



State of
New Hampshire

HOUSE RECORD

Second Year of the 165th General Court

Calendar and Journal of the 2018 Session

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Concord, N.H.

Tuesday, March 6, 2018

No. 6

HOUSE JOURNAL No. 5 (Cont'd)

Thursday, February 22, 2018

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

HOUSE JOURNAL No. 6

Tuesday, March 6, 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 former House Chaplain, Reverend Roger Boucher.

We praise You Lord for all the good freedoms You have provided this country and our beloved State of New Hampshire. As we begin this heavy workweek we ask for the blessings of clarity of mind, due diligence of will, and a caring heart so that we may serve our constituents honorably and for the benefit of our common good. That is, Lord, we ask You to set us on fire to make the very best choices that befit our human dignity so that our people will react with trust and hope. Our call to work together is a sacred obligation and whatever trials and challenges we face this week and in the future help us to travel together with a hope and certainty that this good state will always sustain responsible liberty and prosperous growth for the benefit of all. We always call to mind before Your face our veterans and those on active duty. Bring them back unharmed, O Lord. Keep us alert to the fragile lives of our youth. Help us, by what we do, and with a befitting authority, to teach them to respect each and every human being as Your gift that they may enjoy the freedoms we protect and nurture in this great State of New Hampshire! Bless us all as we turn to our work with diligence and good hearts. We ask this in Your Holy Name. Amen.

Representative Edward Butler, member from Harts Location, led the Pledge of Allegiance.

The National Anthem was sung by Robin Croce, a student at Kennett High School in North Conway.

LEAVES OF ABSENCE

Reps. Alicea, Cote, Gidge, McBeath, Sofikitis, Spang, Vincent, Wall and Robert Walsh, the day, illness.

Reps. Ayala, Burns, Byron, Chirichiello, Conley, Fenton, Francese, Fromuth, Irwin, Janigian, Nasser, Osborne, Timothy Smith, Souza, Spillane, St. Clair, Leonard Turcotte, Vann, Verville and Wallner, the day, important business.

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

INTRODUCTION OF GUESTS

Steve Ullman, guest of Reps. Porter and McNamara. Francesca Diggs, guest of Rep. Maes. Linda Goddard, guest of Rep. Somero. Karen Quealy, guest of Rep. Lovejoy. Patty, Larry and Cassie Levesque, guests of Rep. Cilley. Megan Croce and Anthony Wells, mother of the singer, and guests of Reps. Umberger and Butler. Fourth Grade students from New Franklin School in Portsmouth, guests of Rep. Somssich. Fourth and fifth grade students from Parker Varney School in Manchester, guests of Rep. Beaulieu.

MOTION TO SUSPEND HOUSE RULES

Rep. Shurtleff moved that House Rules be so far suspended as to introduce and consider at the present time a House Bill, relative to the banning of bump stocks and sale of firearms, without the required printing, referral to committee, public hearing and report from committee, past the deadline.

Reps. Shurtleff and Cali-Pitts spoke in favor.

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

YEAS 144 - NAYS 178**YEAS - 144
BELKNAP**

Huot, David

Buco, Thomas

Abbott, Michael
Burridge, Delmar
Faulkner, Barry
Parkhurst, Henry
Weber, Lucy

Moynihan, Wayne

Abel, Richard
Dontonville, Roger
Massimilla, Linda
Sykes, GeorgeBackus, Robert
Cleaver, Skip
DiSilvestro, Linda
Schmidt, Janice
Klee, Patricia
Mangipudi, Latha
Newman, Sue
O'Neil, William
Rosenwald, Cindy
Williams, KermitTurcotte, Alan
Ebel, Karen
MacKay, James
Myler, Mel
Rogers, Katherine
Soucy, TimothyAltschiller, Debra
Cushing, Robert Renny
Gilman, Julie
Malloy, Dennis
Pantelakos, Laura
Ward, GeraldBerube, Roger
Ellis, Donna
Horrigan, Timothy
Opderbecke, Linn
Treleaven, SusanCloutier, John
Sullivan, BrianAbear, Marc
Fields, Dennis
Plumer, John
Vadney, Herbert

Butler, Edward

Ames, Richard
Harvey, Cathryn
Johnsen, Gladys
Shepardson, Marjorie

Richardson, Herbert

Almy, Susan
Higgins, Patricia
Mulligan, Mary Jane
White, AndrewBeaulieu, Jane
Connors, Erika
Elber, Joel
Jack, Martin
Leishman, Peter
Martin, Joelle
Nutting, Allison
Long, Patrick
Harvey, SuzanneBartlett, Christy
Gile, Mary
Kenison, Linda
Patten, Dick
Schuett, Dianne
Walz, Mary BethBerrien, Skip
DiLorenzo, Charlotte
Guthrie, Joseph
Messmer, Mindi
Read, Ellen
Willis, BrendaBixby, Peter
Fontneau, Timothy
Keans, Sandra
Schmidt, PeterGagnon, Raymond
Tanner, LindaAldrich, Glen
Fraser, Valerie
Silber, Norman
Varney, Peter**CARROLL**

DesMarais, Edith

CHESHIREBerch, Paul
Ley, Douglas
Mann, John
Tatro, Bruce**COOS**

Thomas, Yvonne

GRAFTONBennett, Travis
Josephson, Timothy
Rand, Steven**HILLSBOROUGH**Bouldin, Amanda
Cornell, Patricia
Freitas, Mary
Jeudy, Jean
Lisle, David
Martineau, Jesse
O'Brien, Michael
Porter, Marjorie
Shaw, Barbara**MERRIMACK**Carson, Clyde
Moffett, Howard
Leavitt, John
Richards, Beth
Schultz, Kristina
Woolpert, David**ROCKINGHAM**Cahill, Michael
Edgar, Michael
Lerner, Kari
Murray, Kate
Somssich, Peter**STRAFFORD**Burton, Wayne
Frost, Sherry
Krans, Hamilton
Salloway, Jeffrey**SULLIVAN**

Gottling, Suzanne

**NAYS - 178
BELKNAP**Comtois, Barbara
Howard, Raymond
Spanos, Peter

Knirk, Jerry

Bordenet, John
Eaton, Daniel
Meader, David
Pearson, WilliamCampion, Polly
Maes, Kevin
Smith, SuzanneChandlee, Shannon
Sullivan, Daniel
Herbert, Christopher
Keane, Amelia
MacKenzie, Mark
McNamara, Richard
O'Leary, Richard
Roberts, Carol
Van Houten, ConnieDoherty, David
Henle, Paul
Luneau, David
Rodd, Beth
Shurtleff, StephenCali-Pitts, Jacqueline
Farnham, Betsey
Lovejoy, Patricia
Gordon, Pamela
Le, TamaraCilley, Jacalyn
Grassie, Chuck
Smith, Marjorie
Southworth, Thomas

Oxenham, Lee

Tilton, Franklin
Lang, Timothy
Sylvia, Michael

CARROLL

Avellani, Lino
McCarthy, Frank
Umberger, Karen

Comeau, Ed
McConkey, Mark
Marsh, William

Cordelli, Glenn
Nelson, Bill

Crawford, Karel
Schmidt, Stephen

CHESHIRE

Hunt, John

McConnell, James

O'Day, John

Stallcop, Joseph

COOS

Fothergill, John

Merner, Troy

Theberge, Robert

Tucker, Edith

GRAFTON

Bailey, Brad
Hennessey, Erin
Johnson, Tiffany

Binford, David
Ladd, Rick

Brown, Duane
Migliore, Vincent Paul

Darrow, Stephen
Schwaegler, Vicki

HILLSBOROUGH

Ammon, Keith
Moore, Craig
Danielson, David
Ferreira, Elizabeth
Gagne, Larry
Hinch, Richard
Graham, John
Kurk, Neal
LeBrun, Donald
McLean, Mark
Ohm, Bill
Proulx, Mark
Rouillard, Claire
Somero, Paul
Sullivan, Victoria

Barry, Richard
Carr, John
Dickey, Glen
Freeman, Lisa
Gould, Linda
Hopper, Gary
Moore, Josh
L'Heureux, Robert
Lewicke, John
Murphy, Keith
Panasiti, Reed
Prout, Andrew
Sanborn, Laurie
Wolf, Terry
Valera, John

Biggie, Barbara
Christensen, Chris
Donovan, Daniel
Griffin, Gerald
Halstead, Carolyn
Hynes, Dan
Rice, Kimberly
Ober, Lynne
MacKay, Mariellen
Negron, Steve
Pellegrino, Anthony
Ober, Russell
Scully, Kevin
Twombly, Timothy

Burt, John
Christie, Rick
Fedolfi, Jim
Smith, Gregory
Hansen, Peter
Belanger, James
King, Mark
Lascelles, Richard
McCarthy, Michael
Notter, Jeanine
Pierce, David
Renzullo, Andrew
Seidel, Carl
Ulery, Jordan

MERRIMACK

Kuch, Bill
Wolf, Dan
Klose, John
McGuire, Carol
Testerman, Dave

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

Copp, Anne
Hoell, J.R.
Moffett, Michael
Seaworth, Brian

Long, Douglas
Horn, Werner
Marple, Richard
Walsh, Thomas

ROCKINGHAM

Abrami, Patrick
Bean, Philip
Dowling, Patricia
Friel, William
Hagan, Joseph
Janvrin, Jason
Kolodziej, Walter
Manning, John
Milz, David
Tilton, Rio
Torosian, Peter
Webb, James

Allen, Mary
Bove, Martin
Elliott, Robert
Gay, Betty
Hoelzel, Kathleen
O'Connor, John
Griffin, Mary
Matthews, Carolyn
Nigrello, Robert
Rimol, Bob
Tripp, Richard
Welch, David

Baldasaro, Alfred
Costable, Michael
Emerick, J. Tracy
Green, Dennis
Itse, Daniel
Katsakiores, Phyllis
Pearson, Mark
McKinney, Betsy
Packard, Sherman
Sapareto, Frank
True, Chris
Weyler, Kenneth

Bates, David
Thomas, Douglas
Fesh, Robert
Marsh, Henry
Edwards, Jess
Khan, Aboul
Major, Norman
McMahon, Charles
Gordon, Richard
Sytek, John
Vose, Michael
Woitkun, Steven

STRAFFORD

Beaudoin, Steven
Phinney, Brandon
Wuelper, Kurt

Kaczynski, Thomas
Pitre, Joseph

McNally, Jody
Scruton, Matthew

Mullen, John
Spencer, Matthew

SULLIVAN

Grenier, James

Laware, Thomas

Rollins, Skip

Smith, Steven

and the motion failed.

CONSENT CALENDAR

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

HB 1267, relative to court-ordered drug and alcohol testing under the Child Protection Act, removed by Rep. Morrison.

HB 1275, relative to the placement of minors at the Sununu Youth Drug Treatment Center, removed by Rep. Elliott.

HB 1287, relative to the age at which persons may marry, removed by Rep. Stone.

HB 1586, relative to judicial review for underage marriage, removed by Rep. Stone.

HB 1214, prohibiting the sale of certain furniture with flame retardant chemicals, removed by Rep. Goley.

HB 1521, relative to the adoption of budgets and special assessments by condominium associations, removed by Rep. Webb.

HB 1610, requiring sellers of real property to disclose certain information concerning environmental hazards, removed by Rep. McConnell.

HB 1632, relative to the labeling of bottled water, removed by Rep. Messmer.

HB 1678-FN, reducing the penalty for certain first offense drug possession charges, removed by Rep. Hynes.

HB 1499, relative to the focus and components of New Hampshire kindergartens, removed by Rep. Stone.

CACR 11, relating to elections. Providing that a majority of selectmen shall be present at certain polling places, removed by Rep. Pearl.

HB 1240, allowing voters to vote for multiple candidates for an office, removed by Rep. Dyer.

HB 1479-L, relative to the nomination of political candidates, removed by Rep. Dyer.

HB 1543, relative to domicile of students for voting purposes, removed by Rep. Stone.

HB 1568-FN, allowing voters to register as members of political organizations, removed by Rep. Dyer.

HB 1759-FN, regulating the use of drones, removed by Rep. Kurk.

HB 1210, establishing a committee to study the effect of current use taxation on small and rural municipalities, removed by Rep. Belanger.

HB 1702, relative to the management of the Gunstock Area, removed by Rep. Abear.

HB 1728-FN-L, removing the homestead exemption, removed by Rep. Marple.

HR 20, affirming states' powers based on the Constitution for the United States and the Constitution of New Hampshire, removed by Rep. Hoell.

Consent Calendar adopted.

HB 1103-FN, relative to financial responsibility for voluntary services provided pursuant to a report of abuse or neglect that is "unfounded but with reasonable concern." **OUGHT TO PASS.**

Rep. Kevin Scully for Children and Family Law. The committee unanimously believes that this bill, if passed, will result in more children staying with their families while reducing costs. This will allow the Division of Children, Youth and Families to better direct their limited resources where needed. Vote 11-0.

HB 1234, permitting foster parents to intervene in a legal proceeding involving the custody of a child in their care. **INEXPEDIENT TO LEGISLATE.**

Rep. Allen Cook for Children and Family Law. It is important to recognize that foster parents do not have any legal standing over the children in foster care. By passing this bill it would create a three-way conflict in an already difficult issue. Therefore, the committee unanimously agreed that this bill should be found Inexpedient to Legislate. Vote 12-0.

HB 1235, repealing the prospective repeal of the rebuttable presumption of harm due to opioid drug abuse under the Child Protection Act. **INEXPEDIENT TO LEGISLATE.**

Rep. John Lewicke for Children and Family Law. This bill would repeal the sunset provision (RSA 169-C:12R), a rebuttable presumption of harm due to opioid use. The rebuttable presumption of harm has only been in place for a year. The committee believes it would be premature to alter the sunset provision when we have little information or experience with the law. Vote 12-0.

HB 1261, relative to record management of abuse and neglect reports. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Skip Berrien for Children and Family Law. The Legislative Commission to Review Child Abuse Fatalities and the 2016 Quality Assurance Review of Division of Children, Youth and Families (DCYF) recommended that DCYF records be retained for time intervals to permit the opportunity to establish a pattern of abuse or neglect for protection of children. As amended this legislation extends the retention of records to 4 years in such cases as there is no investigation; records in which there is insufficient findings for DCYF intervention will be retained for 10 years; records of cases in which there are sufficient finding for DCYF intervention will be retained indefinitely. Vote 12-2.

Amendment (0729h)

Amend RSA 169-C:35-a, I as inserted by section 2 of the bill by replacing it with the following:

I. The department shall retain a screened-out report for 4 years from the date that the report was screened out. If during the 4-year retention period, the department receives a subsequent report of abuse or neglect concerning the same alleged perpetrator or the same child or any siblings or other children in the same household or in the care of the same adults, the department shall retain information from the prior and subsequent reports for an additional 4 years from the date a subsequent report is screened out, an additional 10 years from the date a subsequent report is deemed unfounded, and indefinitely if the subsequent report is deemed founded or unfounded but with reasonable concern. The department shall delete or destroy all electronic and paper records of the reports when the retention period for the most recent report expires.

Amend the bill by replacing section 3 with the following:

3 Effective Date. This act shall take effect July 1, 2019.

HB 1377, relative to the emancipation of minors. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Daniel Itse for Children and Family Law. This bill provides for statutory of minors after marriage pursuant to RSA 457:4. Particularly, it enables married minors to enter into consumer contract such as renting an apartment, buying a car or getting electric service and making their own health care decisions. Vote 13-0.

Amendment (0728h)

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

AN ACT relative to emancipation by marriage and establishing a committee to study the emancipation of minors.

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

1 New Section; Common Law Rule Abrogated; Emancipation by Marriage. Amend RSA 21-B by inserting after section 2 the following new section:

21-B:3 Emancipation by Marriage. Any person under 18 years of age who is validly married pursuant to RSA 457:4 shall be considered to be emancipated by marriage solely for the purposes of making health care decisions and entering into binding consumer contracts, as defined in RSA 382-A:1-201. In such cases, the certificate of marriage shall provide conclusive evidence of emancipation.

2 Committee Established.

I. There is established a committee to study emancipation of minors.

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

(a) Four members of the house of representatives, appointed by the speaker of the house of representatives.

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

III. Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.

IV. The committee shall study the emancipation of minors, including state laws governing emancipation, the circumstances under which a minor may be emancipated, the procedure for obtaining emancipation, and the legal consequences of emancipation.

V. The members of the study committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the first-named house member. The first meeting of the committee shall be held within 45 days of the effective date of this section. Three members of the committee shall constitute a quorum.

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

3 Effective Date.

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

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

AMENDED ANALYSIS

This bill provides that a minor validly married under state law shall be considered emancipated by marriage for the purposes of making health care decisions and entering into consumer contracts. The bill also establishes a committee to study emancipation of minors.

HB 1383, relative to liability for expenses for court ordered placements of children. **INEXPEDIENT TO LEGISLATE.**

Rep. Allen Cook for Children and Family Law. The committee realizes that to pass this law will disrupt financial stability already in place in regards to financial placements in court ordered situations. Vote 12-0.

HB 1384, relative to the evidence standard used in child abuse and neglect cases. **INEXPEDIENT TO LEGISLATE.**

Rep. Allen Cook for Children and Family Law. The committee found that there is no way to create standardized evidence in not only child abuse cases but in any trial situation as they are all unique. There may be similarities in crimes but evidence is completely subjective to each crime. Therefore, the committee found this bill Inexpedient to Legislate. Vote 12-0.

HB 1475, relative to the procedure for filing a protective order. **REFER FOR INTERIM STUDY.**

Rep. Daniel Itse for Children and Family Law. This bill attempts to correct a very real problem that a minor can only get a protective order against a spouse, former spouse or intimate partner, but not any third party outside the home. Furthermore, court forms do not provide for a protective order filed by a guardian. Unfortunately, the bill as introduced might be weaponized in divorce. The committee needs the summer to make the bill right. Vote 12-0.

HB 1562-FN, establishing a foster parent bill of rights. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Daniel Itse for Children and Family Law. As amended this bill establishes in-law practices which are Division of Children, Youth and Families (DCYF) policy, but not uniformly enforced. DCYF will be required to inform a foster parent before they release personal information to the natural parents. They will need to provide 24/7 consult for acute situations. The court will provide notice of all hearings. This has no fiscal impact. Vote 14-0.

Amendment (0642h)

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

AN ACT relative to the role of foster parents.

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

1 New Subdivision; Foster Parents. Amend RSA 170-E by inserting after section 50 the following new subdivision:

Foster Parents

170-E:51 Foster Parents. When a child is placed in a foster home pursuant to a juvenile court order:

I. The department of health and human services shall consult with the foster parent prior to the release of the foster parent's address, phone number, or other personally identifying information to the child's parent or guardian.

II. The department of health and human services shall make a representative of the department available 24 hours a day, 7 days a week, for the purpose of aiding the foster parent in caring for the acute needs of the foster child.

III. Pursuant to RSA 169-C:14, the foster parent shall receive notice of all court proceedings and may, at the court's discretion, attend such hearings and submit written or oral reports of the child's behavior, progress, and developmental needs.

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

AMENDED ANALYSIS

This bill requires the department of health and human services to consult with foster parents before releasing their personally identifiable information, to make a representative of the department consistently available to foster parents, and to facilitate the foster parents' participation in court hearings.

HB 1587, raising the minimum age for marriage and relative to the emancipation of minors. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John Lewicke for Children and Family Law. Currently RSA 457:4 sets the age for marriage with judicial approval at 13 for females, 14 for males and 18 for persons entering into a same sex marriage. As amended, this bill simply prohibits marriage for anyone under the age of 16 which eliminates all the discriminatory provisions in the current statute. Persons 16 or 17 of age could still marry with judicial approval. Vote 13-0.

Amendment (0460h)

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

AN ACT relative to the minimum age for marriage.

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

1 Marriageable; Minimum Age to Marry. RSA 457:4 is repealed and reenacted to read as follows:

457:4 Marriageable. No person below the age of 16 years shall be capable of contracting a valid marriage, and all marriages contracted by such persons shall be null and void.

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

AMENDED ANALYSIS

This bill requires a person to be at least 16 years of age to marry.

HB 1633, relative to alimony. **INEXPEDIENT TO LEGISLATE.**

Rep. Allen Cook for Children and Family Law. The committee was approached by the sponsor of the bill requesting this be we recommend it to be Inexpedient to Legislate. The sponsor felt this issue would be covered under Senate Bill 71. Vote 12-0.

HB 1661, relative to the protection of minors who petition the court to marry. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Daniel Itse for Children and Family Law. This bill, as amended, revises the statutory provisions about the judicial process for granting permission for a minor to marry. It strips out the current language that says that a judge may grant permission on a finding of "special causes rendering desirable the marriage" because that language is unclear and fails to specify even to whom the marriage must be desirable. Instead, a judge must find that the marriage is in the best interest of the minor and the finding must be made by clear and convincing proof. The "best interest" standard is one that judges use regularly, and focuses the inquiry solely

on what is best for this individual minor. Requiring “clear and convincing proof” that the marriage is in the minor’s best interest raises the bar as to how sure the judge has to be about the decision. Additionally, the petitioner must disclose the involvement of Division of Children, Youth and Families with the minor’s family, if the petitioner has any knowledge of that involvement. Finally, the judge is required to conduct an individual interview as part of the proceedings. Vote 13-0.

Amendment (0461h)

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

AN ACT relative to a marriage petition by a party under age.

1 Petition by a Party Under Age. Amend RSA 457:6 and RSA 457:7 to read as follows:

457:6 Petition by Party Under Age.

I. If ~~[special cause exists rendering desirable]~~ the marriage of a person resident in this state, or the marriage of a person who is a nonresident in this state who applies for permission to marry a resident in this state, either person being below the age of consent and above the ages specified in RSA 457:4, ***is desired***, the parties desiring to contract such marriage, with the parent or guardian having the custody of such party below such age, if there be such parent or guardian, may apply in writing to the judicial branch family division having jurisdiction in the location in which one of them resides, for permission to contract such marriage.

II. *The petition shall indicate whether, to the knowledge of the petitioner, the department of health and human services, bureau of child protection services has contacted or been involved with the family of the person under the age of consent.*

III. *As part of the decision making process, the court shall conduct an in camera interview of each person under the age of consent, without that person’s parent or guardian or the other party to the marriage present.*

IV. *Permission to contract such marriage shall be granted only upon clear and convincing evidence that the marriage is in the best interest of the person or persons below the age of consent.*

V. No ~~[waiver]~~ **permission** shall be granted to persons below the age of consent if both parties are nonresidents.

457:7 Granting of Permission. Such justice or judge shall at once hear the parties, and, if satisfied that ~~[special cause exists making such marriage desirable]~~ ***it has been shown by clear and convincing evidence that the marriage is in the best interest of the person or persons below the age of consent***, shall grant permission therefor, which shall be filed with the court and shall be reported to the division of vital records. The division shall note the fact of the granting of such permission upon the certificate and upon all copies thereof which are by law required to be kept.

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

AMENDED ANALYSIS

This bill provides that the court shall not grant permission for a person under the age of consent to marry unless the court finds by clear and convincing evidence that the marriage is in his or her best interest.

HB 1683-FN, relative to the definition of child abuse. **OUGHT TO PASS.**

Rep. Daniel Itse for Children and Family Law. This bill adds sex trafficking to the definitions of abuse. Normally, RSA-169:C deals with issues inside the family, but this addition ensures access to services. Furthermore, we have had one instance of a mother sex trafficking her daughter which would not fit the current definition of sexual abuse. Vote 13-0.

HB 1774, relative to parenting plans and relocation of a child’s residence. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Matthew Spencer for Children and Family Law. This bill as amended addresses relocation issues in RSA 461-A and clarifies the criteria and procedure for changing residences for minor children after divorce. Vote 13-0.

Amendment (0638h)

Amend RSA 461-A:12, III as inserted by section 5 of the bill by replacing it with the following:

III. Prior to relocating, the parent shall provide reasonable notice to the other parent. For purposes of this section, 60 days notice shall be presumed to be reasonable unless other factors are found to be present, ***or the parents have a written agreement to the contrary. Factors justifying shorter notice shall include, but are not limited to, relocation to protect the safety of the parent, child, or both, or relocation because the current abode is unavailable due to circumstances beyond the control of the parent.***

Amend the bill by replacing section 6 with the following:

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

HB 1775, relative to the appointment of guardians ad litem in parenting cases. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Daniel Itse for Children and Family Law. This bill defines the appointment of Guardian ad Litem (GAL) in divorce cases. It defines the compensation of publicly and privately funded GALs and how private funding is divided between the parties. Finally, it ensures that GALs will not work beyond their original scope without a court order. Vote 14-0.

Amendment (0671h)

Amend RSA 461-A:16, IV-V as inserted by section 1 of the bill by replacing them with the following:

IV. When a guardian ad litem is appointed pursuant to this section, the court shall establish a maximum fee for the appointment *in accordance with this section*. ~~[The guardian ad litem may exceed the maximum fee for the appointment, or additional fees may be authorized, only with the prior approval of the presiding judge and when all parties have been notified. The fees for services for the guardian ad litem and others utilized by the guardian and approved by the court shall be a charge against the parties in a proportional amount as the court may determine.]~~

(a) When appointing a guardian ad litem to be paid from a state fund, the court shall establish an hourly rate and a maximum fee for the appointment, which shall not exceed the hourly rate and maximum fee established by court rule for abuse and neglect cases. The state fund for guardian ad litem fees shall be available only to a party whose income is 200 percent or less of the federal poverty level.

(b) When appointing a guardian ad litem to be paid directly by the parties, the hourly rate and maximum fee for the appointment shall be established by written agreement between the guardian ad litem and the parties. The hourly rate shall be not more than twice the rate for state fund cases and shall not exceed 23 hours, unless the parties agree otherwise. The fees for services of the guardian ad litem and others utilized by the guardian and approved by the court shall be a charge against the parties in a proportional amount, as determined by the court. In determining the responsibility for payment or repayment, the court shall consider:

- (1) The income of the parties;*
- (2) The marital or nonmarital assets of the parties;*
- (3) The division of property made as part of the final divorce, if applicable;*
- (4) Which party requested appointment of the guardian ad litem; and*
- (5) Other relevant factors.*

V. ~~[For good cause shown, the court may waive the requirements of paragraph I. Good cause shall not include the lack of ability to pay by either party.]~~ *The guardian ad litem shall not exceed the maximum fee for the appointment, or provide services, without prior approval from the court, after a hearing. If the parties agree to the guardian ad litem's request to exceed the maximum fee, the hearing may be waived.*

HB 1801-FN, relative to removal of a child under the child protection act and establishing the crime of abuse of a minor. **INEXPEDIENT TO LEGISLATE.**

Rep. Daniel Itse for Children and Family Law. This bill raises important issues. However, it is self-conflicting. Furthermore, it puts strictures on the evidence that could prevent the introduction of exculpatory evidence. Vote 13-0.

HB 1308-FN, relative to non-renewal of lines of business. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Barbara Biggie for Commerce and Consumer Affairs. Under this bill, with the amendment, an insurance company providing fire or casualty business that decides not to renew their entire line of business in New Hampshire will be required to provide its appointed insurance agents of record with 120 days notice instead of the current 45 days' notice. It also requires any non-renewal notices to affected policyholders to be issued with an effective date of at least 120 days notice after the agents' notice. Because some types of policies are harder to replace, this bill provides the time to help customers find appropriate replacement policies. Vote 19-1.

Amendment (0446h)

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

1 New Section; Insurance Companies and Agents. Amend RSA 402 by inserting after section 83 the following new section:

402:84 Discontinuance of Lines of Business; Notice Required. Any licensed insurance company authorized to transact fire or casualty business in this state shall provide 120 days' notice to its appointed agents of record in New Hampshire of the insurance company's decision to cease writing an entire line of business. Any non-renewal notices to affected policyholders shall be issued in accordance with applicable law, provided that the effective date of any such non-renewals shall be at least 120 days after notice to the agents of record under this section.

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

AMENDED ANALYSIS

This bill requires licensed insurance companies to provide notice to its agents of record in New Hampshire of the insurance company's decision not to renew lines of business.

HB 1359, requiring condominium boards of directors to provide notice of FHA approval status. **INEXPEDIENT TO LEGISLATE.**

Rep. Kermit Williams for Commerce and Consumer Affairs. This bill would require a condominium board of directors send their Federal Housing Administration approval status annually to all residents. During testimony, the committee learned that this information is easily available on the Internet, so we felt this requirement was unnecessary. Vote 20-0.

HB 1378, relative to domestic insurance company investments. **OUGHT TO PASS.**

Rep. Edward Butler for Commerce and Consumer Affairs. This bill removes the limitations on how much of its assets a property and casualty insurer can invest at once if that investment is being made in obligations or enterprises that are backed by the government. This brings the property and casualty investment law into alignment with what is currently allowed in the life insurance investment law. This is a request of the NH Insurance Department. Vote 20-0.

HB 1379, relative to confidentiality of forms and rates. **OUGHT TO PASS.**

Rep. John Hunt for Commerce and Consumer Affairs. This bill clarifies that forms and rates filed with the Insurance Department are held confidential until the later of either the effective date or the approval date, at which time they become public documents and are available for inspection by interested parties. This is a request of the NH Insurance Department. Vote 20-0.

HB 1382, repealing the requirement that restaurants provide separate bathrooms for each sex. **OUGHT TO PASS.**

Rep. Valerie Fraser for Commerce and Consumer Affairs. This bill amends RSA 155:40 dealing with requirements for toilet facilities in restaurants. It deletes one sentence that requires separate toilet rooms for each sex to be provided for patrons of any restaurant designed to seat 25 or more patrons at one time or for patrons of any food establishment where alcoholic beverages are served. This sentence in NH statute is in conflict with how the 2009 BOCCA International Building code rule is stated. The conflict was resolved by repealing that particular requirement. BOCCA rules are still relevant for construction standards. Vote 20-0.

HB 1389, relative to commercial lines modernization. **OUGHT TO PASS.**

Rep. John Hunt for Commerce and Consumer Affairs. This bill is a request of the Insurance Department and clarifies certain provisions of the law relating to regulation of forms for property and casualty insurance and the filing of aircraft insurance policies. This bill relaxes the regulation of commercial insurance filings by excluding certain types of commercial insurance from the form approval process but allows for sample audits every quarter to monitor compliance. The bill also reduces the aggregate premium amount that qualifies as a Large Commercial Policyholder down to \$25,000 (from the previous \$50,000) to allow more businesses to qualify for this classification. Vote 20-0.

HB 1435-FN, relative to business registration requirements. **REFER FOR INTERIM STUDY.**

Rep. Kermit Williams for Commerce and Consumer Affairs. This bill would require all businesses of every kind to register with the Secretary of State. The stated purpose was to allow the department to provide information to all New Hampshire businesses. The committee was unsure of how this would work, and of its value versus costs, so we believe the idea requires further study. Vote 18-2.

HB 1464, relative to the bureau of securities regulation. **INEXPEDIENT TO LEGISLATE.**

Rep. Michael Costable for Commerce and Consumer Affairs. This bill grants the Bureau of Securities Regulation exclusive authority over any regulatory association of brokers and dealers operating in this state. It became apparent that brokers and dealers in this state would find the new state authority, on top of the current federal regulatory jurisdiction granted to FINRA (Financial Industry Regulatory Authority), to be confusing and burdensome. This would open the door to inevitable litigation between the broker/dealer and the state and the state with FINRA. Vote 20-0.

HB 1465, relative to coverage for hearing aids under Medicare supplemental insurance. **REFER FOR INTERIM STUDY.**

Rep. Edward Butler for Commerce and Consumer Affairs. This bill would direct Medicare insurance supplemental carriers to cover a portion of the cost of hearing aids. Though this bill may be one that the committee will eventually support, we need further information on the cost of such an addition to insurance coverage. The Insurance Department will conduct a study and report to the committee the potential costs of this proposal. The committee will then revisit the intent of this bill. Vote 19-0.

HB 1466, relative to quorum requirements under the condominium act. **INEXPEDIENT TO LEGISLATE.**

Rep. Kermit Williams for Commerce and Consumer Affairs. This bill would increase quorum requirements for a condominium association meeting to the highest requirement for any question on the agenda. That would mean that the meeting could not be held unless that higher quorum was met, even if other questions could be decided at the meeting. The committee felt this was an undue burden on condominium associations, many of whom have difficulty in getting their members to attend meetings. Vote 20-0.

HB 1487, relative to banks and credit unions. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Reed Panasiti for Commerce and Consumer Affairs. This bill with the amendment makes several changes to the banking laws. It resolves a typographical error and requires bank fidelity bonds and error and omissions insurance policies to be issued by NH-licensed insurers. It also clarifies that depository or foreign banks must notify the Banking Department of the relocation of a loan protection office, provides authority for the Banking Department to obtain a criminal background check for contractors working at the department and clarifies the Banking Department's authority to share information with the Federal Home Loan Bank. Vote 20-0.

Amendment (0725h)

Amend the bill by replacing sections 2-3 with the following:

2 Compensation; Assistants; Background and Criminal Records Check; Contractors. Amend RSA 383:7, V-VI to read as follows:

V. The department shall complete a background investigation and a criminal history records check on every selected applicant for employment in any position in the department prior to a final offer of employment. The department may extend a conditional offer of employment to a selected applicant after completing a background investigation, with a final offer of employment subject to a successfully completed criminal history records check. No selected applicant may be extended a conditional offer of employment unless the department has initiated a criminal history records check. ***The department may also complete a background investigation and a criminal history records check on every contractor who provides services to the department, including but not limited to employees of other state agencies who are assigned to work at the department.*** The department shall not be held liable in any lawsuit alleging that the extension of a conditional or final offer of employment to an applicant with a criminal history was in any way negligent or deficient if the department fulfilled the requirements of this section.

VI. The selected applicant for employment ***or contractor*** shall submit to the department a [notarized] criminal history records release form, as provided by the division of state police, which authorizes the release of the person's criminal records, if any. The applicant ***or contractor*** shall submit with the release form a complete set of fingerprints taken by a qualified law enforcement agency or an authorized employee of the department. In the event that the first set of fingerprints is invalid due to insufficient pattern and a second set of fingerprints is necessary in order to complete the criminal history records check, the conditional offer of employment shall remain in effect. If, after 2 attempts, a set of fingerprints is invalid due to insufficient pattern, the department may, in lieu of the criminal history records check, accept police clearances from every city, town, or county where an applicant ***or contractor*** has lived during the past 5 years.

3 Confidential Information. Amend RSA 383:10-b to read as follows:

383:10-b Confidential Information. All records of the department's investigations, examinations, visitations, and reports produced by those investigations, examinations, and visitations including any duly authenticated copy of those records in the possession of any entity under the supervision of the commissioner, shall be confidential, shall not be subject to subpoena and shall not be made public unless, in the judgment of the commissioner, the ends of justice and the public advantage will be served by the publication of those records. The commissioner may furnish to the federal supervisory authorities and to independent insuring funds which he or she deems qualified such information and reports relating to the entities under his or her supervision as he or she deems best. ***The commissioner may also furnish to any government sponsored bank created under the Federal Home Loan Bank Act, or any authorized agent thereof, copies of reports of examination concerning any bank or credit union that is a member of such government sponsored bank, as required for the evaluation of the financial condition of the member bank or credit union.*** On motion for discovery filed in any court of competent jurisdiction, in aid of any pending action, the court, after hearing the parties, may order the production of those records for use in that action whenever it is found that justice so requires, subject to such reasonable safeguards imposed by the court as may be necessary to prevent use by unauthorized persons or publicity of irrelevant portions of those records.

AMENDED ANALYSIS

This bill:

- I. Authorizes the banking department to conduct background investigations of department contractors.
- II. Authorizes the banking commissioner to release certain reports to a government sponsored bank created under the Federal Home Loan Bank Act.
- III. Makes technical corrections.

This bill was requested by the banking department.

HB 1505, relative to the MasoniCare charter. **INEXPEDIENT TO LEGISLATE.**

Rep. Barbara Biggie for Commerce and Consumer Affairs. The committee agreed, at the request of the sponsor, that this bill should not be considered and voted to recommend that the bill be found Inexpedient to Legislate. Vote 20-0.

HB 1519, requiring retention of ballots by a condominium association. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Kermit Williams for Commerce and Consumer Affairs. This bill would have required a condominium association to seal and retain ballots on any ballot vote at an association meeting for 1 year, under security, in case a resident wanted to view them during that period. The committee thought this requirement was excessive. Instead, under the committee amendment for this bill, any resident can ask to do a recount of the vote during the meeting. The recount must be observed for fairness. The committee believes this will provide the residents verification of a vote without requiring excessive effort by the condominium board. Vote 20-0.

Amendment (0722h)

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

AN ACT relative to the conduct of condominium unit owners' associations votes without a meeting.

Amend the bill by replacing section 1 with the following:

1 New Paragraph; Condominiums; Voting by Ballot. Amend RSA 356-B:39-a by inserting after paragraph IV the following new paragraph:

V. All ballots cast in an association vote under this section shall be counted using a tally sheet for the vote. If more than one ballot item was voted on, the board may elect to keep a corresponding tally sheet for each ballot item. The ballots and tally sheets shall be made available for examination and recount, by request of any owner participating in the vote, immediately following announcement of the results of the vote taken. During any examination and recount one or more members of the board of directors and at least one additional owner shall be present. The ballots shall be examined and tallied to verify that the count and announced result was correct.

AMENDED ANALYSIS

This bill provides for the examination and recount of a condominium unit owners' association vote taken without a meeting.

HB 1522, relative to the fiduciary duty of members of condominium boards of directors. **INEXPEDIENT TO LEGISLATE.**

Rep. Richard Abel for Commerce and Consumer Affairs. This bill provides that members of the board of directors of a condominium unit owners' association would be personally liable for monetary damages for illegal actions that breached their duties as fiduciaries to the association. By a unanimous vote, the committee found that consequences already exist in statute for criminal actions, making this bill unnecessary and inexpedient to legislate. Vote 20-0.

HB 1529, relative to prescription drug rebate amounts. **INEXPEDIENT TO LEGISLATE.**

Rep. Edward Butler for Commerce and Consumer Affairs. The topic of this bill, the rebate system for prescription drugs from pharmacy benefit managers and insurance carriers, has been folded into a proposed study commission on prescription cost transparency in HB 1418. Vote 20-0.

HB 1578, relative to brew pub licensees. **OUGHT TO PASS WITH AMENDMENT.**

Rep. David Luneau for Commerce and Consumer Affairs. As introduced, this bill allowed brew pub licensees to sell beer to on-premise licensees owned by the same person. The amendment allows a "nano" sized craft beer manufacturer to provide samples of their products and sell them on the premises of a licensed wine manufacturer. The committee believes this new license option will help to promote tourism and the state's growing craft beverage market. Vote 18-0.

Amendment (0705h)

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

AN ACT relative to samples from nano breweries.

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

1 New Paragraph; Nano Breweries; Samples. Amend RSA 178:12-a by inserting after paragraph VII the following new paragraph:

VIII. For an additional annual fee of \$120, any nano brewery licensee may transport its products to a wine manufacturers facility licensed under RSA 178:8, for the purpose of sampling or selling its products. Samples may be sold or given away. Retail sales made at the wine manufacturer's facility shall be limited to products in their unopened original containers and to customers and persons of legal drinking age. Nano breweries shall be subject to the following additional limitations under this section:

(a) Nano brewery licensees shall be limited to one sampling event per day.

(b) Sampling and sales of the nano brewery licensee's products shall conform to the normal business hours of the winery licensee.

(c) Sample sizes shall be limited to one 4-ounce glass per label per person.

(d) Nano brewery licensee products brought to a sampling event shall be brought to the wine manufacturer's facility on the day of the event and all such products shall be removed at the end of the event.

(e) Nano brewery licensees shall notify the commission of date, times, and location of each sampling event not less than 5 days before each event.

AMENDED ANALYSIS

This bill allows nano brewery licensees to distribute samples at a wine manufacturer's facility for an annual fee.

HB 1588, relative to meetings of the board of directors and committees of the condominium association. **IN-EXPEDIENT TO LEGISLATE.**

Rep. Michael Costable for Commerce and Consumer Affairs. This bill adds requirements for conducting meetings of a condominium board of directors. If enacted, this bill would create a situation where an impromptu general discussion between two board members concerning their property or anything relating to the condominium property would be considered a "meeting." Current statute, RSA 356-B, requires that to hold any meeting you must give at least 7 days notice and that minutes shall be taken and approved. Therefore, if this bill were adopted, a chance conversation with another board member would create an automatic violation because no one can predict a chance conversation 7 days in advance. The committee felt that would constitute an undue burden and violate first amendment rights. Vote 20-0.

HB 1597, relative to grounds for receivership involving a manufactured housing park. **INEXPEDIENT TO LEGISLATE.**

Rep. Kermit Williams for Commerce and Consumer Affairs. This bill would take control of a manufactured housing park from its owner if more than 30% of residents have not paid their property taxes. Since the park owner has no control over owners paying their taxes, the committee thought this bill was an inappropriate solution to the unpaid tax problem. Tax liens on the properties can be obtained by the municipality. Vote 20-0.

HB 1601, relative to a declarant's options for condominium expansion. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John Hunt for Commerce and Consumer Affairs. This bill is a request of the Committee to Study the Laws relating to Condominium and Homeowners' Associations. As introduced the bill adds a time limit for the conversion of convertible spaces pursuant to a condominium instrument and clarifies a declarant's options for adding additional units or common areas in a condominium. The amendment changes the law in how the land proposed for possible future expansion must be identified within the declaration. Vote 19-1.

Amendment (0621h)

Amend the bill by replacing section 3 with the following:

3 New Paragraph; Contents of Declarant's. Amend RSA 356-B:16 by inserting after paragraph I the following new paragraph:

I-a. All lands within the declaration of the condominium which are within the original bounds of the condominium shall be identified therein as individual units, common areas, limited common areas, convertible spaces, or convertible lands. All lands proposed for possible future expansion shall be identified as expandable lands.

AMENDED ANALYSIS

This bill adds a time limit for the conversion of convertible spaces pursuant to a condominium instrument and clarifies the bounds of the condominium for future expansion.

HB 1602, establishing an assurance deed and procedures therefor. **REFER FOR INTERIM STUDY.**

Rep. Kermit Williams for Commerce and Consumer Affairs. This bill would create a new type of deed based on the Uniform Law Commission's Marketable Title Act. The common-law system of land ownership has not kept pace with accelerating expansion of a modern real estate industry. Landowners who know or suspect their title history or land boundaries have defects have only a judicial quiet title process to resolve the matter. The assurance deed gives landowners a statutory process to resolve matters outside of court. If a court proceeding becomes necessary, the assurance deed process is the appropriate research to present to the court. The committee felt that while this bill had promise for reducing closing costs and making real estate transactions happen faster, they needed to have more time to understand how the process would work. Vote 20-0.

HB 1605, relative to reinsurance. **OUGHT TO PASS.**

Rep. Edward Butler for Commerce and Consumer Affairs. This bill is a request of the Insurance Department. The National Association of Insurance Commissioners (NAIC) adopted changes to their model law on credit for reinsurance that provide and describe rulemaking authority for the Insurance Commissioner concerning certain captive reinsurance transactions involving specific forms of life, annuity, and long-term care insurance. Incorporating these changes into the statute is an NAIC accreditation standard. Maintaining those accreditation standards is important for the department because they assure a level playing field for carriers domiciled in other states who practice in New Hampshire while offering the same assurance to New Hampshire companies doing business in other accredited states. Vote 20-0.

HB 1607, relative to the appointment of a receiver for properties which are a threat to health and safety. **INEXPEDIENT TO LEGISLATE.**

Rep. John Plumer for Commerce and Consumer Affairs. This bill was an attempt by a city to adopt state legislation addressing a single property owner with whom the city was in dispute. The committee is sympathetic the city's plight, but does not believe that this bill is either workable or appropriate. Vote 19-1.

HB 1635, allowing a license for short-term rentals. **REFER FOR INTERIM STUDY.**

Rep. Edward Butler for Commerce and Consumer Affairs. This is enabling legislation that would allow towns and municipalities to license short-term rental properties. Licensing is a solution that some states and municipalities have used to allow localities to control the character of their residential neighborhoods. The committee agreed that this concept should be considered further. Vote 17-3.

HB 1641, relative to the rate of interest in business transactions. **INEXPEDIENT TO LEGISLATE.**

Rep. John Hunt for Commerce and Consumer Affairs. This bill provides that the rate of interest on judgments, including prejudgment interest, must be compounded daily rather than annually. The committee felt this was extremely punitive and unworkable. Vote 18-0.

HB 1643, relative to balance billing. **INEXPEDIENT TO LEGISLATE.**

Rep. David Luneau for Commerce and Consumer Affairs. This bill was filed to make sure the balance billing study committee that met in 2017 would have the opportunity to file legislation following the close of the regular filing period. As the filing period was extended for study committee bills, the Commerce Committee has endorsed the work of the study committee in HB 1809-FN and this bill is not needed. Vote 20-0.

HB 1653, relative to the uniform commercial code. **INEXPEDIENT TO LEGISLATE.**

Rep. John Hunt for Commerce and Consumer Affairs. This bill creates two sections of chapter law. The first section establishes a finding that the protocol of the Uniform Commercial Code requires corporations to disclose all elements of a contract. The second requires that all contracts with sovereign "inhabitants" defined under Part II Article 30 of the New Hampshire Constitution must include above the signature line the words "all rights reserved" or "without prejudice RSA 382-A:1-306, RSA 382-A:1-103, UCC 1-103, UCC 1-308." Failure to put this disclosure in any contract would be a forfeiture of \$10,000. Vote 18-0.

HB 1654, relative to automobile medical payments. **OUGHT TO PASS.**

Rep. David Luneau for Commerce and Consumer Affairs. This bill allows insurance carriers to pay health care providers a reasonable fee for services covered under motor vehicle liability insurance. The injured driver and passengers would not be responsible for medical costs beyond the reasonable costs that have been reimbursed. Vote 20-0.

HB 1660, relative to delinquent accounts of liquor licensees. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Barbara Biggie for Commerce and Consumer Affairs. Holders of a beverage manufacturer license, beverage vendor license, brew pub license, nano brewery license, or wholesale distributor license are required to notify the Liquor Commission about any delinquent accounts. Usually, there are no more deliveries until the delinquency is settled. Current law only allows acceptance of cash or check in payment. This bill, with the amendment, will allow liquor licensees to use debit cards, credit cards or other acceptable commercial means to make a payment. However, it does not require that a beverage manufacturer, beverage vendor, brew pub, nano brewery or wholesale distributor licensee accept credit cards. They can add a transaction fee when accepting a payment that incurs a transaction fee. The committee unanimously agreed that this bill will be an advantage for any businesses ready to pay their delinquency and receive further deliveries. This was a request of the Liquor Commission. Vote 18-0.

Amendment (0791h)

Amend RSA 179:13, II as inserted by section 1 of the bill by replacing it with the following:

II. Each holder of a beverage manufacturer license, beverage vendor license, brew pub license, nano brewery license, or wholesale distributor license shall immediately notify the commission of the receipt of the payment of any account which has been reported to the commission as delinquent. Post-dated checks beyond the 5-day reporting period shall not constitute payments of accounts for the purchases of beverages. Checks given in payment for beverages which are returned for nonpayment after the 5-day reporting period shall immediately constitute a delinquency and shall, upon return, be reported to the commission. Payments collected by agents shall be reported as delinquent unless actually received at the place of business of the holder of the beverage manufacturer license, beverage vendor license, brew pub license, nano brewery license, or wholesale distributor license on or before the fifth day of the reporting period. When collections are made by an agent, the sales slips or invoices shall be clearly marked with the name of the person making the collection and the date of such collection. ***Nothing in this section shall prohibit a licensee from making a payment by credit card, debit card, or other acceptable commercial means. Holders of a beverage manufacturer license, beverage vendor license, brew pub license, nano brewery license, or wholesale distributor license may add a transactional fee to the delinquent account when accepting a payment method***

that incurs a transactional fee. Nothing in this section shall require a beverage manufacturer licensee, beverage vendor licensee, brew pub licensee, nano brewery licensee, or wholesale distributor licensee to accept a credit card, debit card, or other acceptable commercial means.

HB 1662-L, requiring radon air testing on all new residential construction. **INEXPEDIENT TO LEGISLATE.** Rep. Michael Costable for Commerce and Consumer Affairs. This bill requires the completion of a radon assessment prior to the issuance of a certificate of occupancy for new residential construction. Although radon is an issue in New Hampshire, it is a known issue and the presence of radon is included on a sales disclosure form. Another concern was that this bill did not allow for temporary occupancy. It was also unclear who was qualified to do the test as there is no certification in New Hampshire for radon. Fairness and cost concerns were addressed as well, which led us to conclude that the bill that is unworkable. Vote 18-0.

HB 1663, relative to reimbursement rates under automobile insurance policies. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Kermit Williams for Commerce and Consumer Affairs. This bill deals with the rates paid by insurance companies to body shops for the mechanical work needed to be done in conjunction with damaged vehicle repair. While the committee agreed that there are issues with reimbursement, the bill had problems that were too difficult to deal with in the time available. The committee amendment creates a study committee, which can spend much more time to study this issue and bring back a solution next year. Vote 18-1.

Amendment (0724h)

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

AN ACT establishing a committee to study reimbursement rates under automobile insurance policies.

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

1 Committee Established. There is established a committee to study reimbursement rates under automobile insurance policies.

2 Membership and Compensation.

I. The members of the committee shall be as follows:

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

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

II. Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.

3 Duties. The committee shall study reimbursement rates for independent repair shops under New Hampshire automobile insurance policies.

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

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

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

AMENDED ANALYSIS

This bill establishes a committee to study reimbursement rates under automobile insurance policies.

HB 1677, relative to victims of identity theft. **INEXPEDIENT TO LEGISLATE.**

Rep. Michael Costable for Commerce and Consumer Affairs. This is a bill that allows persons notified of security breaches to exercise the rights of victims of identity theft under the credit freeze laws. The committee was supportive of this concept but decided that the approach in HB 1700, adopting a procedure for placing a security freeze on a consumer credit report, was preferable. Vote 17-0.

HB 1687, relative to banking and consumer credit. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Kermit Williams for Commerce and Consumer Affairs. This bill is a collection of technical corrections and small updates to the banking statutes. Auto dealers were concerned with a section that required them to have advertisements available for review by the Banking Department. The committee's amendment solves that issue by permitting the Banking Department to review advertisements as part of an examination within 3 years of publication. It is agreed to by all parties. Vote 17-0.

Amendment (0463h)

Amend the bill by replacing section 2 with the following:

2 Retail Installment Sales of Motor Vehicles; Advertising. Amend RSA 361-A:10-a, II to read as follows:

II. ~~[Advertising files shall be subject to review by the banking department during the course of any]~~
As part of an examination or investigation undertaken in accordance with this chapter, ***the banking department may review any advertisement described in paragraph I within 3 years of the date the advertisement is advertised, printed, displayed, published, distributed, or broadcast.***

HB 1690-FN, relative to liquor licenses. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Barbara Biggie for Commerce and Consumer Affairs. State liquor law already allows supplemental wine festival licenses for wine manufacturers. This bill adds provisions for the issuance of a supplemental liquor festival license to liquor manufacturers. The amendment establishes the fee for liquor festivals at the same levels charged for wine festivals. The one-, two- or three-day fee is \$250, \$300 or \$350, respectively. Also, provisions licensing of cocktail lounges on airships will be repealed. This bill is a request of the Liquor Commission. Vote 17-0.

Amendment (0401h)

Amend RSA 178:29, I as inserted by section 4 of the bill by replacing it with the following:

4 Liquor License; Fees; Liquor Festival Added. Amend RSA 178:29, I to read as follows:

I. On-premises licensees shall pay the following applicable fees annually:

	Supplemental Only	Beverages and Wine	Beverages and Liquor	Cocktail Lounge
Airport				\$1,200
Ballroom	\$45			\$1,200
Bed and Breakfast		\$480	\$840	
Beer Festival				
One-day	\$250			
Two-day	\$300			
Three-day	\$350			
Catering (all)				\$1,200
Catering (off-site only)				\$840
Catering (on-site only)				
18 events	\$5			
36 events	\$5			
52 events	\$5			
Club Military				\$100
Club Social				
9 events	\$250			
18 events	\$450			
36 events	\$750			
52 events	\$1,200			
Club Private				\$1,200
Club Veterans				
9 events	\$250			
18 events	\$450			
36 events	\$750			
52 events	\$1,200			
College Club				\$1,200
Convention Center				\$2,400
Dining Car		\$480		\$840
Fairs		\$112		
Hotel			\$840	\$1,200
Liquor Festival				
One-day			\$250	
Two-day			\$300	
Three-day			\$350	
One day License				\$100
Performing Arts				\$360
Racetrack/Motor Vehicle				\$1,800
Racetrack/Pari-Mutuel				\$3,000
Rail Cars				\$1,200
Restaurant		\$480	\$840	\$1,200
Special License			\$25	
Sports/Entertainment				\$1,800

Complex			
9 events	\$250		
18 events	\$450		
36 events	\$750		
52 events	\$1,200		
Sports Recreation Facility			\$1,200
Tobacco Retailer		\$840	
Vessel	\$480	\$840	\$1,200
Wine Festival			
One-day	\$250		
Two-day	\$300		
Three-day	\$350		

Amend the bill by replacing section 5 with the following:

5 Repeal. RSA 178:22, V(s)(2), relative to relative to airship cocktail lounge licenses, is repealed.

AMENDED ANALYSIS

This bill:

I. Allows certain licensees to serve alcohol in certain areas the licensee operates.

II. Allows for the operation and licensing of liquor festivals.

III. Repeals provisions licensing cocktail lounges on airships.

This bill is a request of the liquor commission.

HB 1692-FN, allowing liquor licensees to select an anniversary for renewal. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Barbara Biggie for Commerce and Consumer Affairs. This bill allows a liquor licensee to select an anniversary month for renewal. This convenience helps a person or entity consolidate multiple licenses held. The amendment adds a requirement that such selection may only take place after one year of initial licensure and that the renewal month may not be changed again for a period of three years. Vote 20-0.

Amendment (0423h)

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

1 Liquor License Renewal. Amend RSA 178:29, VIII to read as follows:

VIII.(a) Licenses shall not be transferred except with the consent of the commission. Each license shall designate the place of business for which it is issued. When transferred, a license shall, unless revoked for cause by the commission, remain valid, pursuant to paragraph VII, until the date on which such license would have expired had it not been transferred. The initial renewal of any such transferred license shall be effective until the last day of the month of the licensee's birthday. When the licensee is not a natural person, the initial renewal of any such transferred license shall be effective until the last day of the month in which such licensee was incorporated or otherwise organized. The fee for the initial renewal of any such transferred license shall be prorated. Subsequent renewals of transferred licenses shall each be effective for one year, unless revoked for cause by the commission.

(b) After one year, a licensee may select the anniversary month in which to renew a license. A licensee may change the anniversary renewal month of a license once by making a written request to the director of enforcement and licensing. A licensee who changes the anniversary renewal month of a license shall not change the anniversary renewal month for a period of 3 years from the selected month. Nothing in this paragraph shall be construed to be contrary to the provisions of RSA 178:3 or commission rules.

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

HB 1700, relative to placement of a security freeze on a consumer's credit. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Kermit Williams for Commerce and Consumer Affairs. This bill requires credit reporting agencies, such as the company whose lapse in security enabled hackers to steal virtually everyone's credit information, to enable New Hampshire residents to freeze their own credit profile so that no new credit accounts can be created. Then, when the consumer wants to obtain new credit, they can unfreeze their file, and freeze it again once the credit application is complete. The bill requires the agencies to allow the freeze and unfreeze to be done via the Internet, and also allows the same requests to be done by mail. Since we know that attempts to steal credit information continue unabated, being able to do this is critical for consumer protection. The committee amendment removes all fees from any method of freezing and unfreezing, since at least one credit bureau has already agreed to provide this service for free in other states. Vote 17-0.

Amendment (0441h)

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

AN ACT relative to the procedure for placing a security freeze on a consumer credit report.

Amend RSA 359-B:23 as inserted by section 1 of the bill by replacing it with the following:

359-B:23 Notice to Consumers. At any time that a consumer is required to receive a summary of rights required under section 609 of the federal Fair Credit Reporting Act, 15 U.S.C. section 1681g, the following notice shall be included:

Notice to New Hampshire Consumers
Right to Security Freeze on Consumer Credit Report

You have a right to place a "security freeze" on your credit report pursuant to RSA 359-B:24. Under New Hampshire law, what is commonly known as a credit report is referred to as a consumer report.

The security freeze will prohibit a consumer reporting agency from releasing any information in your consumer report without your express authorization. A security freeze can be requested in writing by first-class mail, by telephone, or electronically.

The security freeze is designed to prevent credit, loans, and services from being approved in your name without your consent. However, you should be aware that using a security freeze to take control over who gains access to the personal and financial information in your consumer report may delay, interfere with, or prohibit the timely approval of any subsequent request or application you make regarding new loans, credit, mortgage, insurance, rental housing, employment, investment, license, cellular phone, utilities, digital signature, Internet credit card transactions, or other services, including an extension of credit at point of sale.

The freeze will be placed within 3 business days if you request it by mail, or within 24 hours if you request it by telephone or electronically. When you place a security freeze on your credit report, within 3 business days, you will be sent a personal identification number or a password to use when you want to remove the security freeze, temporarily lift it, or lift it with respect to a particular third party.

A freeze does not apply when you have an existing account relationship and a copy of your report is requested by your existing creditor or its agents or affiliates for certain types of account review, collection, fraud control, or similar activities.

You should plan ahead and lift a freeze if you are actively seeking credit or services as a security freeze may slow your applications, as mentioned above.

You can remove a freeze, temporarily lift a freeze, or lift a freeze with respect to a particular third party by contacting the consumer reporting agency and providing all of the following:

- (1) Your personal identification number or password.
- (2) Proper identification to verify your identity.

(3) Proper information regarding the period of time you want your report available to users of the consumer report, or the third party with respect to which you want to lift the freeze.

A consumer reporting agency that receives a request from you to temporarily lift a freeze or to lift a freeze with respect to a particular third party on a consumer report shall comply with the request no later than 3 business days after receiving the request by mail and no later than 15 minutes after receiving a request by telephone or electronically.

A consumer reporting agency may not charge you a fee to freeze, remove a freeze, temporarily lift a freeze, or lift a freeze with respect to a particular third party.

You have a right to bring a civil action against someone who violates your rights under the credit reporting laws. The action can be brought against a consumer reporting agency or a user of your credit report.

Amend RSA 359-B:24, XII as inserted by section 1 of the bill by replacing it with the following:

XII. A consumer reporting agency shall not charge a fee to put a security freeze in place, remove a security freeze, or lift a security freeze for a specific period of time or to a specific third party. Nor shall a consumer reporting agency charge a consumer to issue or replace a personal identification number.

HB 1705, relative to enforcement activity verifying compliance. **REFER FOR INTERIM STUDY.**

Rep. Kermit Williams for Commerce and Consumer Affairs. This bill would require the Liquor Commission to establish a point system for on-premise license holders who sell alcohol to minors and require that the points are kept for 3 years. Licensees were concerned about the effect of such a long period on the future of their businesses. It would also require that every server attend the training program the Liquor Commission requires for management. Since license holders typically employ many part-time servers, this would create a significant training issue for the commission. The committee felt these issues and burdens necessitate additional work on this bill. Vote 18-2.

HB 1712-FN, relative to New Hampshire local liquor manufacturers. **INEXPEDIENT TO LEGISLATE.**

Rep. Connie Van Houten for Commerce and Consumer Affairs. This bill would create a unique new license for local liquor manufacturers. While the committee has sympathy for the constituent for whom this bill was brought, who has unique circumstances, we also realize that changes in liquor licenses can affect the

whole state. Under this bill, local liquor manufacturers would be required to use a large percentage of raw materials grown in New Hampshire in the production of their liquor. This is a requirement that the Liquor Commission says is difficult measure and monitor, and that the Commerce Committee and the House have previously rejected in other bills. It would also allow for Internet sales and would allow the manufacturer to sell directly to on-premise licensees, rights no other liquor manufacturer has. Vote 17-3.

HB 1715-FN, relative to arbitrary and unreasonable rent increases in manufactured housing parks. **OUGHT TO PASS WITH AMENDMENT.**

Rep. David Luneau for Commerce and Consumer Affairs. This bill, as introduced, provides for a review by the Board of Manufactured Housing of a rent increase in a manufactured housing park to determine if such increase was arbitrary and unreasonable. The committee amendment establishes a committee to study how to balance the property interests of the owners of manufactured housing parks and the owners of housing units. The committee felt that a problem may exist and that a committee should be tasked to study the problem and recommend any future legislation. Vote 16-1.

Amendment (0704h)

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

AN ACT establishing a committee to study options for tenants to dispute a rent increase in a manufactured housing park if such increase was arbitrary and unreasonable.

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

1 Committee Established. There is established a committee to study options for tenants to dispute a rent increase in a manufactured housing park if such increase was arbitrary and unreasonable.

2 Membership and Compensation.

I. The members of the committee shall be as follows:

(a) Four members of the house of representatives, appointed by the speaker of the house of representatives.

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

II. Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.

3 Duties. The committee shall study options for tenants to dispute a rent increase in a manufactured housing park if such increase was arbitrary and unreasonable.

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

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

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

AMENDED ANALYSIS

This bill establishes a committee to study options for tenants to dispute a rent increase in a manufactured housing park if such increase was arbitrary and unreasonable.

HB 1719-FN, relative to donations of liquor to nonprofits. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jason Osborne for Commerce and Consumer Affairs. This bill allows any NH nonprofit entity to receive donations of beer, wine or liquor from NH licensees to be sold or given away at an event sponsored by the nonprofit entity. The committee unanimously agrees this practice should be allowed. Vote 20-0.

Amendment (0405h)

Amend RSA 179:32, V as inserted by section 1 of the bill by replacing it with the following:

V. Notwithstanding any other provision of Title XIII, any organization that is a nonprofit entity and properly registered with the attorney general, or any not-for-profit college or university or institution of higher education, may accept donations of beer, wine, or liquor from New Hampshire licensed manufacturers, wholesalers, vendors, representatives, or retailers which may be sold or given away at an event sponsored by the organization. Raffles of liquor shall be subject to RSA 178:1, VII.

Amend RSA 179:32, VII as inserted by section 1 of the bill by replacing it with the following:

VII. New Hampshire licensed manufacturers, wholesalers, vendors, representatives, or retailers who make a donation as provided in paragraph V shall notify the commission not later than 10 days before the scheduled event. Such notification shall include the name of the recipient of the donation, a list of the brands and quantity donated, the date of the event, and the location of the event. Licensees making donations shall maintain records of all product donations. Records of product donations shall be maintained by the donating licensee and available to the commission for inspection upon request.

HB 1720-FN, relative to the storage of beverages produced by contract brewers. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John Hunt for Commerce and Consumer Affairs. This bill allows a beverage manufacturer in a contract brewing arrangement (which means the beer is brewed somewhere else in or out of state) to store beverages produced by the contract brewer at its New Hampshire facility. Vote 17-0.

Amendment (0764h)

Amend the bill by replacing section 1 with the following:

1 New Paragraphs; Definitions; Contract Brewers. Amend RSA 175:1 by inserting after paragraph XXV the following new paragraphs:

XXV-a. "Contract brewer" means a brewery hired by a beverage manufacturer to produce a beverage for the beverage manufacturer.

XXV-b. "Contract brewing arrangement" means a business relationship in which a beverage manufacturer pays another brewer to produce a beverage for the beverage manufacturer for sale.

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

3 New Paragraphs; Beverage Manufacturers; Contract Brewers. Amend RSA 178:12 by inserting after paragraph X the following new paragraphs:

XI. A beverage manufacturer may enter into a contract brewing arrangement with a contract brewer. Beverages produced by a contract brewer intended for sale outside the state may be warehoused at the beverage manufacturer's facility or at some other facility accessible only to the beverage manufacturer. A contract brewer shall not deliver beverages to on-premises and off-premises licensees within the state. A contract brewer shall file all contract brewing arrangements shall be filed with the commission.

XII. Beverage manufacturers, tenant brewers, and contract brewers shall be allowed to store beverages manufactured in accordance with the provisions of this title in a storage facility licensed by the commission. Beverage manufacturers, tenant brewers, and contract brewers storing beverages in a warehouse licensed under RSA 178:11, or other facility approved by the commissioner for the purpose of storing alcohol, shall keep records of the type, quality and destination of beverages removed from storage. Such records shall be retained by the beverage manufacturer, tenant brewer, or contract brewer using the facility and shall be made available to the commission upon request.

AMENDED ANALYSIS

This bill allows a beverage manufacturer in a contract brewing arrangement to store beverages produced by the contract brewer at its facility.

HB 1724-FN, creating a credit facility for local investments. **REFER FOR INTERIM STUDY.**

Rep. Valerie Fraser for Commerce and Consumer Affairs. The purpose of this bill was to create a credit facility (which is not the same thing as a bank) to give authority to the NH State Treasurer to invest a certain amount of cash holdings through the legislatively enabled lending authorities such as the Community Development Finance Authority and others. This could provide more money to those agencies and would be underwritten by them in conjunction with the Treasurer's Office. All investments would be made solely in NH and would generate non tax revenue. This type of credit facility has been very successful in Vermont over the last 3 to 4 years. Vote 15-2.

HB 1733-FN, relative to digital electronic product repair. **REFER FOR INTERIM STUDY.**

Rep. David Luneau for Commerce and Consumer Affairs. This bill would require manufacturers of electronic devices to provide repair information to consumers and independent repair organization on the same terms and conditions that they provide that information to authorized repair facilities. The committee heard substantial testimony relative to the benefit for consumers and new businesses, but also heard concerns that the bill may be too broad and expose security vulnerabilities. Vote 17-0.

HB 1741, relative to payments for covered prescription medications under the managed care law. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Edward Butler for Commerce and Consumer Affairs. This bill and its amendment simply put in statute an administrative rule adopted by the Insurance Department to allow and empower pharmacists to charge the least amount for pharmaceuticals. Vote 17-0.

Amendment (0719h)

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

AN ACT relative to a definition of "contracted copayment" for purposes of the managed care law.

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

1 Managed Care Law; Definitions. Amend RSA 420-J:3, X-a to read as follows:

X-a. *"Contracted copayment" means a fixed amount an individual is responsible to pay for covered prescriptions as set forth in the health benefit plan, or the price for filling the prescription as contracted between the health carrier or its pharmacy benefits manager and the pharmacy, whichever is less.*

X-b. “Contracted pharmacy” or “pharmacy” means a pharmacy participating in the network of a pharmacy benefit manager through a direct contract or through a contract with a pharmacy services administration organization or group purchasing organization.

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

AMENDED ANALYSIS

This bill establishes a definition of “contracted copayment” for the purposes of the managed care law.

HB 1746-FN, relative to the practices of pharmacy benefit managers. **OUGHT TO PASS WITH AMENDMENT.** Rep. Edward Butler for Commerce and Consumer Affairs. This bill as introduced would have prohibited pharmacy benefits managers from requiring the credentialing and accreditation of pharmacies. The committee amendment prohibits only the requirement for accreditation and repeals this requirement in two years. Accreditation requires a pharmacy dispensing specialty drugs to obtain an endorsement, at a significant cost, by a third party. The amendment does allow for the continued credentialing of providers, at no cost to the provider, that is essential to maintaining adequate networks. The repeal provision that takes effect in 2020 will allow time for parties to work towards agreement on a longer-term solution on the definition of specialty drugs and the issue of accreditation. Vote 20-0.

Amendment (0692h)

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

1 New Subparagraph; Managed Care Law; Provider Contracts; Pharmacy Benefit Managers. Amend RSA 420-J:8, XV by inserting after subparagraph (c) the following new subparagraph:

(d) A pharmacy benefit manager shall not require accreditation of providers other than requirements set forth by the New Hampshire pharmacy board or other state or federal entity.

2 Repeal. RSA 420-J:8, XV(d), relative to prohibiting pharmacy benefit managers to require providers to obtain certain accreditation, is repealed.

3 Effective Date.

I. Section 2 of this act shall take effect June 30, 2020.

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

AMENDED ANALYSIS

This bill prohibits certain practices of pharmacy benefit managers until June 30, 2020.

HB 1751-FN, relative to insurance coverage for pediatric autoimmune neuropsychiatric disorders. **REFER FOR INTERIM STUDY.**

Rep. Connie Van Houten for Commerce and Consumer Affairs. This bill requires insurance coverage for treatment of Pediatric Autoimmune Neuropsychiatric Disorders Associated with Streptococcal Infections (PANDAS) and Pediatric Acute-onset Neuropsychiatric Syndromes (PANS), which afflict formerly normally functioning children with symptoms like obsessive or compulsive behaviors, sensory or motor abnormalities, or oppositional behaviors. Testimony reflected the evolving nature of treatment, the limited information, even in the medical community, and questions about prevalence, as well as the potential impact of this bill on insurance premiums. For these reasons, the committee deemed the bill in need of further study. Vote 20-0.

