



State of
New Hampshire

HOUSE RECORD

Second Year of the 165th General Court

Calendar and Journal of the 2018 Session

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Vol. 40

Concord, N.H.

Wednesday, March 7, 2018

No. 7

HOUSE JOURNAL No. 6 (Cont'd)

Tuesday, March 6, 2018

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

HOUSE JOURNAL No. 7

Wednesday, March 7, 2018

The House assembled at 9:30 a.m., the hour to which it stood adjourned, and was called to order by the Speaker.

Prayer was offered by guest Chaplain, Father Thomas Steinmetz, Pastor of Our Lady of the Cedars Church in Manchester.

Lord God, as we gather here this morning we take this time to pause and to give Your thanks. We thank You, Lord, for the blessing that You have bestowed upon us, upon our State of New Hampshire, and upon our nation. We ask for Your continued protection. Keep us strong, and safe, and free. We pray also, Lord, for our armed forces, for all veterans, and for all who protect and serve us. Uphold them, strengthen them, and guard them with Your divine might. Finally, Lord we ask Your blessing upon all gathered here in this noble chamber. Guide them, inspire their hearts, grant them wisdom and discernment, courage and strength, so that they may always act righteously and according to Your will. Help them to work together in perfect charity and in harmony, and for the common good of the citizens of this state. For in the way, Lord, Your will may be done, evil will be vanquished, goodness will abound, the blessings upon our land will be multiplied, and You will be blessed and praised forever and ever. Amen.

Representative Notter, member from Merrimack, led the Pledge of Allegiance.

The National Anthem was sung by Kevin Freeman of Merrimack.

LEAVES OF ABSENCE

Reps. Alicea, Cote, Chirichiello, Gidge, Gile, Hull, Manley, Mann, McBeath, Sandler, Sofikitis, Vincent and Robert Walsh, the day, illness.

Reps. Burns, Conley, DeSimone, Dowling, Fenton, Francese, Friel, Irwin, Janigian, Katsakiores, Lundgren, Henry Marsh, Nasser, Schleien, Souza, Sprague, St. Clair, Tripp, Varney and Wallner, the day, important business.

Reps. Barry, Edgar, Huot, Laflamme and Murotake, the day, illness in the family.

INTRODUCTION OF GUESTS

Tejasingha Sivalingam, guest of Rep. Rand. Steve Ullman, guest of Reps. Porter and McNamara. Denise Vose, wife of Rep. Vose. The Honorable Susan DeLemus, former member from Rochester, guest of Rep. Bates. Students from the White Mountain School in Bethlehem, guests of Rep. Massimilla.

MOTION TO SUSPEND HOUSE RULES

Reps. Janvrin and Cushing moved that House Rules be so far suspended as to introduce and consider at the present time a resolution relative to offshore drilling, without the required printing, referral to committee, public hearing and report from committee, past the deadline.

Rep. Cushing spoke in favor.

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

YEAS 191 - NAYS 125**YEAS - 191
BELKNAP**

Fields, Dennis

Spanos, Peter

Buco, Thomas
Knirk, JerryButler, Edward
Nelson, Bill**CARROLL**Crawford, Karel
Schmidt, StephenDesMarais, Edith
Umberger, Karen**CHESHIRE**Abbott, Michael
Harvey, Cathryn
Johnsen, Gladys
Parkhurst, Henry
Pearson, WilliamAmes, Richard
Ley, Douglas
Hunt, John
Shepardson, Marjorie
Weber, LucyBerch, Paul
Eaton, Daniel
McConnell, James
Stallcop, JosephBordenet, John
Faulkner, Barry
Meader, David
Sterling, Franklin**COOS**Fothergill, John
Tucker, Edith

Moynihan, Wayne

Richardson, Herbert

Theberge, Robert

GRAFTONAbel, Richard
Darrow, Stephen
Higgins, Patricia
Massimilla, Linda
Smith, SuzanneAlmy, Susan
Dontonville, Roger
Josephson, Timothy
Migliore, Vincent Paul
Sykes, GeorgeBailey, Brad
Ham, Bonnie
Ladd, Rick
Mulligan, Mary Jane
White, AndrewCampion, Polly
Hennessey, Erin
Maes, Kevin
Rand, Steven**HILLSBOROUGH**Ayala, Jessica
Bouldin, Amanda
Connors, Erika
Donovan, Daniel
Griffin, Gerald
Gould, Linda
Graham, John
Keane, Amelia
Lewicke, John
MacKenzie, Mark
Newman, Sue
Long, Patrick
Harvey, Suzanne
Williams, KermitBackus, Robert
Carr, John
Cornell, Patricia
Edwards, Elizabeth
Smith, Gregory
Heath, Mary
Schmidt, Janice
King, Mark
Lisle, David
Mangipudi, Latha
Nutting, Allison
Porter, Marjorie
Smith, TimothyBaroody, Benjamin
Chandley, Shannon
Sullivan, Daniel
Elber, Joel
Gagne, Larry
Herbert, Christopher
Jack, Martin
Klee, Patricia
MacKay, Mariellen
Martin, Joelle
O'Leary, Richard
Roberts, Carol
Van Houten, ConnieBeaulieu, Jane
Cleaver, Skip
Danielson, David
Freitas, Mary
Goley, Jeffrey
Hinch, Richard
Judy, Jean
Leishman, Peter
McCarthy, Michael
McNamara, Richard
O'Neil, William
Rosenwald, Cindy
Vann, Ivy**MERRIMACK**Turcotte, Alan
Doherty, David
MacKay, James
Myler, Mel
Rodd, Beth
Shurtleff, StephenBartlett, Christy
Ebel, Karen
Kenison, Linda
Patten, Dick
Rogers, Katherine
Soucy, TimothyCarson, Clyde
Moffett, Howard
Klose, John
Pearl, Howard
Schuett, Dianne
Walz, Mary BethWolf, Dan
Henle, Paul
Luneau, David
Richards, Beth
Schultz, Kristina
Woolpert, David**ROCKINGHAM**Abrami, Patrick
Berrien, Skip
Cushing, Robert Renny
Fesh, Robert
Hagan, Joseph
Lerner, Kari
Malloy, Dennis
Murray, Kate
Read, EllenAllen, Mary
Bove, Martin
DiLorenzo, Charlotte
Gay, Betty
Janvrin, Jason
Lovejoy, Patricia
Matthews, Carolyn
Nigrello, Robert
Somssich, PeterAltschiller, Debra
Cahill, Michael
Emerick, J. Tracy
Gilman, Julie
O'Connor, John
Griffin, Mary
McMahon, Charles
Gordon, Pamela
Le, TamaraBean, Philip
Cali-Pitts, Jacqueline
Farnham, Betsey
Guthrie, Joseph
Khan, Aboul
Major, Norman
Messmer, Minda
Pantelakos, Laura
Ward, Gerald**STRAFFORD**Burton, Wayne
Frost, Sherry
Keans, Sandra
Opderbecke, Linn
Southworth, ThomasCilley, Jacalyn
Gourgue, Amanda
Krans, Hamilton
Schmidt, Peter
Treleaven, SusanEllis, Donna
Grassie, Chuck
Smith, Marjorie
Graham, Robert
Wall, JanetFontneau, Timothy
Horrigan, Timothy
McNally, Jody
Scruton, Matthew**SULLIVAN**Cloutier, John
Smith, StevenGagnon, Raymond
Sullivan, BrianGottling, Suzanne
Tanner, Linda

Oxenham, Lee

NAYS - 125**BELKNAP**

Abear, Marc
Fraser, Valerie
Sylvia, Michael

Aldrich, Glen
Howard, Raymond
Vadney, Herbert

Comtois, Barbara
Lang, Timothy

Tilton, Franklin
Plumer, John

CARROLL

Avellani, Lino
McConkey, Mark

Comeau, Ed
Marsh, William

Cordelli, Glenn

McCarthy, Frank

CHESHIRE

O'Day, John

COOS

Merner, Troy

GRAFTON

Binford, David
Johnson, Tiffany

Boutin, Skylar

Brown, Duane

Schwaegler, Vicki

HILLSBOROUGH

Ammon, Keith
Byron, Frank
Fedolfi, Jim
Halstead, Carolyn
Belanger, James
L'Heureux, Robert
McLean, Mark
Ohm, Bill
Prout, Andrew
Sanborn, Laurie
Somero, Paul
Sullivan, Victoria

Griffin, Barbara
Christensen, Chris
Ferreira, Elizabeth
Hansen, Peter
Moore, Josh
Ober, Lynne
Murphy, Keith
Panasiti, Reed
Ober, Russell
Scully, Kevin
Wolf, Terry

Biggie, Barbara
Christie, Rick
Freeman, Lisa
Hopper, Gary
Rice, Kimberly
Lascelles, Richard
Negron, Steve
Pierce, David
Renzullo, Andrew
Seidel, Carl
Twombly, Timothy

Burt, John
Dickey, Glen
Fromuth, Bart
Hynes, Dan
Kurk, Neal
LeBrun, Donald
Notter, Jeanine
Proulx, Mark
Rouillard, Claire
Shaw, Barbara
Ulery, Jordan

MERRIMACK

Kuch, Bill
Hill, Gregory
Moffett, Michael
Walsh, Thomas

Brewster, Michael
Hoell, J.R.
Marple, Richard
Testerman, Dave

Copp, Anne
Horn, Werner
McGuire, Carol
Wells, Natalie

Long, Douglas
Kotowski, Frank
Seaworth, Brian

ROCKINGHAM

Cook, Allen
Thomas, Douglas
Itse, Daniel
Manning, John
Packard, Sherman
Stone, Brian
Verville, Kevin
Welch, David

Baldasaro, Alfred
Elliott, Robert
Edwards, Jess
McKinney, Betsy
Gordon, Richard
Sytek, John
Vose, Michael
Weyler, Kenneth

Bates, David
Green, Dennis
Kolodziej, Walter
Milz, David
Sapareto, Frank
Torosian, Peter
Wallace, Scott
Willis, Brenda

Costable, Michael
Hoelzel, Kathleen
Pearson, Mark
Morrison, Sean
Spillane, James
True, Chris
Webb, James
Woitkun, Steven

STRAFFORD

Beaudoin, Steven
Mullen, John

Harrington, Michael
Phinney, Brandon

Kaczynski, Thomas
Wuelper, Kurt

Turcotte, Leonard

SULLIVAN

Grenier, James

Laware, Thomas

Rollins, Skip

and the motion failed lacking the necessary two-thirds vote.

REGULAR CALENDAR - PART II CONT'D

HB 1766-FN, relative to remediating the Coakley Landfill in Greenland. **MAJORITY: REFER FOR INTERIM STUDY. MINORITY: OUGHT TO PASS.**

Rep. Howard Pearl for the Majority of Environment and Agriculture. The Coakley Landfill is a federal Superfund site and has received funding to mitigate documented environmental concerns. This bill would require the Department of Environmental Services (DES) to compel the responsible parties to spend an estimated \$7 million on a different remediation method using 1990 technology. The responsible parties are part of the Coakley Landfill Group (CLG) which is comprised, by share, of municipalities (62.5%), generators (20%), and transporters (16.9%). This legislation would violate the consent decree between the state and the Environmental Protection Agency (EPA), resulting in NH exerting power that it does not have under

the Superfund program. Recently the Governor met with EPA chief, Scott Pruitt, who agreed to expedite deep bedrock testing with additional information forthcoming from the operation before the end of summer. In addition, the committee heard legal testimony and received outside legal advice which brought forth the following legal issues: (1) The consent decree was signed by the U.S. Department of Justice, DES, and CLG in 1999, thereby making the bill, if enacted, a possible violation of separation of powers since the NH Legislature has no authority to modify a federal court order (*Plaut v. Spendthrift Farm*, 514 U.S. 211, 227 (1995)). (2) It could violate the prohibition against retrospective laws (NH Constitution Part 1, Article 23). (3) It could be a violation of equal protection under the NH and Federal Constitutions. (4) It would breach the consent decree and may also be unconstitutional under the contract clause of the NH Constitution, Part 1, Article 23. The committee, being concerned about the health, safety, and welfare of the surrounding communities, has been assured by DES that they do have the authority to break the consent decree under RSA 147-A if an imminent hazard is present. After a lengthy public hearing, where much of the testimony was anecdotal, the committee determined it is premature to act before EPA has completed its new analysis using the latest available science. Vote 9-7.

Rep. Peter Bixby for the Minority of Environment and Agriculture. The minority believes that this bill addresses a critical environmental public health threat affecting seacoast communities. The committee heard testimony that the Coakley Landfill Group has failed to effectively contain pollution at the Coakley Superfund dumpsite. Toxins are contaminating groundwater, drinking water, and surface water of five neighboring towns. The Department of Environmental Services (DES) stated in correspondence to state legislators that the contamination of surface water in Berry's Brook is unacceptable and needs to be addressed. While some ongoing investigations, including deep bedrock investigations and the possible involvement of other contaminated sites are used as a reason for delay or inaction, the minority understands that the Coakley Landfill has been mismanaged for decades. The possibility of other problems is not a good reason to delay action on this well identified threat to public health. Passage of this bill would force DES to take immediate action.

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

Reps. Bean and Cushing spoke against.

Rep. John T. O'Connor spoke in favor.

Rep. Messmer requested a roll call; sufficiently seconded.

YEAS 149 - NAYS 174

YEAS - 149

BELKNAP

Abear, Marc
Fields, Dennis
Silber, Norman

Aldrich, Glen
Fraser, Valerie
Spanos, Peter

Comtois, Barbara
Howard, Raymond
Sylvia, Michael

Tilton, Franklin
Lang, Timothy
Vadney, Herbert

CARROLL

Avellani, Lino
McCarthy, Frank
Marsh, William

Comeau, Ed
McConkey, Mark

Cordelli, Glenn
Nelson, Bill

Crawford, Karel
Schmidt, Stephen

CHESHIRE

Hunt, John

O'Day, John

Sterling, Franklin

COOS

Merner, Troy

Theberge, Robert

GRAFTON

Bailey, Brad
Hennessey, Erin

Binford, David
Ladd, Rick

Brown, Duane
Schwaegler, Vicki

Darrow, Stephen
Johnson, Tiffany

HILLSBOROUGH

Ammon, Keith
Byron, Frank
Dickey, Glen
Griffin, Gerald
Halstead, Carolyn
Belanger, James
Ober, Lynne
MacKay, Mariellen
Notter, Jeanine
Ober, Russell
Scully, Kevin
Twombly, Timothy

Griffin, Barbara
Carr, John
Donovan, Daniel
Gagne, Larry
Hansen, Peter
Graham, John
Lascelles, Richard
McLean, Mark
Ohm, Bill
Renzullo, Andrew
Seidel, Carl
Ulery, Jordan

Biggie, Barbara
Christensen, Chris
Fedolfi, Jim
Gargas, Carolyn
Hinch, Richard
Moore, Josh
LeBrun, Donald
Murphy, Keith
Pierce, David
Rouillard, Claire
Somero, Paul
Sullivan, Victoria

Burt, John
Christie, Rick
Freeman, Lisa
Gould, Linda
Hynes, Dan
Kurk, Neal
Leishman, Peter
Negron, Steve
Prout, Andrew
Sanborn, Laurie
Wolf, Terry

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

Allen, Mary
Costable, Michael
Hagan, Joseph
O'Connor, John
Major, Norman
McMahon, Charles
Gordon, Richard
Torosian, Peter
Wallace, Scott

Baldasaro, Alfred
Thomas, Douglas
Hoelzel, Kathleen
Kolodziej, Walter
Manning, John
Milz, David
Sapareto, Frank
True, Chris
Webb, James

Bates, David
Fesh, Robert
Itse, Daniel
Griffin, Mary
Matthews, Carolyn
Nigrello, Robert
Spillane, James
Verville, Kevin
Weyler, Kenneth

Bove, Martin
Green, Dennis
Edwards, Jess
Pearson, Mark
McKinney, Betsy
Packard, Sherman
Sytek, John
Vose, Michael
Woitkun, Steven

STRAFFORD

Beaudoin, Steven
McNally, Jody
Scruton, Matthew

Harrington, Michael
Mullen, John
Spencer, Matthew

Kaczynski, Thomas
Phinney, Brandon
Wuelper, Kurt

Turcotte, Leonard
Pitre, Joseph

SULLIVAN

Grenier, James

Laware, Thomas

Rollins, Skip

Smith, Steven

NAYS - 174**BELKNAP**

Plumer, John

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
McConnell, James
Stallcop, Joseph

Bordenet, John
Eaton, Daniel
Meader, David
Pearson, William

COOS

Fothergill, John
Tucker, Edith

Hatch, William
Thomas, Yvonne

Moynihan, Wayne

Richardson, Herbert

GRAFTON

Abel, Richard
Campion, Polly
Josephson, Timothy
Mulligan, Mary Jane
White, Andrew

Almy, Susan
Dontonville, Roger
Maes, Kevin
Rand, Steven

Bennett, Travis
Ham, Bonnie
Massimilla, Linda
Smith, Suzanne

Boutin, Skylar
Higgins, Patricia
Migliore, Vincent Paul
Sykes, George

HILLSBOROUGH

Ayala, Jessica
Bouldin, Amanda
Cornell, Patricia
Edwards, Elizabeth
Fromuth, Bart
Herbert, Christopher
Judy, Jean
L'Heureux, Robert
MacKenzie, Mark
Newman, Sue
O'Neil, William
Roberts, Carol
Van Houten, Connie

Backus, Robert
Chandley, Shannon
Sullivan, Daniel
Elber, Joel
Smith, Gregory
Hopper, Gary
Keane, Amelia
Lewicke, John
Mangipudi, Latha
Nutting, Allison
Long, Patrick
Harvey, Suzanne
Vann, Ivy

Baroody, Benjamin
Cleaver, Skip
Danielson, David
Ferreira, Elizabeth
Goley, Jeffrey
Schmidt, Janice
King, Mark
Lisle, David
Martin, Joelle
O'Brien, Michael
Panasiti, Reed
Shaw, Barbara
Williams, Kermit

Beaulieu, Jane
Connors, Erika
DiSilvestro, Linda
Freitas, Mary
Heath, Mary
Jack, Martin
Klee, Patricia
McCarthy, Michael
Martineau, Jesse
O'Leary, Richard
Proulx, Mark
Smith, Timothy

MERRIMACK

Turcotte, Alan
Doherty, David
MacKay, James
Patten, Dick
Schuett, Dianne
Woolpert, David

Bartlett, Christy
Ebel, Karen
Kenison, Linda
Richards, Beth
Schultz, Kristina

Brewster, Michael
Moffett, Howard
Luneau, David
Rodd, Beth
Soucy, Timothy

Carson, Clyde
Henle, Paul
Myler, Mel
Rogers, Katherine
Walz, Mary Beth

ROCKINGHAM

Cook, Allen
Berrien, Skip
Cushing, Robert Renny
Farnham, Betsey
Janvrin, Jason
Malloy, Dennis
Gordon, Pamela
Stone, Brian
Willis, Brenda

Abrami, Patrick
Cahill, Michael
DiLorenzo, Charlotte
Gay, Betty
Khan, Aboul
Messmer, Mindi
Pantelakos, Laura
Le, Tamara

Altschiller, Debra
Cali-Pitts, Jacqueline
Elliott, Robert
Gilman, Julie
Lerner, Kari
Morrison, Sean
Read, Ellen
Ward, Gerald

Bean, Philip
Chase, Francis
Emerick, J. Tracy
Guthrie, Joseph
Lovejoy, Patricia
Murray, Kate
Somssich, Peter
Welch, David

STRAFFORD

Berube, Roger
Fontneau, Timothy
Horrigan, Timothy
Opderbecke, Linn
Treleaven, Susan

Burton, Wayne
Frost, Sherry
Keans, Sandra
Schmidt, Peter
Wall, Janet

Cilley, Jacalyn
Gourgue, Amanda
Krans, Hamilton
Graham, Robert

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

SULLIVAN

Cloutier, John
Sullivan, Brian

Gagnon, Raymond
Tanner, Linda

Gottling, Suzanne

Oxenham, Lee

and the majority committee report failed.

