suzanne
Smith, Steven

Irwin, Virginia

Laware, Thomas

Rollins, Skip

**NAYS - 109
BELKNAP**

Huot, David

St. Clair, Charlie

CARROLL

Buco, Thomas

Butler, Edward

DesMarais, Edith

Knirk, Jerry

CHESHIRE

Berch, Paul
Fenton, Donovan
Stallcop, Joseph

Burridge, Delmar
McConnell, James
Tatro, Bruce

Eaton, Daniel
Meader, David
Weber, Lucy

Faulkner, Barry
Parkhurst, Henry

COOS

Hatch, William

Moynihan, Wayne

Thomas, Yvonne

GRAFTON

Almy, Susan
Dontonville, Roger
Nordgren, Sharon

Bennett, Travis
Ham, Bonnie
Rand, Steven

Boutin, Skylar
Josephson, Timothy
Sykes, George

Campion, Polly
Maes, Kevin

HILLSBOROUGH

Ayala, Jessica
Cleaver, Skip
Freitas, Mary
King, Mark
Mangipudi, Latha
Long, Patrick

Beaulieu, Jane
Cornell, Patricia
Herbert, Christopher
Leishman, Peter
Manley, Jonathan
Smith, Timothy

Bouldin, Amanda
Sullivan, Daniel
Judy, Jean
Lewicke, John
Nutting, Allison
Vann, Ivy

Chandley, Shannon
Elber, Joel
Keane, Amelia
MacKenzie, Mark
O'Leary, Richard
Williams, Kermit

MERRIMACK

Turcotte, Alan
Doherty, David
Richards, Beth
Soucy, Timothy

Alicea, Caroletta
Gile, Mary
Rogers, Katherine
Wallner, Mary Jane

Bartlett, Christy
Horn, Werner
Schuett, Dianne
Walz, Mary Beth

Brewster, Michael
Leavitt, John
Schultz, Kristina
Woolpert, David

ROCKINGHAM

Altschiller, Debra
Dowling, Patricia
Gay, Betty
Gordon, Pamela
Willis, Brenda

Berrien, Skip
Edgar, Michael
Janvrin, Jason
Read, Ellen

Cushing, Robert Renny
Farnham, Betsey
Lerner, Kari
Le, Tamara

DiLorenzo, Charlotte
Francese, Paula
Messmer, Mindi
Ward, Gerald

STRAFFORD

Bixby, Peter
Gourgue, Amanda
Krans, Hamilton
Salloway, Jeffrey
Treleven, Susan

Conley, Casey
Grassie, Chuck
Smith, Marjorie
Sandler, Catt

Ellis, Donna
Horrigan, Timothy
Opderbecke, Linn
Southworth, Thomas

Fontneau, Timothy
Keans, Sandra
Schmidt, Peter
Spang, Judith

SULLIVAN

Cloutier, John

Gagnon, Raymond

Oxenham, Lee

Tanner, Linda

and the committee report was adopted.

HB 1673-FN-L, relative to the interest charged on late and delinquent property tax payments. **INEXPEDIENT TO LEGISLATE.**

Rep. Bill Ohm for Ways and Means. This bill proposed to lower the interest rate on late and delinquent property tax payments from a fixed rate of 12% and 18%, to a rate specified in the IRS code, currently 6%. Supporters of the bill feel the rate is too high, and municipalities should not benefit from the financial problems of their residents. Opponents of the bill feel that a high rate is necessary to discourage residents from using cities and towns as a convenient bank for an instant loan on favorable terms, no application nor qualification necessary. Testimony revealed the towns and cities were frequently guilty of failing to advise residents of options including forbearance or dismissal. The situation too many residents find themselves in is a direct result of the failure to advise residents of existing law. If this issue is not resolved, the committee feels future legislation may be required to address the abatement notification process. With this the committee voted not to modify the current interest rates. Vote 23-0.

Rep. Burt spoke against.

Rep. Bates spoke against and yielded to questions.