HB 1781, relative to condominiums with 10 or fewer residential units. **OUGHT TO PASS.**

Rep. Michael Costable for Commerce and Consumer Affairs. This bill establishes meetings and insurance requirements for small condominiums with 10 or fewer residential units. This bill makes some changes in RSA 356-B:3 to better accommodate small condominiums regarding meetings. It also establishes a default 50% cost split for units without a master casualty policy. Vote 17-0.

HB 1782-FN, relative to insurance payments for ambulance providers. **OUGHT TO PASS WITH AMENDMENT.**

Rep. David Luneau for Commerce and Consumer Affairs. The committee heard testimony that municipal and private ambulance providers have difficulty in recovering payment from insurance carriers, and that patients receive bills from ambulance providers for costs that are not reimbursed by insurance. This bill, with the amendment, establishes a committee to study insurance payments to ambulance providers and balance billing to patients by ambulance providers. Vote 17-3.

Amendment (0709h)

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

AN ACT establishing a committee to study insurance payments to ambulance providers and balance billing by ambulance providers.

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

1 Committee Established. There is established a committee to study insurance payments to ambulance providers and balance billing by ambulance providers.

2 Membership and Compensation.

I. The members of the committee shall be as follows:

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

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

II. Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.

3 Duties. The committee shall study insurance payments to ambulance providers and balance billing by ambulance providers.

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

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

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

AMENDED ANALYSIS

This bill establishes a committee to study insurance payments to ambulance providers and balance billing by ambulance providers.

HB 1784-FN, relative to cost comparison for certain health care procedures. **REFER FOR INTERIM STUDY.** Rep. David Luneau for Commerce and Consumer Affairs. This bill seeks to find ways to lower the cost of health care through several different approaches - requiring health care providers to advise patients of low-cost referral options, requiring insurance carriers to provide incentives to patients who opt for low-cost providers, requiring carriers to disclose to patients an estimate of health care costs, requiring the Insurance Department to provide a web site that enables patients to review provider costs for health care services, and requiring carriers to reimburse patient-selected out-of-network providers when the provider is a low-cost health care option. The committee would like more time to review these approaches over the summer. Vote 17-0.

HB 1800-FN-L, relative to usury. **INEXPEDIENT TO LEGISLATE.**

Rep. Kermit Williams for Commerce and Consumer Affairs. This bill would require that the interest rate for all business transactions be limited to 4% annually. The committee recognized that such an action would end most credit activity in New Hampshire, and thus we recommend that the bill be found Inexpedient to Legislate. Vote 17-0.

HB 1812-FN, regulating certain vapor products. **INEXPEDIENT TO LEGISLATE.**

Rep. Michael Costable for Commerce and Consumer Affairs. This bill regulates e-liquids sold in New Hampshire. It would prohibit diacetyl and its substrates from being included in e-liquids, require a label to include all ingredients in descending order and establishes a penalty for violations. Diacetyl was used early on in e-liquids, but is rarely used now. It would be burdensome to get a large out-of-state manufacturer to produce labels and carry inventory just for New Hampshire. The penalty of a class B felony is very harsh, especially when considering the person selling the e-liquid cannot know for sure what the ingredients are even if it had a label. Vote 17-0.

HB 1372, prohibiting the implanting of subcutaneous identification devices in individuals. **OUGHT TO PASS WITH AMENDMENT.**

Rep. David Welch for Criminal Justice and Public Safety. This bill will prohibit the implantation of a chip or subcutaneous device either under the skin or upon the skin without the individual's consent. Such devices currently are used to unlock doors, provide personal identification or activate other devices. No employer may intimidate, require or coerce an employee to allow such a practice. The civil penalties are up to \$10,000 initially and no more than \$1,000 for each day the violation continues. The amendment adds 3 definitions and creates an exception for inmates incarcerated or under the control of a government run prison or jail. Vote 19-0.

Amendment (0453h)

Amend RSA 644:22, I-II as inserted by section 1 of the bill by replacing them with the following:

I. For purposes of this section:

(a) "Government" means the federal government, the state government and its political subdivisions, and state and municipal agencies and departments, including employees, agents, and contractors.

(b) "Identification device" means any item, application, or product that is passively or actively capable of transmitting personal information, including, but not limited to, devices using radio frequency technology.

(c) "Individual" means a living human being.

(d) "Person" means a partnership, limited liability company, corporation, and any other organization, including for-profit and not-for-profit entities, and government.

(e) "Personal information" means any data elements, alone or in conjunction with any other information, used to identify an individual, including without limitation name, address, telephone and/or cellular telephone number, email address, date of birth, unique personal identifier or account number, and fingerprint or other biometric identifier.

(f) "Require, coerce, or compel" includes physical violence, threat, intimidation, retaliation, the conditioning of any private or public benefit or care on consent to implantation, including employment, promotion, or other employment benefit, or by any means that causes a reasonable person of ordinary susceptibilities to acquiesce to implantation when he or she otherwise would not.

(g) "Subcutaneous" means existing or introduced under or on the skin.

II. Except as provided in paragraph V, a person shall not require, coerce, or compel an individual to undergo the subcutaneous implanting or other internal or external bodily possession of an identification device. This section shall not apply to inmates incarcerated in or under the control of a government-run prison or jail.

HB 1753-FN, reducing the age for legally possessing alcohol. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Shannon Chandley for Criminal Justice and Public Safety. This bill as originally drafted sought to lower the age of legal possession of or intoxication by alcohol from 21 years of age to 20 years of age. The committee was not supportive of this proposal, but did recognize this bill as a vehicle to reintroduce the House position on transportation of alcoholic beverages by a minor. Current law allows for the transportation of alcoholic beverages by a minor in a vehicle when he or she is accompanied by a parent, legal guardian or spouse. This bill, as amended by the committee, increases the list of family members with whom a minor can legally transport alcoholic beverages in a vehicle to include siblings over the age of 25 years, a stepparent, grandparent, stepgrandparent or a domestic partner. This identical language was passed by the House in the 2017 session. It failed in the Senate. Vote 16-3.

Amendment (0604h)

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

AN ACT relative to transportation of alcoholic beverages by a minor.

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

1 Transportation of Alcoholic Beverages by a Minor. Amend RSA 265-A:45, I-II to read as follows:

I. Notwithstanding RSA 265-A:44, II, no driver under the age of 21 shall, except when accompanied by a **sibling who is 25 years of age or older**, parent, **stepparent**, legal guardian, **grandparent**, **stepgrandparent**, or legal age spouse **or domestic partner**, transport any liquor or beverage in any part of a vehicle. A driver violating this section may have his or her license or privilege to drive suspended for 60 days.

II. No person operating a boat while under the age of 21 shall, except when accompanied by a **sibling who is 25 years of age or older**, parent, **stepparent**, legal guardian, **grandparent**, **stepgrandparent**, or legal age spouse **or domestic partner**, transport any liquor or beverage in any part of a boat with an intent to consume such liquor or beverage. Anyone violating this paragraph may, following a hearing, have his or her privilege to operate a boat on the waters of the state suspended for 90 days and may additionally have his or her license or privilege to drive suspended for 90 days.

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

AMENDED ANALYSIS

This bill allows minors to transport alcoholic beverages in a vehicle or boat when accompanied by certain family members.

HB 1792-FN, reducing the criminal penalty for certain controlled drugs. **INEXPEDIENT TO LEGISLATE.**

Rep. Richard O'Leary for Criminal Justice and Public Safety. This bill reduces the penalty for possession of a controlled drug, Schedule I, II, III or IV, from a class B felony to a class B misdemeanor and from a class A felony to a class A misdemeanor. This bill also reduces for a Schedule V drug by eliminating a prison term, leaving a fine of up to \$15,000 for a first offense and class A misdemeanor for a subsequent offense. Reducing a felony to a misdemeanor during our current opioid crisis sends the wrong message to those who use and/or deal in prohibited drugs. Currently, our drug courts allow for certain users to use treatment instead of jail or prison to get clean. Vote 14-3.

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

Rep. Kate Murray for Criminal Justice and Public Safety. This bill extends further protection to a vulnerable, elderly population who are at risk of financial exploitation and/or physical or sexual abuse. The bill will also protect those who have a physical or mental disability. It further provides a procedure for issuing a protective order for vulnerable adults so they may be protected from continuing exploitation in a more timely fashion than currently exists. The language for a protective order is identical to the language for domestic abuse. Vote 18-0.

HB 1258, relative to the advanced manufacturing education advisory council. **OUGHT TO PASS.**

Rep. James Grenier for Education. This bill permits the advanced manufacturing education advisory council to accept and coordinate funds to support certain workforce training efforts. The funds will be used to provide grants for training outside of the public education system for areas such as apprenticeships, work readiness and employee training. Vote 20-0.

HB 1263, relative to educational evaluation of home schooled children. **INEXPEDIENT TO LEGISLATE.**

Rep. Joseph Pitre for Education. This bill amends the educational evaluation procedures for home educated children and adds notice, hearing, and appeals procedures relative to the termination of a home education program. Testimony regarding this bill was offered in Representatives Hall. Testimony was overwhelming in opposition to the bill. One parent stated, "In the 1990's, I can understand your skepticism regarding oversight as homeschooling was believed to be a new concept, but now, in 2018, the unfounded concerns pertaining to an age-old method of education have undeniably, successful results across the board." Parents choose to home school their children as one educational option to find the best fit. Further, under existing NH statute, if a school official has a reason to believe that the law is not being followed, that official has the authority to investigate. There are other layers of protection in our society. Educators, family members, neighbors, law enforcement officers, and medical professionals may file neglect reports to the Department of Health and Human Services. With this, there is no need to further change homeschooling statutes. Vote 20-0

HB 1272, relative to the powers of local boards of education. **INEXPEDIENT TO LEGISLATE.**

Rep. Dan Wolf for Education. This bill modifies the responsibilities of school boards. Board responsibilities proposed in this bill already exist in current statute. Other wording in the bill is not clear and requires further clarification. Vote 18-2.

HB 1348, relative to the annual audit report of public charter schools. **INEXPEDIENT TO LEGISLATE.**

Rep. James Grenier for Education. This bill requires chartered public schools to include in their annual financial audit and report a list of donors who have given \$10,000 or more. This bill raises questions such as privacy. Much of the information required by this bill is currently available from other sources. This bill is unnecessary. Vote 20-0.

HB 1403, relative to members of the state board of education. **INEXPEDIENT TO LEGISLATE.**

Rep. Robert Elliott for Education. This bill prohibits a member of a local school board from being a member of the State Board of Education. The committee majority believes that local school board members who may also serve on the State Board may have a thorough knowledge of educational issues and may recuse themselves on possible issues of conflicts if necessary. Vote 19-1.

HB 1409, relative to child restraint practices in schools and treatment facilities. **INEXPEDIENT TO LEGISLATE.**

Rep. Terry Wolf for Education. This bill adds two additional hearings in relation to child restraint and seclusion. The Disability Rights Center testified the current process works and does not support the changes in this bill. Vote 20-0.

HB 1439, relative to requirements for private schools that contract with school districts. **REFER FOR INTERIM STUDY.**

Rep. Victoria Sullivan for Education. The committee recommends this bill be referred for interim study as the committee believes the bill needs more work. As written, the bill left the committee with unanswered questions. It is a possibility that the intention of the bill is currently covered in law and the bill is not needed. Interim study will allow the study committee to research the issue further. Vote 19-1.

HB 1480, relative to the membership of the board of trustees of a chartered public school. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Victoria Sullivan for Education. This bill, as amended, clarifies law regarding the board of trustees of public charter schools. This bill stipulates that no paid employees may serve as a voting member of the board. It also states that the two parents or 25% of the board, whichever is greater, that currently serve on the board, must be voted onto the board by the school's parent community. Vote 17-3.

Amendment (0643h)

Amend RSA 194-B:5, II as inserted by section 1 of the bill by replacing it with the following:

II. ~~[No greater than 25 percent of the membership of a school board, or one member, whichever number is greater, may simultaneously serve as members of the board of trustees of a charter or charter conversion school.]~~ No greater than 25 percent of the membership of the board of trustees of a charter or charter conversion school, or one member, whichever is greater, may simultaneously serve as members of any *other* school board, *including a board of trustees*. A chartered public school board of trustees shall include no fewer than 25 percent or 2 parents of pupils attending the chartered public school, whichever is greater *who shall be elected by the current parent community*. Teachers of a chartered public school may serve on its board

of trustees. *No employees may be voting members of the board. A parent board member shall be the parent of a student currently attending that charter school. In this section, "parent" means any parent, grandparent, or legal guardian of a student currently attending the charter school.*

II-a. The chairman of the board of trustees shall provide notice of any vacancy to the school community. The chairman shall appoint a nominating committee. Such committee may remain a standing committee. Any parent of a student currently attending the charter school may apply for any available board position. The nominating committee shall inform the parent community of the names of candidates as well as any accompanying information through the school communication system and the existing parent community. Voting shall take place within 60 days of the notice of vacancy.

HB 1492-L, relative to a course of action when a child's attendance at a school has resulted in a manifest educational hardship. **REFER FOR INTERIM STUDY.**

Rep. Mel Myler for Education. The committee did not have enough time or information to fully consider this bill. More study is needed to give the bill its appropriate consideration. Vote 19-0.

HB 1493, relative to the statewide assessment system of performance in schools. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Terry Wolf for Education. This bill, as amended, is part of several bills that revise education statutes to align with the state's Every Student Succeeds Act plan. The changes include measuring academic achievement and growth of knowledge and skills as part of the statewide assessment. Vote 20-0.

Amendment (0675h)

Amend the RSA 193-C:3, III(g) as inserted by section 1 of the bill by replacing it with the following:

(g) The assessment portion of the program shall be designed to be a measure of student academic achievement and growth of knowledge and skills.

Amend RSA 193-C:3, IV as inserted by section 1 of the bill by inserting after subparagraph (j) the following new subparagraph:

(k) At the high school level, to serve as one indicator of a student's postsecondary education readiness.

HB 1495, relative to standards for determining an adequate education. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Rick Ladd for Education. This bill, as amended, adds to the indicators that school districts are required to report annually to the Department of Education regarding delivery of an adequate education. The bill also establishes a rating scale for school districts regarding performance standards. Rating scale scores range from "1," school does not meet grade level performance standards to "4," school exceeds the standards. This bill also requires data gathered from public schools to be included in the annual report NH School District Profiles, which shall be made available to the public on the Department website and online at every school administrative unit for public review. Vote 19-0.

Amendment (0796h)

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

1 Delivery of an Adequate Education. RSA 193-E:3, I is repealed and reenacted to read as follows:

I. Annually, each school district shall report data to the department of education at the school and district levels on the indicators set forth in this paragraph. The report shall not contain personally identifiable information including but not limited to name, gender, or social security number. The department of education shall develop a reasonable schedule to collect the reporting of data required by state and federal law. The requirements for data keeping and the form of the report shall be established in accordance with rules adopted by the state board of education. Indicators shall include the following areas:

- (a) Attendance rates.
- (b) Annual and cumulative drop-out rates of high school students and annual drop-out rates for students in grades 7 and 8.
- (c) School environment indicators, such as safe-schools data.
- (d) Number and percentage of graduating high school students.
- (e) Number and percentage of high school students going on to postsecondary education, military service, and an advanced learning program leading to a value added skill or career certification.
- (f) Number and percentage of students earning a career and technical education industry recognized credential.
- (g) Number and percentage of students completing a career pathway program of study.
- (h) Number and percentage of high school students who earned postsecondary credit of C or better for one or more concurrent or dual enrollment courses from a New Hampshire postsecondary college or university.
- (i) Number of students that completed a New Hampshire scholars program of study.
- (j) Number and percentage of students that completed and passed an advanced placement exam with a score of 3, 4 or 5; or International Baccalaureate exam with a score of 4, 5, 6, or 7.

(k) Number of students that scored at least a level III on components of the ASVAB, as defined in RSA 186:68, I, that comprise the Armed Forces Qualification Test (AFQT).

(l) The number and percentage of high school students that either met or exceeded the college and career ready benchmark established by the department for either the SAT or ACT.

(m) Expulsion and suspension rates, including in-school and out-of-school suspensions including data identifying the percentage of out-of-school suspensions of more than 10 days for each school year. This indicator shall be categorized by district, school, and grade level with each category disaggregated and broken down by gender, race, and eligibility for free and reduced-price meal programs.

(n) Number and percentage of classes taught by master teachers pursuant to RSA 186:11, XXXV and RSA 189:14-f.

(o) Teacher and administrative turnover rates at the school and district levels.

2 Delivery of an Adequate Education. RSA 193-E, III is repealed and reenacted to read as follows:

III.(a) Annually, the department of education shall issue a public report on the condition of education statewide and on a district-by-district and school-by-school basis. This report shall be entitled "New Hampshire School District Profiles" and shall be made available on the department's website and online at every school administrative unit for public review. It shall include:

(1) School district and school demographic and pupil performance data reported in paragraph I and other relevant statistics as determined by the department of education.

(2) Comparisons with state averages for all data reported.

(3) Comparisons of each district and school to itself based on its own statewide improvement and assessment performance for the prior school year and its most recent 3-year averages.

(4) Statewide rankings of each district and school using an index system to communicate achievement and growth results on a 1-4 performance scale, including a statewide ranking of each school and school district based on the percentage increase of improvement as compared with the same school and school district's performance in the previous year.

(b) The report shall be organized and presented in a manner that is easily understood by the public and that assists each school district personnel, parents, and the community with the information to identify trends, strengths, and weaknesses. Each school's academic achievement and growth level score shall be visibly posted on the school, school district, and state websites. The academic achievement and growth level score shall describe how well specific school districts and schools have mastered the standards and the extent to which the district or school is preparing students to meet performance standards and be prepared for college and career. The rating scale shall include 4 reporting levels: level 4 means exceeds grade-level performance standards and advanced progress toward college and career readiness; level 3 means meets grade-level performance standard and progress toward college and career readiness; level 2 means nearly meets grade-level performance standards and may require further development to meet college and career readiness; and level 1 means does not meet grade-level performance standard and needs substantial improvement to meet college and career readiness.

(c) The department of education shall include data provided by early childhood programs, school districts, and postsecondary institutions.

3 Delivery of an Adequate Education RSA 193-E:3, VI is repealed and reenacted to read as follows:

VI.(a) Annually, each postsecondary institution as defined in RSA 193-E:4 shall submit a report, which shall not include any personally identifiable information such as, but not limited to, name, gender, or social security number, to the department of education containing information on indicators in the following areas:

(1) Remedial education courses and the number and percentage of students requiring remedial education in English/language arts, reading, and mathematics.

(2) Entry, withdrawal, and transfers.

(3) Degrees and certificates granted.

(4) Number of high school students who received dual enrollment course credit.

(b) The department of education shall integrate all data collected into the data warehouse. The department of education shall have access to data solely to conduct studies, track and report annual and longitudinal pupil outcomes, and improve postsecondary readiness, retention, and articulation between educational institutions.

(c) The state board of education, in consultation with the university system of New Hampshire board of trustees and the community college system of New Hampshire board of trustees shall adopt rules, pursuant to RSA 541-A, for developing a form to be used for the report and to establish requirements for data maintenance.

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

HB 1496, relative to requirements for performance based accountability for an adequate education. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Rick Ladd for Education. This bill, as amended, modifies requirements for public school performance-based accountability for an adequate education. Current statute requires schools to demonstrate opportunity

for an adequate education by meeting one requirement; either through the narrative report or by the performance system which identifies academic achievement. This bill, as amended, requires every public school to demonstrate satisfactory accountability, not only by one system measure, but by both systems. This change will strengthen the accountability process and better identify schools requiring corrective and technical improvement. An additional change requires the Department to conduct on-site school inspection visits at least every five years whereas current statute requires on-site visitation every ten years, or 10% of schools per year. Lastly, this bill is one of the three bills, HB 1495, 1496, and 1497, that better align New Hampshire education statutes with the elementary and secondary education act as amended by the Every Student Succeeds Act passed by the U. S. Congress and signed into law this past year. Vote 17-2.

Amendment (0768h)

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

1 Accountability for the Opportunity for an Adequate Education RSA 193-E:3-b is repealed and reenacted to read as follows:

193-E:3-b Accountability for the Opportunity for an Adequate Education. Using the input-based accountability system, a school shall demonstrate that it provides the opportunity for an adequate education under RSA 193-E:2-a by meeting the requirements of paragraphs I and II of this section.

I.(a) A school shall demonstrate that it provides the opportunity for an adequate education for the school approval standards set forth in rules adopted by the department of education in the following areas:

- (1) English/language arts and reading.
- (2) Mathematics.
- (3) Science.
- (4) Social studies.
- (5) Arts education.
- (6) World languages.
- (7) Health education.
- (8) Physical education.
- (9) Engineering and technologies.
- (10) Computer science and digital literacy.
- (11) School year.
- (12) Minimum credits required for a high school diploma.

(b) A school shall submit a narrative explanation detailing how the school has complied with each of the standards in subparagraph (a).

(c) A school that has received full accreditation from the New England Association of Schools and Colleges (NEASC) shall be deemed to be in compliance with the provisions of subparagraphs (a) and (b). Using the input-based accountability system, NEASC accredited schools shall certify that they have on file copies of documentation necessary during the school's accreditation process including, but not limited to, the accreditation self-study report, peer review reports, reports of any follow-up activities taken by the school in response to NEASC's recommendations for accreditation, and the annual school update report as required by NEASC each fall. A school accredited by NEASC shall meet or exceed NEASC's standards and shall use those standards to measure improvement.

(d) The input-based school accountability system shall be completed by January 15th of every even numbered year. The school principal and school district superintendent shall certify in writing that the responses submitted are accurate. The commissioner, or designee, shall review the input-based school accountability system responses to each school's self-assessment required under this section and shall verify that the responses comply with the standards under subparagraph (a).

(e) The commissioner of the department of education shall require any school that is unable to demonstrate that it provides the opportunity for an adequate education through the input-based school accountability system to resubmit the narrative explanations annually until such demonstration has been made.

(f) The commissioner shall integrate the input-based school accountability system with the school approval process pursuant to RSA 21-N:6, V.

(g) The department shall conduct site visits at all schools at least once every 5 years to assess the validity of the responses in the input-based school accountability system. The commissioner may require more frequent site visits at schools which have been unable to demonstrate that they provide the opportunity for an adequate education.

II. A school shall annually demonstrate that it provides the opportunity for an adequate education through the performance-based school accountability system pursuant to RSA 193-E:3-c and RSA 193-E:3-d designed to measure educational outcomes.

2 Adequate Public Education; Performance-Based Accountability System. RSA 193-E:3-c is repealed and reenacted to read as follows:

193-E:3-c Performance-Based Accountability System.

I. At least every 4 years the commissioner shall review the performance-based accountability system and make recommendations to the legislative oversight committee established under RSA 193-C:7. The commissioner may establish a task force to assist with this review. The commissioner, or designee, shall be the chairman of the task force and shall appoint no fewer than 9 and no more than 13 members to the task force which shall consist of department personnel, one or more representatives of a school district including at least one school board member, educational experts, parents or guardians of current public school pupils, members of a public interest group concerned with education, members of the business community, and other individuals with information or expertise of benefit to the task force's duties. The task force shall include one member of the house of representatives, appointed by the speaker of the house of representatives, and one member of the senate, appointed by the president of the senate.

II. The task force shall have the following duties:

(a) Implement the performance-based accountability system to be used by schools that will ensure that the opportunity for an adequate education is maintained.

(b) Identify performance criteria and measurements.

(c) Establish performance goals and the relative weights assigned to those goals.

(d) Establish the basis, taking into account the totality of the performance measurements, for determining whether the opportunity for an adequate education exists, which may include the assignment of a value for performance on each measurement.

(e) Ensure the integrity, accuracy, and validity of the performance methodology as a means of establishing that a school provided the opportunity for an adequate education as defined in RSA 193-E:2-a.

III. The performance-based accountability system, as recommended by the task force, shall be based on data and indicators aligned to the New Hampshire consolidated state plan, as required by the Elementary and Secondary Education Act, 20 U.S.C. section 6301 et seq. as amended by the Every Student Succeeds Act. This plan shall be approved by the legislative oversight committee established in RSA 193-C:7.

IV. The task force shall submit a report of its findings with recommendations for future legislation for the performance-based accountability system to the legislative oversight committee established under RSA 193-C:7. After the report is approved by the legislative oversight committee the department shall submit the report to the chairpersons of the house and senate education committees, the speaker of the house of representatives, the senate president, the governor, the house clerk, and the senate clerk.

V. The department shall annually prepare a detailed report documenting the results of each school on the performance-based school accountability system to be developed pursuant to this section, and identifying all schools that can demonstrate the opportunity for an adequate education through the performance-based methodology. The report shall be submitted no later than January 15 annually to the same individuals receiving the final report under paragraph IV.

3 Adequate Education; Performance-Based School Accountability System; Verification Process. Amend RSA 193-E:3-d to read as follows:

193-E:3-d Performance-Based School Accountability System; Verification Process. Prior to the submission of the final report pursuant to this section, the department shall undertake a process to verify and test the integrity, accuracy, and validity of the performance-based accountability system utilizing the best available data from one school from each of the counties in the state. The commissioner shall ensure, to the greatest extent possible, that the verification process utilizes the best available data from a balance of elementary and secondary schools representing diverse socioeconomic conditions throughout the state. The commissioner shall work with school officials and faculty from the selected schools to implement the performance-based school accountability program and to develop a data collection system which will allow schools to easily report results to the department for analysis and reporting. ***The commissioner shall review and make recommendations regarding the performance-based accountability system to ensure that the system adequately measures the goals and indicators associated with student academic achievement, growth, school quality, and support for vulnerable students.***

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

HB 1497, relative to accountability for school performance. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Rick Ladd for Education. This bill, as amended, better aligns NH statutes with the Every Student Succeeds Act. The bill better defines key educational terms such as "competencies" by emphasizing "level of mastery of key concepts, skills, and knowledge." The bill identifies all schools, not just Title I schools, that fall in the bottom 5% in terms of achievement and growth performance. Lastly, the bill further defines work-study skills by inserting terms recommended and supported by NH business: communication, creativity, collaboration and self-direction. In addition to knowledge, these skills are sought and required by employers when hiring individuals into New Hampshire's workforce. Vote 18-1.

Amendment (0750h)

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

1 School Performance and Accountability; Definitions. RSA 193-H:1 is repealed and reenacted to read as follows: 193-H:1 Definitions. In this chapter:

I. "Commissioner" means the commissioner of the department of education.

II. "Competencies" means student learning targets that represent a level of mastery of key content-specific concepts, skills, and knowledge applied within or across content domains. Specific and required types of competencies include district competencies at grade level and course or program competencies required for graduation and graduation competencies.

III.(a) "Comprehensive support and improvement school" means:

(1) Any school that accepts federal funds from Title I, Part A of ESSA and is among the 5 percent lowest performing Title I schools in the state as defined by the New Hampshire consolidated state plan required for ESSA dated January 19, 2018.

(2) Any school that is among the lowest performing 5 percent of all schools in the state based on the same methodology used in subparagraph (a).

(3) Any high school with a graduation rate of less than 69 percent over 2 consecutive years.

(b) The department shall produce initial determinations of comprehensive support and improvement schools in the fall of 2018, using data from the 2017-2018 school year. Subsequent determinations shall be made every three years following the initial identification period.

(c) Those schools identified as comprehensive support and improvement schools, that also receive Title I, Part A funds through ESSA, may also receive federal Title I school improvement funds, if available, to assist in improvement activities.

IV. "Department" means the department of education.

V. "ESSA" means the Elementary and Secondary Education Act, as amended by the Every Student Succeeds Act.

VI. "Statewide assessment" means the New Hampshire education improvement and assessment program as established under RSA 193-C.

VII. "Targeted support and improvement schools" means:

(a)(1) Any school with at least one consistently low performing subgroup as defined by the state's methodology documented in the New Hampshire consolidated state plan required for ESSA dated January 19, 2018. Additional targeted support and improvement schools are those schools with subgroups of students that, on their own, would fall below the thresholds used to identify all schools for comprehensive support and improvement. The department shall produce initial determinations of targeted support and improvement schools using data from the 2017-2018 school year. Subsequent determinations shall be made annually following the initial identification period.

(2) Any school that demonstrates and meets criteria established as a targeted support and improvement school pursuant to subparagraph (a) shall be identified as a school in need of corrective and technical assistance and subject to RSA 193-E:3-e.

(b) Those schools identified for targeted support and improvement schools, that also receive Title I, Part A funds through ESSA, may also receive federal Title I school improvement funds, if available, to assist in improvement activities.

VIII. "Work-study practices" means those behaviors that enhance learning achievement and promote a positive work ethic such as, but not limited to, listening and following directions, accepting responsibility, staying on task, completing work accurately, managing time wisely, showing initiative, and being cooperative, and work-study skills that contribute to success in college, career, and life that include communication, creativity, collaboration, and self-direction.

2 School Performance and Accountability. RSA 193-H:2 and 3 are repealed and reenacted to read as follows: 193-H:2 Statewide Performance Targets.

I. On or before the 2018-2019 school year, schools shall ensure that all pupils are performing at the proficient level or above on the statewide assessment as established in RSA 193-C.

II. In addition to the requirement of paragraph I, schools shall meet performance based indicators under this chapter, and statewide performance targets as approved by the legislative oversight committee established in RSA 193-C and thereafter, as established in rules adopted by the state board of education pursuant to RSA 541-A.

III. Notwithstanding RSA 541-A, the state board of education shall receive approval from the legislative oversight committee established in RSA 193-C prior to the submission of any rules to the joint legislative committee on administrative rules relative to statewide performance targets and performance based indicators required under this section.

193-H:3 Identification and Public Disclosure of Targeted Support and Improvement Schools and Comprehensive Support and Improvement Schools.

I. The commissioner shall annually compile and disseminate to the governor and council, the president of the senate, the speaker of the house of representatives, local school boards, superintendents of schools, and the public, and shall make available on the department website, a list of targeted support and improvement schools and comprehensive support and improvement schools.

II. A school or school district designated by the commissioner as a targeted support and improvement school or a comprehensive support and improvement school shall have 30 days from the date of the report to appeal such designation to the state board of education.

3 School Performance and Accountability; Local Education Improvement Plan. RSA 193-H:4, I is repealed and reenacted to read as follows:

I.(a) A school shall have one year from the date that a school has been designated as a targeted support and improvement school or a comprehensive support and improvement school pursuant to RSA 193-H:3 to take action to remedy identified problems at the local level. The school shall create an initial plan that identifies actions that it intends implement to correct the areas of concern. The plan shall be submitted to the state board within 90 days of the date that the school or school district was designated as a targeted support and improvement school or a comprehensive support and improvement school. If the plan does not sufficiently address the areas of concern, the state board shall disapprove the plan within 30 days. If the state board disapproves the plan, the state board's designee shall work with the school district where the school is located to amend the plan so that it meets state board approval. One year following the designation, if the school or school district is not making satisfactory progress in implementing its plan, the commissioner shall issue a notice to the school district and shall initiate a process for providing assistance pursuant to this section.

(b) If a school has been designated as a targeted support and improvement school or a comprehensive support and improvement school, the school district, on behalf of the school, may request assistance from the department. The department shall, if resources allow, provide technical assistance to those schools that request assistance under this section.

(c) No later than one year after designation as a targeted support and improvement school or a comprehensive support and improvement school, the commissioner shall designate a progress review team to evaluate the implementation of the improvement plans and the progress toward state performance targets. The progress review team shall deliver a report to the state board. The report shall include evidence of satisfactory implementation and progress towards state performance targets or lack thereof and recommendations regarding future actions.

4 Repeal. RSA 193-H:4, II, relative to a technical assistance report and corrective action plan provided by the department of education and the state board of education, is repealed.

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

HB 1559, relative to certification requirements for assistant principals. **INEXPEDIENT TO LEGISLATE.** Rep. Terry Wolf for Education. This bill allows for administrative experience at the college level to count as administrative experience for an assistant principal in K-12 schools. The Department of Education testified that they do not certify assistant principals so this bill is unnecessary. Vote 19-0.

HB 1572-L, relative to alternative transportation of students for public school activities. **INEXPEDIENT TO LEGISLATE.**

Rep. Carolyn Halstead for Education. Upon hearing testimony, this bill was considered unnecessary. The School Boards Association has developed appropriate policies relative to volunteers driving for school functions. Most schools already have these policies in place. The bill as introduced also states that no school shall be held responsible for any loss, damage or legal liability resulting from a volunteer driver transporting students to or from school activities, which is questioned by the committee. Vote 19-0.

HB 1636, establishing a committee to study teacher preparation and education programs. **OUGHT TO PASS.** Rep. Dan Wolf for Education. This bill will provide an in-depth study of the current status of New Hampshire teacher recruitment procedures, preparation programs, professional development opportunities, and retention rates as they compare with other states and countries whose students perform at the highest levels in the world, as measured by the Programme for International Student Assessment (PISA). Vote 18-2.

HB 1761, relative to the math learning communities program in secondary schools. **OUGHT TO PASS.** Rep. Rick Ladd for Education. This bill establishes and encourages NH high schools to participate in an alternative high school math program called math learning communities designed to support and engage those 11th and 12th grade students who require requisite knowledge and skills necessary to adequately prepare them for career and post-secondary success. The program will further assist students in avoiding: time and financial costs, discouragement, and reduced post-secondary degree completion due to required math remediation when making the transition from high school to college and career. Approximately half of high school students entering the community college system require remediation. In an effort to address this serious workforce issue, the Community College System of NH has trained high school math teachers and implemented the program in 38 high schools throughout the state. This bill provides a process for continuing the program throughout NH. Vote 18-1.

CACR 17, relating to initiative and referendum powers. Providing that initiative and referendum powers shall be reserved to the people of the state. **INEXPEDIENT TO LEGISLATE.**

Rep. Andrew White for Election Law. This proposed constitutional amendment would permit residents to enact laws and constitutional amendments independent of the General Court. New Hampshire's legislature

is one of the most representative in the county; each citizen has direct access to their elected officials and can weigh in on any and all issues of interest to them. Further, in states that allow this type of initiative, passage of citizen generated ballot measures have, in some cases, created significant unintended consequences. The committee noted a general lack of support during the public hearing. For these reasons, the unanimous committee recommendation of Inexpedient to Legislate was reached. Vote 19-0.

CACR 18, relating to recall elections. Providing that the general court may authorize recall elections. **INEXPEDIENT TO LEGISLATE.**

Rep. Andrew White for Election Law. This proposed constitutional amendment would provide the General Court the power to authorize recall elections of "state officers." All state legislative officers are elected for two-year terms. These short terms of office provide voters a frequent opportunity to vote for candidates whose values most closely align with their own. There are other persons that qualify as "state officers" who the committee did not believe were intended to be impacted by this bill, but would be. The committee unanimously believes the current system provides voters ample opportunity to determine those who represent them in state offices. Vote 19-0.

HB 1220, relative to valid identification to obtain a ballot. **INEXPEDIENT TO LEGISLATE.**

Rep. Steve Negron for Election Law. This bill requires that a driver's license used by a person under 70 years of age to obtain a ballot be current or expired less than 5 years. This section of statute deals with photo identification for purposes of identification only. There are other forms of identification for which no date restriction was proposed. Due to concerns over conflict with other statutes and the limited purpose of this statute, the committee unanimously agreed the bill was inexpedient to legislate. Vote 20-0.

HB 1224, relative to election dates. **INEXPEDIENT TO LEGISLATE.**

Rep. Steve Negron for Election Law. This bill authorizes the moderator to postpone and reschedule a town election because of a weather emergency. The committee found that there were a number of issues with the bill. As proposed this bill deals with only a singular event, weather. It does not account for other emergency circumstances such as threat to the polling place or the destruction of ballots. The process outlined in the bill fails to account for multi-jurisdictional races. The bill also does not address school district issues or what to do in multi town school districts. Even if one were to agree that moderators should be able to postpone elections, this bill fails to provide complete or consistent guidelines as to process. Vote 20-0.

HB 1433, requiring disclosure of federal income tax returns by presidential and vice-presidential candidates. **INEXPEDIENT TO LEGISLATE.**

Rep. Betty Gay for Election Law. This bill would require that candidates for president and vice president disclose their federal tax returns by filing a complete copy for the last three years with the Secretary of State. The bill further directs that electors shall not cast a vote for any candidate who failed to comply with the tax filing requirement, regardless of the vote results. Current law, NH RSA 655, requires presidential candidates to swear they are qualified according to the Federal Constitution, which requires only that the candidate be a natural born citizen of at least 35 years of age who has lived the previous fourteen years inside the country. Nowhere does it require proof of payment of taxes. States do not have the authority to add to the constitutional requirements for presidential candidates. Testimony presented questions as to why the bill applies to only those particular offices, that states do not control federal elections, that such a requirement would create disparity among the states as to the electoral process, and that the creation of any such requirement is a precedent that might lead to requests for more information. While the intent of the supporters was understood, the bipartisan majority of the committee recommends that this bill be found Inexpedient to Legislate. Vote 17-3.

HB 1486, relative to "over voted" ballots. **INEXPEDIENT TO LEGISLATE.**

Rep. Kathleen Souza for Election Law. This bill would require a ballot machine be programmed to return to the voter a completely blank ballot or a ballot with too many ovals filled in for any office. As proposed, this bill would require programming changes to voting machines. These changes would require the machine to reject the ballot and then an election official would hand the ballot back to the voter. This process would compromise the secrecy of the ballot. If an explanation were required, further compromise would occur. If a voter's preference was a blank ballot, that would be apparent to the official and anyone else nearby. Currently, signs at the voting booths instruct voters on how to fill out a ballot and how to replace a spoiled ballot. Vote 20-0.

HB 1510-FN, relative to voters using out-of-state drivers' licenses as identification. **INEXPEDIENT TO LEGISLATE.**

Rep. Yvonne Dean-Bailey for Election Law. This legislation provided for additional paperwork at the polling place when an out of state driver's license is used for voter identification. The committee and the sponsor of the legislation recognize that photo identification is used solely for proving the identity of the registered voter. Testimony was provided representing both favorable and unfavorable opinions on this proposal. Given the desire to ensure ballots are provided to registered voters in an efficient manner, and concerns over the impact of this additional paperwork both on the poll worker and the voter, the committee concluded that the bill was not necessary. Vote 20-0.

HB 1520-FN, relative to access to ballots and relative to verification counts of machine-counted ballots. **IN-EXPEDIENT TO LEGISLATE.**

Rep. Betty Gay for Election Law. This bill is aimed at granting permission to moderators to hand count one NH statewide race in each election. The committee agreed that the bill has several problems. As proposed, the bill allows 10 voters to petition, before the election, that the moderator perform a hand recount of a federal or statewide race or a constitutional question on the ballot on election night. The bill also subjects ballots to right-to-know requests which would require production of the ballots after the recount period. It also allows a moderator who suspects fraudulent voting to report the same for possible prosecution by placing a distinguishing mark on the ballot that would allow it to be traced to a voter. The marking of ballots is not allowed by current law. As to the recount request, checking only one race on one scanner is not statistically sound. Hand counts are not necessarily 100% accurate and one count would neither prove nor disprove scanner accuracy of all the races. If a discrepancy was found, the bill made no provision for what was to then occur. As to the process of the manual recounting, existing NH law specifically addresses the process; it requires a systematic method of counting simultaneously with representatives of each party, followed by another count using the same method. It is highly unlikely that such a detailed system would be available at the polls. Recounts with other methods and individuals present have been found to be problematic, and allowing ballot examination after results are finalized would create election races that never end. The provisions of this bill place additional burdens and costs on the clerks; the fiscal note indicated the increased expenditures were indeterminable. The sponsor initially identified this bill as a method for correcting any machine tampering or malfunction. It was not clear to the committee that such a thing would occur as a result of this bill. Vote 20-0.

HB 1540-FN, relative to ranked-choice voting. **INEXPEDIENT TO LEGISLATE.**

Rep. Steve Negron for Election Law. This bill establishes procedures for ranked-choice voting for federal and state offices. The complexity of ranked-choice voting is obvious. Instead of simply voting for the candidate you prefer, each voter must have an election strategy to give the candidates their relative selection as all of their votes have some weight in the selection of the winner. As candidates are given a ranking there are multiple rounds to the counting that must occur to determine a winner. In races with multiple seats there is the potential for thousands of combinations to be counted. This applies to federal and state offices, and no local offices. Testimony indicated that it is uncertain whether the optical scan counting devices used in the majority of our communities can be programmed to process ballots in such a manner. It is certain that elections themselves will take longer causing additional expense to communities. Recounts would become more difficult and time consuming. The bipartisan majority of the committee agreed that the bill should be found Inexpedient to Legislate, after determining that ranked-choice voting is a costly shot in the dark. Vote 19-1.

HB 1573, relative to special elections for the office of state representative. **INEXPEDIENT TO LEGISLATE.**

Rep. Norman Silber for Election Law. This bill proposes that a special election to fill a vacancy for state representative should be held in a multi-town or multi-ward district only when the majority of towns or wards make the request. Under current law a special election in a multi-town or multi-ward district occurs when only one town or ward chooses to do so. Current law causes communities not in favor of such a special election to spend unbudgeted taxpayer money even when they specifically decide they do not want the special election. However, the alternative would deny communities the right to have a voice in the legislative process. This bill would seemingly allow one of the towns in a 2-town district to "veto" the holding of a special election. While special elections are costly to the districts involved, local representation is a critical component of our state government. Vote 20-0.

HB 1666, relative to redistricting. **INEXPEDIENT TO LEGISLATE.**

Rep. Michael Harrington for Election Law. The bill would create a new metric for evaluating redistricting proposals based on a computer model that attempts to measure the "efficiency gap" in votes cast. There are many unresolved issues with this bill. It establishes a commission made up of only Democrats and Republicans and does not include the third party with ballot status in NH. There is also confusion over how the results of an election determined to have an efficiency gap exceeding the allowed limit are to be handled. Would the loser have solid grounds to challenge the results in court? This bill would completely change the way we redistrict and needs more work before it should be considered for passage. Vote 20-0.

HB 1667-FN, relative to permissible campaign contributions by business organizations and labor unions and relative funding source disclosure for political advertising. **INEXPEDIENT TO LEGISLATE.**

Rep. Norman Silber for Election Law. This bill primarily provides for two things. First, business organizations and labor unions would need to make political contributions only through a separate, segregated fund with unions soliciting voluntary contributions from certain individuals associated with the union. Secondly, it requires that any advertising by the business organization or union must disclose the "5 natural persons" making the largest contribution. While some testimony indicated the bill would improve disclosure, other testimony expressed a need for a number of amendments which were not received. Concerns were also expressed as to how reporting would occur and be validated. Interests in the disclosure of funding must be balanced with case law, the US and state constitutions, and our own existing laws. Vote 20-0.

HB 1713, relative to the transfer of digital copies of voter checklists to qualified political organizations and candidates. **INEXPEDIENT TO LEGISLATE.**

Rep. Lisa Freeman for Election Law. This bill requires the Secretary of State to transfer digital copies of the voter checklists to qualified political organizations and candidates. The bill as presented referred to a marked checklist and there was no way to address the distinction between the centralized voter database, the local checklist for the election and the marked checklist. The current fee for digital copies is minimal. The checklist to be provided as set forth in the bill refers only to county, state and federal elections. The omission of local elections was not explained. Additionally the bill had a discrepancy in that the requested information was to be requested by a "political party," but was to be provided for the "candidate's district." After considering all of the testimony on the bill, the committee unanimously determined that the bill as drafted is unworkable and not necessary. Vote 19-0.

HB 1770-FN-L, relative to verification of checklists. **INEXPEDIENT TO LEGISLATE.**

Rep. Kathleen Souza for Election Law. This bill, presented with amendment, provided for additional checks on domicile when an absentee ballot request is received and there is a request to mail the ballot to an address other than the voter's domicile address. The additional follow-up would be the sending a letter requesting proof of the voter's qualifications to vote in the town or ward within 30 days. It was noted that many communities have a number of persons who stay for the winter months in more southern states. Without the exercise of significant discretion by the supervisors, some communities could be sending over one hundred letters. While testimony did indicate there may be some problems with absentee ballot requests, such as the lack of the need for identification, this bill did not address those concerns. The committee unanimously agreed the bill as presented was not appropriate for adoption. Vote 20-0.

HB 1238, relative to animal cruelty and costs of care for such animals. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Peter Bixby for Environment and Agriculture. The original bill sought to make those accused of animal cruelty, although not convicted, pay for the upkeep cost of confiscated animals based on an obsolete animal cruelty statute. The amendment replaces the entire bill and turns it into a housekeeping bill that eliminates this outdated statute that only pertains to colts less than 90 days old and moves the colt cruelty provisions into the modern animal cruelty statute under the Criminal Code, thereby making its enforcement and penalties consistent with other sorts of negligent cruelty. Vote 11-1.

Amendment (0691h)

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

AN ACT relative to animal cruelty involving an equine colt.

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

1 Animal Cruelty; Colts Less than 90 Days Old. Amend RSA 644:8, III(e)-(f) to read as follows:

(e) Negligently abandons any animal previously in his possession or custody by causing such animal to be left without supervision or adequate provision for its care, sustenance or shelter; ~~or~~

(f) Has in his or her possession an equine colt that is less than 90 days old that is not being nursed by its dam, unless the colt was born in this state, and its dam has died within this state before the colt became 90 days old; or

(g) Sells an equine colt that is less than 90 days old that is not being nursed by its dam; or

(h) Otherwise negligently permits or causes any animal in his possession or custody to be subjected to cruelty, inhumane treatment or unnecessary suffering of any kind.

2 Repeal. The following are repealed:

I. RSA 435:5, relative to colts less than 90 days old.

II. RSA 105:14-18, relative to cruelty to animals.

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

AMENDED ANALYSIS

This bill includes possession or sale of equine colts under 90 days old as acts of animal cruelty.

This bill also repeals several provisions relative to animal cruelty.

HB 1309, relative to transferring dogs, cats, and ferrets by animal shelter facilities. **OUGHT TO PASS.**

Rep. Richard Gordon for Environment and Agriculture. This is a housekeeping bill to correct an omission that occurred during the re-write of RSA 437 (Sale of Pets) during the 2017-2018 budget process. The bill adds back the requirement that all shelter facilities have on premises a microchip scanner and shall maintain a file of recognized pet retrieval agencies. Vote 12-0.

HB 1320, establishing a committee to study crop theft. **REFER FOR INTERIM STUDY.**

Rep. Alan Turcotte for Environment and Agriculture. This bill seeks to establish a committee to study crop theft in New Hampshire. Agricultural crime is on the rise. Left unchecked, crop theft is a problem that can seriously threaten an industry that is an important lifeblood of the state. The scope of legal definitions related

to agricultural crime is broad. Agricultural theft involves not only theft of crops, machinery, fertilizer, beehives, and other farm related assets, but also matters relating to trespass and vandalism. Statutes pertaining to agricultural theft need to be reviewed. New Hampshire must take steps to combat the costly and increasing problem of agricultural crime. Problems exist that prevent these crimes from being successfully prosecuted. Due to the seriousness of these economic and legal concerns, referring the bill to Interim Study will provide the committee with an adequate amount time for a comprehensive analysis of the problem which will result in effective solutions. Vote 11-0.

HB 1385, establishing a committee to study animal welfare in New Hampshire. **REFER FOR INTERIM STUDY.**

Rep. Stephen Darrow for Environment and Agriculture. This bill would create a committee of legislators to review and study animal welfare. Currently, there are other animal welfare bills making their way through the General Court with provisions that conflict with each. In addition, the Governor has convened his Commission on the Humane Treatment of Animals which is actively discussing the subject and have noted additional deficiencies within the animal statutes that are not currently being address. Due to the uncertainty of each respective outcome, the committee felt that Interim Study would be the best course of action in order to better define its objectives. Vote 16-0.

HB 1206, relative to bonds for civil officers. **INEXPEDIENT TO LEGISLATE.**

Rep. Kristina Schultz for Executive Departments and Administration. This bill would replace the term “employee” with “civil officer” in the statutes on government employee bonding. The committee was not convinced the change was either necessary or desirable. Vote 17-0.

HB 1207, relative to public filing of bonds for public employees. **INEXPEDIENT TO LEGISLATE.**

Rep. Mark Proulx for Executive Departments and Administration. The committee did not endorse this bill because, as much as we want protection for our citizens, this bill does not meet that intent. We heard from a bonding company that a bond would not provide the services the sponsor is looking for, namely, indemnification for misdeeds or failure to perform duties of government officials. Vote 13-1.

HB 1208, relative to the wording for oath of office for public office. **INEXPEDIENT TO LEGISLATE.**

Rep. Peter Schmidt for Executive Departments and Administration. This bill seeks to modernize the wording of the oath of office by replacing the words “make and subscribe” with the words “say and write.” The committee rejects the proposed change as faulty. Vote 13-1.

HB 1254, establishing a committee to study the procedures for adoption of national codes by the state of New Hampshire. **OUGHT TO PASS.**

Rep. Steven Beaudoin for Executive Departments and Administration. This bill will create a study committee with the intent of determining a better process for adoption of our state building, residential, electrical, plumbing, mechanical, energy conservation, and life and fire safety fire codes. While considering the adoption of new codes last summer, it became apparent to a House ED&A subcommittee that there was a lack of information being presented to properly assess whether the new codes were needed and cost effective. It is the hope of the ED&A Committee that this committee will be able to propose new guidelines for our agencies to follow when we are being asked to adopt new codes. Vote 14-0.

HB 1255, relative to the state fire code. **INEXPEDIENT TO LEGISLATE.**

Rep. Mark Proulx for Executive Departments and Administration. This bill would revise the state fire code by reverting from the 2015 edition of the Life Safety Code to 2009 edition. The committee heard that the 2015 version is more flexible than the 2009, and for assisted living facilities in particular it is strongly preferred by the State Fire Marshal, nursing home administrators, and advocates for the elderly. The committee unanimously opposes this change. The non-germane amendment to this bill was a recommendation from the governor’s commission on regulatory reform, which attempted to fix a problem with the fire safety inspection for foster homes. The problem presented could more appropriately be fixed by staff from DHHS sitting down with staff from the State Fire Marshal’s Office and clarifying what they’re looking for specifically when new foster homes are inspected for safety. Without that guidance, different fire services interpret the codes differently. In particular, they need clarification on whether the existing buildings code or the new construction code should apply. The amendment also was intended to fix conflicts in fire codes and building codes when local communities try to change them, but did not achieve that goal. Perhaps a better solution is a bill to remove local options on all building and fire codes. The committee agreed that the amendment should not be adopted. Vote 17-1.

HB 1273, suspending state licensure laws for physicians and physician assistants employed by the United States Department of Veterans Affairs. **OUGHT TO PASS.**

Rep. Jean Jeudy for Executive Departments and Administration. This bill would suspend New Hampshire licensure laws, rules and regulations for physicians and physicians assistants employed by the United States Department of Veterans Administration. This bill was brought forward due to an incident that took place at

the Manchester Veterans Administration Medical Center (VAMC). A broken water pipe rendered the facility unfit for the performance of medical procedures at that location. This bill will allow physicians and physicians assistants from the VAMC to perform medical procedures, on VA patients only, at other local facilities or hospitals without having to obtain NH licensure. Vote 18-0.

HB 1305, requiring a performance audit of the department of health and human services, bureau of elderly and adult services. **INEXPEDIENT TO LEGISLATE.**

Rep. John Sytek for Executive Departments and Administration. This bill would require a Legislative Budget Assistant (LBA) audit of the Department of Health and Human Services, Bureau of Elderly and Adult Services. The LBA routinely audits the various departments of state government. It does so according to a schedule developed many months in advance, by the Joint Legislative Performance Audit and Oversight Committee. The sponsor did not approach the audit committee with his request. Regardless of the merit of the audit requested in this bill, our committee was reluctant to put itself ahead of the committee which is charged with the responsibility of reviewing audit schedules. We should be approached as a last resort, not a first resort, in scheduling audits. Vote 15-0.

HB 1327, relative to apprentice electricians. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Peter Hansen for Executive Departments and Administration. This bill, as amended, increases the number of apprentice electricians allowed to work under supervision of journeymen and master electricians. The committee was satisfied that this change was prudent and fulfilled its expectations for continued professional and safe electrical services. Vote 17-1.

Amendment (0853h)

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

1 Electricians; Apprentice Electricians. Amend RSA 319-C:2, IV and V to read as follows:

IV. "Journeyman electrician" means a person doing work of installing electrical wires, conduits, apparatus, fixtures and other electrical equipment. A journeyman electrician shall be employed by a master electrician, except as provided in RSA 319-C:10. ~~[Each journeyman electrician may have one apprentice electrician working with him and under his personal supervision.]~~ Each journeyman electrician shall work under the direction and supervision of a master electrician.

V. "Master electrician" means a person either employed by another master electrician or who, as a business, hires or employs another to do electrical work, or, without hiring another, makes electrical installations as a principal or auxiliary business for his or her own account. ~~[Each master electrician may have no more than 2 apprentice electricians working with him or her under his or her personal supervision, provided this authorization shall not apply to more than 6 master electricians for each work location.]~~

2 New Section; Employment of Apprentice Electricians. Amend RSA 319-C by inserting after section 2 the following new section:

319-C:2-a Employment of Apprentice Electricians.

I. A journeyman electrician may have 2 apprentice electricians under his or her direct supervision beginning on the first anniversary of the journeyman electrician's initial date of licensure.

II. Each journeyman electrician on a work site may have 2 apprentice electricians working under his or her direct supervision, to a maximum of 3 journeyman electricians per work site. Each additional journeyman electrician may have one apprentice electrician under his or her direct supervision.

III. Each master electrician on a work site may have 2 apprentice electricians working under his or her direct supervision, to a maximum of 6 master electricians per work site. Each additional master electrician may have one apprentice electrician under his or her direct supervision.

IV. The maximum number of licensed electricians with 2 apprentice electricians working under their direct supervision on a work site shall not exceed 6.

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

AMENDED ANALYSIS

This bill establishes the number of apprentice electricians that may work for a journeyman or master electrician.

HB 1421-FN, relative to regulations for event tents. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Carol Roberts for Executive Departments and Administration. This bill, as amended, provides that event tents located on public property comply with the state building code and the state fire code. No permit is needed for event tents of any size erected as an accessory structure on property that is an owner-occupied, one or 2 family dwelling. The business community described the need for the latter provision as town-to-town regulations were confusing to the occasional consumer and urged the committee to address the issue. The original intent of the bill was to exempt private property completely from permit requirements but the bill as introduced did not define any limits. With the committee amendment, this bill provides a reasonable solution within the parameters of the original intent of the bill. Vote 18-0.

Amendment (0849h)

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

AN ACT relative to the regulation of event tents.

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

1 New Paragraph; State Building Code; Event Tents. Amend RSA 155-A:2 by inserting after paragraph V the following new paragraph:

V-a. Any event tent erected on public or private property shall comply with the applicable provisions of the state building code and state fire code. Notwithstanding paragraph V, counties, towns, cities, and village districts shall not adopt any rule, regulation, or ordinance regarding event tents erected on public or private property in addition to those established in the state building code and state fire code. A building permit shall not be required for a tent of any size erected as an accessory structure on property that is an owner-occupied, one or 2-family dwelling.

2 Places of Assembly; Flameproof Canvas and Tents. Amend RSA 155:20 to read as follows:

155:20 [Flameproof] **Flame Resistant** Canvas and Tents.

I. Any tent or other place of assembly covered by canvas or other fabric, textile, or flame resistant material that is erected on public or private property shall comply with the applicable provisions of the state building code and state fire code.

II. No permit under RSA 155:19 shall be issued to an owner or operator of any circus, carnival or any other place of assembly covered by canvas, or any other fabric, textile, or flame resistant material, on public property, until such applicant shall furnish to the licensing agency a certificate of [flameproofing] flame resistance of such tent, [or] canvas, fabric, textile, or flame resistant material.

III. No permit shall be required under RSA 155:19 for a tent of any size erected as an accessory structure on property that is an owner-occupied, one or 2-family dwelling.

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

AMENDED ANALYSIS

This bill provides that event tents erected on public or private property shall be subject to the requirements of the state building code and state fire code, but shall not be subject to further local regulation. The bill also provides that neither a building permit nor a place of assembly permit shall be required for a tent erected as an accessory structure on owner occupied property that is a one or 2-family dwelling.

HB 1434, relative to the New Hampshire council on developmental disabilities. **REFER FOR INTERIM STUDY.** Rep. John Sytek for Executive Departments and Administration. This bill would move the Council on Developmental Disabilities (CDD) into the Governor's office and place it with the Governor's Commission on Disabilities. The purpose is to provide "one-stop shopping" for the disability community. Several problems were discovered as the committee studied the bill. The Council on Developmental Disabilities is a state agency (the "Designated State Agency" (DSA) under Public Law 106-402), and is 100% federally funded. Under the federal law, it is required to develop and follow a 5-year plan and to report periodically to the federal government. The federal law permits the DSA to be a freestanding agency, as the CDD is presently or to be placed in the Governor's office as this bill proposes. If the CDD were to be so placed and the Governor's office were to be designated as the DSA, the state would have to pay 50% of the council's administrative costs. While a work-around might be possible, it's complicated and not guaranteed to satisfy the federal government. However, more troubling is a prohibition in PL 106-402. The DSA may not offer the actual delivery of services as the Governor's office presently does (e.g. Client Assistance Program, Telecommunications Equipment Assistance Program) at the risk of losing federal funding altogether. All parties agree on the broad goals of serving the disability community but this bill contains unnecessary risk. There is nothing urgent about this situation. The committee would be receptive to a bill agreed to by all the stakeholders. Vote 12-1.

HB 1440, relative to prohibiting the adoption of administrative rules after final objection by the joint legislative committee on administrative rules. **INEXPEDIENT TO LEGISLATE.**

Rep. Kristina Schultz for Executive Departments and Administration. This year, the ED&A Committee received four bills on the rulemaking process, all with related concerns about legislative oversight. The committee considered all four bills and decided to consolidate them into one bill in order to ensure clarity and prevent potential conflicting provisions. The committee has recommended referring HB 1570 for Interim Study and during the work sessions on this bill intends to conduct a thorough review of legislative oversight over administrative rules and conformance with legislative intent. Therefore, HB 1440 was found Inexpedient to Legislate. Vote 14-0.

HB 1460, relative to the criteria and standards for professional and occupational regulation by the state. **INEXPEDIENT TO LEGISLATE.**

Rep. Peter Schmidt for Executive Departments and Administration. This bill would create a committee within the Office of Professional Licensing and Certification to review current and proposed occupational regulations. The sponsor determined that the content of this bill was covered in HB 1685, and so requested that this bill be found Inexpedient to Legislate. The committee agreed. Vote 14-0.

HB 1482, relative to testing of state law enforcement officers for steroid use. **INEXPEDIENT TO LEGISLATE.**

Rep. Mark Proulx for Executive Departments and Administration. This bill would require the random testing of state police officers for steroids. The committee had several objections to the bill. First, it singles out the state police, implying that their division is the only one that might have this problem. Second, we did not hear any testimony that this was a common problem. State police applicants are tested for illegal and inappropriate drugs prior to hiring and, when needed, in an investigation. Finally, the committee believes this should be handled by individual departments in a way they see fit. Vote 12-0.

HB 1530, requiring criminal history records checks for applicants for allied health professional licensure or certification. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Peter Hansen for Executive Departments and Administration. The bill requires criminal history record checks for applicants for Allied Health Professional licensure or certification. The check may be through either the FBI National Database or criminal background reports from each state where the applicant has resided or been licensed in the last 6 years. Today's mobile society and the refusal of some states to share background checks with states which do not require the FBI background check has some applicants waiting for licensure, and thus employment, for extended periods. The committee amendment allows the allied health professional to work under supervision for up to 90 days while a background check is pending if specific conditions are met and the applicant has notified both the board and the employer that no disqualifying criminal history exists. Vote 19-0.

Amendment (0807h)

Amend RSA 328-F:18-a as inserted by section 1 of the bill by inserting after paragraph IV the following new paragraph:

V. Pending the results of a criminal history record check, an applicant for licensure may be employed in a profession of the allied health field on a conditional basis for up to 90 calendar days before the office of licensed allied health professionals receives the results of a criminal history record check required for licensure, if the conditional employee:

- (a) Is under the direct supervision of a licensee;
- (b) Has previously passed a criminal history record check in this state; and
- (c) Has provided a written attestation to the employer and the board that no disqualifying criminal history exists.

HB 1553, relative to removal of trees from state property. **INEXPEDIENT TO LEGISLATE.**

Rep. Jacalyn Cilley for Executive Departments and Administration. This bill sought to require permission from abutters for the removal of certain trees or for clear cutting trees by the state on state owned/managed properties. The committee agreed that the circumstances that gave rise to this bill negatively impacted abutters' views and esthetics of their abutting property. However, the majority of the committee believed that state forests needed appropriate conservation, and this includes removing trees for various reasons: the health of the tree, danger to campers or hikers, or, as in this case, clear-cutting an area of low-grade trees to create a young forest for wildlife shelter. A temporary eyesore is a minor price to pay for a healthy forest. Vote 12-2.

HB 1556, relative to licensing requirements for barbers, cosmetologists, estheticians, and licensed nursing assistants. **INEXPEDIENT TO LEGISLATE.**

Rep. Raymond Gagnon for Executive Departments and Administration. The goal of providing training as cosmetologists and licensed nursing assistants for women incarcerated in the NH prison system is laudable, however the committee believes factors exist that cause the bill to be problematic. Our concerns are that the Board of Barbering, Cosmetology and Esthetics has an existing process in place to review individuals with a criminal record. Secondly, the board is presently working with the Department of Corrections to create a cosmetology program on-site at the women's prison. Lastly regarding licensed nursing assistants - Federal Law (42 CFR 482.156) prohibits any hospital, nursing home or related organization from billing Medicaid or Medicare for reimbursement that employs a convicted felon. This would have a devastating impact on health care services in New Hampshire. Therefore it is the committee's recommendation that this bill be found Inexpedient to Legislate. Vote 12-1.

HB 1570, relative to the scope of rules adopted under the administrative procedures act pursuant to statutory authorization for agency rules. **REFER FOR INTERIM STUDY.**

Rep. Jacalyn Cilley for Executive Departments and Administration. This bill sought to strengthen laws requiring that newly proposed agency rules be rooted in clear legislative authority and to also ensure that all existing rules be shown to have legislative authority. The committee determined that the Joint Legislative Committee on Administrative Rules already applies the "legislative authority" standard. However, the committee also agreed that there may be rules approved previously that require review and that the process of rulemaking and passage is one worthy of closer inspection. Thus, the committee recommends this legislation be referred for Interim Study. Vote 18-2.

HB 1571, authorizing an alternative recovery monitoring program for nurses licensed by the board of nursing. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Peter Hansen for Executive Departments and Administration. This bill, as amended, would create an alternative program to monitor the recovery of persons licensed by the Board of Nursing who are impaired by substance use disorders or mental or physical illness. The intent is to return our medical professionals to the workforce, upon the satisfaction of specific criteria, while monitoring each individual to insure patient safety. All stakeholders have approved the committee amendment and are committed to this program, similar to existing ones for doctors and dentists. The committee vote indicates our belief that this program will succeed with no sacrifice to patient safety. Vote 18-0.

Amendment (0269h)

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

1 Purpose and Findings. As part of the state's effort to combat substance use disorder, the general court finds that an alternative recovery monitoring program designed to encourage self-reporting by licensees of the board of nursing who may be impaired by substance use disorder, including drug or alcohol abuse, or mental or physical illness, similar to those programs available to other licensed health professionals in New Hampshire, would improve patient and public safety, promote the health and professional performance of licensees, and return to service and maintain the number of highly trained nursing professionals eligible to provide effective patient care in New Hampshire.

2 New Section: Nurse Practice Act; Alternative Recovery Monitoring Program. Amend RSA 326-B by inserting after section 36 the following new section:

326-B:36-a Alternative Recovery Monitoring Program.

I.(a) Any person or qualified health care professional committee may report relevant facts to the board relating to the acts of any person licensed by the board in this state if they have knowledge relating to the licensee which, in their opinion, might provide grounds for disciplinary or remedial action as specified in RSA 326-B:37, II.

(b) A person or qualified health care professional committee who may report under subparagraph (a) shall include:

(1) A self-reporting licensee, whether without a prior history of substance use disorder or a previously impaired licensee returning to practice under a probationary license who requests participation in an alternative recovery monitoring program;

(2) A quality assurance committee acting in a clinical setting;

(3) Any committee of a professional society comprised primarily of licensees of the board of nursing, or its staff; or

(4) Any person participating in a program established to aid licensees impaired by substance use disorder or mental or physical illness,

(c) No person furnishing any such information to the board in good faith for the purpose of protecting the safety of patients or the public or the health of an impaired licensee shall be liable in damages to any person, including the allegedly impaired licensee.

II. Upon a determination by the board that a report or complaint submitted by any person or qualified health care professional committee is without merit, the report shall be kept confidential or non-public in the subject licensee's individual record in the board's office. A licensee subject to a report under this section or the licensee's authorized representative shall be entitled on written request to examine the licensee's individual record in the board's office, including any such report submitted to the board, and to place into the record a statement of reasonable length of the licensee's view with respect to any information existing in the report, in accordance with rules established by the board.

III.(a) If the board determines that a report or complaint submitted by any person or qualified health care professional committee has or may have merit, the board may either:

(1) Refer the matter for disciplinary proceedings under RSA 326-B:37, subject to paragraph IV of this section; or

(2) Refer the impaired licensee to an alternative recovery monitoring program under paragraph VI.

(b) Among the factors bearing on the board's decision whether to proceed with disciplinary proceedings or refer the licensee to an alternative recovery monitoring program, the board may consider whether the affected licensee has taken the initiative to voluntarily self-report under subparagraph I(b)(1), or whether a report or complaint has been initiated by a third party under subparagraph I(b)(2), (3), or (4).

IV. Notwithstanding the provisions of RSA 91-A, the records and proceedings of the board compiled in connection with a report made under paragraph I shall be confidential and are not to be considered open records unless the subject licensee so requests, provided, however, the board may disclose this confidential information only:

(a) In a disciplinary hearing before the board or in a subsequent appeal of a board action or order;

(b) To the nurse licensing or disciplinary authorities of other jurisdictions; or

(c) Pursuant to an order of a court of competent jurisdiction.

V.(a) No person, including any employee or member of the board, any member of a qualified health care professional committee, or any other individual furnishing in good faith information, data, reports, or records for the purpose of aiding an impaired licensee shall by reason of furnishing such information be liable in damages to any person.

(b) No employee or member of the board, member of any qualified health care professional committee, or staff member or participant in any alternative recovery monitoring program shall be liable in damages to any person for any action taken or recommendation made by such board, committee, staff, or participant unless he or she is found to have acted with wanton disregard for patient or public safety, or for the rights or reputation of the subject licensee, or for the reputation of the organization in which the subject licensee is employed or volunteers.

VI.(a) The board shall contract with other organizations to operate the alternative recovery monitoring program for licensees who are impaired by substance use disorder or mental or physical illness. This program may include, but shall not be limited to, assessment, education, intervention, drug and alcohol testing, temporary suspension or limitation of clinical privileges, drug addiction counseling, participation in peer support groups, record keeping with respect to success and failure rates, post-treatment assessment and monitoring, and other alternatives approved by the board.

(b) The board may allocate amounts determined by the board from the annual license renewal fees it collects from licensees in each class of nurses licensed by the board, to provide funding for the alternative recovery monitoring program as set forth in subparagraph (a).

(c) No later than July 1, 2019, the board shall adopt rules under RSA 541-A for the procedures and other matters required to implement this section.

3 Nurse Practice Act; Disciplinary Proceedings. Amend RSA 326-B:37, III(d) to read as follows:

(d) By requiring the licensee to submit to the care, counseling, or treatment of a [physician] **licensed health care provider**, counseling service, health care facility, professional assistance program **established under RSA 326-B:36-a**, or any comparable person[or], facility, **or program** approved by the board.

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

HB 1599, relative to the governor's commission on disability. **OUGHT TO PASS.**

Rep. Kristina Schultz for Executive Departments and Administration. This bill updates the definition of a "person with a disability" in state law to match the current language of the Americans Disabilities Act (ADA, 28 CFR 35.104.) This will allow for all persons with disabilities to be included in the new definition and create uniformity between the state and federal definition. The bill also amends the number of members on the Governor's Commission on Disability to be up to 30, rather than exactly 30. The change makes recruiting and attaining a quorum easier and maximizes a diverse representation of members. The term for membership is changed from 6 years to no more than two 3-year terms. Vote 14-0.

HB 1600, relative to objections to proposed rules by the joint legislative committee on administrative rules. **INEXPEDIENT TO LEGISLATE.**

Rep. Kristina Schultz for Executive Departments and Administration. This year, the ED&A Committee received four bills on the rulemaking process, all with related concerns about legislative oversight. The committee considered all four bills and decided to consolidate them into one bill in order to ensure clarity and prevent potential conflicting provisions. The committee has recommended referring HB 1570 for Interim Study and during the work sessions on this bill intends to conduct a thorough review of legislative oversight over administrative rules and conformance with legislative intent. Therefore, HB 1600 was found Inexpedient to Legislate. Vote 11-1.