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

Rep. Somssich requested a roll call; sufficiently seconded.

YEAS 207 - NAYS 118**YEAS - 207****BELKNAP**

Fields, Dennis

Fraser, Valerie

Plumer, John

Vadney, Herbert

CARROLL

Buco, Thomas
Knirk, Jerry

Butler, Edward
Nelson, Bill

Crawford, Karel

DesMarais, Edith

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
McConnell, James
Stallcop, Joseph

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

COOS

Fothergill, John
Theberge, Robert

Hatch, William
Tucker, Edith

Moynihan, Wayne
Thomas, Yvonne

Richardson, Herbert

GRAFTON

Abel, Richard
Boutin, Skylar
Hennessey, Erin
Maes, Kevin
Rand, Steven

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

Bennett, Travis
Dontonville, Roger
Josephson, Timothy
Migliore, Vincent Paul
Sykes, George

Binford, David
Ham, Bonnie
Ladd, Rick
Mulligan, Mary Jane
White, Andrew

HILLSBOROUGH

Ammon, Keith
Beaulieu, Jane
Christie, Rick
Sullivan, Daniel
Elber, Joel
Smith, Gregory
Hopper, Gary
Jeudy, Jean
Klee, Patricia
Lewicke, John
MacKenzie, Mark
Murphy, Keith
O'Leary, Richard
Proulx, Mark
Sanborn, Laurie
Vann, Ivy

Ayala, Jessica
Bouldin, Amanda
Cleaver, Skip
Danielson, David
Ferreira, Elizabeth
Goley, Jeffrey
Hynes, Dan
Rice, Kimberly
L'Heureux, Robert
Lisle, David
Mangipudi, Latha
Newman, Sue
O'Neil, William
Prout, Andrew
Shaw, Barbara
Williams, Kermit

Backus, Robert
Chandley, Shannon
Connors, Erika
DiSilvestro, Linda
Freeman, Lisa
Heath, Mary
Schmidt, Janice
Keane, Amelia
Lascelles, Richard
MacKay, Mariellen
Martin, Joelle
Nutting, Allison
Long, Patrick
Roberts, Carol
Smith, Timothy

Baroody, Benjamin
Christensen, Chris
Cornell, Patricia
Edwards, Elizabeth
Freitas, Mary
Herbert, Christopher
Jack, Martin
King, Mark
Leishman, Peter
McCarthy, Michael
Martineau, Jesse
O'Brien, Michael
Panasiti, Reed
Harvey, Suzanne
Van Houten, Connie

MERRIMACK

Turcotte, Alan
Doherty, David
Horn, Werner
Myler, Mel
Rogers, Katherine
Walz, Mary Beth

Bartlett, Christy
Ebel, Karen
MacKay, James
Patten, Dick
Schuett, Dianne
Woolpert, David

Brewster, Michael
Moffett, Howard
Kenison, Linda
Richards, Beth
Schultz, Kristina

Carson, Clyde
Henle, Paul
Luneau, David
Rodd, Beth
Soucy, Timothy

ROCKINGHAM

Cook, Allen
Bates, David
Cali-Pitts, Jacqueline
DiLorenzo, Charlotte
Gay, Betty
Khan, Aboul
Messmer, Mindi
Packard, Sherman
Stone, Brian
Ward, Gerald

Abrami, Patrick
Bean, Philip
Chase, Francis
Elliott, Robert
Gilman, Julie
Lerner, Kari
Morrison, Sean
Pantelakos, Laura
Le, Tamara
Welch, David

Allen, Mary
Berrien, Skip
Cushing, Robert Renny
Emerick, J. Tracy
Guthrie, Joseph
Lovejoy, Patricia
Murray, Kate
Read, Ellen
Vose, Michael
Weyler, Kenneth

Altschiller, Debra
Cahill, Michael
Thomas, Douglas
Farnham, Betsey
Janvrin, Jason
Malloy, Dennis
Gordon, Pamela
Somssich, Peter
Wallace, Scott
Willis, Brenda

STRAFFORD

Berube, Roger
Fontneau, Timothy
Horrigan, Timothy
McNally, Jody
Graham, Robert

Burton, Wayne
Frost, Sherry
Keans, Sandra
Opderbecke, Linn
Southworth, Thomas

Cilley, Jacalyn
Gourgue, Amanda
Krans, Hamilton
Schmidt, Peter
Treleven, Susan

Ellis, Donna
Grassie, Chuck
Smith, Marjorie
Pitre, Joseph
Wall, Janet

SULLIVAN

Cloutier, John
Laware, Thomas

Gagnon, Raymond
Oxenham, Lee

Gottling, Suzanne
Sullivan, Brian

Grenier, James
Tanner, Linda

NAYS - 118**BELKNAP**

Abear, Marc
Howard, Raymond
Sylvia, Michael

Aldrich, Glen
Lang, Timothy

Comtois, Barbara
Silber, Norman

Tilton, Franklin
Spanos, Peter

CARROLL

Avellani, Lino
McConkey, Mark

Comeau, Ed
Schmidt, Stephen

Cordelli, Glenn
Umberger, Karen

McCarthy, Frank
Marsh, William

CHESHIRE

Hunt, John

O'Day, John

COOS

Merner, Troy

GRAFTON

Bailey, Brad
Johnson, Tiffany

Brown, Duane

Darrow, Stephen

Schwaegler, Vicki

HILLSBOROUGH

Griffin, Barbara
Carr, John
Fromuth, Bart
Gould, Linda
Belanger, James
Ober, Lynne
Notter, Jeanine
Renzullo, Andrew
Somero, Paul
Sullivan, Victoria

Biggie, Barbara
Dickey, Glen
Griffin, Gerald
Halstead, Carolyn
Graham, John
LeBrun, Donald
Ohm, Bill
Rouillard, Claire
Wolf, Terry

Burt, John
Donovan, Daniel
Gagne, Larry
Hansen, Peter
Moore, Josh
McLean, Mark
Pierce, David
Scully, Kevin
Twombly, Timothy

Byron, Frank
Fedolfi, Jim
Gargas, Carolyn
Hinch, Richard
Kurk, Neal
Negron, Steve
Ober, Russell
Seidel, Carl
Ulery, Jordan

MERRIMACK

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

Copp, Anne
Hoell, J.R.
Marple, Richard
Walsh, Thomas

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

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

ROCKINGHAM

Baldasaro, Alfred
Green, Dennis

Bove, Martin
Hagan, Joseph

Costable, Michael
Hoelzel, Kathleen

Fesh, Robert
Itse, Daniel

Edwards, Jess
Pearson, Mark
McKinney, Betsy
Gordon, Richard
Torosian, Peter
Woitkun, Steven

O'Connor, John
Major, Norman
McMahon, Charles
Sapareto, Frank
True, Chris

Kolodziej, Walter
Manning, John
Milz, David
Spillane, James
Verville, Kevin

Griffin, Mary
Matthews, Carolyn
Nigrello, Robert
Sytek, John
Webb, James

STRAFFORD

Beaudoin, Steven
Mullen, John
Wuelper, Kurt

Harrington, Michael
Phinney, Brandon

Kaczynski, Thomas
Scruton, Matthew

Turcotte, Leonard
Spencer, Matthew

SULLIVAN

Rollins, Skip

Smith, Steven

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

MOTION TO PRINT DEBATE

Rep. Myler moved that the debate on **HB 1766-FN**, relative to remediating the Coakley Landfill in Greenland, be printed in the Permanent Journal.
Motion adopted.

DEBATE ON HB 1766-FN

Rep. Bean: Thank you, Mister Speaker. This is a very important bill and I thank the committee for their outstanding work and in examination of the blurb, they bring forth salient points. In the Seacoast of New Hampshire there is a member of the Seacoast cancer cluster investigation committee, death has marched into the Seacoast. It is the site of one of the few pediatric cancer clusters in the nation. There are two dead children, Sam and Lidia, and their parents have testified and provided tear-jerking testimony in our commission about that. These documents that are alluded to in the blurb are noted in the majority to be respected and not to be violated. They, in essence, and in real facts, are these root cause and source of the continued malfeasance and mortality. The operating agreement or the consent decree is nothing but huge corporations, federal agencies throwing pennies into a pot and walking away from the Coakley Landfill Group, which is a modern day crime scene. The Coakley Landfill Group operating agreement, which has been challenged by the Town of Hampton, and our town attorney, is nothing more than an outdated cabal of an abdication of moral authority and responsibility to polluting the seacoast of New Hampshire. In a lesser concern, but very emphatic need of Hampton, is our water source. We now have a 66 million gallon well that is shut down due to PFC's and PFOA's. I have personally been to Eversource with the government affairs attorney. I have been in front of the Portsmouth City Council. We have opined. We have sent letters from our town attorney with the full majority of the Board of Selectmen of the Town of Hampton. We have talked to Mr. Sullivan. No amount of lobbyists, no respect for these sorted, sorted agreements and decrees will remedy the way. Your vote today to reinforce the good work of the committee that marginally, in a 9-7 vote, has said that this should not pass. Your vote on behalf of remediating that site, which has never been remediated, and moving pass those terrible, terrible decrees and those terrible agreements will prevent future "Sams" and future "Lidias." So I would ask you to respect the good work of the committee that almost got it right and overturn that majority and vote going forward that it ought to pass and a subsequent motion can be made. Thank you, Mister Speaker.
Speaker Chandler: The question before the House is the adoption of the majority committee report of Refer for Interim Study. The Chair recognizes the member from Hampton, Representative Cushing to speak in opposition to the committee report.

Rep. Cushing: Thank you, Mister Speaker. The highest point of land on our coastal plain between Seabrook and Portsmouth is Breakfast Hill. It's located in the Town of North Hampton, right near the Rye and Stratham line. In the 1950s a gravel pit was opened there by the Coakley family and they excavated a fair amount of gravel and then it turns out the bedrock was very close to the surface so they decided to also to blast out and extract the bedrock and what remained was kind of a bowl on top of a hill on the seacoast. In the 1970s there was a decision made to use that bowl as a solid waste and then hazardous waste disposal site. That operated for a number of years. It took in hazardous waste and solid waste from throughout the state. They took it from Pease Air Force Base. They took it from the Navy yard. They took it from virtually every producer in Eastern New Hampshire and a lot brought up from Massachusetts. In the late 1970s at the Lafayette Terrace, which is a small little housing development adjacent to Coakley, it turned out that people were getting extremely ill who had wells that turned out were polluted by presumably stuff leaking out of that landfill. Those wells were shut down and town water was introduced. In the 1980s there was a lot of consciousness in this country about, in part from Love Canal, about the toxins that are below the surface that are threatening us and the federal government established a superfund project. The Coakley landfill in 1982 was declared a superfund site by the federal government and for the next three years the State of New Hampshire allowed

hazardous waste to be dumped on that superfund site. Now, why the Department of Environmental Services in the 1980s let more toxins be dumped on a superfund site, I don't know, but it took place. In the 1990s there was an agreement in recognition that something should be done to clean up this hazardous waste site. An agreement was structured between the Environmental Protection Agency, the responsible parties, who are the people who did the pollution, and DES that provided to have this superfund site cleaned up. I will note parenthetically that in 1980, the State of New Hampshire passed a law that required that all toxic waste and all solid waste sites have liners under them. This was 1980. In the mid-1990s when there was a decision made to clean up the Coakley landfill, a decision was made not to put a liner under it, but the decision that was made was to put a cap on top of it to prevent further stuff from leaking down into it on the top and then to install a pump and treat system. The pump and treat system was a way that there were a series of berms around the perimeter of the superfund site and there would be wells in the middle of it that would extract water from the center of the superfund site and treat that and release it. It would essentially be an ongoing process of cleaning up the superfund site and at the same time it would be a restriction of development around the site because you didn't want to have new houses built there with new wells or other developments that would draw water out from underneath this cap. For some reason that we don't really know yet, although money was paid by the federal government to build a cap and \$5 million was also contributed to install this pump and treat system. That pump and treat system is never installed so now, 25-years later, we've got a superfund site that had a plan to be cleaned up and protect the health and safety of the public, that never took place and we have the emergence of a cancer cluster. Not only that, we have a problem, as the member from Hampton alluded to, that superfund site is leaking and its leaking into the groundwater, away from the site and into the drinking water of people in the surrounding towns. What the legislation before you does is direct the Department of Environmental Services to do what it said was going to be done 25 years ago. To clean up the site and to install that pump and treat system. I know that with respect to the majority report, which eluded to some decision that this would violate the consent decree, I disagree with that. That's just not based in fact. If I could just read from the consent decree. The notion is that the State of New Hampshire must have surrendered all of its rights to protect the public health when it signed that consent decree, but the consent decree said that the state preserves all rights against the settling defendants and this consent decree is without prejudice to all rights against the settling defendants including but not limited to the following: liability arising from the past, present or future. Disposal, release or threat of release of waste materials outside the site. The Governor appointed a cancer cluster group to look into reasons why there was a cancer cluster at the Seacoast. One of the first things the cancer cluster asked to have done, is they asked to have the Coakley landfill tested for PFCs. There was an experience already in Pease, where there was PFC's that were there that had contaminated people and although that had never been done, there was a compliance. There was a test for PFC's at the landfill and guess what, riddled with PFC's. There was then a request that was made to test the groundwater. The state would not do the groundwater. The member from Rye, who was not a member at the time, went out and sought a private individual and at least do testing on the groundwater. The groundwater in Berry's Brook adjacent or nearby that landfill show that there were PFNAs, which are PFCs, that were at the time the third highest in the country that were detected. DES was suspect of that, so DES finally a month later did its own testing and it came back and said, yes, they were correct. There are PFCs leaking from this landfill site. They are among the highest in the world and we'll acknowledge that. Four months later, the Coakley Landfill Group, did test and they confirmed that in fact there are these highly toxins leaking from the landfill site. Last July, in response to a letter that was submitted to our own DES by a number of seacoast lawmakers, our Department of Environmental Services, confirmed that there were toxins leaking outside the Coakley landfill site and said that this is unacceptable and we are going to have to do something to clean it up. That was last July. What this legislation does is it instructs the DES to do what it said needed to be done last July and to get on it right now. The state has the authority. It retained the authority to exercise its power because the leaking is outside the site. The plan was, with a stipulation, that the poisons and toxins would be contained within the site. They didn't do what they said they were going to do. It's leaking now. It's a threat to the health and safety of the people in the seacoast. We need to stop talking. Start acting. I ask you to defeat the Interim Study motion so that we can go on and pass this bill and start cleaning up Coakley. Thank you.

Speaker Chandler: The question before the House is the adoption of the majority committee report of Refer for Interim Study. The Chair recognizes the final speaker, the member from Derry, Representative John T. O'Connor.