Rep. Ohm spoke in favor.

Rep. Hoell requested a roll call; sufficiently seconded.

YEAS 126 - NAYS 163

YEAS - 126**BELKNAP**

Abear, Marc
Spanos, Peter

Fields, Dennis

Howard, Raymond

Lang, Timothy

CARROLL

Butler, Edward
Umberger, Karen

Knirk, Jerry

McConkey, Mark

Schmidt, Stephen

CHESHIRE

Abbott, Michael
Hunt, John

Ames, Richard
Parkhurst, Henry

Ley, Douglas
Sterling, Franklin

Faulkner, Barry
Tatro, Bruce

COOS

Merner, Troy

Moynihan, Wayne

Theberge, Robert

Tucker, Edith

GRAFTONAlmy, Susan
Hennessey, Erin
White, AndrewBailey, Brad
Migliore, Vincent PaulDontonville, Roger
Smith, SuzanneHam, Bonnie
Sykes, George**HILLSBOROUGH**Griffin, Barbara
Biggie, Barbara
Chandlee, Shannon
Elber, Joel
Herbert, Christopher
Jack, Martin
LeBrun, Donald
Martin, Joelle
Pierce, David
Harvey, SuzanneBackus, Robert
Bouldin, Amanda
Connors, Erika
Gagne, Larry
Hinch, Richard
King, Mark
MacKay, Mariellen
Ohm, Bill
Porter, Marjorie
Wolf, TerryBarry, Richard
Byron, Frank
Cornell, Patricia
Goley, Jeffrey
Belanger, James
Kurk, Neal
McCarthy, Michael
Long, Patrick
Ober, Russell
Twombly, TimothyBeaulieu, Jane
Carr, John
Danielson, David
Hansen, Peter
Graham, John
Ober, Lynne
MacKenzie, Mark
Pellegrino, Anthony
Rosenwald, Cindy
Ulery, Jordan**MERRIMACK**Kuch, Bill
MacKay, James
Luneau, David
Walz, Mary BethLong, Douglas
Kenison, Linda
Schuett, Dianne
Woolpert, DavidHenle, Paul
Klose, John
Shurtleff, StephenHill, Gregory
Kotowski, Frank
Wallner, Mary Jane**ROCKINGHAM**Abrami, Patrick
Berrien, Skip
Elliott, Robert
Gay, Betty
Katsakiores, Phyllis
Malloy, Dennis
Nasser, Jim
Tripp, RichardAllen, Mary
Cahill, Michael
Emerick, J. Tracy
Hagan, Joseph
Khan, Aboul
Matthews, Carolyn
Nigrello, Robert
Welch, DavidAltschiller, Debra
Chase, Francis
Farnham, Betsey
Hoelzel, Kathleen
Griffin, Mary
McMahon, Charles
Gordon, Richard
Weyler, KennethBarnes, Arthur
DiLorenzo, Charlotte
Fesh, Robert
O'Connor, John
Major, Norman
Milz, David
Sytek, John**STRAFFORD**Horgan, James
Scruton, MatthewKeans, Sandra
Southworth, ThomasMullen, John
Treleaven, SusanGraham, Robert
Wall, Janet**SULLIVAN**

Gottling, Suzanne

Laware, Thomas

NAYS - 163**BELKNAP**Aldrich, Glen
St. Clair, CharlieTilton, Franklin
Sylvia, MichaelHuot, David
Vadney, HerbertPlumer, John
Varney, Peter**CARROLL**Avellani, Lino
DesMarais, EdithBuco, Thomas
Nelson, BillComeau, Ed
Marsh, William

Cordelli, Glenn

CHESHIREHarvey, Cathryn
O'Day, JohnEaton, Daniel
Shepardson, MarjorieMann, John
Stallcop, Joseph