HB 1603, relative to employee representation on the independent investment committee in the New Hampshire retirement system. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John Sytek for Executive Departments and Administration. The independent investment committee of the NH Retirement System (NHRS) oversees the investment activities of the NHRS. The Governor appoints 3 of the 5 members and the Chairman of the Board of Trustees appoints the other two. The Governor's appointments may not be trustees. This bill would require that one of the Governor's appointments be an active member of the NHRS. The committee heard testimony that several other states have employee representatives on their comparable boards. The bill also includes a list of public employee associations which would nominate members from whom the Governor may select his appointee. The amendment adds the AFL/CIO to this list which had been inadvertently omitted. Vote 19-0.

Amendment (0381h)

Amend the bill by replacing section 1 with the following:

1 Retirement System; Independent Investment Committee; Appointments. Amend RSA 100-A:14-b, I to read as follows:

I. The independent investment committee shall consist of not more than 5 members, 3 of whom shall be persons who are not members of the board of trustees appointed by the governor with the consent of the

council, and up to 2 of whom shall be members of the board of trustees appointed by the chairperson of the board of trustees. Each independent investment committee member shall serve for a term of 3 years. ***One of the 3 persons appointed by the governor with the consent of the council shall be an active employee member in the retirement system chosen from a list, submitted upon a vacancy, of up to 3 persons nominated by each of the following organizations: the New Hampshire State Employees' Association, the New Hampshire Education Association, the New Hampshire AFL-CIO, the New Hampshire Police Association, the New Hampshire State Permanent Firemen's Association, and the Professional Fire Fighters of New Hampshire.***

HB 1604, renaming Columbus Day as "Indigenous People's Day." **REFER FOR INTERIM STUDY.**

Rep. Kristina Schultz for Executive Departments and Administration. Testimony was strong both by the sponsors and supporters of this bill to rename Columbus Day, as well as by our colleagues of Italian heritage who oppose the change. Further discussion during the interim would allow the bill's sponsors to seek an amenable solution or compromise that neither slights the Italian American community nor disrespects America's indigenous communities. The case against Columbus himself was compelling. Columbus didn't step foot upon what is now U.S. soil, and his treatment of indigenous peoples of the Americas was deplorable. An interim study subcommittee would work toward the common ground needed for both communities. Vote 16-2.

HB 1606, relative to naturopathic health care practice. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Carol McGuire for Executive Departments and Administration. This bill, as amended, simply fixes a number of housekeeping issues with the naturopath statute, primarily those identified by last year's performance audit. The continuing education cycle is aligned with the license period, criminal background checks are explicitly required, the pharmacy board is given authority to inspect naturopathic drug processes, and a naturopath is added to the advisory board for the prescription drug-monitoring program. The open questions on the naturopath scope of practice are not included in this bill, due to lack of time. The committee felt that it was important to move these corrections forward, even without the scope of practice updates. Vote 15-1.

Amendment (0847h)

Amend the bill by deleting section 2 and renumbering the original sections 3-14 to read as 2-13, respectively. Amend the bill by replacing section 4 with the following:

4 Naturopathic Board of Examiners; Chairperson. Amend RSA 328-E:7, V to read as follows:

V. Members of the board shall elect a chairperson annually from among the members. [Four] Three members of the board constitute a quorum for the transaction of business.

Amend the bill by replacing section 8 with the following:

8 Continuing Education Requirement. Amend RSA 328-E:13, II to read as follows:

II. As a condition of renewal of license, the board shall require each licensee to show proof at least every [3] 2 years that the licensee has completed an approved continuing naturopathic medical education program within the preceding [3] 2 years. For the purposes of this section an "approved continuing naturopathic medical education program" means a program designed to continue the education of the licensee in current developments, skills, procedures, or treatment in the licensee's field of practice, which has been certified by a national or state naturopathic medical society or college or university and approved by the board. Such program shall include not less than 3 hours of education in pain management or addiction disorders, or a combination thereof.

AMENDED ANALYSIS

This bill makes various changes to the regulation of doctors of naturopathic medicine including the procedures of the naturopathic board of examiners. The bill also adds a member of the naturopathic board of examiners to the controlled drug prescription health and safety program advisory council.

HB 1623, relative to criteria for debarment of vendors. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jacalyn Cilley for Executive Departments and Administration. This bill establishes additional criteria for the debarment of vendors. The majority of the committee felt that the state should not be doing business with companies found guilty of wage theft from their employees, felony level unsafe workplace conditions or practices, or the misclassification of workers. These criteria would prohibit the state of New Hampshire from doing business with companies found guilty of such practices within the past two years. The committee amendment clarifies misclassification, specifies that only felony level safety violations would be considered and changes the look back period from 5 to 2 years. Vote 15-3.

Amendment (0812h)

Amend the bill by replacing section 1 with the following:

1 Criteria for Debarment of Vendors. Amend RSA 21-I:11-c, I(a)(10) to read as follows:

(10) Has been placed on the debarred parties list specified in paragraph II within the past year[-];

(11) Has been convicted of wage theft of its employees within the past 2 years;

(12) Has been convicted of a felony level offense involving worker safety practices within the past 2 years; or

(13) Has been found guilty, within the last 2 years, of misclassification of workers as independent contractors, in violation of department of labor standards and the definition of employee in RSA 281-A:2.

HB 1648, relative to review by the joint legislative committee on administrative rules. **INEXPEDIENT TO LEGISLATE.**

Rep. Kristina Schultz for Executive Departments and Administration. This year, the ED&A Committee received four bills on the rulemaking process, all with related concerns about legislative oversight. The committee considered all four bills and decided to consolidate them into one bill in order to ensure clarity and prevent potential conflicting provisions. The committee has recommended referring HB 1570 for Interim Study and during the work sessions on this bill intends to conduct a thorough review of legislative oversight over administrative rules and conformance with legislative intent. Therefore, HB 1648 was found Inexpedient to Legislate. Vote 14-0.

HB 1665, relative to the authority of the governing boards of allied health professionals. **OUGHT TO PASS.** Rep. Carol McGuire for Executive Departments and Administration. This bill simply authorizes the allied health professionals' governing boards to deal with "certified" professionals as well as "licensed." It is necessary because we added a certified profession (speech-language assistants) to their statute and currently, they only have explicit authority to write rules for, collect fees from, and discipline licensed individuals. HB 1665 extends this authority to certified professionals as well. Vote 14-0.

HB 1670-FN, relative to bonds for public employees. **INEXPEDIENT TO LEGISLATE.**

Rep. Carol McGuire for Executive Departments and Administration. This bill would require that bonds for public employees be available to citizens aggrieved by their actions. It further provides that the bond company would investigate, pay the complainant, and then take the guilty party to court to recoup their costs. The bond industry testified that the bonds the state and municipalities purchase are not intended for this process, and a bond to do as the sponsor wanted, if available, would be extremely costly. Vote 18-0.

HB 1684, relative to criminal background checks for emergency medical services license applicants. **OUGHT TO PASS.**

Rep. Mark Proulx for Executive Departments and Administration. This bill helps to streamline the background check process for the emergency medical services licenses by allowing law enforcement officers whose current position requires a criminal background check to avoid a second check. This is particularly important since we added a new license to administer Narcan, which is sought by police officers. Vote 17-0.

HB 1703, relative to the requirements for directors of licensed practical nurse education programs. **INEXPEDIENT TO LEGISLATE.**

Rep. Kristina Schultz for Executive Departments and Administration. Both this committee and this bill's sponsors unanimously support a recommendation of Inexpedient to Legislate on this bill. It would lower the education requirements for directors of training programs issuing diplomas or associate's degrees leading to a practical nurse license. According to the testimony from the bill's sponsors, the issues that created a need for this bill have now been addressed by the parties involved with New Hampshire's nursing education programs and this bill is no longer needed. Officials from the NH Nurses' Association submitted testimony also supporting this position. Vote 12-0.

HB 1729-FN, allowing the state retiree medical benefits subsidy to be used for alternative group insurance plans. **INEXPEDIENT TO LEGISLATE.**

Rep. John Sytek for Executive Departments and Administration. The state makes health insurance benefits available to retirees. This bill would permit retirees to opt out of the state health care coverage system and use the partial, state-paid contribution attributable to the retiree towards the retiree's purchase of some third-party health insurance. In testimony before the committee, the Commissioner of the Department of Administrative Services pointed out two serious consequences of this bill that would jeopardize the state system. First, because the state is self-insured, the retiree's portion of the costs paid by the state represents money that is an internal transfer. No money actually leaves the state; it is used for payment of benefits. This bill would require actual cash to leave the system to some third-party insurer and thereby weaken the system. More seriously, this bill would allow a healthy retiree to purchase low-cost, minimal, "just in case" insurance and then permit the individual to re-enroll in the state system with its full benefits in the event of some medical issue. When healthy people opt out and return when they feel the need, this "adverse selection" could pose a real threat to the state system. For these reasons, the committee recommends that the bill be found Inexpedient to Legislate. Vote 13-0.

HB 1732-FN, establishing a nursing professionals' health program. **INEXPEDIENT TO LEGISLATE.**

Rep. Jeffrey Goley for Executive Departments and Administration. The committee has recommended this bill as Inexpedient to Legislate at the sponsors' request. The subject matter of this bill will be addressed in HB 1571, authorizing an alternative recovery-monitoring program for nurses licensed by the Board of Nursing. Vote 17-1.

HB 1742-FN, relative to food service licensure inspections. **INEXPEDIENT TO LEGISLATE.**

Rep. Daniel Sullivan for Executive Departments and Administration. This well-intentioned bill would allow certain franchised restaurants to be exempt from state inspection requirements, and instead rely on corporate franchise inspectors to ensure these establishments are clean, up to code and operating in a safe manner. The sponsor reported that the bill as written was impractical, and suggested an amendment which would have established a study commission with members representing the stakeholders on this issue. Such an amendment was never presented. The majority of the committee agreed that this bill was impractical to implement as written. Vote 13-1.

HB 1755-FN, establishing an office of the inspector general. **INEXPEDIENT TO LEGISLATE.**

Rep. Kristina Schultz for Executive Departments and Administration. This bill establishes an Office of the Inspector General to independently advocate for the people and provide assistance in the exercise of their Article 14 rights. The committee does not support the adoption of this bill because we felt that HB 1441, a bill establishing the Office of the Ombudsman in the Department of State, accomplishes what this bill's sponsors want, and at less cost. Vote 18-0.

HB 1764-FN, relative to New Hampshire cost of living information. **REFER FOR INTERIM STUDY.**

Rep. Carol Roberts for Executive Departments and Administration. This bill would require the collection and analysis of a great deal of demographic and economic information, most publicly available, some not. While thinking that it would be useful to have this information, the committee was concerned about the expense of hiring analysts to do this work and whether the data listed in the bill was actually what was necessary for our purposes. We agreed that further study was required. Vote 19-0.

HB 1767-FN, establishing a multiple employer public retirement plan. **REFER FOR INTERIM STUDY.**

Rep. Dianne Schuett for Executive Departments and Administration. This bill proposes that the state develop and implement a retirement plan for employees who are not provided one by their employers. Recognizing the number of constituents who do not plan for their retirement, the committee found the idea intriguing but voted to await information about 4 other states who are currently exploring this issue. There were also concerns about how the funding should be amassed and how best to safeguard those funds. The vote to study this idea was unanimous. Vote 19-0.

HB 1803-FN, relative to payroll deductions for government employees. **INEXPEDIENT TO LEGISLATE.**

Rep. Dianne Schuett for Executive Departments and Administration. This bill would have prohibited any state entity from providing any accounting service or payroll deduction on behalf of a private corporation or organization. The fiscal note stated that this would not provide any savings to the state. It would prove detrimental to charities and some small businesses who depend on these deductions for much of their income. As well as being a large inconvenience to employees, testimony revealed that this prohibition would violate RSA's 275:48 and 273-A:5 (i), relative to terms of negotiated contracts with employees. Vote 12-1.

HB 1805, establishing a committee to study level dollar amortization of retirement system unfunded accrued liability. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John Sytek for Executive Departments and Administration. This bill sets up a committee to study "level dollar amortization" of the NH Retirement System (NHRS) unfunded accrued actuarial liability. The present amortization system is based on payments which are a percentage of payroll, rather than a fixed dollar amount. The proposed committee would study the advantages and disadvantages of each method. This bill is a request of the Decennial Retirement Commission. The non-germane amendment changes the term of the trustees of the NHRS Board from 2 years to 3 years. Vote 15-0.

Amendment (0539h)

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

AN ACT establishing a committee to study level dollar amortization of retirement system unfunded accrued liability and relative to the retirement system board of trustees.

Amend the bill by replacing all after section 5 with the following:

6 Retirement System; Administration; Trustee Terms. Amend RSA 100-A:14, I to read as follows:

I. The administration of this system is vested in a board of 13 trustees. Each newly appointed or reappointed trustee shall have familiarity with or experience in finance or business management. The state treasurer shall be an ex officio voting member of the board. The governor and council shall appoint 4 trustees, to be known as nonmember trustees, who shall be qualified persons with investment and/or financial experience as provided in this paragraph and not be members of the system, and who shall serve for a term of [2] 3 years and until their successors are appointed and qualified. The nonmember trustees of the board shall have substantial experience in the field of institutional investment or finance, taking into account factors such as educational background, business experience, and professional licensure and designations. The original appointment of the nonmember trustees shall be made to provide for staggered terms. The remaining 8 members of the board shall consist of: one employee member, one teacher member, one permanent police member, one

permanent fireman member, and 4 employer members. The New Hampshire state employees' association, the New Hampshire education association, the New Hampshire police association, and the New Hampshire state permanent firemen's association shall each annually nominate from their members a panel of 5 persons, all of whom shall be active members of the retirement system, no later than May 31 of each year, and the panels so named shall be filed with the secretary of state no later than June 10 of each year. From the above named panels the governor and council shall appoint the active member trustees of the board as needed so as to maintain the representation on the board. The governor and council shall appoint the employer members of the board with one member nominated by the New Hampshire Association of Counties, one member nominated by the New Hampshire Municipal Association, one member nominated by the New Hampshire School Boards Association, and one member to represent management of state employees. Members appointed to the board in the manner aforesaid shall serve for a term of [2] 3 years. Each member so appointed shall hold office until his or her successor shall be appointed and qualified. Whenever a vacancy occurs, the governor and council shall fill the vacancy by appointing a member who shall serve for the unexpired term. The governor shall designate one of the nonmember trustees to serve as chairman of said board of trustees.

7 Applicability. RSA 100-A:14, I, as amended by section 6 of this act, shall not apply to the 2-year term of members of the retirement system board of trustees serving on the effective date of this section. RSA 100-A:14, I, as amended by section 6 of this act, shall apply to appointments and reappointments made on or after July 1, 2018.

8 Effective Date.

I. Sections 6 and 7 of this act shall take effect July 1, 2018.

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

AMENDED ANALYSIS

This bill establishes a committee to study level dollar amortization of retirement system unfunded accrued liability. The bill also changes the term of retirement system trustees from 2 years to 3 years.

HB 1823-FN, relative to layered amortization of retirement system liabilities. **OUGHT TO PASS.**

Rep. John Sytek for Executive Departments and Administration. For a variety of historical reasons, the NH Retirement System (NHRS) has an unfunded accrued actuarial liability (UAAL) of about \$5 billion. An amortization plan has been adopted and anticipates the elimination of this liability by 2039. This bill provides for the smoothing out of any future, unforeseen financial events – either positive or negative - that might occur before 2039. Suppose, for example, that there was a sudden increase in the UAAL – perhaps a year of poor investment returns - near the end of the pay-off term. This would cause a jump in the employer rates. This bill would smooth out such a bump by “layering” a new 20-year period for the new liability instead of the present requirement of paying the entire UAAL down by 2039. This could cause a major jump in rates, rather than spreading the cost over a more manageable and appropriate time frame. This is working in other states. This bill is a request of the Decennial Retirement Commission. Vote 14-0.

HB 525-FN, relative to stabilization grants for education. **INEXPEDIENT TO LEGISLATE.**

Rep. Kenneth Weyler for Finance. The sponsor was eloquent in his discussion of the problems his districts as well as many others were facing due to declining enrollment. The intent of the bill is to stop the plan of reducing the stabilization grants by 4% each fiscal year. Stabilization grants were introduced in 2011 by the legislature. In 2011 the formula for computing adequate education money was changed and in recognition of the effect this change would have on numerous districts the legislature passed the stabilization grant to take effect in 2012 at \$158 million, to keep municipalities at the 2011 funding level. In addition to the formula change there was declining enrollment in many school districts. The legislation passed in 2011 also capped the amount of adequate education dollars municipalities that had growth in enrollment, but the cap limited the increased distribution, resulting in the state not paying for some students in one municipality while paying another district for students that did not exist. The Finance Committee in the FY 16 budget realized that the municipalities had had about five years to adjust to their declining enrollment and a reduction in stabilization was called for. Thus the process was set in motion, following the passage of HB 1 and HB 2 in 2016, to reduce the stabilization grant by 4% each fiscal year for 25 years. This results in a statewide reduction of approximately \$7 million per year. The stabilization grants also result in significant disparities in the dollars allocated to municipalities for education. We also have a study committee looking at adjustments to the adequacy formula for future years. Given all of the above, the committee believed that this short-term proposal did not fit with longer term plans. This bill also would call for spending money that was not in the FY 18/19 budget. Vote 24-0.

HB 596-FN, relative to review hearings in involuntary admission cases. **REFER FOR INTERIM STUDY.**

Rep. Erin Hennessey for Finance. This bill would allow a person who has been involuntarily committed to a treatment facility to submit a petition seeking discharge from the order. This petition may be filed 2 years after admission and every 2 years thereafter. Finance was able to remove the fiscal impact of this bill by moving the implementation date to January 1, 2019. However, during Finance's work session, some

unresolved issues beyond the scope of Finance's authority were brought forward. After consulting with the Chair of the Judiciary committee, the Finance committee moved interim study to allow for policy fixes to this bill. Vote 21-2.

HB 613-FN, amending the procedures for use of segregated housing for inmates. **INEXPEDIENT TO LEGISLATE.**

Rep. Gerald Griffin for Finance. This bill (as amended) requires the commissioner of the department of corrections to initiate an audit to ensure that all state correctional facilities are accredited by the American Correctional Association. The revised fiscal note indicated a cost of approximately \$300,000 just for the audit alone. In addition to that, it was estimated that two additional staff would be needed to perform the required work in preparation for the audit and the continuing work to keep certification once it was achieved. The committee heard testimony that all correction officers attend the Police Academy and get certified as correctional officers. All the other professional staff at the prison are certified in their respective fields of work. The nurses are registered nurses and the teachers are certified and licensed by the state. The woman's prison is a new building that meets prison standards. In addition, the committee heard testimony from the director of the prison system that officials keep available the guidelines from the American Correctional Association and that they regularly consulted and used them. The committee learned that there is no financial benefit, such as reduction in insurance costs, that would accrue to the agency as a result of this effort. Therefore it was deemed that the expenditures out-weighed any benefits. Vote 24-0.

HB 619-FN-L, relative to medical services for prisoners. **INEXPEDIENT TO LEGISLATE.**

Rep. Patricia Lovejoy for Finance. This bill requires a county or state prisoner to authorize a claim for payment from Medicaid before receiving inpatient care for a period of 24 hours or more. This bill is unnecessary because, first, the Department of Corrections already works with inmates to enroll them in Medicaid and, second, the state or the county cannot withhold necessary medical care. Vote 24-0.

HB 1596, requiring a report on state government commitments and contingent liabilities. **INEXPEDIENT TO LEGISLATE.**

Rep. William Hatch for Finance. This bill would require the legislative budget assistant office to report annually on amounts of commitments and contingent liabilities of the state for the next five years. The committee determined this requirement to be redundant in some cases and impractical in others. First, the state's Comprehensive Annual Financial Report contains many of the state's obligations that can be quantified, thus making this report redundant. Second, the retirement system is a significant obligation that cannot be quantified for this report. Actuaries can only project out for a period of two years, so a large part of the state's obligations cannot be projected for five years out as the bill would require. Third, the bill lists examples of some of the data required but also would require "other obligations not falling in these categories" not listed. The committee has no means to know what these would be and could not get clarity from anyone. Finally, it was determined that every agency would be required to calculate expected expenditures for an uncertain future. As a result, agencies were unable to determine cost and staffing needs for the five-year future projection. For all these reasons, the committee recommends that this bill be inexpedient to legislate. Vote 24-0.

HB 1736, relative to increasing the threshold required for governor and council approval of expenditures from the dam maintenance fund. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Lynne Ober for Finance. This bill amends two definitions found in RSA482:54, which covers dam maintenance, repair and reconstruction projects. The amounts of money found in these two sections had not been increased for 36 years despite inflation. Section IV "Minor project" is defined to mean work performed on a periodic basis with costs not exceeding \$50,000 but does not include routine budgeted maintenance on a dam. This was an increase from \$20,000 to \$50,000. Section VI "Repair" means performance of intermediate amounts of work on a portion of a dam with costs not exceeding \$150,000. The bill originally asked for an increase from \$75,000 to \$225,000 before Executive Council approval was needed. The committee reviewed repairs and costs for the past 24 months and decided that \$150,000 was an appropriate figure. Repair work is done to ensure the dams in New Hampshire are maintained in good, safe operating condition. While some repairs can be scheduled, others occur when there have been conditions, such as heavy rainfall or damage from ice, that cause unexpected damage to a dam. In either case (minor project or repair) the agency has the option of obtaining Executive Council approval for amounts above the definitions. No general dollars are expended as a result of this bill. Vote 24-0.

Amendment (0222h)

Amend RSA 482:54, IV through VI as inserted by section 1 of the bill by replacing them with the following:

IV. "Minor project" shall mean [maintenance] work performed on a periodic basis with costs not exceeding [~~\$20,000~~] **\$50,000, but shall not include routine maintenance.**

V. "Reconstruction" shall mean performance of major amounts of work on most if not all of the structure to restore it to its original condition or to upgrade it to current design standards with the cost in excess of \$75,000.

VI. "Repair" shall mean performance of intermediate amounts of work on a portion of a structure or associated property on an occasional basis with costs not exceeding [\$75,000] **\$150,000**. Repair items include, but are not limited to, replacement of gates, refacing of eroded concrete, repair or replacement of wingwalls, placement of riprap, and emergency repairs. Associated property includes property contiguous to the dam and noncontiguous property, such as rainfall and stream gages, that is essential to the safe operation of the dam.

AMENDED ANALYSIS

This bill increases the threshold required for governor and executive council approval of expenditures from the dam maintenance fund.

HB 1342, relative to live trapping of wild rabbits and hares by sporting clubs. **REFER FOR INTERIM STUDY.** Rep. James Spillane for Fish and Game and Marine Resources. During testimony in committee, it was determined that the Fish and Game Department is working with the state clubs to expand the live trapping of hares statewide through the Fish and Game Commission. Interim study is the appropriate action to be taken while we see how the commission handles the issue. The committee will make recommendation, if needed. Vote 19-0.

HB 1575, permitting hunting with an air rifle. **OUGHT TO PASS WITH AMENDMENT.**

Rep. James Spillane for Fish and Game and Marine Resources. This bill, as amended, allows for the hunting of small game with an air rifle. The amendment addresses all the issues raised by the Fish and Game Department. The bill, as amended, will finally remove New Hampshire from the distinction of being the only state in the nation that does not allow hunting of any kind with an airgun. The committee was invited to and attended an air rifle demonstration at Sig Sauer. These rifles are made in New Hampshire by a New Hampshire company. Please support the unanimous, bipartisan recommendation of the committee. Vote 17-0.

Amendment (0594h)

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

1 General Provisions as to Fish and Game; Definitions. Amend RSA 207:1, I to read as follows:

I. Air rifle: A gun operated by compressed air or nonflammable gas cylinder by which a projectile of any size or kind can be discharged or propelled. For use in taking small game, such device shall be not less than .22 caliber and shall deliver not less than 12 foot-pounds of kinetic energy at the muzzle.

I-a. Angling: The taking of fish by line in hand, or rod in hand to which is attached a cast of artificial flies, or an artificial bait, or hooks or other devices for the attachment of bait. A person may have in use not more than 2 such lines at one time Nothing in this title shall prohibit the use of a rod-holder in a boat.

2 Minors Hunting. Amend RSA 207:2-a to read as follows:

207:2-a Minors Hunting.

I. No person shall knowingly permit any minor, including a nonresident minor, less than 16 years of age to hunt using a firearm, bow and arrow, ***air rifle***, or crossbow and bolt, except when accompanied by a person at least 18 years of age who is properly licensed for said activity. In accordance with RSA 626:8, II(b), such person shall be held criminally liable and fully accountable for any damage incurred or for any violations which may be committed by the minor under the age of 16 while hunting using a firearm, bow and arrow, ***air rifle***, or crossbow and bolt.

II. No minor, including a nonresident minor, under the age of 16 shall hunt using a firearm, bow and arrow, ***air rifle***, or crossbow and bolt, except when accompanied by a person at least 18 years of age who is properly licensed for said activity.

3 Lawful Methods of Taking. Amend RSA 207:3, I to read as follows:

I. Wildlife shall be taken in the daytime between 1/2 hour before sunrise and 1/2 hour after sunset with a gun fired at arm's length or bow and arrow, unless otherwise specifically permitted. ***An air rifle may be used to take small game but shall not be used to take moose, bear, turkey, or deer. The executive director shall specify the method and manner of taking small game with an air rifle in rules adopted pursuant to RSA 541-A.***

4 General Provisions as to Fish and Game; Prohibition. Amend RSA 207:3-a to read as follows:

207:3-a Prohibition. It is unlawful for a person to discharge a firearm ***or a .22 caliber or larger air rifle when used for hunting purposes*** or to shoot with a bow and arrow or crossbow and bolt within 300 feet of a permanently occupied dwelling without permission of the owner or the occupant of the dwelling or from the owner of the land on which the person discharging the firearm ***or air rifle*** or shooting the bow and arrow or crossbow and bolt is situated. Whoever violates the provisions of this section shall be guilty of a violation if a natural person, or guilty of a misdemeanor if any other person.

5 Use of Firearms, Bow, or Crossbow in or Across Highway Prohibited. Amend RSA 207:3-c, I and the introductory paragraph of RSA 207:3-c, II to read as follows:

I. No person shall discharge a firearm, bow and arrow, ***air rifle***, or crossbow and bolt from within 15 feet of the traveled portion of or across any class I through V highway of the state. This section shall not apply to those persons holding a special permit pursuant to RSA 207:7-a.

II. No person shall discharge a firearm, bow and arrow, *air rifle*, or crossbow and bolt from or across the following public highways of the state including the rights of way thereof:

6 Use of Firearms, Bow, or Crossbow in or Across Highway Prohibited. Amend RSA 207:3-c, III to read as follows:

III. Any person convicted of discharging a firearm, bow and arrow, *air rifle*, or crossbow and bolt prohibited under the provisions of this section shall be guilty of a violation.

7 Traps, Spring Guns, and Snares; Visiting Traps. Amend RSA 210:13 to read as follows:

210:13 Visiting Traps. Notwithstanding any other law to the contrary, a person shall visit his *or her* traps at least once in each calendar day, provided, however, that a person trapping for beaver through the ice during the open season therefor, shall visit his traps once in each 72 hours. Trappers shall be permitted to use artificial lights during the hours of darkness to facilitate the checking of traps under this section, subject to the following restrictions: no person shall check traps at night by the use of a rifle, revolver, or pistol larger than a .22 caliber long rifle, *air rifle larger than .25 caliber*, or by use of shotgun shells carrying shot larger than number 4 birdshot; and checking traps by the use of lights from a motor vehicle shall be prohibited. Only a person whose name is either stamped or engraved on the traps or on a durable tag securely affixed to the traps shall have the authority to tend the traps. In case of an emergency, the owner of the traps may grant written permission to another duly licensed trapper to tend the traps.

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

AMENDED ANALYSIS

This bill permits the taking of small game with an air rifle.

HB 1102-FN, enabling the department of health and human services to enter into a contract with an Academy Society of Addiction Medicine certified physician. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Mark Pearson for Health, Human Services and Elderly Affairs. The Governor, with his policy advisor for prevention, treatment and recovery, asked the legislature to enable the Department of Health and Human Services (DHHS) to enter into a contract with a physician certified in addiction medicine or addiction psychiatry, to provide consultation and guidance to the department related to designing, updating and monitoring medication assisted treatment for substance use disorders in New Hampshire. The Health, Human Services and Elderly Affairs Committee amended the bill to broaden the scope, allowing DHHS to contract with one or more physicians as the need arises, and to deal with both medication assisted treatments and non-medication related treatments for substance use disorders. Vote 18-1.

Amendment (0741h)

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

AN ACT enabling the department of health and human services to contract with certain certified physicians.

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

1 New Paragraph; Consultants to Review Medication Assisted Treatment. Amend RSA 126-A:5 by inserting after paragraph XXX the following new paragraph:

XXXI. The commissioner may enter into a contract or contracts with one or more physicians who are certified by an accredited addiction medicine or addiction psychiatry certifying body. The physician or physicians shall provide consultation and guidance to the department related to designing, updating, and monitoring practices and policies regarding medication assisted treatment and related treatments for substance use disorders in New Hampshire.

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

AMENDED ANALYSIS

This bill authorizes the commissioner of the department of health and human services to contract with one or more physicians who are certified by an accredited addiction medicine or addiction psychiatry certifying body to review medication assisted treatment in New Hampshire.

HB 1577, relative to the administration of anesthesia by dentists. **OUGHT TO PASS WITH AMENDMENT.** Rep. William Marsh for Health, Human Services and Elderly Affairs. This bill brings the standards for anesthesia provided in dental offices up to the same level as hospitals and surgery centers. It adds to the Grounds for Professional Misconduct to permit the Board of Dentistry to enforce these standards. It also creates a procedure for root cause analysis of adverse events similar to hospitals and surgery centers. Amendment 0736h is based on conversations with the various dental groups to create a bill that addresses all concerns. The committee recommends Ought to Pass with Amendment. Vote 18-1.

Amendment (0736h)

Amend RSA 317-A:12, XII-a (g) as inserted by section 1 of the bill by replacing it with the following:

(g) The establishment of the qualifications of dentists to administer general anesthesia or deep sedation which may include a residency training program accredited by the Commission on Dental Accreditation (CODA) or equivalent, and which may include a method for established practitioners to document his or her qualifications. Administration of general anesthesia or deep sedation to patients under the age of 13 shall be subject to additional rules including:

(1) In addition to the dentist performing the procedure, there shall be a dedicated anesthesia provider present to monitor the procedure and recovery from anesthesia. The dedicated anesthesia provider shall be a dentist who is qualified to administer general anesthesia or deep sedation, a physician anesthesiologist, or a certified registered nurse anesthetist (CRNA). The board may exempt dentists who are dual boarded as an anesthesiologist or an oral surgeon from this requirement, in which case the dedicated anesthesia provider shall have passed the Dental Anesthesia Assistant National Certification Examination, or equivalent, as determined by the board.

(2) The dentist shall be trained in pediatric advanced life support (PALS) and airway management, equivalent to the American Academy of Pediatrics and American Academy of Pediatric Dentistry (AAP-AAPD) guidelines or equivalent as determined by the board.

(3) Informed consent shall include the statement that the procedure may be performed in a hospital setting with additional anesthesia personnel, possibly at an increased expense.

Amend the introductory paragraph of RSA 317-A:12, XII-c as inserted by section 1 of the bill by replacing it with the following:

XII-c. The requirement for a permit issued by the board for the use of minimal anesthesia in patients undergoing dental treatment under RSA 317-A:20, and rules including:

Amend RSA 317-A:17, II as inserted by section 2 of the bill by inserting after subparagraph (n) the following new subparagraph:

(o) Failing to report an adverse event or implement a corrective action plan as required by RSA 317-A:20-a.

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

4 New Section; Dentistry; Report of Adverse Events; Corrective Action Plan. Amend RSA 317-A by inserting after section 20 the following new section:

317-A:20-a Dentist Report of Adverse Events; Corrective Action Plan.

I. Any dentist licensed pursuant to this chapter shall report to the board the occurrence of any adverse health care events resulting in death, brain damage, or hospitalization, occurring in the dentist's office or facility while utilizing general anesthesia, deep sedation, or moderate sedation, as soon as is reasonably and practically possible, but no later than 15 working days after discovery of the event. The report shall be filed in a format specified by the board and shall identify the office or facility but shall not include any identifying information for any of the dental professionals, facility employees, or patients involved. The board may consult with experts and organizations familiar with patient safety when developing the format for reporting and in further defining events in order to be consistent with industry standards.

II. After receiving a report of an adverse health care event, the board shall conduct a root cause analysis of the event. Following the analysis, the dentist's office or facility shall implement a corrective action plan to implement the findings of the analysis or report to the board any reasons for not taking corrective action. If the root cause analysis and the implementation of a corrective action plan are complete at the time an event must be reported, the findings of the analysis and the corrective action plan shall be included in the report of the event. The findings of the root cause analysis and a copy of the corrective action plan shall otherwise be filed with the board within 60 days of the event. All proceedings related to the root cause analysis and implementation of a corrective action plan shall be considered privileged and not subject to discovery or subpoena.

III. All information and data made available to the board and its designees under this section shall be confidential and shall be exempt from public access under RSA 91-A.

IV. The board shall adopt rules for reporting of adverse events, analysis of root causes, and implementation of corrective action plans required to facilitate the enforcement of this section.

5 Coverage for Dental Procedures; Health Policies. Amend RSA 415:18-g, I(a) to read as follows:

(a) Is a child under the age of [6] **13** who is determined by a licensed dentist in conjunction with a licensed physician to have a dental condition of significant dental complexity which requires certain dental procedures to be performed in a surgical day care facility or hospital setting; or

6 Coverage for Dental Procedures; Health Policies. Amend RSA 415:18-h, I(a) to read as follows:

(a) Is a child under the age of [6] **13** who is determined by a licensed dentist in conjunction with a licensed physician to have a dental condition of significant complexity which requires the child to receive general anesthesia for the treatment of such condition; or

7 Coverage for Dental Procedures; Health Service Corporations. Amend RSA 420-A:17-b, I(a) to read as follows:

(a) Is a child under the age of [6] **13** who is determined by a licensed dentist in conjunction with a licensed primary care physician to have a dental condition of significant dental complexity which requires certain dental procedures to be performed in a surgical day care facility or hospital setting; or

8 Coverage for Dental Procedures; Health Maintenance Organizations. Amend RSA 420-B:8-ee, I(a) to read as follows:

(a) Is a child under the age of [6] **13** who is determined by a licensed dentist in conjunction with a licensed primary care physician to have a dental condition of significant dental complexity which requires certain dental procedures to be performed in a surgical day care facility or hospital setting; or

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

AMENDED ANALYSIS

This bill provides for the regulation of the use of general anesthesia, deep sedation, or moderate anesthesia by dentists and the reporting of adverse events. The bill also provides for dental insurance coverage for children under 13 years of age for dental procedures requiring anesthesia.

HB 1769-FN, relative to maintenance of certification by physicians or applicants for a license to practice medicine in New Hampshire. **OUGHT TO PASS WITH AMENDMENT.**

Rep. William Marsh for Health, Human Services and Elderly Affairs. This bill was brought forward on behalf of the NH Medical Society. It prohibits maintenance of certification (MOC) being used as a mandatory requirement for insurance reimbursement, licensure or hospital privileges. It maintains the requirement of continuing medical education. The committee received extensive testimony that the MOC process is abusive and expensive for physicians. Further physicians are retiring early due to MOC. Given the physician shortage this is most undesirable. The amendment clarifies the definition of medical school. We recommend Ought to Pass as Amended. Vote 15-4.

Amendment (0713h)

Amend RSA 329:16-i, II(a)(3)(A) as inserted by section 6 of the bill by replacing it with the following:

(A) Is not a medical school, an academic medical center, or other site which is involved in the training of residents; or

HB 1806, relative to notification procedures of the New Hampshire health protection program. **INEXPEDIENT TO LEGISLATE.**

Rep. Martin Bove for Health, Human Services and Elderly Affairs. This bill is unnecessary. DHHS already provides the notification that is required. Vote 18-2.

HB 1813-FN, relative to the law regarding Medicaid expansion. **INEXPEDIENT TO LEGISLATE.**

Rep. John Fothergill for Health, Human Services and Elderly Affairs. The committee voted unanimously to recommend that this bill be voted Inexpedient to Legislate. The committee agreed the topic needs to be part of the larger discussion, but this is not the right time. Vote 22-0.

HA 1, seeking the removal from office of superior court judge James D. O'Neill, III. **OUGHT NOT TO PASS.** Rep. Jason Janvrin for Judiciary. Article 73 of the New Hampshire Constitution provides that in a bill of address, "the cause for removal shall be stated fully and substantially in the address." This address does not meet that requirement. Therefore, the committee voted unanimously to recommend the address be found Ought Not To Pass. Vote 17-0.

HB 1438, relative to residential leases including provisions prohibiting tenants from possessing firearms, explosives, or ammunition within the premises. **INEXPEDIENT TO LEGISLATE.**

Rep. Michael Sylvia for Judiciary. This bill would allow a landlord to prohibit a tenant from possessing firearms, explosives, or ammunition. They can do this already through the lease process. The committee found no need for this bill. Vote 16-1.

HB 1490, relative to limits on money judgments in landlord-tenant cases. **INEXPEDIENT TO LEGISLATE.**

Rep. Linda Kenison for Judiciary. This bill increases the maximum amount which may be awarded as a money judgment in a landlord/tenant proceeding from the current \$1,500 to \$3,000. The committee believes that raising the jurisdictional amount will result in landlord/tenant cases being brought in superior court, rather than circuit court, where they are currently heard. The committee does not believe that this is a good policy. Vote 15-0.

HB 1589, relative to actions against tenants for a caregiver under an agreement for a person with disabilities. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Kurt Wuelper for Judiciary. This bill aims to provide a means by which a contracted caregiver can lawfully be removed from a residence when the cared-for person fires the caregiver. The committee totally agreed one should be able to evict such unacceptable contracted employee and have that fired person leave the premises. The amendment simplified a confusing phrase. Vote 14-0.

Amendment (0732h)

Amend the introductory paragraph of RSA 540:1-a, IV(h) as inserted by section 1 of the bill by replacing it with the following:

(h) Occupancies in which the occupant is hired to provide care or assistance for a person with disabilities. In such cases, if the person with disabilities or his or her legal guardian no longer wishes the assistance of the caregiver, he or she may order the caregiver to vacate the premises without legal process required as a tenant under this chapter, provided:

HB 1645, relative to forwarding addresses of tenants in landlord tenant actions. **INEXPEDIENT TO LEGISLATE.**

Rep. Kurt Wuelper for Judiciary. This bill wants the courts to require tenants against whom a judgment is issued to maintain a current postal address for 90 days after judgment. The committee felt the plaintiff could ask for this as part of the judgment order and the bill unnecessary. Vote 15-0.

HB 1656, relative to the assertion of civil claims, cross claims, or counter claims in civil cases. **INEXPEDIENT TO LEGISLATE.**

Rep. Dan Hynes for Judiciary. This bill is a form of anti-SLAPP (Strategic Litigation Against Public Participation) litigation. While some members of the committee would support such a bill, this specific bill had issues with the language and whether it would fix the potential problem with lawsuits filed or silence or penalize someone. Vote 16-2.

HB 1704, requiring court costs and attorneys fees to be paid to the prevailing party. **INEXPEDIENT TO LEGISLATE.**

Rep. Sandra Keans for Judiciary. The system used in the United States is working well, each side pays its own expenses. However, the legislature has found that there are certain circumstances where the judge, upon presentation of loss and egregious behavior, may award attorney's fees. Passage of this legislation would have a chilling effect on the little guy, with a legitimate claim from taking on the larger, wealthier entity because of its deep pockets. Vote 13-0.

HB 1750-FN, relative to an expectation of privacy in personal information. **REFER FOR INTERIM STUDY.**

Rep. Dan Hynes for Judiciary. The committee thinks expectation of privacy in personal information is something that should be looked into further as this bill is overbroad without the appropriate exceptions for police investigations or for matter that does not have an expectation of privacy. Vote 16-2.

HB 1760-FN, establishing an expectation of privacy in personal materials. **REFER FOR INTERIM STUDY.**

Rep. Dan Hynes for Judiciary. This bill establishes an expectation of privacy in personal materials. It establishes fines for violation thereof. This bill is similar to HB 1750 which was recommended for Interim Study. It makes sense to study both at the same time. Vote 18-0.

HB 1786-L, prohibiting costs for inspection of governmental records under the right-to-know law. **OUGHT TO PASS.**

Rep. Michael Sylvia for Judiciary. This bill clarifies the legislative intent to provide for free inspection of governmental records by adding the words 'cost or' to RSA 91-A:4, IV. Recent court rulings necessitated this clarification. Vote 17-1.

HB 1100, establishing a commission to review and evaluate workforce and job training in New Hampshire. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Philip Bean for Labor, Industrial and Rehabilitative Services. 33 million dollars are expended annually in support of job training programs in New Hampshire. This legislation rightfully establishes a commission to review the fiscal expenditure and evaluate the efficacy of myriad job training programs. Vote 21-0.

Amendment (0650h)

Amend RSA 273:28, II(g) as inserted by section 1 of the bill by replacing it with the following:

(g) Two members of the public, appointed by the governor, one of whom shall be appointed from a list of 5 nominees from organized labor consisting of one from each of the following: New Hampshire AFL-CIO, New Hampshire Building Trades Council, AFT-New Hampshire, NEA-New Hampshire, and the State Employees' Association of New Hampshire.

HB 1451, relative to employee work schedules and rest periods. **INEXPEDIENT TO LEGISLATE.**

Rep. Keith Murphy for Labor, Industrial and Rehabilitative Services. This bill would require employers with more than ten employees to provide at least ten hours off between shifts unless the employee consents to less. If the employee gave consent, the employer was to pay time and a half for the period of time that was under the ten hours. The committee felt that this requirement was a massive new record keeping burden that was frankly logistically unworkable. Vote 21-0.

HB 1508-FN, relative to wage compensation under workers' compensation. **INEXPEDIENT TO LEGISLATE.**

Rep. Lino Avellani for Labor, Industrial and Rehabilitative Services. The current ratios used in worker's compensation stem from the recommendations of the February '94 conference between labor, employees and the worker's compensation division to lower costs. As a result, the committee unanimously agreed that changes were not required at this time. Vote 21-0.

HB 1688, relative to salary ratios for employers and employees. **INEXPEDIENT TO LEGISLATE.**

Rep. Leonard Turcotte for Labor, Industrial and Rehabilitative Services. This bill would have created a salary ratio where the highest paid employee in a company could make no more than a multiple of the lowest salaried or hourly paid employee in that same company. When asked, the main sponsor stated he was unaware of any instance currently in NH where this ratio would actually come into play. The ratios of 43 times the lowest paid employee for a NH incorporated employer, and 34 for employers incorporated elsewhere, were not based on any specific data, rather randomly chosen. The near majority on our committee recommended that this bill be voted Inexpedient to Legislate. Vote 20-1.

HB 1211, relative to presite built housing. **INEXPEDIENT TO LEGISLATE.**

Rep. Franklin Sterling for Municipal and County Government. The intent of this bill was to make it mandatory for all cities and towns that have adopted land use zoning to allow for the placement of offsite built dwelling units of 500 square feet "on individually owned lots in most, but not all..." residential lots. The stated reason for this proposed addition to RSA 674:31 was to provide affordable housing for elderly, homeless and working people. While the committee was sympathetic to the idea, there where unanswered question concerning water, sewer and off street parking. Therefore the committee voted to recommend Inexpedient to Legislate. Vote 14-0.

HB 1215, relative to voting on variances. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Franklin Sterling for Municipal and County Government. This bill requires a Zoning Board of Adjustment (ZBA) to use the same method in approving variances. It does not mandate which method a ZBA may use. For example, a ZBA may approve a variance with one vote of the board indicating all five criteria have been met, or may vote on each criteria one at a time, or some other method they have been using. The bill, however, mandates that they use the same method for each application. This prevents bias which would allow the board to use one method for one applicant and another method for a different applicant. This prevents favoring one applicant over another. It does, however, allow the board to change its method of voting as long as they publicly declare the change which would take effect 60 days after its passage. The result of this bill will ensure all applicants are treated with the same standards. Vote 17-0.

Amendment (0738h)

Amend RSA 674:33, I(c) as inserted by section 1 of the bill by replacing it with the following:

(c) The board shall state in its rules of procedure which voting method shall be used, and shall use that method consistently. If the board fails to include such a statement in its rules of procedure, it shall use one method consistently for all applications until it formally votes to change the method. Any change in the board's voting method shall not take effect until 60 days after the board has voted to adopt such change and shall apply only prospectively, and not to any application that has been filed and remains pending at the time of the change.

HB 1216, relative to liability for deferred property taxes. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Franklin Sterling for Municipal and County Government. This bill closes a loophole with respect to deferred property taxes. When indigent or other qualified residents are granted a tax deferral by the governing body, and then pass away with a mortgage, the lending institution usually forecloses on the property. When they foreclose, they become the owner but are not required to pay the back taxes. This bill closes that loophole and requires the "owner" to pay the taxes whether it is a relative or a lending institution. Lending institutions sometimes foreclose on a property and allow it to sit vacant for a period of time subjecting it to vandalism, etc. This lowers the value of the property until a buyer acquires it at auction or some other method of sale when the value has decreased substantially but the taxes due have not changed. An uninformed buyer may be presented with an unexpected tax bill from the municipality which the "owner" has avoided paying. The amendment is rather simple in that if the taxes on the property are paid by a third party and the property is then granted an abatement, the taxes paid by that third party are refunded in the amount of the overpayment. Vote 17-1.

Amendment (0008h)

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

AN ACT relative to liability for deferred property taxes and relative to applications for abatement of property taxes.

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

2 New Paragraph; Tax Deferral for Elderly and Disabled; Prior Payment. Amend RSA 72:38-a by inserting after paragraph VI the following new paragraph:

VII. Prior payment of the taxes by either the taxpayer or by a third party shall not be a ground for denial if the taxpayer is otherwise eligible for the deferral. If the assessing officials grant a deferral after the taxes have been paid, the assessing officials shall issue a check in the amount of the deferred taxes, plus interest, to the person or entity who paid the taxes.

3 Abatement; By Selectmen or Assessors; Prior Payment. Amend RSA 76:16, II to read as follows:

II. Upon receipt of an application under paragraph I(b), the selectmen or assessors shall review the application and shall grant, for good cause shown, or deny the application in writing by July 1 after notice of tax date under RSA 76:1-a. The failure to respond shall constitute denial. ***Prior payment of the tax by a third party shall not be a ground to deny the application if the taxpayer is otherwise eligible for abatement.*** All such written decisions shall be sent by first class mail to the taxpayer and shall include a notice of the appeal procedure under RSA 76:16-a and RSA 76:17 and of the deadline for such an appeal. The board of tax and land appeals shall prepare a form for this purpose. Municipalities may, at their option, require the taxpayer to furnish a self-addressed envelope with sufficient postage for the mailing of this written decision.

4 Effective Date.

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

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

AMENDED ANALYSIS

This bill provides that, if the owner of property subject to a tax deferral dies, the mortgage holder must pay all deferred taxes before selling the property in a foreclosure proceeding. The bill provides that prior payment of property taxes shall not be a ground for denial of a tax deferral for the elderly or disabled. The bill also provides that prior payment of property taxes by a third party shall not be a ground for the selectmen or assessors to deny an application for abatement.

HB 1269, relative to the requirement for campground owners to provide certain information to local assessing officials. **INEXPEDIENT TO LEGISLATE.**

Rep. Franklin Sterling for Municipal and County Government. This bill was introduced to make a campground owner guilty of a violation if they failed to report to the local taxing authority the name(s) and address of the owners of an unregistered recreational vehicle at their campground. The requirement is already in state law (RSA 216-I: 1, III) and it is already a violation not to do so under RSA 72:7-b. Therefore the additional language to RSA 216-I is unnecessary. Vote 12-2.

HB 1318, relative to permits required for certain fires. **INEXPEDIENT TO LEGISLATE.**

Rep. Jane Beaulieu for Municipal and County Government. This bill would have eliminated the requirement to obtain a burning permit for fires under specific sizes. This would have placed an undue burden on firefighters and fire tower watchers who spotted smoke. It would also have allowed fires in wooded areas without the knowledge of the local fire department. The committee believes the current statute is not unreasonable. Several NH Fire Safety officials who testified were very concerned with the intent of the bill. Applying for and receiving a permit to burn is merely a safety measure protecting the owners of the property and neighboring properties from uncontrolled fires. Vote 17-2.

HB 1340, relative to absences among officers required to be present at school district elections. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Timothy Josephson for Municipal and County Government. As amended, this bill clarifies existing law and allows for a school board member to appoint a pro tem member, similar to the process for selectmen to cover absences at school district elections. The committee felt that the amended version adds clarity and allows the same process for school board members that selectmen currently have. Vote 15-0.

Amendment (0584h)

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

1 New Section; Absences Among Election Officers; School Board Member Pro Tem. Amend RSA 671 by inserting after section 28 the following new section:

671:28-a School Board Member Pro Tem. If a school board member is absent from or unable to perform his or her duties for all or any part of the day at any school district election, the school board member is authorized to appoint a school board member pro tem to perform his or her duties. If one or more school board members are absent or unable to perform their duties and have not appointed school board members pro tem, or if a school board member pro tem is absent or unable to perform his or her duties for all or any part of the day, the moderator is authorized to appoint school board members pro tem to perform their duties.

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

AMENDED ANALYSIS

This bill authorizes the appointment of a school board member pro tem.

HB 1391, relative to municipal retention of employment files. **INEXPEDIENT TO LEGISLATE.**

Rep. Franklin Sterling for Municipal and County Government. Under RSA 33:3-a LX municipalities are required to retain the records of successful applicants for municipal employment for 50 years after either their retirement or termination. This bill was introduced to reduce that time to 25 years. The committee also had in its possession HB 1450 which would reduce that time frame to 10 years. The sponsors of the bill agreed that HB 1450 should be adopted. Vote 14-0.

HB 1396-L, relative to requirements for a default budget. **INEXPEDIENT TO LEGISLATE.**

Rep. Franklin Sterling for Municipal and County Government. This bill is one of four that the committee considered dealing with default budgets for Official Ballot Act (SB 2) political subdivisions. The committee established a subcommittee to review all four bills and choose those parts of each that made the most sense to recommend to the House for adoption. The subcommittee recommendations were attached to another default budget bill (HB 1307) making this bill redundant. Vote 17-1.

HB 1414-FN, relative to forfeiture fees regarding dog licenses. **INEXPEDIENT TO LEGISLATE.**

Rep. James Belanger for Municipal and County Government. This bill changes the time to pay the town or city clerk for a \$25.00 fine for failure to license a dog after notice of a violation from 15 days to 45 days. No testimony was received to identify a problem with the current 15-day limit and no abuses were identified. The committee didn't feel any action to change current statute, which hasn't changed since 2001, was needed. Vote 19-0.

HB 1450, relative to retention of job applications and personnel files. **OUGHT TO PASS.**

Rep. Franklin Sterling for Municipal and County Government. This bill was introduced to reduce the time that municipalities are required to retain the employment records of successful applicants from 50 years (RSA 33-A:3-a, LX) to 10 years. The committee agrees that 10 years after retirement or termination of the employee is more than sufficient. Vote 14-0.

HB 1533, relative to expiration of variances and special exceptions. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jane Beaulieu for Municipal and County Government. As amended, this bill will allow for variances and special exemptions if not exercised, to terminate. Zoning ordinance 674:33 may be amended to provide for the termination of all variances that were authorized and not exercised before August 19, 2013. After adoption of such an amendment to the zoning ordinance, the planning board shall post notice of the termination. The variances shall be valid if exercised within two years of the expiration date of the notice or as further extended by the zoning board of adjustment for good cause. Vote 14-0.

Amendment (0608h)

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

AN ACT relative to termination of variances and special exceptions.

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

1 Variance; Expiration. Amend RSA 674:33, I-a to read as follows:

I-a.(a) Variances authorized under paragraph I shall be valid if exercised within 2 years from the date of final approval, or as further extended by local ordinance or by the zoning board of adjustment for good cause, provided that no such variance shall expire within 6 months after the resolution of a planning application filed in reliance upon the variance.

(b) The zoning ordinance may be amended to provide for the termination of all variances that were authorized under paragraph I before August 19, 2013 and that have not been exercised. After adoption of such an amendment to the zoning ordinance, the planning board shall post notice of the termination in the city or town hall. The notice shall be posted for one year and shall prominently state the expiration date of the notice. The notice shall state that variances authorized before August 19, 2013 are scheduled to terminate, but shall be valid if exercised within 2 years of the expiration date of the notice or as further extended by the zoning board of adjustment for good cause.

2 Special Exception; Expiration. Amend RSA 674:33, IV to read as follows:

IV.(a) A local zoning ordinance may provide that the zoning board of adjustment, in appropriate cases and subject to appropriate conditions and safeguards, make special exceptions to the terms of the ordinance. All special exceptions shall be made in harmony with the general purpose and intent of the zoning ordinance and shall be in accordance with the general or specific rules contained in the ordinance.

(b) Special exceptions authorized under this paragraph shall be valid if exercised within 2 years from the date of final approval, or as further extended by local ordinance or by the zoning board of adjustment for good cause, provided that no such special exception shall expire within 6 months after the resolution of a planning application filed in reliance upon the special exception.

(c) The zoning ordinance may be amended to provide for the termination of all special exceptions that were authorized under this paragraph before August 19, 2013 and that have not been exercised. After adoption of such an amendment to the zoning ordinance, the planning board shall post notice of the termination in the city or town hall. The notice shall be posted for one year and shall prominently state the expiration date of the notice. The notice shall state that special exceptions authorized before August 19, 2013 are scheduled to terminate, but shall be valid if exercised within 2 years of the expiration date of the notice or as further extended by the zoning board of adjustment for good cause.

AMENDED ANALYSIS

This bill clarifies the termination of variances and special exceptions granted by the zoning board of adjustment.

HB 1547, requiring review of default budgets by the department of revenue administration. **INEXPEDIENT TO LEGISLATE.**

Rep. Carolyn Matthews for Municipal and County Government. This bill proposed sending a certified copy of the default budget used in (SB 2) towns and school districts that have adopted the official ballot form of voting to the Department of Revenue Administration (DRA). The bill provided no criteria for review, and testimony from the DRA outlined the complexities associated with such a review. The committee believes that this proposal would do little to provide the voters with the detail they need to be able to understand and question the default budget and would only shift distrust in SB 2 towns and school districts from selectmen and school board members and staff to distrust of DRA interpretations. Vote 18-0.

HB 1608, prohibiting a municipality or school district from compensating an employee on leave of absence. **INEXPEDIENT TO LEGISLATE.**

Rep. James Belanger for Municipal and County Government. This bill proposes to forbid a municipality or school district from compensating an employee on a leave of absence. Many collective bargaining agreements have written into them conditions under which an employee may take a leave of absence for higher education, personal family issues, or other situations which are approved by the governing body with conditions set at the local level. This bill would remove the option of a local governing body to do that, and would nullify provisions in approved collective bargaining agreements. It essentially denies the option for a local governing body to conduct its business with provisions they determine to be in the best interest of the employer and employee. The minority of the committee felt that this bill might be acceptable with some wording changes but the majority felt it was an erosion of what little local control a governing body has to determine employment conditions. Vote 12-2.

HB 1634, regulating disorderly houses. **INEXPEDIENT TO LEGISLATE.**

Rep. Franklin Sterling for Municipal and County Government. The intent of this bill is to add the ability to towns under RSA 31:39 I, to regulate "disorderly houses." Testimony given concentrated more on giving towns a tool to police loud parties at short-term rental housing. The commonly accepted definition of a "disorderly house" does not fit what the sponsors of the bill intended to regulate. Vote 14-0.

HB 1271, changing the name of Industrial Drive at the Hugh Gallen Office Park to Ratification Way. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Franklin Tilton for Public Works and Highways. This bill renames a section of Industrial Drive in the City of Concord as Ratification Way. The cost of any signage or other markers as required will be part of the archives building project approved in the current capital budget. Vote 18-0.

Amendment (0415h)

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

1 City of Concord; Renaming Industrial Drive. Pursuant to RSA 4:43, Industrial Drive from South Fruit Street to the intersection with Brown Road in the city of Concord is hereby renamed as Ratification Way. Appropriate signage or other markers may be placed along Ratification Way and at the state archives building.

2 Signage. The cost of design, construction, maintenance, and installation of any signage, replacement signage, or other markers required under section 1 of this act shall be a charge to the capital appropriation in HB 25-FN of the 2017 legislative session to the department of state, archives addition. The design, construction, and installation of any signage or other markers required under this act shall be approved by the department of transportation.

AMENDED ANALYSIS

This bill renames Industrial Drive in the city of Concord as Ratification Way.

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

Rep. John Graham for Public Works and Highways. The committee received this bill as a second committee. The bill is a housekeeping measure that requires that all revenue generated from the use of state-owned lands or assets within the turnpike right of way be deposited in the turnpike fund. The committee unanimously supported the motion to recommend the bill ought to pass. Vote 21-0.

HB 1226, relative to restricting the watering of lawns through the use of private wells. **INEXPEDIENT TO LEGISLATE.**

Rep. James McConnell for Resources, Recreation and Development. This bill sought to exempt private wells from restrictions which current law permits local governing bodies to impose during drought conditions. The committee believes that overuse of private wells during a drought can have an adverse impact on the aquifer and that local regulation and the ability to grant exceptions should lie with the local governing body. Vote 12-1.

HB 1371, repealing certain exemptions from permitting requirements for temporary seasonal docks. **REFER FOR INTERIM STUDY.**

Rep. Chris Christensen for Resources, Recreation and Development. This bill focused on two troublesome areas of law related to temporary seasonal docks, shore frontage and lot line setbacks. The Department of Environmental Services spends inordinate amounts of time regulating what they describe as having little or no environmental impact. Although the problems were recognized, there was not sufficient agreement on specifics to immediately move the bill forward. Vote 15-0.

HB 1376, repealing the prohibition on collecting seaweed at night. **INEXPEDIENT TO LEGISLATE.**

Rep. Chuck Grassie for Resources, Recreation and Development. This bill is opposed by the Fish and Game Department which is responsible for the statute's enforcement, along with state and local law enforcement officials. In testimony before the committee, it was stated that the collection of seaweed at night is used as a cover for other poaching and illicit activities. Also, the excessive taking of seaweed can have adverse effects on wildlife and aquaculture. Vote 12-0.

HB 1473-FN, relative to the timber yield tax. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Judith Spang for Resources, Recreation and Development. This bill, as amended, will streamline the regulatory process for logging, part of the \$1.4 billion forest products industry that is one of NH's largest. The amendment, replacing all after the enacting clause, was written with the input of municipalities, loggers, the Department of Revenue Administration, conservation interests, and the Division of Forests and Lands to clarify the "intent to cut" process and other administrative procedures. Vote 16-0.

Amendment (0312h)

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

1 New Section; Forest Conservation and Taxation; Waiver of Yield Tax by Municipality in Certain Cases. Amend RSA 79 by inserting after section 3-a the following new section:

79:3-b Waiver of Yield Tax by Municipality in Certain Cases. When timber harvesting is conducted on land owned by, and located in, a municipality, the municipality may waive the yield tax, but shall report the location, species, and volume of wood and timber cut to the commissioner of revenue administration, who shall send one copy of the report to the division of forests and lands of the department of natural and cultural resources.

2 Forest Conservation and Taxation; Notice of Intent to Cut. Amend RSA 79:10, I(a) and (b) to read as follows:

I.(a) Every owner, as defined in RSA 79:1, II, shall, prior to commencing each cutting operation and at the beginning of each new tax year into which the cutting operation shall continue, file with the proper assessing officials in the city, town, or unincorporated place where such cutting is to take place a notice of intent to cut provided by the commissioner of revenue administration, stating the owner's name, residence, an estimate of the volume of each species to be cut, and such other information as may be required. A supplemental notice of intent ***shall not be required when the total volume of the cut exceeds the total volume reported in the intent to cut by less than 25 percent. When required, the supplemental notice*** shall be filed in the same manner for any additional volume of wood or timber to be cut in excess of the original estimate and within the tax year.

(b) Any intent received by a city, town, or unincorporated place shall, within [30] **15** days, be assigned a number in accordance with the guidelines provided by the commissioner of revenue administration, and be signed by the assessing officials ***if all conditions for approval have been met. Public notice shall be posted for any intent to cut received by a municipality before it is signed by assessing officials. The notice shall be posted in the 2 places where the municipality regularly posts notices of its governing body meetings. Notwithstanding RSA 91-A, the assessing officials may sign the intent to cut outside a public meeting.*** If the conditions for approval have not been met, the assessing officials shall send a letter to the owner or the person responsible for cutting, explaining the reason for the intent not being signed. The assessing officials shall immediately forward any signed intent to the commissioner of revenue administration and shall also supply a copy to the owner upon request. Failure of the assessing officials to forward signed intent to cut forms to the department of revenue administration shall constitute a violation.

3 Effective Date. This act shall take effect September 1, 2018.

AMENDED ANALYSIS

This bill:

- I. Permits a municipality to waive the yield tax on land owned by the municipality.
- II. Provides that a supplemental notice shall not be required when the total volume of the cut is not more than 25 percent of the volume reported in the notice of intent to cut.
- III. Requires the municipality to provide public notice of an intent to cut before it is signed by assessing officials.

HB 1585, requiring conservation commissions to keep a natural resources inventory. **INEXPEDIENT TO LEGISLATE.**

Rep. John Mullen for Resources, Recreation and Development. Conservation commissions are required by statute to conduct research into their local land and water areas. The commissions must keep an index of all open space, wetlands, and other natural, aesthetic, and ecological areas in their communities. The bill would allow commissions to keep a natural resources inventory of such areas instead of an index. Most commissions view the word index to mean a full expansion of data, not just a list, and so already provide supporting documentation. Therefore, the committee felt the bill was not necessary. Vote 12-0.

HB 1590-FN, relative to standards for perfluorinated chemicals in surface water. **INEXPEDIENT TO LEGISLATE.**

Rep. Chris Christensen for Resources, Recreation and Development. Nobody wants to vote against clean water. However, this session we have had a number of bills repeating and or overlapping on the same issues. Two comprehensive bills, HB 485 and HB 1101 have already been approved by the House and this bill was seen as unnecessary. Vote 15-0.

HB 1618-FN, relative to ambient water quality standards and maximum contaminant levels for perfluorinated chemicals. **INEXPEDIENT TO LEGISLATE.**

Rep. Chris Christensen for Resources, Recreation and Development. Nobody wants to vote against clean water. However, this session we have had a number of bills repeating and or overlapping on the same issues. Two comprehensive bills, HB 485 and HB 1101, have already been approved by the House this session, and this bill was seen as unnecessary. Vote 15-0.

HB 1689-FN, repealing the repeal of the pollution prevention program of the department of environmental services. **OUGHT TO PASS.**

Rep. Chris Christensen for Resources, Recreation and Development. The pollution prevention program assists small businesses in preventing pollution and in understanding compliance with environmental regulations. The program has been in place about twenty years with various sunsets and renewals. Seeing success over that period, this bill would repeal the sunset. Vote 12-0.

HB 1727-FN, relative to monitoring perfluorinated chemicals in public water supplies. **INEXPEDIENT TO LEGISLATE.**

Rep. Chris Christensen for Resources, Recreation and Development. Nobody wants to vote against clean water. However, this session we have had a number of bills repeating and or overlapping on the same issues. Two comprehensive bills, HB 485 and HB 1101, have already been approved by the House this session, and this bill was seen as unnecessary. Vote 15-0.

HB 1810, establishing a commission to study the effectiveness of the current statutes related to management of non-tidal public waterways and the construction or placement of structures within them. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John Mullen for Resources, Recreation and Development. This bill was filed based on a recommendation from last session's Committee to Study Temporary Seasonal Docks. While the study committee focused on temporary seasonal docks, the overall complexity of structures in non-tidal public waters became apparent, including the need for a more thorough examination of the various statutes and rules across the various departments that regulate such structures. The study committee had only a brief time to examine what became a more complex issue. Thus, the need for a study commission which will have a good 18 months to study the issues and be composed of a much broader stakeholder group. The amendment removes the attorney general, or designee, from commission membership. Vote 15-0.

Amendment (0340h)

Amend RSA 482-A:35, II(m) through (q) as inserted by section 1 of the bill by replacing them with the following:

(m) A representative from the sport angling community, appointed by the New Hampshire fish and game commissioners.

(n) A member of the public water access advisory board, established in RSA 233-A:2, appointed by such board.

(o) A representative of the recreational boating community that is not a waterfront property owner, appointed by the Commander of Flotilla 2-8, station Portsmouth Harbor, United States Coast Guard Auxiliary.

(p) A representative of the natural resource science community, appointed by the New Hampshire Association of Natural Resource Scientists.

HB 1488, establishing a committee to study the public utilities commission's role and scope of duties in a deregulated environment. **OUGHT TO PASS.**

Rep. Michael Vose for Science, Technology and Energy. This bill creates a study committee to investigate whether the Public Utilities Commission should change its makeup and budget in a restructured electricity environment. Now that all NH utilities have divested themselves of generation assets, making restructuring

as required under RSA 374-F complete, will the commission's workload decrease and to what degree? Will utility sector regulatory activity decrease and will ratepayer costs decline? What aspects of the commission's activity, as specified in the restructuring statute, be reduced? The committee will focus on this narrow set of issues and report back to the full House and Senate by November 1, 2018. Vote 21-0.

HB 1796, relative to the legislative oversight committee on electric utility restructuring. **OUGHT TO PASS.** Rep. Michael Vose for Science, Technology and Energy. This bill renames and redefines the goals of the Legislative Oversight Committee on Electric Utility Restructuring. This statutory committee has been meeting at least quarterly since its inception to hear reports on the progress of New Hampshire's effort to restructure its electricity industry. This bill recognizes that restructuring is nearly complete and redefines the duties of the committee to ensure oversight of the transformations expected from grid modernization. Vote 21-0.

HCR 10, applying for a convention of the states under Article V of the Constitution of the United States. **INEXPEDIENT TO LEGISLATE.**

Rep. Matthew Spencer for State-Federal Relations and Veterans Affairs. The committee feels that this bill contains too many requests for Article V constitutional amendments. Each request should be placed on a separate bill. To request fiscal restraint, term limitations, and limitations on power of the federal government, are too many subjects to submit for Article V consideration. Vote 17-1.

HR 22, urging Congress to amend federal law on the issues of civil and criminal liability for providers and users of computer services carrying advertisements offering sex with sex trafficking victims. **INEXPEDIENT TO LEGISLATE.**

Rep. Richard Lascelles for State-Federal Relations and Veterans Affairs. The committee agrees that sex trafficking (by means of force, fraud, and coercion) is a terrible crime, but disagrees with the resolution's proposed means of addressing trafficking. The resolution's advocates argued for gutting 47 U.S.C. section 230 (a bill in Congress currently known as "SESTA"). This would open up web content hosts to civil and criminal liability for carrying ads that are purchased by sex traffickers. Though this sounds fine at first glance, a deeper dive into the issue revealed a whole host of problems. First, the resolution's prime sponsor argued that leaving section 230 intact was somehow an oversight, when in fact the US Supreme Court did so deliberately. A free and open internet requires distinguishing criminals from the internet platforms that criminals use. Civil and criminal liability would have a massive chilling effect, causing some platforms related to the sex industry, and even dating websites, to shut down completely. Distinguishing between an ad for a massage and an ad for sex with a trafficking victim is not a trivial task and would require an enormous amount of manpower. That a bill like SESTA would shut down large parts of the "adult" web is not wholly unintentional - the National Center on Sexual Exploitation, which worked on this resolution, defines "sexual exploitation" very broadly; they are chiefly focused with banning pornography. Language in several areas of the resolution equivocated between coercive sex trafficking and consensual adult sex work. Anti-trafficking organizations and law enforcement are divided on whether such an act would actually make trafficking less likely, or whether it would drive the coercive fraction of the sex industry into the dark web and foreign-owned servers (which notably, do not respond to US law enforcement subpoenas). The resolution's proponents confuse making trafficking less visible with making trafficking less frequent. Many law enforcement officers use sex industry platforms, like the personals section of Backpage, to identify trafficking victims and apprehend traffickers. Further, the resolution's proponents claim to oppose pimps and traffickers, yet ignore the evidence that the internet has made sex workers much safer, primarily by allowing sex workers to contact and screen potential clients online rather than making snap judgments on the streets. This has allowed many sex workers to "go independent" and work for themselves rather than for agencies or pimps. A recent study (Craigslist's Effect on Violence Against Women) found that the availability of the "erotic services" section reduced the female homicide rate by a stunning 17.4%. Given these concerns, the committee found that this resolution would send the message that the House will support any misguided legal change as long as it carries the label of "anti-trafficking." Good intentions do not make up for bad effects. Vote 18-0.