Rep. John T. O'Connor: Thank you, Mister Speaker. Mister Speaker, honorable colleagues, I rise in support of the committee's recommendation to refer HB 1766 to Interim Study, relative to the remediating the Coakley Landfill in Greenland. What is the Coakley Landfill? It is one of the most complicated superfund sites of the 20-plus superfund sites already existing in the State of New Hampshire. We are also under a consent decree established in 1999 by the US District Court. Who are the responsible parties? Three municipalities that make up the largest percentage at 62.5%, transporters at 17.5%, generators at 20%, followed by the New Hampshire Department of Environmental Services, the Attorney General and the US Government Department of Justice. What does this bill try to achieve? A legislative mandate using chaptered law to force New Hampshire Depart-

ment of Environmental Services to compel the Coakley Landfill Group to implement one of the four remediation options established by the consent decree using technology that is over 20-years old. The committee recently heard only 2 ½ hours of testimony. The majority of which was related to the original findings that were made up of the consent decree in the mid-1990s. We additionally heard from individuals from the seacoast area that related their personal medical history. Very compelling. The committee is well aware that this area of the states aquifers has exceedingly high levels of natural arsenic and radon that municipalities are treating for the regular water supply but DES also offers pamphlets to those many private wells and what available treatments that they can use. In addition, the Breakfast Hill location that was mentioned that surrounds the Coakley landfill is also being supplied by the state MBTE funds of currently 200,000 to implement the location to put a city water supply around there and at this time there is no indication that they exceed any of the federal requirements of the Clean Water Act. We also heard testimony from the Coakley Landfill Group attorney, one who had been with the Attorney General's office for over 25 years. In addition, we heard that there are three more landfills locally that are also contaminated and one is within one mile of the Coakley landfill, but we have not seen that data. What the committee did not see was any current documentation that any of the distant homeowners water supplies were contaminated. Also, during the public hearing, the sponsor shared documentation for a 91-A request on the Town of Portsmouth for all documents related to the landfill, which is currently at approximately 100 bank boxes of information that has yet to be reviewed. In addition, a special letter was sent to the Attorney General's office by the sponsors requesting a decision regarding whether 91-A applies to the Coakley Land Group. In turn, I also sent a follow up letter requesting a copy of the AG's response for the committee and as of yet we have not received a response. During the same period of time, the Governor was meeting with the new commissioner of the federal EPA, who then agreed to expedite an additional deep bedrock testing within the site with the results to be reported forthcoming by the end of the summer. Why is this important? Given the amount of non-technical information given at the public hearing and not seeing any current scientific data, the committee is awaiting the pending EPA test data along with the additional information from the 91-A request so the committee can make an informed decision. The committee also heard testimony and I reviewed with House Counsel the legality of the legislation mandating an agency to compel parties responsible to remediate the area that is under a consent decree. I want to highlight a couple of key legal points that need to be heard. 1. The consent decree was signed by all parties and if this bill was to pass, as introduced, would it violate the separation of powers with respect to laws under the New Hampshire Constitution, Part I, Article 23? If we modify the decree, we would be in violation of our own constitution. 2. Under the equal protection under the New Hampshire federal constitution, treating the Coakley Land Group by legislative order and not mandating the other 20-plus superfund sites would violate the equal protection clause. And, finally, the committee being concerned about the health, safety and welfare of the surrounding communities, have been assured by the New Hampshire Department of Environmental Services that under RSA 147-A that if an eminent hazard is present, that they have the authority to break the consent decree. Please join me in passing the committee's recommendation and send this bill to Interim Study by pressing the green button and Mister Speaker, I request a division vote.

Speaker Chandler: The question before the House is on the adoption of the majority committee report of Refer for Interim Study. Who requested the roll call? Rep. Messmer requests a roll call. Is that sufficiently seconded? It is sufficiently seconded. Will all members please take their seats? This will be a roll call vote. Members will please take their seats. The question before the House is on the adoption of the majority committee report of Refer for Interim Study. If you are in favor of that, you'll be pressing the green button. If you are opposed, you'll be pressing the red button. The Chair recognizes Rep. Messmer for a parliamentary inquiry. The House will be in order.

Rep. Messmer: Thank you, Mister Speaker. Mister Speaker, if I know that the Coakley landfill represents a significant public health threat by contaminating groundwater, surface water and drinking water of five towns of the seacoast and I know that it has been 25-years of inaction. They took \$5 million from the Department of Defense and never installed a remedial system and if I know that the DES has said that this is a significant health issue, it threatens our public health of the seacoast, would I then press the red button so that another motion can be brought to pass this bill? Thank you.

Speaker Chandler: The question before the House is the adoption of the majority committee report of Refer for Interim Study. If you are in favor of that, you will be pressing the green button. If you are opposed, you will be pressing the red button. The Chair recognizes Rep. Pearl for a parliamentary inquiry.

Rep. Pearl: Mister Speaker, if I know the Coakley Landfill Group has already received millions of dollars to mitigate groundwater runoff and Mister Speaker, if I know that Governor Sununu has met with the US EPA Director Pruitt regarding expedited deep bedrock testing to be completed this summer at the Coakley landfill site and Mister Speaker, if I know the majority of the E & A Committee felt that with the pending information due out late summer from the deep bedrock testing that it would be wise to send this bill for further study and finally, Mister Speaker, if I know that passing this bill would put New Hampshire in violation of the consent decree that it signed with the EPA when it enrolled the Coakley landfill as a superfund site, would I now go ahead and press the green button to support the committee recommendation of Ought to Pass?

Speaker Chandler: The question before the House is on the adoption of the majority committee report of Refer for Interim Study. If you are in favor of the majority committee report of Interim Study, you will be pressing the green button. If you are opposed to that, you will be pressing the red button and the voting stations will be open for 30 seconds. Have all members voted who were here when the question was put? The House will attend to the state of the vote. 149 in the affirmative, 174 in the negative. The motion fails. Rep. White.

Rep. White: Thank you, Mister Speaker. Mister Speaker, I move Ought to Pass on HB 1766.

Speaker Chandler: Rep. White moves Ought to Pass on HB 1766. Are you ready for the question? A division has been requested. All members will remain in their seats. A roll call has been requested by Rep. Cushing. Rep. Schultz? It is sufficiently seconded. All members will please take their seats. Somssich? Okay. The question before the House is on the motion of Ought to Pass on HB 1766. Rep. Pearl is recognized for a parliamentary inquiry.

Rep. Pearl: Mister Speaker, for all the reasons I gave in my last PI, would I now press the red button?

Speaker Chandler: The question is on the motion of Ought to Pass on HB 1766. If you are in favor of that, you'll be pressing the green button. If you are opposed, you'll be pressing the red button. The Chair recognizes Rep. White for a parliamentary inquiry.

Rep. White: Thank you, Mister Speaker. Mister Speaker, if I realize that the situation creates a very clear and present danger, would I now press the green button and support the Ought to Pass motion?

Speaker Chandler: The question before the House is on the motion of Ought to Pass on HB 1766. If you are in favor of that, you'll be pressing the green button. If you are opposed, you'll be pressing the red button. Voting stations will be open for 30 seconds. Have all members voted who were here when the question was put? The House will attend to the state of the vote. 207 in the affirmative and 118 in the negative, the minority committee report is adopted.

REGULAR CALENDAR - PART II CONT'D

HB 1685-FN, establishing a statutory commission for oversight over occupational regulation. **INEXPEDIENT TO LEGISLATE.**

Rep. Peter Schmidt for Executive Departments and Administration. This bill, with the amendment, sets up a ten-member legislative commission to conduct a continuing review of the existing system of occupational regulation in NH. Given that NH has a well-established and well-designed structure of occupational regulation dating back as much as a century, or more, and that, importantly, the legislature has an active role in directing the Legislative Budget Assistant Audit Division to carry out thorough reviews of NH's executive branch agencies and boards on an ongoing schedule, and given further that the existing regulatory system is strongly supported by the regulated professions and occupations, as well as by the people of NH, one can only wonder as to the useful purpose, benefit and result of imposing a permanent legislative review commission, as proposed by this bill. The majority of ED&A sees this bill as unnecessary and unwarranted. Vote 9-8.

Rep. Ohm spoke against and yielded to questions.

Rep. Peter Schmidt spoke in favor and yielded to questions.

Rep. Hinch requested a roll call; sufficiently seconded.

YEAS 154 - NAYS 170

YEAS - 154

BELKNAP

Abear, Marc

CARROLL

Buco, Thomas
Knirk, Jerry

Butler, Edward

Crawford, Karel

DesMarais, Edith

CHESHIRE

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

Ames, Richard
Eaton, Daniel
Parkhurst, Henry

Bordenet, John
Faulkner, Barry
Shepardson, Marjorie

Burridge, Delmar
Johnsen, Gladys
Pearson, William

COOS

Hatch, William
Thomas, Yvonne

Moynihan, Wayne

Richardson, Herbert

Tucker, Edith

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

Ayala, Jessica
Bouldin, Amanda
Cornell, Patricia
Freitas, Mary
Schmidt, Janice
King, Mark
McCarthy, Michael
Martineau, Jesse
O'Brien, Michael
Porter, Marjorie
Shaw, Barbara
Williams, Kermit

Backus, Robert
Chandlee, Shannon
Sullivan, Daniel
Goley, Jeffrey
Jack, Martin
Klee, Patricia
MacKenzie, Mark
McNamara, Richard
O'Leary, Richard
Proulx, Mark
Smith, Timothy

Baroody, Benjamin
Cleaver, Skip
DiSilvestro, Linda
Heath, Mary
Jeudy, Jean
Leishman, Peter
Mangipudi, Latha
Newman, Sue
O'Neil, William
Roberts, Carol
Van Houten, Connie

Beaulieu, Jane
Connors, Erika
Elber, Joel
Herbert, Christopher
Keane, Amelia
Lisle, David
Martin, Joelle
Nutting, Allison
Long, Patrick
Harvey, Suzanne
Vann, Ivy

MERRIMACK

Turcotte, Alan
Long, Douglas
Henle, Paul
Myler, Mel
Rogers, Katherine
Soucy, Timothy

Bartlett, Christy
Doherty, David
MacKay, James
Patten, Dick
Schuett, Dianne
Walz, Mary Beth

Brewster, Michael
Ebel, Karen
Kenison, Linda
Richards, Beth
Schultz, Kristina
Woolpert, David

Carson, Clyde
Moffett, Howard
Luneau, David
Rodd, Beth
Shurtleff, Stephen

ROCKINGHAM

Allen, Mary
Cahill, Michael
Gilman, Julie
Malloy, Dennis
Murray, Kate
Somssich, Peter

Altschiller, Debra
Cushing, Robert Renny
Janvrin, Jason
McMahon, Charles
Gordon, Pamela
Le, Tamara

Berrien, Skip
DiLorenzo, Charlotte
Lerner, Kari
Messmer, Mindi
Pantelakos, Laura
Ward, Gerald

Bove, Martin
Farnham, Betsey
Lovejoy, Patricia
Morrison, Sean
Read, Ellen
Willis, Brenda

STRAFFORD

Bixby, Peter
Fontneau, Timothy
Horrigan, Timothy
Opderbecke, Linn
Wall, Janet

Burton, Wayne
Frost, Sherry
Keans, Sandra
Schmidt, Peter

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

Ellis, Donna
Grassie, Chuck
Smith, Marjorie
Treleaven, Susan

SULLIVAN

Cloutier, John
Oxenham, Lee

Gagnon, Raymond
Sullivan, Brian

Gottling, Suzanne
Tanner, Linda

Grenier, James

NAYS - 170**BELKNAP**

Aldrich, Glen
Howard, Raymond
Spanos, Peter

Comtois, Barbara
Lang, Timothy
Sylvia, Michael

Tilton, Franklin
Plumer, John
Vadney, Herbert

Fraser, Valerie
Silber, Norman

CARROLL

Avellani, Lino
McConkey, Mark
Marsh, William

Comeau, Ed
Nelson, Bill

Cordelli, Glenn
Schmidt, Stephen

McCarthy, Frank
Umberger, Karen

CHESHIRE

Harvey, Cathryn
Stallcop, Joseph

Hunt, John
Sterling, Franklin

McConnell, James

O'Day, John

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
Johnson, Tiffany

Brown, Duane
Ladd, Rick

HILLSBOROUGH

Ammon, Keith
Byron, Frank
Christie, Rick
Edwards, Elizabeth
Fromuth, Bart

Griffin, Barbara
Moore, Craig
Danielson, David
Fedolfi, Jim
Griffin, Gerald

Biggie, Barbara
Carr, John
Dickey, Glen
Ferreira, Elizabeth
Smith, Gregory

Burt, John
Christensen, Chris
Donovan, Daniel
Freeman, Lisa
Gagne, Larry

Gargas, Carolyn
Hinch, Richard
Rice, Kimberly
Lascelles, Richard
McLean, Mark
Ohm, Bill
Ober, Russell
Scully, Kevin
Twombly, Timothy

Gould, Linda
Hopper, Gary
Kurk, Neal
LeBrun, Donald
Murphy, Keith
Panasiti, Reed
Renzullo, Andrew
Seidel, Carl
Ulery, Jordan

Halstead, Carolyn
Hynes, Dan
L'Heureux, Robert
Lewicke, John
Negron, Steve
Pierce, David
Rouillard, Claire
Somero, Paul
Sullivan, Victoria

Hansen, Peter
Moore, Josh
Ober, Lynne
MacKay, Mariellen
Notter, Jeanine
Prout, Andrew
Sanborn, Laurie
Wolf, Terry

MERRIMACK

Kuch, Bill
Hoell, J.R.
Moffett, Michael
Seaworth, Brian

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

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

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

ROCKINGHAM

Cook, Allen
Bean, Philip
Thomas, Douglas
Gay, Betty
Hoelzel, Kathleen
Kolodziej, Walter
Manning, John
Nigrello, Robert
Spillane, James
True, Chris
Webb, James

Abrami, Patrick
Cali-Pitts, Jacqueline
Elliott, Robert
Green, Dennis
Itse, Daniel
Griffin, Mary
Matthews, Carolyn
Packard, Sherman
Stone, Brian
Verville, Kevin
Welch, David

Baldasaro, Alfred
Chase, Francis
Emerick, J. Tracy
Guthrie, Joseph
Edwards, Jess
Pearson, Mark
McKinney, Betsy
Gordon, Richard
Sytek, John
Vose, Michael
Weyler, Kenneth

Bates, David
Costable, Michael
Fesh, Robert
Hagan, Joseph
Khan, Aboul
Major, Norman
Milz, David
Sapareto, Frank
Torosian, Peter
Wallace, Scott
Woitkun, Steven

STRAFFORD

Beaudoin, Steven
McNally, Jody
Graham, Robert

Harrington, Michael
Mullen, John
Scruton, Matthew

Kaczynski, Thomas
Phinney, Brandon
Spencer, Matthew

Turcotte, Leonard
Pitre, Joseph
Wuelper, Kurt

SULLIVAN

Laware, Thomas

Rollins, Skip

Smith, Steven

and the committee report failed.

Rep. Hinch moved Ought to Pass.

On a division vote, with 177 members having voted in the affirmative, and 148 in the negative, the motion was adopted and ordered to third reading.

Rep. John T. O'Connor declared a conflict of interest and did not participate.

HB 1754-FN-L, establishing a state defined contribution retirement plan for state and political subdivision members of the retirement system. **INEXPEDIENT TO LEGISLATE.**

Rep. Jeffrey Goley for Executive Departments and Administration. Research shows that Defined Contribution (DC) retirement plans are more expensive to administer and may not deliver sound and reliable benefits as consistently or inexpensively as Defined Benefit (DB) retirement plans. Given that a recent report provided by Boston College's Center for Retirement Research, at the request of the 2017 Decennial Retirement Commission, shows New Hampshire's pension costs are well below the national average, switching to a DC plan will only exacerbate increases to employer costs. In fact, this bill's fiscal note says making this change will increase the unfunded actuarial accrued liability (UAAL) of the NH Retirement System (NHRS) by \$1.9 billion. The current UAAL, which makes up the bulk of employer payments, will be paid off in 2039. Employer costs after that time will be next to nothing and much less expensive than any DC plan, including the one proposed in this bill. A DC plan is the wrong policy fix for the NHRS. The correct course of action is to maintain the current DB plan, as independent actuaries have demonstrated that with sound contribution rates and smart investment decisions, the UAAL will be paid off during the remaining 21 years of the amortization period and the normal pension cost is an affordable way to provide public employees with retirement security. Vote 14-2. On a division vote, with 249 members having voted in the affirmative, and 72 in the negative, the committee report was adopted.

HB 1626-FN, requiring the governor's commission on alcohol and drug abuse prevention, treatment, and recovery to report on the cost effectiveness of funded programs. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Erin Hennessey for the Majority of Finance. As amended by Finance, this bill incorporates into the work of the Governor's Commission on Alcohol and Drug Abuse Prevention, the requirement, methodology and means for performing a comparative cost effectiveness and outcomes analyses of treatment and prevention programs. This program was endorsed by both the Governor's Commission and the Department of Health and

Human Services as beneficial to their efforts to maximize the effectiveness of their spending. The program would take in the first year commencing on January 1, 2020, the four largest treatment programs by highest dollar value for comparison while during year two, a comparison of the four largest prevention programs will be performed. The analysis will compare the outcomes and costs of the program categories used by New Hampshire and will reference the use of the Pew-MacArthur Results First Clearinghouse Database which will also provide comparison standards. Reports of the comparison analysis including cost effectiveness will be provided to the Speaker of the House, President of the Senate and the members of the House and Senate having jurisdiction of health and human services issues as well as the fiscal committee of the general court. The amended bill also includes the formation of a subcommittee by the Chairperson of House Finance to evaluate the usefulness of the information generated by the reports with the requirement that suggested changes be incorporated into legislation. The cost of the program is \$300,000 that will be taken from the Department of Health and Human Services existing appropriations for the biennium ending June 20, 2019. After that time, the program will be subject to the normal budget process and, as it is supported by the department, likely included in its budget. Vote 14-10.

Rep. Sharon Nordgren for the Minority of Finance. The minority agrees with the process of evaluation and cost effectiveness of grants from the Governor's Commission on Alcohol and Drug Abuse Prevention and Recovery. However, we do have great concern for the future viability of funding. The \$300,000 from "existing appropriations" is a one-time funding until June 2019. Obviously, we have no assurances that funding will be included in the next budget cycle.