McConnell, James

COOS

Fothergill, John

Hatch, William

Laflamme, Larry

Richardson, Herbert

GRAFTONBennett, Travis
Darrow, Stephen
Mulligan, Mary JaneBoutin, Skylar
Josephson, Timothy
Nordgren, SharonBrown, Duane
Maes, Kevin
Rand, StevenCampion, Polly
Massimilla, Linda
Johnson, Tiffany**HILLSBOROUGH**Ammon, Keith
Christie, Rick
Dyer, Caleb
Griffin, Gerald
Moore, JoshAyala, Jessica
Cleaver, Skip
Ferreira, Elizabeth
Halstead, Carolyn
Keane, AmeliaBurt, John
Dickey, Glen
Freeman, Lisa
Hellwig, Steve
L'Heureux, RobertMoore, Craig
Donovan, Daniel
Freitas, Mary
Hopper, Gary
Lascelles, Richard

Leishman, Peter
McLean, Mark
Nutting, Allison
Prout, Andrew
Sanborn, Laurie
Van Houten, Connie

Lewicke, John
Murphy, Keith
O'Leary, Richard
Renzullo, Andrew
Scully, Kevin
Williams, Kermit

Mangipudi, Latha
Negron, Steve
Panasiti, Reed
Roberts, Carol
Souza, Kathleen

Manley, Jonathan
Notter, Jeanine
Proulx, Mark
Rouillard, Claire
Sullivan, Victoria

MERRIMACK

Turcotte, Alan
Carson, Clyde
Horn, Werner
McGuire, Carol
Seaworth, Brian
Wells, Natalie

Alicea, Caroletta
Copp, Anne
Leavitt, John
Pearl, Howard
Soucy, Timothy

Bartlett, Christy
Doherty, David
Moffett, Michael
Rogers, Katherine
Walsh, Thomas

Brewster, Michael
Hoell, J.R.
Marple, Richard
Schultz, Kristina
Testerman, Dave

ROCKINGHAM

Cook, Allen
Cali-Pitts, Jacqueline
Edgar, Michael
Green, Dennis
Edwards, Jess
Lerner, Kari
Gordon, Pamela
Torosian, Peter
Wallace, Scott

Bates, David
Costable, Michael
Francesce, Paula
Guthrie, Joseph
Janigian, John
Messmer, Mindi
Packard, Sherman
True, Chris
Ward, Gerald

Bean, Philip
Cushing, Robert Renny
Friel, William
Marsh, Henry
Janvrin, Jason
Morrison, Sean
Read, Ellen
Verville, Kevin
Webb, James

Bove, Martin
Dowling, Patricia
Gilman, Julie
Itse, Daniel
Kolodziej, Walter
Osborne, Jason
Le, Tamara
Vose, Michael
Willis, Brenda

STRAFFORD

Beaudoin, Steven
Fontneau, Timothy
Horrigan, Timothy
Opderbecke, Linn
Sandler, Catt

Bixby, Peter
Gourgue, Amanda
Kaczynski, Thomas
Schmidt, Peter
Spang, Judith

Conley, Casey
Grassie, Chuck
Smith, Marjorie
Phinney, Brandon
Spencer, Matthew

Ellis, Donna
Harrington, Michael
McNally, Jody
Pitre, Joseph
Wuelper, Kurt

SULLIVAN

Cloutier, John
Smith, Steven

Irwin, Virginia
Tanner, Linda

Oxenham, Lee

Rollins, Skip

and the committee report failed.

Rep. Bates moved Ought to Pass.

Motion adopted and ordered to third reading.

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, Tuesday, March 6, 2018 at 10:00 a.m.

Motion adopted.

LATE SESSION

Third Reading and Final Passage

HB 1252-FN, relative to certificates of insurance.

HB 1285, relative to dancers and entertainers in premises serving alcoholic beverages.

HB 1374, relative to financial regulation technicals.

HB 1740, relative to costs of blood testing orders.

HB 1791-FN, allowing pharmacists to disclose information relative to lower cost drugs under the managed care law.

HB 1265, relative to the release of criminal conviction records.