HB 1290, relative to vehicle registration for new residents to New Hampshire. **OUGHT TO PASS.**

Rep. Chris True for Transportation. This bill would allow new residents to New Hampshire to register their vehicle when their title is held by a foreign state lien holder. As written, the law now says the owner has 60 days to provide certificate of title. Many times, the vehicle owner is unable to get the certificate within 60 days. This bill extends the time to secure the certificate from 5 to 16 months depending on vehicle registration date. The vehicle will not be allowed to be re-registered without the certificate of title. Vote 15-0.

HB 1324, relative to driver education programming. **INEXPEDIENT TO LEGISLATE.**

Rep. Werner Horn for Transportation. The Transportation Committee feels that there is no demonstrated need for the state to mandate the curriculum in driver's education courses. This bill would have added specific topic requirements to the curriculum and require new forms and manuals. Vote 15-0.

HB 1331, relative to incidental uses for agricultural plates. **OUGHT TO PASS.**

Rep. Karel Crawford for Transportation. This bill authorizes uses of a vehicle with agricultural plates that are incidental to agricultural uses. Authorized uses include, but are not limited to, stops at a school or place of business during travel. This bill is supported by the Commissioner of Agriculture. Vote 12-1.

HB 1339, relative to motorist duties when approaching highway emergencies. **INEXPEDIENT TO LEGISLATE.**

Rep. Thomas Walsh for Transportation. This bill sets a mandatory 20 MPH speed reduction by motorists when approaching emergency vehicles. The Department of Safety testified that the Move Over Law that passed a few years ago is working well and this law was not needed and would be difficult to enforce. Vote 15-0.

HB 1363, relative to the waiver of vehicle registration suspension fees. **OUGHT TO PASS.**

Rep. Peter Torosian for Transportation. This bill authorizes waiver of vehicle registration suspension fees for good cause. This allows the commissioner, for good cause to waive the restoration fee for a suspension. Further, the commissioner shall adopt rules under RSA 541-A, relative to such waiver procedures. Vote 19-0.

HB 1453, eliminating the traffic safety commission. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Steven Smith for Transportation. This bill was filed because the General Court website showed that no meetings of the Traffic Safety Commission had occurred. It came to light that the commission does meet and is worthwhile. The committee amendment adds two legislative members to the commission and fixes the current problem of there being no charge or reporting requirements. They will report annually beginning November of this year. Vote 13-0.

Amendment (0428h)

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

AN ACT relative to the traffic safety commission.

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

1 New Subparagraphs; Traffic Safety Commission; Members. Amend RSA 21-P:64, I(b) by inserting after subparagraph (9) the following new subparagraphs:

(10) One member of the house of representatives, appointed by the speaker of the house of representatives.

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

2 Traffic Safety Commission. Amend RSA 21-P:64, II to read as follows:

II. *The commission shall review and analyze topics related to roadway safety and identify initiatives, policy recommendations, and proposed legislative changes to further the public safety mission of the department.*

III. The commission shall have a chairperson who shall be designated by the governor from the membership, and the commission shall elect a vice-chair. The term of the chair shall be for his or her term of office, not to exceed 3 years. The commission shall meet at least once per quarter and at such other times as may be convened by the call of the chairperson or the commissioner of the department of safety or upon petition of 5 or more members.

[HH:] **IV.** Members shall receive no compensation or expenses except that the public members shall be entitled to mileage when in the performance of duties of the commission.

V. *The commission shall report annually, beginning November 1, 2018, to the speaker of the house of representatives, the president of the senate, and the governor. The reports shall describe the activities and findings of the commission and any recommendations for proposed legislation.*

3 Repeal. 21-P:65, relative to the powers and duties of the traffic safety commission, is repealed.

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

AMENDED ANALYSIS

This bill modifies the membership and duties of the traffic safety commission.

HB 1454, eliminating the commission to study recommendations of the National Transportation Safety Board. **OUGHT TO PASS.**

Rep. Steven Smith for Transportation. This commission has never met. Since the stated function of the commission is within the scope of Traffic Safety Commission, it is redundant and not needed. Vote 13-0.

HB 1459, prohibiting autonomous vehicles on New Hampshire highways. **INEXPEDIENT TO LEGISLATE.**

Rep. Steven Smith for Transportation. No one testified in support of this bill. Advocates for the disabled and the trucking industry testified in opposition. Earlier this year, House Transportation passed a prudent testing program for autonomous vehicles unanimously, and that program should go forward. The bill also is in conflict with federal prohibitions on states banning autonomous vehicles. Vote 14-0.

HB 1517, relative to vehicle inspection failures for rust. **OUGHT TO PASS.**

Rep. Peter Torosian for Transportation. This bill will amend RSA 266 to change rust examination during vehicle inspection and establish a standard for failure from rust that is structural in nature. This change will ensure that vehicles do not fail inspection for rust that is cosmetic only. Vote 15-0.

HB 1523, relative to heavy duty recovery vehicles. **OUGHT TO PASS.**

Rep. Craig Moore for Transportation. This bill allows heavy duty recovery vehicles to travel our roadways without being in violation of law. The Department of Safety routinely asks these vehicles to assist with wrecks when no other vehicle is capable of clearing the wreck. Vote 13-0.

HB 1583, relative to indicating citizenship on drivers' licenses and nondrivers' identification cards. **INEXPEDIENT TO LEGISLATE.**

Rep. Thomas Walsh for Transportation. This bill adds either "citizen USA" or "non-citizen USA" to all NH driver's licenses and non-driver identification cards. While the committee appreciates the effort in helping preserve the integrity of our elections, members were left with unanswered questions. 1. With our federally compliant state identification, can it even be done? 2. After speaking with several supervisors of the checklist, knowing of all the other allowed forms of identification, what will it accomplish? Finally, with a cost of \$50,000 to implement, the committee felt these questions should be answered first. Vote 17-2.

HB 1595, prohibiting the use of the far left lanes on all highways for anything other than passing or preparing for a left turn at an intersection or into a private road or driveway. **OUGHT TO PASS WITH AMENDMENT.** Rep. Thomas Walsh for Transportation. The original bill created questions and unintended consequences. The committee amendment replaces the original bill by adding one sentence to the existing chapter. Motor vehicles shall not be operated continuously in the left lane of a multilane roadway whenever it impedes the flow of other traffic. This is consistent with the keep right except to pass philosophy we were all taught, but eliminates the unintended consequences in cases of left lane ramps and heavy traffic. This does have the support of the Department of Safety. Vote 15-0.

Amendment (0579h)

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

AN ACT relative to the use of the left lane of a multilane roadway.

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

1 New Paragraphs; Drive on Right Side of Roadway. Amend RSA 265:16 by inserting after paragraph III the following new paragraphs:

IV. Motor vehicles shall not be operated continuously in the left lane of a multilane roadway whenever it impedes the flow of other traffic.

V. Any person who violates this section shall be guilty of a violation and shall be fined \$50 plus penalty assessment.

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

AMENDED ANALYSIS

This bill prohibits continuous operation of a vehicle in the left lane of a multilane roadway when it impedes traffic.

HB 1613, relative to operation of uninspected vehicles by licensed New Hampshire dealers. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Chris True for Transportation. This bill, as amended, allows licensed NH repairers and licensed NH dealers to purchase an uninspected used vehicle or a registered uninspected vehicle from a location and, within 24 hours, operate the vehicle to relocate it to the dealer's place of business or the repairer's place of business, provided that the vehicle is safe for road use. Vote 19-0.

Amendment (0832h)

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

AN ACT relative to operation of uninspected vehicles.

Amend the bill by replacing section 1 with the following:

1 New Paragraphs; Driving of Uninspected Vehicles; Dealers and Repairers. Amend RSA 266:6 by inserting after paragraph II the following new paragraphs:

III. A licensed New Hampshire dealer who purchases an uninspected used vehicle may operate such vehicle from its location at the time of the sale to the dealer's place of business within 24 hours of the date of purchase of such vehicle as shown on the bill of sale, provided that the vehicle is safe for road use.

IV. A licensed New Hampshire repairer may operate a currently registered, uninspected vehicle from a customer's location to the repairer's place of business within 24 hours of obtaining a repair order for the vehicle signed by the registered owner, provided that the vehicle is safe for road use.

AMENDED ANALYSIS

This bill allows a licensed New Hampshire dealer or repairer to operate an uninspected vehicle for a specified period.

HB 1615, relative to speed limits in work zones. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Thomas Walsh for Transportation. The committee amendment replaces the original bill. The amendment makes two minor changes to the speed limits in work zones. These changes were a request from the Department of Transportation for flexibility in sensitive areas as well as safety in the 70 MPH interstates. The original bill required the zone to be set at exactly 10 MPH below the posted limit. The committee amendment adds the words "at least," to allow flexibility based on local conditions. Vote 13-0.

Amendment (0524h)

Amend the bill by replacing section 1 with the following:

1 Speed Limit; Work Zone. Amend RSA 265:60, II(f) to read as follows:

(f) On a portion of a highway where officers or employees of the agency having jurisdiction of the same, or any contractor of the agency or their employees, are at work on the roadway or so close thereto as to be endangered by passing traffic, at a speed of **at least** 10 miles per hour below the usual posted limit[, ~~but in no case greater than 45 miles per hour~~]. The speed shall be displayed on signs as required by RSA 265:6-a.

HB 1697-FN, authorizing the Daniel Webster Council of Boy Scouts of America to issue decals for multi-use decal plates. **OUGHT TO PASS.**

Rep. Peter Torosian for Transportation. Passage of this bill continues the Transportation Committee policy of putting to good use the decal plates that this committee approved last legislative session. In this case, authorizing the Daniel Webster Council of Boy Scouts of America to issue decals for multi-use decal plates for their organization. Vote 15-0.

HB 1734-FN, relative to inspection and registration of motor vehicles. **INEXPEDIENT TO LEGISLATE.**

Rep. Steven Smith for Transportation. This bill would eliminate inspection stickers and require a certificate of inspection prior to registration. The bill establishes no mechanism to accomplish this on registration renewal. Will the Department of Safety create an online submission method? Will everyone have to bring the document to their town clerk? These questions were unanswered, so the bill failed. Vote 18-1.

HB 1795, eliminating the oversight commission on motor vehicle fines. **OUGHT TO PASS.**

Rep. Peter Torosian for Transportation. This bill eliminates the oversight commission for motor vehicle fines. We heard testimony in committee that this commission last filed a report in November 2011. As there is no work for this commission, it makes sense to dissolve the commission and repeal RSA 262:45. Vote 15-0.

HB 1294, relative to religious societies. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jordan Ulery for Ways and Means. This is a long overdue housekeeping bill that ends an unconstitutional entanglement of government and religion. It repeals laws from the 1840s which only apply to Episcopalians and Quakers. The bill also repeals laws which limit donations that may be made to religious entities. The subcommittee looking at the repeal consulted with the New England Chapter of the Quakers, the Attorney General, and the Division of Historical Resources. The amended bill includes their recommendations. Vote 21-0.

Amendment (0635h)

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

1 Religious Societies; Membership. Amend RSA 306:1 to read as follows:

306:1 Membership. No person shall be liable as a member of an incorporated religious society without his **or her** express consent first having been obtained; and any person may separate from any such society [by leaving with the clerk thereof a written notice signed by him of his intention so to separate, and by paying all legal assessments and arrearages then due from him to the society].

2 Religious Societies; Conveyances. Amend RSA 306:7 to read as follows:

306:7 Conveyances. No conveyance of the lands of a church shall be effectual to pass the same [if made by the trustees or deacons] without the consent of the church, or a committee of the church appointed for that purpose[, or if made by the church wardens without the consent of the vestry].

3 Religious Societies; By Minister. Amend RSA 306:8 to read as follows:

306:8 By Minister. No conveyance made by a minister of lands held by him **or her** in succession shall be valid any longer than he **or she** shall continue to be such minister unless the conveyance shall be made with the consent of the parish or religious society of which he **or she** is minister[, or unless he is a minister of an Episcopal church and shall make the conveyance with the consent of the vestry].

4 Religious Societies; Accounts. Amend RSA 306:9 to read as follows:

306:9 Accounts. The several churches[, other than those of the Episcopal denomination,] are authorized to choose committees for the purpose of settling the accounts of the trustees, deacons, and other church officers and, if necessary, to commence and prosecute a suit in the name of the church against the trustees, deacons, or other officers relating to the accounts.

5 Meetinghouses; Sale When Ownership is Uncertain. Amend RSA 307:7 to read as follows:

307:7 [Other Cases] **Sale of Meetinghouse.** If [any such meetinghouse is so owned that the provisions of RSA 307:1-6 will not apply, or it is doubtful whether they will apply] **ownership of a meetinghouse is un-**

certain, the superior court, upon petition of any party interested therein, after due notice and a hearing of all parties in interest who desire to be heard, may order it to be sold and appoint a receiver for the purpose, and may make such further orders as may be necessary to complete the sale and divide the proceeds among the parties according to their respective interests in the property sold.

6 Repeal. The following are repealed:

- I. RSA 306:2, relative to taxes raised by religious societies.
- II. RSA 306:3, relative to donations to religious societies.
- III. RSA 306:3-a, relative to the merger of religious societies
- IV. RSA 306:5, relative to joint donees.
- V. RSA 306:6, relative to parsonage land.
- VI. RSA 306:10, relative to limitations on donations as church income.
- VII. RSA 306:11, relative to Quaker meetings and the authority to accept donations.
- VIII. RSA 307:1-6 and RSA 307:8-9, relative to the sale of meetinghouses.
- IX. RSA 307:10-20, relative to the repair, alteration, and removal of meetinghouses.

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

AMENDED ANALYSIS

This bill repeals certain obsolete statutes relative to the powers and authority of religious societies. The bill also repeals the majority of RSA 307, relative to pew ownership and the sale and repair of meetinghouses.

HB 1501-FN, relative to regulation of consultants for operators of games of bingo and lucky 7. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Patrick Abrami for Ways and Means. This bill called for defining the term “gaming consultant” and called for the licensing of individuals who act in this role. The original intent of the sponsors was to make this a requirement for consultants supporting operators of bingo and Lucky 7 games. The need for the license was to provide a tool to the Lottery Commission to oversee the actions of these consultants. Through the audit process of these operators, several cases of consultant impropriety were uncovered, but since consultants were not licensed by the Lottery Commission corrective action was difficult to enforce. The bill was amended to address two issues. The original bill swept gaming consultants into the charitable gaming statutes as well. This was done in error because gaming consultants are not utilized by the charitable gaming facilities. The amendment corrected this problem. In addition, the amendment lowered the license fee of \$750 in the original bill to \$100. The basis for this adjustment was the range of fees collected by these consultants annually which was provided by the Lottery Commission. With these changes, the amended bill was overwhelmingly supported by the committee. Vote 21-0.

Amendment (0589h)

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

AN ACT relative to regulation of consultants for games of bingo and lucky 7.

Amend the bill by replacing all after section 2 with the following:

3 New Paragraph; Game Consultants; License Fees. Amend RSA 287-E:4 by inserting after paragraph II-a the following new paragraph:

II-b. The license fee for a gaming consultant shall be \$100 per year. Such fee shall be submitted to the commission at the time the application is made and shall be refunded if the application is denied.

4 Operation of Bingo Games. Amend RSA 287-E:7, II(b) to read as follows:

(b) No compensation shall be paid to any person or entity for ~~[consulting, managing, assisting in the operation of the bingo games or the sale of lucky 7 tickets, record keeping, filing forms with the racing and charitable gaming commission, advertising, free offer of coffee and donuts to customers, or security protection for the charitable organization itself not including security for the hall or parking area, unless]~~ **services described in RSA 287-E:1, VI-b unless the individual or entity is licensed by the commission as a gaming consultant, and the services to be provided are** agreed to in advance in writing by the charitable organization and submitted to the commission. Participation in and charges for such activities shall be solely at the discretion of the charitable organization. Failure to participate in any of these activities shall not constitute grounds for expulsion from any hall where bingo games are held or lucky 7 tickets are sold.

5 New Paragraph; Game Consultants; Rulemaking. Amend RSA 287-E:18 by inserting after paragraph IV the following new paragraph:

IV-a. The licensing procedure for gaming consultants.

6 New Paragraph; Game Consultants; License Fee. Amend RSA 287-E:19 by inserting after paragraph III the following new paragraph:

IV. The license fee for a gaming consultant shall be \$100 per year. Such fee shall be submitted to the commission at the time the application is made and shall be refunded if the application is denied.

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

HB 1502, adding the tax exemption for water and air pollution control facilities to the tax expenditure review. **ought to pass with amendment.**

Rep. Arthur Barnes for Ways and Means. This bill would amend RSA 71-C:2 by adding the water and air pollution control facility exemption under RSA 72:12-a to the list of tax expenditures listed in this section. It would appear this would simply add water and air pollution control facilities exempted from local property tax to the annual Tax Expenditure and Potential Liability report issued by the Department of Revenue Administration (DRA) per RSA 71-C:4. However, the testimony from the DRA was that it was not as simple as it looks. The role of the Department of Environmental Services as prescribed under RSA 72:12-a is to review applications from parties seeking tax exempt status and determine whether the purpose of the facility is solely or only partially pollution control. The information is forwarded to the taxing authorities to determine the property's appraised value and maintain the appraisal in their property inventory even though it is tax exempt. The information on appraised value or local property taxes exempted is not reported to the DRA, thus it could not be included in the annual Tax Expenditure and Potential Liability report. Further, because each municipality in the state establishes its own appraisal and tax rate, it would be beyond the ability of the DRA, with its current resources, to compile the value of local taxes lost by the exemptions determined under RSA 72:12-a. The committee accepted the suggestion of the DRA to amend this bill by substituting the reference to RSA 72:12-a with RSA 83-F:1, V(a). Information required under RSA 83-F:1, V(a) is collected by the DRA and could be included in the report. Vote 20-0.

Amendment (0648h)

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

AN ACT adding the utility property tax exclusion for exempt water and air pollution control facilities to tax expenditure review.

Amend the bill by replacing section 1 with the following:

1 Tax Expenditures; Utility Property Tax; Exempt Water and Air Pollution Control Facilities Added. Amend RSA 71-C:2 to read as follows:

71-C:2 Tax Expenditures Specified. Tax expenditures include, but may not be limited to, the community development finance authority investment tax credit as computed in RSA 162-L:10; the economic revitalization zone tax credit as computed in RSA 162-N:6; the research and development tax credit under RSA 77-A:5, XIII; the Coos county job creation tax credit under RSA 77-E:3-c; the education tax credit as computed in RSA 77-G:4; [and] the weighted apportionment factors under RSA 77-A:3, II(a); **and exempt water and air pollution control facilities excluded from the utility property tax under RSA 83-F:1, V(a).**

AMENDED ANALYSIS

This bill adds exempt water and air pollution control facilities excluded from the utility property tax to the tax expenditures reviewed by the joint committee on tax expenditure review.

HB 1512-FN-A, relative to taxes applicable to certain transfers of real property. **REFER FOR INTERIM STUDY.**

Rep. Marc Abear for Ways and Means. This bill modifies the application of the business profits tax (BPT) and the real estate transfer tax (RETT) to the ownership, taxation, and transfer of investment interests in a real estate investment trust (REIT) and certain limited partnerships. It amends the BPT statute to provide an exemption from gross business profits for dividends paid to investors of real estate investment trusts. It also amends the definition of "sale, granting and transfer" and "real estate holding company" so a real estate investment trust will not be considered a real estate holding company which would result in a real estate investment trust being taxed when the ownership is transferred. It also amends the RETT statute to create two new exceptions to the tax. The first exception would apply to the transfer of shares of ownership interest in a real estate investment trust; the second exception would apply to the change in a limited partner of a federal low-income housing tax credit limited partnership for the transfer of affordable housing that has been awarded a federal low-income housing credit. DRA is unable to determine the exact fiscal impact of this bill, however; the creation of new exceptions and exemptions from the BPT and the RETT will decrease state general fund and education trust fund revenue in FY 2019 and each year thereafter. The bill was sent to a subcommittee where all attendant issues could not be resolved timely. The subcommittee saw merit in the bill but could not complete the necessary work in the time available. Vote 21-0.

HB 1558-FN, relative to the payment of the meals and rooms tax by individuals renting cars through an online service. **REFER FOR INTERIM STUDY.**

Rep. Bill Ohm for Ways and Means. This bill would clarify existing law that car sharing is taxable as rentals, under the same provisions that apply to conventional car rental companies. The bill is an outgrowth of a new industry that facilitates Uber-like services, but without the driver. You drive the car yourself. Work in subcommittee revealed that there is a pending case before the US Supreme Court on the taxability of cer-

tain internet businesses, such as this one, that provide services but do not have a physical presence in the state. Consequently, the committee voted to recommend Refer for Interim Study until such time as the case is resolved. Vote 21-0.

HB 1619, adding the rehabilitation of tourist lodging to qualifying structures under the community revitalization tax relief incentive program. **INEXPEDIENT TO LEGISLATE.**

Rep. Patrick Abrami for Ways and Means. This bill would add the rehabilitation, renovation, or replacement of tourist lodgings as qualifying structures under the community revitalization tax relief incentive program. The committee unanimously felt that these structures were already covered in the current statute and that they did not need to be specifically enumerated. Vote 21-0.

HB 1722-FN-L, relative to the property tax exemption for chartered public school property, including leased property. **INEXPEDIENT TO LEGISLATE.**

Rep. Timothy Lang for Ways and Means. This bill would create a slippery slope of tax exemptions for local property taxation; if we include chartered public schools, why not include all public schools, and if we include all public schools why not include municipalities, and so on. HB 1228 would repeal the limitation against public charter schools that prohibit them from incurring long term debt during their first five years in operation. The House Education Committee voted to recommend that bill Ought to Pass, and this committee feels that HB 1228 is a more appropriate way to achieve the same goal of this bill. Vote 21-0.

REGULAR CALENDAR - PART I

CACR 14, relating to natural rights of children. Providing that children have a natural right to be protected by their parents. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Patrick Long for the Majority of Children and Family Law. This CACR has been before the committee multiple times. The majority of the committee rejected this concept due to unintended consequences and the uncertainty of a legal definition for "natural right." Vote 10-4.

Rep. Daniel Itse for the Minority of Children and Family Law. This proposed amendment would make the right of children to the protection of their parents, which is implicit in the natural rights recognized in Part 1, Article 2 of the Constitution of the State of New Hampshire, explicit. The New Hampshire Supreme Court has recognized these rights as inherent in Part 1, Article 2, and the Supreme Court of the U.S.A. has recognized them as inherent in the Constitution for the United States of America. Just as it was found expedient to make the right to keep and bear arms explicit in Part 1, Article 2-a in 1984, the minority believes it would prudent to make the sanctity of the family explicit today. Furthermore, it makes clear that the rights in question truly belong to the children, rather than the parents; since the power to protect those rights can be transferred from natural parents to adoptive parents. Parents have this duty because children are inherently unable physically, intellectually or legally (they are not emancipated) to protect their rights. This means that the rights follow the children. The majority expressed a belief that the concept of natural rights is ill defined, despite the fact that it is currently referenced in our Bill of Rights five times. This concept has been articulated by enlightenment philosophers such as Hobbes, Locke, Burke, Montesquieu and Smith; and our own founding fathers such as John Adams and Thomas Jefferson. While each of these great thinkers might phrase it slightly differently, none are so different as to change the fundamental concept. Simply put, natural rights "are those that are not dependent on the laws or customs of any particular culture or government, and so are universal and inalienable (they cannot be repealed or restrained by human laws)." (Wikipedia) Some of the majority also express a concern that making the right explicit rather than implicit might impair the power of the State to intervene when parents are unwilling or unable to fulfill their duty to protect their children's rights. One of Blackstone's statements regarding natural rights clarifies the power of the State to intervene: "Those rights, then, which God and nature have established, and are therefore called natural rights, such as are life and liberty, need not the aid of human laws to be more effectually invested in every man than they are; neither do they received any additional strength when declared by the municipal laws to be inviolable. On the contrary, no human legislature has power to abridge or destroy them, unless the owner shall himself commit some act that amounts to a forfeiture." Though here the question is one of to whom the duty to protect children's rights falls first, the principle is clear. The natural parents have the duty first, and exclusively, until it is shown that they are unwilling or unable to perform the duty. We as a society have delegated our power to intervene on behalf of the children to the State, that delegation can only be removed by the repeal of the laws to that effect.

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

Rep. Long spoke in favor and yielded to questions.

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

YEAS 216 - NAYS 108

YEAS - 216

BELKNAP

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
Meador, David
Pearson, William

Ames, Richard
Harvey, Cathryn
Johnsen, Gladys
Parkhurst, Henry
Weber, Lucy

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

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

COOS

Fothergill, John
Theberge, Robert

Hatch, William
Tucker, Edith

Merner, Troy
Thomas, Yvonne

Moynihan, Wayne

GRAFTON

Abel, Richard
Campion, Polly
Josephson, Timothy
Migliore, Vincent Paul
Sykes, George

Almy, Susan
Dontonville, Roger
Ladd, Rick
Mulligan, Mary Jane
White, Andrew

Bailey, Brad
Hennessey, Erin
Maes, Kevin
Rand, Steven

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

HILLSBOROUGH

Backus, Robert
Bouldin, Amanda
Cleaver, Skip
DiSilvestro, Linda
Smith, Gregory
Graham, John
Rice, Kimberly
Kurk, Neal
Lisle, David
Mangipudi, Latha
Nutting, Allison
Long, Patrick
Proulx, Mark
Harvey, Suzanne
Williams, Kermit

Barry, Richard
Carr, John
Connors, Erika
Edwards, Elizabeth
Halstead, Carolyn
Schmidt, Janice
Keane, Amelia
L'Heureux, Robert
MacKay, Mariellen
Martin, Joelle
O'Brien, Michael
Panasiti, Reed
Ober, Russell
Shaw, Barbara

Beaulieu, Jane
Chandley, Shannon
Cornell, Patricia
Elber, Joel
Herbert, Christopher
Jack, Martin
King, Mark
Lascelles, Richard
McCarthy, Michael
Martineau, Jesse
O'Leary, Richard
Pierce, David
Rosenwald, Cindy
Wolf, Terry

Biggie, Barbara
Christensen, Chris
Sullivan, Daniel
Freitas, Mary
Hinch, Richard
Judy, Jean
Klee, Patricia
Leishman, Peter
MacKenzie, Mark
Newman, Sue
O'Neil, William
Porter, Marjorie
Rouillard, Claire
Van Houten, Connie

MERRIMACK

Turcotte, Alan
Wolf, Dan
Moffett, Howard
Kotowski, Frank
Myler, Mel
Rogers, Katherine
Soucy, Timothy

Kuch, Bill
Doherty, David
Henle, Paul
Leavitt, John
Patten, Dick
Schuett, Dianne
Walsh, Thomas

Bartlett, Christy
Ebel, Karen
MacKay, James
Luneau, David
Richards, Beth
Schultz, Kristina
Walsh, Thomas

Carson, Clyde
Gile, Mary
Kenison, Linda
McGuire, Carol
Rodd, Beth
Shurtleff, Stephen
Woolpert, David

ROCKINGHAM

Abrami, Patrick
Cahill, Michael
Thomas, Douglas
Elliott, Robert
Friel, William
Katsakiores, Phyllis
Lundgren, David
Matthews, Carolyn
Nigrello, Robert
Tilton, Rio
Sytek, John
Webb, James

Altschiller, Debra
Cali-Pitts, Jacqueline
DiLorenzo, Charlotte
Emerick, J. Tracy
Gilman, Julie
Khan, Aboul
Griffin, Mary
McMahon, Charles
Gordon, Pamela
Read, Ellen
Le, Tamara
Welch, David

Berrien, Skip
Chase, Francis
Dowling, Patricia
Farnham, Betsey
Hoelzel, Kathleen
Lerner, Kari
Malloy, Dennis
Milz, David
Packard, Sherman
Rimol, Bob
Tripp, Richard
Willis, Brenda

Bove, Martin
Cushing, Robert Renny
Edgar, Michael
Fesh, Robert
Janvrin, Jason
Lovejoy, Patricia
Manning, John
Murray, Kate
Pantelakos, Laura
Somssich, Peter
Ward, Gerald

STRAFFORD

Berube, Roger
Ellis, Donna
Grassie, Chuck
Smith, Marjorie
Schmidt, Peter
Sprague, Dale

Bixby, Peter
Fontneau, Timothy
Horrigan, Timothy
McNally, Jody
Salloway, Jeffrey

Burton, Wayne
Frost, Sherry
Keans, Sandra
Mullen, John
Scruton, Matthew

Cilley, Jacalyn
Gourgue, Amanda
Krans, Hamilton
Opderbecke, Linn
Southworth, Thomas

Cloutier, John
Oxenham, Lee

Gagnon, Raymond
Sullivan, Brian

SULLIVAN

Gottling, Suzanne
Tanner, Linda

Grenier, James

NAYS - 108**BELKNAP**

Abear, Marc
Howard, Raymond
Sylvia, Michael

Aldrich, Glen
Lang, Timothy
Vadney, Herbert

Comtois, Barbara
Plumer, John
Varney, Peter

Fraser, Valerie
Silber, Norman

CARROLL

Avellani, Lino
McConkey, Mark

Comeau, Ed

Cordelli, Glenn

McCarthy, Frank

CHESHIRE

McConnell, James

O'Day, John

Stallcop, Joseph

COOS

Richardson, Herbert

GRAFTON

Binford, David
Johnson, Tiffany

Brown, Duane

Darrow, Stephen

Schwaegler, Vicki

HILLSBOROUGH

Ammon, Keith
Danielson, David
Ferreira, Elizabeth
Gould, Linda
Belanger, James
Lewicke, John
Notter, Jeanine
Renzullo, Andrew
Seidel, Carl
Sullivan, Victoria

Burt, John
Dickey, Glen
Freeman, Lisa
Hansen, Peter
Moore, Josh
McLean, Mark
Ohm, Bill
Roberts, Carol
Somero, Paul
Valera, John

Moore, Craig
Donovan, Daniel
Griffin, Gerald
Hopper, Gary
Ober, Lynne
Murphy, Keith
Pellegrino, Anthony
Sanborn, Laurie
Twombly, Timothy

Christie, Rick
Fedolff, Jim
Gagne, Larry
Hynes, Dan
LeBrun, Donald
Negron, Steve
Prout, Andrew
Scully, Kevin
Ulery, Jordan

MERRIMACK

Brewster, Michael
Horn, Werner
Pearl, Howard

Copp, Anne
Klose, John
Seaworth, Brian

Hill, Gregory
Moffett, Michael
Testerman, Dave

Hoell, J.R.
Marple, Richard
Wells, Natalie

ROCKINGHAM

Allen, Mary
Costable, Michael
Marsh, Henry
O'Connor, John
McKinney, Betsy
True, Chris

Baldasaro, Alfred
Gay, Betty
Hagan, Joseph
Kolodziej, Walter
Gordon, Richard
Vose, Michael

Bates, David
Green, Dennis
Itse, Daniel
Pearson, Mark
Sapareto, Frank
Weyler, Kenneth

Bean, Philip
Guthrie, Joseph
Edwards, Jess
Major, Norman
Torosian, Peter
Woitkun, Steven

STRAFFORD

Beaudoin, Steven
Spencer, Matthew

Kaczynski, Thomas
Wuelper, Kurt

Phinney, Brandon

Pitre, Joseph

SULLIVAN

Laware, Thomas

Rollins, Skip

Smith, Steven

and the majority committee report was adopted

HB 1325, relative to venue in child protection actions. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: REFER FOR INTERIM STUDY.**

Rep. Mary Beth Walz for the Majority of Children and Family Law. This bill attempts to dictate the judicial district for child protection hearings. This is a well-intended bill that will create more problems than it solves. Furthermore, it is a solution looking for a problem. There was no testimony for anyone other than the sponsor that there is a problem with the location of child protection hearings. Vote 8-5.

Rep. Daniel Itse for the Minority of Children and Family Law. This bill sought to give the same protections in abuse and neglect cases as the Constitution of the State of New Hampshire gives in criminal cases. The idea has merit but the language needs work. The minority believes it should be worked on over the fall.

Majority committee report adopted.

HB 1650, removing education as required by law as a criterion for determining child neglect. **MAJORITY: REFER FOR INTERIM STUDY. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Caroletta Alicea for the Majority of Children and Family Law. The committee members agree that the issue of educational neglect is a very important one. In looking at the issue and the ways that children fall through the cracks, there was disagreement about the best way to address the issue. There was no agreement about what the relative roles of truant officers and the Division of Children, Youth and Families should be. The committee concluded that more study was necessary before more action is taken and committed to working diligently on that study. Vote 12-2.

Rep. Kevin Scully for the Minority of Children and Family Law. The minority believes that the amended bill clarifies and isolates responsibility for educational neglect where it belongs, in the Division of Education. It also removes an ill-fitted responsibility from an already over-burdened Division of Children, Youth and Families. The amended bill also creates a study committee with a goal of fixing a broken system.

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

Rep. Hoell requested a roll call; sufficiently seconded.

YEAS 241 - NAYS 88

YEAS - 241

BELKNAP

Tilton, Franklin
Lang, Timothy

Fields, Dennis
Plumer, John

Fraser, Valerie
Spanos, Peter

Huot, David

CARROLL

Buco, Thomas
Knirk, Jerry
Umberger, Karen

Butler, Edward
McConkey, Mark

Crawford, Karel
Nelson, Bill

DesMarais, Edith
Schmidt, Stephen

CHESHIRE

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

Ames, Richard
Harvey, Cathryn
Johnsen, Gladys
Parkhurst, Henry
Weber, Lucy

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

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

COOS

Fothergill, John
Richardson, Herbert

Hatch, William
Theberge, Robert

Merner, Troy
Tucker, Edith

Moynihan, Wayne
Thomas, Yvonne

GRAFTON

Abel, Richard
Hennessey, Erin
Maes, Kevin
Rand, Steven
White, Andrew

Almy, Susan
Higgins, Patricia
Massimilla, Linda
Schwaegler, Vicki

Campion, Polly
Josephson, Timothy
Migliore, Vincent Paul
Smith, Suzanne

Dontonville, Roger
Ladd, Rick
Mulligan, Mary Jane
Sykes, George

HILLSBOROUGH

Backus, Robert
Bouldin, Amanda
Christensen, Chris
Sullivan, Daniel
Edwards, Elizabeth
Gagne, Larry
Herbert, Christopher
Schmidt, Janice
King, Mark
Ober, Lynne
Lisle, David
Mangipudi, Latha
Nutting, Allison
Ohm, Bill
Proulx, Mark
Harvey, Suzanne
Williams, Kermit

Barry, Richard
Moore, Craig
Cleaver, Skip
Danielson, David
Elber, Joel
Gargas, Carolyn
Hinch, Richard
Jack, Martin
Klee, Patricia
Lascelles, Richard
MacKay, Mariellen
Martin, Joelle
O'Brien, Michael
Long, Patrick
Roberts, Carol
Shaw, Barbara

Beaulieu, Jane
Carr, John
Connors, Erika
DiSilvestro, Linda
Freitas, Mary
Hansen, Peter
Belanger, James
Judy, Jean
Kurk, Neal
Leishman, Peter
McCarthy, Michael
Martineau, Jesse
O'Leary, Richard
Pierce, David
Rosenwald, Cindy
Wolf, Terry

Biggie, Barbara
Chandley, Shannon
Cornell, Patricia
Donovan, Daniel
Smith, Gregory
Heath, Mary
Graham, John
Keane, Amelia
L'Heureux, Robert
Lewicke, John
MacKenzie, Mark
Newman, Sue
O'Neil, William
Porter, Marjorie
Rouillard, Claire
Van Houten, Connie

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Turcotte, Alan
Doherty, David
Henle, Paul
Klose, John
Myler, Mel
Rogers, Katherine
Soucy, Timothy

Bartlett, Christy
Ebel, Karen
Horn, Werner
Kotowski, Frank
Patten, Dick
Schuett, Dianne
Walsh, Thomas

Carson, Clyde
Gile, Mary
MacKay, James
Leavitt, John
Richards, Beth
Schultz, Kristina
Walsh, Mary Beth

Wolf, Dan
Moffett, Howard
Kenison, Linda
Luneau, David
Rodd, Beth
Shurtleff, Stephen
Woolpert, David

ROCKINGHAM

Abrami, Patrick
Berrien, Skip
Chase, Francis
Dowling, Patricia
Farnham, Betsey
Hagan, Joseph
O'Connor, John
Lerner, Kari
Major, Norman
McKinney, Betsy
Murray, Kate
Pantelakos, Laura
Sapareto, Frank
Tripp, Richard
Welch, David

Allen, Mary
Bove, Martin
Cushing, Robert Renny
Edgar, Michael
Friel, William
Hoelzel, Kathleen
Katsakiores, Phyllis
Lovejoy, Patricia
Malloy, Dennis
McMahon, Charles
Nigrello, Robert
Tilton, Rio
Somssich, Peter
Vose, Michael
Weyler, Kenneth

Altschiller, Debra
Cahill, Michael
DeSimone, Debra
Elliott, Robert
Gay, Betty
Edwards, Jess
Khan, Aboul
Lundgren, David
Manning, John
Messmer, Mindi
Gordon, Pamela
Read, Ellen
Sytek, John
Ward, Gerald
Willis, Brenda

Bean, Philip
Cali-Pitts, Jacqueline
DiLorenzo, Charlotte
Emerick, J. Tracy
Guthrie, Joseph
Janvrin, Jason
Kolodziej, Walter
Griffin, Mary
Matthews, Carolyn
Milz, David
Packard, Sherman
Rimol, Bob
Le, Tamara
Webb, James

STRAFFORD

Berube, Roger
Ellis, Donna
Grassie, Chuck
Smith, Marjorie
Schmidt, Peter
Sprague, Dale

Bixby, Peter
Fontneau, Timothy
Horrigan, Timothy
McNally, Jody
Salloway, Jeffrey
Treleaven, Susan

Burton, Wayne
Frost, Sherry
Keans, Sandra
Mullen, John
Scruton, Matthew

Cilley, Jacalyn
Gourgue, Amanda
Krans, Hamilton
Opderbecke, Linn
Southworth, Thomas

SULLIVAN

Cloutier, John
Oxenham, Lee

Gagnon, Raymond
Smith, Steven

Gottling, Suzanne
Sullivan, Brian

Grenier, James
Tanner, Linda

NAYS - 88**BELKNAP**

Abear, Marc
Silber, Norman

Aldrich, Glen
Sylvia, Michael

Comtois, Barbara
Vadney, Herbert

Howard, Raymond
Varney, Peter

CARROLL

Avellani, Lino
Marsh, William

Comeau, Ed

Cordelli, Glenn

McCarthy, Frank

CHESHIRE

McConnell, James

O'Day, John

Stallcop, Joseph

GRAFTON

Bailey, Brad
Darrow, Stephen

Bennett, Travis
Johnson, Tiffany

Binford, David

Brown, Duane

HILLSBOROUGH

Ammon, Keith
Fedolfi, Jim
Gould, Linda
Moore, Josh
Negron, Steve
Prout, Andrew
Scully, Kevin
Ulery, Jordan

Burt, John
Ferreira, Elizabeth
Halstead, Carolyn
LeBrun, Donald
Notter, Jeanine
Ober, Russell
Seidel, Carl
Sullivan, Victoria

Christie, Rick
Freeman, Lisa
Hopper, Gary
McLean, Mark
Panasiti, Reed
Renzullo, Andrew
Somero, Paul
Valera, John

Dickey, Glen
Griffin, Gerald
Hynes, Dan
Murphy, Keith
Pellegrino, Anthony
Sanborn, Laurie
Twombly, Timothy

MERRIMACK

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

Brewster, Michael
Moffett, Michael
Seaworth, Brian

Copp, Anne
Marple, Richard
Testerman, Dave

Hill, Gregory
McGuire, Carol
Wells, Natalie

ROCKINGHAM

Baldasaro, Alfred
Fesh, Robert
Itse, Daniel
Torosian, Peter

Bates, David
Gilman, Julie
Pearson, Mark
True, Chris

Costable, Michael
Green, Dennis
Morrison, Sean
Woitkun, Steven

Thomas, Douglas
Marsh, Henry
Gordon, Richard

STRAFFORD

Beaudoin, Steven
Spencer, Matthew

Kaczynski, Thomas
Wuelper, Kurt

Phinney, Brandon

Pitre, Joseph

SULLIVAN

Laware, Thomas

Rollins, Skip

and the majority committee report was adopted.

HB 1418-FN, relative to transparency and cost control of pharmaceutical drug prices. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Edward Butler for Commerce and Consumer Affairs. This bill as introduced would have required the Department of Health and Human Services and the Insurance Department to develop a list of prescription drugs, to analyze the components of their cost, and to report on that analysis and how it impacts our cost of health care and insurance coverage. The amendment creates a commission composed of representatives from state agencies, health care providers, insurance carriers, drug manufacturers, consumer advocates, legislators and the public to look at the issue of transparency in the cost of pharmaceuticals and the impact on health care costs. Additionally, the commission will look at the issue of rebates from drug manufacturers to carriers and pharmacy benefits managers. Vote 18-1.

Amendment (0782h)

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

AN ACT relative establishing a commission to study greater transparency in pharmaceutical costs and drug rebate programs.

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

1 New Subdivision; Commission to Study Greater Transparency in Pharmaceutical Costs and Drug Rebate Programs. Amend RSA 126-A by inserting after section 74 the following new subdivision:

Commission to Study Greater Transparency in Pharmaceutical Costs and Drug Rebate Programs

126-A:75 Commission to Study Greater Transparency in Pharmaceutical Costs and Drug Rebate Programs Established.

I. There is established a commission to study greater transparency in pharmaceutical costs and drug rebate programs.

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

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

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

(3) The insurance commissioner, or designee.

(4) The commissioner of the department of health and human services, or designee.

(5) The commissioner of the department of administrative services, or designee.

(6) The attorney general, or designee.

(7) Two public members, appointed by the governor.

(8) A representative of the New Hampshire Hospital Association, appointed by the association.

(9) A physician licensed under RSA 329, appointed by the New Hampshire Medical Society.

(10) The executive director of New Futures, or designee.

(11) A representative of the New Hampshire Pharmacists Association, appointed by the association.

(12) A representative of the Business and Industry Association of New Hampshire, appointed by the association.

(13) A member representing pharmacy benefit managers, appointed by the Pharmaceutical Care Management Association.

(14) A representative of America's Health Insurance Plans (AHIP), appointed by that organization.

(15) A representative of New Hampshire Purchasers Group on Health, appointed by that organization.

(16) A representative of Pharmaceutical Research and Manufacturers of America, appointed by that organization.

(17) A representative of a community mental health center, appointed by the New Hampshire Community Behavioral Association.

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

II.(a) The commission shall study how to achieve greater transparency in pharmaceutical costs by identifying and analyzing certain critical prescription drugs and their role in overall health care spending in the New Hampshire and by analyzing the amounts rebated by drug manufacturers for certain high cost and high utilization prescription drugs. The commission's study shall include, but not be limited to:

(1) Studying strategies available to achieve greater transparency in pharmaceutical costs by identifying and analyzing certain critical prescription drugs and their role in overall health care spending and the impact of price increases on patients and their families.

(2) Reviewing legislative efforts in other states and taking advantage of any other analysis by outside organizations or foundations.

(3) Analyzing the impact of drug prices on insurance premium costs, consumer out-of-pocket costs for prescription drugs, and state and county purchasing of prescription drugs.

(4) Analyzing the potential impact of transparency in relation to the practices of pharmaceutical manufacturers and pharmacy benefits managers, including how research and development, marketing, and rebates affect drug prices.

(5) Proposing changes to New Hampshire law, as needed, to reduce the rising cost of pharmaceuticals.

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

III. The members of the commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the first-named house member. The first meeting of the commission shall be held within 45 days of the effective date of this section. Nine members of the commission shall constitute a quorum.

IV. The commission shall make a report with its findings and any recommendations for proposed legislation on or before November 1, 2018 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.

2 Repeal. RSA 126-A:75, relative to a commission to study greater transparency in pharmaceutical costs and drug rebate programs, is repealed.

3 Effective Date.

I. Section 2 of this act shall take effect November 1, 2018.

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

AMENDED ANALYSIS

This bill establishes a commission to study greater transparency in pharmaceutical costs and drug rebate programs.

Committee amendment adopted.

Rep. Butler requested a roll call; sufficiently seconded.

YEAS 312 - NAYS 17

YEAS - 312

BELKNAP

Abear, Marc
Fraser, Valerie
Spanos, Peter

Comtois, Barbara
Huot, David
Sylvia, Michael

Tilton, Franklin
Lang, Timothy
Vadney, Herbert

Fields, Dennis
Plumer, John
Varney, Peter

CARROLL

Avellani, Lino
Crawford, Karel
McConkey, Mark
Marsh, William

Buco, Thomas
DesMarais, Edith
Nelson, Bill

Butler, Edward
McCarthy, Frank
Schmidt, Stephen

Comeau, Ed
Knirk, Jerry
Umberger, Karen

CHESHIRE

Abbott, Michael
Burridge, Delmar
Faulkner, Barry
McConnell, James
Shepardson, Marjorie
Weber, Lucy

Ames, Richard
Harvey, Cathryn
Johnsen, Gladys
Meader, David
Stallcop, Joseph

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

Bordenet, John
Eaton, Daniel
Mann, John
Parkhurst, Henry
Pearson, William

COOS

Fothergill, John
Richardson, Herbert

Hatch, William
Theberge, Robert

Merner, Troy
Tucker, Edith

Moynihan, Wayne
Thomas, Yvonne

GRAFTON

Abel, Richard
Binford, David
Dontonville, Roger
Ladd, Rick
Mulligan, Mary Jane
Sykes, George

Almy, Susan
Brown, Duane
Hennessey, Erin
Maes, Kevin
Rand, Steven
Johnson, Tiffany

Bailey, Brad
Campion, Polly
Higgins, Patricia
Massimilla, Linda
Schwaegler, Vicki
White, Andrew

Bennett, Travis
Darrow, Stephen
Josephson, Timothy
Migliore, Vincent Paul
Smith, Suzanne

HILLSBOROUGH

Ammon, Keith
Biggie, Barbara
Carr, John
Cleaver, Skip
Danielson, David
Edwards, Elizabeth

Backus, Robert
Bouldin, Amanda
Chandley, Shannon
Connors, Erika
Dickey, Glen
Elber, Joel

Barry, Richard
Burt, John
Christensen, Chris
Cornell, Patricia
DiSilvestro, Linda
Fedolfi, Jim

Beaulieu, Jane
Moore, Craig
Christie, Rick
Sullivan, Daniel
Donovan, Daniel
Ferreira, Elizabeth

Freeman, Lisa
 Gagne, Larry
 Herbert, Christopher
 Graham, John
 Jeudy, Jean
 Kurk, Neal
 LeBrun, Donald
 MacKay, Mariellen
 Martin, Joelle
 Newman, Sue
 O'Leary, Richard
 Panasiti, Reed
 Proulx, Mark
 Rouillard, Claire
 Seidel, Carl
 Twombly, Timothy
 Van Houten, Connie

Freitas, Mary
 Gargas, Carolyn
 Hinch, Richard
 Moore, Josh
 Keane, Amelia
 L'Heureux, Robert
 Leishman, Peter
 McCarthy, Michael
 Martineau, Jesse
 Notter, Jeanine
 O'Neil, William
 Pellegrino, Anthony
 Renzullo, Andrew
 Harvey, Suzanne
 Shaw, Barbara
 Ulery, Jordan
 Williams, Kermit

Griffin, Gerald
 Gould, Linda
 Hopper, Gary
 Schmidt, Janice
 King, Mark
 Ober, Lynne
 Lewicke, John
 MacKenzie, Mark
 McLean, Mark
 Nutting, Allison
 Ohm, Bill
 Pierce, David
 Roberts, Carol
 Sanborn, Laurie
 Somero, Paul
 Sullivan, Victoria

Smith, Gregory
 Heath, Mary
 Belanger, James
 Jack, Martin
 Klee, Patricia
 Lascelles, Richard
 Lisle, David
 Mangipudi, Latha
 Negron, Steve
 O'Brien, Michael
 Long, Patrick
 Porter, Marjorie
 Rosenwald, Cindy
 Scully, Kevin
 Wolf, Terry
 Valera, John

MERRIMACK

Turcotte, Alan
 Carson, Clyde
 Ebel, Karen
 Hill, Gregory
 Klose, John
 Moffett, Michael
 Pearl, Howard
 Schuett, Dianne
 Soucy, Timothy
 Woolpert, David

Kuch, Bill
 Copp, Anne
 Gile, Mary
 Horn, Werner
 Kotowski, Frank
 McGuire, Carol
 Richards, Beth
 Schultz, Kristina
 Walsh, Thomas

Bartlett, Christy
 Wolf, Dan
 Moffett, Howard
 MacKay, James
 Leavitt, John
 Myler, Mel
 Rodd, Beth
 Seaworth, Brian
 Walz, Mary Beth

Brewster, Michael
 Doherty, David
 Henle, Paul
 Kenison, Linda
 Luneau, David
 Patten, Dick
 Rogers, Katherine
 Shurtleff, Stephen
 Wells, Natalie

ROCKINGHAM

Abrami, Patrick
 Bates, David
 Cahill, Michael
 Cushing, Robert Renny
 Dowling, Patricia
 Farnham, Betsey
 Gilman, Julie
 Hagan, Joseph
 Janvrin, Jason
 Kolodziej, Walter
 Griffin, Mary
 Manning, John
 Messmer, Minda
 Nigrello, Robert
 Tilton, Rio
 Somssich, Peter
 Torosian, Peter
 Webb, James
 Woitkun, Steven

Allen, Mary
 Bean, Philip
 Cali-Pitts, Jacqueline
 Thomas, Douglas
 Edgar, Michael
 Fesh, Robert
 Green, Dennis
 Hoelzel, Kathleen
 O'Connor, John
 Lerner, Kari
 Pearson, Mark
 Matthews, Carolyn
 Milz, David
 Gordon, Pamela
 Read, Ellen
 Stone, Brian
 Tripp, Richard
 Welch, David

Altschiller, Debra
 Berrien, Skip
 Chase, Francis
 DeSimone, Debra
 Elliott, Robert
 Friel, William
 Guthrie, Joseph
 Itse, Daniel
 Katsakiores, Phyllis
 Lovejoy, Patricia
 Major, Norman
 McKinney, Betsy
 Morrison, Sean
 Packard, Sherman
 Rimol, Bob
 Sytek, John
 True, Chris
 Weyler, Kenneth

Baldasaro, Alfred
 Bove, Martin
 Costable, Michael
 DiLorenzo, Charlotte
 Emerick, J. Tracy
 Gay, Betty
 Marsh, Henry
 Edwards, Jess
 Khan, Aboul
 Lundgren, David
 Malloy, Dennis
 McMahon, Charles
 Murray, Kate
 Pantelakos, Laura
 Sapareto, Frank
 Le, Tamara
 Ward, Gerald
 Willis, Brenda

STRAFFORD

Berube, Roger
 Ellis, Donna
 Grassie, Chuck
 Smith, Marjorie
 Schmidt, Peter
 Scruton, Matthew
 Treleaven, Susan

Bixby, Peter
 Fontneau, Timothy
 Horrigan, Timothy
 McNally, Jody
 Phinney, Brandon
 Southworth, Thomas

Burton, Wayne
 Frost, Sherry
 Keans, Sandra
 Mullen, John
 Pitre, Joseph
 Spencer, Matthew

Cilley, Jacalyn
 Gourgue, Amanda
 Krans, Hamilton
 Operbecke, Linn
 Salloway, Jeffrey
 Sprague, Dale

SULLIVAN

Cloutier, John
 Laware, Thomas
 Sullivan, Brian

Gagnon, Raymond
 Oxenham, Lee
 Tanner, Linda

Gottling, Suzanne
 Rollins, Skip

Grenier, James
 Smith, Steven

NAYS - 17 BELKNAP

Aldrich, Glen

Howard, Raymond

Silber, Norman

CARROLL

Cordelli, Glenn

HILLSBOROUGHHalstead, Carolyn
Prout, AndrewHansen, Peter
Ober, Russell

Hynes, Dan

Murphy, Keith

MERRIMACK

Hoell, J.R.

Marple, Richard

Testerman, Dave

ROCKINGHAM

Gordon, Richard

STRAFFORD

Beaudoin, Steven

Kaczynski, Thomas

Wuelper, Kurt

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

HB 1484, relative to late fees and early payment discounts in manufactured housing parks. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. David Luneau for the Majority of Commerce and Consumer Affairs. Residents of manufactured housing parks are often senior citizens on fixed incomes who receive social security checks sometimes late in the month. Under the amendment, this bill provides a 7-day grace period following the date a payment is due for rent. Late fees applied to rent paid in full during the grace period are prohibited. Vote 13-5.

Rep. Elizabeth Ferreira for the Minority of Commerce and Consumer Affairs. The bill, as introduced, with the aim of protecting the elderly and those receiving disability benefits, would prohibit owners or operators of manufactured housing parks from charging a late fee if rent "is paid in full within 7 calendar days of the due date," and also "require notice of early payment discounts and exceptions for tenants receiving monthly social security benefits." The concern raised during the hearing was that this bill might have the unintended consequence of discouraging owners and operators of manufactured housing parks from renting to these populations, in order to avoid having to comply with this new mandate, thereby adding to an already challenging search for affordable housing in our state. The minority believes that imposing this kind of regulation on manufactured park owners and operators, however well intentioned, will interfere with how they do business. If we move in this direction for one type of housing, it would follow that we would then be opening ourselves up to having the state tell other groups (e.g. landlords, condo associations, mortgage companies) when they can charge late fees. Otherwise, we will be carving out a protected class that applies to those living specifically in one kind of residence (manufactured housing), which is also problematic, and unconstitutional.

Majority Amendment (0761h)

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

AN ACT relative to late fees in manufactured housing parks.

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

1 New Paragraph; Manufactured Housing Parks; Late Fees. Amend RSA 205-A:6 by inserting after paragraph III the following new paragraph:

IV. No manufactured housing park owner or operator shall charge a late fee for any rental payment that is paid in full within 7 calendar days of the due date.

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

AMENDED ANALYSIS

This bill prohibits manufactured housing parks from charging a late fee for payments made within 7 days of the due date.

Majority committee amendment adopted.

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

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

Majority committee report adopted and ordered to third reading.

HB 1668, relative to children's meals served by food service establishments. **INEXPEDIENT TO LEGISLATE.**

Rep. Michael Costable for Commerce and Consumer Affairs. This bill restricts the type of beverage offered with a children's meal to choices such as milk, fruit juice or water. While reducing sugar in a child's overall diet is a known health benefit, the focus should be on education and information, not mandates and force. A child's health, happiness and wellbeing are paramount to almost all parents. It is their responsibility and the overwhelming majority in New Hampshire meet that responsibility every day. Vote 14-4.

Rep. Horrigan spoke against and yielded to questions.

Rep. Murphy requested a roll call; sufficiently seconded.

YEAS 292 - NAYS 39**YEAS - 292****BELKNAP**

Abear, Marc
Fields, Dennis
Lang, Timothy
Sylvia, Michael

Aldrich, Glen
Fraser, Valerie
Plumer, John
Vadney, Herbert

Comtois, Barbara
Howard, Raymond
Silber, Norman
Varney, Peter

Tilton, Franklin
Huot, David
Spanos, Peter

CARROLL

Avellani, Lino
Cordelli, Glenn
Nelson, Bill

Buco, Thomas
Crawford, Karel
Schmidt, Stephen

Butler, Edward
McCarthy, Frank
Umberger, Karen

Comeau, Ed
McConkey, Mark
Marsh, William

CHESHIRE

Abbott, Michael
Burridge, Delmar
Johnsen, Gladys
O'Day, John
Tatro, Bruce

Ames, Richard
Harvey, Cathryn
Hunt, John
Parkhurst, Henry
Pearson, William

Berch, Paul
Eaton, Daniel
McConnell, James
Shepardson, Marjorie
Weber, Lucy

Bordenet, John
Faulkner, Barry
Meader, David
Stallcop, Joseph

COOS

Hatch, William
Theberge, Robert

Merner, Troy
Tucker, Edith

Moynihan, Wayne
Thomas, Yvonne

Richardson, Herbert

GRAFTON

Almy, Susan
Darrow, Stephen
Josephson, Timothy
Migliore, Vincent Paul
Smith, Suzanne

Bailey, Brad
Dontonville, Roger
Ladd, Rick
Mulligan, Mary Jane
Sykes, George

Binford, David
Hennessey, Erin
Maes, Kevin
Rand, Steven
Johnson, Tiffany

Brown, Duane
Higgins, Patricia
Massimilla, Linda
Schwaegler, Vicki
White, Andrew

HILLSBOROUGH

Ammon, Keith
Biggie, Barbara
Carr, John
Connors, Erika
Dickey, Glen
Fedolfi, Jim
Griffin, Gerald
Goley, Jeffrey
Heath, Mary
Belanger, James
Judy, Jean
Kurk, Neal
LeBrun, Donald
MacKay, Mariellen
McLean, Mark
Newman, Sue
O'Neil, William
Pellegrino, Anthony
Prout, Andrew
Rosenwald, Cindy
Scully, Kevin
Wolf, Terry
Valera, John

Backus, Robert
Bouldin, Amanda
Chandley, Shannon
Cornell, Patricia
DiSilvestro, Linda
Ferreira, Elizabeth
Smith, Gregory
Gould, Linda
Hinch, Richard
Graham, John
Rice, Kimberly
L'Heureux, Robert
Leishman, Peter
McCarthy, Michael
McNamara, Richard
Notter, Jeanine
Ohm, Bill
Pierce, David
Ober, Russell
Rouillard, Claire
Seidel, Carl
Twombly, Timothy
Williams, Kermit

Barry, Richard
Burt, John
Christensen, Chris
Sullivan, Daniel
Edwards, Elizabeth
Freeman, Lisa
Gagne, Larry
Halstead, Carolyn
Hopper, Gary
Moore, Josh
Keane, Amelia
Ober, Lynne
Lewicke, John
Martin, Joelle
Murphy, Keith
O'Brien, Michael
Long, Patrick
Porter, Marjorie
Renzullo, Andrew
Harvey, Suzanne
Shaw, Barbara
Ulery, Jordan

Beaulieu, Jane
Moore, Craig
Christie, Rick
Danielson, David
Elber, Joel
Freitas, Mary
Gargas, Carolyn
Hansen, Peter
Hynes, Dan
Jack, Martin
Klee, Patricia
Lascelles, Richard
Lisle, David
Martineau, Jesse
Negron, Steve
O'Leary, Richard
Panasiti, Reed
Proulx, Mark
Roberts, Carol
Sanborn, Laurie
Somero, Paul
Sullivan, Victoria

MERRIMACK

Turcotte, Alan
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Henle, Paul
MacKay, James
Leavitt, John
McGuire, Carol
Schuett, Dianne
Walsh, Thomas

Kuch, Bill
Wolf, Dan
Hill, Gregory
Kenison, Linda
Luneau, David
Myler, Mel
Seaworth, Brian
Testerman, Dave

Brewster, Michael
Ebel, Karen
Hoell, J.R.
Klose, John
Moffett, Michael
Patten, Dick
Shurtleff, Stephen
Walz, Mary Beth

Carson, Clyde
Moffett, Howard
Horn, Werner
Kotowski, Frank
Marple, Richard
Pearl, Howard
Soucy, Timothy
Wells, Natalie

ROCKINGHAM

Abrami, Patrick
Bean, Philip

Allen, Mary
Bove, Martin

Baldasaro, Alfred
Cahill, Michael

Bates, David
Cali-Pitts, Jacqueline

Chase, Francis
DeSimone, Debra
Elliott, Robert
Gilman, Julie
Hagan, Joseph
Janvrin, Jason
Kolodziej, Walter
Griffin, Mary
Manning, John
Morrison, Sean
Pantelakos, Laura
Sapareto, Frank
Le, Tamara
Vose, Michael
Willis, Brenda

Costable, Michael
DiLorenzo, Charlotte
Emerick, J. Tracy
Green, Dennis
Hoelzel, Kathleen
O'Connor, John
Lerner, Kari
Pearson, Mark
Matthews, Carolyn
Nigrello, Robert
Gordon, Richard
Somssich, Peter
Torosian, Peter
Webb, James
Woitkun, Steven

Cushing, Robert Renny
Dowling, Patricia
Fesh, Robert
Guthrie, Joseph
Itse, Daniel
Katsakiores, Phyllis
Lovejoy, Patricia
Major, Norman
McMahon, Charles
Gordon, Pamela
Tilton, Rio
Stone, Brian
Tripp, Richard
Welch, David

Thomas, Douglas
Edgar, Michael
Friel, William
Marsh, Henry
Edwards, Jess
Khan, Aboul
Lundgren, David
Malloy, Dennis
Milz, David
Packard, Sherman
Rimol, Bob
Sytek, John
True, Chris
Weyler, Kenneth

Beaudoin, Steven
Ellis, Donna
Kaczynski, Thomas
McNally, Jody
Pitre, Joseph
Spencer, Matthew

Berube, Roger
Fontneau, Timothy
Keans, Sandra
Mullen, John
Salloway, Jeffrey
Sprague, Dale

Bixby, Peter
Frost, Sherry
Krans, Hamilton
Opderbecke, Linn
Scruton, Matthew
Wuelper, Kurt

Cilley, Jacalyn
Gourgue, Amanda
Smith, Marjorie
Phinney, Brandon
Southworth, Thomas

Gagnon, Raymond
Rollins, Skip

Gottling, Suzanne
Smith, Steven

Grenier, James
Sullivan, Brian

Laware, Thomas
Tanner, Linda

STRAFFORD

SULLIVAN

NAYS - 39 CARROLL

DesMarais, Edith

Knirk, Jerry

CHESHIRE

Ley, Douglas

Mann, John

COOS

Fothergill, John

GRAFTON

Abel, Richard

Bennett, Travis

Campion, Polly

HILLSBOROUGH

Cleaver, Skip
King, Mark
Van Houten, Connie

Donovan, Daniel
MacKenzie, Mark

Herbert, Christopher
Mangipudi, Latha

Schmidt, Janice
Nutting, Allison

MERRIMACK

Bartlett, Christy
Rodd, Beth

Doherty, David
Rogers, Katherine

Gile, Mary
Schultz, Kristina

Richards, Beth
Woolpert, David

ROCKINGHAM

Altschiller, Debra
Messmer, Mindi

Berrien, Skip
Murray, Kate

Farnham, Betsey
Ward, Gerald

Gay, Betty

STRAFFORD

Burton, Wayne
Treleaven, Susan

Grassie, Chuck

Horrigan, Timothy

Schmidt, Peter

SULLIVAN

Cloutier, John

Oxenham, Lee

and the committee report was adopted.

Rep. Mulligan voted Yea and intended to vote Nay.

HB 1809-FN, relative to balance billing under the managed care law. **OUGHT TO PASS WITH AMENDMENT.** Rep. David Luneau for Commerce and Consumer Affairs. This bill, with the amendment, protects insured patients from receiving a surprise bill for certain health care services performed by an out-of-network health care provider when such services were performed at an in-network hospital and are covered by the patient's health insurance plan. The bill strengthens network adequacy requirements for insurance carriers and provides a dispute resolution process when there is a disagreement in reimbursement rates between providers and carriers. Vote 18-2.

Amendment (0135h)

Amend the bill by replacing section 1 with the following:

1 New Section; Prohibition on Balance Billing; Payment for Reasonable Value of Services. Amend RSA 329 by inserting after section 31-a the following new section:

329:31-b Prohibition on Balance Billing; Payment for Reasonable Value of Services.

I. When a commercially insured patient is covered by a managed care plan as defined under RSA 420-J:3, XXV, a health care provider performing anesthesiology, radiology, emergency medicine, or pathology services shall not balance bill the patient for fees or amounts other than copayments, deductibles, or coinsurance, if the service is performed in a hospital or ambulatory surgical center that is in-network under the patient's health insurance plan. This prohibition shall apply whether or not the health care provider is contracted with the patient's insurance carrier.

II. Pursuant to paragraph I, fees for health care services submitted to an insurance carrier for payment shall be limited to a commercially reasonable value, based on payments for similar services from New Hampshire insurance carriers to New Hampshire health care providers.

III. In the event of a dispute between a provider and an insurance carrier relative to the reasonable value of a service under this section, the insurance commissioner shall have exclusive jurisdiction under RSA 420-J:8-e to determine if the fee is commercially reasonable. The provider and the insurance carrier shall each make best efforts to resolve any dispute prior to applying to the insurance commissioner for resolution, which shall include presenting to the other party evidence supporting its contention that the fee level it is proposing is commercially reasonable.

Amend RSA 420-J:8-e as inserted by section 2 of the bill by replacing it with the following:

420-J:8-e Reasonable Value of Health Care Services. In the event of a dispute between a health care provider and an insurance carrier relative to the reasonable value of a service under RSA 329:31-b, the commissioner shall have exclusive jurisdiction to determine if the fee is commercially reasonable. Either the provider or the insurance carrier may petition for a hearing under RSA 400-A:17. The petition shall include the appealing party's evidence and methodology for asserting that the fee is reasonable, and shall detail the efforts made by the parties to resolve the dispute prior to petitioning the commissioner for review.

Amend the bill by replacing section 5 with the following:

5 Report. The insurance commissioner shall make a report on or before July 1, 2020 detailing the impact of RSA 329:31-b as inserted by section 1 of this act and RSA 420-J:8-e as inserted by section 2 of the act on health insurance premium rates to the chairpersons of the house and senate committees having jurisdiction over insurance issues.

Committee amendment adopted.

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

Rep. Luneau requested a roll call; sufficiently seconded.