Majority Amendment (0794h)

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

1 Report Required. The governor's commission on alcohol and drug abuse prevention, in conjunction with the commissioner of the department of health and human services, shall issue a report on or before January 1, 2019, inventorying all alcohol and drug abuse prevention, treatment, and recovery programs funded in whole or in part by the commission. The report shall be delivered to the speaker of the house of representatives, the president of the senate, the chairpersons of the house and senate committee having jurisdiction over health and human services issues, the members of the house and senate finance committees, and the fiscal committee of the general court. The report shall include, but not be limited to, program description, intended outcome, target participant population, oversight agency, annual budget, average cost per participant, and an assessment of the evidence of effectiveness for intended outcome. For the purposes of this section:

I. "Program" means a set of systematic activities that engage participants in order to achieve desired outcomes.

II. "Outcome" means the program effects in the participant population and shall exclude outputs.

III. "Evidence of effectiveness" means documented results of evaluation assessing the effect of the program on the intended outcome for program participants, or program beneficiaries in the case of prevention programs. This may include results of program evaluation conducted in the jurisdiction or an evidence rating developed by matching the program to available research using a nationally recognized clearinghouse of program evaluations, such as those included in the Pew-MacArthur Results First Clearinghouse Database.

2 New Section; Report on Cost-Effectiveness and Outcomes of Programs Required. Amend RSA 12-J by inserting after section 4 the following new section:

12-J:5 Report on Cost-Effectiveness and Outcomes of Programs Required.

I. Commencing January 1, 2020 and annually thereafter, the commission shall issue a report reflecting currently funded programs and including findings relative to the cost-effectiveness, outcomes, and evidence of effectiveness of programs funded in whole or in part by the commission. Programs selected for inclusion shall be chosen by majority vote of the commission, provided that the following criteria are met:

(a) Each report shall contain an evaluation of 4 programs selected from one of the following categories; provided that in year one all 4 categories shall be from treatment programs, and in year 2 all 4 categories shall be from prevention programs and this procedure shall continue thereafter on such a rotating basis:

(1) Treatment programs.

(2) Prevention programs.

(b) The programs selected shall be chosen from among the 10 highest dollar value programs in that category.

(c) No law enforcement programs shall be selected.

II. The report required under paragraph I shall utilize a cost-effectiveness analysis in such a format to permit comparisons between the selected programs within a given category. The report shall be submitted to the speaker of the house of representatives, the president of the senate, the members of the house and senate committee having jurisdiction over health and human services issues, the members of the house and senate finance committees, and the fiscal committee of the general court. For the purposes of this paragraph:

(a) "Program" means a set of systematic activities that engage participants in order to achieve desired outcomes.

(b) "Outcome" means the program effects in the participant population and shall exclude outputs.

(c) "Evidence of effectiveness" means documented results of evaluation assessing the effect of the program on the intended outcome for program participants, or program beneficiaries in the case of prevention programs. This may include results of program evaluation conducted in the jurisdiction or an evidence rating developed by matching the program to available research using a nationally recognized clearinghouse of program evaluations, such as those included in the Pew-MacArthur Results First Clearinghouse Database.

(d) "Cost-effectiveness analysis" means an economic evaluation in which the costs and consequences of alternative interventions are expressed as cost per unit of outcome.

3 Appointment of Subcommittee. Following submission of the initial report required under section 2 of this act, the chairperson of the house finance committee shall appoint a subcommittee to evaluate the usefulness of the information contained in the report. If the subcommittee determines that changes are needed to the structure, timing, or methodology of future reports, it shall recommend changes to the governor's commission on alcohol and drug abuse prevention, treatment, and recovery and, if necessary, recommend legislation for the 2021 legislative session incorporating such changes into state law.

4 Funding. The department of health and human services shall utilize up to \$300,000 from its existing appropriations in the biennium ending June 30, 2019 for the purposes of this act.

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

Majority committee amendment adopted.

Majority committee report adopted and ordered to third reading.

HB 1756-FN-A, relative to an additional allowance and a cost of living adjustment for retirees from the state retirement system. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. J. Tracy Emerick for the Majority of Finance. This bill grants a one-time additional allowance of \$500 to certain retirees in the state retirement system and makes a general fund appropriation to cover the cost. The bill also grants a cost of living adjustment to such retirees contingent on the funding for the total actuarial cost which is more than \$10 million in the current fiscal year and indeterminate in future years. None of this has been budgeted. Beyond the unbudgeted cost, the bill present other issues that the Committee could not resolve. Of the retirees, 28 percent are state employees, and 72 percent are county, city, town and school district employees. Because the current retiree database does not have information from which non-state entity the individual retiree retired, there is no way for subdivisions to provide a one-time \$500 grant to former employees of that subdivision. Even the Decennial Retirement Commission, which released its report in January of this year, was unable to provide a methodology for having county, city, town and school districts pay their share of this cost. With respect to COLAs, although the N.H. Retirement System (NHRS) does not provide for COLAs in its plan, the majority of Group I retirees (teachers, political subdivision employees, etc.) also draw Social Security, and for many years Social Security has provided a cost of living adjustment, although some of that benefit is reduced by a corresponding increase in Medicare premiums. Group II employees (first responders, corrections officers, etc.) earn higher pensions than those in Group I retirement, but do not get Social Security. In the past, COLAs were provided to retirees from a special account that was funded from NHRS earnings. This practice was discontinued some year ago, and the special account was terminated after it was found that the special account was partially responsible for the NHRS's \$5 billion unfunded liability. So today, no fund exists from which to pay COLAs. Indeed, the Decennial Retirement Commission did not recommend COLAs in its report. The majority of the Committee believes that a separate bill should be filed to thoroughly examine a plan for potential COLA increases, including how and when they would be handled, and that such plan should be appropriately budgeted by all governments which have members participating in the NHRS. The majority also believes that it would be inappropriate to cut any needed service such as addiction treatment, mental health services, services to elderly, wastewater grant to towns, etc., in order to pay the \$10-plus million cost of this bill. Finally, the majority recommends that the Decennial Retirement Commission proposal to provide a one-time payment to retirees with lengthy service and low pensions should be part of the next budget. Vote 14-10.

Rep. Peter Leishman for the Minority of Finance. The minority of the Finance Committee strongly supports the passage of HB 1756-FN-A. This bill provides a one-time payment of \$500.00 for those retirees making less than \$30,000 and a continuing Cost of Living Adjustment (COLA) of 1.5 % to state retirees effective on July 1, 2020. Since 2010, our state retirees have received no state COLAs. NH Retirement Systems pensions are the sole source of income for many. The average age of the 35,694 state retirees is 70.2 years with an average pension of \$19,788. Simply put, this COLA would provide a small increase in the retirees' pension. The minority is increasingly concerned that retirees' health care contributions, which are deducted from their pension, continue to increase without a corresponding increase to their state retirement pension. On the other hand, those individuals receiving the Social Security retirement benefit have received 10.8% in COLAs since 2010. For the reasons above, the minority of the committee believes a cost of living adjustment for our state retirees is long overdue.

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

Rep. Leishman requested a roll call; sufficiently seconded.

YEAS 157 - NAYS 163**YEAS - 157
BELKNAP**

Abear, Marc
Lang, Timothy
Sylvia, Michael

Aldrich, Glen
Plumer, John
Vadney, Herbert

Comtois, Barbara
Silber, Norman

Tilton, Franklin
Spanos, Peter

CARROLL

Avellani, Lino
McConkey, Mark
Marsh, William

Comeau, Ed
Nelson, Bill

Cordelli, Glenn
Schmidt, Stephen

McCarthy, Frank
Umberger, Karen

CHESHIRE

Harvey, Cathryn
Stallcop, Joseph

Hunt, John
Sterling, Franklin

McConnell, James

O'Day, John

COOS

Theberge, Robert

GRAFTON

Bailey, Brad
Brown, Duane
Rand, Steven

Bennett, Travis
Darrow, Stephen
Schwaegler, Vicki

Binford, David
Hennessey, Erin
Johnson, Tiffany

Boutin, Skylar
Ladd, Rick

HILLSBOROUGH

Ammon, Keith
Burt, John
Christensen, Chris
Donovan, Daniel
Gagne, Larry
Hansen, Peter
Belanger, James
Kurk, Neal
Lewicke, John
Negron, Steve
Prout, Andrew
Sanborn, Laurie
Wolf, Terry

Griffin, Barbara
Byron, Frank
Christie, Rick
Ferreira, Elizabeth
Gargas, Carolyn
Hinch, Richard
Graham, John
Ober, Lynne
MacKay, Mariellen
Notter, Jeanine
Ober, Russell
Scully, Kevin
Twombly, Timothy

Beaulieu, Jane
Moore, Craig
Danielson, David
Griffin, Gerald
Gould, Linda
Hopper, Gary
Moore, Josh
Lascelles, Richard
McLean, Mark
Ohm, Bill
Renzullo, Andrew
Seidel, Carl
Ulery, Jordan

Biggie, Barbara
Carr, John
Dickey, Glen
Smith, Gregory
Halstead, Carolyn
Hynes, Dan
Rice, Kimberly
LeBrun, Donald
Murphy, Keith
Pierce, David
Rouillard, Claire
Somero, Paul
Sullivan, Victoria

MERRIMACK

Kuch, Bill
Hill, Gregory
Marple, Richard
Walsh, Thomas

Brewster, Michael
Hoell, J.R.
McGuire, Carol
Testerman, Dave

Long, Douglas
Horn, Werner
Pearl, Howard
Wells, Natalie

Wolf, Dan
Kotowski, Frank
Seaworth, Brian

ROCKINGHAM

Cook, Allen
Costable, Michael
Fesh, Robert
Hagan, Joseph
Khan, Aboul
Manning, John
Milz, David
Spillane, James
True, Chris
Webb, James

Allen, Mary
Thomas, Douglas
Gay, Betty
Hoelzel, Kathleen
Kolodziej, Walter
Matthews, Carolyn
Nigrello, Robert
Stone, Brian
Vose, Michael
Welch, David

Baldasaro, Alfred
Elliott, Robert
Green, Dennis
Edwards, Jess
Griffin, Mary
McKinney, Betsy
Packard, Sherman
Sytek, John
Wallace, Scott
Weyler, Kenneth

Bates, David
Emerick, J. Tracy
Guthrie, Joseph
O'Connor, John
Major, Norman
McMahon, Charles
Gordon, Richard
Torosian, Peter
Ward, Gerald

STRAFFORD

Beaudoin, Steven
Mullen, John
Scruton, Matthew

Kaczynski, Thomas
Phinney, Brandon
Spencer, Matthew

Turcotte, Leonard
Pitre, Joseph
Treleaven, Susan

McNally, Jody
Graham, Robert
Wuelper, Kurt

SULLIVAN

Rollins, Skip

Smith, Steven

**NAYS - 163
BELKNAP**

Fraser, Valerie

CARROLL

Buco, Thomas
Knirk, Jerry

Butler, Edward

Crawford, Karel

DesMarais, Edith

CHESHIRE

Abbott, Michael
Burridge, Delmar
Johnsen, Gladys
Pearson, William

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

Berch, Paul
Eaton, Daniel
Parkhurst, Henry

Bordenet, John
Faulkner, Barry
Shepardson, Marjorie

COOS

Fothergill, John
Richardson, Herbert

Hatch, William
Tucker, Edith

Merner, Troy
Thomas, Yvonne

Moynihan, Wayne

GRAFTON

Abel, Richard
Higgins, Patricia
Migliore, Vincent Paul
White, Andrew

Almy, Susan
Josephson, Timothy
Mulligan, Mary Jane

Campion, Polly
Maes, Kevin
Smith, Suzanne

Dontonville, Roger
Massimilla, Linda
Sykes, George

HILLSBOROUGH

Ayala, Jessica
Chandley, Shannon
Sullivan, Daniel
Fedolfi, Jim
Heath, Mary
Jeudy, Jean
L'Heureux, Robert
MacKenzie, Mark
McNamara, Richard
O'Leary, Richard
Porter, Marjorie
Harvey, Suzanne
Vann, Ivy

Backus, Robert
Cleaver, Skip
DiSilvestro, Linda
Freeman, Lisa
Herbert, Christopher
Keane, Amelia
Leishman, Peter
Mangipudi, Latha
Newman, Sue
O'Neil, William
Proulx, Mark
Shaw, Barbara
Williams, Kermit

Baroody, Benjamin
Connors, Erika
Edwards, Elizabeth
Freitas, Mary
Schmidt, Janice
King, Mark
Lisle, David
Martin, Joelle
Nutting, Allison
Long, Patrick
Roberts, Carol
Smith, Timothy

Bouldin, Amanda
Cornell, Patricia
Elber, Joel
Goley, Jeffrey
Jack, Martin
Klee, Patricia
McCarthy, Michael
Martineau, Jesse
O'Brien, Michael
Panasiti, Reed
Rosenwald, Cindy
Van Houten, Connie

MERRIMACK

Turcotte, Alan
Doherty, David
MacKay, James
Myler, Mel
Rogers, Katherine
Soucy, Timothy

Bartlett, Christy
Ebel, Karen
Kenison, Linda
Patten, Dick
Schuett, Dianne
Walz, Mary Beth

Carson, Clyde
Moffett, Howard
Klose, John
Richards, Beth
Schultz, Kristina
Woolpert, David

Copp, Anne
Henle, Paul
Luneau, David
Rodd, Beth
Shurtleff, Stephen

ROCKINGHAM

Abrami, Patrick
Bove, Martin
Cushing, Robert Renny
Janvrin, Jason
Malloy, Dennis
Gordon, Pamela
Somssich, Peter
Woitkun, Steven

Altschiller, Debra
Cahill, Michael
DiLorenzo, Charlotte
Lerner, Kari
Messmer, Mindi
Pantelakos, Laura
Le, Tamara

Bean, Philip
Cali-Pitts, Jacqueline
Farnham, Betsey
Lovejoy, Patricia
Morrison, Sean
Read, Ellen
Verville, Kevin

Berrien, Skip
Chase, Francis
Gilman, Julie
Pearson, Mark
Murray, Kate
Sapareto, Frank
Willis, Brenda

STRAFFORD

Bixby, Peter
Fontneau, Timothy
Horrigan, Timothy
Opderbecke, Linn

Burton, Wayne
Frost, Sherry
Keans, Sandra
Schmidt, Peter

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

Ellis, Donna
Grassie, Chuck
Smith, Marjorie
Wall, Janet

SULLIVAN

Cloutier, John
Sullivan, Brian

Gottling, Suzanne

Laware, Thomas

Oxenham, Lee

and the majority committee report failed.

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

MOTION TO LAY ON THE TABLE

Rep. Kurk moved that **HB 1756-FN-A**, relative to an additional allowance and a cost of living adjustment for retirees from the state retirement system, be laid on the table.

Rep. Leishman requested a roll call; sufficiently seconded.

YEAS 149 - NAYS 173**YEAS - 149****BELKNAP**

Abear, Marc
Lang, Timothy
Sylvia, Michael

Aldrich, Glen
Plumer, John
Vadney, Herbert

Comtois, Barbara
Silber, Norman

Tilton, Franklin
Spanos, Peter

CARROLL

Avellani, Lino
McConkey, Mark
Marsh, William

Comeau, Ed
Nelson, Bill

Cordelli, Glenn
Schmidt, Stephen

McCarthy, Frank
Umberger, Karen

CHESHIRE

Hunt, John

McConnell, James

O'Day, John

Sterling, Franklin

COOS

Theberge, Robert

GRAFTON

Bailey, Brad
Darrow, Stephen
Johnson, Tiffany

Binford, David
Hennessey, Erin

Boutin, Skylar
Ladd, Rick

Brown, Duane
Schwaegler, Vicki

HILLSBOROUGH

Ammon, Keith
Burt, John
Christensen, Chris
Donovan, Daniel
Smith, Gregory
Halstead, Carolyn
Belanger, James
Kurk, Neal
Lewicke, John
Negron, Steve
Prout, Andrew
Sanborn, Laurie
Wolf, Terry

Griffin, Barbara
Byron, Frank
Christie, Rick
Ferreira, Elizabeth
Gagne, Larry
Hansen, Peter
Graham, John
Ober, Lynne
MacKay, Mariellen
Notter, Jeanine
Ober, Russell
Scully, Kevin
Twombly, Timothy

Beaulieu, Jane
Moore, Craig
Danielson, David
Fromuth, Bart
Gargas, Carolyn
Hinch, Richard
Moore, Josh
Lascelles, Richard
McLean, Mark
Ohm, Bill
Renzullo, Andrew
Seidel, Carl
Ulery, Jordan

Biggie, Barbara
Carr, John
Dickey, Glen
Griffin, Gerald
Gould, Linda
Hopper, Gary
Rice, Kimberly
LeBrun, Donald
Murphy, Keith
Pierce, David
Rouillard, Claire
Somero, Paul
Sullivan, Victoria

MERRIMACK

Kuch, Bill
Hoell, J.R.
McGuire, Carol
Testerman, Dave

Brewster, Michael
Horn, Werner
Pearl, Howard
Wells, Natalie

Long, Douglas
Kotowski, Frank
Seaworth, Brian

Hill, Gregory
Marple, Richard
Walsh, Thomas

ROCKINGHAM

Cook, Allen
Thomas, Douglas
Gay, Betty
Hoelzel, Kathleen
Khan, Aboul
Manning, John
Nigrello, Robert
Spillane, James
True, Chris
Weyler, Kenneth