HB 1329, relative to eyewitness identification procedures.

HB 1404, relative to the competing harms defense.

HB 1483, amending the wiretapping and eavesdropping statute to include private communication networks.

HB 1494, relative to the definition of academic standards.

HB 1498, relative to alternate certification pathways for career and technical education instructors.

HB 1598-L, relative to the vote to withdraw from a cooperative school district.

HB 1637, requiring school districts to establish policies relating to suspensions and expulsions.

HB 1674, relative to computer science and digital skills required for an adequate education.

HB 1247, relative to administering oaths to certain state officers.

HB 1281, establishing an executive order registry.

HB 1310, establishing a committee to study all non-regulatory boards and commissions.
HB 1335, relative to the cybersecurity software used by the state of New Hampshire.
HB 1356, relative to data sharing between the department of environmental services and the department of health and human services.
HB 1401, relative to the New Hampshire accountancy act.
HB 1472, relative to the state building code provisions for energy conservation in new building construction.
HB 1545, relative to the statewide interoperability executive committee.
HB 1622, relative to organization of the department of information technology.
HB 1664, relative to terms of appointment of members of governing boards for allied health professionals.
HB 1738, transferring the division of film and digital media to the division of travel and tourism in the department of business and economic affairs.
HB 1280-FN, relative to bow and arrow hunting licenses for permanently disabled military veterans.
HB 1289, relative to trespassing domestic fowl.
HB 1352-FN, eliminating the nonresident freshwater bait dealers license.
HB 1458, relative to exempting certain rules governing marine species from the administrative procedures act.
HB 1284, relative to the reports required by the incapacitated and vulnerable adult fatality review committee.
HB 1468, establishing a commission to study legislative oversight activities related to the department of health and human services.
HB 1243, relative to exemptions from property attachments.
HB 1237, relative to the definition of "public at large."
HB 1303, relative to the purposes of revolving funds in towns.
HB 1304, relative to the authorization for forensic audits by a county convention.
HB 1361, relative to county audits.
HB 1283, prohibiting sobriety checkpoints.
HB 1288, relative to petitions for annulment.
HB 1416-FN, repealing the prohibition on bottle rockets.
HB 1420-FN, relative to a criminal penalty for driving after certification as an habitual offender.
HB 1425-FN, relative to simple assault.
HB 1467, relative to the penalty for driving after revocation or suspension.
HB 1477-FN, relative to annulment of arrests or convictions for possession of 3/4 of an ounce of marijuana, or less.
HB 1217, amending the certification requirements for school nurses.
HB 1441-FN, establishing the office of the ombudsman in the department of state.
HB 1446, relative to childhood cancer awareness month.
HB 1565-FN, relative to requiring the secure psychiatric unit to be accredited as a psychiatric hospital and making an appropriation therefor.
HB 1638, declaring April 7, 2018 as tabletop gaming day in New Hampshire.
HB 1676-FN, repealing the licensing requirement for open-air shows and repealing the laws related to the keeping of billiard tables.
CACR 16, Relating to privacy. Providing that an individual's right to live free of governmental intrusion is natural, essential, and inherent.
HB 1227, relative to an unattended idling vehicle on private property.
HB 1554-FN, increasing exemptions under the interest and dividends tax and decreasing the total amount of research and development credits against business taxes.
HB 1808, repealing certain inactive dedicated funds.
HB 1673-FN-L, relative to the interest charged on late and delinquent property tax payments.

UNANIMOUS CONSENT

Rep. Porter requested Unanimous Consent of the House regarding the Legislative Youth Advisory Council and addressed the House.

Rep. Oxenham requested Unanimous Consent of the House regarding school shootings and addressed the House.

RECESS MOTION

Rep. Hinch moved that the House stand in recess for the purposes of the introduction of bills, receiving Senate messages, enrolled bill amendments and enrolled bill reports.

Motion adopted.

The House recessed at 3:52 p.m.

RECESS