YEAS 326 - NAYS 5**YEAS - 326****BELKNAP**

Abear, Marc
Fields, Dennis
Lang, Timothy
Sylvia, Michael

Aldrich, Glen
Fraser, Valerie
Plumer, John
Vadney, Herbert

Comtois, Barbara
Howard, Raymond
Silber, Norman
Varney, Peter

Tilton, Franklin
Huot, David
Spanos, Peter

CARROLL

Avellani, Lino
Crawford, Karel
McConkey, Mark
Marsh, William

Buco, Thomas
DesMarais, Edith
Nelson, Bill

Butler, Edward
McCarthy, Frank
Schmidt, Stephen

Cordelli, Glenn
Knirk, Jerry
Umberger, Karen

CHESHIRE

Abbott, Michael
Burridge, Delmar
Faulkner, Barry
Meador, David
Stallcop, Joseph

Ames, Richard
Harvey, Cathryn
Johnsen, Gladys
O'Day, John
Tatro, Bruce

Berch, Paul
Ley, Douglas
Hunt, John
Parkhurst, Henry
Pearson, William

Bordenet, John
Eaton, Daniel
Mann, John
Shepardson, Marjorie
Weber, Lucy

COOS

Fothergill, John
Richardson, Herbert

Hatch, William
Theberge, Robert

Merner, Troy
Tucker, Edith

Moynihan, Wayne
Thomas, Yvonne

GRAFTON

Abel, Richard
Binford, David

Almy, Susan
Brown, Duane

Bailey, Brad
Campion, Polly

Bennett, Travis
Darrow, Stephen

Dontonville, Roger
Ladd, Rick
Mulligan, Mary Jane
Sykes, George

Hennessey, Erin
Maes, Kevin
Rand, Steven
Johnson, Tiffany

Higgins, Patricia
Massimilla, Linda
Schwaegler, Vicki
White, Andrew

Josephson, Timothy
Migliore, Vincent Paul
Smith, Suzanne

HILLSBOROUGH

Ammon, Keith
Biggie, Barbara
Chandley, Shannon
Connors, Erika
Dickey, Glen
Elber, Joel
Freitas, Mary
Gargas, Carolyn
Hansen, Peter
Hopper, Gary
Moore, Josh
Rice, Kimberly
Kurk, Neal
LeBrun, Donald
MacKay, Mariellen
Martin, Joelle
Murphy, Keith
Nutting, Allison
Ohm, Bill
Pierce, David
Ober, Russell
Rouillard, Claire
Shaw, Barbara
Ulery, Jordan
Williams, Kermit

Backus, Robert
Bouldin, Amanda
Christensen, Chris
Cornell, Patricia
DiSilvestro, Linda
Fedolli, Jim
Griffin, Gerald
Goley, Jeffrey
Heath, Mary
Hynes, Dan
Schmidt, Janice
Keane, Amelia
L'Heureux, Robert
Leishman, Peter
McCarthy, Michael
Martineau, Jesse
Negron, Steve
O'Brien, Michael
Long, Patrick
Porter, Marjorie
Renzullo, Andrew
Harvey, Suzanne
Somero, Paul
Sullivan, Victoria

Barry, Richard
Moore, Craig
Christie, Rick
Sullivan, Daniel
Donovan, Daniel
Ferreira, Elizabeth
Smith, Gregory
Gould, Linda
Herbert, Christopher
Belanger, James
Jack, Martin
King, Mark
Ober, Lynne
Lewicke, John
MacKenzie, Mark
McLean, Mark
Newman, Sue
O'Leary, Richard
Panasiti, Reed
Proulx, Mark
Roberts, Carol
Scully, Kevin
Wolf, Terry
Valera, John

Beaulieu, Jane
Carr, John
Cleaver, Skip
Danielson, David
Edwards, Elizabeth
Freeman, Lisa
Gagne, Larry
Halstead, Carolyn
Hinch, Richard
Graham, John
Jeudy, Jean
Klee, Patricia
Lascelles, Richard
Lisle, David
Mangipudi, Latha
McNamara, Richard
Notter, Jeanine
O'Neil, William
Pellegrino, Anthony
Prout, Andrew
Rosenwald, Cindy
Seidel, Carl
Twombly, Timothy
Van Houten, Connie

MERRIMACK

Turcotte, Alan
Carson, Clyde
Doherty, David
Henle, Paul
Kenison, Linda
Luneau, David
Myler, Mel
Rodd, Beth
Seaworth, Brian
Testerman, Dave

Kuch, Bill
Copp, Anne
Ebel, Karen
Hill, Gregory
Klose, John
Moffett, Michael
Patten, Dick
Rogers, Katherine
Shurtleff, Stephen
Walz, Mary Beth

Bartlett, Christy
Long, Douglas
Gile, Mary
Horn, Werner
Kotowski, Frank
Marple, Richard
Pearl, Howard
Schuett, Dianne
Soucy, Timothy
Wells, Natalie

Brewster, Michael
Wolf, Dan
Moffett, Howard
MacKay, James
Leavitt, John
McGuire, Carol
Richards, Beth
Schultz, Kristina
Walsh, Thomas
Woolpert, David

ROCKINGHAM

Abrami, Patrick
Bates, David
Cahill, Michael
Cushing, Robert Renny
Dowling, Patricia
Farnham, Betsey
Gilman, Julie
Hagan, Joseph
Janvrin, Jason
Kolodziej, Walter
Griffin, Mary
Manning, John
Milz, David
Gordon, Pamela
Tilton, Rio
Stone, Brian
Tripp, Richard
Webb, James
Woitkun, Steven

Allen, Mary
Bean, Philip
Cali-Pitts, Jacqueline
Thomas, Douglas
Edgar, Michael
Fesh, Robert
Green, Dennis
Hoelzel, Kathleen
O'Connor, John
Lerner, Kari
Pearson, Mark
Matthews, Carolyn
Morrison, Sean
Packard, Sherman
Rimol, Bob
Sytek, John
True, Chris
Welch, David

Altschiller, Debra
Berrien, Skip
Chase, Francis
DeSimone, Debra
Elliott, Robert
Friel, William
Guthrie, Joseph
Itse, Daniel
Katsakiores, Phyllis
Lovejoy, Patricia
Major, Norman
McMahon, Charles
Murray, Kate
Pantelakos, Laura
Sapareto, Frank
Le, Tamara
Vose, Michael
Weyler, Kenneth

Baldasaro, Alfred
Bove, Martin
Costable, Michael
DiLorenzo, Charlotte
Emerick, J. Tracy
Gay, Betty
Marsh, Henry
Edwards, Jess
Khan, Aboul
Lundgren, David
Malloy, Dennis
Messmer, Mindi
Nigrello, Robert
Gordon, Richard
Somssich, Peter
Torosian, Peter
Ward, Gerald
Willis, Brenda

STRAFFORD

Beaudoin, Steven
Cilley, Jacalyn
Gourgue, Amanda
Keans, Sandra
Mullen, John
Pitre, Joseph
Spencer, Matthew

Berube, Roger
Ellis, Donna
Grassie, Chuck
Krans, Hamilton
Opderbecke, Linn
Salloway, Jeffrey
Sprague, Dale

Bixby, Peter
Fontneau, Timothy
Horrigan, Timothy
Smith, Marjorie
Schmidt, Peter
Scruton, Matthew
Treleaven, Susan

Burton, Wayne
Frost, Sherry
Kaczynski, Thomas
McNally, Jody
Phinney, Brandon
Southworth, Thomas

SULLIVAN

Cloutier, John
Laware, Thomas
Sullivan, Brian

Gagnon, Raymond
Oxenham, Lee
Tanner, Linda

Gottling, Suzanne
Rollins, Skip

Grenier, James
Smith, Steven

NAYS - 5**CARROLL**

Comeau, Ed

HILLSBOROUGH

Burt, John

Sanborn, Laurie

MERRIMACK

Hoell, J.R.

STRAFFORD

Wuelper, Kurt

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

SPECIAL ORDER**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.

Rep. Stone spoke against.

Rep. Fields spoke in favor.

Committee report adopted.

HB 1445, relative to penalties for corrupt practices. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Dennis Fields for the Majority of Criminal Justice and Public Safety. The committee believes that any public servant who fails to be accountable is currently subject to the penalties in RSA 92:2. Therefore this bill is unnecessary. Vote 15-4.

Rep. Scott Wallace for the Minority of Criminal Justice and Public Safety. This bill would strengthen RSA 92:2 by making RSA 640:2 consistent with the N.H. Constitution Part II, Article 84 language, thereby removing potential misinterpretations of the statute.

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

Rep. Stone spoke against.

Rep. Sapareto spoke in favor.

Majority committee report adopted.

HB 1228, removing the limitation on a chartered public school incurring long term debt. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Glenn Cordelli for the Majority of Education. This bill simply removes the requirement for a charter school to be in operation for five years before it can incur long-term debt. Currently, most charters must lease space at an average cost of over \$600.00 per student. This bill will allow them greater financial flexibility as well as planning for the future. As already in statute, the state is not liable for any financial obligations. Vote 11-9.

Rep. Mel Myler for the Minority of Education. The minority believes that public charter schools should have a proven history prior to incurring any long-term debt. The elimination of the current five-year requirement may prove to be a financial burden on a new charter school.

Majority committee report adopted and ordered to third reading.

HB 1528, prohibiting discrimination in the university and community college systems. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Josh Moore for the Majority of Education. The majority of the committee believes this bill will create more problems than it tries to solve. The majority of the committee certainly does not support discrimination. This bill could interfere with existing statutory protections including areas in Title IX and other protected classes. The college and university systems already have non-discrimination policies. Vote 14-6.

Rep. Linda Tanner for the Minority of Education. The minority feels that the State University System and the Community College System should be the leaders in promoting diversity and inclusion to put into practice the value of equity for all. This bill ensures both systems will make a declaration of intent to meet these standards.

The question being adoption of the majority committee report of Inexpedient to Legislate.
 Rep. Tanner spoke against.
 Rep. Terry Wolf spoke in favor.
 Rep. Cushing requested a roll call; sufficiently seconded.

YEAS 210 - NAYS 123**YEAS - 210****BELKNAP**

Abear, Marc
 Fields, Dennis
 Plumer, John
 Vadney, Herbert

Aldrich, Glen
 Fraser, Valerie
 Silber, Norman
 Varney, Peter

Comtois, Barbara
 Howard, Raymond
 Spanos, Peter

Tilton, Franklin
 Lang, Timothy
 Sylvia, Michael

CARROLL

Avellani, Lino
 Crawford, Karel
 Nelson, Bill

Buco, Thomas
 DesMarais, Edith
 Schmidt, Stephen

Comeau, Ed
 McCarthy, Frank
 Umberger, Karen

Cordelli, Glenn
 McConkey, Mark
 Marsh, William

CHESHIRE

Abbott, Michael
 Johnsen, Gladys
 O'Day, John

Bordenet, John
 Hunt, John
 Stallcop, Joseph

Harvey, Cathryn
 Mann, John

Eaton, Daniel
 McConnell, James

COOS

Fothergill, John
 Theberge, Robert

Hatch, William

Merner, Troy

Richardson, Herbert

GRAFTON

Bailey, Brad
 Hennessey, Erin
 Rand, Steven

Binford, David
 Ladd, Rick
 Schwaegler, Vicki

Brown, Duane
 Massimilla, Linda
 Johnson, Tiffany

Darrow, Stephen
 Migliore, Vincent Paul

HILLSBOROUGH

Ammon, Keith
 Moore, Craig
 Sullivan, Daniel
 Edwards, Elizabeth
 Freeman, Lisa
 Gargas, Carolyn
 Hinch, Richard
 Moore, Josh
 L'Heureux, Robert
 Leishman, Peter
 McLean, Mark
 O'Brien, Michael
 Pellegrino, Anthony
 Ober, Russell
 Scully, Kevin
 Wolf, Terry
 Valera, John

Barry, Richard
 Carr, John
 Danielson, David
 Elber, Joel
 Griffin, Gerald
 Gould, Linda
 Hopper, Gary
 Jack, Martin
 Ober, Lynne
 Lewicke, John
 Murphy, Keith
 Ohm, Bill
 Pierce, David
 Renzullo, Andrew
 Seidel, Carl
 Twombly, Timothy

Biggie, Barbara
 Christensen, Chris
 Dickey, Glen
 Fedolfi, Jim
 Smith, Gregory
 Halstead, Carolyn
 Belanger, James
 Rice, Kimberly
 Lascelles, Richard
 MacKay, Mariellen
 Negron, Steve
 Long, Patrick
 Proulx, Mark
 Rouillard, Claire
 Shaw, Barbara
 Ulery, Jordan

Burt, John
 Christie, Rick
 Donovan, Daniel
 Ferreira, Elizabeth
 Gagne, Larry
 Hansen, Peter
 Graham, John
 Kurk, Neal
 LeBrun, Donald
 McCarthy, Michael
 Notter, Jeanine
 Panasiti, Reed
 Prout, Andrew
 Sanborn, Laurie
 Somero, Paul
 Sullivan, Victoria

MERRIMACK

Kuch, Bill
 Wolf, Dan
 Kenison, Linda
 Moffett, Michael
 Seaworth, Brian

Brewster, Michael
 Hill, Gregory
 Klose, John
 Marple, Richard
 Walsh, Thomas

Copp, Anne
 Hoell, J.R.
 Kotowski, Frank
 McGuire, Carol
 Testerman, Dave

Long, Douglas
 Horn, Werner
 Leavitt, John
 Pearl, Howard
 Wells, Natalie

ROCKINGHAM

Abrami, Patrick
 Bean, Philip
 Thomas, Douglas
 Emerick, J. Tracy
 Green, Dennis
 Hoelzel, Kathleen
 Katsakiores, Phyllis
 Griffin, Mary
 Matthews, Carolyn
 Nigrello, Robert

Allen, Mary
 Bove, Martin
 DeSimone, Debra
 Fesh, Robert
 Guthrie, Joseph
 Itse, Daniel
 Khan, Aboul
 Pearson, Mark
 McMahon, Charles
 Packard, Sherman

Baldasaro, Alfred
 Chase, Francis
 Dowling, Patricia
 Friel, William
 Marsh, Henry
 Edwards, Jess
 Kolodziej, Walter
 Major, Norman
 Milz, David
 Gordon, Richard

Bates, David
 Costable, Michael
 Elliott, Robert
 Gay, Betty
 Hagan, Joseph
 O'Connor, John
 Lundgren, David
 Manning, John
 Morrison, Sean
 Tilton, Rio

Rimol, Bob
Tripp, Richard
Webb, James
Woitkun, Steven

Stone, Brian
True, Chris
Welch, David

Sytek, John
Vose, Michael
Weyler, Kenneth

Torosian, Peter
Wallace, Scott
Willis, Brenda

STRAFFORD

Beaudoin, Steven
Kaczynski, Thomas
McNally, Jody
Scruton, Matthew

Fontneau, Timothy
Keans, Sandra
Mullen, John
Spencer, Matthew

Gourgue, Amanda
Krans, Hamilton
Phinney, Brandon
Sprague, Dale

Grassie, Chuck
Smith, Marjorie
Pitre, Joseph
Wuelper, Kurt

SULLIVAN

Grenier, James

Laware, Thomas

Rollins, Skip

Smith, Steven

NAYS - 123 BELKNAP

Huot, David

CARROLL

Butler, Edward

Knirk, Jerry

CHESHIRE

Ames, Richard
Faulkner, Barry
Tatro, Bruce

Berch, Paul
Meader, David
Pearson, William

Burridge, Delmar
Parkhurst, Henry
Weber, Lucy

Ley, Douglas
Shepardson, Marjorie

COOS

Moynihan, Wayne

Tucker, Edith

Thomas, Yvonne

GRAFTON

Abel, Richard
Dontonville, Roger
Mulligan, Mary Jane

Almy, Susan
Higgins, Patricia
Smith, Suzanne

Bennett, Travis
Josephson, Timothy
Sykes, George

Campion, Polly
Maes, Kevin
White, Andrew

HILLSBOROUGH

Backus, Robert
Cleaver, Skip
Freitas, Mary
Hynes, Dan
King, Mark
Martin, Joelle
O'Leary, Richard
Rosenwald, Cindy

Beaulieu, Jane
Connors, Erika
Goley, Jeffrey
Schmidt, Janice
Klee, Patricia
Martineau, Jesse
O'Neil, William
Harvey, Suzanne

Bouldin, Amanda
Cornell, Patricia
Heath, Mary
Judy, Jean
MacKenzie, Mark
McNamara, Richard
Porter, Marjorie
Van Houten, Connie

Chandley, Shannon
DiSilvestro, Linda
Herbert, Christopher
Keane, Amelia
Mangipudi, Latha
Newman, Sue
Roberts, Carol
Williams, Kermit

MERRIMACK

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

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

Carson, Clyde
Moffett, Howard
Myler, Mel
Rogers, Katherine
Soucy, Timothy

Doherty, David
Henle, Paul
Patten, Dick
Schuett, Dianne
Walz, Mary Beth

ROCKINGHAM

Altschiller, Debra
Cushing, Robert Renny
Gilman, Julie
Malloy, Dennis
Pantelakos, Laura
Le, Tamara

Berrien, Skip
DiLorenzo, Charlotte
Janvrin, Jason
Messmer, Mindi
Read, Ellen
Ward, Gerald

Cahill, Michael
Edgar, Michael
Lerner, Kari
Murray, Kate
Sapareto, Frank

Cali-Pitts, Jacqueline
Farnham, Betsey
Lovejoy, Patricia
Gordon, Pamela
Somssich, Peter

STRAFFORD

Berube, Roger
Ellis, Donna
Schmidt, Peter
Wall, Janet

Bixby, Peter
Frost, Sherry
Salloway, Jeffrey

Burton, Wayne
Horrigan, Timothy
Southworth, Thomas

Cilley, Jacalyn
Opderbecke, Linn
Treleaven, Susan

SULLIVAN

Cloutier, John
Sullivan, Brian

Gagnon, Raymond
Tanner, Linda

Gottling, Suzanne

Oxenham, Lee

and the majority committee report was adopted.

HB 1552, requiring school districts to submit an annual report concerning gifted students. **MAJORITY: REFER FOR INTERIM STUDY. MINORITY: OUGHT TO PASS.**

Rep. Victoria Sullivan for the Majority of Education. This bill is well intended. However, the committee felt that interim study was required in order to better define the scope of the information that the sponsor is interested in securing. Vote 16-4.

Rep. Michael Moffett for the Minority of Education. New Hampshire ranks near the bottom nationally in terms of support for gifted students. This bill simply requires school districts to submit an annual narrative report to the New Hampshire Department of Education (DOE) with regard to what, if anything, a district does to identify and support gifted students. These reports would simply be filed in a "Best Practices" folder which would be public information at the DOE. There is no cost and no policy mandate. This measure includes a broad definition of "gifted," but leaves it to districts to determine locally who they feel should be classified as gifted. Majority committee report adopted.

HB 1612, relative to data security in schools. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Glenn Cordelli for Education. This bill addresses additional information security provisions for local school districts. Districts will be required to have data security plans and policies. District contracts with educational service operators will be required to provide time frames for operator destruction of student personal information upon request of the district and upon contract termination unless there is consent of the student or parent. The Department of Education or Department of Information Technology is encouraged to provide guidance to districts on their security plans and contracts. Vote 14-5.

Amendment (0754h)

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

1 Student and Teacher Information Protection; Data Inventory Security Plan. Amend RSA 189:66, II to read as follows:

II. The department shall develop a detailed data security plan to present to the state board, the legislative oversight committee established in RSA 193-C:7, and the commissioner of the department of information technology. ***Each local education agency shall develop a detailed data security plan and policies for student information and privacy protection approved by the school board. The department of information technology may provide guidance and best practices for the plans.*** The security plan shall include:

- (a) Privacy compliance standards.
- (b) Privacy and security audits.
- (c) Breach planning, notification, and procedures.
- (d) Data retention and disposition policies.

2 Student and Teacher Information Protection; Data Inventory Security Plan. Amend the introductory paragraph of RSA 189:66, IV to read as follows:

IV. The department ***and each local education agency*** shall make publicly available students' and parents' rights under the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. section 1232g, et seq., and applicable state law including:

3 New Subparagraph; Student Online Personal Information; Definitions; Digital Badges. Amend RSA 189:68-a, I by inserting after subparagraph (d) the following new subparagraph:

(e) "Digital Badges" means digital credentials or indicators that convey an array of skills, interests, competencies, and achievements.

4 New Paragraph; Student Online Personal Information. Amend RSA 189:68-a by inserting after paragraph I the following new paragraph:

I-a. The department or local education agency shall enter into a contract approved by the appropriate board with each operator. The department or the department of information technology may provide guidance and best practices for the contracts.

5 Student Online Personal Information. Amend RSA 189:68-a, II(b)(2) to read as follows:

(2) Delete a student's covered information ***as soon as specified by the contract*** if the school or district requests deletion of data under the control of the school or district ***or upon termination of the contract unless the operator receives consent to retain the covered information from the student or, for a student under 18 years of age, the parent or legal guardian of such student.***

6 New Paragraphs; Student Online Personal Information. Amend RSA 189:68-a by inserting after paragraph II the following new paragraphs:

II-a. No school shall enter into a contract with an operator or implement the use of digital badges without the approval of the school board.

II-b. Any school district that uses digital badges for students shall adopt a policy for notifying a parent or legal guardian of such use and shall require the written consent of the parent or legal guardian for the student's participation.

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

AMENDED ANALYSIS

This bill requires each local education agency to:

I. Develop a data security plan.

II. Make publicly available students' and parents' rights under the Family Educational Rights and Privacy Act.

III. Requires school districts that use digital badges to obtain the written consent of a student's parent or legal guardian.

IV. Modifies certain requirements for contracting with operators of Internet websites.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

HB 1744, authorizing a parent to exempt his or her child from participating in the statewide assessment program. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Victoria Sullivan for the Majority of Education. This bill simply clarifies that a parent has the authority to opt his or her child out of the statewide assessment. The Every Student Succeeds Act (ESSA) allows for parental opt out, if supported under state law. Many parents have significant security concerns in regard to the online assessments. Other parents have expressed concerns that these tests lead to anxiety or request information that is non-academic. Some parents have, in the past, been told by districts that every child must participate. The majority of the committee believes that parents are capable of making this decision for their children. Vote 12-7.

Rep. Mary Heath for the Minority of Education. The minority finds that the NH state assessment program was established by RSA 193-C:1 in 1993 for the purpose of improvement and accountability in education; understanding that a well-educated populace is essential for the maintenance of democracy, the continued growth of our economy, and the encouragement of personal enrichment and development. Furthermore, it emphasized the importance of widespread participation in the statewide education improvement and assessment program as essential. This bill changes that priority and allows a student's parent or guardian to exempt his or her child from the assessment. If a critical body of students do not participate in the statewide assessment, the local community and state have no way to gauge the extent to which the local schools are meeting their responsibility for an adequate education and the degree to which all students are showing improvement over time. The minority finds that the intent and purpose of the statewide assessment could very well be comprised by this bill.

Majority Amendment (0365h)

Amend the bill by inserting after section 1 the following and renumbering the original section 2 to read as 3:
2 Access to Governmental Records and Meetings; Exemptions. Amend RSA 91-A:5, III to read as follows:

III. Personal school records of pupils, *including the name of the parent or legal guardian and any specific reasons disclosed to school officials for the objection to the assessment under RSA 193-C:6.*

Majority committee amendment adopted.

Majority committee report adopted and ordered to third reading.

HB 1239, relative to nomination of political organizations. **INEXPEDIENT TO LEGISLATE.**

Rep. Lisa Freeman for Election Law. This bill attempts to make it easier for a political organization to have its name on a ballot by allowing a voter to sign more than one nomination paper. This applies only to the state's general election. Testimony from the prime sponsor acknowledged that other sections of law would need to change in order for this to be implemented properly. The current requirement that an organization obtain signatures from 3% of the number of voters in the previous general election was discussed, along with the fact that our current laws allow relatively easy access to the ballot by political organizations. The bipartisan majority of the committee believed this change is not necessary and recommends this bill be found Inexpedient to Legislate. Vote 18-2.

Committee report adopted.

HB 1345, relative to election officers at additional polling places. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Yvonne Dean-Bailey for the Majority of Election Law. Though this legislation is well intentioned, the majority of the committee believes that current practice of requiring assistant clerks and assistant moderators to come from the voting district where they serve is an appropriate way to appoint election officers. The majority of the committee believes election officers who work in the polling place in which they vote are better equipped to know local voters and administer those elections. Vote 15-5.

Rep. Betty Gay for the Minority of Election Law. When skilled election officials cannot be found within each of multiple voting districts in a town, it is the opinion of the minority that the moderator and the town clerk should be permitted to appoint skilled assistant moderators and assistant town clerks from any part of the town.

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

Rep. Gay spoke against.

Rep. Silber spoke in favor.

On a division vote, with 206 members having voted in the affirmative, and 102 in the negative, the majority committee report was adopted.

HB 1448, relative to the definition of “party” for election purposes. **INEXPEDIENT TO LEGISLATE.**

Rep. Yvonne Dean-Bailey for Election Law. The majority of the committee believes this legislation is well intentioned but unnecessary and unworkable. This bill would create arbitrary benchmarks for political organization to attain ballot access and party status. Currently, ballot access is granted to any party receiving more than 4% of the vote for the office of Governor or US Senate. Under this proposed legislation, ballot access would be granted to any political organization having one executive councilor of that organization in office. Other benchmarks are included for the offices of US representative, state senate and state representative. Lastly, the committee raised concerns regarding office holders who switch party mid-term which was not addressed in the proposed legislation. Vote 18-2.

Committee report adopted.

HB 1582, relative to the authority of the moderator to verify the device count. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Norman Silber for the Majority of Election Law. This bill allows for a random verification count of ballots by hand, under direction of the moderator, after the voting process is concluded. Only federal or statewide offices or issues may be included in the verification count. If the verification count is different from the machine count, this bill requires that the verification count is to be used in the vote tally. The results of the election are not complete until the verification is complete. The bill provides that discrepancies are to then be reported and investigated, with no specific process or time line for such investigation to occur. While moderators have always had the authority to conduct hand counts, either to total or verify, that process has been for use when issues have arisen in the actual processing of the ballots. While the committee heard issues in regards to ballot processing and the validity of results, none of the cited examples were in recent years or in New Hampshire. None of the issues referred to supported any conclusion that hacking has occurred in New Hampshire. The process as outlined in this bill would significantly delay the reporting of the election result. The verification count would allow public access to review all ballots prior to any official recount creating questions over the integrity of the ballots when official recounts are actually counted as the verification is only for some of the races on the ballot. This state has more recounts than any other state in the country. Moderators already take appropriate steps to test and verify machine counts prior to the commencement of voting, and after voting has concluded. The bipartisan majority of the committee agreed that this bill is unnecessary Vote 14-6.

Rep. Marjorie Porter for the Minority of Election Law. Recent events in the news have made us aware that voting machines being used nationwide are vulnerable to hacking. Although the devices used to count our votes in NH are of the safer sort, and moderators check their accuracy before each election, it is still possible for someone with nefarious intent to interfere with their internal workings to change the count on Election Day. A 2009 statutory committee recommended post-election random audits of the machines to assure their accuracy, and the NH Election Procedure Manual given to election officials in 2014 states town moderators may conduct a post-election count on Election Day at their discretion. Although no legislation was passed to rescind moderators' authority to conduct such audits, the language was removed from the 2016 edition of the manual, causing confusion. This bill establishes in law that moderators may do random device count audits, and outlines a procedure for doing so. The minority believes “trust but verify” is good advice for the state to follow.

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

Rep. Silber spoke in favor.

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

YEAS 195 - NAYS 139

YEAS - 195

BELKNAP

Abear, Marc
Fields, Dennis
Plumer, John
Vadney, Herbert

Aldrich, Glen
Fraser, Valerie
Silber, Norman
Varney, Peter

Comtois, Barbara
Howard, Raymond
Spanos, Peter

Tilton, Franklin
Lang, Timothy
Sylvia, Michael

CARROLL

Avellani, Lino
McCarthy, Frank
Umberger, Karen

Comeau, Ed
McConkey, Mark
Marsh, William

Cordelli, Glenn
Nelson, Bill

Crawford, Karel
Schmidt, Stephen

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Harvey, Cathryn
O'Day, John

Faulkner, Barry
Tatro, Bruce

Hunt, John

Meador, David

COOS

Merner, Troy

Richardson, Herbert

Theberge, Robert

GRAFTONBailey, Brad
Hennessy, ErinBinford, David
Ladd, RickBrown, Duane
Schwaegler, VickiDarrow, Stephen
Johnson, Tiffany**HILLSBOROUGH**Ammon, Keith
Moore, Craig
Connors, Erika
Ferreira, Elizabeth
Smith, Gregory
Hansen, Peter
Hopper, Gary
Moore, Josh
L'Heureux, Robert
Lisle, David
McLean, Mark
Ohm, Bill
Proulx, Mark
Rouillard, Claire
Shaw, Barbara
Ulery, JordanBarry, Richard
Carr, John
Danielson, David
Freeman, Lisa
Gagne, Larry
Hellwig, Steve
Hynes, Dan
Jack, Martin
Ober, Lynne
MacKay, Mariellen
Murphy, Keith
Panasiti, Reed
Prout, Andrew
Sanborn, Laurie
Somero, Paul
Sullivan, VictoriaBiggie, Barbara
Christensen, Chris
Dickey, Glen
Freitas, Mary
Gould, Linda
Herbert, Christopher
Belanger, James
Rice, Kimberly
Lascelles, Richard
McCarthy, Michael
Negron, Steve
Pellegrino, Anthony
Ober, Russell
Scully, Kevin
Wolf, Terry
Valera, JohnBurt, John
Christie, Rick
Donovan, Daniel
Griffin, Gerald
Halstead, Carolyn
Hinch, Richard
Graham, John
Kurk, Neal
LeBrun, Donald
Martineau, Jesse
Notter, Jeanine
Pierce, David
Renzullo, Andrew
Seidel, Carl
Twombly, Timothy**MERRIMACK**Kuch, Bill
Wolf, Dan
Klose, John
Moffett, Michael
Pearl, Howard
Wells, NatalieBrewster, Michael
Hill, Gregory
Kotowski, Frank
Marple, Richard
Seaworth, BrianCopp, Anne
Hoell, J.R.
Leavitt, John
McGuire, Carol
Walsh, ThomasLong, Douglas
Horn, Werner
Luneau, David
Myler, Mel
Testerman, Dave**ROCKINGHAM**Abrami, Patrick
Bean, Philip
Costable, Michael
Emerick, J. Tracy
Gilman, Julie
Hagan, Joseph
Janvrin, Jason
Lovejoy, Patricia
Major, Norman
McMahon, Charles
Packard, Sherman
Sapareto, Frank
True, Chris
Welch, DavidAllen, Mary
Bove, Martin
Thomas, Douglas
Fesh, Robert
Green, Dennis
Hoelzel, Kathleen
O'Connor, John
Lundgren, David
Manning, John
Milz, David
Gordon, Richard
Sytek, John
Vose, Michael
Weyler, KennethBaldasaro, Alfred
Cali-Pitts, Jacqueline
DeSimone, Debra
Friel, William
Guthrie, Joseph
Itse, Daniel
Katsakiores, Phyllis
Griffin, Mary
Matthews, Carolyn
Morrison, Sean
Tilton, Rio
Torosian, Peter
Wallace, Scott
Woitkun, StevenBates, David
Chase, Francis
Elliott, Robert
Gay, Betty
Marsh, Henry
Edwards, Jess
Khan, Aboul
Pearson, Mark
McKinney, Betsy
Nigrello, Robert
Rimol, Bob
Tripp, Richard
Webb, James**STRAFFORD**Beaudoin, Steven
Mullen, John
Spencer, MatthewKaczynski, Thomas
Phinney, Brandon
Sprague, DaleKeans, Sandra
Pitre, Joseph
Wuelper, KurtMcNally, Jody
Scruton, Matthew**SULLIVAN**

Grenier, James

Laware, Thomas

Rollins, Skip

Smith, Steven

NAYS - 139**BELKNAP**

Huot, David

CARROLL

Buco, Thomas

Butler, Edward

DesMarais, Edith

Knirk, Jerry

CHESHIREAbbott, Michael
Burridge, Delmar
Mann, John
Stallcop, JosephAmes, Richard
Ley, Douglas
McConnell, James
Pearson, WilliamBerch, Paul
Eaton, Daniel
Parkhurst, Henry
Weber, LucyBordenet, John
Johnsen, Gladys
Shepardson, Marjorie**COOS**

Hatch, William

Moynihan, Wayne

Tucker, Edith

Thomas, Yvonne

GRAFTON

Abel, Richard
Dontonville, Roger
Massimilla, Linda
Smith, Suzanne

Almy, Susan
Higgins, Patricia
Migliore, Vincent Paul
Sykes, George

Bennett, Travis
Josephson, Timothy
Mulligan, Mary Jane
White, Andrew

Campion, Polly
Maes, Kevin
Rand, Steven

HILLSBOROUGH

Backus, Robert
Chandley, Shannon
DiSilvestro, Linda
Goley, Jeffrey
Keane, Amelia
MacKenzie, Mark
Newman, Sue
O'Neil, William
Rosenwald, Cindy

Baroody, Benjamin
Cleaver, Skip
Edwards, Elizabeth
Heath, Mary
King, Mark
Mangipudi, Latha
Nutting, Allison
Long, Patrick
Harvey, Suzanne

Beaulieu, Jane
Cornell, Patricia
Elber, Joel
Schmidt, Janice
Klee, Patricia
Martin, Joelle
O'Brien, Michael
Porter, Marjorie
Van Houten, Connie

Bouldin, Amanda
Sullivan, Daniel
Fedolfi, Jim
Jeudy, Jean
Lewicke, John
McNamara, Richard
O'Leary, Richard
Roberts, Carol
Williams, Kermit

MERRIMACK

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

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

Carson, Clyde
Moffett, Howard
Patten, Dick
Schuett, Dianne
Walz, Mary Beth

Doherty, David
Henle, Paul
Richards, Beth
Schultz, Kristina
Woolpert, David

ROCKINGHAM

Altschiller, Debra
DiLorenzo, Charlotte
Lerner, Kari
Gordon, Pamela
Stone, Brian

Berrien, Skip
Dowling, Patricia
Malloy, Dennis
Pantelakos, Laura
Le, Tamara

Cahill, Michael
Edgar, Michael
Messmer, Mindi
Read, Ellen
Ward, Gerald

Cushing, Robert Renny
Farnham, Betsey
Murray, Kate
Somssich, Peter
Willis, Brenda

STRAFFORD

Berube, Roger
Ellis, Donna
Grassie, Chuck
Opderbecke, Linn
Treleaven, Susan

Bixby, Peter
Fontneau, Timothy
Horrigan, Timothy
Schmidt, Peter
Wall, Janet

Burton, Wayne
Frost, Sherry
Krans, Hamilton
Salloway, Jeffrey

Cilley, Jacalyn
Gourgue, Amanda
Smith, Marjorie
Southworth, Thomas

SULLIVAN

Cloutier, John
Sullivan, Brian

Gagnon, Raymond
Tanner, Linda

Gottling, Suzanne

Oxenham, Lee

and the majority committee report was adopted.

HB 1699, relative to state representative districts for Hudson and Pelham. **INEXPEDIENT TO LEGISLATE.** Rep. Norman Silber for Election Law. This bill changes current state representative districts by separating Hudson and Pelham. It keeps the same total representatives by allocating 7 to Hudson and 4 to Pelham. Redistricting is addressed by the State Constitution and a 2004 State Supreme Court ruling that declared that the legislature may not reapportion elective districts more than once every 10 years. New districts are adopted after the decennial federal census. A similar bill was voted Inexpedient to Legislate in 2014. As was the case in 2014, the majority of the committee is sympathetic to the plight of Pelham voters but do not feel it can be addressed due to constitutional concerns. Vote 19-1. Committee report adopted.

HB 1242, establishing a committee to study redesigning the state flag. **INEXPEDIENT TO LEGISLATE.** Rep. Raymond Gagnon for Executive Departments and Administration. This bill would create yet another committee to redesign the state flag, with no perceived need except change. A series of events beginning this summer will occur celebrating the 200th Anniversary of the NH State House in 2019. It is the opinion of the ED&A Committee that to establish a state flag design study committee would deflect and compete with the historic celebrations planned. Therefore, as indicated by the bi-partisan vote, the committee believes this is the wrong time for the State to explore an alternative design to the existing NH flag that has its origins with the First Provincial Congress of 1784. Vote 13-1. Committee report adopted.

(Rep. Packard in the Chair)

HB 1315, prohibiting the university system funds from being spent to oppose the formation of unions and collective bargaining units. **OUGHT TO PASS.**

Rep. Jacalyn Cilley for Executive Departments and Administration. This bill prohibits the University System of New Hampshire from using university funds for the purpose of discouraging employees from exercising

their rights of association or forming a labor union. The committee heard testimony that the University System paid \$200,000 to a public relations firm for the purpose of, or as a portion of its work on behalf of the University, to discourage employees during a recent organization attempt. Vote 12-6.

On a division vote, with 204 members having voted in the affirmative, and 118 in the negative, the committee report was adopted and ordered to third reading.

HB 1427-FN, relative to membership in the retirement system for certain officials. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John Sytek for Executive Departments and Administration. This bill corrects an error in the contract of the Manchester superintendent of schools, which provides that the superintendent does not have to enroll in the NH Retirement System (NHRS) – an exemption granted to town managers who so choose. However, this exemption does not exist in law for school superintendents and this bill grants the exemption. The amendment does two things. First, Manchester must pay the employer portion of the unfunded accrued actuarial liability for the superintendent's position to the NHRS. This prevents loss to the system and costs to all other employers. Also, while the committee had no objection to the exemption in this case, it was not prepared to recommend this as a permanent policy change. Thus the availability of this exemption expires at the end of 2018. Vote 10-3.

Amendment (0568h)

Amend RSA 100-A:22, II(b) as inserted by section 1 of the bill by replacing it with the following:

(b) School districts may, on or before December 31, 2018, by action of their governing body, exempt their superintendent of schools, at the time of initial hiring or appointment, from compulsory membership provided herein. If such exemption is adopted, a superintendent of schools who was enrolled as a member in the retirement system within the 2-year period preceding the effective date of this subparagraph may make a request to the school district governing body to withdraw from membership. Upon approval of a withdrawal from membership and notice provided to the retirement system, a superintendent who ceases to be a member of the retirement system shall not be permitted to re-enroll as a member for as long as he or she holds the same position. If the school district exempts the superintendent of schools from compulsory membership in the retirement system, the school district shall pay to the retirement system, for deposit in the state annuity accumulation fund, an unfunded accrued liability payment calculated as an equivalent percentage determined under RSA 100-A:16, II(e) applied to the compensation paid for the superintendent of schools position.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

HB 1456, relative to state acceptance of the lowest reasonable bid contract and relative to the sale, lease, or transfer of state property. **INEXPEDIENT TO LEGISLATE.**

Rep. Steven Beaudoin for Executive Departments and Administration. This bill seeks to remove from statute the very well defined and time-tested term “qualified” as used in the bidding process and replace it with the undefined word “reasonable.” Past study committees have refined the definition of the term “qualified” and the majority didn’t agree that we should replace it with the ambiguous word “reasonable.” The bill also addresses the sale, lease, or transfer of state property by inserting restrictive language into statute that the majority felt should be addressed with proper contract language. Vote 9-5.

Committee report adopted.

HB 1624, relative to state procurement practices and criteria for acceptance of bids. **OUGHT TO PASS.**

Rep. Jacalyn Cilley for Executive Departments and Administration. This bill seeks to recognize companies that offer a positive contribution to our economy within our procurement practices. Currently the lowest qualified bid determines the awarding of contracts. However, in instances in which the qualified lowest bids are tied, preference is given to New Hampshire-based companies over out-of-state companies. This bill creates an additional criterion in the event of the same low bid by two New Hampshire-based companies, that preference be given to the bidder who pays higher wages and benefits. While such a set of circumstances is exceedingly rare, it offers one way for the state to recognize companies that have a positive impact upon our workers and our economy. Vote 8-6.

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

On a division vote, with 195 members having voted in the affirmative, and 138 in the negative, the committee report was adopted and ordered to third reading.

HB 476, relative to the duties of registers of probate. **OUGHT TO PASS WITH AMENDMENT.**

Rep. J. Tracy Emerick for Finance. This bill: I. Modifies the duties of registers of probate. II. Modifies the duties of the probate division of the circuit court. III. Requires the county delegations to determine the salary and benefits of registers of probate. As amended this bill accomplishes the original intent. The duties and compensation of the county registers of probate is to be defined by the county delegation. Presently the position, while constitutional, is largely in name only and is compensated at \$100 per year. This amendment allows counties to continue their current practice (opt out) or to follow the bill’s guidelines (opt in). A funding

source for the counties is a 10% set aside of all entry fees paid to the state (only the state collects probate entry fees) based on the number of entry fees paid in each county; quarterly payments for register's costs will be made by the state based on costs invoiced by each county to the state. The funding provides for county delegations to expand the duties of the register, or not if the current duties are sufficient for the needs of the county. Beginning June 1, 2017 all Probate filings can and are made exclusively online. Every person probating an issue has a logon to the eCourt system in order to check on the status, update the records and track work done by the court. To accomplish this the Probate Court has placed a kiosk and trained staff individual in each county courthouse to assist citizens with electronic filing. The Probate Court will provide the same training to registers of the probate so that they can also assist citizens. The bill spells out timing for maintaining previously filed hard copy probate files. Maintaining and accessing electronic files is currently a strategic initiative being undertaken by DoIT. The goal is to have as much information converted to online access as is practical and affordable. Because all probate cases are now handled electronically with users having full access to records, the bill provides for probate legal notifications to move from newspapers to online notices posted to the probate website, a system that has proven preferable to involved parties in other areas of judicial activities that have already transitioned to eCourt. Vote 23-1.

Amendment (0727h)

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

2 Salaries for Counties; Register of Probate. Amend RSA 23:8 to read as follows:
23:8 Salaries for Counties.

I. Every county shall establish the salary for its register of deeds at a fixed dollar value. Said salaries may not be established either in part or in total as a percentage of fees or other charges or payments collected by said register. Said salaries shall be established not less than biennially by the county convention, upon recommendation of the executive committee. In no case shall the salary of any of said registers of deeds be a lesser amount than the salary which said register was receiving on January 1, 1974.

II. Every county shall establish the salary for its register of probate at a fixed dollar value. Said salaries may be established either in part or in total as a percentage of fees or other charges or payments collected by the county treasurer or the state and consistent with RSA 548:17. Said salaries shall be established not less than biennially by the county convention, upon recommendation of the executive committee.

3 Supreme Court; Entry Fees RSA 490:24, I is repealed and reenacted to read as follows:

I. For the benefit of the state and counties, there shall be paid to the clerk for the entry of every reserved case, bill of exceptions, petition, appeal, or other action, for the filing of every motion or other document supplementary to the entered case, and for any service rendered by the clerk, such fees as shall from time to time be established by the court. The clerk shall determine the total amount of probate entry fees collected in each county. The clerk shall set aside and pay 10 percent of each probate entry fee paid to the probate division of the circuit court for allocation to the counties for the salary, benefits, and other compensation costs of the registers of probate as set forth in RSA 490:27. Of the remaining entry fees, 6 percent shall be set aside for deposit into a special escrow account established under RSA 490:26-c and 30 percent for deposit into the judicial branch information technology fund established under RSA 490:26-h. The proceeds of fees for motions to appear in court pro hac vice shall be paid into the law library revolving fund established in RSA 490:25, III.

4 Escrow Fund for Court Facility Improvements. Amend RSA 490:26-c to read as follows:

490:26-c Escrow Fund for Court Facility Improvements.

I. Of the entry fees remaining after 10 percent is set aside for county registers of probate pursuant to RSA 490:24, I, six percent of each entry fee collected in the supreme, superior, and circuit courts shall be deposited in escrow for judicial branch facility improvements. Moneys in the escrow fund shall be used for improvements to judicial branch facilities by the department of administrative services as recommended and approved by the supreme court.

II. The state treasurer shall establish procedures for deposits to and expenditures from the **judicial** escrow fund for court facilities. The **judicial** escrow fund shall be a dedicated capital reserve fund for the improvement of existing court facilities, or those facilities acquired pursuant to an act of the general court.

III. The funds on deposit in the **judicial** escrow fund for court facility improvements shall be invested by the state treasurer in obligations of the United States government, in government agency obligations, in obligations which are legal investments for savings banks and trust companies, and in all types of savings accounts or certificates of deposit of both state or federally chartered institutions.

5 Judicial Branch Information Technology Fund. Amend RSA 490:26-h, I(a) to read as follows:

(a) Of the entry fees remaining after 10 percent is set aside for county registers of probate pursuant to RSA 490:24, I, thirty percent of each entry fee collected in the supreme, superior, and circuit courts and 16.67 percent of the penalty assessment collected pursuant to RSA 106-L:10 shall be deposited in the judicial branch information technology fund.

6 Supreme Court; Probate Division of the Circuit Court Fees. Amend RSA 490:27 to read as follows:

490:27 Probate Court Fees.

I. Probate ***division of the circuit*** court fees as established by the supreme court under RSA 490:26-a shall be paid to the clerk of the applicable circuit court established in RSA 490-F for the benefit of the state ***and counties***.

II. The sum of \$5 shall be added to each entry fee collected in the probate ***division of the circuit*** courts and shall be deposited in the mediation and arbitration fund established under RSA 490-E:4. ***Probate entry fees shall be set to allow for the allocation to the counties of up to 10 percent of the fees collected for the salary, benefits, and other compensation costs of registers of probate in eligible counties having established such compensation pursuant to RSA 23:7 and RSA 23:8. Such costs shall only be reimbursed to counties that have established compensation pursuant to RSA 23:7 and RSA 23:8, and only to the extent covered by 10 percent of the probate entry fees collected. No later than 30 days after each calendar quarter, eligible counties shall report the salary, benefits, and other compensation costs for the register of probate to the administrative office of the courts. The office shall distribute up to 10 percent of the probate entry fees collected in the preceding quarter based on each county's share of total statewide probate cases filed.***

7 Circuit Court Clerks; Appointment. Amend RSA 490-F:13 to read as follows:

490-F:13 Circuit Court Clerks; Appointment. The administrative judge of the circuit court shall appoint a clerk with responsibility for each circuit court site. In the interest of the effective administration of justice, any such clerk may have responsibility for one or more circuit court locations. Circuit court clerks shall have the same duties as clerks of the former district court and judicial branch family division ~~[and as registers of probate with the exception of RSA 15-B, RSA 456-B, RSA 548, RSA 653, RSA 655, and RSA 661 which shall remain as duties of the registers of probate]~~. Circuit court clerks, ***upon request of the register of probate, shall inform the registers of probate, in a timely manner, of any and all scheduling to insure timely judicial action of probate matters. Circuit court clerks shall*** hold office at the pleasure of the administrative judge of the circuit court. ***The administrative judge shall not have authority over a register of probate.***

8 Judges and Their Jurisdiction; Records. Amend RSA 547:27-b, I to read as follows:

I. The probate ***division of the circuit*** court shall ~~[appropriately retain all wills and their probate; all proceedings with regard to real estate; all accounts settled, and all orders, decisions, and appointments from which an appeal may be claimed]~~ ***provide system access to the electronic probate files to check on activities related to probate matters.***

9 Judges of Probate and Their Jurisdiction; Probate Division of the Circuit Court Entry Fees. Amend RSA 547:27-c to read as follows:

547:27-c Probate Court Entry Fees.

I. ***Probate division of the circuit court*** entry fees as established by the supreme court under RSA 490:26-a shall be paid to the clerk of each applicable circuit court established in RSA 490-F for the benefit of the state ***and counties***.

II. ***The clerk shall determine the total amount of probate entry fees collected by each county. Of the entry fees remaining after 10 percent is set aside for county registers of probate pursuant to RSA 490:24, I, the clerk shall set aside 6 percent of each entry fee paid into the court for deposit into a special escrow account established under RSA 490:26-c and 30 percent [of each entry fee paid into the court] for deposit into the judicial branch information technology fund established under RSA 490:26-h. The proceeds of fees for motions to appear in court pro hac vice shall be paid into the law library revolving fund established in RSA 490:25, III.***

10 Registers of Probate; Residence. Amend RSA 548:1 to read as follows:

548:1 Residence, etc. The register of probate shall ~~[dwell]~~ ***reside*** in the county in which ~~[the probate records are required to be kept]~~ ***he or she is elected***. If a register shall ~~[dwell]~~ ***reside*** in any other county and continue so ~~[dwelling]~~ ***residing*** for 30 consecutive days, the office shall be deemed vacant.

11 New Sections; Register of Probate; Training, Duties, and Office Hours; Office Facilities. Amend RSA 548 by inserting after section 2 the following new sections:

548:2-a Training. The administrative judge of the probate division of the circuit court, or designee shall provide instruction to each register of probate on the current computer system, telephone system, and all rules and processes in the probate division of the circuit court.

548:2-b Duties and Office Hours. The register of probate shall be available to county residents and court personnel as necessary to provide services to county residents, court personnel, and the general public on any and all probate filings and issues. The register of probate position may be part-time or full-time. Recommendation of hours or days worked by the register of probate shall be considered by the county delegation, which has final authority over the register of probate hours.

548:2-c Office Facilities and Equipment. Each register of probate shall have a work station or office located in the probate division of the circuit court, or registry of deeds, or county seat in the county in which he or she was elected. If the office space is within a county building, the county shall provide a desk and telephone

number for the register of probate. The telephone number shall be communicated to the judicial branch. the judicial branch shall supply the computer equipment and access to email via the court email system. If the office space is within a court building, The work station or office shall include court-supplied office equipment including a desk or desk space, a telephone, a court provided telephone number or telephone extension, and a computer with court supplied email access. Each register of probate shall have access to all open and closed probate matters filed electronically and be aware of the location of all paper probate records needed to assist the public. Probate electronic court records shall be available on a read-only basis.

12 New Sections; Register of Probate; Authority. Amend RSA 548 by inserting after section 4-a the following new sections:

548:4-b Authority. The authority of the register of probate shall include, but not be limited to, access to all probate division filings under RSA 5, RSA 15-B, RSA 87, RSA 151-A:15, RSA 456-B, RSA 490-F, RSA 547, RSA 548, RSA 553, RSA 554, and RSA 661. The register of probate shall work with court personnel to resolve all probate issues presented to the register of probate by the public.

548:4-c Scheduling. The probate division of the circuit court shall provide access to the electronic probate files so information about scheduling is available to the registers of probate.

13 Registers of Probate; Records RSA 548:5 is repealed and reenacted to read as follows:

548:5 Records. The register of probate shall have access to the electronic probate files in order to view the recordings of all wills and their probate; all proceedings with regard to real estate; all accounts settled; and all orders, decisions, and appointments from which an appeal may be claimed. The judicial branch and the secretary of state, division of archives and records management shall make available on their websites links to all available electronically scanned New Hampshire probate records including those created or maintained by any nongovernmental entity until such time as the state has the capability to make all such records available through state resources. Beginning on July 1, 2020, all paper probate records older than 35 years shall be kept in the state archives.

14 New Section; Registers of Probate; Record of Decedent's Real Estate. Amend RSA 548 by inserting after section 7-a the following new section:

548:7-b Record of Decedent's Real Estate. Whenever it appears from the inventory or any other instrument pertaining to real estate filed with the probate division of the circuit court in connection with the administration of any estate that the estate contains real estate located in the state, the probate division of the circuit court shall notify, within 15 days, the register of deeds of the county in which the real estate lies of the name and date of death of the decedent. A register of deeds who receives such a notice shall record in the grantor's index of his or her office the name of the decedent, his or her date of death, and the county in which the estate is being probated. The cost for filing said notice shall be assigned to the estate. The probate division of the circuit court shall provide the register of deeds the address of the estate administrator for billing.

15 Registers of Probate; Salaries; Benefits. RSA 548:17 is repealed and reenacted to read as follows:

548:17 Salaries; Benefits; Part-time; Per Diem. The county delegation shall determine the method and amount of payment, salary paid, and whether any benefits are offered to the register of probate for the performance of his or her duties, considering available county budget funds. Any salary and benefits, part-time payment, or per diem payment for services offered to the register of probate shall be determined by the county delegation for the county in which the register of probate is elected. The payment for services shall be based upon the responsibilities, duties, and hours of the register of probate and shall be specified in the county budget. Any funds received by a county from the state designated for the operation of the office of register of probate in that county shall be dedicated solely to the operation, support, and function of the office of register of probate in that county.

16 Probate Division of the Circuit Courts and Estates; Publication of Notice RSA 550:10 is repealed and reenacted to read as follows:

550:10 Publication and Notice in Newspaper. Because probate is an entirely electronic process with no paper records, notwithstanding any other provision of law, whenever notice is required to be published in a newspaper by any provision of this title, the probate division of the circuit court established in RSA 490-F shall instead cause such notice as required by the probate division of the circuit court to be made available to the public on the New Hampshire judicial branch website or by other electronic media for no fewer than 2 weeks beginning no later than 2 weeks before the date for which notice is given, unless otherwise ordered by the judge.

17 County Officers; Registers of Probate. Amend RSA 661:9 to read as follows:

661:9 County Officers.

I. If a vacancy for a period of one year or longer occurs in the office of county sheriff, county attorney, register of deeds, **register of probate**, or county treasurer, the members of the county convention shall fill the vacancy for the unexpired term by a majority of the ballots cast. If a vacancy for a period of less than a year occurs in any such office, the members of the county convention shall, by majority vote of the county convention, vote to either fill the vacancy or to leave the office vacant.

II.(a) If a vacancy occurs in the office of a county commissioner, the members of the county convention, or, if the vacancy occurs in Hillsborough county, the members of the county convention representing the cities and towns in the commissioner's district, shall fill the vacancy by a majority of the ballots cast until the next biennial election of county officers. If the term filled is less than the unexpired term, then notwithstanding any provisions of RSA 653:1, VI, the commissioner district filled pursuant to this paragraph shall be added to the next biennial election ballot to be chosen by the voters of the county for a 2-year term.

(b) The provisions of subparagraph (a) shall apply only where the vacancy occurred no later than 30 days preceding the printing of the ballots for the primary election.

(c) The provisions of RSA 655:32 and RSA 655:37 relating to nominations by appropriate party committees for vacancies in an office on a primary or general election ballot, respectively, shall apply to vacancies to be filled under this paragraph.

III. If any person holding a county office enumerated in paragraph I or II becomes temporarily absent or incapacitated, the county convention may, upon application of the ~~[county attorney or]~~ county commissioners, declare a temporary absence and fill the same for a limited period of time expressed in the appointment.

IV. Any officer of a county~~[-including the register of probate,]~~ may be removed by the county convention for official misconduct. Any removal under this paragraph shall be initiated by petition of a majority of the county commissioners, of the county attorney, or of a superior court judge. No officer of a county may be removed without notice of the allegations supporting the petition for removal and an opportunity to be heard by the county convention.

18 Repeal. The following are repealed:

I. RSA 548:28 relative to penalty for register of probate.

II. RSA 661:9-a, relative to vacancy in office of register of probate.

19 Judicial Conduct Commission; Definitions; Clerk. Amend RSA 494-A:2, I to read as follows:

I. "Clerk" means a clerk of court or a deputy clerk, ~~[a register of probate or deputy register,]~~ a court stenographer or reporter, and any person performing the duties of a clerk~~[-register,]~~ or reporter.

20 Effective Date.

I. Sections 3-7, and 9 of this act shall take effect January 1, 2019.

II. RSA 548:2-a as inserted by section 11 of this act shall take effect November 15, 2018.

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

Committee amendment adopted.

Committee report adopted and ordered to third reading.

HB 559-FN, relative to expenditures from the energy efficiency fund. **OUGHT TO PASS WITH AMENDMENT.** Rep. Timothy Twombly for Finance. This bill would increase the amount of funding available for cost-effective energy efficiency programs, all of which are privately managed, award-winning statewide programs run by the utilities and overseen by the NH Public Utilities Commission within the so-called CORE docket. This bill increases money going to low-income weatherization from the current 15% to a minimum of 35%, which will greatly enhance the ability to provide modifications to low-income renters and homeowners across the state and will cut their household energy bills by up to 30 percent, allowing them to afford other basic necessities, avoid evictions and foreclosures and reduce reliance on welfare programs. Importantly, the low-income energy efficiency waitlist of over 10,000 households across our state will finally begin to be lowered as the additional spending ensures more programs can be completed. Hundreds more middle-income residential customers falling above the qualification for the low-income program might also receive energy efficiency assistance. Moreover, aging school district and municipal buildings across our state will receive needed upgrades to significantly reduce their energy bills, which directly reduces operating expenses and thereby property tax liability. The amendment ensures that participation in paying for this program is shared by New Hampshire electricity users. Funding program elements shall include but not be limited to funding for direct technical and project management assistance to identify and encourage comprehensive projects and incentives structure to assist with reducing energy costs and to provide more energy efficiency, which benefits all electrical users. No general fund dollars will be expended for this program. Vote 24-0.

Amendment (0378h)

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

1 Regional Greenhouse Gas Initiative; Energy Efficiency Fund and Use of Auction Proceeds. Amend RSA 125-O:23, III to read as follows:

III. All ~~[remaining]~~ proceeds received by the state from the sale of allowances, excluding the amount used for commission and department administration under paragraph I, shall be allocated by the commission as follows:

(a) At least ~~[15]~~ **35** percent to the low-income core energy efficiency program.

(b) Beginning January 1, ~~[2014]~~ **2019**, ~~[up to \$2,000,000]~~ **no more than \$5,000,000** annually to utility core programs for municipal, **school district**, and local government energy efficiency projects, including projects by local governments that have their own municipal utilities. Funding elements shall include, but

not be limited to, funding for direct technical and project management assistance to identify and encourage comprehensive projects and incentives structured to assist municipal and local governments funding energy efficiency projects. In calendar years 2014, 2015, [and] 2016, **2017, and 2018** any unused funds allocated to municipal and local government projects under this paragraph remaining at the end of the year shall roll over and be added to the new calendar year program funds and continue to be made available exclusively for municipal and local government projects. Beginning in calendar year [2017] **2019**, and all subsequent years, funds allocated to municipal and local government projects under this paragraph shall be offered first to municipal and local governments as described in this paragraph for no less than 4 full calendar months. If, at the end of this time, municipal and local governments have not submitted requests for eligible projects that will expend the funds allocated to municipal and local government projects under this paragraph within that program year, the funds shall ~~[be offered on a first-come, first-serve basis to business and municipal customers who fund the system benefits charge]~~ **go to a fuel neutral residential core energy efficiency program.**

(c) The remainder to all-fuels, comprehensive energy efficiency programs administered by qualified parties which may include electric distribution companies as selected through a competitive bid process. The funding shall be distributed among residential, commercial, and industrial customers based upon each customer class's electricity usage to the greatest extent practicable as determined by the commission. Bids shall be evaluated based on, but not limited to, the following criteria:

- (1) A benefit/cost ratio analysis including all fuels.
- (2) Demonstrated ability to provide a comprehensive, fuel neutral program.
- (3) Demonstrated infrastructure to effectively deliver such program.
- (4) Experience of the bidder in administering energy efficiency programs.
- (5) Ability to reach out to customers.
- (6) The validity of the energy saving assumptions described in the bid.

2 Review and Report. The public utilities commission and the department of environmental services shall review the use of auction proceeds under RSA 125-O:23, III and shall submit a report, with recommendations to continue or revise the allocation of auction proceeds among the core programs based on program needs, to the house and senate finance committees, the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, and director of legislative services on or before July 1, 2023.

3 Repeal. The following are repealed:

I. RSA 125-O:23, II, relative to rebates to retail electric ratepayers.

II. RSA 125-O:23, IV and V, relative to use of remaining proceeds received by the state from the sale of allowances.

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

AMENDED ANALYSIS

This bill:

I. Requires the public utilities commission to allocate certain funds to school districts for energy efficiency projects.

II. Repeals a rebate to retail electric ratepayers.

III. Requires the public utilities commission and the department of environmental services to submit a report with recommendations for allocations of auction proceeds.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

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

HB 1743-FN, relative to the alcohol abuse prevention and treatment fund and funding for the Sununu Youth Services Center. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Frank Byron for Finance. This bill, as amended by House Finance, establishes criteria for the Commissioner of the Department of Health and Human Services (DHHS) to obtain Fiscal Committee approval to transfer additional funds to operate the Sununu Youth Services Center (SYSC). These criteria allow transfers in two emergency situations only: first, a census increase of at least 30% of the average census for the prior 30 days that continues for 60 days and, second, a natural or other disaster that is beyond the control of DHHS. In either case, the commissioner would be able to obtain additional funding for the SYSC in 3-month increments, provided the Fiscal Committee approved. The commissioner is also required to provide the Fiscal Committee with a monthly report on the incarceration costs per juvenile held at the SYSC. As a result of these changes, the committee amendment terminates the authority of the commissioner, granted in the budget trailer bill, to tap funds held by the Governor's Commission on Alcohol and Drug Abuse Prevention to meet emergency needs at the SYSC. While the original bill increased the funding of the Governor's Commission on Alcohol and Drug Abuse Prevention from 3.4% to 5% of gross liquor profits, the committee amendment deletes this, as this increase would have required the budget be reopened to accommodate this additional expense by cutting other existing programs. At the request of DHHS, the amendment allows the commissioner to fund

authorized but vacant DHHS positions from within existing appropriations without first obtaining Fiscal Committee approval. This authorization was not part of the current biennial budget but has been a common feature of prior budgets. Vote 21-3.

Amendment (0795h)

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

AN ACT relative to funding for the Sununu Youth Services Center, and unfunded positions in the department of health and human services.

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

1 Transfer of Funds for Operation of the Sununu Youth Services Center. Amend 2017, 156:169 to read as follows:

156:169 Transfer of Funds for Operation of the Sununu Youth Services Center.

I. In the case of transfers ~~[affecting the funding for any of the functions of]~~ **out of or within** the Sununu youth services center **affecting functions** subject to RSA 621, the prior approval of the fiscal committee of the general court shall be required. Prior to acting on transfer requests to which this section applies, the fiscal committee of the general court shall solicit the advice of the advisory group established in section 165 of this act. The commissioner may only seek a transfer which is subject to the requirements of this section if there has been full compliance with the requirements of section 165 of this act and RSA 169-B:19, VI, as amended by this act.

II.(a) Under emergency circumstances only, the commissioner may seek approval of the fiscal committee of the general court for transfers into the Sununu youth services center affecting functions subject to RSA 621. For the purposes of this section, "emergency circumstances" shall mean: (1) A situation in which the average census at the Sununu youth services center for a 60-day period has exceeded by at least 30 percent the average census for the 30 days preceding the initiation of that 60-day period; or (2) A natural or other disaster beyond the control of the department. (b) Transfers requested under this section shall be used to fund operations at the Sununu youth services center for a period not to exceed 3 months. If the situation persists, the commissioner may seek subsequent transfers in 3-month increments.

2 Department of Health and Human Services; Unfunded Positions. Amend 2017, 156:183 to read as follows:

156:183 Department of Health and Human Services; Unfunded Positions; Authorization. Notwithstanding any other provision of law to the contrary, the department of health and human services~~[-with prior approval of the fiscal committee of the general court,]~~ may fill unfunded positions during the biennium ending June 30, 2019, provided that the total expenditure for such positions shall not exceed the amount appropriated for personal services.

3 New Paragraph; Commissioner; Report to Fiscal Committee of the General Court. Amend RSA 621:12 by inserting after paragraph II the following new paragraph:

III. The commissioner shall submit a report on the first day of each month to the fiscal committee of the general court which contains the average monthly cost per resident at the Sununu youth services center and a comparison of marginal versus fixed costs.

4 Repeal. 2017, 156:168, II, relative to emergency funding for the operational costs of the Sununu youth services center, is repealed.

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

AMENDED ANALYSIS

This bill:

I. Requires funding transfers out of or within the Sununu youth services center to get the prior approval of the fiscal committee of the general court.

II. Clarifies the procedure for filling unfunded positions within the department of health and human services.

III. Requires the commissioner of the department of health and human services to make a monthly report to the fiscal committee of the general court.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

HB 1286, relative to fish and game regulations relative to disabled veterans. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. David Binford for the Majority of Fish and Game and Marine Resources. This bill, as amended, maintains in statute the complimentary hunting and fishing license for NH veterans who are totally disabled, while adding a provision that allows NH veterans who are 80% - 99% disabled to purchase a lifetime license at 50% of the cost of such license. As with the totally disabled veterans, such veterans must have received a discharge other than dishonorable from service in any war or police action engaged in by the United States,

and the disability must be permanent and service-connected. The committee felt that if a NH veteran has been permanently and significantly disabled during service to our country, then a discount on a lifetime hunting and fishing license should be available to that veteran. Vote 18-1.

Rep. Cathryn Harvey for the Minority of Fish and Game and Marine Resources. The minority felt that the discrepancy between the numbers presented by the Fish and Game Department and those suggested by the committee in regards to the cost of this bill was too great to support the bill, as amended.

Majority Amendment (0576h)

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

AN ACT relative to fishing and hunting licenses for permanently disabled veterans.

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

1 Hunting, Fishing, and Trapping; Permanently Disabled Veterans. Amend RSA 214:13 to read as follows:
214:13 ~~[Veterans, Totally and Permanently Disabled]~~ ***Permanently Disabled Veterans.***

I. If the applicant for a fishing and hunting license is a resident of the state, has received a discharge other than dishonorable from service in any war or police action in which the United States has been engaged and is totally and permanently disabled from such service-connected disability, the executive director shall issue a special veteran's license to said applicant. Said license shall be perpetual. The executive director shall retain the records for such licenses for a period not less than 7 years. Loss or destruction of the license after 7 years shall obligate the licensee to re-establish eligibility. A \$10 administrative fee shall be charged once, upon application to the executive director for such license.

II. *If the applicant for a fishing and hunting license is a resident of the state, has received a discharge other than dishonorable from service in any war or police action in which the United States has been engaged and is at least 80 percent but not 100 percent permanently disabled from such service-connected disability, the executive director shall issue a lifetime license to such applicant at 50 percent of the cost of a lifetime license under RSA 214:9-c calculated pursuant to RSA 214:9-c, II.*

2 New Subparagraph; Lifetime Licenses; Permanently Disabled Veterans. Amend RSA 214:9-c, I(b) by inserting after subparagraph (3) the following new subparagraph:

(4) The executive director, upon application, may issue a discounted lifetime license to a resident who is a permanently disabled veteran and complies with the provisions of RSA 214:13, II. The discounted amount of a permanently disabled veteran's lifetime license shall be 50 percent of the cost of a lifetime license calculated pursuant to paragraph II of this section.

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

AMENDED ANALYSIS

This bill permits the executive director of fish and game to issue a lifetime license to a permanently disabled veteran for one-half the cost of a lifetime license.

Majority committee amendment adopted.

Majority committee report adopted and ordered to third reading.

HB 1527, relative to the authority of fish and game officers regarding arrest and search and seizure. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Jonathan Manley for the Majority of Fish and Game and Marine Resources. This bill seeks to repeal some authorities held by certain law enforcement officers, in particular conservation officers of the Fish and Game Department. Current authority has worked well by providing the department the ability to enforce the law, thereby helping to protect the public. Without this authority, officers would be restricted in doing their jobs. Vote 15-4.

Rep. Ed Comeau for the Minority of Fish and Game and Marine Resources. This legislation seeks to limit the authority of conservation officers to arrest, search, and seize only when enforcing fish and game laws. This ensures compliance with the constitutional protections of the Fourth Amendment of the Bill of Rights which clearly states that any arrest, search, and seizure only be conducted through issuance of a warrant provided through a judge. It is the opinion of the minority that our Fourth Amendment rights shall at all times be weighted to protect the individual.

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

(Speaker Chandler in the Chair)

Rep. Sylvia requested a roll call; sufficiently seconded.

YEAS 245 - NAYS 87

YEAS - 245

BELKNAP

Abear, Marc
Lang, Timothy

Tilton, Franklin
Plumer, John

Fields, Dennis
Spanos, Peter

Huot, David

CARROLL

Buco, Thomas
McConkey, Mark
Marsh, William

Crawford, Karel
Nelson, Bill

DesMarais, Edith
Schmidt, Stephen

Knirk, Jerry
Umberger, Karen

CHESHIRE

Abbott, Michael
Burridge, Delmar
Faulkner, Barry
Parkhurst, Henry
Weber, Lucy

Ames, Richard
Harvey, Cathryn
Hunt, John
Shepardson, Marjorie

Berch, Paul
Ley, Douglas
Mann, John
Tatro, Bruce

Bordenet, John
Eaton, Daniel
Meader, David
Pearson, William

COOS

Fothergill, John
Theberge, Robert

Hatch, William
Tucker, Edith

Moynihan, Wayne
Thomas, Yvonne

Richardson, Herbert

GRAFTON

Abel, Richard
Boutin, Skylar
Hennessey, Erin
Massimilla, Linda
Schwaegler, Vicki

Almy, Susan
Brown, Duane
Higgins, Patricia
Migliore, Vincent Paul
Smith, Suzanne

Bailey, Brad
Campion, Polly
Josephson, Timothy
Mulligan, Mary Jane
Sykes, George

Bennett, Travis
Dontonville, Roger
Maes, Kevin
Rand, Steven
White, Andrew

HILLSBOROUGH

Backus, Robert
Biggie, Barbara
Chandlee, Shannon
Cornell, Patricia
Donovan, Daniel
Gargas, Carolyn
Hinch, Richard
Judy, Jean
Kurk, Neal
Leishman, Peter
MacKenzie, Mark
Newman, Sue
O'Neil, William
Pierce, David
Rosenwald, Cindy
Somero, Paul

Baroody, Benjamin
Bouldin, Amanda
Christensen, Chris
Sullivan, Daniel
Elber, Joel
Goley, Jeffrey
Graham, John
Rice, Kimberly
L'Heureux, Robert
Lisle, David
Martin, Joelle
Nutting, Allison
Ohm, Bill
Porter, Marjorie
Rouillard, Claire
Wolf, Terry

Barry, Richard
Moore, Craig
Cleaver, Skip
Danielson, David
Freitas, Mary
Heath, Mary
Schmidt, Janice
King, Mark
Lascelles, Richard
MacKay, Mariellen
Martineau, Jesse
O'Brien, Michael
Long, Patrick
Renzullo, Andrew
Harvey, Suzanne
Van Houten, Connie

Beaulieu, Jane
Carr, John
Connors, Erika
DiSilvestro, Linda
Gagne, Larry
Herbert, Christopher
Jack, Martin
Klee, Patricia
LeBrun, Donald
McCarthy, Michael
McNamara, Richard
O'Leary, Richard
Panasiti, Reed
Roberts, Carol
Shaw, Barbara
Williams, Kermit

MERRIMACK

Turcotte, Alan
Long, Douglas
Gile, Mary
Horn, Werner
Kotowski, Frank
Patten, Dick
Schuett, Dianne
Walz, Mary Beth

Bartlett, Christy
Wolf, Dan
Moffett, Howard
MacKay, James
Leavitt, John
Richards, Beth
Schultz, Kristina
Woolpert, David

Brewster, Michael
Doherty, David
Henle, Paul
Kenison, Linda
Luneau, David
Rodd, Beth
Shurtleff, Stephen

Carson, Clyde
Ebel, Karen
Hill, Gregory
Klose, John
Myler, Mel
Rogers, Katherine
Soucy, Timothy

ROCKINGHAM

Abrami, Patrick
Berrien, Skip
Chase, Francis
Dowling, Patricia
Farnham, Betsey
Guthrie, Joseph
Janvrin, Jason
Lerner, Kari
Pearson, Mark
Matthews, Carolyn
Milz, David
Gordon, Pamela
Rimol, Bob
Le, Tamara
Welch, David

Allen, Mary
Bove, Martin
Cushing, Robert Renny
Edgar, Michael
Fesh, Robert
Marsh, Henry
O'Connor, John
Lovejoy, Patricia
Major, Norman
McKinney, Betsy
Morrison, Sean
Packard, Sherman
Somssich, Peter
Tripp, Richard
Weyler, Kenneth

Altschiller, Debra
Cahill, Michael
DeSimone, Debra
Elliott, Robert
Gay, Betty
Hagan, Joseph
Katsakiores, Phyllis
Lundgren, David
Malloy, Dennis
McMahon, Charles
Murray, Kate
Tilton, Rio
Stone, Brian
Ward, Gerald
Willis, Brenda

Bean, Philip
Cali-Pitts, Jacqueline
DiLorenzo, Charlotte
Emerick, J. Tracy
Gilman, Julie
Hoelzel, Kathleen
Khan, Aboul
Griffin, Mary
Manning, John
Messmer, Mindi
Nigrello, Robert
Read, Ellen
Sytek, John
Webb, James

STRAFFORD

Berube, Roger
Ellis, Donna

Bixby, Peter
Fontneau, Timothy

Burton, Wayne
Frost, Sherry

Cilley, Jacalyn
Gourgue, Amanda

Grassie, Chuck
Smith, Marjorie
Schmidt, Peter
Spencer, Matthew

Horrigan, Timothy
McNally, Jody
Salloway, Jeffrey
Sprague, Dale

Keans, Sandra
Mullen, John
Scruton, Matthew
Treleaven, Susan

Krans, Hamilton
Opderbecke, Linn
Southworth, Thomas
Wall, Janet

SULLIVAN

Cloutier, John
Oxenham, Lee

Gagnon, Raymond
Smith, Steven

Gottling, Suzanne
Sullivan, Brian

Grenier, James
Tanner, Linda

NAYS - 87 BELKNAP

Aldrich, Glen
Silber, Norman

Comtois, Barbara
Sylvia, Michael

Fraser, Valerie
Vadney, Herbert

Howard, Raymond
Varney, Peter

CARROLL

Avellani, Lino

Comeau, Ed

Cordelli, Glenn

McCarthy, Frank

CHESHIRE

Johnsen, Gladys

McConnell, James

O'Day, John

Stallcop, Joseph

COOS

Merner, Troy

GRAFTON

Binford, David

Darrow, Stephen

Johnson, Tiffany

HILLSBOROUGH

Ammon, Keith
Edwards, Elizabeth
Griffin, Gerald
Hansen, Peter
Belanger, James
McLean, Mark
Proulx, Mark
Scully, Kevin
Sullivan, Victoria

Burt, John
Fedolfi, Jim
Smith, Gregory
Hellwig, Steve
Moore, Josh
Murphy, Keith
Prout, Andrew
Seidel, Carl

Christie, Rick
Ferreira, Elizabeth
Gould, Linda
Hopper, Gary
Ober, Lynne
Negron, Steve
Ober, Russell
Twombly, Timothy

Dickey, Glen
Freeman, Lisa
Halstead, Carolyn
Hynes, Dan
Lewicke, John
Notter, Jeanine
Sanborn, Laurie
Ulery, Jordan

MERRIMACK

Kuch, Bill
Marple, Richard
Walsh, Thomas

Copp, Anne
McGuire, Carol
Testerman, Dave

Hoell, J.R.
Pearl, Howard
Wells, Natalie

Moffett, Michael
Seaworth, Brian

ROCKINGHAM

Baldasaro, Alfred
Friel, William
Pantelakos, Laura
True, Chris

Bates, David
Green, Dennis
Gordon, Richard
Vose, Michael

Costable, Michael
Itse, Daniel
Sapareto, Frank
Wallace, Scott

Thomas, Douglas
Edwards, Jess
Torosian, Peter
Woitkun, Steven

STRAFFORD

Beaudoin, Steven
Wuelper, Kurt

Kaczynski, Thomas

Phinney, Brandon

Pitre, Joseph

SULLIVAN

Laware, Thomas

Rollins, Skip

and the majority committee report was 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.