Allen, Mary
Elliott, Robert
Green, Dennis
Itse, Daniel
Kolodziej, Walter
Matthews, Carolyn
Packard, Sherman
Stone, Brian
Vose, Michael

Baldasaro, Alfred
Emerick, J. Tracy
Guthrie, Joseph
Edwards, Jess
Griffin, Mary
McKinney, Betsy
Gordon, Richard
Sytek, John
Wallace, Scott

Costable, Michael
Fesh, Robert
Hagan, Joseph
O'Connor, John
Major, Norman
Milz, David
Sapareto, Frank
Torosian, Peter
Welch, David

STRAFFORD

Beaudoin, Steven
Mullen, John
Scruton, Matthew

Kaczynski, Thomas
Phinney, Brandon
Spencer, Matthew

Turcotte, Leonard
Pitre, Joseph
Wuelper, Kurt

McNally, Jody
Graham, Robert

SULLIVAN

Rollins, Skip

Smith, Steven

NAYS - 173 BELKNAP

Fraser, Valerie

CARROLL

Buco, Thomas
Knirk, Jerry

Butler, Edward

Crawford, Karel

DesMarais, Edith

CHESHIRE

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

Ames, Richard
Harvey, Cathryn
Johnsen, Gladys
Stallcop, Joseph

Berch, Paul
Ley, Douglas
Meador, David
Pearson, William

Bordenet, John
Eaton, Daniel
Parkhurst, Henry
Weber, Lucy

COOS

Fothergill, John
Richardson, Herbert

Hatch, William
Tucker, Edith

Merner, Troy
Thomas, Yvonne

Moynihan, Wayne

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

Ayala, Jessica
Chandlee, Shannon
Sullivan, Daniel
Fedolff, Jim
Heath, Mary
Jeudy, Jean
L'Heureux, Robert
MacKenzie, Mark
McNamara, Richard
O'Leary, Richard
Porter, Marjorie
Harvey, Suzanne
Vann, Ivy

Backus, Robert
Cleaver, Skip
DiSilvestro, Linda
Freeman, Lisa
Herbert, Christopher
Keane, Amelia
Leishman, Peter
Mangipudi, Latha
Newman, Sue
O'Neil, William
Proulx, Mark
Shaw, Barbara
Williams, Kermit

Baroody, Benjamin
Connors, Erika
Edwards, Elizabeth
Freitas, Mary
Schmidt, Janice
King, Mark
Lisle, David
Martin, Joelle
Nutting, Allison
Long, Patrick
Roberts, Carol
Smith, Timothy

Bouldin, Amanda
Cornell, Patricia
Elber, Joel
Goley, Jeffrey
Jack, Martin
Klee, Patricia
McCarthy, Michael
Martineau, Jesse
O'Brien, Michael
Panasiti, Reed
Rosenwald, Cindy
Van Houten, Connie

MERRIMACK

Turcotte, Alan
Wolf, Dan
Henle, Paul
Luneau, David
Rodd, Beth
Shurtleff, Stephen

Bartlett, Christy
Doherty, David
MacKay, James
Myler, Mel
Rogers, Katherine
Soucy, Timothy

Carson, Clyde
Ebel, Karen
Kenison, Linda
Patten, Dick
Schuett, Dianne
Walz, Mary Beth

Copp, Anne
Moffett, Howard
Klose, John
Richards, Beth
Schultz, Kristina
Woolpert, David

ROCKINGHAM

Abrami, Patrick
Berrien, Skip
Chase, Francis
Gilman, Julie
Pearson, Mark
Morrison, Sean
Read, Ellen
Ward, Gerald

Altschiller, Debra
Bove, Martin
Cushing, Robert Renny
Janvrin, Jason
Malloy, Dennis
Murray, Kate
Somssich, Peter
Webb, James

Bates, David
Cahill, Michael
DiLorenzo, Charlotte
Lerner, Kari
McMahon, Charles
Gordon, Pamela
Le, Tamara
Willis, Brenda

Bean, Philip
Cali-Pitts, Jacqueline
Farnham, Betsey
Lovejoy, Patricia
Messmer, Mindi
Pantelakos, Laura
Verville, Kevin
Woitkun, Steven

STRAFFORD

Bixby, Peter
Fontneau, Timothy
Horrigan, Timothy
Opderbecke, Linn
Wall, Janet

Burton, Wayne
Frost, Sherry
Keans, Sandra
Schmidt, Peter

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

Ellis, Donna
Grassie, Chuck
Smith, Marjorie
Treleaven, Susan

SULLIVAN

Cloutier, John
Sullivan, Brian

Gottling, Suzanne
Tanner, Linda

Laware, Thomas

Oxenham, Lee

and the motion failed.

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

Motion adopted and ordered to third reading.

Reps. Harrington, Michael Moffett and Grenier declared a conflict of interest and did not participate.

COMMUNICATION

March 7, 2018

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

Dear Paul:

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

Belknap County District No. 3

Philip Spagnuolo, Jr., d, Laconia (266 S. Main St.) 03246

Sincerely,
William M. Gardner
Secretary of State

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. White moved that the House reconsider its action whereby, on a voice vote, the House adopted the minority committee report of Ought to Pass, on **HB 1756-FN-A**, relative to an additional allowance and a cost of living adjustment for retirees from the state retirement system.

Rep. White spoke against.

Motion failed.

REGULAR CALENDAR - PART II CONT'D

HB 1814-FN-L, relative to additional education grants to municipalities for the purpose of restoring reductions in stabilization grants **INEXPEDIENT TO LEGISLATE**.

Rep. Karen Umberger for Finance. This bill deals with the stabilization grant as part of education adequacy. The purpose of the stabilization grant, as passed, was to maintain the 2011 adequacy payments while school districts got used to the new education funding formula passed in 2011. Stabilization grants were not provided to all school districts, but were designed as a bridge to assist some districts with re-adjusting their school budgets. By 2017, it became apparent, even with declining enrollment, that school budgets were not being adjusted to account for declining enrollment and the majority of school districts were decreasing class size rather than reducing budgets. The decision was made in the 2017-2018 budget to decrease the stabilization grant by 4% every year until it disappeared in 25 years. We are now in the second year of the reduction. This bill attempts to restore the 4% cut in the stabilization grant. The structure of this bill would be to forward to the Senate a bill with indefinite funding and ask the Senate to fund it from any funds that are surplus at the end of this fiscal year. The money is to go to financially distressed school districts. Financially distressed school districts are not defined. It is not the custom of budget management to try to spend surplus from the first year of the biennium before the final audit. It is also not the custom of the Finance Committee to send a bill to the Senate with an indefinite appropriation. It was suggested to the sponsor that there may be other ways to pursue his aim without the passage of this bill. Vote 24-0.

Rep. Steven Smith spoke against and yielded to questions.

(Rep. Packard in the Chair)

Reps. Lynne Ober and Umberger spoke in favor.

Rep. Horn spoke against.

(Speaker Chandler in the Chair)

Rep. Steven Smith requested a roll call; sufficiently seconded.

YEAS 228 - NAYS 102

YEAS - 228

BELKNAP

Abear, Marc
Fields, Dennis
Silber, Norman
Vadney, Herbert

Aldrich, Glen
Fraser, Valerie
Spagnuolo, Philip

Comtois, Barbara
Howard, Raymond
Spanos, Peter

Tilton, Franklin
Plumer, John
Sylvia, Michael

CARROLL

Avellani, Lino
Crawford, Karel
Schmidt, Stephen

Buco, Thomas
McCarthy, Frank
Umberger, Karen

Comeau, Ed
McConkey, Mark
Marsh, William

Cordelli, Glenn
Nelson, Bill

CHESHIRE

Berch, Paul
Hunt, John
Stallcop, Joseph

Bordenet, John
Meader, David
Pearson, William

Burridge, Delmar
O'Day, John

Eaton, Daniel
Shepardson, Marjorie

COOS

Hatch, William

Moynihan, Wayne

Theberge, Robert

GRAFTON

Almy, Susan
Hennessey, Erin
Mulligan, Mary Jane
White, Andrew

Bailey, Brad
Maes, Kevin
Schwaegler, Vicki

Binford, David
Massimilla, Linda
Smith, Suzanne

Brown, Duane
Migliore, Vincent Paul
Johnson, Tiffany

HILLSBOROUGH

Ammon, Keith
Biggie, Barbara
Chandley, Shannon
Danielson, David
Fedolfi, Jim
Smith, Gregory
Gould, Linda
Hynes, Dan
Jack, Martin
Kurk, Neal
LeBrun, Donald
McCarthy, Michael
McNamara, Richard
Notter, Jeanine
Ohm, Bill
Prout, Andrew
Rouillard, Claire
Seidel, Carl
Ulery, Jordan

Griffin, Barbara
Burt, John
Christensen, Chris
Dickey, Glen
Ferreira, Elizabeth
Gagne, Larry
Halstead, Carolyn
Belanger, James
Rice, Kimberly
L'Heureux, Robert
Leishman, Peter
Mangipudi, Latha
Murphy, Keith
Nutting, Allison
Panasiti, Reed
Ober, Russell
Harvey, Suzanne
Smith, Timothy
Sullivan, Victoria

Backus, Robert
Byron, Frank
Christie, Rick
Donovan, Daniel
Fromuth, Bart
Gargas, Carolyn
Hansen, Peter
Graham, John
Keane, Amelia
Ober, Lynne
Lewicke, John
Martin, Joelle
Negron, Steve
O'Brien, Michael
Pierce, David
Renzullo, Andrew
Sanborn, Laurie
Wolf, Terry

Beaulieu, Jane
Carr, John
Sullivan, Daniel
Edwards, Elizabeth
Griffin, Gerald
Goley, Jeffrey
Hinch, Richard
Moore, Josh
Klee, Patricia
Lascelles, Richard
MacKay, Mariellen
Martineau, Jesse
Newman, Sue
O'Leary, Richard
Proulx, Mark
Rosenwald, Cindy
Scully, Kevin
Twombly, Timothy

MERRIMACK

Kuch, Bill
Wolf, Dan
Hill, Gregory
Kotowski, Frank
Pearl, Howard
Soucy, Timothy

Brewster, Michael
Doherty, David
Hoell, J.R.
Moffett, Michael
Richards, Beth
Walsh, Thomas

Carson, Clyde
Ebel, Karen
MacKay, James
Marple, Richard
Rogers, Katherine
Walz, Mary Beth

Long, Douglas
Moffett, Howard
Kenison, Linda
McGuire, Carol
Shurtleff, Stephen
Wells, Natalie

ROCKINGHAM

Cook, Allen
Baldasaro, Alfred
Bove, Martin
Cushing, Robert Renny
Emerick, J. Tracy
Green, Dennis
Itse, Daniel
Kolodziej, Walter
Pearson, Mark
Matthews, Carolyn
Murray, Kate
Read, Ellen
Sytek, John
Vose, Michael
Welch, David

Abrami, Patrick
Bates, David
Cahill, Michael
Thomas, Douglas
Fesh, Robert
Guthrie, Joseph
Edwards, Jess
Lerner, Kari
Major, Norman
McKinney, Betsy
Nigrello, Robert
Somssich, Peter
Torosian, Peter
Wallace, Scott
Weyler, Kenneth

Allen, Mary
Bean, Philip
Chase, Francis
DiLorenzo, Charlotte
Gay, Betty
Hagan, Joseph
Janvrin, Jason
Lovejoy, Patricia
Malloy, Dennis
McMahon, Charles
Packard, Sherman
Spillane, James
True, Chris
Ward, Gerald
Woitkun, Steven

Altschiller, Debra
Berrien, Skip
Costable, Michael
Elliott, Robert
Gilman, Julie
Hoelzel, Kathleen
Khan, Aboul
Griffin, Mary
Manning, John
Messmer, Mindi
Gordon, Richard
Stone, Brian
Verville, Kevin
Webb, James

STRAFFORD

Beaudoin, Steven
Harrington, Michael
Smith, Marjorie
Phinney, Brandon
Southworth, Thomas

Bixby, Peter
Kaczynski, Thomas
McNally, Jody
Pitre, Joseph
Spencer, Matthew

Ellis, Donna
Keans, Sandra
Mullen, John
Graham, Robert
Treleaven, Susan

Gourgue, Amanda
Turcotte, Leonard
Schmidt, Peter
Scruton, Matthew
Wuelper, Kurt

SULLIVAN

Gottling, Suzanne

**NAYS - 102
BELKNAP**

Lang, Timothy

CARROLL

DesMarais, Edith

Knirk, Jerry

CHESHIREAbbott, Michael
Faulkner, Barry
Sterling, FranklinAmes, Richard
Johnsen, Gladys
Weber, LucyHarvey, Cathryn
McConnell, JamesLey, Douglas
Parkhurst, Henry**COOS**Fothergill, John
Thomas, Yvonne

Merner, Troy

Richardson, Herbert

Tucker, Edith

GRAFTONAbel, Richard
Darrow, Stephen
Josephson, TimothyBennett, Travis
Dontonville, Roger
Ladd, RickBoutin, Skylar
Ham, Bonnie
Rand, StevenCampion, Polly
Higgins, Patricia
Sykes, George**HILLSBOROUGH**Ayala, Jessica
Cleaver, Skip
Elber, Joel
Herbert, Christopher
Lisle, David
Long, Patrick
Somero, PaulBaroody, Benjamin
Connors, Erika
Freeman, Lisa
Schmidt, Janice
MacKenzie, Mark
Porter, Marjorie
Van Houten, ConnieBouldin, Amanda
Cornell, Patricia
Freitas, Mary
Judy, Jean
McLean, Mark
Roberts, Carol
Vann, IvyMoore, Craig
DiSilvestro, Linda
Heath, Mary
King, Mark
O'Neil, William
Shaw, Barbara
Williams, Kermit**MERRIMACK**Turcotte, Alan
Horn, Werner
Patten, Dick
Seaworth, BrianBartlett, Christy
Klose, John
Rodd, Beth
Testerman, DaveCopp, Anne
Luneau, David
Schuett, Dianne
Woolpert, DavidHenle, Paul
Myler, Mel
Schultz, Kristina**ROCKINGHAM**Cali-Pitts, Jacqueline
Morrison, Sean
Le, TamaraFarnham, Betsey
Gordon, Pamela
Willis, BrendaO'Connor, John
Pantelakos, LauraMilz, David
Sapareto, Frank**STRAFFORD**Berube, Roger
Frost, Sherry
Opderbecke, LinnBurton, Wayne
Grassie, Chuck
Wall, JanetCilley, Jacalyn
Horrigan, TimothyFontneau, Timothy
Krans, Hamilton**SULLIVAN**Cloutier, John
Oxenham, Lee
Tanner, LindaGagnon, Raymond
Rollins, SkipGrenier, James
Smith, StevenLaware, Thomas
Sullivan, Brian

and the committee report was adopted.

MOTION TO REMOVE FROM THE TABLE

Rep. Itse moved that **HB 236**, relative to determination of parental rights and responsibilities and establishing a presumption in favor of shared residential responsibility, be removed from the table.

On a division vote, with 138 members having voted in the affirmative, and 191 in the negative, the motion failed.

REGULAR CALENDAR - PART II CONT'D

HB 1506-FN, relative to regulation of assistant physicians. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: REFER FOR INTERIM STUDY.**

Rep. William Marsh for the Majority of Health, Human Services and Elderly Affairs. The majority notes that we indeed have a significant shortage of physicians in NH; a shortage likely to grow due to increased demands from expanded access and an aging physician workforce likely to cut back hours or retire. Medical schools have expanded their number of graduates 28% since 2002, but Congress has restrained the growth

of graduate medical education positions since 1997. Consequently, in 2016 there were 42,370 applicants for 30,750 positions. Those unmatched have burdensome student loans and are unable to advance their career. These unmatched MDs have approximately twice the education and experience of physician assistants. We feel that allowing them to practice under supervision, as this bill proposes, exactly as physician assistants do today, while taking measures to advance their education remotely similar to the way eStart allows students to take college courses, would help solve the physician shortage in a cost-effective manner. This alternate model of Graduate Medical Education in fact parallels the Junior Physician model used in the United Kingdom and other countries. We believe that expecting Congress to solve this problem is unreasonable considering that it has failed to do so for two decades; the current program at \$10.1 billion annually, or an average of \$112,642 per resident per year, is likely unsustainable even at current funding levels. We also feel the suggestion by various professional organizations that NH could fund residency positions in a similar way using state funds is disingenuous given the multiple demands on our state budget. Amendment 0251h clarifies the bill by renaming "Assistant Physicians" to "Graduate Physicians" and requiring DHHS to apply for a state plan amendment such that these individuals are paid by Medicare and Medicaid. Vote 12-7.

Rep. Polly Campion for the Minority of Health, Human Services and Elderly Affairs. The minority believes that there is a need to increase the availability of primary care providers in NH, particularly in more rural areas. However, this legislation appears to use a flawed solution to solve this very real problem. This bill will enable medical school graduates that do not meet the qualifications to be licensed as medical doctors (MDs or DOs), to practice medicine in collaboration with a licensed MD or DO. It attempts to substitute practice with a single practitioner for a highly structured and regulated residency program for individuals that were unsuccessful in being matched with an accredited residency program, and raises concerns about patient safety. The role of the Graduate Physician is not currently recognized by insurance carriers, limiting the ability to be reimbursed for the practice of these individuals. Malpractice insurance carriers have also been unwilling to provide malpractice insurance to these individuals in Missouri, the one state to have implemented the role. The work required to create the rules, standards and processes to implement this flawed role will distract from the efforts and resources required to address the need for highly qualified primary care physicians in NH's rural communities.

Majority Amendment (0251h)

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

AN ACT relative to regulation of graduate physicians.

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

1 New Chapter; Graduate Physicians. Amend RSA by inserting after chapter 328-J the following new chapter:

CHAPTER 328-K GRADUATE PHYSICIANS

328-K:1 Definitions. In this chapter:

I. "Graduate physician" or "GP" means a person who fulfills the requirements for physician licensure established by RSA 329:12 except for RSA 329:12, I(d)(5) and RSA 329:12 I, (d)(6), and:

(a) Has successfully completed Step 1 and Step 2 of the United States Medical Licensing Examination or the equivalent of such steps of any other board-approved medical licensing examination; and

(b) Has proficiency in the English language.

II. "Graduate physician collaborative practice arrangement" means an agreement between a physician licensed under RSA 329 and a graduate physician that meets the requirements of RSA 328-K:16.

III. "Medical school graduate" means any person who has graduated from a medical college or osteopathic medical college described in RSA 329:12, I(d)(4).

IV. "Board" means the board of medicine established in RSA 329.

V. "Department" means the department of health and human services.

VI. "Medically underserved area" means an area designated by the department as a designated Health Professional Shortage Area (HPSA), a Medically Underserved Area (MUA), or a Governor-Designated and Secretary-Certified (GDSC) shortage area.

VII. "Primary care" means physician services in family practice, general practice, internal medicine, pediatrics, and obstetrics. It shall also include gynecology if paired with obstetrics.

328-K:2 License Required.

I. No person shall practice as or hold himself or herself out to be a graduate physician or use any letters designating himself or herself as a graduate physician unless the person is licensed in accordance with this chapter.

II. The board shall license each applicant who satisfies the requirements under RSA 328-K:3. Upon payment of a license fee, the board shall issue to such person a license, which shall be prima facie evidence of the right to practice as a graduate physician. A licensed graduate physician may use the letters "G.P." in connection with his or her name to denote licensure under this chapter.

III. Except as provided in RSA 328-K:15, persons licensed under this chapter shall be authorized to receive reimbursement from the Centers for Medicare and Medicaid Services (CMS) and other insurers as if they were licensed under RSA 329. If necessary to establish reimbursement for graduate physicians under Medicare or Medicaid, the commissioner of the department of health and human services shall apply for a Title XIX and/or a Title XXI state plan amendment to establish such coverage.

328-K:3 Conditions for Licensure.

I. To apply for licensure by the board as a graduate physician, an applicant shall file a written application on forms provided by the board and pay an application fee. The applicant to be licensed shall:

(a) Fulfill the requirements for physician licensure established by RSA 329:12 except for RSA 329:12, I(d)(5) and RSA 329:12, I(d)(6);

(b) Have successfully completed Step 1 and Step 2 of the United States Medical Licensing Examination or the equivalent of such steps of any other board-approved medical licensing examination;

(c) Have proficiency in the English language; and

(d) Submit a complete set of fingerprints and a notarized criminal history record release form pursuant to RSA 328-K:4.

II. Circumstances that exist which would be grounds for disciplinary action under RSA 328-K:7 may be grounds for denial of a license.

328-K:4 Criminal History Record Checks.

I. Every applicant for initial permanent licensure or reinstatement shall submit to the board a notarized criminal history record release form, as provided by the New Hampshire division of state police, which authorizes the release of his or her criminal history record, if any, to the board.

II. The applicant 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 of safety. In the event that the first set of fingerprints is invalid due to insufficient pattern, a second set of fingerprints shall be necessary in order to complete the criminal history records check. If, after 2 attempts, a set of fingerprints is invalid due to insufficient pattern, the board may, in lieu of the criminal history records check, accept police clearances from every city, town, or county where the person has lived during the past 5 years.

III. The board shall submit the criminal history records release form and fingerprint form to the division of state police which shall conduct a criminal history records check through its records and through the Federal Bureau of Investigation. Upon completion of the records check, the division of state police shall release copies of the criminal history records to the board.

IV. The board shall review the criminal record information prior to making a licensing decision and shall maintain the confidentiality of all criminal history records received pursuant to this section.

V. The applicant shall bear the cost of a criminal history record check.

328-K:5 Renewal of Licenses. Every person licensed to practice under this chapter shall apply to the board for annual renewal of license on forms provided by the board and shall pay a renewal fee as established by the board. A license issued under this chapter shall not expire until the board has taken final action upon the application for renewal.

328-K:6 Failure to Renew; Lapse.

I. Any licensee who fails to apply for renewal under RSA 328-K:5 shall pay double the renewal fee, provided the licensee applies and pays the renewal fee no later than 90 days after the expiration date. Any licensee who fails to apply for renewal of his or her license within the 90-day period after expiration, shall have his or her license lapse. A lapsed license shall be reinstated only upon payment of a reinstatement fee as established by the board, and upon showing evidence of professional competence as the board may reasonably require.

II. If a license expires or lapses as a result of a licensee being ordered to active duty with the armed services, the licensee shall have 90 days from the date of discharge or release from the armed service to apply for renewal and all late fees shall be waived.

328-K:7 Grounds for Discipline. The board, after hearing under RSA 329:18-a, may take action against any person licensed under this chapter upon finding that the licensee:

I. Has knowingly provided false information on any application for professional licensure, whether by making any affirmative statement which was false at the time it was made or by failing to disclose any fact material to the application.

II. Is a habitual user of drugs or intoxicants or is afflicted with a physical disability, insanity, psychiatric disorder, or other disease deemed dangerous to the public health.

III. Has displayed a pattern of behavior which is incompatible with the basic knowledge and competence expected of persons in the practice of his or her profession.

IV. Has engaged in dishonest or unprofessional conduct or has been grossly or repeatedly negligent in practicing his or her profession or in performing activities ancillary to the practice of his or her profession or any particular aspect or specialty thereof, or has intentionally injured a patient while practicing his or her profession or performing such ancillary activities.

V. Has undertaken to practice independent of the referral or prescription, direction, or supervision of a physician licensed under RSA 329.

VI. Has failed to provide adequate safeguards with regard to aseptic techniques or radiation techniques.

VII. Has included in advertising any statement of a character tending to deceive or mislead the public or any statement claiming professional superiority.

VIII. Has advertised the use of any drug or medicine of an unknown formula or any system of anesthetic that is unnamed, misnamed, misrepresented, or not in reality used.

IX. Has willfully or repeatedly violated any provision of this chapter or any substantive rule of the board.

X. Has been convicted of a felony under the laws of the United States or any state.

XI. Has failed to maintain adequate medical record documentation on diagnostic and therapeutic treatment provided or has unreasonably delayed medical record transfer, or violated RSA 332-I.

328-K:8 Disciplinary Action. The board, upon making an affirmative finding under RSA 328-K:7, may take disciplinary action in any one or more of the following ways:

I. Administer a public or private reprimand.

II. Revoke, suspend, limit, or otherwise restrict a license.

III. Require the graduate physician to submit to the care, counseling, or treatment of a physician, counseling service, health care facility, professional assistance program, or any combination thereof which is acceptable to the board.

IV. Place the graduate physician on probation.

V. Require the graduate physician to participate in a program of continuing education in the area or areas in which he or she has been found deficient.

VI. Assess administrative fines in amounts established by the board which shall not exceed \$3,000 per offense, or, in the case of continuing offenses, \$300 for each day that the violation continues, whichever is greater.

328-K:9 Appeals. Disciplinary action taken by the board under RSA 328-K:8 may be appealed to the supreme court under RSA 541.

328-K:10 Rulemaking.

I. Unless the board elects to follow paragraph III, the board shall adopt rules under RSA 541-A relative to:

(a) The scope of practice for a licensed graduate physician.

(b) Form and content of the application for licensure.

(c) Application procedures.

(d) Conduct of hearings under RSA 328-K:7.

(e) Standards for graduate physician education and training.

(f) Supervision of graduate physicians.

(g) Notification of changes in employment.

(h) Definition of supervision.

(i) Manner of recordkeeping under RSA 328-K:11.

(j) Except as provided in paragraph II, any other matter which is consistent with the legislative intent of this chapter and which is necessary to the administration of this chapter.

II. Unless the board elects to follow paragraph III, the board, in consultation with the New Hampshire pharmacy board, shall adopt rules under RSA 541-A relative to the prescriptions to be issued by a graduate physician.

III. The board may elect to make all rules applicable to physician assistants under RSA 328-D:10 apply to graduate physicians under this chapter.

328-K:11 Recordkeeping. The board shall keep a record of its proceedings under this chapter and a register of all persons licensed under it. The register shall list the name, last known business address, and last known residence address of each living licensee, and the date and number of the license of each licensed graduate physician. The board shall maintain and publish a list of licensed graduate physicians once a year.

328-K:12 Physician Liability. This chapter shall not be construed to relieve the responsible physician of professional or legal responsibility for the care and treatment of his or her patients.

328-K:13 Penalty.

I. Any person who, not being licensed or otherwise authorized according to the law of this state, shall advertise oneself or hold oneself out as a graduate physician, or any person who does such act after receiving notice that such person's license has been revoked, shall be guilty of a misdemeanor.

II. Any person who shall practice or attempt to practice as a graduate physician in this state without a license shall be guilty of a class A misdemeanor if a natural person or guilty of a felony if any other person.

328-K:14 Limitation on Action. A person, licensed or authorized to practice as a graduate physician under this chapter or under the laws of any other state, who, in good faith, renders emergency care at the scene of an emergency, shall not be liable for any civil damages as a result of acts or omissions by such person in rendering such emergency care, or as a result of any act or failure to act to provide or arrange for further medical treatment or care, as long as such person receives no direct compensation for the care from or on behalf of the person cared for.

328-K:15 Rural Health Clinics. When working in a rural health clinic under the federal Rural Health Clinic Services Act of 1977, Public Law 95-210, as amended:

I. A graduate physician shall be considered a physician assistant for purposes of regulations of the Centers for Medicare and Medicaid Services (CMS); and

II. No supervision requirements in addition to the minimum federal law shall be required.

328-K:16 Graduate Physician Collaborative Practice Arrangements.

I. A physician may enter into collaborative practice arrangements with graduate physicians. Collaborative practice arrangements shall be in the form of written agreements, jointly agreed-upon protocols, or standing orders for the delivery of health care services. Collaborative practice arrangements, which shall be in writing, may delegate to a graduate physician the authority to administer or dispense drugs and provide treatment as long as the delivery of such health care services is within the scope of practice of the graduate physician and is consistent with that graduate physician's skill, training, and competence and the skill and training of the collaborating physician. Collaborative practice arrangements shall provide for graduate physicians to practice in medically underserved areas pursuant to funding under RSA 126-A:18-c.

II. The written collaborative practice arrangement shall contain at least the following provisions:

(a) Complete names, home and business addresses, zip codes, and telephone numbers of the collaborating physician and the graduate physician;

(b) A list of all other offices or locations besides those listed in subparagraph (a) where the collaborating physician authorized the graduate physician to prescribe;

(c) A requirement that there shall be posted at every office where the graduate physician is authorized to prescribe, in collaboration with a physician, a prominently displayed disclosure statement informing patients that they may be seen by a graduate physician and have the right to see the collaborating physician;

(d) All specialty or board certifications of the collaborating physician and all certifications of the graduate physician;

(e) The manner of collaboration between the collaborating physician and the graduate physician, including how the collaborating physician and the graduate physician shall:

(1) Engage in collaborative practice consistent with each professional's skill, training, education, and competence;

(2) Maintain geographic proximity; except, the collaborative practice arrangement may allow for geographic proximity to be waived for a maximum of 28 days per calendar year for rural health clinics under RSA 328-K:15, as long as the collaborative practice arrangement includes alternative plans as required in subparagraph (3). Such exception to geographic proximity shall apply only to independent rural health clinics, provider-based rural health clinics if the provider is a critical access hospital as provided in 42 U.S.C. section 1395i-4, and provider-based rural health clinics if the main location of the hospital sponsor is greater than 50 miles from the clinic. The collaborating physician shall maintain documentation related to such requirement and present it to the board of medicine when requested; and

(3) Provide coverage during absence, incapacity, infirmity, or emergency by the collaborating physician;

(f) A description of the graduate physician's controlled substance prescriptive authority in collaboration with the physician, including a list of the controlled substances the physician authorizes the graduate physician to prescribe and documentation that it is consistent with each professional's education, knowledge, skill, and competence;

(g) A list of all other written practice agreements of the collaborating physician and the graduate physician;

(h) The duration of the written practice agreement between the collaborating physician and the graduate physician; and

(i) A description of the time and manner of the collaborating physician's review of the graduate physician's delivery of health care services. The description shall include provisions that the graduate physician shall submit a minimum of 10 percent of the charts documenting the graduate physician's delivery of health care services to the collaborating physician for review by the collaborating physician, or any other physician designated in the collaborative practice arrangement, every 14 days.

III. The collaborating physician, or any other physician designated in the collaborative practice arrangement, shall review every 14 days a minimum of 20 percent of the charts in which the graduate physician prescribes controlled substances. The charts reviewed under this paragraph may be counted in the number of charts required to be reviewed under subparagraph II(i).

IV. The board under RSA 541-A shall adopt rules regulating the use of collaborative practice arrangements for graduate physicians. Such rules shall specify:

(a) Geographic areas to be covered;

(b) The methods of treatment that may be covered by collaborative practice arrangements;

(c) In conjunction with the commissioner of the department of health and human services, or designee and deans of medical schools and primary care residency program directors in the state, or adjacent states, the development and implementation of educational methods and programs undertaken during the collaborative

practice service which shall facilitate the advancement of the graduate physician's medical knowledge and capabilities, and which may lead to credit toward a future residency program for programs that deem such documented educational achievements acceptable; as well as a means to certify completion of such a program, to be used according to RSA 329:12, III;

(d) Within 5 years of the effective date of this chapter, in conjunction with the commissioner or designee, the adoption of an existing test equivalent to Part 3 of the United States Medical Licensing Examination, or the development and implementation of such a test, which shall be used as an alternative path for licensure under RSA 329:12, III; and

(e) The requirements for review of services provided under collaborative practice arrangements, including delegating authority to prescribe controlled substances. Any rules relating to dispensing or distribution of medications or devices or controlled substances by prescription or prescription drug orders under this section shall be subject to the approval of the state board of pharmacy. The board shall adopt rules applicable to graduate physicians that shall be consistent with guidelines for federally funded clinics.

V. The board shall not deny, revoke, suspend, or otherwise take disciplinary action against a collaborating physician for health care services delegated to a graduate physician provided the provisions of this section and the rules adopted thereunder are satisfied.

VI. Within 30 days of any change and on each renewal, the board shall require every physician to identify whether the physician is engaged in any collaborative practice arrangement, including collaborative practice arrangements delegating the authority to prescribe controlled substances, and also report to the board the name of each graduate physician with whom the physician has entered into such arrangement. The board may make such information available to the public. The board shall track the reported information and may routinely conduct random reviews of such arrangements to ensure that arrangements are carried out for compliance under this chapter.

VII. A collaborating physician shall not enter into a collaborative practice arrangement with more than 3 full-time equivalent graduate physicians. Such limitation shall not apply to collaborative arrangements of hospital employees providing inpatient care service in hospitals or population-based public health services.

VIII. The collaborating physician shall determine and document the completion of at least a one-month period of time during which the graduate physician shall practice with the collaborating physician continuously present before practicing in a setting where the collaborating physician is not continuously present. Such limitation shall not apply to collaborative arrangements of providers of population-based public health services.

IX. An agreement made under this section may govern hospital medication orders under protocols and standing orders for the purpose of delivering inpatient or emergency care within a hospital if such protocols or standing orders have been approved by the hospital's medical staff and pharmaceutical therapeutics committee.

X. No contract or other agreement shall require a physician to act as a collaborating physician for a graduate physician against the physician's will. A physician shall have the right to refuse to act as a collaborating physician, without penalty, for a particular graduate physician. No contract or other agreement shall limit the collaborating physician's ultimate authority over any protocols or standing orders or in the delegation of the physician's authority to any graduate physician, but such requirement shall not authorize a physician in implementing such protocols, standing orders, or delegation to violate applicable standards for safe medical practice established by a hospital's medical staff.

XI. No contract or other agreement shall require any graduate physician to serve as a collaborating graduate physician for any collaborating physician against the graduate physician's will. A graduate physician shall have the right to refuse to collaborate, without penalty, with a particular physician.

XII. All collaborating physicians and graduate physicians in collaborative practice arrangements shall wear identification badges while acting within the scope of their collaborative practice arrangement. The identification badges shall prominently display the licensure status of such collaborating physicians and graduate physicians.

XIII. A graduate physician may prescribe any controlled substance listed in Drug Enforcement Administration (DEA) schedule III, IV, or V and may have restricted authority in schedule II, when delegated the authority to prescribe controlled substances in a collaborative practice arrangement. Prescriptions for schedule II medications prescribed by a graduate physician are restricted to only those medications containing hydrocodone. Such authority shall be filed with the board. The collaborating physician shall maintain the right to limit a specific scheduled drug or scheduled drug category that the graduate physician is permitted to prescribe. Any limitations shall be listed in the collaborative practice arrangement. Graduate physicians shall not prescribe controlled substances for themselves or members of their families. Schedule III controlled substances and schedule II hydrocodone prescriptions shall be limited use in an inpatient hospital setting or to a 5-day supply without refill. Graduate physicians who are authorized to prescribe controlled substances under this section shall register with the federal Drug Enforcement Administration and shall include the Drug Enforcement Administration registration number on prescriptions for controlled substances.

XIV. The collaborating physician shall be responsible to determine and document the completion of at least 124 hours in a 4-month period by the graduate physician during which the graduate physician shall practice with the collaborating physician onsite prior to prescribing controlled substances when the collaborating physician is not onsite. Such limitation shall not apply to graduate physicians of population-based public health services.