The question being adoption of the majority committee report of Inexpedient to Legislate.
 Reps. Fraser and Gould spoke against.
 Reps. Guthrie and Knirk spoke in favor.
 Rep. Fraser requested a roll call; sufficiently seconded.

YEAS 250 - NAYS 81**YEAS - 250****BELKNAP**

Tilton, Franklin
 Vadney, Herbert

Fields, Dennis

Huot, David

Spanos, Peter

CARROLL

Buco, Thomas
 Knirk, Jerry

Butler, Edward
 Nelson, Bill

Crawford, Karel
 Schmidt, Stephen

DesMarais, Edith
 Umberger, Karen

CHESHIRE

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

Ames, Richard
 Harvey, Cathryn
 Johnsen, Gladys
 Parkhurst, Henry
 Pearson, William

Berch, Paul
 Ley, Douglas
 Hunt, John
 Shepardson, Marjorie
 Weber, Lucy

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

COOS

Fothergill, John
 Theberge, Robert

Hatch, William
 Tucker, Edith

Moynihan, Wayne
 Thomas, Yvonne

Richardson, Herbert

GRAFTON

Abel, Richard
 Campion, Polly
 Higgins, Patricia
 Massimilla, Linda
 Schwaegler, Vicki

Almy, Susan
 Darrow, Stephen
 Josephson, Timothy
 Migliore, Vincent Paul
 Smith, Suzanne

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

Boutin, Skylar
 Hennessey, Erin
 Maes, Kevin
 Rand, Steven
 White, Andrew

HILLSBOROUGH

Backus, Robert
 Biggie, Barbara
 Chandley, Shannon
 Cornell, Patricia
 Edwards, Elizabeth
 Smith, Gregory
 Hansen, Peter
 Belanger, James
 Judy, Jean
 Kurk, Neal
 Leishman, Peter
 MacKenzie, Mark
 Nutting, Allison
 Ohm, Bill
 Proulx, Mark
 Harvey, Suzanne
 Wolf, Terry
 Williams, Kermit

Baroody, Benjamin
 Bouldin, Amanda
 Christensen, Chris
 Sullivan, Daniel
 Elber, Joel
 Gagne, Larry
 Heath, Mary
 Graham, John
 Keane, Amelia
 L'Heureux, Robert
 Lisle, David
 Martin, Joelle
 O'Brien, Michael
 Long, Patrick
 Roberts, Carol
 Seidel, Carl
 Twombly, Timothy

Barry, Richard
 Moore, Craig
 Cleaver, Skip
 DiSilvestro, Linda
 Fedolli, Jim
 Gargas, Carolyn
 Herbert, Christopher
 Schmidt, Janice
 King, Mark
 Lascelles, Richard
 MacKay, Mariellen
 Martineau, Jesse
 O'Leary, Richard
 Pierce, David
 Rosenwald, Cindy
 Shaw, Barbara
 Ulery, Jordan

Beaulieu, Jane
 Carr, John
 Connors, Erika
 Donovan, Daniel
 Freitas, Mary
 Goley, Jeffrey
 Hinch, Richard
 Jack, Martin
 Klee, Patricia
 LeBrun, Donald
 McCarthy, Michael
 Newman, Sue
 O'Neil, William
 Porter, Marjorie
 Rouillard, Claire
 Somero, Paul
 Van Houten, Connie

MERRIMACK

Turcotte, Alan
 Long, Douglas
 Gile, Mary
 Kenison, Linda
 Luneau, David
 Rodd, Beth
 Shurtleff, Stephen
 Woolpert, David

Bartlett, Christy
 Wolf, Dan
 Moffett, Howard
 Klose, John
 Myler, Mel
 Rogers, Katherine
 Soucy, Timothy

Brewster, Michael
 Doherty, David
 Henle, Paul
 Kotowski, Frank
 Patten, Dick
 Schuett, Dianne
 Walsh, Thomas

Carson, Clyde
 Ebel, Karen
 MacKay, James
 Leavitt, John
 Richards, Beth
 Schultz, Kristina
 Walz, Mary Beth

ROCKINGHAM

Abrami, Patrick
 Berrien, Skip
 Chase, Francis
 DiLorenzo, Charlotte
 Farnham, Betsey
 Gilman, Julie

Allen, Mary
 Bove, Martin
 Cushing, Robert Renny
 Edgar, Michael
 Fesh, Robert
 Guthrie, Joseph

Altschiller, Debra
 Cahill, Michael
 Thomas, Douglas
 Elliott, Robert
 Friel, William
 Marsh, Henry

Bean, Philip
 Cali-Pitts, Jacqueline
 DeSimone, Debra
 Emerick, J. Tracy
 Gay, Betty
 Hagan, Joseph

Hoelzel, Kathleen
Katsakiores, Phyllis
Lundgren, David
Malloy, Dennis
McMahon, Charles
Nigrello, Robert
Tilton, Rio
Somssich, Peter
Tripp, Richard
Webb, James

Edwards, Jess
Khan, Aboul
Griffin, Mary
Manning, John
Messmer, Mindi
Gordon, Pamela
Read, Ellen
Stone, Brian
True, Chris
Welch, David

Janvrin, Jason
Lerner, Kari
Pearson, Mark
Matthews, Carolyn
Milz, David
Packard, Sherman
Rimol, Bob
Sytek, John
Vose, Michael
Willis, Brenda

O'Connor, John
Lovejoy, Patricia
Major, Norman
McKinney, Betsy
Murray, Kate
Pantelakos, Laura
Sapareto, Frank
Le, Tamara
Ward, Gerald

Bixby, Peter
Frost, Sherry
Keans, Sandra
Mullen, John
Scruton, Matthew
Treleven, Susan

Burton, Wayne
Gourgue, Amanda
Krans, Hamilton
Opderbecke, Linn
Southworth, Thomas
Wall, Janet

Ellis, Donna
Grassie, Chuck
Smith, Marjorie
Schmidt, Peter
Spencer, Matthew

Fontneau, Timothy
Horrigan, Timothy
McNally, Jody
Salloway, Jeffrey
Sprague, Dale

STRAFFORD

Cloutier, John
Oxenham, Lee

Gagnon, Raymond
Smith, Steven

Gottling, Suzanne
Sullivan, Brian

Grenier, James
Tanner, Linda

SULLIVAN

NAYS - 81 BELKNAP

Abear, Marc
Howard, Raymond
Sylvia, Michael

Aldrich, Glen
Lang, Timothy
Varney, Peter

Comtois, Barbara
Plumer, John

Fraser, Valerie
Silber, Norman

CARROLL

Avellani, Lino
McConkey, Mark

Comeau, Ed
Marsh, William

Cordelli, Glenn

McCarthy, Frank

CHESHIRE

COOS

Merner, Troy

GRAFTON

Bailey, Brad

Binford, David

Brown, Duane

Johnson, Tiffany

HILLSBOROUGH

Ammon, Keith
Ferreira, Elizabeth
Halstead, Carolyn
Moore, Josh
McLean, Mark
Panasiti, Reed
Sanborn, Laurie

Burt, John
Freeman, Lisa
Hellwig, Steve
Rice, Kimberly
Murphy, Keith
Prout, Andrew
Scully, Kevin

Christie, Rick
Griffin, Gerald
Hopper, Gary
Ober, Lynne
Negron, Steve
Ober, Russell
Sullivan, Victoria

Dickey, Glen
Gould, Linda
Hynes, Dan
Lewicke, John
Notter, Jeanine
Renzullo, Andrew

MERRIMACK

Kuch, Bill
Horn, Werner
Pearl, Howard

Copp, Anne
Moffett, Michael
Seaworth, Brian

Hill, Gregory
Marple, Richard
Testerman, Dave

Hoell, J.R.
McGuire, Carol
Wells, Natalie

ROCKINGHAM

Baldasaro, Alfred
Green, Dennis
Torosian, Peter

Bates, David
Itse, Daniel
Wallace, Scott

Costable, Michael
Morrison, Sean
Weyler, Kenneth

Dowling, Patricia
Gordon, Richard
Woitkun, Steven

STRAFFORD

Beaudoin, Steven
Wuelper, Kurt

Kaczynski, Thomas

Phinney, Brandon

Pitre, Joseph

SULLIVAN

Laware, Thomas

Rollins, Skip

and the majority committee report was adopted.

The House recessed at 12:10 p.m.

RECESS

The House reconvened at 1:10 p.m.

(Speaker Chandler in the Chair)

REGULAR CALENDAR - PART I CONT'D

HB 1476, permitting qualifying patients and designated caregivers to cultivate cannabis for therapeutic use. **OUGHT TO PASS.**

Rep. John Fothergill for Health, Human Services and Elderly Affairs. After careful consideration the committee voted to recommend Ought To Pass on this bill. There is increasing evidence that cannabis is helpful in treating chronic pain, and therefore cannabis may help mitigate the opioid epidemic facing this state and our nation. Since cannabis can be a valuable component of a person's treatment plan, access and affordability should not be a roadblock to good care. Allowing cultivation addresses the access and affordability issues. Safeguards are in place to mitigate inappropriate distribution. Vote 13-8.

Committee report adopted and ordered to third reading.

HB 1798-FN-L, relative to eligibility for food stamps/supplemental nutrition assistance. **INEXPEDIENT TO LEGISLATE.**

Rep. Jess Edwards for Health, Human Services and Elderly Affairs. The majority appreciates the intent of pursuing fiscally conservative approaches to reducing the costs of programs. This bill though would only impact, at most recent count, 38 people spread over 14 towns considered by federal standards to be impoverished as determined by a waiver review. This would deny \$150 per month federal payments on a temporary, demonstrated need basis. This bill would also create a barrier to obtaining a waiver, blocking federal support in the event of a natural disaster if it were to increase overall unemployment. Vote 15-5.

Rep. Morrison spoke against.

Rep. Jess Edwards spoke in favor.

Committee report adopted.

HB 1804-FN, relative to work requirements for able-bodied adults for public assistance programs. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Lucy Weber for the Majority of Health, Human Services and Elderly Affairs. This bill would prohibit the commissioner of health and human services from waiving the federal work requirements under the Supplemental Nutrition Assistance Program (SNAP) and the New Hampshire Employment Program (NHEP). It would establish new and different work requirements for these programs that would track those written into the New Hampshire Health Protection Program (NHHP). While aligning the requirements for all three programs sounds attractive, New Hampshire has not yet received a federal waiver for the NHHP, and further federal waivers might be necessary with respect to the SNAP and NHEP programs. With respect to waivers of the existing federal work requirement, the department currently has one waiver for the SNAP program which covers only 13 towns identified as having few employment opportunities. The fiscal notes says that as of October 2017, only 108 individuals received food stamps in those towns, and only 10 of those individuals are currently participating in the waiver. In the NHEP program, there were 102 individuals out of compliance with the federal work program, and NHEP imposes a penalty for failure to comply. Because of the departure from federal work requirements already in place, the majority is concerned that this bill could result in the loss of federal funding for much-needed programs, thus requiring the expenditure of general funds. In addition, it would result in the dropping of some individuals from the programs. Those individuals would then turn to municipal welfare systems as their last resort, with a resulting increase in expenditures raised wholly from local property taxes. The majority concluded that the potential losses under this bill greatly outweighed any potential savings. Vote 15-5.

Rep. Jess Edwards for the Minority of Health, Human Services and Elderly Affairs. The minority recognizes the potential conflict this bill may have with federal law and/or policy. However, given the looming challenges of finding resources to fix the funding mechanism of the 2015-2016 Medicaid expansion, it is important for the legislature to encourage innovative ways to reduce the financial demands of all existing programs. The minority sided with the intent of the bill more than the legislative language.

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

On a division vote, with 183 members having voted in the affirmative, and 110 in the negative, the majority committee report was adopted.

CACR 15, relating to legal actions. Providing that taxpayers have standing to bring actions against the government. **OUGHT TO PASS.**

Rep. Paul Berch for Judiciary. This constitutional amendment restores to the taxpayers of our state the legal ability to bring certain lawsuits relating to the spending of public funds by the state or the political subdivision in which the taxpayer resides. In doing so, our taxpayers will have broader access to our courts and greater ability to ensure governmental accountability. As the New Hampshire Supreme Court noted several decades ago, every taxpayer has a vital interest in proper government, regardless of whether his or her purse

is specifically affected. Until relatively recently, the New Hampshire Supreme Court recognized taxpayer standing. This amendment will assure that this important taxpayer right will continue to be recognized and enforced. Vote 18-0.

Rep. Wuelper requested a roll call; sufficiently seconded.

YEAS 309 - NAYS 9

YEAS - 309

BELKNAP

Abear, Marc
Fields, Dennis
Lang, Timothy
Sylvia, Michael

Aldrich, Glen
Fraser, Valerie
Plumer, John
Vadney, Herbert

Comtois, Barbara
Howard, Raymond
Silber, Norman
Varney, Peter

Tilton, Franklin
Huot, David
Spanos, Peter

CARROLL

Avellani, Lino
McCarthy, Frank
Schmidt, Stephen

Comeau, Ed
Knirk, Jerry
Marsh, William

Cordelli, Glenn
McConkey, Mark

DesMarais, Edith
Nelson, Bill

CHESHIRE

Abbott, Michael
Burridge, Delmar
Faulkner, Barry
Meador, David
Stallcop, Joseph

Ames, Richard
Harvey, Cathryn
Hunt, John
O'Day, John
Tatro, Bruce

Berch, Paul
Ley, Douglas
Mann, John
Parkhurst, Henry

Bordenet, John
Eaton, Daniel
McConnell, James
Shepardson, Marjorie

COOS

Fothergill, John
Theberge, Robert

Hatch, William
Tucker, Edith

Merner, Troy

Moynihan, Wayne

GRAFTON

Abel, Richard
Binford, David
Darrow, Stephen
Higgins, Patricia
Migliore, Vincent Paul
Sykes, George

Almy, Susan
Boutin, Skylar
Dontonville, Roger
Josephson, Timothy
Mulligan, Mary Jane
Johnson, Tiffany

Bailey, Brad
Brown, Duane
Ham, Bonnie
Maes, Kevin
Schwaegler, Vicki

Bennett, Travis
Campion, Polly
Hennessey, Erin
Massimilla, Linda
Smith, Suzanne

HILLSBOROUGH

Ammon, Keith
Beaulieu, Jane
Moore, Craig
Christie, Rick
Danielson, David
Dyer, Caleb
Ferreira, Elizabeth
Smith, Gregory
Halstead, Carolyn
Hinch, Richard
Graham, John
Judy, Jean
Kurk, Neal
LeBrun, Donald
MacKay, Mariellen
Martineau, Jesse
Negron, Steve
O'Leary, Richard
Pellegrino, Anthony
Prout, Andrew
Rouillard, Claire
Shaw, Barbara
Ulery, Jordan

Backus, Robert
Biggie, Barbara
Carr, John
Cleaver, Skip
Dickey, Glen
Edwards, Elizabeth
Freeman, Lisa
Gagne, Larry
Hansen, Peter
Hopper, Gary
Moore, Josh
Rice, Kimberly
L'Heureux, Robert
Leishman, Peter
MacKenzie, Mark
McLean, Mark
Newman, Sue
Ohm, Bill
Pierce, David
Ober, Russell
Harvey, Suzanne
Somero, Paul
Sullivan, Victoria

Baroody, Benjamin
Bouldin, Amanda
Chandley, Shannon
Connors, Erika
DiSilvestro, Linda
Elber, Joel
Freitas, Mary
Gargas, Carolyn
Heath, Mary
Hynes, Dan
Schmidt, Janice
Keane, Amelia
Ober, Lynne
Lewicke, John
Manley, Jonathan
McNamara, Richard
Notter, Jeanine
Long, Patrick
Porter, Marjorie
Renzullo, Andrew
Scully, Kevin
Wolf, Terry
Van Houten, Connie

Barry, Richard
Burt, John
Christensen, Chris
Cornell, Patricia
Donovan, Daniel
Fedolfi, Jim
Griffin, Gerald
Gould, Linda
Hellwig, Steve
Belanger, James
Jack, Martin
King, Mark
Lascelles, Richard
Lisle, David
Martin, Joelle
Murphy, Keith
Nutting, Allison
Panasiti, Reed
Proulx, Mark
Roberts, Carol
Seidel, Carl
Twombly, Timothy
Williams, Kermit

MERRIMACK

Turcotte, Alan
Carson, Clyde
Doherty, David
Henle, Paul
MacKay, James
Leavitt, John
McGuire, Carol

Kuch, Bill
Copp, Anne
Ebel, Karen
Hill, Gregory
Kenison, Linda
Luneau, David
Myler, Mel

Bartlett, Christy
Long, Douglas
Gile, Mary
Hoell, J.R.
Klose, John
Moffett, Michael
Patten, Dick

Brewster, Michael
Wolf, Dan
Moffett, Howard
Horn, Werner
Kotowski, Frank
Marple, Richard
Pearl, Howard

Rodd, Beth
Seaworth, Brian
Walz, Mary Beth

Rogers, Katherine
Soucy, Timothy
Wells, Natalie

Schuetz, Dianne
Walsh, Thomas
Woolpert, David

Schultz, Kristina
Testerman, Dave

ROCKINGHAM

Abrami, Patrick
Bates, David
Cahill, Michael
Cushing, Robert Renny
Dowling, Patricia
Farnham, Betsey
Gilman, Julie
Hoelzel, Kathleen
O'Connor, John
Lerner, Kari
Major, Norman
McKinney, Betsy
Morrison, Sean
Packard, Sherman
Read, Ellen
Sytek, John
True, Chris
Ward, Gerald
Willis, Brenda

Allen, Mary
Bean, Philip
Cali-Pitts, Jacqueline
Thomas, Douglas
Edgar, Michael
Fesh, Robert
Green, Dennis
Itse, Daniel
Katsakiores, Phyllis
Lovejoy, Patricia
Malloy, Dennis
McMahon, Charles
Murray, Kate
Pantelakos, Laura
Sapareto, Frank
Le, Tamara
Verville, Kevin
Webb, James
Woitkun, Steven

Altschiller, Debra
Berrien, Skip
Chase, Francis
DeSimone, Debra
Elliott, Robert
Friel, William
Guthrie, Joseph
Edwards, Jess
Khan, Aboul
Griffin, Mary
Manning, John
Messmer, Mindi
Nigrello, Robert
Gordon, Richard
Somssich, Peter
Torosian, Peter
Vose, Michael
Welch, David

Baldasaro, Alfred
Bove, Martin
Costable, Michael
DiLorenzo, Charlotte
Emerick, J. Tracy
Gay, Betty
Hagan, Joseph
Janvrin, Jason
Kolodziej, Walter
Pearson, Mark
Matthews, Carolyn
Milz, David
Gordon, Pamela
Tilton, Rio
Stone, Brian
Tripp, Richard
Wallace, Scott
Weyler, Kenneth

STRAFFORD

Beaudoin, Steven
Ellis, Donna
Horrigan, Timothy
McNally, Jody
Pitre, Joseph
Spencer, Matthew

Berube, Roger
Fontneau, Timothy
Kaczynski, Thomas
Mullen, John
Salloway, Jeffrey
Sprague, Dale

Bixby, Peter
Gourgue, Amanda
Keans, Sandra
Opderbecke, Linn
Scruton, Matthew
Wall, Janet

Cilley, Jacalyn
Grassie, Chuck
Smith, Marjorie
Schmidt, Peter
Southworth, Thomas
Wuelper, Kurt

SULLIVAN

Cloutier, John
Laware, Thomas
Tanner, Linda

Gagnon, Raymond
Oxenham, Lee

Gottling, Suzanne
Rollins, Skip

Grenier, James
Sullivan, Brian

NAYS - 9

CARROLL

Buco, Thomas

CHESHIRE

Weber, Lucy

GRAFTON

White, Andrew

HILLSBOROUGH

Goley, Jeffrey

Herbert, Christopher

Klee, Patricia

Rosenwald, Cindy

MERRIMACK

Shurtleff, Stephen

STRAFFORD

Krans, Hamilton

and the committee report was adopted by the necessary three-fifths vote and ordered to third reading.

HB 1337, relative to public bodies under the right-to-know law. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Sandra Keans for the Majority of Judiciary. Most court information is already available except where there has been a reason to seal the records, such as in juvenile or domestic violence cases. There is also a question of "separation of powers"; the extent to which the courts can be ordered to adopt certain activities has been the topic of much debate and ruling by the Supreme Court. Vote 15-1.

Rep. Kurt Wuelper for the Minority of Judiciary. This bill seeks to make the court system a public body subject to the Right-to-Know law. The minority believes the courts, relative to their records, should be as transparent as the rest of government. The General Court still retains authority over the courts except as related to actual court procedures and rules. The minority thinks RSA 91-A has plenty of exemptions to allow the courts to operate as they have. We have heard all information allowable is already available to the public, but we have also heard "not so much" and think the public's right to know should be clear. The minority's amendment simply includes the court system as a public 'agency' vice 'body'.

Majority committee report adopted.

HB 1591, relative to a private right of action for toxin exposure. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Claire Rouillard for the Majority of Judiciary. This bill creates a complicated and private individual right of action for hazardous waste violations, which are not prevalently recognized in the United States. These actions are generally brought by the New Hampshire Department of Environmental Services or as a class action. The process for the private right of action as outlined in this bill is complicated, very broad, and vague. It requires prior notice to the Commissioner of the Department of Environmental Services, along with notice to any alleged violator, without providing a period of time for corrective action. The private right of action can be brought against a person who "has contributed or who is contributing to the past or present handling, storage, treatment, transportation or disposal of a solid waste or hazardous waste that may present endangerment to health or the environment, including any past or present generator, past or present transporter, or past or present owner or operator of a facility." It also allows "any person to intervene as a matter of right unless the commission shows that the applicant's interest is adequately represented by existing parties." Also included is the ability of the court to award attorney's fees, to the person bringing the action, without requiring that party to prevail in the litigation. This bill also provides for a "strict liability" litigation standard for exposure to toxic substances. Strict liability does not require the plaintiff to prove the defendant is at fault. Strict liability only requires the plaintiff to show harm and that the defendant was likely responsible, even if the defendant acted in good faith or took all possible precautions. For this reason, strict liability is sometimes referred to as absolute liability. Articles reviewed indicate that strict liability is not universally recognized across the country in toxic tort litigation. To complicate this even more, this bill indicates that a person who releases a toxic substance shall also be "jointly and severally liable" for any harm resulting from such release. Joint and several liability in New Hampshire is based upon fault. Our New Hampshire statute states that any defendant who is less than 50% at fault is only severally liable (i.e: liable for that portion of the claimant's damages equal to the share of fault). Therefore, strict liability and joint and several liability are in conflict, as one requires no fault and the other requires assessment of the percentage of fault. Lastly, this bill has a provision for "medical monitoring." Medical monitoring is a provision in a settlement, typically in class action suits, which requires the defendant to deposit large sums of money to monitor the health of many individuals who have been exposed to toxic pollution by periodic testing for disease. The key issue is whether claimants can recover costs before a latent disease manifests. The great majority of states in this country say "no." Only 16 states allow it and it is typically when there is a class action, not an individual claim as stated in this bill. There was also a suggestion by the New Hampshire Oil Fund Disbursement Board that passage of this legislation would likely lead to attempts to reach into third party funds that are intended to fulfill clean up and remediation obligations of the board, violating the intent of RSA 146-D. The bipartisan majority of the committee understands the concerns of possible toxic exposure to our citizens, but this bill is not the way to go for New Hampshire. Vote 10-5.

Rep. Suzanne Smith for the Minority of Judiciary. The health of New Hampshire's water is in crisis. Hazardous wastes are permeating our groundwater, surface water and drinking water. Whether from the Coakley Landfill superfund site or from manufacturing facilities like St. Gobain, toxic chemicals have leached into the state's ground and surface waters. This bill provides a private right of action for hazardous waste violations. This bill would allow a person to commence civil action against any person or company that has been in violation of any permits or violations, as well as a person or company that has contributed to the past or present handling, storage, treatment transportation or disposal of a solid or hazardous waste. If an offender is already engaged in remedial action or if DES or the attorney general has commenced and is prosecuting an offender, the actions outlined in the bill would not be applicable. This bill also provides for medical monitoring for people with known exposure to toxins, including testing for the purpose of detecting or monitoring disease or tests to detect latent disease. The minority understands that the department is working hard to keep up with the threat of emerging contaminants and other toxins in our water, but believes that any steps we can take to combat this threat and protect our citizens should be our highest priority.

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

Rep. Messmer spoke against.

Rep. Rouillard spoke in favor.

Rep. Cushing requested a roll call; sufficiently seconded.

YEAS 232 - NAYS 98

YEAS - 232

BELKNAP

Abear, Marc
Fields, Dennis
Plumer, John
Vadney, Herbert

Aldrich, Glen
Fraser, Valerie
Silber, Norman
Varney, Peter

Comtois, Barbara
Howard, Raymond
Spanos, Peter

Tilton, Franklin
Lang, Timothy
Spanos, Peter
Sylvia, Michael

CARROLL

Avellani, Lino
Cordelli, Glenn
Nelson, Bill

Buco, Thomas
DesMarais, Edith
Schmidt, Stephen

Butler, Edward
McCarthy, Frank
Marsh, William

Comeau, Ed
McConkey, Mark

CHESHIRE

Abbott, Michael
Harvey, Cathryn
Hunt, John
Parkhurst, Henry

Ames, Richard
Ley, Douglas
Mann, John
Stallcop, Joseph

Berch, Paul
Faulkner, Barry
Meador, David
Pearson, William

Bordenet, John
Johnsen, Gladys
O'Day, John

COOS

Fothergill, John

Merner, Troy

Richardson, Herbert

Theberge, Robert

GRAFTON

Almy, Susan
Brown, Duane
Ham, Bonnie
Migliore, Vincent Paul

Bailey, Brad
Campion, Polly
Hennessey, Erin
Rand, Steven

Binford, David
Darrow, Stephen
Josephson, Timothy
Schwaegler, Vicki

Boutin, Skylar
Dontonville, Roger
Ladd, Rick

HILLSBOROUGH

Ammon, Keith
Burt, John
Christie, Rick
Danielson, David
Dyer, Caleb
Freeman, Lisa
Gargas, Carolyn
Heath, Mary
Hopper, Gary
Moore, Josh
Keane, Amelia
Lascelles, Richard
MacKay, Mariellen
McNamara, Richard
Notter, Jeanine
Proulx, Mark
Roberts, Carol
Seidel, Carl
Twombly, Timothy

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Hynes, Dan
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Kurk, Neal
LeBrun, Donald
McCarthy, Michael
Murphy, Keith
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Prout, Andrew
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Ulery, Jordan

Barry, Richard
Carr, John
Cornell, Patricia
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Fedolfi, Jim
Smith, Gregory
Halstead, Carolyn
Herbert, Christopher
Belanger, James
Judy, Jean
L'Heureux, Robert
Leishman, Peter
Martineau, Jesse
Negron, Steve
Pellegrino, Anthony
Ober, Russell
Sanborn, Laurie
Somero, Paul
Sullivan, Victoria

Biggie, Barbara
Christensen, Chris
Sullivan, Daniel
Donovan, Daniel
Ferreira, Elizabeth
Gagne, Larry
Hansen, Peter
Hinch, Richard
Graham, John
Rice, Kimberly
Ober, Lynne
Lewicke, John
McLean, Mark
Newman, Sue
Pierce, David
Renzullo, Andrew
Scully, Kevin
Wolf, Terry
Williams, Kermit

MERRIMACK

Turcotte, Alan
Copp, Anne
Hill, Gregory
Kenison, Linda
Moffett, Michael
Seaworth, Brian
Wells, Natalie

Kuch, Bill
Long, Douglas
Hoell, J.R.
Klose, John
Marple, Richard
Soucy, Timothy

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

Brewster, Michael
Henle, Paul
MacKay, James
Leavitt, John
Pearl, Howard
Testerman, Dave

ROCKINGHAM

Abrami, Patrick
Berrien, Skip
Costable, Michael
Dowling, Patricia
Friel, William
Hagan, Joseph
Janvrin, Jason
Lovejoy, Patricia
Major, Norman
McMahon, Charles
Packard, Sherman
Torosian, Peter
Wallace, Scott
Woitkun, Steven

Allen, Mary
Bove, Martin
Thomas, Douglas
Elliott, Robert
Gilman, Julie
Hoelzel, Kathleen
O'Connor, John
Lundgren, David
Manning, John
Milz, David
Gordon, Richard
Tripp, Richard
Webb, James

Baldasaro, Alfred
Cahill, Michael
DeSimone, Debra
Emerick, J. Tracy
Green, Dennis
Itse, Daniel
Katsakiores, Phyllis
Griffin, Mary
Matthews, Carolyn
Morrison, Sean
Sapareto, Frank
True, Chris
Welch, David

Bates, David
Chase, Francis
DiLorenzo, Charlotte
Fesh, Robert
Guthrie, Joseph
Edwards, Jess
Kolodziej, Walter
Pearson, Mark
McKinney, Betsy
Nigrello, Robert
Sytek, John
Vose, Michael
Weyler, Kenneth

STRAFFORD

Beaudoin, Steven
Kaczynski, Thomas
Graham, Robert
Wall, Janet

Bixby, Peter
Krans, Hamilton
Scruton, Matthew
Wuelper, Kurt

Fontneau, Timothy
McNally, Jody
Spencer, Matthew

Gourgue, Amanda
Mullen, John
Sprague, Dale

Grenier, James
Tanner, Linda

Laware, Thomas

SULLIVAN

Rollins, Skip

Sullivan, Brian

NAYS - 98

BELKNAP

Huot, David

CARROLL

Knirk, Jerry

CHESHIRE

Burridge, Delmar
Tatro, Bruce

Eaton, Daniel
Weber, Lucy

McConnell, James

Shepardson, Marjorie

COOS

Hatch, William

Moynihan, Wayne

Tucker, Edith

GRAFTON

Abel, Richard
Massimilla, Linda
White, Andrew

Bennett, Travis
Mulligan, Mary Jane

Higgins, Patricia
Smith, Suzanne

Maes, Kevin
Sykes, George

HILLSBOROUGH

Backus, Robert
Cleaver, Skip
Schmidt, Janice
MacKenzie, Mark
O'Leary, Richard
Porter, Marjorie

Beaulieu, Jane
Elber, Joel
King, Mark
Manley, Jonathan
O'Neil, William
Rosenwald, Cindy

Bouldin, Amanda
Freitas, Mary
Klee, Patricia
Martin, Joelle
Long, Patrick
Harvey, Suzanne

Chandley, Shannon
Goley, Jeffrey
Lisle, David
Nutting, Allison
Panasiti, Reed
Van Houten, Connie

MERRIMACK

Carson, Clyde
Moffett, Howard
Rodd, Beth
Shurtleff, Stephen

Doherty, David
Luneau, David
Rogers, Katherine
Walz, Mary Beth

Ebel, Karen
Myler, Mel
Schuett, Dianne
Woolpert, David

Gile, Mary
Patten, Dick
Schultz, Kristina

ROCKINGHAM

Altschiller, Debra
Edgar, Michael
Lerner, Kari
Gordon, Pamela
Somssich, Peter
Willis, Brenda

Bean, Philip
Farnham, Betsey
Malloy, Dennis
Pantelakos, Laura
Stone, Brian

Cali-Pitts, Jacqueline
Gay, Betty
Messmer, Mindi
Tilton, Rio
Le, Tamara

Cushing, Robert Renny
Khan, Aboul
Murray, Kate
Read, Ellen
Ward, Gerald

STRAFFORD

Berube, Roger
Grassie, Chuck
Opderbecke, Linn
Southworth, Thomas

Burton, Wayne
Horrigan, Timothy
Schmidt, Peter
Treleaven, Susan

Cilley, Jacalyn
Keans, Sandra
Pitre, Joseph

Ellis, Donna
Smith, Marjorie
Salloway, Jeffrey

SULLIVAN

Cloutier, John

Gagnon, Raymond

Gottling, Suzanne

Oxenham, Lee

and the majority committee report was adopted.

HB 1717-FN, requiring a jury trial before the municipality transfers certain property. **INEXPEDIENT TO LEGISLATE.**

Rep. Kurt Wuelper for Judiciary. This bill sought to require any municipality to get a verdict from a jury before transferring private property valued over \$1,500 for its own benefit and to have such property listed on the State Treasurer's abandoned property list. The committee believed adequate legal protection is already afforded before physical property is declared "abandoned" and the state abandoned property list has no ability or process to deal with any non-financial property. Vote 16-1.

Committee report adopted.

HB 1321, relative to the hours youth are permitted to work. **MAJORITY: REFER FOR INTERIM STUDY. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Brian Seaworth for the Majority of Labor, Industrial and Rehabilitative Services. This bill, as submitted, would exempt homeschoolers from a portion of the law that restricts work hours for youth under 18-years-old. The intention of the bill was to prevent students with non-traditional hours from being blocked

from gaining work experience by laws tailored for public school students. This bill had several problems. First, it impacts two different areas of law, working youth under 16 and working youth 16-17. For the under 16, NH law closely mirrors federal law and making changes merely at the state level would not change the legality of a particular working arrangement. For 16-17, however, federal law does not restrict hours and only state law applies. While we heard a number of specific issues regarding youth employment, it seemed that most, if not all, were not in conflict with existing law. Rather, there seems to be significant misunderstanding about what the NH-specific laws which restrict the hours of workers 16-17 say, and how they should be applied. By holding this bill for interim study, the majority of the committee hopes to learn more about these problems with perception and perhaps rectify them, whether the solution be legislative or administrative. Vote 20-1.

Rep. Janice Schmidt for the Minority of Labor, Industrial and Rehabilitative Services. There was no compelling testimony that this bill would address any issue not already in current law.

Majority committee report adopted.

HB 1307, relative to the default budget in certain towns. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Carolyn Matthews for Municipal and County Government. As amended, this bill addresses the way the default budget is presented to voters in towns and school districts that have adopted the official ballot (SB 2) form of town meeting. Presentations are intended to provide voters at the first budget hearing and again at the deliberative session with enough detail to be able to understand and question how their default budgets have been constructed. After studying the history of past proposed default budget bills, the committee believes that this added transparency will go a long way toward establishing accuracy and trust in the default budgeting process between voters and their towns and school districts. The bill also adds a definition, recently tested in superior court, to stipulate that “contracts” and their amounts are those included in the previous year’s operating budget or in previous separate warrant articles. Defining how contracts are to be used in the construction of default budgets is intended to align this element of default budget construction more clearly with the concept that a default budget should freeze the previous year’s budget in place. For example, if a school district signs a new contract with a new superintendent of schools shortly before voting day, any increased amount over the previous year’s allotment for this position cannot be included in the default budget calculations. If a town negotiates a new contract for fuel oil mid-year, any increase in costs over the previous year’s allotment for fuel oil cannot be included in the default budget calculations. If the proposed budget fails and the default budget is put into place, any signed contracts must still be honored by the town or school. The committee believes that since town selectmen and school board members can exercise their right to move money around in their budgets to cover any additional costs of new contracts, the town and the school can continue to honor these contracts. The amendment replaces the entire bill and combines elements from the other three default budget bills which were before the committee (HB 1396, 1547 and 1652). Vote 14-4.

Amendment (0684h)

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

AN ACT relative to the presentation of a default budget.

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

1 Use of Official Ballot; Meeting. Amend the introductory paragraph of RSA 40:13, IV to read as follows:

IV. The first session of the meeting, governed by the provisions of RSA 40:4, 40:4-a, 40:4-b, 40:4-f, and 40:6-40:10, shall consist of explanation, discussion, and debate of each warrant article, ***including warrant articles pertaining to the operating budget or the default budget***. A vote to restrict reconsideration shall be deemed to prohibit any further action on the restricted article until the second session, and RSA 40:10, II shall not apply. Warrant articles may be amended at the first session, subject to the following limitations:

2 New Subparagraph; Official Ballot; Definition; Contracts. Amend RSA 40:13, IX by inserting after subparagraph (b) the following new subparagraph:

(c) “Contracts” as used in this subdivision means contracts previously approved, in the amount so approved, by the legislative body in either the operating budget authorized for the previous year or in a separate warrant article for the previous year.

3 Official Ballot; Default Budget. Amend the introductory paragraph of RSA 40:13, XI(a) to read as follows:

XI.(a) The default budget shall be disclosed at the first budget hearing held pursuant to RSA 32:5 or RSA 197:6 ***and shall be presented for questions and discussion using the same individual line items in the detailed operating budget or chart of accounts that is regularly used by the local political subdivision to present its operating budget***. The governing body, unless the provisions of RSA 40:14-b are adopted, shall complete a default budget form created by the department of revenue administration to demonstrate how the default budget amount was calculated. The form and associated calculations shall, at a minimum, include the following:

AMENDED ANALYSIS

This bill requires the presentation of the default budget at the deliberative session to include individual line items.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

HB 1561, relative to the use of recycled tire rubber at village, town, municipal, and school playgrounds. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: REFER FOR INTERIM STUDY.**

Rep. Franklin Sterling for the Majority of Municipal and County Government. This bill was introduced to prohibit the installation of “crumb rubber” filled artificial turf “within the boundaries of a village, town...” The committee heard testimony from proponents of the proposed ban and from those opposed. Although there are ongoing studies of the potential harm, those in favor of the ban were unable to provide conclusive evidence of any direct correlation between illness or disease and the crumb rubber filled turf. In the absence of such evidence the committee decided that a total ban would be inappropriate at this time. Vote 15-4.

Rep. Clyde Carson for the Minority of Municipal and County Government. This bill resulted from a study strongly linking the use of crumb rubber in artificial turf in soccer fields to the incidence of cancer in soccer players, particularly in goalies. Crumb rubber from recycled tires is a common turf material used in playgrounds and athletic fields. The committee heard testimony that as crumb rubber deteriorates, it emits several chemicals, some of which are known carcinogens. The committee also heard testimony that more study needs to be done before a definitive connection can be concluded. The minority agrees that more study is needed, but it also believes that does not equate to inaction while those studies occur. The minority supports interim study to see what makes sense for NH.

Majority committee report adopted.

HB 1428-FN, relative to removal of roadside memorials. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Karen Ebel for Public Works and Highways. This bill, as amended, responds to the NH Department of Transportation’s request for legislative guidance in the treatment of roadside memorials that have been placed in the right of ways of state primary and secondary highways. The department currently has clear autonomy to remove obstructions in those highways. However, not all roadside memorials are obstructions. This bill, as amended, prohibits the placement of roadside memorials in the right of way of any primary or secondary highway. However, respectful of the emotional content of roadside memorials, the department is authorized to remove and dispose of roadside memorials after 90 days have elapsed from the date of the event being memorialized. Vote 18-0.

Amendment (0432h)

Amend the bill by replacing section 1 with the following:

1 Removal of Obstructions. Amend RSA 236:29 to read as follows:

236:29 Removal of Obstructions.

I. The department of transportation may remove all obstructions in class I, class II, class III, or class III-a highways, and the highway agent of any city or town may remove all obstructions on any other highway and on town maintained portions of class II highways.

II. *No roadside memorials are permitted within the right of way of any primary or secondary highway. If not removed pursuant to RSA 236:29, I, the department of transportation shall remove and dispose of any roadside memorial after 90 days commencing from the date of the event being memorialized.*

Committee amendment adopted.

Committee report adopted and ordered to third reading.

HB 1706, relative to the construction of a Lake Sunapee public boat ramp. **INEXPEDIENT TO LEGISLATE.**

Rep. Mark McConkey for Public Works and Highways. This bill proposed to fund the construction of the Fish and Game Department’s proposed Lake Sunapee public deep-water boat launch with parking at Birch Grove road in Newbury, commonly referred to as the Wild Goose site. The construction would have been funded by a \$2,075,000 bond appropriation. While the location was favored by the Fish and Game Department, the Department of Environmental Services, and the Public Works and Highways committee in 2017, it was not ultimately funded in the 2017 Capital Budget. In September 2017, by Executive Order 2017-06, Governor Sununu created the Lake Sunapee Public Boat Access Development Commission. The Commission’s charge is to “research and evaluate both potential alternatives for development of the Wild Goose property and potential alternative opportunities for expansion of public boat access at Lake Sunapee.” The Commission’s report is due on March 1. Recognizing that the Commission’s recommendations will directly affect future decisions by the Governor, the legislature, and Fish and Game regarding the Lake Sunapee boat ramp, the committee believes it is unwise to move forward with funding the project as proposed in this bill. Vote 19-2.

Rep. Hansen spoke against and yielded to questions.

Rep. Ebel spoke in favor.

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

On a division vote, with 210 members having voted in the affirmative, and 114 in the negative, the committee report was adopted.

HB 1737-FN-L, relative to the permissible level of methyl tertiary butyl ether in drinking water. **INEXPEDIENT TO LEGISLATE.**

Rep. Chris Christensen for Resources, Recreation and Development. This bill sought to establish MtBE levels in statute. The House and this committee have routinely voted to set levels in rules. The Department of Environmental Services already has the authority to set MtBE standards, so this bill is unnecessary. Vote 15-0.

Rep. McConnell spoke against and yielded to questions.

Rep. Renzullo spoke in favor.

On a division vote, with 264 members having voted in the affirmative, and 61 in the negative, the committee report was adopted.

HB 1101-FN, regulating groundwater pollution caused by polluting emissions in the air. **OUGHT TO PASS.**

Rep. Douglas Thomas for Science, Technology and Energy. This bill allows the Department of Environmental Services (DES) to regulate the air emissions of perfluorinated compounds (PFCs) or their precursors in circumstances where they cause or contribute to or have the potential to cause or contribute to the exceedance of a groundwater or surface water standard through the deposit of such pollutants from the air. It clarifies the basis for and requires periodic review of ambient groundwater quality standards and directs the department to evaluate the ambient groundwater quality standards for perfluorooctanoic acid (PFOA) and perfluorooctanesulfonic acid (PFOS) and to set ambient groundwater quality standards for perfluorononanoic acid (PFNA) and perfluorohexanesulfonic acid (PFHxS). It establishes criteria for setting maximum contaminant limits for public drinking water systems and directs the department to set maximum contaminant limits for PFOA, PFOS, PFNA, and PFHxS. This bill has already been unanimously recommended by the Resources, Recreation and Development Committee and subsequently passed the House by voice vote prior to referral to this committee. Testimony received by the committee, including from DES, strongly supports this bill. Vote 19-0. Committee report adopted and ordered to third reading.

HB 1230, establishing a commission to study the economic impact of national carbon pricing on New Hampshire. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Douglas Thomas for the Majority of Science, Technology and Energy. This bill would establish a commission to study the economic impact of a national carbon pricing program on New Hampshire. The committee heard testimony after testimony that a national carbon pricing program was in the works and will imminently be in place. Testifier after testifier adamantly argued that a carbon tax program was so imminent that we needed to study how it worked and what the effects would be. Further testimony explained in some detail how this could work. One outlined how the expected increase in carbon generated energy prices would be offset by dividends such that the low income users would get more back than they put in, the average wage earners would see a zero sum, and expectedly, the higher earners would get less back. The committee heard that even if a national program was not forthcoming, the states around New Hampshire were surely on the verge of enacting one and we needed to plan for the future. With all this assuredness, the majority of the committee wondered why such a commission was needed. There is ample information available. Carbon tax programs are not new ideas and it was felt that nothing new would be accomplished to justify the time and expense of a commission. The majority felt the best course of action was not to pass the bill. Vote 12-9.

Rep. Marjorie Shepardson for the Minority of Science, Technology and Energy. National interest is growing for carbon pricing, putting a fee on fossil fuels to reflect their true costs. An increasing number of people recognize that it is a simple, transparent, market-based approach to lowering carbon emissions which will improve our environment and our health while ensuring a robust and resilient economy. This bill would set up a study commission to look at what impacts national carbon pricing would have on our state businesses, industries, and consumers. It would help us plan for the future and give businesses predictable energy costs. What energy projects should we be building? How can we help our local businesses adapt? Other countries are already doing this, other states in our region are looking at this, and we should be too.

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

Rep. Notter spoke in favor.

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

YEAS 181 - NAYS 146

YEAS - 181

BELKNAP

Abear, Marc
Fields, Dennis
Silber, Norman

Aldrich, Glen
Fraser, Valerie
Spanos, Peter

Comtois, Barbara
Lang, Timothy
Vadney, Herbert

Tilton, Franklin
Plumer, John
Varney, Peter

CARROLL

Avellani, Lino
McConkey, Mark

Comeau, Ed
Nelson, Bill

Cordelli, Glenn
Schmidt, Stephen

McCarthy, Frank
Marsh, William

CHESHIRE

Hunt, John

McConnell, James

O'Day, John

Sterling, Franklin

COOS

Fothergill, John

Merner, Troy

Theberge, Robert

GRAFTON

Bailey, Brad
Darrow, Stephen
Migliore, Vincent Paul

Binford, David
Ham, Bonnie
Schwaegler, Vicki

Boutin, Skylar
Hennessey, Erin

Brown, Duane
Ladd, Rick

HILLSBOROUGH

Ammon, Keith
Moore, Craig
Dickey, Glen
Ferreira, Elizabeth
Gagne, Larry
Hansen, Peter
Belanger, James
Kurk, Neal
LeBrun, Donald
McLean, Mark
Ohm, Bill
Prout, Andrew
Sanborn, Laurie
Somero, Paul
Sullivan, Victoria

Barry, Richard
Carr, John
Donovan, Daniel
Freeman, Lisa
Gargas, Carolyn
Hellwig, Steve
Graham, John
L'Heureux, Robert
Lewicke, John
Murphy, Keith
Pellegrino, Anthony
Ober, Russell
Scully, Kevin
Wolf, Terry

Biggie, Barbara
Christensen, Chris
Dyer, Caleb
Griffin, Gerald
Gould, Linda
Hinch, Richard
Moore, Josh
Ober, Lynne
MacKay, Mariellen
Negron, Steve
Pierce, David
Renzullo, Andrew
Seidel, Carl
Twombly, Timothy

Burt, John
Sullivan, Daniel
Fedolff, Jim
Smith, Gregory
Halstead, Carolyn
Hynes, Dan
Rice, Kimberly
Lascelles, Richard
McCarthy, Michael
Notter, Jeanine
Proulx, Mark
Rouillard, Claire
Shaw, Barbara
Ulery, Jordan

MERRIMACK

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

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

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

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

ROCKINGHAM

Cook, Allen
Bates, David
Costable, Michael
Elliott, Robert
Gay, Betty
Hoelzel, Kathleen
O'Connor, John
Lundgren, David
Manning, John
Milz, David
Gordon, Richard
Torosian, Peter
Vose, Michael
Weyler, Kenneth

Abrami, Patrick
Bean, Philip
Thomas, Douglas
Emerick, J. Tracy
Green, Dennis
Itse, Daniel
Katsakiores, Phyllis
Griffin, Mary
Matthews, Carolyn
Morrison, Sean
Tilton, Rio
Tripp, Richard
Wallace, Scott
Woitkun, Steven

Allen, Mary
Bove, Martin
DeSimone, Debra
Fesh, Robert
Guthrie, Joseph
Edwards, Jess
Khan, Aboul
Pearson, Mark
McKinney, Betsy
Nigrello, Robert
Sapareto, Frank
True, Chris
Webb, James

Baldasaro, Alfred
Chase, Francis
Dowling, Patricia
Friel, William
Hagan, Joseph
Janvrin, Jason
Kolodziej, Walter
Major, Norman
McMahon, Charles
Packard, Sherman
Stone, Brian
Verville, Kevin
Welch, David

STRAFFORD

Beaudoin, Steven
Pitre, Joseph
Sprague, Dale

Kaczynski, Thomas
Graham, Robert
Wuelper, Kurt

McNally, Jody
Scruton, Matthew

Mullen, John
Spencer, Matthew

SULLIVAN

Grenier, James

Laware, Thomas

Rollins, Skip

Smith, Steven

**NAYS - 146
BELKNAP**

Huot, David

CARROLL

Buco, Thomas

Butler, Edward

DesMarais, Edith

Knirk, Jerry

CHESHIRE

Abbott, Michael
Burridge, Delmar
Johnsen, Gladys
Shepardson, Marjorie

Ames, Richard
Harvey, Cathryn
Mann, John
Stallcop, Joseph

Berch, Paul
Ley, Douglas
Meader, David
Pearson, William

Bordenet, John
Faulkner, Barry
Parkhurst, Henry
Weber, Lucy

COOS

Hatch, William

Moynihan, Wayne

Tucker, Edith

Thomas, Yvonne

GRAFTON

Abel, Richard
Dontonville, Roger
Massimilla, Linda
Sykes, George

Almy, Susan
Higgins, Patricia
Mulligan, Mary Jane
White, Andrew

Bennett, Travis
Josephson, Timothy
Rand, Steven

Campion, Polly
Maes, Kevin
Smith, Suzanne

HILLSBOROUGH

Backus, Robert
Chandley, Shannon
Danielson, David
Freitas, Mary
Schmidt, Janice
King, Mark
Mangipudi, Latha
McNamara, Richard
O'Leary, Richard
Porter, Marjorie
Van Houten, Connie

Baroody, Benjamin
Cleaver, Skip
DiSilvestro, Linda
Goley, Jeffrey
Jack, Martin
Klee, Patricia
Manley, Jonathan
Newman, Sue
O'Neil, William
Roberts, Carol
Williams, Kermit

Beaulieu, Jane
Connors, Erika
Edwards, Elizabeth
Heath, Mary
Judy, Jean
Leishman, Peter
Martin, Joelle
Nutting, Allison
Long, Patrick
Rosenwald, Cindy

Bouldin, Amanda
Cornell, Patricia
Elber, Joel
Herbert, Christopher
Keane, Amelia
Lisle, David
Martineau, Jesse
O'Brien, Michael
Panasiti, Reed
Harvey, Suzanne

MERRIMACK

Turcotte, Alan
Ebel, Karen
MacKay, James
Patten, Dick
Schuett, Dianne
Walz, Mary Beth

Bartlett, Christy
Gile, Mary
Kenison, Linda
Richards, Beth
Schultz, Kristina
Woolpert, David

Carson, Clyde
Moffett, Howard
Luneau, David
Rodd, Beth
Shurtleff, Stephen

Doherty, David
Henle, Paul
Myler, Mel
Rogers, Katherine
Soucy, Timothy

ROCKINGHAM

Altschiller, Debra
Cushing, Robert Renny
Gilman, Julie
Messmer, Minda
Read, Ellen
Willis, Brenda

Berrien, Skip
DiLorenzo, Charlotte
Lerner, Kari
Murray, Kate
Somssich, Peter

Cahill, Michael
Edgar, Michael
Lovejoy, Patricia
Gordon, Pamela
Le, Tamara

Cali-Pitts, Jacqueline
Farnham, Betsey
Malloy, Dennis
Pantelakos, Laura
Ward, Gerald

STRAFFORD

Bixby, Peter
Gourgue, Amanda
Krans, Hamilton
Salloway, Jeffrey

Burton, Wayne
Grassie, Chuck
Smith, Marjorie
Southworth, Thomas

Ellis, Donna
Horriggan, Timothy
Opderbecke, Linn
Treleaven, Susan

Fontneau, Timothy
Keans, Sandra
Schmidt, Peter
Wall, Janet

SULLIVAN

Cloutier, John
Sullivan, Brian

Gagnon, Raymond
Tanner, Linda

Gottling, Suzanne

Oxenham, Lee

and the majority committee report was adopted.

HB 1338, establishing a committee to study the changes in law necessary to allow for microgrids in electricity supply. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Douglas Thomas for the Majority of Science, Technology and Energy. This bill seeks to explore the concept of microgrids in the electric supply and to uncover any legal barriers preventing their development and use. The committee heard testimony indicating no such barriers exist. It also learned of the studies already being conducted by the electric utilities which have produced no requests for legislative action. Additionally, the Chair of the Legislative Oversight Committee on Electric Utility Restructuring noted the subject of microgrids will be included in its agenda to monitor progress and actions needed, if necessary. The sponsor indicated he did not care if this study was approved as long as the subject of microgrids was included in other ways. The majority felt enough is being done in this regard, making this study unnecessary. Vote 12-9.

Rep. Kenneth Vincent for the Minority of Science, Technology and Energy. Though the majority of the committee does not favor establishing this study committee, many people have no idea what a microgrid is. A microgrid is a localized group of electricity sources and loads that normally operates connected to and synchronous with the traditional centralized electrical grid (macrogrid), but can also disconnect off the grid and function autonomously as physical and/or economic conditions dictate. The US Department of Energy's

Microgrid Exchange Group defined a microgrid as a group of interconnected loads and distributed energy resources within clearly defined electrical boundaries that acts as a single controllable entity with respect to the grid. A microgrid can connect and disconnect from the grid to enable it to operate in both a connected or off-grid mode. The value of using a microgrid together with storage capacities can keep areas fully supplied with energy when there is a blackout on the grid. This bill supports the Governor's goals for reducing energy costs in the state of New Hampshire. Let us give it a chance by establishing this study committee.

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

Rep. Oxenham spoke against.

Rep. Kuch spoke in favor.

On a division vote, with 170 members having voted in the affirmative, and 144 in the negative, the majority committee report was adopted.

HB 1515, relative to an exemption from the combustion ban on construction and demolition debris. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Glen Aldrich for the Majority of Science, Technology and Energy. This bill is enabling legislation that simply removes a barrier that prevents the combustion of bio-oil and synthetic gas extracted from construction and demolition debris, and opens the door for further research and development of another source of bio-fuel. Vote 15-6. Rep. Robert Backus for the Minority of Science, Technology and Energy. This bill would permit the Department of Environmental Services to process an application for reuse of construction and demolition (C&D) debris by means of pyrolysis or gasification. C&D has been banned for several years as a result of health concerns caused by combustion of this waste in waste to energy incinerators, such as Bio Energy that operated in Hopkinton. C&D debris contains known toxins, such as arsenic, mercury, and asbestos which can be a potential cause of cancer and other illnesses. Testimony before the committee revealed that the proposed process is in important respects untried and therefore experimental. The waste product not reprocessed into fuel, known as char, may contain hazardous materials. The only company to appear which may be the processor of this debris, testified that it had only used its technology on green wood, not C&D. In addition, the company interested in being able to provide C&D debris for pyrolysis stated that at this time it has a sufficient market for this material. Although the legislature provided a limited, 10,000-ton exception to the ban when used in municipal waste combustors, the minority is concerned that this bill represents a further and less limited breach of the present ban on the combustion of C&D and could lead to other requests that would reintroduce the dangers of reuse of C&D debris.

Majority Amendment (0560h)

Amend RSA 125-C:10-c, II(d) as inserted by section 1 of the bill by replacing it with the following:

(d) The combustion of bio-oil, bio-synthetic gas, or bio-diesel produced from the wood component of construction and demolition debris using non-combustion thermal or chemical processes including, but not limited to, pyrolysis or gasification. The non-combustion thermal or chemical processes proposed shall be subject to the review requirements of this chapter, RSA 125-I, and the administrative rules of the air resources division of the department of environmental services. The wood derived from construction and demolition debris shall be processed in a manner no less stringent than the requirements referenced in subparagraph (b).

Amend the bill by inserting after section 1 the following and renumbering the original section 2 to read as 3:

2 Solid Waste Management; Permit Required. Amend RSA 149-M:9, XIV to read as follows:

XIV. ~~[Notwithstanding any provision of law or rule to the contrary,]~~ the department shall not certify as a waste-derived product the wood component of construction and demolition debris, or any mixture of or derivation therefrom, to be combusted in any manner, except ~~[that]~~ methane gas collected from the decomposition of waste at a facility authorized pursuant to this chapter as a landfill for the disposal of solid waste may be certified as a waste-derived product for distribution and use as a fuel, provided that it meets market fuel standards ***as allowed under RSA 125-C:10-c, II(d).***

Majority committee amendment adopted.

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

Rep. Vose spoke in favor and yielded to questions.

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

YEAS 182 - NAYS 147

**YEAS - 182
BELKNAP**

Abear, Marc
Fields, Dennis
Silber, Norman

Aldrich, Glen
Fraser, Valerie
Spanos, Peter

Comtois, Barbara
Lang, Timothy
Vadney, Herbert

Tilton, Franklin
Plumer, John
Varney, Peter

CARROLL

Avellani, Lino
McConkey, Mark
Marsh, William

Comeau, Ed
Nelson, Bill

Cordelli, Glenn
Schmidt, Stephen

McCarthy, Frank
Umberger, Karen

CHESHIRE

Hunt, John
Sterling, Franklin

McConnell, James

O'Day, John

Stallcop, Joseph

COOS

Merner, Troy

Theberge, Robert

Thomas, Yvonne

GRAFTON

Bailey, Brad
Darrow, Stephen
Rand, Steven

Binford, David
Hennessey, Erin
Schwaegler, Vicki

Boutin, Skylar
Ladd, Rick

Brown, Duane
Migliore, Vincent Paul

HILLSBOROUGH

Ammon, Keith
Burt, John
Christie, Rick
Fedolfi, Jim
Smith, Gregory
Hansen, Peter
Belanger, James
Kurk, Neal
LeBrun, Donald
Mangipudi, Latha
Notter, Jeanine
Pierce, David
Renzullo, Andrew
Seidel, Carl
Twombly, Timothy

Griffin, Barbara
Moore, Craig
Dickey, Glen
Ferreira, Elizabeth
Gagne, Larry
Hellwig, Steve
Graham, John
L'Heureux, Robert
Lewicke, John
McLean, Mark
Ohm, Bill
Proulx, Mark
Rouillard, Claire
Shaw, Barbara
Ulery, Jordan

Barry, Richard
Carr, John
Donovan, Daniel
Freeman, Lisa
Gould, Linda
Hinch, Richard
Moore, Josh
Ober, Lynne
MacKay, Mariellen
Murphy, Keith
Panasiti, Reed
Prout, Andrew
Sanborn, Laurie
Somero, Paul
Sullivan, Victoria

Biggie, Barbara
Christensen, Chris
Dyer, Caleb
Griffin, Gerald
Halstead, Carolyn
Hynes, Dan
Rice, Kimberly
Lascelles, Richard
McCarthy, Michael
Negron, Steve
Pellegrino, Anthony
Ober, Russell
Scully, Kevin
Wolf, Terry

MERRIMACK

Turcotte, Alan
Moffett, Howard
Klose, John
Marple, Richard
Walsh, Thomas

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

Copp, Anne
Hoell, J.R.
Leavitt, John
Patten, Dick
Wells, Natalie

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

ROCKINGHAM

Cook, Allen
Bates, David
Thomas, Douglas
Emerick, J. Tracy
Green, Dennis
Itse, Daniel
Khan, Aboul
Pearson, Mark
McKinney, Betsy
Nigrello, Robert
Somssich, Peter
True, Chris
Welch, David

Abrami, Patrick
Bove, Martin
DeSimone, Debra
Fesh, Robert
Guthrie, Joseph
Edwards, Jess
Kolodziej, Walter
Major, Norman
McMahon, Charles
Packard, Sherman
Stone, Brian
Vose, Michael
Weyler, Kenneth

Allen, Mary
Chase, Francis
Dowling, Patricia
Friel, William
Hagan, Joseph
O'Connor, John
Lundgren, David
Manning, John
Milz, David
Gordon, Richard
Torosian, Peter
Wallace, Scott
Woitkun, Steven

Baldasaro, Alfred
Costable, Michael
Elliott, Robert
Gay, Betty
Hoelzel, Kathleen
Katsakiores, Phyllis
Griffin, Mary
Matthews, Carolyn
Morrison, Sean
Sapareto, Frank
Tripp, Richard
Webb, James

STRAFFORD

Beaudoin, Steven
Mullen, John
Spencer, Matthew

Fontneau, Timothy
Pitre, Joseph
Sprague, Dale

Kaczynski, Thomas
Graham, Robert
Wuelper, Kurt

McNally, Jody
Scruton, Matthew

SULLIVAN

Laware, Thomas

Rollins, Skip

Smith, Steven

**NAYS - 147
BELKNAP**

Howard, Raymond

Huot, David

CARROLL

Buco, Thomas

Butler, Edward

DesMarais, Edith

Knirk, Jerry

CHESHIRE

Abbott, Michael
Burridge, Delmar
Faulkner, Barry
Parkhurst, Henry
Weber, Lucy

Ames, Richard
Harvey, Cathryn
Johnsen, Gladys
Shepardson, Marjorie

Berch, Paul
Ley, Douglas
Mann, John
Tatro, Bruce

Bordenet, John
Eaton, Daniel
Meader, David
Pearson, William

COOS

Fothergill, John

Hatch, William

Moynihan, Wayne

Tucker, Edith

GRAFTON

Abel, Richard
Dontonville, Roger
Massimilla, Linda
White, Andrew

Almy, Susan
Higgins, Patricia
Mulligan, Mary Jane

Bennett, Travis
Josephson, Timothy
Smith, Suzanne

Campion, Polly
Maes, Kevin
Sykes, George

HILLSBOROUGH

Backus, Robert
Chandley, Shannon
Sullivan, Daniel
Elber, Joel
Herbert, Christopher
Keane, Amelia
Lisle, David
McNamara, Richard
O'Leary, Richard
Roberts, Carol
Williams, Kermit

Baroody, Benjamin
Cleaver, Skip
Danielson, David
Freitas, Mary
Schmidt, Janice
King, Mark
Manley, Jonathan
Newman, Sue
O'Neil, William
Rosenwald, Cindy

Beaulieu, Jane
Connors, Erika
DiSilvestro, Linda
Goley, Jeffrey
Jack, Martin
Klee, Patricia
Martin, Joelle
Nutting, Allison
Long, Patrick
Harvey, Suzanne

Bouldin, Amanda
Cornell, Patricia
Edwards, Elizabeth
Heath, Mary
Judy, Jean
Leishman, Peter
Martineau, Jesse
O'Brien, Michael
Porter, Marjorie
Van Houten, Connie

MERRIMACK

Bartlett, Christy
Doherty, David
MacKay, James
Richards, Beth
Schultz, Kristina
Woolpert, David

Brewster, Michael
Ebel, Karen
Kenison, Linda
Rodd, Beth
Shurtleff, Stephen

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

Wolf, Dan
Henle, Paul
Myler, Mel
Schuett, Dianne
Walz, Mary Beth

ROCKINGHAM

Altschiller, Debra
Cali-Pitts, Jacqueline
Farnham, Betsey
Malloy, Dennis
Pantelakos, Laura
Ward, Gerald

Bean, Philip
Cushing, Robert Renny
Gilman, Julie
Messmer, Mindi
Read, Ellen
Willis, Brenda

Berrien, Skip
DiLorenzo, Charlotte
Lerner, Kari
Murray, Kate
Le, Tamara

Cahill, Michael
Edgar, Michael
Lovejoy, Patricia
Gordon, Pamela
Verville, Kevin

STRAFFORD

Bixby, Peter
Gourgue, Amanda
Krans, Hamilton
Salloway, Jeffrey

Burton, Wayne
Grassie, Chuck
Smith, Marjorie
Southworth, Thomas

Cilley, Jacalyn
Horrigan, Timothy
Opderbecke, Linn
Treleaven, Susan

Ellis, Donna
Keans, Sandra
Schmidt, Peter
Wall, Janet

SULLIVAN

Cloutier, John
Oxenham, Lee

Gagnon, Raymond
Sullivan, Brian

Gottling, Suzanne
Tanner, Linda

Grenier, James

and the majority committee report was adopted and ordered to third reading.
Rep. Alan Turcotte voted Yea and intended to vote Nay.

HB 1611, establishing a committee to study off-shore wind energy development. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Herbert Vadney for the Majority of Science, Technology and Energy. For an excellent example of why one should not pursue off-shore wind power development, one need only go about 140 miles south to investigate the Block Island Wind Farm. That development, with only 5 to 6 megawatt turbines, cost \$300 million and produces a paltry amount of electricity. Although rated at 30 megawatts, its actual production is only half of that full rating. The electricity that it produces is being sold for about 25 cents per kilowatt hour, double or more our price in New Hampshire. That site sits in shallow water while turbines in New Hampshire would have to be in much deeper water, likely making the power even more expensive than Block Island's. Four years ago this Legislature conducted a study similar to what this bill is suggesting. Quite simply, our short 17 mile seacoast, Portsmouth to Seabrook, would encounter many opponents from the fishing, beach, and boating communities which are all quite valuable to the seacoast way of life and its assorted business community. Vote 11-8.

Rep. Peter Somssich for the Minority of Science, Technology and Energy. The minority believes that this bill, calling for a study of off-shore wind energy, is an important step in planning for New Hampshire's energy future and should be supported. Already globally, wind energy is under bidding all other new energy generation. The North Sea in Europe already has numerous such installations in operation. This January, Colorado utility Xcel Energy was offered new wind power at 1.8 cents/kWh or 2.1 cents with battery storage for 24/7 utilization. This is probably the lowest priced energy nationally. The Gulf of Maine has been identified as one of the best locations for new off-shore wind energy development. Our state last evaluated this potential over four years ago. Since then new technologies, including viable floating wind turbines, improved blade efficiencies, better and cheaper energy storage capabilities, and more power generation per turbine have changed what is possible. Currently, 28 off-shore wind energy projects are already being considered for implementation. Our state should not fall behind other New England states currently considering this opportunity. NextEra Energy, the owner of Seabrook station, is one of the major national players in the wind energy sector and could play a significant role in our future energy planning. The fossil fuel industry will not be bringing significant companies and jobs to NH. However, the wind energy industry could do both, using either the Portsmouth Naval Shipyard or the Pease Tradeport as new locations for future development. It is time for NH to take a fresh look at this significant clean and sustainable energy source.

The question being adoption of the majority committee report of Inexpedient to Legislate.
Rep. Cushing spoke against.

(Rep. Packard in the Chair)

Rep. Vadney spoke in favor.

Rep. Cushing requested a roll call; sufficiently seconded.