2 New Paragraph; Physicians; Alternative for Licensure. Amend RSA 329:12 by inserting after paragraph II the following new paragraph:

III. As an alternative to paragraph I, upon approval of the board applicants for licensure may:

(a) Fulfill all the requirements of RSA 329:12, I(a), (b), (c), and (1) through (4) of (d).

(b) Have been licensed in this state and practiced continuously under RSA 328-K for 5 or more consecutive years without any disciplinary action.

(c) Have successfully completed the educational component implemented pursuant to RSA 328-K:16, IV(c).

(d) Have passed Parts 1 and 2 of the United States Medical Licensing Examination or equivalent.

(e) Have passed the test adopted pursuant to RSA 328-K:16, IV(d).

3 New Paragraph; Physicians; Person Excepted. Amend RSA 329:21 by inserting after paragraph XVI the following new paragraph:

XVII. To such graduate physicians as have been licensed under RSA 328-K while acting under the terms of that chapter.

4 Professionals Health Program; Graduate Physicians Added. Amend RSA 329:13-b to read as follows:
329:13-b Professionals' Health Program.

I. Any peer review committee may report relevant facts to the board relating to the acts of any physician [or], physician assistant, **or graduate physician** in this state if it has knowledge relating to the physician [or], physician assistant, **or graduate physician** which, in the opinion of the peer review committee, might provide grounds for disciplinary action as specified in RSA 329:17.

II. Any committee of a professional society comprised primarily of physicians, its staff, or any district or local intervenor participating in a program established to aid physicians impaired or potentially impaired by mental or physical illness including substance abuse or disruptive behavior may report in writing to the board the name of a physician whose ability to practice medicine safely is impaired or could reasonably be expected to become impaired if the condition is allowed to progress together with the pertinent information relating to the physician's impairment. The board may report to any committee of such professional society or the society's designated staff information which it may receive with regard to any physician who may be impaired by a mental or physical illness including substance abuse or disruptive behavior. In this chapter, "disruptive behavior" means any abusive conduct, including sexual or other forms of harassment, or other forms of verbal or nonverbal conduct that harms or intimidates others to the extent that quality of care of patient safety could be compromised.

III. Notwithstanding the provisions of RSA 91-A, the records and proceedings of the board, compiled in conjunction with a peer review committee, shall be confidential and are not to be considered open records unless the affected physician so requests; provided, however, the board may disclose this confidential information only:

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

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

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

IV.(a) No employee or member of the board, peer review committee member, medical organization committee member, medical organization district or local intervenor furnishing in good faith information, data, reports, or records for the purpose of aiding the impaired physician [or], physician assistant, **or graduate physician** shall by reason of furnishing such information be liable for damages to any person.

(b) No employee or member of the board or such committee, staff, or intervenor program shall be liable for damages to any person for any action taken or recommendations made by such board, committee, or staff unless the person is found to have acted recklessly or wantonly.

V.(a) The board may contract with other organizations to operate the professionals' health program for physicians [and], physician assistants, **and graduate physicians** who are impaired or potentially impaired because of mental or physical illness including substance abuse or disruptive behavior. This program shall be available to all physicians [and], physician assistants, **and graduate physicians** licensed in this state, all physicians [and], physician assistants, **and graduate physicians** seeking licensure in this state, and all resident physicians in training, and shall include, but shall not be limited to, education, intervention, ongoing care or treatment, and post-treatment monitoring.

(b) [Repealed.]

VI. Upon a determination by the board that a report submitted by a peer review committee or professional society committee is without merit, the report shall be expunged from the physician's [or], physician assistant's, **or graduate physician's** individual record in the board's office. A physician, [or], physician

assistant, **or graduate physician**, or authorized representative shall be entitled on request to examine the peer review or the organization committee report submitted to the board and to place into the record a statement of reasonable length of the physician's [or], physician assistant's, **or graduate physician's** view with respect to any information existing in the report.

5 Board of Medicine; Hearings Panel. Amend RSA 329:18-a, I to read as follows:

I. Allegations of misconduct or lack of professional qualifications which are not settled informally shall be heard by the board or a panel of the board, with a minimum of 3 members appointed by the president of the board. The panel for a hearing on a physician-licensee shall consist of a minimum of 2 physicians and one public member. The panel for a hearing on a physician assistant-licensee shall consist of a minimum of one physician, one physician assistant, and one public member. ***The panel for a hearing on a graduate physician licensee shall consist of a minimum of one physician, one graduate physician, and one public member.*** Such hearing shall be an open public hearing. Any member of the board, or other person qualified to act as a hearing officer and duly designated by the board, shall have the authority to preside at such a hearing and to issue oaths or affirmations to witnesses.

6 New Section; Health and Human Services; Medically Underserved Areas. Amend RSA 126-A by inserting after section 18-b the following new section:

126-A:18-c Medically Underserved Areas.

I. The department shall establish and administer a program to increase the number of medical clinics in medically underserved areas as defined in RSA 328-K:1. A not-for-profit or nonprofit entity in this state that includes a medically underserved area may establish a medical clinic in the medically underserved area by contributing start-up money for the medical clinic and having such contribution matched wholly or partly by grant moneys from the medical clinics in medically underserved areas fund established in paragraph IV. An existing clinic which the not-for-profit or nonprofit entity has not been able to recruit a physician or APRN to provide needed primary care services despite reasonable effort for a period of one or more years shall also be considered an eligible clinic under this section. The department shall seek all available moneys from any source whatsoever, including but not limited to healthcare foundations, insurance companies, pharmaceutical companies, and hospitals to assist in funding the program. The legislature may appropriate general fund moneys or moneys raised under RSA 84-A for this fund.

II. A participating not-for-profit or nonprofit entity that includes a medically underserved area may provide start-up money for a medical clinic over a 2-year period. The department shall not provide more than \$100,000 per clinic in a fiscal year unless the department makes a specific finding of need in the medically underserved area.

III. The department shall establish priorities so that the neediest medically underserved areas eligible for assistance under this section are prioritized.

IV. There is established a nonlapsing fund to be known as the medical clinics in medically underserved areas fund administered and expended by the commissioner of health and human services, or designee. The fund shall be expended for the purposes of paragraph I. The fund shall be continually appropriated to the department of health and human services for the purposes of this section. The fund shall consist of:

(a) Revenue from appropriations or other moneys authorized from the general fund or from tax receipts under RSA 84-A.

(b) Funds from public or private sources, including, but not limited to gifts, grants, donations, rebates, and settlements received by the state specifically designated to be credited to the fund.

(c) Funds repaid per paragraph VI.

V. To be eligible to receive a matching grant from the department, a not-for-profit or nonprofit entity that includes a medically underserved area shall:

(a) Apply for the matching grant; and

(b) Provide evidence satisfactory to the department that it has entered into an agreement or combination of agreements with a collaborating physician or physicians for the collaborating physician or physicians and physician assistant or graduate physicians in accordance with a collaborative practice arrangement under RSA 328-K:16 to provide primary care in the medically underserved area for at least 2 years.

VI. The department shall adopt rules under RSA 541-A necessary for the implementation of this section, including rules addressing:

(a) Eligibility criteria for a medically underserved area and for existing clinics in a medically underserved area which have not been able to recruit physicians or APRNs;

(b) A requirement that a medical clinic utilize a graduate physician in a collaborative practice arrangement under RSA 328-K:16;

(c) Minimum and maximum contributions to the start-up money for a medical clinic to be matched with grant moneys from the state;

(d) Conditions under which grant moneys shall be repaid for failure to comply with the requirements for receipt of such grant moneys;

- (e) Procedures for disbursement of grant moneys by the department;
- (f) The form and manner in which start-up money shall be contributed; and
- (g) Requirements for the not-for-profit or nonprofit entity to retain interest in any property, equipment, or durable goods for 7 years including, but not limited to, the criteria for a not-for-profit or nonprofit entity to be excused from such retention requirement.

7 New Paragraph; Application of Receipts. Amend RSA 6:12, I(b) by inserting after subparagraph (339) the following new subparagraph:

(340) The medical clinics in medically underserved areas fund established in RSA 126-A:18-c.

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

AMENDED ANALYSIS

This bill:

- I. Establishes the regulation and licensure of graduate physicians by the board of medicine.
 - II. Regulates their practice through graduate physician collaborative practice arrangements.
 - III. Establishes a grant program in the department of health and human services to provide matching funds for primary care clinics in medically underserved areas utilizing graduate physicians.
- Majority committee amendment adopted.

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

Rep. Berrien spoke against and yielded to questions.

Rep. Fothergill spoke in favor and yielded to questions.

Rep. William Marsh spoke in favor.

On a division vote, with 215 members having voted in the affirmative, and 108 in the negative, the majority committee report was adopted and ordered to third reading.

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

HB 1532, prohibiting gender reassignment surgery for minors. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Mark Pearson for the Majority of Health, Human Services and Elderly Affairs. Knowing the relative immaturity of young and developing teenage minds and hearts, the state prohibits people under 18 from voting and using tanning booths, and people under 21 from drinking alcohol. One has met adults who have had such surgery and now regret it and find no real way to reverse it. While there are those youngsters whose emotions may, even for a period of time, lead them to want such surgery, many experience a later change in their gender self-perception and then it will be too late. The majority believes such surgery should be left to the adult choice of those having reached their maturity. Vote 12-8.

Rep. Lucy Weber for the Minority of Health, Human Services and Elderly Affairs. Although many minors experience gender confusion which resolves by puberty, so that their gender identity matches their physical gender, for transgender youth, this is not the case. A transgender youth is one whose assertion that their gender identity does not match the body they were born into, is insistent, consistent and persistent over time. Research overwhelmingly shows that transgender youth do best when they are affirmed in their identity by those around them. Current medical support for transgender youth include long courses of hormonal treatments and appropriate counseling. The minority believes that the question of surgery, which comes only after a significant course of other interventions, is best left to the parents of the minor in consultation with the minor's medical and mental health professionals to determine the best course of action for each individual.

MOTION TO LAY ON THE TABLE

Rep. Eaton moved that **HB 1532**, prohibiting gender reassignment surgery for minors, be laid on the table.

Rep. Hoell requested a roll call; sufficiently seconded.

YEAS 163 - NAYS 170

YEAS - 163 BELKNAP

Aldrich, Glen Spagnuolo, Philip

CARROLL

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

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Burridge, Delmar	Harvey, Cathryn	Ley, Douglas	Eaton, Daniel
Faulkner, Barry	Johnsen, Gladys	Meador, David	Parkhurst, Henry
Shepardson, Marjorie	Stallcop, Joseph	Pearson, William	Weber, Lucy

COOS

Fothergill, John
Thomas, Yvonne

Hatch, William

Moynihan, Wayne

Tucker, Edith

GRAFTON

Abel, Richard
Darrow, Stephen
Maes, Kevin
Smith, Suzanne

Almy, Susan
Dontonville, Roger
Massimilla, Linda
Sykes, George

Bennett, Travis
Higgins, Patricia
Mulligan, Mary Jane
White, Andrew

Campion, Polly
Josephson, Timothy
Rand, Steven

HILLSBOROUGH

Ammon, Keith
Beaulieu, Jane
Connors, Erika
Edwards, Elizabeth
Smith, Gregory
Hynes, Dan
Keane, Amelia
Lisle, David
Martin, Joelle
Nutting, Allison
Long, Patrick
Rosenwald, Cindy
Wolf, Terry

Ayala, Jessica
Bouldin, Amanda
Cornell, Patricia
Elber, Joel
Gargas, Carolyn
Schmidt, Janice
King, Mark
MacKenzie, Mark
Martineau, Jesse
O'Brien, Michael
Porter, Marjorie
Harvey, Suzanne
Van Houten, Connie

Backus, Robert
Chandley, Shannon
Sullivan, Daniel
Fedolff, Jim
Goley, Jeffrey
Jack, Martin
Klee, Patricia
Mangipudi, Latha
McNamara, Richard
O'Leary, Richard
Prout, Andrew
Shaw, Barbara
Vann, Ivy

Baroody, Benjamin
Cleaver, Skip
DiSilvestro, Linda
Freitas, Mary
Heath, Mary
Judy, Jean
Leishman, Peter
Manley, Jonathan
Newman, Sue
O'Neil, William
Roberts, Carol
Smith, Timothy
Williams, Kermit

MERRIMACK

Turcotte, Alan
Doherty, David
MacKay, James
Patten, Dick
Schuett, Dianne
Walz, Mary Beth

Bartlett, Christy
Ebel, Karen
Kenison, Linda
Richards, Beth
Schultz, Kristina
Woolpert, David

Carson, Clyde
Moffett, Howard
Luneau, David
Rodd, Beth
Shurtleff, Stephen

Wolf, Dan
Henle, Paul
Myler, Mel
Rogers, Katherine
Soucy, Timothy

ROCKINGHAM

Altschiller, Debra
Chase, Francis
Farnham, Betsey
Malloy, Dennis
Gordon, Pamela
Stone, Brian

Berrien, Skip
Cushing, Robert Renny
Gay, Betty
McKinney, Betsy
Pantelakos, Laura
Le, Tamara

Cahill, Michael
DiLorenzo, Charlotte
Lerner, Kari
Messmer, Mindi
Read, Ellen
Ward, Gerald

Cali-Pitts, Jacqueline
Elliott, Robert
Lovejoy, Patricia
Murray, Kate
Sapareto, Frank
Willis, Brenda

STRAFFORD

Berube, Roger
Ellis, Donna
Grassie, Chuck
Smith, Marjorie
Treleven, Susan

Bixby, Peter
Fontneau, Timothy
Horrigan, Timothy
Opderbecke, Linn
Wall, Janet

Burton, Wayne
Frost, Sherry
Keans, Sandra
Schmidt, Peter

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

SULLIVAN

Cloutier, John
Tanner, Linda

Gottling, Suzanne

Oxenham, Lee

Sullivan, Brian

NAYS - 170**BELKNAP**

Abear, Marc
Fraser, Valerie
Silber, Norman

Comtois, Barbara
Howard, Raymond
Spanos, Peter

Tilton, Franklin
Lang, Timothy
Sylvia, Michael

Fields, Dennis
Plumer, John
Vadney, Herbert

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

Sterling, Franklin

COOS

Merner, Troy

Richardson, Herbert

Theberge, Robert

GRAFTON

Bailey, Brad
Ham, Bonnie
Schwaegler, Vicki

Binford, David
Hennessey, Erin
Johnson, Tiffany

Boutin, Skylar
Ladd, Rick

Brown, Duane
Migliore, Vincent Paul

HILLSBOROUGH

Griffin, Barbara
Moore, Craig
Danielson, David
Freeman, Lisa
Gould, Linda
Herbert, Christopher
Graham, John
L'Heureux, Robert
Lewicke, John
Murphy, Keith
Panasiti, Reed
Renzullo, Andrew
Seidel, Carl
Sullivan, Victoria

Biggie, Barbara
Carr, John
Dickey, Glen
Fromuth, Bart
Halstead, Carolyn
Hinch, Richard
Moore, Josh
Ober, Lynne
MacKay, Mariellen
Negrón, Steve
Pierce, David
Rouillard, Claire
Somero, Paul

Burt, John
Christensen, Chris
Donovan, Daniel
Griffin, Gerald
Hansen, Peter
Hopper, Gary
Rice, Kimberly
Lascelles, Richard
McCarthy, Michael
Notter, Jeanine
Proulx, Mark
Sanborn, Laurie
Twombly, Timothy

Byron, Frank
Christie, Rick
Ferreira, Elizabeth
Gagne, Larry
Hellwig, Steve
Belanger, James
Kurk, Neal
LeBrun, Donald
McLean, Mark
Ohm, Bill
Ober, Russell
Scully, Kevin
Ulery, Jordan

MERRIMACK

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

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

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

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

ROCKINGHAM

Cook, Allen
Bates, David
Thomas, Douglas
Green, Dennis
Itse, Daniel
Khan, Aboul
Major, Norman
Milz, David
Gordon, Richard
Torosian, Peter
Wallace, Scott
Woitkun, Steven

Abrami, Patrick
Bean, Philip
Emerick, J. Tracy
Guthrie, Joseph
Edwards, Jess
Kolodziej, Walter
Manning, John
Morrison, Sean
Somssich, Peter
True, Chris
Webb, James

Allen, Mary
Bove, Martin
Fesh, Robert
Hagan, Joseph
Janvrin, Jason
Griffin, Mary
Matthews, Carolyn
Nigrello, Robert
Spillane, James
Verville, Kevin
Welch, David

Baldasaro, Alfred
Costable, Michael
Gilman, Julie
Hoelzel, Kathleen
O'Connor, John
Pearson, Mark
McMahon, Charles
Packard, Sherman
Sytek, John
Vose, Michael
Weyler, Kenneth

STRAFFORD

Beaudoin, Steven
McNally, Jody
Graham, Robert

Harrington, Michael
Mullen, John
Scruton, Matthew

Kaczynski, Thomas
Phinney, Brandon
Spencer, Matthew

Turcotte, Leonard
Pitre, Joseph
Wuelper, Kurt

SULLIVAN

Grenier, James
and the motion failed.

Laware, Thomas

Rollins, Skip

Smith, Steven

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

Reps. Berrien and Weber spoke against.

Rep. Mark Pearson spoke in favor.

Rep. Silber requested a roll call; sufficiently seconded.