YEAS 169 - NAYS 150

**YEAS - 169
BELKNAP**

Abear, Marc
Fields, Dennis
Silber, Norman

Aldrich, Glen
Fraser, Valerie
Spanos, Peter

Comtois, Barbara
Howard, Raymond
Vadney, Herbert

Tilton, Franklin
Plumer, John
Varney, Peter

CARROLL

Avellani, Lino
Nelson, Bill

Comeau, Ed
Schmidt, Stephen

McCarthy, Frank
Umberger, Karen

McConkey, Mark
Marsh, William

CHESHIRE

Bordenet, John
Stallcop, Joseph

Hunt, John
Sterling, Franklin

McConnell, James

O'Day, John

COOS

Fothergill, John

Merner, Troy

Theberge, Robert

GRAFTON

Bailey, Brad
Darrow, Stephen

Binford, David
Hennessey, Erin

Boutin, Skylar
Ladd, Rick

Brown, Duane
Schwaegler, Vicki

HILLSBOROUGH

Ammon, Keith
Burt, John
Christie, Rick
Dyer, Caleb
Griffin, Gerald
Halstead, Carolyn
Belanger, James
Kurk, Neal
LeBrun, Donald
McLean, Mark
Ohm, Bill
Proulx, Mark
Rouillard, Claire
Somero, Paul
Sullivan, Victoria

Griffin, Barbara
Moore, Craig
Danielson, David
Fedolfi, Jim
Smith, Gregory
Hellwig, Steve
Graham, John
L'Heureux, Robert
Lewicke, John
Murphy, Keith
Panasiti, Reed
Prout, Andrew
Sanborn, Laurie
Wolf, Terry

Barry, Richard
Carr, John
Dickey, Glen
Ferreira, Elizabeth
Gagne, Larry
Hinch, Richard
Moore, Josh
Ober, Lynne
MacKay, Mariellen
Negron, Steve
Pellegrino, Anthony
Ober, Russell
Scully, Kevin
Twombly, Timothy

Biggie, Barbara
Christensen, Chris
Donovan, Daniel
Freeman, Lisa
Gould, Linda
Hynes, Dan
Rice, Kimberly
Lascelles, Richard
McCarthy, Michael
Notter, Jeanine
Pierce, David
Renzullo, Andrew
Seidel, Carl
Ulery, Jordan

MERRIMACK

Kuch, Bill
Hoell, J.R.
Moffett, Michael
Seaworth, Brian

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

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

Hill, Gregory
Kotowski, Frank
Myler, Mel
Wells, Natalie

ROCKINGHAM

Cook, Allen
Bates, David
Thomas, Douglas
Emerick, J. Tracy
Green, Dennis
Edwards, Jess
Kolodziej, Walter
Major, Norman
Milz, David
Sapareto, Frank
True, Chris
Webb, James

Abrami, Patrick
Bean, Philip
DeSimone, Debra
Fesh, Robert
Hagan, Joseph
O'Connor, John
Lundgren, David
Manning, John
Morrison, Sean
Stone, Brian
Verville, Kevin
Welch, David

Allen, Mary
Chase, Francis
Dowling, Patricia
Friel, William
Hoelzel, Kathleen
Katsakiores, Phyllis
Griffin, Mary
Matthews, Carolyn
Nigrello, Robert
Torosian, Peter
Vose, Michael
Weyler, Kenneth

Baldasaro, Alfred
Costable, Michael
Elliott, Robert
Gay, Betty
Itse, Daniel
Khan, Aboul
Pearson, Mark
McKinney, Betsy
Gordon, Richard
Tripp, Richard
Wallace, Scott
Woitkun, Steven

STRAFFORD

Kaczynski, Thomas
Graham, Robert

McNally, Jody
Scruton, Matthew

Mullen, John
Wuelper, Kurt

Pitre, Joseph

SULLIVAN

Grenier, James

Laware, Thomas

Rollins, Skip

Smith, Steven

**NAYS - 150
BELKNAP**

Huot, David

CARROLL

Buco, Thomas

Butler, Edward

DesMarais, Edith

Knirk, Jerry

CHESHIRE

Abbott, Michael
Harvey, Cathryn
Johnsen, Gladys
Tatro, Bruce

Ames, Richard
Ley, Douglas
Mann, John
Weber, Lucy

Berch, Paul
Eaton, Daniel
Parkhurst, Henry

Burridge, Delmar
Faulkner, Barry
Shepardson, Marjorie

COOS

Hatch, William

Moynihan, Wayne

Tucker, Edith

Thomas, Yvonne

GRAFTON

Abel, Richard
Higgins, Patricia
Mulligan, Mary Jane
White, Andrew

Almy, Susan
Josephson, Timothy
Rand, Steven

Bennett, Travis
Maes, Kevin
Smith, Suzanne

Dontonville, Roger
Massimilla, Linda
Sykes, George

HILLSBOROUGH

Backus, Robert
Chandley, Shannon
Sullivan, Daniel
Freitas, Mary
Herbert, Christopher
Keane, Amelia
Lisle, David
Martineau, Jesse
O'Brien, Michael
Porter, Marjorie
Shaw, Barbara

Baroody, Benjamin
Cleaver, Skip
DiSilvestro, Linda
Goley, Jeffrey
Schmidt, Janice
King, Mark
Mangipudi, Latha
McNamara, Richard
O'Leary, Richard
Roberts, Carol
Van Houten, Connie

Beaulieu, Jane
Connors, Erika
Edwards, Elizabeth
Hansen, Peter
Jack, Martin
Klee, Patricia
Manley, Jonathan
Newman, Sue
O'Neil, William
Rosenwald, Cindy
Vann, Ivy

Bouldin, Amanda
Cornell, Patricia
Elber, Joel
Heath, Mary
Judy, Jean
Leishman, Peter
Martin, Joelle
Nutting, Allison
Long, Patrick
Harvey, Suzanne
Williams, Kermit

MERRIMACK

Turcotte, Alan
Doherty, David
Henle, Paul
Luneau, David
Rogers, Katherine
Soucy, Timothy

Bartlett, Christy
Ebel, Karen
MacKay, James
Patten, Dick
Schuett, Dianne
Walz, Mary Beth

Brewster, Michael
Gile, Mary
Kenison, Linda
Richards, Beth
Schultz, Kristina
Woolpert, David

Carson, Clyde
Moffett, Howard
Leavitt, John
Rodd, Beth
Shurtleff, Stephen

ROCKINGHAM

Altschiller, Debra
Cali-Pitts, Jacqueline
Farnham, Betsey
Lovejoy, Patricia
Murray, Kate
Somssich, Peter

Berrien, Skip
Cushing, Robert Renny
Gilman, Julie
Malloy, Dennis
Gordon, Pamela
Le, Tamara

Bove, Martin
DiLorenzo, Charlotte
Guthrie, Joseph
McMahon, Charles
Pantelakos, Laura
Ward, Gerald

Cahill, Michael
Edgar, Michael
Lerner, Kari
Messmer, Mindi
Read, Ellen
Willis, Brenda

STRAFFORD

Bixby, Peter
Fontneau, Timothy
Keans, Sandra
Schmidt, Peter
Wall, Janet

Burton, Wayne
Gourgue, Amanda
Krans, Hamilton
Salloway, Jeffrey

Cilley, Jacalyn
Grassie, Chuck
Smith, Marjorie
Southworth, Thomas

Ellis, Donna
Horrigan, Timothy
Opderbecke, Linn
Treleaven, Susan

SULLIVAN

Cloutier, John
Sullivan, Brian

Gagnon, Raymond
Tanner, Linda

Gottling, Suzanne

Oxenham, Lee

and the majority committee report was adopted.

HB 1779-FN, requiring monitoring of certain radioactive air pollutants. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Douglas Thomas for the Majority of Science, Technology and Energy. This bill requires the Department of Health and Human Services (HHS) to monitor the air for radioactive air pollutants. If enacted, HHS would develop a network of stations to monitor in real-time various types of radioactive airborne pollutants. In essence, the monitoring would be to determine the extent and seriousness of radiation doses received by humans and animal life. This determination would be based on the analysis of the data collected and further requires that the department publish and make available to the general public, on a semi-annual basis, a summary and discussion of the information collected during the previous 6 months. The committee heard that an extensive network of monitors are deployed and have been since the Seabrook Station came online. It also heard testimony that no significant incidences had ever occurred. The nearby Portsmouth Naval Shipyard also monitors for nuclear pollutants. These are external monitoring stations. Seabrook Station has over 80 monitors inside the plant and on its property. In addition, the cost of such a project was estimated to be \$142,534, with ongoing annual costs of approximately \$100,000 per year. Because the bill failed to allocate monies to support the efforts required by the agency, this bill was not identified as a second committee bill, although a fiscal note was included. As written, this bill would make the state responsible to fund, develop, and maintain a monitoring network. Further, there is a question as to whether HHS is the appropriate agency to establish, maintain, and monitor the data collection. The majority of the committee felt there are enough monitors and saw no indications that more were needed to justify the expense. Vote 13-8.

Rep. Robert Backus for the Minority of Science, Technology and Energy. The minority of the committee believes this bill is needed to employ 21st century technology to monitor radiation levels along the seacoast of New Hampshire where there are two large potential radiation sources. The minority cited the presence a pediatric cancer cluster in the area and that Massachusetts has had a monitoring system in place since the 1980's. The minority also felt it was necessary to install this equipment to monitor radiation levels because NextEra Energy has admitted that more than 50% of the concrete structures at Seabrook Nuclear Power Plant have been degraded by a alkali-silica reaction to the worst stage, Stage 3.

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

Rep. Messmer spoke against and yielded to questions.

Rep. Merner spoke in favor.

Rep. Cushing requested a roll call; sufficiently seconded.

YEAS 166 - NAYS 158**YEAS - 166****BELKNAP**

Abear, Marc
Fields, Dennis
Silber, Norman

Aldrich, Glen
Howard, Raymond
Spanos, Peter

Comtois, Barbara
Lang, Timothy
Vadney, Herbert

Tilton, Franklin
Plumer, John
Varney, Peter

CARROLL

Avellani, Lino
McConkey, Mark
Marsh, William

Comeau, Ed
Nelson, Bill

Cordelli, Glenn
Schmidt, Stephen

McCarthy, Frank
Umberger, Karen

CHESHIRE

Hunt, John

O'Day, John

Sterling, Franklin

COOS

Fothergill, John

Merner, Troy

Theberge, Robert

GRAFTON

Bailey, Brad
Hennessey, Erin

Binford, David
Migliore, Vincent Paul

Brown, Duane
Schwaegler, Vicki

Darrow, Stephen

HILLSBOROUGH

Ammon, Keith
Burt, John
Christie, Rick
Dyer, Caleb
Griffin, Gerald
Halstead, Carolyn
Hopper, Gary
Moore, Josh
Ober, Lynne
McCarthy, Michael
Notter, Jeanine
Pierce, David
Renzullo, Andrew
Seidel, Carl
Ulery, Jordan

Griffin, Barbara
Moore, Craig
Danielson, David
Fedolfi, Jim
Smith, Gregory
Hansen, Peter
Hynes, Dan
Rice, Kimberly
Lascelles, Richard
McLean, Mark
Ohm, Bill
Proulx, Mark
Rouillard, Claire
Somero, Paul
Sullivan, Victoria

Barry, Richard
Carr, John
Dickey, Glen
Ferreira, Elizabeth
Gagne, Larry
Hellwig, Steve
Belanger, James
Kurk, Neal
LeBrun, Donald
Murphy, Keith
Panasiti, Reed
Prout, Andrew
Sanborn, Laurie
Wolf, Terry

Biggie, Barbara
Christensen, Chris
Donovan, Daniel
Freeman, Lisa
Gould, Linda
Hinch, Richard
Graham, John
L'Heureux, Robert
MacKay, Mariellen
Negron, Steve
Pellegrino, Anthony
Ober, Russell
Scully, Kevin
Twombly, Timothy

MERRIMACK

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

Copp, Anne
Hoell, J.R.
Moffett, Michael
Seaworth, Brian

Long, Douglas
Horn, Werner
Marple, Richard
Walsh, Thomas

Wolf, Dan
Klose, John
McGuire, Carol
Testerman, Dave

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Abrami, Patrick
Bove, Martin
DeSimone, Debra
Friel, William
Hoelzel, Kathleen
Katsakiores, Phyllis
Pearson, Mark
McKinney, Betsy
Nigrello, Robert
Torosian, Peter
Vose, Michael
Weyler, Kenneth

Allen, Mary
Chase, Francis
Dowling, Patricia
Green, Dennis
Itse, Daniel
Khan, Aboul
Major, Norman
McMahon, Charles
Gordon, Richard
Tripp, Richard
Wallace, Scott
Woitkun, Steven

Baldasaro, Alfred
Costable, Michael
Elliott, Robert
Guthrie, Joseph
Edwards, Jess
Kolodziej, Walter
Manning, John
Milz, David
Sapareto, Frank
True, Chris
Webb, James

Bates, David
Thomas, Douglas
Fesh, Robert
Hagan, Joseph
O'Connor, John
Griffin, Mary
Matthews, Carolyn
Morrison, Sean
Stone, Brian
Verville, Kevin
Welch, David

STRAFFORD

Kaczynski, Thomas
Scruton, Matthew

Mullen, John
Spencer, Matthew

Pitre, Joseph
Wuelper, Kurt

Graham, Robert

SULLIVAN

Grenier, James

Laware, Thomas

Rollins, Skip

Smith, Steven

**NAYS - 158
BELKNAP**

Huot, David

CARROLL

Buco, Thomas

Butler, Edward

DesMarais, Edith

Knirk, Jerry

CHESHIRE

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

Ames, Richard
Harvey, Cathryn
Johnsen, Gladys
Parkhurst, Henry
Weber, Lucy

Berch, Paul
Ley, Douglas
Mann, John
Shepardson, Marjorie

Bordenet, John
Eaton, Daniel
McConnell, James
Stallcop, Joseph

COOS

Hatch, William

Moynihan, Wayne

Tucker, Edith

Thomas, Yvonne

GRAFTON

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

Almy, Susan
Dontonville, Roger
Massimilla, Linda
Sykes, George

Bennett, Travis
Higgins, Patricia
Mulligan, Mary Jane
White, Andrew

Boutin, Skylar
Josephson, Timothy
Rand, Steven

HILLSBOROUGH

Backus, Robert
Chandley, Shannon

Baroody, Benjamin
Cleaver, Skip

Beaulieu, Jane
Connors, Erika

Bouldin, Amanda
Cornell, Patricia

Sullivan, Daniel
Goley, Jeffrey
Judy, Jean
Leishman, Peter
Manley, Jonathan
Newman, Sue
O'Neil, William
Rosenwald, Cindy
Vann, Ivy

DiSilvestro, Linda
Heath, Mary
Keane, Amelia
Lewicke, John
Martin, Joelle
Nutting, Allison
Long, Patrick
Harvey, Suzanne
Williams, Kermit

Elber, Joel
Schmidt, Janice
King, Mark
Lisle, David
Martineau, Jesse
O'Brien, Michael
Porter, Marjorie
Shaw, Barbara

Freitas, Mary
Jack, Martin
Klee, Patricia
Mangipudi, Latha
McNamara, Richard
O'Leary, Richard
Roberts, Carol
Van Houten, Connie

MERRIMACK

Turcotte, Alan
Doherty, David
Henle, Paul
Luneau, David
Rodd, Beth
Shurtleff, Stephen

Bartlett, Christy
Ebel, Karen
MacKay, James
Myler, Mel
Rogers, Katherine
Soucy, Timothy

Brewster, Michael
Gile, Mary
Kenison, Linda
Patten, Dick
Schuett, Dianne
Walz, Mary Beth

Carson, Clyde
Moffett, Howard
Leavitt, John
Richards, Beth
Schultz, Kristina
Woolpert, David

ROCKINGHAM

Cook, Allen
Cahill, Michael
Emerick, J. Tracy
Janvrin, Jason
Malloy, Dennis
Pantelakos, Laura
Ward, Gerald

Altschiller, Debra
Cushing, Robert Renny
Farnham, Betsey
Lerner, Kari
Messmer, Mindi
Read, Ellen
Willis, Brenda

Bean, Philip
DiLorenzo, Charlotte
Gay, Betty
Lovejoy, Patricia
Murray, Kate
Somssich, Peter

Berrien, Skip
Edgar, Michael
Gilman, Julie
Lundgren, David
Gordon, Pamela
Le, Tamara

STRAFFORD

Bixby, Peter
Fontneau, Timothy
Keans, Sandra
Opderbecke, Linn
Treleaven, Susan

Burton, Wayne
Gourgue, Amanda
Krans, Hamilton
Schmidt, Peter
Wall, Janet

Cilley, Jacalyn
Grassie, Chuck
Smith, Marjorie
Salloway, Jeffrey

Ellis, Donna
Horrigan, Timothy
McNally, Jody
Southworth, Thomas

SULLIVAN

Cloutier, John
Sullivan, Brian

Gagnon, Raymond
Tanner, Linda

Gottling, Suzanne

Oxenham, Lee

and the majority committee report was adopted.

HJR 4, urging Congress to apply laws equally to United States citizens and members of Congress. INEXPEDIENT TO LEGISLATE.

Rep. Alfred Baldasaro for State-Federal Relations and Veterans Affairs. While the committee agrees that Congress should comply with laws they pass, this bill also served as a resolution for an Article V Convention for changes to the Constitution, to force Congress to comply with the laws of the land. We considered the requirement that Congress obey its own laws. This is not a subject for an Article V Convention. Vote 14-4.

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

Committee report adopted.

HB 1270, relative to the prohibition on the use of mobile electronic devices while driving. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.

Rep. Werner Horn for the Majority of Transportation. NH drivers are safest when traffic laws are clear and uncomplicated; black and white, like speed limit signs. Everyone knows what a black and white sign reading "speed limit 55" means. If a driver travels at 85 MPH in a 55 MPH zone they have a good idea why they would be pulled over. With current law, a NH driver understands that they cannot operate their mobile electronic devices while driving. This bill would have introduced a grey area making enforcement more difficult, and the applicability of the law less certain, resulting in a decrease in overall safe driving conditions. Vote 13-2.

Rep. Chris True for the Minority of Transportation. This bill would allow the use of a hand held cell phone while stopped at a red light. Many people testified as being against hand held cell phone use while driving. This bill does not allow hand held cellphone use while driving. The minority feels that a quick check of your cell phone while sitting at a red light should be allowed.

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

Rep. Moore spoke against.

(Speaker Chandler in the Chair)

Reps. Horn and Steven Smith spoke in favor.

Rep. Sylvia spoke against.

Rep. Hoell requested a roll call; sufficiently seconded.

YEAS 232 - NAYS 99**YEAS - 232
BELKNAP**

Tilton, Franklin
Vadney, Herbert

Fields, Dennis
Varney, Peter

Huot, David

Spanos, Peter

CARROLL

Buco, Thomas
McCarthy, Frank
Schmidt, Stephen

Butler, Edward
Knirk, Jerry
Umberger, Karen

Cordelli, Glenn
McConkey, Mark
Marsh, William

DesMarais, Edith
Nelson, Bill

CHESHIRE

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

Ames, Richard
Harvey, Cathryn
Johnsen, Gladys
Sterling, Franklin

Berch, Paul
Ley, Douglas
Mann, John
Tatro, Bruce

Bordenet, John
Eaton, Daniel
Meader, David
Weber, Lucy

COOS

Fothergill, John
Theberge, Robert

Hatch, William
Tucker, Edith

Moynihan, Wayne
Thomas, Yvonne

Richardson, Herbert

GRAFTON

Abel, Richard
Campion, Polly
Josephson, Timothy
Migliore, Vincent Paul
Sykes, George

Almy, Susan
Dontonville, Roger
Ladd, Rick
Mulligan, Mary Jane
White, Andrew

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

Boutin, Skylar
Hennessey, Erin
Massimilla, Linda
Smith, Suzanne

HILLSBOROUGH

Griffin, Barbara
Beaulieu, Jane
Chandley, Shannon
Cornell, Patricia
Donovan, Daniel
Gagne, Larry
Heath, Mary
Jeudy, Jean
Kurk, Neal
MacKay, Mariellen
Martineau, Jesse
O'Brien, Michael
Panasiti, Reed
Roberts, Carol
Scully, Kevin
Van Houten, Connie

Backus, Robert
Biggie, Barbara
Christensen, Chris
Sullivan, Daniel
Elber, Joel
Goley, Jeffrey
Hinch, Richard
Keane, Amelia
Lascelles, Richard
Mangipudi, Latha
McNamara, Richard
O'Leary, Richard
Pellegrino, Anthony
Rosenwald, Cindy
Seidel, Carl
Vann, Ivy

Baroody, Benjamin
Bouldin, Amanda
Cleaver, Skip
Danielson, David
Fedolfi, Jim
Gould, Linda
Schmidt, Janice
King, Mark
LeBrun, Donald
Manley, Jonathan
Newman, Sue
O'Neil, William
Pierce, David
Rouillard, Claire
Somero, Paul
Williams, Kermit

Barry, Richard
Carr, John
Connors, Erika
DiSilvestro, Linda
Freitas, Mary
Hansen, Peter
Jack, Martin
Klee, Patricia
Lisle, David
Martin, Joelle
Nutting, Allison
Long, Patrick
Porter, Marjorie
Harvey, Suzanne
Wolf, Terry

MERRIMACK

Turcotte, Alan
Wolf, Dan
Moffett, Howard
Kenison, Linda
Luneau, David
Schuett, Dianne
Walsh, Thomas

Bartlett, Christy
Doherty, David
Henle, Paul
Klose, John
Myler, Mel
Schultz, Kristina
Walz, Mary Beth

Carson, Clyde
Ebel, Karen
Horn, Werner
Kotowski, Frank
Richards, Beth
Shurtleff, Stephen

Long, Douglas
Gile, Mary
MacKay, James
Leavitt, John
Rodd, Beth
Soucy, Timothy

ROCKINGHAM

Abrami, Patrick
Berrien, Skip
Chase, Francis
Dowling, Patricia
Farnham, Betsey
Gilman, Julie
Janvrin, Jason
Lovejoy, Patricia
Malloy, Dennis
Milz, David
Packard, Sherman
Le, Tamara
Ward, Gerald
Woitkun, Steven

Allen, Mary
Bove, Martin
Cushing, Robert Renny
Edgar, Michael
Fesh, Robert
Green, Dennis
O'Connor, John
Lundgren, David
Matthews, Carolyn
Murray, Kate
Pantelakos, Laura
Tripp, Richard
Welch, David

Altschiller, Debra
Cahill, Michael
Thomas, Douglas
Elliott, Robert
Friel, William
Hagan, Joseph
Katsakiores, Phyllis
Griffin, Mary
McKinney, Betsy
Nigrello, Robert
Read, Ellen
Verville, Kevin
Weyler, Kenneth

Bean, Philip
Cali-Pitts, Jacqueline
DeSimone, Debra
Emerick, J. Tracy
Gay, Betty
Hoelzel, Kathleen
Khan, Aboul
Major, Norman
McMahon, Charles
Gordon, Pamela
Somssich, Peter
Vose, Michael
Willis, Brenda

STRAFFORD

Bixby, Peter
Fontneau, Timothy
Keans, Sandra
Mullen, John
Salloway, Jeffrey
Treleaven, Susan

Burton, Wayne
Gourgue, Amanda
Krans, Hamilton
Opderbecke, Linn
Scruton, Matthew
Wall, Janet

Cilley, Jacalyn
Grassie, Chuck
Smith, Marjorie
Schmidt, Peter
Southworth, Thomas

Ellis, Donna
Horrigan, Timothy
McNally, Jody
Graham, Robert
Sprague, Dale

SULLIVAN

Cloutier, John
Laware, Thomas
Sullivan, Brian

Gagnon, Raymond
Oxenham, Lee
Tanner, Linda

Gottling, Suzanne
Rollins, Skip

Grenier, James
Smith, Steven

NAYS - 99**BELKNAP**

Abear, Marc
Howard, Raymond
Sylvia, Michael

Aldrich, Glen
Lang, Timothy

Comtois, Barbara
Plumer, John

Fraser, Valerie
Silber, Norman

CARROLL

Avellani, Lino

Comeau, Ed

CHESHIRE

Hunt, John
Stallcop, Joseph

McConnell, James

O'Day, John

Shepardson, Marjorie

COOS

Merner, Troy

GRAFTON

Bailey, Brad
Schwaegler, Vicki

Binford, David

Brown, Duane

Darrow, Stephen

HILLSBOROUGH

Ammon, Keith
Dickey, Glen
Freeman, Lisa
Hellwig, Steve
Graham, John
Leishman, Peter
Murphy, Keith
Proulx, Mark
Sanborn, Laurie
Sullivan, Victoria

Burt, John
Dyer, Caleb
Griffin, Gerald
Hopper, Gary
Moore, Josh
Lewicke, John
Negron, Steve
Prout, Andrew
Shaw, Barbara

Moore, Craig
Edwards, Elizabeth
Smith, Gregory
Hynes, Dan
L'Heureux, Robert
McCarthy, Michael
Notter, Jeanine
Ober, Russell
Twombly, Timothy

Christie, Rick
Ferreira, Elizabeth
Halstead, Carolyn
Belanger, James
Ober, Lynne
McLean, Mark
Ohm, Bill
Renzullo, Andrew
Ulery, Jordan

MERRIMACK

Kuch, Bill
Hoell, J.R.
Patten, Dick
Testerman, Dave

Brewster, Michael
Moffett, Michael
Pearl, Howard
Wells, Natalie

Copp, Anne
Marple, Richard
Rogers, Katherine
Woolpert, David

Hill, Gregory
McGuire, Carol
Seaworth, Brian

ROCKINGHAM

Cook, Allen
DiLorenzo, Charlotte
Kolodziej, Walter
Messmer, Mindi
Stone, Brian
Webb, James

Baldasaro, Alfred
Guthrie, Joseph
Lerner, Kari
Morrison, Sean
Torosian, Peter

Bates, David
Itse, Daniel
Pearson, Mark
Gordon, Richard
True, Chris

Costable, Michael
Edwards, Jess
Manning, John
Sapareto, Frank
Wallace, Scott

STRAFFORD

Kaczynski, Thomas

Pitre, Joseph

Spencer, Matthew

Wuelper, Kurt

and the majority committee report was adopted.

HB 1350, requiring headlight use when windshield wipers are in use. **INEXPEDIENT TO LEGISLATE.** Rep. Steven Smith for Transportation. This bill would require headlights or daytime running lamps to be on when wipers are in use. The bill made no distinction between intermittent use and steady use. It also did not strike the existing visibility and weather conditions under which lights are required. This makes the statute too confusing to enforce. Vote 10-3.
Committee report adopted.

HB 1365, relative to OHRV operation on public ways. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Steven Smith for Transportation. This bill, as amended, resolves a conflict with RSA 263, where an under-aged off-highway recreational vehicle (OHRV) rider operating on a public way could receive a moving violation. The bill also changes the requirements for the rider supervising the child. The supervising rider must be an 18-year old family member or 25 years of age. The amendment strikes a provision that would have raised the minimum age to 14. Vote 15-4.

Amendment (0830h)

Amend the bill by replacing section 1 with the following:

1 OHRV Operation and License. Amend RSA 215-A:29, I-a(b) to read as follows:

(b) ***Notwithstanding RSA 263***, any person at least 12 years of age, who has successfully completed an approved ~~[snowmobile or]~~ OHRV training program ***and carries proof of parental consent and proof of permission from the OHRV owner to operate the OHRV, who is*** operating an OHRV along the traveled portion of a public highway, where permitted, ***and*** who is not licensed to drive as described in subparagraph I(b)(2), shall be accompanied at all times by a person who is licensed to drive as described in subparagraph I(b)(2), who is at least ~~[18]~~ ***25*** years of age ***or an immediate family member who is at least 18 years of age***, and who shall be legally responsible and be liable according to the law for personal injury or property damage to others which may result from such operation by an unlicensed person.

AMENDED ANALYSIS

This bill amends the requirements for certain youths to operate an OHRV on a public way.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

HB 1400, relative to red light equipment on vehicles owned by dispatchers. **INEXPEDIENT TO LEGISLATE.**

Rep. Karel Crawford for Transportation. There was no demonstrated need for this bill. No one other than the sponsor testified in support. The committee felt that expanding red light usage to dispatchers state wide without reviewing their qualifications and training is a risk. Vote 11-2.

Committee report adopted.

HB 1419-FN, relative to biennial motorcycle inspections. **INEXPEDIENT TO LEGISLATE.**

Rep. Thomas Walsh for Transportation. This bill changes the annual inspection requirement for motorcycles to every other year. The committee learned of the varied amount of miles that motorcyclists drive annually. For many, the miles ridden far exceeds the life expectancy of most tires and brakes. For those that ride less, it is known that sitting can be worse for vehicles. Dry rotted tires and seized brakes are common problems. The committee also received data showing that the failure rate with the current annual inspection is almost 40%. With most motorcycles having only two points of contact with the road, an inspection failure rate of almost 40%, and with overwhelming opposition to this bill, including by motorcyclists, the committee recommends this bill Inexpedient to Legislate. Vote 15-4.

Committee report adopted.

REGULAR CALENDAR - PART II**HB 1241**, establishing a commission to assess benefits and costs of a "health care for all" program for New Hampshire. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Barbara Biggie for the Majority of Commerce and Consumer Affairs. This bill would create a commission that brings together over a dozen people representing everyone who would be interested in the state providing health coverage for everyone. The goal is to make health decisions for all NH residents by assessing benefits and costs of a "health care for all" program. The majority of the committee noted that Vermont abandoned a similar plan because it would have required a 11% increase in the state's income tax and felt that NH is not ready for an income tax, especially a tax solely designed to fund health insurance for all. Vote 11-8.

Rep. Edward Butler for the Minority of Commerce and Consumer Affairs. Though the minority understands that we may not be ready, yet, to embark on a one-state single-payer health care solution, it believes that it is high time that we listen to the professionals and advocates who note that our health care system is biased towards those who have the means to afford costly deductibles and insurance policies. Ours is a system that performs poorly in comparison to those in all of the major industrialized nations, all of which offer universal health care. This is true in terms of infant mortality, maternal health and life expectancy among other indicators. The minority believes that we should further study this issue and work within the health care industry to begin to transform our system to one which provides good, quality, affordable health care for all.

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

Rep. Knirk spoke against.

Rep. Hunt spoke in favor.

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

YEAS 176 - NAYS 149**YEAS - 176
BELKNAP**

Abear, Marc
Fields, Dennis
Plumer, John
Vadney, Herbert

Aldrich, Glen
Fraser, Valerie
Silber, Norman
Varney, Peter

Comtois, Barbara
Howard, Raymond
Spanos, Peter

Tilton, Franklin
Lang, Timothy
Sylvia, Michael

CARROLL

Avellani, Lino
McConkey, Mark
Marsh, William

Comeau, Ed
Nelson, Bill

Cordelli, Glenn
Schmidt, Stephen

McCarthy, Frank
Umberger, Karen

CHESHIRE

Bordenet, John
Stallcop, Joseph

Hunt, John
Sterling, Franklin

McConnell, James

O'Day, John

COOS

Tucker, Edith

GRAFTON

Bailey, Brad
Hennessey, Erin

Binford, David
Ladd, Rick

Brown, Duane
Migliore, Vincent Paul

Darrow, Stephen
Schwaegler, Vicki

HILLSBOROUGH

Ammon, Keith
Burt, John
Christie, Rick
Dyer, Caleb
Smith, Gregory
Halstead, Carolyn
Hopper, Gary
Moore, Josh
Ober, Lynne
MacKay, Mariellen
Negron, Steve
Pellegrino, Anthony
Renzullo, Andrew
Seidel, Carl
Twombly, Timothy

Griffin, Barbara
Moore, Craig
Danielson, David
Ferreira, Elizabeth
Gagne, Larry
Hansen, Peter
Hynes, Dan
Rice, Kimberly
Lascelles, Richard
McCarthy, Michael
Notter, Jeanine
Pierce, David
Rouillard, Claire
Shaw, Barbara
Ulery, Jordan

Barry, Richard
Carr, John
Dickey, Glen
Freeman, Lisa
Gargas, Carolyn
Hellwig, Steve
Belanger, James
Kurk, Neal
LeBrun, Donald
McLean, Mark
Ohm, Bill
Prout, Andrew
Sanborn, Laurie
Somero, Paul
Sullivan, Victoria

Biggie, Barbara
Christensen, Chris
Donovan, Daniel
Griffin, Gerald
Gould, Linda
Hinch, Richard
Graham, John
L'Heureux, Robert
Lewicke, John
Murphy, Keith
Panasiti, Reed
Ober, Russell
Scully, Kevin
Wolf, Terry

MERRIMACK

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

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

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

Wolf, Dan
Klose, John
Marple, Richard
Testerman, Dave

ROCKINGHAM

Cook, Allen
Bates, David
Thomas, Douglas
Emerick, J. Tracy
Green, Dennis
Itse, Daniel
Khan, Aboul
Pearson, Mark
McKinney, Betsy
Nigrello, Robert
Stone, Brian
Verville, Kevin
Welch, David

Abrami, Patrick
Bove, Martin
DeSimone, Debra
Fesh, Robert
Guthrie, Joseph
Edwards, Jess
Kolodziej, Walter
Major, Norman
McMahon, Charles
Packard, Sherman
Torosian, Peter
Vose, Michael
Weyler, Kenneth

Allen, Mary
Chase, Francis
Dowling, Patricia
Friel, William
Hagan, Joseph
O'Connor, John
Lundgren, David
Manning, John
Milz, David
Gordon, Richard
Tripp, Richard
Wallace, Scott
Willis, Brenda

Baldasaro, Alfred
Costable, Michael
Elliott, Robert
Gay, Betty
Hoelzel, Kathleen
Katsakiores, Phyllis
Griffin, Mary
Matthews, Carolyn
Morrison, Sean
Sapareto, Frank
True, Chris
Webb, James
Woitkun, Steven

STRAFFORD

Kaczynski, Thomas
Graham, Robert

Krans, Hamilton
Scruton, Matthew

Mullen, John
Spencer, Matthew

Pitre, Joseph
Wuelper, Kurt

SULLIVAN

Laware, Thomas

Rollins, Skip

NAYS - 149 BELKNAP

Huot, David

CARROLL

Buco, Thomas

Butler, Edward

DesMarais, Edith

Knirk, Jerry

CHESHIRE

Abbott, Michael
Harvey, Cathryn
Johnsen, Gladys
Shepardson, Marjorie

Ames, Richard
Ley, Douglas
Mann, John
Tatro, Bruce

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

Burridge, Delmar
Faulkner, Barry
Parkhurst, Henry

COOS

Fothergill, John

Hatch, William

Moynihan, Wayne

Thomas, Yvonne

GRAFTON

Abel, Richard
Campion, Polly
Josephson, Timothy
Rand, Steven

Almy, Susan
Dontonville, Roger
Maes, Kevin
Smith, Suzanne

Bennett, Travis
Ham, Bonnie
Massimilla, Linda
Sykes, George

Boutin, Skylar
Higgins, Patricia
Mulligan, Mary Jane
White, Andrew

HILLSBOROUGH

Backus, Robert
Chandley, Shannon
Sullivan, Daniel
Goley, Jeffrey
Judy, Jean
Leishman, Peter
Manley, Jonathan
Nutting, Allison
Porter, Marjorie
Harvey, Suzanne

Baroody, Benjamin
Cleaver, Skip
DiSilvestro, Linda
Heath, Mary
Keane, Amelia
Lisle, David
Martin, Joelle
O'Leary, Richard
Proulx, Mark
Van Houten, Connie

Beaulieu, Jane
Connors, Erika
Elber, Joel
Schmidt, Janice
King, Mark
MacKenzie, Mark
McNamara, Richard
O'Neil, William
Roberts, Carol
Vann, Ivy

Bouldin, Amanda
Cornell, Patricia
Freitas, Mary
Jack, Martin
Klee, Patricia
Mangipudi, Latha
Newman, Sue
Long, Patrick
Rosenwald, Cindy
Williams, Kermit

MERRIMACK

Turcotte, Alan
Doherty, David
Henle, Paul
Myler, Mel
Rogers, Katherine
Soucy, Timothy

Bartlett, Christy
Ebel, Karen
MacKay, James
Patten, Dick
Schuett, Dianne
Walz, Mary Beth

Carson, Clyde
Gile, Mary
Kenison, Linda
Richards, Beth
Schultz, Kristina
Woolpert, David

Long, Douglas
Moffett, Howard
Luneau, David
Rodd, Beth
Shurtleff, Stephen

ROCKINGHAM

Altschiller, Debra
Cali-Pitts, Jacqueline
Farnham, Betsey
Malloy, Dennis
Pantelakos, Laura
Ward, Gerald

Bean, Philip
Cushing, Robert Renny
Gilman, Julie
Messmer, Mindi
Read, Ellen

Berrien, Skip
DiLorenzo, Charlotte
Lerner, Kari
Murray, Kate
Somssich, Peter

Cahill, Michael
Edgar, Michael
Lovejoy, Patricia
Gordon, Pamela
Le, Tamara

STRAFFORD

Bixby, Peter
Fontneau, Timothy
Keans, Sandra
Schmidt, Peter
Treleaven, Susan

Burton, Wayne
Gourgue, Amanda
Smith, Marjorie
Salloway, Jeffrey
Wall, Janet

Cilley, Jacalyn
Grassie, Chuck
McNally, Jody
Southworth, Thomas

Ellis, Donna
Horrigan, Timothy
Opderbecke, Linn
Sprague, Dale

SULLIVAN

Cloutier, John
Oxenham, Lee

Gagnon, Raymond
Sullivan, Brian

Gottling, Suzanne
Tanner, Linda

Grenier, James

and the majority committee report was adopted.

HB 1362, authorizing individuals and certain businesses to purchase health insurance from out-of-state companies. **MAJORITY: REFER FOR INTERIM STUDY. MINORITY: OUGHT TO PASS.**

Rep. Kermit Williams for the Majority of Commerce and Consumer Affairs. This bill would allow out of state insurance companies to offer health insurance plans under certain circumstances that would provide less benefits than currently required, presumably for a lower cost. While the committee recognizes concerns over the rising costs of health insurance, we were unsure this policy would help this issue and believe it requires further study. Vote 12-8.

Rep. Laurie Sanborn for the Minority of Commerce and Consumer Affairs. Last Fall we learned that health care premiums in our state would increase on average 52 percent in 2018. We now have the highest health insurance costs in the nation. It is high time to pass innovative ideas to allow for more choices and more competition. With the new administration in DC, we have heard that more options will be given to states to craft their own strategies for lowering costs. We can purchase nearly everything else from anywhere, so why not health insurance? We must rethink options, enable and encourage new market opportunities, and allow for additional consumer choices. The minority believes that allowing the purchase of health insurance from out of state companies would be a small step in the right direction.

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

Rep. Prout requested a roll call; sufficiently seconded.

YEAS 227 - NAYS 98

YEAS - 227

BELKNAP

Tilton, Franklin
Lang, Timothy

Fields, Dennis
Plumer, John

Fraser, Valerie
Spanos, Peter

Huot, David
Vadney, Herbert

CARROLL

Buco, Thomas
McConkey, Mark
Marsh, William

Butler, Edward
Nelson, Bill

DesMarais, Edith
Schmidt, Stephen

Knirk, Jerry
Umberger, Karen

CHESHIRE

Ames, Richard
Harvey, Cathryn
Hunt, John
Parkhurst, Henry
Tatro, Bruce

Berch, Paul
Ley, Douglas
Mann, John
Shepardson, Marjorie
Weber, Lucy

Bordenet, John
Faulkner, Barry
McConnell, James
Stallcop, Joseph

Burridge, Delmar
Johnsen, Gladys
Meader, David
Sterling, Franklin

COOS

Fothergill, John
Thomas, Yvonne

Hatch, William

Moynihan, Wayne

Tucker, Edith

GRAFTON

Abel, Richard
Binford, David
Higgins, Patricia
Massimilla, Linda
Schwaegler, Vicki

Almy, Susan
Boutin, Skylar
Josephson, Timothy
Migliore, Vincent Paul
Smith, Suzanne

Bailey, Brad
Campion, Polly
Ladd, Rick
Mulligan, Mary Jane
Sykes, George

Bennett, Travis
Dontonville, Roger
Maes, Kevin
Rand, Steven
White, Andrew

HILLSBOROUGH

Griffin, Barbara
Beaulieu, Jane
Carr, John
Connors, Erika
DiSilvestro, Linda
Freitas, Mary
Heath, Mary
Jeudy, Jean
Klee, Patricia
LeBrun, Donald
MacKay, Mariellen
Manley, Jonathan
O'Leary, Richard
Pellegrino, Anthony
Roberts, Carol
Shaw, Barbara
Vann, Ivy

Backus, Robert
Biggie, Barbara
Chandley, Shannon
Cornell, Patricia
Donovan, Daniel
Smith, Gregory
Hinch, Richard
Rice, Kimberly
Kurk, Neal
Leishman, Peter
McCarthy, Michael
Martin, Joelle
O'Neil, William
Pierce, David
Rosenwald, Cindy
Wolf, Terry
Williams, Kermit

Baroody, Benjamin
Bouldin, Amanda
Christensen, Chris
Sullivan, Daniel
Elber, Joel
Gargas, Carolyn
Belanger, James
Keane, Amelia
L'Heureux, Robert
Lewicke, John
MacKenzie, Mark
McNamara, Richard
Long, Patrick
Porter, Marjorie
Rouillard, Claire
Twombly, Timothy

Barry, Richard
Moore, Craig
Cleaver, Skip
Danielson, David
Fedolfi, Jim
Goley, Jeffrey
Jack, Martin
King, Mark
Lascelles, Richard
Lisle, David
Mangipudi, Latha
Newman, Sue
Panasiti, Reed
Renzullo, Andrew
Harvey, Suzanne
Van Houten, Connie

MERRIMACK

Turcotte, Alan
Wolf, Dan
Moffett, Howard
MacKay, James
Leavitt, John
Richards, Beth
Shurtleff, Stephen
Woolpert, David

Bartlett, Christy
Doherty, David
Henle, Paul
Kenison, Linda
Luneau, David
Rodd, Beth
Soucy, Timothy

Carson, Clyde
Ebel, Karen
Hill, Gregory
Klose, John
Myler, Mel
Rogers, Katherine
Walsh, Thomas

Copp, Anne
Gile, Mary
Horn, Werner
Kotowski, Frank
Patten, Dick
Schuett, Dianne
Walz, Mary Beth

ROCKINGHAM

Abrami, Patrick
Berrien, Skip
Chase, Francis
Edgar, Michael
Gilman, Julie
O'Connor, John
Lovejoy, Patricia
Matthews, Carolyn
Murray, Kate
Pantelakos, Laura
Ward, Gerald

Allen, Mary
Bove, Martin
Cushing, Robert Renny
Elliott, Robert
Guthrie, Joseph
Katsakiores, Phyllis
Major, Norman
McKinney, Betsy
Nigrello, Robert
Read, Ellen
Webb, James

Altschiller, Debra
Cahill, Michael
DeSimone, Debra
Farnham, Betsey
Hagan, Joseph
Khan, Aboul
Malloy, Dennis
McMahon, Charles
Gordon, Pamela
Somssich, Peter
Welch, David

Bean, Philip
Cali-Pitts, Jacqueline
DiLorenzo, Charlotte
Friel, William
Hoelzel, Kathleen
Lerner, Kari
Manning, John
Milz, David
Packard, Sherman
Tripp, Richard
Weyler, Kenneth

STRAFFORD

Bixby, Peter
Gourgue, Amanda
Smith, Marjorie
Schmidt, Peter
Southworth, Thomas
Wall, Janet

Burton, Wayne
Grassie, Chuck
McNally, Jody
Graham, Robert
Spencer, Matthew

Cilley, Jacalyn
Keans, Sandra
Mullen, John
Salloway, Jeffrey
Sprague, Dale

Fontneau, Timothy
Krans, Hamilton
Opderbecke, Linn
Scruton, Matthew
Treleaven, Susan

SULLIVAN

Cloutier, John
Smith, Steven

Gagnon, Raymond
Sullivan, Brian

Gottling, Suzanne
Tanner, Linda

Oxenham, Lee

NAYS - 98**BELKNAP**

Abear, Marc
Silber, Norman

Aldrich, Glen
Sylvia, Michael

Comtois, Barbara
Varney, Peter

Howard, Raymond

CARROLL

Avellani, Lino

Comeau, Ed

Cordelli, Glenn

McCarthy, Frank

CHESHIRE

Abbott, Michael

O'Day, John

GRAFTON

Brown, Duane

Darrow, Stephen

Ham, Bonnie

Hennessey, Erin

HILLSBOROUGH

Ammon, Keith
Dyer, Caleb
Gagne, Larry
Hellwig, Steve
Moore, Josh
Murphy, Keith
Ohm, Bill
Sanborn, Laurie
Sullivan, Victoria

Burt, John
Ferreira, Elizabeth
Gould, Linda
Hopper, Gary
Schmidt, Janice
Negron, Steve
Proulx, Mark
Scully, Kevin

Christie, Rick
Freeman, Lisa
Halstead, Carolyn
Hynes, Dan
Ober, Lynne
Notter, Jeanine
Prout, Andrew
Seidel, Carl

Dickey, Glen
Griffin, Gerald
Hansen, Peter
Graham, John
McLean, Mark
Nutting, Allison
Ober, Russell
Ulery, Jordan

MERRIMACK

Kuch, Bill
Moffett, Michael
Schultz, Kristina

Brewster, Michael
Marple, Richard
Seaworth, Brian

Long, Douglas
McGuire, Carol
Testerman, Dave

Hoell, J.R.
Pearl, Howard
Wells, Natalie

ROCKINGHAM

Cook, Allen
Thomas, Douglas
Green, Dennis
Lundgren, David
Morrison, Sean
Le, Tamara
Vose, Michael

Baldasaro, Alfred
Emerick, J. Tracy
Itse, Daniel
Griffin, Mary
Gordon, Richard
Torosian, Peter
Wallace, Scott

Bates, David
Fesh, Robert
Edwards, Jess
Pearson, Mark
Sapareto, Frank
True, Chris
Willis, Brenda

Costable, Michael
Gay, Betty
Kolodziej, Walter
Messmer, Mindi
Stone, Brian
Verville, Kevin
Woitkun, Steven

STRAFFORD

Ellis, Donna
Wuelper, Kurt

Horrigan, Timothy

Kaczynski, Thomas

Pitre, Joseph

SULLIVAN

Grenier, James

Laware, Thomas

Rollins, Skip

and the majority committee report was adopted.

HB 1516, establishing a commission to examine the feasibility of the New England states entering into a compact for a single payor health care program. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Laurie Sanborn for the Majority of Commerce and Consumer Affairs. This bill would establish a commission to examine the feasibility of the New England states entering into a compact for a single payor health care program. Our neighboring state of Vermont studied the issue of single payer health care and learned that it would double their state budget and potentially double costs on their large employers who already offer their own plans. They rejected a single payer system and so should we. Instead, let's focus our efforts on examining ways that NH can expand more affordable health insurance and health care options for our citizens. Vote 11-9. Rep. Edward Butler for the Minority of Commerce and Consumer Affairs. This bill would create a commission to study an issue that gets raised repeatedly in the Commerce Committee – that of health insurance products being able to be supported and sold across state borders. In addition, it would explore the issue of a single payer system within the concept of a multi-state compact. The minority thinks that such an exploration within the commission process could yield important discussions regarding cost, affordability and access and should be supported.

Majority committee report adopted.

HB 1514-FN, relative to shelter-in-place orders. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Kate Murray for the Majority of Criminal Justice and Public Safety. This bill provides that no officer shall issue a summons or detain an individual for violating a “shelter in place” order issued by the state, municipality, or a law enforcement agency. As there is no mention in New Hampshire statutes of a “shelter in place” order, there can be no violation. A shelter in place order is a recommendation only, according to law enforcement officers. The majority of the committee believes that this bill is inexpedient to legislate for two primary reasons: 1. Cooperation with such an order is voluntary; 2. The shelter in a place order is merely a recommendation and has no force of law. Vote 14-6.

Rep. John Burt for the Minority of Criminal Justice and Public Safety. We are a free society and the ability to move about peacefully is a critical component of what makes America the great nation that we are. This holds true even during a “crime scene” lock down, like the one that happened in 2016 in Manchester, N.H. The Supreme Court has ruled in *Town of Castle Rock, Colorado v. Gonzales*, that law enforcement have no duty to protect and therefore if a citizen feels that it is in his or her best interest to protect oneself or members of their family, there should be no prohibitions preventing their ability and right to vacate the area or to move about freely. We are not a “papers please” society and we as a society vehemently rejected that philosophy and fought a war to prevent the spread of that mindset. This bill creates a reasonable prohibition on what police can and cannot do during a “shelter in place” event without tramping the current procedures that ensure an officer must have reasonable suspicion to detain someone or probable cause to arrest someone. Continuing to allow the process as was exercised in Manchester is a true violation of the rights of our citizens and this needs to stop.

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

Rep. Ammon spoke against and yielded to questions.

Rep. Murray spoke in favor.

Rep. Prout requested a roll call; sufficiently seconded.

YEAS 236 - NAYS 92

YEAS - 236

BELKNAP

Tilton, Franklin
Plumer, John

Fields, Dennis
Spanos, Peter

Fraser, Valerie
Varney, Peter

Lang, Timothy

CARROLL

Buco, Thomas
McCarthy, Frank
Umberger, Karen

Butler, Edward
Knirk, Jerry
Marsh, William

Cordelli, Glenn
Nelson, Bill

DesMarais, Edith
Schmidt, Stephen

CHESHIRE

Abbott, Michael
Burridge, Delmar
Faulkner, Barry
Parkhurst, Henry
Weber, Lucy

Ames, Richard
Harvey, Cathryn
Johnsen, Gladys
Shepardson, Marjorie

Berch, Paul
Ley, Douglas
Hunt, John
Sterling, Franklin

Bordenet, John
Eaton, Daniel
Meador, David
Tatro, Bruce

COOS

Fothergill, John
Thomas, Yvonne

Moynihan, Wayne

Richardson, Herbert

Theberge, Robert

GRAFTON

Abel, Richard
Boutin, Skylar
Hennessey, Erin
Maes, Kevin
Rand, Steven

Almy, Susan
Campion, Polly
Higgins, Patricia
Massimilla, Linda
Schwaegler, Vicki

Bailey, Brad
Dontonville, Roger
Josephson, Timothy
Migliore, Vincent Paul
Smith, Suzanne

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

HILLSBOROUGH

Griffin, Barbara
Beaulieu, Jane
Christensen, Chris
Sullivan, Daniel
Elber, Joel
Gargas, Carolyn
Belanger, James
Jeudy, Jean
Kurk, Neal
LeBrun, Donald
McCarthy, Michael
Martin, Joelle
O'Brien, Michael
Long, Patrick
Porter, Marjorie
Harvey, Suzanne
Vann, Ivy

Backus, Robert
Biggie, Barbara
Cleaver, Skip
Danielson, David
Fedolfi, Jim
Goley, Jeffrey
Graham, John
Keane, Amelia
L'Heureux, Robert
Leishman, Peter
MacKenzie, Mark
McNamara, Richard
O'Leary, Richard
Panasiti, Reed
Proulx, Mark
Seidel, Carl
Williams, Kermit

Baroody, Benjamin
Carr, John
Connors, Erika
DiSilvestro, Linda
Freeman, Lisa
Heath, Mary
Schmidt, Janice
King, Mark
Ober, Lynne
Lisle, David
Mangipudi, Latha
Newman, Sue
O'Neil, William
Pellegrino, Anthony
Roberts, Carol
Wolf, Terry

Barry, Richard
Chandle, Shannon
Cornell, Patricia
Donovan, Daniel
Freitas, Mary
Hinch, Richard
Jack, Martin
Klee, Patricia
Lascelles, Richard
MacKay, Mariellen
Manley, Jonathan
Nutting, Allison
Ohm, Bill
Pierce, David
Rosenwald, Cindy
Van Houten, Connie

MERRIMACK

Turcotte, Alan
Wolf, Dan
Moffett, Howard
Klose, John
Richards, Beth
Schultz, Kristina
Walz, Mary Beth

Bartlett, Christy
Doherty, David
Henle, Paul
Kotowski, Frank
Rodd, Beth
Shurtleff, Stephen
Wells, Natalie

Carson, Clyde
Ebel, Karen
MacKay, James
Luneau, David
Rogers, Katherine
Soucy, Timothy
Woolpert, David

Long, Douglas
Gile, Mary
Kenison, Linda
Myler, Mel
Schuett, Dianne
Walsh, Thomas

ROCKINGHAM

Cook, Allen
Bean, Philip
Cali-Pitts, Jacqueline
Dowling, Patricia
Farnham, Betsey
Green, Dennis
Janvrin, Jason
Kolodziej, Walter
Griffin, Mary
Matthews, Carolyn
Morrison, Sean
Packard, Sherman
Ward, Gerald
Willis, Brenda

Abrami, Patrick
Berrien, Skip
Chase, Francis
Edgar, Michael
Fesh, Robert
Guthrie, Joseph
O'Connor, John
Lerner, Kari
Major, Norman
McMahon, Charles
Murray, Kate
Pantelakos, Laura
Webb, James
Woitkun, Steven

Allen, Mary
Bove, Martin
DeSimone, Debra
Elliott, Robert
Friel, William
Hagan, Joseph
Katsakiores, Phyllis
Lovejoy, Patricia
Malloy, Dennis
Messmer, Minda
Nigrello, Robert
Somssich, Peter
Welch, David

Altschiller, Debra
Cahill, Michael
DiLorenzo, Charlotte
Emerick, J. Tracy
Gilman, Julie
Hoelzel, Kathleen
Khan, Aboul
Lundgren, David
Manning, John
Milz, David
Gordon, Pamela
Le, Tamara
Weyler, Kenneth

STRAFFORD

Bixby, Peter
Fontneau, Timothy
Keans, Sandra
Mullen, John
Salloway, Jeffrey
Treleaven, Susan

Burton, Wayne
Gourgue, Amanda
Krans, Hamilton
Opderbecke, Linn
Scruton, Matthew
Wall, Janet

Cilley, Jacalyn
Grassie, Chuck
Smith, Marjorie
Schmidt, Peter
Southworth, Thomas

Ellis, Donna
Horrigan, Timothy
McNally, Jody
Graham, Robert
Sprague, Dale

SULLIVAN

Cloutier, John
Oxenham, Lee

Gagnon, Raymond
Smith, Steven

Gottling, Suzanne
Sullivan, Brian

Grenier, James
Tanner, Linda

NAYS - 92**BELKNAP**

Abear, Marc
Huot, David

Aldrich, Glen
Silber, Norman

Comtois, Barbara
Sylvia, Michael

Howard, Raymond
Vadney, Herbert

CARROLL

Avellani, Lino

Comeau, Ed

McConkey, Mark

CHESHIRE

Mann, John

McConnell, James

O'Day, John

Stallcop, Joseph

COOS

Tucker, Edith

GRAFTON

Binford, David

Brown, Duane

Darrow, Stephen

White, Andrew

HILLSBOROUGH

Ammon, Keith
 Christie, Rick
 Griffin, Gerald
 Halstead, Carolyn
 Hynes, Dan
 McLean, Mark
 Prout, Andrew
 Sanborn, Laurie
 Ulery, Jordan

Bouldin, Amanda
 Dickey, Glen
 Smith, Gregory
 Hansen, Peter
 Moore, Josh
 Murphy, Keith
 Ober, Russell
 Scully, Kevin
 Sullivan, Victoria

Burt, John
 Dyer, Caleb
 Gagne, Larry
 Hellwig, Steve
 Rice, Kimberly
 Negron, Steve
 Renzullo, Andrew
 Shaw, Barbara

Moore, Craig
 Ferreira, Elizabeth
 Gould, Linda
 Hopper, Gary
 Lewicke, John
 Notter, Jeanine
 Rouillard, Claire
 Twombly, Timothy

MERRIMACK

Kuch, Bill
 Hoell, J.R.
 McGuire, Carol

Brewster, Michael
 Horn, Werner
 Pearl, Howard

Copp, Anne
 Moffett, Michael
 Seaworth, Brian

Hill, Gregory
 Marple, Richard
 Testerman, Dave

ROCKINGHAM

Baldasaro, Alfred
 Thomas, Douglas
 Pearson, Mark
 Sapareto, Frank
 True, Chris

Bates, David
 Gay, Betty
 McKinney, Betsy
 Stone, Brian
 Verville, Kevin

Costable, Michael
 Itse, Daniel
 Gordon, Richard
 Torosian, Peter
 Vose, Michael

Cushing, Robert Renny
 Edwards, Jess
 Read, Ellen
 Tripp, Richard
 Wallace, Scott

STRAFFORD

Kaczynski, Thomas

Pitre, Joseph

Spencer, Matthew

Wuelper, Kurt

SULLIVAN

Laware, Thomas

Rollins, Skip

and the majority committee report was adopted.

MOTION TO PRINT DEBATE

Rep. Itse moved that the debate on **HB 1514-FN**, relative to shelter-in-place orders, be printed in the Permanent Journal.

On a division vote, with 152 members having voted in the affirmative, and 174 in the negative, the motion failed.

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Shurtleff moved that the House reconsider its action whereby, on a voice vote, the House adopted the majority committee report of Inexpedient to Legislate on **HB 1516**, establishing a commission to examine the feasibility of the New England states entering into a compact for a single payor health care program.

Rep. Shurtleff spoke in favor.

On a division vote, with 141 members having voted in the affirmative, and 185 in the negative, the motion failed.

REGULAR CALENDAR - PART II CONT'D

HB 1752-FN, requiring a search warrant to obtain blood samples. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Kate Murray for the Majority of Criminal Justice and Public Safety. This bill requires a search warrant to obtain blood samples. Currently, an individual can refuse to allow a blood sample to be given to law enforcement. In the event the individual is not conscious, the blood sample will be taken. During the court proceedings, a subpoena can be issued to obtain the blood sample. Therefore, there is no need for a search warrant. Vote 14-5.

Rep. John Burt for the Minority of Criminal Justice and Public Safety. The minority of the committee recommends this bill be ought to pass. This bill would ensure patient confidentiality of their medical records unless the police obtain a warrant for blood or blood results after showing probable cause to a judge. Under present law, police can obtain hospital records just by telling the hospital they are investigating a DWI charge. They need not even have arrested the person or have probable cause. This bill is partly in response to the recent publicized case of a nurse in Utah who was falsely arrested and eventually awarded \$500,000 for refusing to

give the police blood or hospital records of a patient. When patients are forced to turn over medical records, they are deprived of their right from unlawful search and seizure of sensitive private medical records. Being forced to give evidence to the police to prosecute also violates someone's right against self-incrimination. Finally, when someone knows the evidence will be turned over to the police, they might be less inclined to go to the hospital or even consent to medical treatment which could save their life out of fear that they will be charged with a crime. Under the implied consent statute in New Hampshire, drivers have a legal right to refuse to provide a blood draw to police after they are arrested for DWI. There should not be an exception when someone is not arrested and/or where the hospital happened to draw blood to treat someone. Under this bill the police would still have access to the blood and medical records as long as they obtain a search warrant showing probable cause. Because the hospital saves the blood and the results for a while, police will not be losing out on evidence as they can obtain a search warrant very quickly.

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

Rep. Hynes spoke against and yielded to questions.

Rep. Stone spoke against.

Rep. Gagne spoke in favor.

Rep. Burt requested a roll call; sufficiently seconded.

YEAS 202 - NAYS 123

YEAS - 202

BELKNAP

Tilton, Franklin
Varney, Peter

Fields, Dennis

Lang, Timothy

Spanos, Peter

CARROLL

Butler, Edward
McConkey, Mark
Marsh, William

DesMarais, Edith
Nelson, Bill

McCarthy, Frank
Schmidt, Stephen

Knirk, Jerry
Umberger, Karen

CHESHIRE

Abbott, Michael
Burridge, Delmar
Johnsen, Gladys
Parkhurst, Henry
Weber, Lucy

Ames, Richard
Harvey, Cathryn
Hunt, John
Shepardson, Marjorie

Berch, Paul
Ley, Douglas
Mann, John
Sterling, Franklin

Bordenet, John
Eaton, Daniel
Meador, David
Tatro, Bruce

COOS

Fothergill, John
Tucker, Edith

Moynihan, Wayne
Thomas, Yvonne

Richardson, Herbert

Theberge, Robert

GRAFTON

Abel, Richard
Boutin, Skylar
Hennessey, Erin
Maes, Kevin
Rand, Steven

Almy, Susan
Campion, Polly
Higgins, Patricia
Massimilla, Linda
Schwaegler, Vicki

Bailey, Brad
Dontonville, Roger
Josephson, Timothy
Migliore, Vincent Paul
Smith, Suzanne

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

HILLSBOROUGH

Griffin, Barbara
Biggie, Barbara
Connors, Erika
DiSilvestro, Linda
Gagne, Larry
Hinch, Richard
Keane, Amelia
Leishman, Peter
MacKenzie, Mark
McNamara, Richard
O'Leary, Richard
Panasiti, Reed
Ober, Russell
Shaw, Barbara
Williams, Kermit

Backus, Robert
Bouldin, Amanda
Cornell, Patricia
Donovan, Daniel
Gargas, Carolyn
Graham, John
Klee, Patricia
Lisle, David
Mangipudi, Latha
Newman, Sue
O'Neil, William
Pellegrino, Anthony
Roberts, Carol
Wolf, Terry

Baroody, Benjamin
Carr, John
Sullivan, Daniel
Elber, Joel
Goley, Jeffrey
Jack, Martin
L'Heureux, Robert
MacKay, Mariellen
Manley, Jonathan
Nutting, Allison
Ohm, Bill
Pierce, David
Rosenwald, Cindy
Van Houten, Connie

Barry, Richard
Cleaver, Skip
Danielson, David
Smith, Gregory
Heath, Mary
Jeudy, Jean
LeBrun, Donald
McCarthy, Michael
Martin, Joelle
O'Brien, Michael
Long, Patrick
Porter, Marjorie
Harvey, Suzanne
Vann, Ivy

MERRIMACK

Bartlett, Christy
Henle, Paul

Carson, Clyde
MacKay, James

Doherty, David
Kenison, Linda

Gile, Mary
Klose, John

Kotowski, Frank
Rodd, Beth
Soucy, Timothy

Luneau, David
Rogers, Katherine
Walz, Mary Beth

Myler, Mel
Schuett, Dianne
Woolpert, David

Richards, Beth
Shurtleff, Stephen

ROCKINGHAM

Abrami, Patrick
Cahill, Michael
DiLorenzo, Charlotte
Farnham, Betsey
Guthrie, Joseph
Khan, Aboul
Major, Norman
McKinney, Betsy
Murray, Kate
Pantelakos, Laura
Ward, Gerald
Willis, Brenda

Altschiller, Debra
Cali-Pitts, Jacqueline
Dowling, Patricia
Fesh, Robert
Hoelzel, Kathleen
Lovejoy, Patricia
Malloy, Dennis
McMahon, Charles
Nigrello, Robert
Somssich, Peter
Webb, James

Bean, Philip
Chase, Francis
Edgar, Michael
Friel, William
O'Connor, John
Lundgren, David
Manning, John
Messmer, Mindi
Gordon, Pamela
Le, Tamara
Welch, David

Berrien, Skip
DeSimone, Debra
Elliott, Robert
Gilman, Julie
Katsakiores, Phyllis
Griffin, Mary
Matthews, Carolyn
Milz, David
Packard, Sherman
Vose, Michael
Weyler, Kenneth

STRAFFORD

Bixby, Peter
Grassie, Chuck
Mullen, John
Scruton, Matthew
Wall, Janet

Burton, Wayne
Horrigan, Timothy
Opderbecke, Linn
Southworth, Thomas

Ellis, Donna
Krans, Hamilton
Schmidt, Peter
Sprague, Dale

Fontneau, Timothy
Smith, Marjorie
Graham, Robert
Treleven, Susan

SULLIVAN

Gagnon, Raymond
Smith, Steven

Gottling, Suzanne
Sullivan, Brian

Grenier, James
Tanner, Linda

Rollins, Skip

NAYS - 123

BELKNAP

Abear, Marc
Howard, Raymond
Sylvia, Michael

Aldrich, Glen
Huot, David
Vadney, Herbert

Comtois, Barbara
Plumer, John

Fraser, Valerie
Silber, Norman

CARROLL

Avellani, Lino

Buco, Thomas

Comeau, Ed

Cordelli, Glenn

CHESHIRE

Faulkner, Barry

McConnell, James

O'Day, John

Stallcop, Joseph

COOS

Hatch, William

GRAFTON

Binford, David

Brown, Duane

Darrow, Stephen

HILLSBOROUGH

Ammon, Keith
Christensen, Chris
Edwards, Elizabeth
Griffin, Gerald
Hellwig, Steve
Moore, Josh
Kurk, Neal
McLean, Mark
Proulx, Mark
Scully, Kevin
Ulery, Jordan

Beaulieu, Jane
Christie, Rick
Fedolfi, Jim
Gould, Linda
Hopper, Gary
Schmidt, Janice
Ober, Lynne
Murphy, Keith
Prout, Andrew
Seidel, Carl
Sullivan, Victoria

Burt, John
Dickey, Glen
Ferreira, Elizabeth
Halstead, Carolyn
Hynes, Dan
Rice, Kimberly
Lascelles, Richard
Negron, Steve
Renzullo, Andrew
Somero, Paul

Moore, Craig
Dyer, Caleb
Freeman, Lisa
Hansen, Peter
Belanger, James
King, Mark
Lewicke, John
Notter, Jeanine
Rouillard, Claire
Twombly, Timothy

MERRIMACK

Turcotte, Alan
Long, Douglas
Hill, Gregory
Marple, Richard
Seaworth, Brian

Kuch, Bill
Wolf, Dan
Hoell, J.R.
McGuire, Carol
Walsh, Thomas

Brewster, Michael
Ebel, Karen
Horn, Werner
Pearl, Howard
Testerman, Dave

Copp, Anne
Moffett, Howard
Moffett, Michael
Schultz, Kristina
Wells, Natalie

ROCKINGHAM

Cook, Allen
Costable, Michael
Gay, Betty

Baldasaro, Alfred
Cushing, Robert Renny
Green, Dennis

Bates, David
Thomas, Douglas
Hagan, Joseph

Bove, Martin
Emerick, J. Tracy
Itse, Daniel

Edwards, Jess
Pearson, Mark
Sapareto, Frank
True, Chris

Janvrin, Jason
Morrison, Sean
Stone, Brian
Verville, Kevin

Kolodziej, Walter
Gordon, Richard
Torosian, Peter
Wallace, Scott

Lerner, Kari
Read, Ellen
Tripp, Richard
Woitkun, Steven

STRAFFORD

Cilley, Jacalyn
McNally, Jody

Gourgue, Amanda
Pitre, Joseph

Kaczynski, Thomas
Spencer, Matthew

Keans, Sandra
Wuelper, Kurt

SULLIVAN

Cloutier, John

Laware, Thomas

Oxenham, Lee

and the majority committee report was adopted.

MOTION TO SUSPEND HOUSE RULES

Reps. Hinch and Shurtleff moved that House Rule 65 be so far suspended with respect to any outstanding bills at the conclusion of tomorrow's Session, to be taken up at the next Session on March 15, 2018, beginning at 9:30 a.m.

Motion adopted by the necessary two-thirds vote.

REGULAR CALENDAR - PART II CONT'D

HB 1277, relative to the renomination of teachers. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Glenn Cordelli for the Majority of Education. This bill is another attempt to reduce the five years required for renomination. We repeatedly have had testimony that it often takes the five years to determine if a teacher is going to be successful. The five-year period provides new teachers the opportunity and time to improve. Vote 11-9.

Rep. Mary Heath for the Minority of Education. This bill would reduce from five to three consecutive years of teaching required for a teacher to be entitled to notification and a hearing when the teacher is not re-appointed. New Hampshire has a growing problem in finding and retaining educators, especially in the North Country. Surrounding states require only three years and are attracting and employing New Hampshire educators. This bill would provide greater job security for beginning educators burdened with high debt.

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

Rep. Tanner spoke against.

Rep. Cordelli spoke in favor.

Rep. Rosenwald requested a roll call; sufficiently seconded.

YEAS 170 - NAYS 151

YEAS - 170 BELKNAP

Aldrich, Glen
Plumer, John
Vadney, Herbert

Comtois, Barbara
Silber, Norman
Varney, Peter

Tilton, Franklin
Spanos, Peter

Lang, Timothy
Sylvia, Michael

CARROLL

Avellani, Lino
McConkey, Mark

Comeau, Ed
Schmidt, Stephen

Cordelli, Glenn
Umberger, Karen

McCarthy, Frank
Marsh, William

CHESHIRE

Hunt, John

O'Day, John

Sterling, Franklin

Tatro, Bruce

GRAFTON

Bailey, Brad
Darrow, Stephen
Migliore, Vincent Paul

Binford, David
Hennessey, Erin
Rand, Steven

Boutin, Skylar
Ladd, Rick
Schwaegler, Vicki

Brown, Duane
Massimilla, Linda

HILLSBOROUGH

Ammon, Keith
Burt, John
Christie, Rick
Dyer, Caleb
Griffin, Gerald
Gould, Linda
Hinch, Richard
Rice, Kimberly
Lascelles, Richard
McLean, Mark

Griffin, Barbara
Moore, Craig
Danielson, David
Fedolfi, Jim
Smith, Gregory
Halstead, Carolyn
Hopper, Gary
Kurk, Neal
LeBrun, Donald
Murphy, Keith

Barry, Richard
Carr, John
Dickey, Glen
Ferreira, Elizabeth
Gagne, Larry
Hansen, Peter
Graham, John
L'Heureux, Robert
Lewicke, John
Negron, Steve

Biggie, Barbara
Christensen, Chris
Donovan, Daniel
Freeman, Lisa
Gargas, Carolyn
Hellwig, Steve
Moore, Josh
Ober, Lynne
MacKay, Mariellen
Notter, Jeanine

O'Brien, Michael
Pierce, David
Renzullo, Andrew
Seidel, Carl
Twombly, Timothy

O'Leary, Richard
Proulx, Mark
Rouillard, Claire
Shaw, Barbara
Ulery, Jordan

Ohm, Bill
Prout, Andrew
Sanborn, Laurie
Somero, Paul
Sullivan, Victoria

Panasiti, Reed
Ober, Russell
Scully, Kevin
Wolf, Terry

MERRIMACK

Kuch, Bill
Wolf, Dan
Klose, John
McGuire, Carol
Testerman, Dave

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

Copp, Anne
Hoell, J.R.
Moffett, Michael
Seaworth, Brian

Long, Douglas
Horn, Werner
Marple, Richard
Walsh, Thomas

ROCKINGHAM

Cook, Allen
Bean, Philip
DeSimone, Debra
Friel, William
Hoelzel, Kathleen
Katsakiores, Phyllis
Pearson, Mark
McKinney, Betsy
Packard, Sherman
Torosian, Peter
Vose, Michael
Willis, Brenda

Abrami, Patrick
Bove, Martin
Dowling, Patricia
Gay, Betty
Itse, Daniel
Khan, Aboul
Major, Norman
McMahon, Charles
Gordon, Richard
Tripp, Richard
Wallace, Scott
Woitkun, Steven

Allen, Mary
Costable, Michael
Elliott, Robert
Green, Dennis
Edwards, Jess
Kolodziej, Walter
Manning, John
Milz, David
Sapareto, Frank
True, Chris
Webb, James

Bates, David
Thomas, Douglas
Emerick, J. Tracy
Hagan, Joseph
O'Connor, John
Griffin, Mary
Matthews, Carolyn
Nigrello, Robert
Stone, Brian
Verville, Kevin
Weyler, Kenneth

STRAFFORD

Ellis, Donna
McNally, Jody
Spencer, Matthew

Fontneau, Timothy
Mullen, John
Wuelper, Kurt

Kaczynski, Thomas
Pitre, Joseph

Smith, Marjorie
Graham, Robert

SULLIVAN

Grenier, James

Laware, Thomas

Rollins, Skip

Smith, Steven

NAYS - 151

BELKNAP

Abear, Marc

Fraser, Valerie

Huot, David

CARROLL

Buco, Thomas
Nelson, Bill

Butler, Edward

DesMarais, Edith

Knirk, Jerry

CHESHIRE

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

Ames, Richard
Harvey, Cathryn
Johnsen, Gladys
Parkhurst, Henry

Berch, Paul
Ley, Douglas
Mann, John
Shepardson, Marjorie

Bordenet, John
Eaton, Daniel
McConnell, James
Stallcop, Joseph

COOS

Hatch, William
Tucker, Edith

Moynihan, Wayne
Thomas, Yvonne

Richardson, Herbert

Theberge, Robert

GRAFTON

Abel, Richard
Dontonville, Roger
Maes, Kevin

Almy, Susan
Ham, Bonnie
Mulligan, Mary Jane

Bennett, Travis
Higgins, Patricia
Smith, Suzanne

Campion, Polly
Josephson, Timothy
Sykes, George

HILLSBOROUGH

Backus, Robert
Chandley, Shannon
Sullivan, Daniel
Freitas, Mary
Belanger, James
Keane, Amelia
Lisle, David
Martin, Joelle
O'Neil, William
Roberts, Carol
Vann, Ivy

Baroody, Benjamin
Cleaver, Skip
DiSilvestro, Linda
Goley, Jeffrey
Schmidt, Janice
King, Mark
MacKenzie, Mark
McNamara, Richard
Long, Patrick
Rosenwald, Cindy
Williams, Kermit

Beaulieu, Jane
Connors, Erika
Edwards, Elizabeth
Heath, Mary
Jack, Martin
Klee, Patricia
Mangipudi, Latha
Newman, Sue
Pellegrino, Anthony
Harvey, Suzanne

Bouldin, Amanda
Cornell, Patricia
Elber, Joel
Hynes, Dan
Judy, Jean
Leishman, Peter
Manley, Jonathan
Nutting, Allison
Porter, Marjorie
Van Houten, Connie

MERRIMACK

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

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

Carson, Clyde
Moffett, Howard
Luneau, David
Rogers, Katherine
Soucy, Timothy

Doherty, David
Henle, Paul
Myler, Mel
Schuett, Dianne
Walz, Mary Beth

ROCKINGHAM

Altschiller, Debra
Cushing, Robert Renny
Fesh, Robert
Lerner, Kari
Morrison, Sean
Read, Ellen

Berrien, Skip
DiLorenzo, Charlotte
Gilman, Julie
Lovejoy, Patricia
Murray, Kate
Somssich, Peter

Cahill, Michael
Edgar, Michael
Guthrie, Joseph
Malloy, Dennis
Gordon, Pamela
Le, Tamara

Cali-Pitts, Jacqueline
Farnham, Betsey
Janvrin, Jason
Messmer, Mindi
Pantelakos, Laura
Ward, Gerald

STRAFFORD

Bixby, Peter
Grassie, Chuck
Opderbecke, Linn
Sprague, Dale

Burton, Wayne
Horrigan, Timothy
Schmidt, Peter
Treleven, Susan

Cilley, Jacalyn
Keans, Sandra
Scruton, Matthew
Wall, Janet

Gourgue, Amanda
Krans, Hamilton
Southworth, Thomas

SULLIVAN

Cloutier, John
Sullivan, Brian

Gagnon, Raymond
Tanner, Linda

Gottling, Suzanne

Oxenham, Lee

and the majority committee report was adopted.

HB 1333, relative to the criteria for teachers in charter schools. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Carolyn Halstead for the Majority of Education. This bill is an attempt to change the ability of charter schools to hire uniquely qualified teachers. It would change the requirement that a minimum of 50% of the teachers be either certified or have three years experience teaching in New Hampshire to 80% of the teachers being certified only. Charter schools are successful, but with their limited revenue sources (no tax base to draw from), this would not be financially feasible to them. Vote 11-9.

Rep. Linda Tanner for the Minority of Education. The minority feels raising the minimum requirement for teaching staff at charter schools from 50% licensed educators to 80% will improve the overall performance and educational opportunity at those schools. Charter schools are part of the public system that requires 100% of its staff to be licensed.

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

Rep. Horrigan spoke against.

Rep. Ladd spoke in favor and yielded to questions.

On a division vote, with 195 members having voted in the affirmative, and 128 in the negative, the majority committee report was adopted.

HB 1354, adding the speaker of the house of representatives and senate president as permanent members of the university system board of trustees. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Carolyn Halstead for the Majority of Education. This bill makes the Speaker of the House of Representatives and Senate President permanent voting members of the University System Board of Trustees. The Board of Trustees is composed of 27 members that include 11 members appointed by the Governor, six elected by alumni, two elected by students, and eight who are members by virtue of their office. As a member of the Board, trustees have a duty to: 1) serve as advocates for higher education and the University System, helping to raise the profile of each institution and the system as a whole; 2) ensure that the mission of the institution is kept current and aligned with public purposes; and 3) maintain a thorough understanding of economic trends and social needs of New Hampshire and their potential impact to higher education. Currently, the House Speaker and Senate President, who have the skill and knowledge needed to govern the system, are non-voting members. The House Speaker and Senate President, both elected officials by the citizens of NH, are not allowed to vote on behalf of the people who sent them to Concord. The University System has many difficult issues to overcome such as student affordability, capital needs, funding strategies, leadership-labor costs, and more that require resolution and the voting voices of the Speaker of the House and President of the Senate. Vote 10-9.

Rep. Mel Myler for the Minority of Education. The minority believes that this proposal poses a potential conflict. Trustees of the University System of New Hampshire are responsible for implementing the mission and fiduciary responsibility of the institution. Legislative representatives are responsible to the state. In creating

budgets, fiscal allocations, constitutional amendments, etc., state legislative representatives may come into conflict with the interests of other state priorities. Further, other northeast state university trustees have state representatives as non-voting members.

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

Rep. Burton spoke against.

Rep. Stone spoke in favor.

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

YEAS 164 - NAYS 155

YEAS - 164

BELKNAP

Aldrich, Glen
Fraser, Valerie
Silber, Norman
Varney, Peter

Comtois, Barbara
Howard, Raymond
Spanos, Peter

Tilton, Franklin
Lang, Timothy
Sylvia, Michael

Fields, Dennis
Plumer, John
Vadney, Herbert

CARROLL

Avellani, Lino
McConkey, Mark
Marsh, William

Comeau, Ed
Nelson, Bill

Cordelli, Glenn
Schmidt, Stephen

McCarthy, Frank
Umberger, Karen

CHESHIRE

Eaton, Daniel

Hunt, John

O'Day, John

Sterling, Franklin

COOS

Fothergill, John

Richardson, Herbert

GRAFTON

Bailey, Brad
Hennessey, Erin

Binford, David
Ladd, Rick

Brown, Duane
Migliore, Vincent Paul

Darrow, Stephen
Schwaegler, Vicki

HILLSBOROUGH

Griffin, Barbara
Christensen, Chris
Dyer, Caleb
Smith, Gregory
Halstead, Carolyn
Hopper, Gary
Moore, Josh
Ober, Lynne
Lewicke, John
Negron, Steve
Pellegrino, Anthony
Renzullo, Andrew
Seidel, Carl
Sullivan, Victoria

Biggie, Barbara
Christie, Rick
Ferreira, Elizabeth
Gagne, Larry
Hansen, Peter
Hynes, Dan
Rice, Kimberly
Lascelles, Richard
MacKay, Mariellen
Notter, Jeanine
Pierce, David
Rouillard, Claire
Wolf, Terry

Burt, John
Danielson, David
Freeman, Lisa
Gargas, Carolyn
Hellwig, Steve
Belanger, James
Kurk, Neal
LeBrun, Donald
McLean, Mark
Ohm, Bill
Proulx, Mark
Sanborn, Laurie
Twombly, Timothy

Carr, John
Donovan, Daniel
Griffin, Gerald
Gould, Linda
Hinch, Richard
Graham, John
L'Heureux, Robert
Leishman, Peter
Murphy, Keith
Panasiti, Reed
Prout, Andrew
Scully, Kevin
Ulery, Jordan

MERRIMACK

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

Copp, Anne
Hoell, J.R.
Moffett, Michael
Seaworth, Brian

Long, Douglas
Horn, Werner
Marple, Richard
Walsh, Thomas

Wolf, Dan
Klose, John
McGuire, Carol
Testerman, Dave

ROCKINGHAM

Cook, Allen
Bates, David
Costable, Michael
Emerick, J. Tracy
Green, Dennis
Itse, Daniel
Khan, Aboul
Manning, John
Morrison, Sean
Torosian, Peter
Wallace, Scott
Woitkun, Steven

Abrami, Patrick
Bean, Philip
Thomas, Douglas
Fesh, Robert
Guthrie, Joseph
Edwards, Jess
Griffin, Mary
Matthews, Carolyn
Nigrello, Robert
True, Chris
Webb, James

Allen, Mary
Bove, Martin
DeSimone, Debra
Friel, William
Hagan, Joseph
Janvrin, Jason
Pearson, Mark
McMahon, Charles
Packard, Sherman
Verville, Kevin
Welch, David

Baldasaro, Alfred
Chase, Francis
Elliott, Robert
Gay, Betty
Hoelzel, Kathleen
O'Connor, John
Major, Norman
Milz, David
Stone, Brian
Vose, Michael
Weyler, Kenneth

STRAFFORD

Kaczynski, Thomas
Pitre, Joseph
Wuelper, Kurt

Smith, Marjorie
Graham, Robert

McNally, Jody
Scruton, Matthew

Mullen, John
Spencer, Matthew

SULLIVAN

Grenier, James

Laware, Thomas

Rollins, Skip

Smith, Steven

NAYS - 155**BELKNAP**

Abear, Marc

Huot, David

CARROLL

Buco, Thomas

Butler, Edward

DesMarais, Edith

Knirk, Jerry

CHESHIRE

Abbott, Michael
Burridge, Delmar
Johnsen, Gladys
Parkhurst, Henry
Weber, Lucy

Ames, Richard
Harvey, Cathryn
Mann, John
Shepardson, Marjorie

Berch, Paul
Ley, Douglas
McConnell, James
Stallcop, Joseph

Bordenet, John
Faulkner, Barry
Meader, David
Tatro, Bruce

COOS

Hatch, William
Thomas, Yvonne

Moynihan, Wayne

Theberge, Robert

Tucker, Edith

GRAFTON

Abel, Richard
Campion, Polly
Josephson, Timothy
Rand, Steven

Almy, Susan
Dontonville, Roger
Maes, Kevin
Smith, Suzanne

Bennett, Travis
Ham, Bonnie
Massimilla, Linda
Sykes, George

Boutin, Skylar
Higgins, Patricia
Mulligan, Mary Jane

HILLSBOROUGH

Ammon, Keith
Bouldin, Amanda
Connors, Erika
DiSilvestro, Linda
Goley, Jeffrey
Jeudy, Jean
Lisle, David
Manley, Jonathan
Nutting, Allison
Long, Patrick
Rosenwald, Cindy
Van Houten, Connie

Backus, Robert
Moore, Craig
Cornell, Patricia
Edwards, Elizabeth
Heath, Mary
Keane, Amelia
McCarthy, Michael
Martin, Joelle
O'Brien, Michael
Porter, Marjorie
Harvey, Suzanne
Vann, Ivy

Baroody, Benjamin
Chandley, Shannon
Sullivan, Daniel
Elber, Joel
Schmidt, Janice
King, Mark
MacKenzie, Mark
McNamara, Richard
O'Leary, Richard
Ober, Russell
Shaw, Barbara
Williams, Kermit

Beaulieu, Jane
Cleaver, Skip
Dickey, Glen
Freitas, Mary
Jack, Martin
Klee, Patricia
Mangipudi, Latha
Newman, Sue
O'Neil, William
Roberts, Carol
Somero, Paul

MERRIMACK

Turcotte, Alan
Doherty, David
Henle, Paul
Myler, Mel
Schuett, Dianne
Walz, Mary Beth

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

Brewster, Michael
Gile, Mary
Kenison, Linda
Rodd, Beth
Shurtleff, Stephen

Carson, Clyde
Moffett, Howard
Luneau, David
Rogers, Katherine
Soucy, Timothy

ROCKINGHAM

Altschiller, Debra
Cushing, Robert Renny
Gilman, Julie
McKinney, Betsy
Pantelakos, Laura
Le, Tamara

Berrien, Skip
DiLorenzo, Charlotte
Lerner, Kari
Messmer, Mindi
Gordon, Richard
Ward, Gerald

Cahill, Michael
Edgar, Michael
Lovejoy, Patricia
Murray, Kate
Read, Ellen

Cali-Pitts, Jacqueline
Farnham, Betsey
Malloy, Dennis
Gordon, Pamela
Somssich, Peter

STRAFFORD

Bixby, Peter
Gourgue, Amanda
Krans, Hamilton
Sprague, Dale

Burton, Wayne
Grassie, Chuck
Opderbecke, Linn
Treleaven, Susan

Cilley, Jacalyn
Horrigan, Timothy
Schmidt, Peter
Wall, Janet

Fontneau, Timothy
Keans, Sandra
Southworth, Thomas

SULLIVAN

Cloutier, John
Sullivan, Brian

Gagnon, Raymond
Tanner, Linda

Gottling, Suzanne

Oxenham, Lee

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

HB 1369, limiting educational assessments to academic skills and knowledge. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. James Grenier for the Majority of Education. This bill limits educational assessments to academic skills and knowledge; however, the bill is unclear regarding which assessments would be affected by the bill's wording. The committee agrees that the statewide assessment should be a measure of academic knowledge and skills which is already stated in law. However, the bill's wording is unclear as to whether other tests or assessments would also be impacted. Wording in this bill states that work-study practices could not include empathy, values, attitudes, or sensitivity. When preparing students for the workforce, there is certainly a need for a person to develop workforce practices that address how an individual works, treats, and collaborates with others. Vote 12-7.

Rep. Glenn Cordelli for the Minority of Education. The intent of this legislation is to limit student assessments to academic areas and specifies that areas such as values, empathy and attitudes shall not be assessed. These same non-academic areas are specifically excluded in the statutory definition of "work study practices."

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

Rep. Josh Moore spoke against.

Rep. Grenier spoke in favor.

Rep. Verville requested a roll call; sufficiently seconded.

YEAS 210 - NAYS 105

YEAS - 210

BELKNAP

Fields, Dennis

Fraser, Valerie

Huot, David

Lang, Timothy

CARROLL

Buco, Thomas
McConkey, Mark

Butler, Edward
Schmidt, Stephen

DesMarais, Edith
Umberger, Karen

Knirk, Jerry

CHESHIRE

Abbott, Michael
Burridge, Delmar
Faulkner, Barry
Meader, David
Stallcop, Joseph
Weber, Lucy

Ames, Richard
Harvey, Cathryn
Johnsen, Gladys
O'Day, John
Sterling, Franklin

Berch, Paul
Ley, Douglas
Hunt, John
Parkhurst, Henry
Tatro, Bruce

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

COOS

Fothergill, John
Thomas, Yvonne

Hatch, William

Moynihan, Wayne

Richardson, Herbert

GRAFTON

Abel, Richard
Campion, Polly
Josephson, Timothy
Mulligan, Mary Jane
Sykes, George

Almy, Susan
Dontonville, Roger
Ladd, Rick
Rand, Steven

Bennett, Travis
Hennessey, Erin
Maes, Kevin
Schwaegler, Vicki

Boutin, Skylar
Higgins, Patricia
Massimilla, Linda
Smith, Suzanne

HILLSBOROUGH

Backus, Robert
Carr, John
Connors, Erika
DiSilvestro, Linda
Gargas, Carolyn
Hinch, Richard
Jack, Martin
Klee, Patricia
Lisle, David
Mangipudi, Latha
Newman, Sue
O'Neil, William
Pierce, David
Roberts, Carol
Shaw, Barbara
Van Houten, Connie

Barry, Richard
Chandley, Shannon
Cornell, Patricia
Donovan, Daniel
Goley, Jeffrey
Belanger, James
Judy, Jean
Kurk, Neal
MacKay, Mariellen
Manley, Jonathan
Nutting, Allison
Long, Patrick
Porter, Marjorie
Rosenwald, Cindy
Somero, Paul
Vann, Ivy

Beaulieu, Jane
Christensen, Chris
Sullivan, Daniel
Elber, Joel
Hansen, Peter
Graham, John
Keane, Amelia
Ober, Lynne
McCarthy, Michael
Martin, Joelle
O'Brien, Michael
Panasiti, Reed
Proulx, Mark
Rouillard, Claire
Wolf, Terry
Williams, Kermit

Bouldin, Amanda
Cleaver, Skip
Danielson, David
Smith, Gregory
Heath, Mary
Schmidt, Janice
King, Mark
Leishman, Peter
MacKenzie, Mark
McNamara, Richard
O'Leary, Richard
Pellegrino, Anthony
Ober, Russell
Harvey, Suzanne
Twombly, Timothy

MERRIMACK

Turcotte, Alan
Long, Douglas

Bartlett, Christy
Wolf, Dan

Brewster, Michael
Doherty, David

Carson, Clyde
Ebel, Karen

Gile, Mary
Kenison, Linda
Richards, Beth
Schultz, Kristina

Moffett, Howard
Kotowski, Frank
Rodd, Beth
Shurtleff, Stephen

Henle, Paul
Luneau, David
Rogers, Katherine
Soucy, Timothy

MacKay, James
Myler, Mel
Schuett, Dianne
Woolpert, David

ROCKINGHAM

Abrami, Patrick
Berrien, Skip
Cushing, Robert Renny
Elliott, Robert
Hoelzel, Kathleen
Lovejoy, Patricia
Matthews, Carolyn
Milz, David
Packard, Sherman
Stone, Brian
Welch, David

Allen, Mary
Bove, Martin
DeSimone, Debra
Farnham, Betsey
Janvrin, Jason
Pearson, Mark
McKinney, Betsy
Murray, Kate
Pantelakos, Laura
Le, Tamara

Altschiller, Debra
Cahill, Michael
DiLorenzo, Charlotte
Guthrie, Joseph
Khan, Aboul
Malloy, Dennis
McMahon, Charles
Nigrello, Robert
Read, Ellen
Ward, Gerald

Bean, Philip
Chase, Francis
Edgar, Michael
Hagan, Joseph
Lerner, Kari
Manning, John
Messmer, Mindi
Gordon, Pamela
Somssich, Peter
Webb, James

STRAFFORD

Bixby, Peter
Gourgue, Amanda
Krans, Hamilton
Schmidt, Peter
Sprague, Dale

Burton, Wayne
Grassie, Chuck
Smith, Marjorie
Graham, Robert
Treleaven, Susan

Cilley, Jacalyn
Horrigan, Timothy
Mullen, John
Scruton, Matthew
Wall, Janet

Fontneau, Timothy
Keans, Sandra
Opderbecke, Linn
Southworth, Thomas

SULLIVAN

Cloutier, John
Laware, Thomas
Tanner, Linda

Gagnon, Raymond
Oxenham, Lee

Gottling, Suzanne
Smith, Steven

Grenier, James
Sullivan, Brian

NAYS - 105

BELKNAP

Abear, Marc
Howard, Raymond
Sylvia, Michael

Aldrich, Glen
Plumer, John
Vadney, Herbert

Comtois, Barbara
Silber, Norman
Varney, Peter

Tilton, Franklin
Spanos, Peter

CARROLL

Avellani, Lino
Nelson, Bill

Comeau, Ed
Marsh, William

Cordelli, Glenn

McCarthy, Frank

CHESHIRE

McConnell, James

COOS

Theberge, Robert

Tucker, Edith

GRAFTON

Bailey, Brad
Ham, Bonnie

Binford, David
Migliore, Vincent Paul

Brown, Duane
Johnson, Tiffany

Darrow, Stephen

HILLSBOROUGH

Ammon, Keith
Christie, Rick
Freeman, Lisa
Gould, Linda
Hynes, Dan
Lascelles, Richard
Murphy, Keith
Prout, Andrew
Seidel, Carl

Griffin, Barbara
Dickey, Glen
Freitas, Mary
Halstead, Carolyn
Moore, Josh
LeBrun, Donald
Negron, Steve
Renzullo, Andrew
Ulery, Jordan

Biggie, Barbara
Dyer, Caleb
Griffin, Gerald
Hellwig, Steve
Rice, Kimberly
Lewicke, John
Notter, Jeanine
Sanborn, Laurie
Sullivan, Victoria

Burt, John
Ferreira, Elizabeth
Gagne, Larry
Hopper, Gary
L'Heureux, Robert
McLean, Mark
Ohm, Bill
Scully, Kevin

MERRIMACK

Kuch, Bill
Moffett, Michael
Seaworth, Brian

Copp, Anne
Marple, Richard
Walsh, Thomas

Hill, Gregory
McGuire, Carol
Testerman, Dave

Horn, Werner
Pearl, Howard
Wells, Natalie

ROCKINGHAM

Cook, Allen
Costable, Michael
Friel, William
Itse, Daniel

Baldasaro, Alfred
Thomas, Douglas
Gay, Betty
Edwards, Jess

Bates, David
Emerick, J. Tracy
Gilman, Julie
O'Connor, John

Cali-Pitts, Jacqueline
Fesh, Robert
Green, Dennis
Griffin, Mary

Major, Norman
True, Chris
Weyler, Kenneth

Morrison, Sean
Verville, Kevin
Woitkun, Steven

Gordon, Richard
Vose, Michael

Torosian, Peter
Wallace, Scott

STRAFFORD

Kaczynski, Thomas
Wuelper, Kurt

McNally, Jody

Pitre, Joseph

Spencer, Matthew

and the majority committee report was adopted.

HB 1264, relative to construction of the terms “resident,” “inhabitant,” “residence,” and “residency.” **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Barbara Griffin for the Majority of Election Law. This bill modifies the general statutory definitions of “resident or inhabitant” and “residence or residency.” It does so by eliminating the reference to “for the indefinite future” in the existing definition. Under current law our Supreme Court has found that the reference to the indefinite future separates residents from those merely domiciled here, definitions critical to voting eligibility. As it currently exists, the law effectively creates two classes of voters. Testimony before the committee by those in favor and opposed to the bill rightly made reference to the State Constitution that refers to inhabitants having equal rights to vote. The majority of the committee believes it is important to ensure that “equal” right to vote by aligning the definitions of domicile, resident, and inhabitant. Testimony made it clear there are two classes of voters because testimony opposed to the bill contained repeated reference to the fact that a certain class of persons would lose ability to vote. Some objection to the change made reference to the fact that certain voters, who currently do not need to comply with motor vehicle laws, would have to with this bill. It was said that a requirement to comply with motor vehicle licensing and registration of vehicles would create a post-election poll tax. A poll tax is something that must be required before the vote; this change creates no such pre-vote obligation. Additionally, this distinction serves to clarify that we currently have two classes of voters; some need to register their cars, some don’t. This legislation does not change current practice of driver’s licensing and motor vehicle registration. What this legislation does do is clear decades of confusion and conflation of common terms used in our statutes: resident, domicile, and inhabitant. Under this legislation, someone who is domiciled in our state will be considered a resident and must follow the laws of our state. The majority of the committee believes that those living and voting in New Hampshire should follow our laws and statutes. Vote 11-9.

Rep. David Huot for the Minority of Election Law. The minority believes the deletion of “for the indefinite future” from RSA 21:6 and RSA 21:6-a will accomplish nothing with respect to election law except for potentially creating a situation in which another lawsuit could be filed. It does not change the law as decided in the *Newburger v. Peterson* case in 1972. Changing language in these statutes could only result in unforeseen consequences such as altering eligibility for such things as in-state tuition rates, hunting and fishing licenses and other legal benefits of New Hampshire residence.

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

Rep. Huot spoke against and yielded to questions.

Rep. Negron spoke in favor.

MOTION TO LAY ON THE TABLE

Rep. Dyer moved that **HB 1264**, relative to construction of the terms “resident,” “inhabitant,” “residence,” and “residency,” be laid on the table.

Rep. Hinch requested a roll call; sufficiently seconded.

YEAS 148 - NAYS 167

YEAS - 148 BELKNAP

Huot, David

CARROLL

Buco, Thomas

DesMarais, Edith

Knirk, Jerry

CHESHIRE

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

Ames, Richard
Harvey, Cathryn
Johnsen, Gladys
Shepardson, Marjorie
Weber, Lucy

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

Bordenet, John
Eaton, Daniel
Meador, David
Tatro, Bruce

COOS

Fothergill, John
Thomas, Yvonne

Hatch, William

Moynihan, Wayne

Tucker, Edith

GRAFTON

Abel, Richard
Dontonville, Roger
Maes, Kevin
Smith, Suzanne

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

Bennett, Travis
Higgins, Patricia
Mulligan, Mary Jane

Campion, Polly
Josephson, Timothy
Rand, Steven

HILLSBOROUGH

Backus, Robert
Chandley, Shannon
Sullivan, Daniel
Elber, Joel
Heath, Mary
Klee, Patricia
Mangipudi, Latha
Newman, Sue
O'Neil, William
Harvey, Suzanne
Williams, Kermit

Baroody, Benjamin
Cleaver, Skip
DiSilvestro, Linda
Freitas, Mary
Schmidt, Janice
Leishman, Peter
Manley, Jonathan
Nutting, Allison
Long, Patrick
Shaw, Barbara

Beaulieu, Jane
Connors, Erika
Dyer, Caleb
Gargas, Carolyn
Keane, Amelia
Lisle, David
Martin, Joelle
O'Brien, Michael
Porter, Marjorie
Van Houten, Connie

Bouldin, Amanda
Cornell, Patricia
Edwards, Elizabeth
Goley, Jeffrey
King, Mark
MacKenzie, Mark
McNamara, Richard
O'Leary, Richard
Rosenwald, Cindy
Vann, Ivy

MERRIMACK

Turcotte, Alan
Doherty, David
Horn, Werner
Marple, Richard
Rogers, Katherine
Soucy, Timothy

Bartlett, Christy
Ebel, Karen
MacKay, James
Myler, Mel
Schuett, Dianne
Walz, Mary Beth

Carson, Clyde
Moffett, Howard
Kenison, Linda
Richards, Beth
Schultz, Kristina
Woolpert, David

Wolf, Dan
Henle, Paul
Luneau, David
Rodd, Beth
Shurtleff, Stephen

ROCKINGHAM

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

Bates, David
Cushing, Robert Renny
Gilman, Julie
Malloy, Dennis
Pantelakos, Laura
Ward, Gerald

Berrien, Skip
DiLorenzo, Charlotte
Janvrin, Jason
Messmer, Mindi
Read, Ellen

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

STRAFFORD

Bixby, Peter
Gourgue, Amanda
Krans, Hamilton
Southworth, Thomas

Burton, Wayne
Grassie, Chuck
Smith, Marjorie
Sprague, Dale

Cilley, Jacalyn
Horrigan, Timothy
Opderbecke, Linn
Wall, Janet

Fontneau, Timothy
Keans, Sandra
Schmidt, Peter

SULLIVAN

Cloutier, John
Sullivan, Brian

Gagnon, Raymond
Tanner, Linda

Gottling, Suzanne

Oxenham, Lee

NAYS - 167**BELKNAP**

Abear, Marc
Fields, Dennis
Plumer, John
Vadney, Herbert

Aldrich, Glen
Fraser, Valerie
Silber, Norman
Varney, Peter

Comtois, Barbara
Howard, Raymond
Spanos, Peter

Tilton, Franklin
Lang, Timothy
Sylvia, Michael

CARROLL

Avellani, Lino
McCarthy, Frank
Umberger, Karen

Butler, Edward
McConkey, Mark
Marsh, William

Comeau, Ed
Nelson, Bill

Cordelli, Glenn
Schmidt, Stephen

CHESHIRE

Hunt, John

McConnell, James

O'Day, John

Sterling, Franklin

COOS

Richardson, Herbert

Theberge, Robert

GRAFTON

Bailey, Brad
Darrow, Stephen
Schwaegler, Vicki

Binford, David
Hennessey, Erin
Johnson, Tiffany

Boutin, Skylar
Ladd, Rick

Brown, Duane
Migliore, Vincent Paul

HILLSBOROUGH

Ammon, Keith
Burt, John

Griffin, Barbara
Moore, Craig

Barry, Richard
Carr, John

Biggie, Barbara
Christensen, Chris

Christie, Rick
Ferreira, Elizabeth
Gagne, Larry
Hellwig, Steve
Belanger, James
Rice, Kimberly
Lascelles, Richard
McCarthy, Michael
Notter, Jeanine
Pierce, David
Renzullo, Andrew
Seidel, Carl
Ulery, Jordan

Danielson, David
Freeman, Lisa
Gould, Linda
Hinch, Richard
Graham, John
Kurk, Neal
LeBrun, Donald
McLean, Mark
Ohm, Bill
Proulx, Mark
Rouillard, Claire
Somero, Paul
Sullivan, Victoria

Dickey, Glen
Griffin, Gerald
Halstead, Carolyn
Hopper, Gary
Moore, Josh
L'Heureux, Robert
Lewicke, John
Murphy, Keith
Panasiti, Reed
Prout, Andrew
Sanborn, Laurie
Wolf, Terry

Donovan, Daniel
Smith, Gregory
Hansen, Peter
Hynes, Dan
Jack, Martin
Ober, Lynne
MacKay, Mariellen
Negron, Steve
Pellegrino, Anthony
Ober, Russell
Scully, Kevin
Twombly, Timothy

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

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

MERRIMACK

Copp, Anne
Kotowski, Frank
Seaworth, Brian

Long, Douglas
Moffett, Michael
Walsh, Thomas

ROCKINGHAM

Cook, Allen
Bean, Philip
Thomas, Douglas
Fesh, Robert
Guthrie, Joseph
Edwards, Jess
Griffin, Mary
McKinney, Betsy
Packard, Sherman
True, Chris
Webb, James

Abrami, Patrick
Bove, Martin
DeSimone, Debra
Friel, William
Hagan, Joseph
O'Connor, John
Pearson, Mark
McMahon, Charles
Gordon, Richard
Verville, Kevin
Welch, David

Allen, Mary
Chase, Francis
Elliott, Robert
Gay, Betty
Hoelzel, Kathleen
Khan, Aboul
Major, Norman
Morrison, Sean
Stone, Brian
Vose, Michael
Weyler, Kenneth

Baldasaro, Alfred
Costable, Michael
Emerick, J. Tracy
Green, Dennis
Itse, Daniel
Kolodziej, Walter
Matthews, Carolyn
Nigrello, Robert
Torosian, Peter
Wallace, Scott
Woitkun, Steven

Kaczynski, Thomas
Graham, Robert

McNally, Jody
Scruton, Matthew

STRAFFORD

Mullen, John
Spencer, Matthew

Pitre, Joseph
Wuelper, Kurt

SULLIVAN

Grenier, James

Laware, Thomas

Rollins, Skip

and the motion failed.

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

Rep. Stone spoke in favor.

Rep. Hoell requested a roll call; sufficiently seconded.

YEAS 171 - NAYS 144

YEAS - 171 BELKNAP

Abear, Marc
Fields, Dennis
Plumer, John
Vadney, Herbert

Aldrich, Glen
Fraser, Valerie
Silber, Norman
Varney, Peter

Comtois, Barbara
Howard, Raymond
Spanos, Peter

Tilton, Franklin
Lang, Timothy
Sylvia, Michael

CARROLL

Avellani, Lino
McConkey, Mark
Marsh, William

Comeau, Ed
Nelson, Bill

Cordelli, Glenn
Schmidt, Stephen

McCarthy, Frank
Umberger, Karen

CHESHIRE

Hunt, John

McConnell, James

O'Day, John

Sterling, Franklin

COOS

Fothergill, John

Richardson, Herbert

Theberge, Robert

GRAFTON

Bailey, Brad
Darrow, Stephen
Migliore, Vincent Paul

Binford, David
Ham, Bonnie
Schwaegler, Vicki

Boutin, Skylar
Hennessey, Erin
Johnson, Tiffany

Brown, Duane
Ladd, Rick

HILLSBOROUGH

Ammon, Keith
Burt, John

Griffin, Barbara
Moore, Craig

Barry, Richard
Carr, John

Biggie, Barbara
Christensen, Chris

Christie, Rick
Ferreira, Elizabeth
Gagne, Larry
Hellwig, Steve
Graham, John
Ober, Lynne
MacKay, Mariellen
Negron, Steve
Pellegrino, Anthony
Ober, Russell
Scully, Kevin
Twombly, Timothy

Danielson, David
Freeman, Lisa
Gould, Linda
Hinch, Richard
Moore, Josh
Lascelles, Richard
McCarthy, Michael
Notter, Jeanine
Pierce, David
Renzullo, Andrew
Seidel, Carl
Ulery, Jordan

Dickey, Glen
Griffin, Gerald
Halstead, Carolyn
Hynes, Dan
Rice, Kimberly
LeBrun, Donald
McLean, Mark
Ohm, Bill
Proulx, Mark
Rouillard, Claire
Somero, Paul
Sullivan, Victoria

Donovan, Daniel
Smith, Gregory
Hansen, Peter
Belanger, James
L'Heureux, Robert
Lewicke, John
Murphy, Keith
Panasiti, Reed
Prout, Andrew
Sanborn, Laurie
Wolf, Terry

MERRIMACK

Kuch, Bill
Wolf, Dan
Kotowski, Frank
Pearl, Howard
Wells, Natalie

Brewster, Michael
Hill, Gregory
Moffett, Michael
Seaworth, Brian

Copp, Anne
Hoell, J.R.
Marple, Richard
Walsh, Thomas

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

ROCKINGHAM

Cook, Allen
Bates, David
Costable, Michael
Emerick, J. Tracy
Green, Dennis
Itse, Daniel
Khan, Aboul
Major, Norman
Morrison, Sean
Stone, Brian
Vose, Michael
Weyler, Kenneth

Abrami, Patrick
Bean, Philip
Thomas, Douglas
Fesh, Robert
Guthrie, Joseph
Edwards, Jess
Kolodziej, Walter
Matthews, Carolyn
Nigrello, Robert
Torosian, Peter
Wallace, Scott
Woitkun, Steven

Allen, Mary
Bove, Martin
DeSimone, Debra
Friel, William
Hagan, Joseph
Janvrin, Jason
Griffin, Mary
McMahon, Charles
Packard, Sherman
True, Chris
Webb, James

Baldasaro, Alfred
Chase, Francis
Elliott, Robert
Gay, Betty
Hoelzel, Kathleen
O'Connor, John
Pearson, Mark
Milz, David
Gordon, Richard
Verville, Kevin
Welch, David

STRAFFORD

Kaczynski, Thomas
Graham, Robert

McNally, Jody
Scruton, Matthew

Mullen, John
Spencer, Matthew

Pitre, Joseph
Wuelper, Kurt

SULLIVAN

Grenier, James

Laware, Thomas

Rollins, Skip

Smith, Steven

NAYS - 144

BELKNAP

Huot, David

CARROLL

Butler, Edward

DesMarais, Edith

Knirk, Jerry

CHESHIRE

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

Ames, Richard
Harvey, Cathryn
Johnsen, Gladys
Shepardson, Marjorie
Weber, Lucy

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

Bordenet, John
Eaton, Daniel
Meader, David
Tatro, Bruce

COOS

Hatch, William

Moynihan, Wayne

Tucker, Edith

Thomas, Yvonne

GRAFTON

Abel, Richard
Dontonville, Roger
Massimilla, Linda
Sykes, George

Almy, Susan
Higgins, Patricia
Mulligan, Mary Jane

Bennett, Travis
Josephson, Timothy
Rand, Steven

Campion, Polly
Maes, Kevin
Smith, Suzanne

HILLSBOROUGH

Backus, Robert
Chandley, Shannon
Sullivan, Daniel
Elber, Joel
Schmidt, Janice
King, Mark

Baroody, Benjamin
Cleaver, Skip
DiSilvestro, Linda
Freitas, Mary
Jack, Martin
Klee, Patricia

Beaulieu, Jane
Connors, Erika
Dyer, Caleb
Goley, Jeffrey
Judy, Jean
Leishman, Peter

Bouldin, Amanda
Cornell, Patricia
Edwards, Elizabeth
Heath, Mary
Keane, Amelia
Lisle, David

MacKenzie, Mark
McNamara, Richard
O'Leary, Richard
Roberts, Carol
Van Houten, Connie

Mangipudi, Latha
Newman, Sue
O'Neil, William
Rosenwald, Cindy
Vann, Ivy

Manley, Jonathan
Nutting, Allison
Long, Patrick
Harvey, Suzanne
Williams, Kermit

Martin, Joelle
O'Brien, Michael
Porter, Marjorie
Shaw, Barbara

MERRIMACK

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

Bartlett, Christy
Moffett, Howard
Kenison, Linda
Rodd, Beth
Shurtleff, Stephen

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

Doherty, David
Horn, Werner
Myler, Mel
Schuett, Dianne
Walz, Mary Beth

ROCKINGHAM

Altschiller, Debra
Cushing, Robert Renny
Gilman, Julie
Messmer, Mindi
Read, Ellen

Berrien, Skip
DiLorenzo, Charlotte
Lerner, Kari
Murray, Kate
Somssich, Peter

Cahill, Michael
Edgar, Michael
Lovejoy, Patricia
Gordon, Pamela
Le, Tamara

Cali-Pitts, Jacqueline
Farnham, Betsey
Malloy, Dennis
Pantelakos, Laura
Ward, Gerald

STRAFFORD

Bixby, Peter
Gourgue, Amanda
Krans, Hamilton
Southworth, Thomas

Burton, Wayne
Grassie, Chuck
Smith, Marjorie
Sprague, Dale

Cilley, Jacalyn
Horrigan, Timothy
Opderbecke, Linn
Wall, Janet

Fontneau, Timothy
Keans, Sandra
Schmidt, Peter

SULLIVAN

Cloutier, John
Sullivan, Brian

Gagnon, Raymond
Tanner, Linda

Gottling, Suzanne

Oxenham, Lee

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

HB 1368, relative to political contributions made by limited liability companies. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Norman Silber for the Majority of Election Law. This bill requires that a political contribution by a limited liability company (LLC) be specifically reported to include the amount(s) of a contribution allocated to a specific member or members of the LLC. Current reporting to the Secretary of State requires that only the LLC identify a contribution amount. Testimony was that member information for LLCs is not collected and changes to other statutes and in-house software and processes would be necessary; the cost of such implementation is unknown. The majority of the committee believes that this bill is potentially harmful because it eliminates the existing privacy of members of LLCs and would give the state an anti-business reputation for the formation of new entities, a practice which currently generates state revenues. Testimony indicated that this bill originated primarily due to a specific series of contributions from LLCs that used the same address. The public testimony indicated that there are numerous LLCs in the state with the same address on file with the Secretary of State. It is common practice for many unrelated business entities to use the same address for their registered agents and registered offices which are required to be public record by law. Vote 11-9.

Rep. Marjorie Porter for the Minority of Election Law. Current NH campaign finance laws place a limit on the amount which can be contributed to a candidate's campaign at \$7,000. However, nothing in the current law prohibits an individual who controls multiple limited-liability companies (LLCs) from donating the maximum amount on behalf of each LLC. The minority of the committee believes candidates from both parties have taken advantage of this loophole, which violates the spirit and intent of the law. This bill provides a remedy by requiring that LLCs, when making campaign contributions, provide the recipient with the names and addresses of its members, and the amount of the contribution to be attributed to each, to be used when filing the candidate's financial reports. The minority of the committee believe this fix closes the loophole and restores the law to its original intent.

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

Rep. Porter spoke against.

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

YEAS 150 - NAYS 121

YEAS - 150 BELKNAP

Abear, Marc
Fields, Dennis
Plumer, John
Vadney, Herbert

Aldrich, Glen
Fraser, Valerie
Silber, Norman
Varney, Peter

Comtois, Barbara
Howard, Raymond
Spanos, Peter

Tilton, Franklin
Lang, Timothy
Sylvia, Michael

CARROLL

Avellani, Lino
Nelson, Bill

Comeau, Ed
Umberger, Karen

McCarthy, Frank
Marsh, William

McConkey, Mark

CHESHIRE

Hunt, John

O'Day, John

Stallcop, Joseph

COOS

Theberge, Robert

GRAFTON

Bailey, Brad
Ladd, Rick

Binford, David
Migliore, Vincent Paul

Darrow, Stephen
Schwaegler, Vicki

Hennessey, Erin
Johnson, Tiffany

HILLSBOROUGH

Ammon, Keith
Burt, John
Danielson, David
Ferreira, Elizabeth
Gagne, Larry
Hellwig, Steve
Rice, Kimberly
Lascelles, Richard
Notter, Jeanine
Proulx, Mark
Rouillard, Claire
Shaw, Barbara
Ulery, Jordan

Griffin, Barbara
Moore, Craig
Dickey, Glen
Freeman, Lisa
Gould, Linda
Hinch, Richard
Kirk, Neal
McLean, Mark
Ohm, Bill
Prout, Andrew
Sanborn, Laurie
Somero, Paul
Sullivan, Victoria

Barry, Richard
Carr, John
Donovan, Daniel
Griffin, Gerald
Halstead, Carolyn
Graham, John
L'Heureux, Robert
Murphy, Keith
Panasiti, Reed
Ober, Russell
Scully, Kevin
Wolf, Terry

Biggie, Barbara
Christensen, Chris
Dyer, Caleb
Smith, Gregory
Hansen, Peter
Moore, Josh
Ober, Lynne
Negron, Steve
Pierce, David
Renzullo, Andrew
Seidel, Carl
Twombly, Timothy

MERRIMACK

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

Brewster, Michael
Hoell, J.R.
Marple, Richard
Walsh, Thomas

Copp, Anne
Horn, Werner
McGuire, Carol
Wells, Natalie

Long, Douglas
Klose, John
Pearl, Howard

ROCKINGHAM

Cook, Allen
Bean, Philip
Thomas, Douglas
Gay, Betty
Hoelzel, Kathleen
O'Connor, John
Pearson, Mark
Milz, David
Gordon, Richard
Verville, Kevin
Welch, David

Abrami, Patrick
Bove, Martin
DeSimone, Debra
Green, Dennis
Itse, Daniel
Khan, Aboul
Major, Norman
Morrison, Sean
Stone, Brian
Vose, Michael
Weyler, Kenneth

Baldasaro, Alfred
Chase, Francis
Emerick, J. Tracy
Guthrie, Joseph
Edwards, Jess
Kolodziej, Walter
Matthews, Carolyn
Nigrello, Robert
Torosian, Peter
Wallace, Scott

Bates, David
Costable, Michael
Fesh, Robert
Hagan, Joseph
Janvrin, Jason
Griffin, Mary
McMahon, Charles
Packard, Sherman
True, Chris
Webb, James

STRAFFORD

Kaczynski, Thomas
Graham, Robert

McNally, Jody
Scruton, Matthew

Mullen, John
Sprague, Dale

Pitre, Joseph
Wuelper, Kurt

SULLIVAN

Laware, Thomas

Smith, Steven

**NAYS - 121
BELKNAP**

Huot, David

CARROLL

Butler, Edward

Knirk, Jerry

CHESHIRE

Abbott, Michael
Eaton, Daniel
McConnell, James
Pearson, William

Ames, Richard
Faulkner, Barry
Meader, David
Weber, Lucy

Harvey, Cathryn
Johnsen, Gladys
Parkhurst, Henry

Ley, Douglas
Mann, John
Shepardson, Marjorie

COOS

Fothergill, John
Thomas, Yvonne

Hatch, William

Moynihan, Wayne

Tucker, Edith

GRAFTON

Almy, Susan
Dontonville, Roger
Maes, Kevin
Sykes, George

Bennett, Travis
Ham, Bonnie
Massimilla, Linda

Boutin, Skylar
Higgins, Patricia
Mulligan, Mary Jane

Campion, Polly
Josephson, Timothy
Smith, Suzanne

HILLSBOROUGH

Backus, Robert
Chandley, Shannon
Sullivan, Daniel
Heath, Mary
Keane, Amelia
Lewicke, John
Manley, Jonathan
Nutting, Allison
Roberts, Carol
Vann, Ivy

Baroody, Benjamin
Cleaver, Skip
Elber, Joel
Schmidt, Janice
King, Mark
Lisle, David
Martin, Joelle
O'Leary, Richard
Rosenwald, Cindy

Beaulieu, Jane
Connors, Erika
Freitas, Mary
Jack, Martin
Klee, Patricia
MacKenzie, Mark
McNamara, Richard
Long, Patrick
Harvey, Suzanne

Bouldin, Amanda
Cornell, Patricia
Goley, Jeffrey
Jeudy, Jean
Leishman, Peter
Mangipudi, Latha
Newman, Sue
Porter, Marjorie
Van Houten, Connie

MERRIMACK

Bartlett, Christy
Moffett, Howard
Richards, Beth
Shurtleff, Stephen

Carson, Clyde
Henle, Paul
Rodd, Beth
Soucy, Timothy

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

Ebel, Karen
Myler, Mel
Schultz, Kristina
Woolpert, David

ROCKINGHAM

Altschiller, Debra
Cushing, Robert Renny
Lerner, Kari
Murray, Kate
Le, Tamara

Berrien, Skip
DiLorenzo, Charlotte
Lovejoy, Patricia
Pantelakos, Laura
Ward, Gerald

Cahill, Michael
Edgar, Michael
Malloy, Dennis
Read, Ellen

Cali-Pitts, Jacqueline
Gilman, Julie
Messmer, Mindi
Somssich, Peter

STRAFFORD

Bixby, Peter
Grassie, Chuck
Schmidt, Peter

Cilley, Jacalyn
Horrigan, Timothy
Wall, Janet

Fontneau, Timothy
Keans, Sandra

Gourgue, Amanda
Smith, Marjorie

SULLIVAN

Cloutier, John
Tanner, Linda

Gottling, Suzanne

Oxenham, Lee

Sullivan, Brian

and the majority committee report was adopted.

HB 1233, preempting local regulation of seeds and fertilizer. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Stephen Darrow for the Majority of Environment and Agriculture. This bill ensures the consistent statewide regulation of agricultural seeds. In recent years, a number of US local governments have enacted legislation prohibiting or restricting the cultivation of genetically engineered crops or plants. Making it illegal for a particular method of farming will make it challenging for a farm to be financially viable. The impacts of inconsistent regulations not only will hurt the NH farmer's livelihood but will unfairly limit consumer choice and pose serious legal and financial risks for local governments. This legislation simply defines that the authority to regulate seed lies with the Department of Agriculture, Markets and Food. The bill also maintains property rights of those who are working the land. It should be the right of the grower to decide what crops make the most sense for them to grow in order to sustain their business. Local bans can result in a confusing assortment of laws governing agriculture and make farming more complicated. Many of NH's farmers own or lease land in multiple towns. Restrictions by individual towns would cause an unnecessary burden to the farmer. As a result, their ability to practice land management for production and crop rotation for maximum yields will be curtailed. It would be inappropriate for local municipalities to make it illegal for farmers to cultivate agricultural products that are lawful to grow under federal and state law. The second part of the bill is in regard to fertilizers. The intent is to address the concern of local regulations impeding the farmer's choice when selecting the type of fertilizers to be used on their agricultural land. This amendment is specific to agricultural lands and would not prevent towns from developing plans that would restrict the type of fertilizer used in certain sensitive areas. Vote 7-6.

Rep. Peter Bixby for the Minority of Environment and Agriculture. This bill preempts local control in two areas: fertilizer and seeds. Without the committee amendment, it prevents localities from regulating any use of fertilizer. This is very problematic for communities that are working with the Department of Environmental Services (DES) to mitigate nutrient run-off into nearby water bodies, especially those communities that are facing large financial penalties from the EPA if water quality does not improve. The committee amendment only prevents local control of agricultural uses, and makes this aspect of the bill less stringent. Regarding

seeds, the bill blocks any local regulation of anything to do with seeds, including notification requirements and any products of seeds. For example, a town could not require anyone planting seeds treated with neonicotinoids to notify bee keepers. This could be a substantial economic liability for bee keepers. Removing local control of seed products is even more problematic. This removes the right of a town to regulate any plant product which could extend as far as local regulation of food and food waste and to any material that started out as a plant. This bill follows a template created by national lobbyists for corporate agriculture giants with the intent of blocking local laws on genetically modified crops or seeds treated with pesticides, but its effects in terms of erosion of local control could be far greater.

Majority Amendment (0236h)

Amend RSA 433:7-a as inserted by section 1 of the bill by replacing it with the following:

433:7-a Preemption of Local Regulation. Administration and enforcement of this subdivision shall be implemented in an equitable manner throughout the state. This subdivision is of statewide concern and occupies the whole field of regulation regarding the display, distribution, growing, cultivation, harvesting, production, labeling, marketing, mixing, notification of use, planting, possession, processing, registration, sale, storage, transportation, or other use; or the inspection, analysis, examination, certification, classification, testing, or licensing of agricultural, flower tree, shrub, or vegetable seeds, or products or sellers of such seeds to the exclusion of all local regulation. Except as otherwise specifically provided in this subdivision, no ordinance or regulation of local government, including but not limited to, an action by a local governmental agency or department, a county board of commissioners or a city council, or a local regulation adopted by the use of an initiative measure, may prohibit or in any way attempt to regulate any matter relating to the display, distribution, growing, cultivation, harvesting, production labeling, marketing, mixing, notification of use, planting, possession, processing, registration, sale, storage, transportation, or other use, or the inspection, analysis, examination, certification, classification, testing, licensing, of agricultural, flower tree, shrub, or vegetable seeds or products or sellers of such seeds and any of those ordinances, laws, or regulations are void and of no force or effect. Nothing in this subdivision shall limit the authority of any political subdivision to adopt and enforce planning, zoning and related regulations under RSA 674, including the authority to require native plantings, and combat invasive species listed in accordance with RSA 430:53 as part of a planning board's site plan review or subdivision authority or as a condition of a zoning board of adjustment's granting of a variance or special exception.

Amend RSA 431:4-d as inserted by section 2 of the bill by replacing it with the following:

431:4-d Preemption of Local Regulation. Except as otherwise specifically provided in this subdivision, no ordinance or regulation of local government, including but not limited to, an action by a local governmental agency or department, a county board of commissioners or a city council, or a local regulation adopted by the use of an initiative measure, may prohibit or in any way attempt to regulate any matter relating to the registration, sale, formulation, or transportation of fertilizer. ***Additionally, no local regulation shall regulate the type of fertilizer when used for agricultural purposes as defined by RSA 21:34-a.***

AMENDED ANALYSIS

This bill preempts the local regulation of seeds and fertilizer.

Majority committee amendment adopted.

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

Rep. Bixby spoke against.

Rep. John T. O'Connor spoke in favor.

MOTION TO LAY ON THE TABLE

Rep. Bixby moved that **HB 1233**, preempting local regulation of seeds and fertilizer, be laid on the table.

Rep. Hinch requested a roll call; sufficiently seconded.

YEAS 129 - NAYS 164

YEAS - 129 BELKNAP

Fraser, Valerie

Huot, David

CARROLL

Butler, Edward

Knirk, Jerry

Marsh, William

CHESHIRE

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

Ames, Richard
Harvey, Cathryn
Hunt, John
O'Day, John
Weber, Lucy

Berch, Paul
Ley, Douglas
Mann, John
Parkhurst, Henry

Bordenet, John
Eaton, Daniel
McConnell, James
Shepardson, Marjorie

COOS

Moynihan, Wayne

Tucker, Edith

GRAFTONAbel, Richard
Higgins, Patricia
Mulligan, Mary JaneBennett, Travis
Josephson, Timothy
Rand, StevenCampion, Polly
Maes, Kevin
Smith, SuzanneHam, Bonnie
Massimilla, Linda
Sykes, George**HILLSBOROUGH**Backus, Robert
Chandley, Shannon
Sullivan, Daniel
Elber, Joel
Schmidt, Janice
Klee, Patricia
Manley, Jonathan
Nutting, Allison
Porter, Marjorie
Vann, IvyBaroody, Benjamin
Cleaver, Skip
Danielson, David
Freitas, Mary
Jeudy, Jean
Leishman, Peter
Martin, Joelle
O'Brien, Michael
Roberts, CarolBeaulieu, Jane
Connors, Erika
DiSilvestro, Linda
Goley, Jeffrey
Keane, Amelia
Lisle, David
McNamara, Richard
O'Neil, William
Rosenwald, CindyBouldin, Amanda
Cornell, Patricia
Edwards, Elizabeth
Heath, Mary
King, Mark
MacKenzie, Mark
Newman, Sue
Long, Patrick
Van Houten, Connie**MERRIMACK**Turcotte, Alan
Ebel, Karen
Kenison, Linda
Rogers, Katherine
Walz, Mary BethCarson, Clyde
Moffett, Howard
Luneau, David
Schuett, Dianne
Woolpert, DavidWolf, Dan
Henle, Paul
Myler, Mel
Schultz, KristinaDoherty, David
MacKay, James
Richards, Beth
Shurtleff, Stephen**ROCKINGHAM**Altschiller, Debra
Cushing, Robert Renny
Gay, Betty
Malloy, Dennis
Read, EllenBean, Philip
DiLorenzo, Charlotte
Gilman, Julie
Messmer, Mindi
Le, TamaraBerrien, Skip
Edgar, Michael
Lerner, Kari
Murray, Kate
Ward, GeraldCahill, Michael
Farnham, Betsey
Lovejoy, Patricia
Gordon, Pamela**STRAFFORD**Bixby, Peter
Grassie, Chuck
Smith, Marjorie
Wall, JanetBurton, Wayne
Horrigan, Timothy
Opderbecke, LinnCilley, Jacalyn
Keans, Sandra
Schmidt, PeterGourgue, Amanda
Krans, Hamilton
Treleaven, Susan**SULLIVAN**Cloutier, John
Tanner, Linda

Gottling, Suzanne

Oxenham, Lee

Sullivan, Brian

NAYS - 164**BELKNAP**Abear, Marc
Fields, Dennis
Silber, NormanAldrich, Glen
Howard, Raymond
Spanos, PeterComtois, Barbara
Lang, Timothy
Sylvia, MichaelTilton, Franklin
Plumer, John
Vadney, Herbert**CARROLL**Avellani, Lino
McCarthy, Frank
Umberger, KarenComeau, Ed
McConkey, MarkCordelli, Glenn
Nelson, BillDesMarais, Edith
Schmidt, Stephen**CHESHIRE**

Johnsen, Gladys

Stallcop, Joseph

Sterling, Franklin

COOS

Fothergill, John

Richardson, Herbert

Theberge, Robert

GRAFTONAlmy, Susan
Darrow, Stephen
Johnson, TiffanyBailey, Brad
Hennessey, ErinBinford, David
Migliore, Vincent PaulBoutin, Skylar
Schwaegler, Vicki**HILLSBOROUGH**Ammon, Keith
Moore, Craig
Dickey, GlenGriffin, Barbara
Carr, John
Donovan, DanielBarry, Richard
Christensen, Chris
Dyer, CalebBurt, John
Christie, Rick
Ferreira, Elizabeth

Freeman, Lisa
Gargas, Carolyn
Hellwig, Steve
Belanger, James
Rice, Kimberly
Lascelles, Richard
McCarthy, Michael
Notter, Jeanine
Pierce, David
Rouillard, Claire
Shaw, Barbara
Ulery, Jordan

Griffin, Gerald
Gould, Linda
Hinch, Richard
Graham, John
Kurk, Neal
LeBrun, Donald
McLean, Mark
Ohm, Bill
Prout, Andrew
Sanborn, Laurie
Somero, Paul
Sullivan, Victoria

Smith, Gregory
Halstead, Carolyn
Hopper, Gary
Moore, Josh
L'Heureux, Robert
Lewicke, John
Murphy, Keith
Panasiti, Reed
Ober, Russell
Scully, Kevin
Wolf, Terry

Gagne, Larry
Hansen, Peter
Hynes, Dan
Jack, Martin
Ober, Lynne
MacKay, Mariellen
Negron, Steve
Pellegrino, Anthony
Renzullo, Andrew
Seidel, Carl
Twombly, Timothy

MERRIMACK

Kuch, Bill
Hoell, J.R.
Moffett, Michael
Soucy, Timothy

Copp, Anne
Horn, Werner
McGuire, Carol
Walsh, Thomas

Long, Douglas
Klose, John
Pearl, Howard
Testerman, Dave

Hill, Gregory
Kotowski, Frank
Seaworth, Brian
Wells, Natalie

ROCKINGHAM

Cook, Allen
Bove, Martin
DeSimone, Debra
Hagan, Joseph
O'Connor, John
Pearson, Mark
Milz, David
Pantelakos, Laura
Torosian, Peter
Wallace, Scott
Woitkun, Steven

Abrami, Patrick
Chase, Francis
Elliott, Robert
Hoelzel, Kathleen
Khan, Aboul
Major, Norman
Morrison, Sean
Gordon, Richard
True, Chris
Webb, James

Baldasaro, Alfred
Costable, Michael
Emerick, J. Tracy
Itse, Daniel
Kolodziej, Walter
Matthews, Carolyn
Nigrello, Robert
Somssich, Peter
Verville, Kevin
Welch, David

Bates, David
Thomas, Douglas
Green, Dennis
Edwards, Jess
Griffin, Mary
McMahon, Charles
Packard, Sherman
Stone, Brian
Vose, Michael
Weyler, Kenneth

STRAFFORD

Fontneau, Timothy
Pitre, Joseph
Wuelper, Kurt

Kaczynski, Thomas
Scruton, Matthew

McNally, Jody
Southworth, Thomas

Mullen, John
Spencer, Matthew

SULLIVAN

Grenier, James

Laware, Thomas

Rollins, Skip

Smith, Steven

and the motion failed.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.
Majority committee report 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, Wednesday, March 7, 2018 at 9:30 a.m.

Motion adopted.

LATE SESSION

Third Reading and Final Passage

HB 1103-FN, relative to financial responsibility for voluntary services provided pursuant to a report of abuse or neglect that is "unfounded but with reasonable concern."

HB 1261, relative to record management of abuse and neglect reports.

HB 1377, relative to emancipation by marriage and establishing a committee to study the emancipation of minors.

HB 1562-FN, relative to the role of foster parents.

HB 1587, relative to the minimum age for marriage.

HB 1661, relative to a marriage petition by a party under age.

HB 1683-FN, relative to the definition of child abuse.

HB 1774, relative to parenting plans and relocation of a child's residence.

HB 1775, relative to the appointment of guardians ad litem in parenting cases.

HB 1308-FN, relative to non-renewal of lines of business.

HB 1378, relative to domestic insurance company investments.

HB 1379, relative to confidentiality of forms and rates.

HB 1382, repealing the requirement that restaurants provide separate bathrooms for each sex.
HB 1389, relative to commercial lines modernization.
HB 1487, relative to banks and credit unions.
HB 1519, relative to the conduct of condominium unit owners' associations votes without a meeting.
HB 1578, relative to samples from nano breweries.
HB 1601, relative to a declarant's options for condominium expansion.
HB 1605, relative to reinsurance.
HB 1654, relative to automobile medical payments.
HB 1660, relative to delinquent accounts of liquor licensees.
HB 1663, establishing a committee to study reimbursement rates under automobile insurance policies.
HB 1687, relative to banking and consumer credit.
HB 1690-FN, relative to liquor licenses.
HB 1692-FN, allowing liquor licensees to select an anniversary for renewal.
HB 1700, relative to the procedure for placing a security freeze on a consumer credit report.
HB 1715-FN, establishing a committee to study options for tenants to dispute a rent increase in a manufactured housing park if such increase was arbitrary and unreasonable.
HB 1719-FN, relative to donations of liquor to nonprofits.
HB 1720-FN, relative to the storage of beverages produced by contract brewers.
HB 1741, relative to a definition of "contracted copayment" for purposes of the managed care law.
HB 1746-FN, relative to the practices of pharmacy benefit managers.
HB 1781, relative to condominiums with 10 or fewer residential units.
HB 1782-FN, establishing a committee to study insurance payments to ambulance providers and balance billing by ambulance providers.
HB 1372, prohibiting the implanting of subcutaneous identification devices in individuals.
HB 1753-FN, relative to transportation of alcoholic beverages by a minor.
HB 1807-FN, relative to exploitation of elderly, disabled, or impaired adults and establishing a protective order for vulnerable adults.
HB 1258, relative to the advanced manufacturing education advisory council.
HB 1480, relative to the membership of the board of trustees of a chartered public school.
HB 1493, relative to the statewide assessment system of performance in schools.
HB 1495, relative to standards for determining an adequate education.
HB 1496, relative to requirements for performance based accountability for an adequate education.
HB 1497, relative to accountability for school performance.
HB 1636, establishing a committee to study teacher preparation and education programs.
HB 1761, relative to the math learning communities program in secondary schools.
HB 1238, relative to animal cruelty involving an equine colt.
HB 1309, relative to transferring dogs, cats, and ferrets by animal shelter facilities.
HB 1254, establishing a committee to study the procedures for adoption of national codes by the state of New Hampshire.
HB 1273, suspending state licensure laws for physicians and physician assistants employed by the United States Department of Veterans Affairs.
HB 1327, relative to apprentice electricians.
HB 1421-FN, relative to the regulation of event tents.
HB 1530, requiring criminal history records checks for applicants for allied health professional licensure or certification.
HB 1571, authorizing an alternative recovery monitoring program for nurses licensed by the board of nursing.
HB 1599, relative to the governor's commission on disability.
HB 1603, relative to employee representation on the independent investment committee in the New Hampshire retirement system.
HB 1606, relative to naturopathic health care practice.
HB 1623, relative to criteria for debarment of vendors.
HB 1665, relative to the authority of the governing boards of allied health professionals.
HB 1684, relative to criminal background checks for emergency medical services license applicants.
HB 1805, establishing a committee to study level dollar amortization of retirement system unfunded accrued liability and relative to the retirement system board of trustees.
HB 1823-FN, relative to layered amortization of retirement system liabilities.
HB 1736, relative to increasing the threshold required for governor and council approval of expenditures from the dam maintenance fund.
HB 1575, permitting hunting with an air rifle.
HB 1102-FN, enabling the department of health and human services to contract with certain certified physicians.

HB 1577, relative to the administration of anesthesia by dentists.

HB 1769-FN, relative to maintenance of certification by physicians or applicants for a license to practice medicine in New Hampshire.

HB 1589, relative to actions against tenants for a caregiver under an agreement for a person with disabilities.

HB 1786-L, prohibiting costs for inspection of governmental records under the right-to-know law.

HB 1100, establishing a commission to review and evaluate workforce and job training in New Hampshire.

HB 1215, relative to voting on variances.

HB 1216, relative to liability for deferred property taxes and relative to applications for abatement of property taxes.

HB 1340, relative to absences among officers required to be present at school district elections.

HB 1450, relative to retention of job applications and personnel files.

HB 1533, relative to termination of variances and special exceptions.

HB 1271, changing the name of Industrial Drive at the Hugh Gallen Office Park to Ratification Way.

HB 1777-FN, relative to energy infrastructure corridor revenue.

HB 1473-FN, relative to the timber yield tax.

HB 1689-FN, repealing the repeal of the pollution prevention program of the department of environmental services.

HB 1810, establishing a commission to study the effectiveness of the current statutes related to management of non-tidal public water ways and the construction or placement of structures within them.

HB 1488, establishing a committee to study the public utilities commission's role and scope of duties in a deregulated environment.

HB 1796, relative to the legislative oversight committee on electric utility restructuring.

HB 1290, relative to vehicle registration for new residents to New Hampshire.

HB 1331, relative to incidental uses for agricultural plates.

HB 1363, relative to the waiver of vehicle registration suspension fees.

HB 1453, relative to the traffic safety commission.

HB 1454, eliminating the commission to study recommendations of the National Transportation Safety Board.

HB 1517, relative to vehicle inspection failures for rust.

HB 1523, relative to heavy duty recovery vehicles.

HB 1595, relative to the use of the left lane of a multilane roadway.

HB 1613, relative to operation of uninspected vehicles.

HB 1615, relative to speed limits in work zones.

HB 1697-FN, authorizing the Daniel Webster Council of Boy Scouts of America to issue decals for multi-use decal plates.

HB 1795, eliminating the oversight commission on motor vehicle fines.

HB 1294, relative to religious societies.

HB 1501-FN, relative to regulation of consultants for games of bingo and lucky 7.

HB 1502, adding the utility property tax exclusion for exempt water and air pollution control facilities to tax expenditure review.

HB 1418-FN, relative establishing a commission to study greater transparency in pharmaceutical costs and drug rebate programs.

HB 1484, relative to late fees in manufactured housing parks.

HB 1809-FN, relative to balance billing under the managed care law.

HB 1228, removing the limitation on a chartered public school incurring long term debt.

HB 1612, relative to data security in schools.

HB 1744, authorizing a parent to exempt his or her child from participating in the statewide assessment program.

HB 1315, prohibiting the university system funds from being spent to oppose the formation of unions and collective bargaining units.

HB 1427-FN, relative to membership in the retirement system for certain officials.

HB 1624, relative to state procurement practices and criteria for acceptance of bids.

HB 476, relative to the duties of registers of probate.

HB 559-FN, relative to expenditures from the energy efficiency fund.

HB 1743-FN, relative to funding for the Sununu Youth Services Center, and unfunded positions in the department of health and human services.

HB 1286, relative to fishing and hunting licenses for permanently disabled veterans.

HB 1476, permitting qualifying patients and designated caregivers to cultivate cannabis for therapeutic use.

CACR 15, relating to legal actions. Providing that taxpayers have standing to bring actions against the government.

HB 1307, relative to the presentation of a default budget.

HB 1428-FN, relative to removal of roadside memorials.

HB 1101-FN, regulating groundwater pollution caused by polluting emissions in the air.

HB 1515, relative to an exemption from the combustion ban on construction and demolition debris.

HB 1365, relative to OHRV operation on public ways.

HB 1354, adding the speaker of the house of representatives and senate president as permanent members of the university system board of trustees.

HB 1264, relative to construction of the terms “resident,” “inhabitant,” “residence,” and “residency.”

HB 1233, preempting local regulation of seeds and fertilizer.

RECESS MOTION

Rep. Hinch moved that the House stand in recess for the purposes of the introduction of bills, receiving Senate messages, enrolled bill amendments and enrolled bill reports.

Motion adopted.

The House recessed at 6:15 p.m.

RECESS