YEAS 162 - NAYS 164**YEAS - 162
BELKNAP**

Abear, Marc
Fields, Dennis
Plumer, John
Vadney, Herbert

Aldrich, Glen
Fraser, Valerie
Silber, Norman

Comtois, Barbara
Howard, Raymond
Spanos, Peter

Tilton, Franklin
Lang, Timothy
Sylvia, Michael

CARROLL

Avellani, Lino
McConkey, Mark
Marsh, William

Buco, Thomas
Nelson, Bill

Comeau, Ed
Schmidt, Stephen

McCarthy, Frank
Umberger, Karen

CHESHIRE

Hunt, John

McConnell, James

O'Day, John

Sterling, Franklin

COOS

Merner, Troy

Richardson, Herbert

GRAFTONBailey, Brad
Ladd, RickBinford, David
Migliore, Vincent PaulBrown, Duane
Schwaegler, VickiHennessey, Erin
Johnson, Tiffany**HILLSBOROUGH**Biggie, Barbara
Carr, John
Danielson, David
Ferreira, Elizabeth
Gagne, Larry
Hellwig, Steve
Graham, John
Ober, Lynne
MacKay, Mariellen
Negron, Steve
Proulx, Mark
Sanborn, Laurie
Twombly, TimothyBurt, John
Christensen, Chris
Dickey, Glen
Freeman, Lisa
Gould, Linda
Hinch, Richard
Moore, Josh
Lascelles, Richard
McCarthy, Michael
Notter, Jeanine
Ober, Russell
Scully, Kevin
Ulery, JordanByron, Frank
Christie, Rick
Donovan, Daniel
Fromuth, Bart
Halstead, Carolyn
Hopper, Gary
Rice, Kimberly
LeBrun, Donald
McLean, Mark
Ohm, Bill
Renzullo, Andrew
Seidel, Carl
Sullivan, VictoriaMoore, Craig
Sullivan, Daniel
Fedolfi, Jim
Griffin, Gerald
Hansen, Peter
Belanger, James
L'Heureux, Robert
Lewicke, John
Murphy, Keith
Pierce, David
Rouillard, Claire
Somero, Paul**MERRIMACK**Kuch, Bill
Hill, Gregory
Kotowski, Frank
Pearl, Howard
Wells, NatalieBrewster, Michael
Hoell, J.R.
Moffett, Michael
Seaworth, BrianCopp, Anne
Horn, Werner
Marple, Richard
Walsh, ThomasLong, Douglas
Klose, John
McGuire, Carol
Testerman, Dave**ROCKINGHAM**Cook, Allen
Bates, David
Costable, Michael
Green, Dennis
Edwards, Jess
Griffin, Mary
Matthews, Carolyn
Nigrello, Robert
Spillane, James
Verville, Kevin
Weyler, KennethAbrami, Patrick
Bean, Philip
Thomas, Douglas
Guthrie, Joseph
O'Connor, John
Pearson, Mark
McMahon, Charles
Packard, Sherman
Sytek, John
Wallace, Scott
Woitkun, StevenAllen, Mary
Bove, Martin
Emerick, J. Tracy
Hoelzel, Kathleen
Khan, Aboul
Major, Norman
Milz, David
Gordon, Richard
Torosian, Peter
Webb, JamesBaldasaro, Alfred
Chase, Francis
Fesh, Robert
Itse, Daniel
Kolodziej, Walter
Manning, John
Morrison, Sean
Sapareto, Frank
True, Chris
Welch, David**STRAFFORD**Beaudoin, Steven
Turcotte, Leonard
Graham, RobertBerube, Roger
McNally, Jody
Scruton, MatthewHarrington, Michael
Mullen, John
Spencer, MatthewKaczynski, Thomas
Pitre, Joseph
Wuelper, Kurt**SULLIVAN**

Grenier, James

Laware, Thomas

Rollins, Skip

Smith, Steven

NAYS - 164**BELKNAP**

Spagnuolo, Philip

CARROLLButler, Edward
Knirk, Jerry

Cordelli, Glenn

Crawford, Karel

DesMarais, Edith

CHESHIREAbbott, Michael
Burridge, Delmar
Faulkner, Barry
Shepardson, MarjorieAmes, Richard
Harvey, Cathryn
Johnsen, Gladys
Stallcop, JosephBerch, Paul
Ley, Douglas
Meader, David
Pearson, WilliamBordenet, John
Eaton, Daniel
Parkhurst, Henry
Weber, Lucy**COOS**Fothergill, John
Thomas, Yvonne

Moynihan, Wayne

Theberge, Robert

Tucker, Edith

GRAFTON

Abel, Richard
Campion, Polly
Higgins, Patricia
Mulligan, Mary Jane
White, Andrew

Almy, Susan
Darrow, Stephen
Josephson, Timothy
Rand, Steven

Bennett, Travis
Dontonville, Roger
Maes, Kevin
Smith, Suzanne

Boutin, Skylar
Ham, Bonnie
Massimilla, Linda
Sykes, George

HILLSBOROUGH

Ammon, Keith
Baroody, Benjamin
Cleaver, Skip
Edwards, Elizabeth
Gargas, Carolyn
Schmidt, Janice
King, Mark
Lisle, David
Martin, Joelle
Nutting, Allison
Long, Patrick
Roberts, Carol
Smith, Timothy

Ayala, Jessica
Beaulieu, Jane
Connors, Erika
Elber, Joel
Goley, Jeffrey
Jack, Martin
Klee, Patricia
MacKenzie, Mark
Martineau, Jesse
O'Brien, Michael
Panasiti, Reed
Rosenwald, Cindy
Wolf, Terry

Griffin, Barbara
Bouldin, Amanda
Cornell, Patricia
Freitas, Mary
Heath, Mary
Jeudy, Jean
Kurk, Neal
Mangipudi, Latha
McNamara, Richard
O'Leary, Richard
Porter, Marjorie
Harvey, Suzanne
Van Houten, Connie

Backus, Robert
Chandlee, Shannon
DiSilvestro, Linda
Smith, Gregory
Hynes, Dan
Keane, Amelia
Leishman, Peter
Manley, Jonathan
Newman, Sue
O'Neil, William
Prout, Andrew
Shaw, Barbara
Williams, Kermit

MERRIMACK

Turcotte, Alan
Doherty, David
MacKay, James
Rodd, Beth
Shurtleff, Stephen

Bartlett, Christy
Ebel, Karen
Luneau, David
Rogers, Katherine
Soucy, Timothy

Carson, Clyde
Moffett, Howard
Myler, Mel
Schuett, Dianne
Walz, Mary Beth

Wolf, Dan
Henle, Paul
Patten, Dick
Schultz, Kristina
Woolpert, David

ROCKINGHAM

Altschiller, Debra
Cushing, Robert Renny
Gay, Betty
Lerner, Kari
Murray, Kate
Stone, Brian
Willis, Brenda

Berrien, Skip
DiLorenzo, Charlotte
Gilman, Julie
Lovejoy, Patricia
Gordon, Pamela
Le, Tamara

Cahill, Michael
Elliott, Robert
Hagan, Joseph
Malloy, Dennis
Pantelakos, Laura
Vose, Michael

Cali-Pitts, Jacqueline
Farnham, Betsey
Janvrin, Jason
Messmer, Mindi
Somssich, Peter
Ward, Gerald

STRAFFORD

Bixby, Peter
Fontneau, Timothy
Horrigan, Timothy
Opderbecke, Linn
Wall, Janet

Burton, Wayne
Frost, Sherry
Keans, Sandra
Schmidt, Peter

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

Ellis, Donna
Grassie, Chuck
Smith, Marjorie
Treleaven, Susan

SULLIVAN

Cloutier, John
Sullivan, Brian

Gagnon, Raymond
Tanner, Linda

Gottling, Suzanne

Oxenham, Lee

and the majority committee report failed.

Rep. Cordelli voted Nay and intended to vote Yea.

Rep. Weber moved the minority committee report of Inexpedient to Legislate.

On a division vote, with 172 members having voted in the affirmative, and 157 in the negative, the minority committee report was adopted.

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. White moved that the House reconsider its action whereby, on a division vote of 172-157, the House adopted the minority committee report of Inexpedient to Legislate on **HB 1532**, prohibiting gender reassignment surgery for minors.

Rep. White spoke against.

Motion failed.

REGULAR CALENDAR - PART II CONT'D

HB 1560, prohibiting Medicaid from paying for sex reassignment drug or hormone therapy or surgery. **IN-EXPEDIENT TO LEGISLATE.**

Rep. Jerry Knirk for Health, Human Services and Elderly Affairs. This bill would prohibit Medicaid payment for an accepted medical treatment. It would prohibit payment for both hormone therapy and sex reassignment surgery in competent adults who should be allowed to make their own decisions. Both treatments are medically accepted treatments for gender dysphoria which are effective and lifesaving. Sex reassignment surgery

is not cosmetic surgery. It is particularly important to cover hormonal therapy if gender reassignment surgery is prohibited or delayed until after age 18. One should not be denied medically necessary treatment because of an inability to pay. Vote 13-7.

Rep. Hoell requested a roll call; sufficiently seconded.

YEAS 188 - NAYS 140

YEAS - 188

BELKNAP

Spagnuolo, Philip

Vadney, Herbert

CARROLL

Butler, Edward
Nelson, Bill

Crawford, Karel
Schmidt, Stephen

DesMarais, Edith
Umberger, Karen

Knirk, Jerry
Marsh, William

CHESHIRE

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

Ames, Richard
Harvey, Cathryn
Johnsen, Gladys
Stallcop, Joseph

Berch, Paul
Ley, Douglas
Meader, David
Pearson, William

Bordenet, John
Eaton, Daniel
Parkhurst, Henry
Weber, Lucy

COOS

Fothergill, John
Tucker, Edith

Moynihan, Wayne
Thomas, Yvonne

Richardson, Herbert

Theberge, Robert

GRAFTON

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

Almy, Susan
Darrow, Stephen
Higgins, Patricia
Massimilla, Linda
Sykes, George

Bailey, Brad
Dontonville, Roger
Josephson, Timothy
Mulligan, Mary Jane
White, Andrew

Bennett, Travis
Ham, Bonnie
Ladd, Rick
Rand, Steven

HILLSBOROUGH

Ayala, Jessica
Bouldin, Amanda
Connors, Erika
Donovan, Daniel
Smith, Gregory
Herbert, Christopher
Judy, Jean
Leishman, Peter
MacKenzie, Mark
Martineau, Jesse
O'Brien, Michael
Pierce, David
Harvey, Suzanne
Vann, Ivy

Backus, Robert
Chandley, Shannon
Cornell, Patricia
Edwards, Elizabeth
Gargas, Carolyn
Hynes, Dan
Keane, Amelia
Lisle, David
Mangipudi, Latha
McNamara, Richard
O'Leary, Richard
Porter, Marjorie
Shaw, Barbara
Williams, Kermit

Baroody, Benjamin
Christensen, Chris
Sullivan, Daniel
Elber, Joel
Goley, Jeffrey
Schmidt, Janice
King, Mark
MacKay, Mariellen
Manley, Jonathan
Newman, Sue
O'Neil, William
Roberts, Carol
Smith, Timothy

Beaulieu, Jane
Cleaver, Skip
DiSilvestro, Linda
Freitas, Mary
Heath, Mary
Jack, Martin
Klee, Patricia
McCarthy, Michael
Martin, Joelle
Nutting, Allison
Long, Patrick
Rosenwald, Cindy
Van Houten, Connie

MERRIMACK

Turcotte, Alan
Doherty, David
MacKay, James
Myler, Mel
Schuett, Dianne
Walz, Mary Beth

Bartlett, Christy
Ebel, Karen
Kenison, Linda
Patten, Dick
Schultz, Kristina
Woolpert, David

Carson, Clyde
Moffett, Howard
Kotowski, Frank
Rodd, Beth
Shurtleff, Stephen

Wolf, Dan
Henle, Paul
Luneau, David
Rogers, Katherine
Soucy, Timothy

ROCKINGHAM

Abrami, Patrick
Bove, Martin
Cushing, Robert Renny
Gay, Betty
Janvrin, Jason
Malloy, Dennis
Morrison, Sean
Pantelakos, Laura
Ward, Gerald

Allen, Mary
Cahill, Michael
Thomas, Douglas
Gilman, Julie
Lerner, Kari
Manning, John
Murray, Kate
Somssich, Peter
Webb, James

Altschiller, Debra
Cali-Pitts, Jacqueline
DiLorenzo, Charlotte
Guthrie, Joseph
Lovejoy, Patricia
McMahon, Charles
Nigrello, Robert
Stone, Brian

Berrien, Skip
Chase, Francis
Farnham, Betsey
Hagan, Joseph
Major, Norman
Messmer, Mindi
Gordon, Pamela
Le, Tamara

STRAFFORD

Berube, Roger
Ellis, Donna

Bixby, Peter
Fontneau, Timothy

Burton, Wayne
Frost, Sherry

Cilley, Jacalyn
Gourgue, Amanda

Grassie, Chuck
Smith, Marjorie
Schmidt, Peter

Horrigan, Timothy
McNally, Jody
Southworth, Thomas

Keans, Sandra
Mullen, John
Treleven, Susan

Krans, Hamilton
Opderbecke, Linn
Wall, Janet

SULLIVAN

Cloutier, John
Oxenham, Lee

Gagnon, Raymond
Sullivan, Brian

Gottling, Suzanne
Tanner, Linda

Grenier, James

NAYS - 140

BELKNAP

Abear, Marc
Fields, Dennis
Plumer, John

Aldrich, Glen
Fraser, Valerie
Silber, Norman

Comtois, Barbara
Howard, Raymond
Spanos, Peter

Tilton, Franklin
Lang, Timothy
Sylvia, Michael

CARROLL

Avellani, Lino
McCarthy, Frank

Buco, Thomas
McConkey, Mark

Comeau, Ed

Cordelli, Glenn

CHESHIRE

Hunt, John

McConnell, James

O'Day, John

Sterling, Franklin

COOS

Merner, Troy

GRAFTON

Binford, David
Schwaegler, Vicki

Boutin, Skylar
Johnson, Tiffany

Brown, Duane

Migliore, Vincent Paul

HILLSBOROUGH

Ammon, Keith
Byron, Frank
Danielson, David
Freeman, Lisa
Gould, Linda
Hinch, Richard
Moore, Josh
Ober, Lynne
McLean, Mark
Ohm, Bill
Ober, Russell
Scully, Kevin
Ulery, Jordan

Griffin, Barbara
Moore, Craig
Dickey, Glen
Fromuth, Bart
Halstead, Carolyn
Hopper, Gary
Rice, Kimberly
Lascelles, Richard
Murphy, Keith
Panasiti, Reed
Renzullo, Andrew
Seidel, Carl
Sullivan, Victoria

Biggie, Barbara
Carr, John
Fedolff, Jim
Griffin, Gerald
Hansen, Peter
Belanger, James
Kurk, Neal
LeBrun, Donald
Negron, Steve
Proulx, Mark
Rouillard, Claire
Somero, Paul

Burt, John
Christie, Rick
Ferreira, Elizabeth
Gagne, Larry
Hellwig, Steve
Graham, John
L'Heureux, Robert
Lewicke, John
Notter, Jeanine
Prout, Andrew
Sanborn, Laurie
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
Testerman, Dave

Long, Douglas
Klose, John
Pearl, Howard
Wells, Natalie

ROCKINGHAM

Cook, Allen
Costable, Michael
Green, Dennis
Khan, Aboul
Matthews, Carolyn
Sapareto, Frank
True, Chris
Welch, David

Baldasaro, Alfred
Elliott, Robert
Hoelzel, Kathleen
Kolodziej, Walter
Milz, David
Spillane, James
Verville, Kevin
Weyler, Kenneth

Bates, David
Emerick, J. Tracy
Itse, Daniel
Griffin, Mary
Packard, Sherman
Sytek, John
Vose, Michael
Willis, Brenda

Bean, Philip
Fesh, Robert
O'Connor, John
Pearson, Mark
Gordon, Richard
Tosorian, Peter
Wallace, Scott
Woitkun, Steven

STRAFFORD

Beaudoin, Steven
Phinney, Brandon
Spencer, Matthew

Harrington, Michael
Pitre, Joseph
Wuelper, Kurt

Kaczynski, Thomas
Graham, Robert

Turcotte, Leonard
Scruton, Matthew

SULLIVAN

Laware, Thomas

Rollins, Skip

Smith, Steven

and the committee report was adopted.

HB 1319, prohibiting discrimination based on gender identity. **MAJORITY: OUGHT TO PASS. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Jason Janvrin for the Majority of Judiciary. This bill would add gender identity to NH's existing Human Rights Act, RSA Chapter 354-A, which already includes race, gender, religion, marital status and sexual orientation. It would prohibit discrimination in employment, housing and public spaces (also known as public accommodations), such as restaurants, business, and hospitals, based upon gender identity. The committee heard of many cases of actual discrimination from transgender individuals. The bill is supported by employment lawyers, the Human Rights Commission, and the Business and Industry Association (BIA). The committee heard support from the Chiefs of Police Association who explained that this bill explicitly says a gender identity cannot be asserted for an improper purpose, such as using a bathroom/locker-room to commit a crime. Finally, the committee heard testimony regarding the high rate of preventable suicide in the transgender community; "a staggering 41% of (transgender) respondents reported attempting suicide compared to 1.6% of the general population." A bipartisan majority of the committee believe this bill will save lives and will lead to tolerance, acceptance, and the right to live free to all of New Hampshire's inhabitants, regardless of their gender identity. Vote 10-8.

Rep. Michael Sylvia for the Minority of Judiciary. The minority believes that all discrimination is wrong. It further finds this bill to be divisive and harmful to those yet to be enumerated as specifically protected under the Human Rights Commission. RSA 354-A fails to adhere to our constitution, Part 1. Article 1, "All men are born equally free and independent; therefore, all government of right originates from the people, is founded in consent, and instituted for the general good." By dividing our people and adding special protections for some, we fail to meet that 'general good.' The directive to the Human Rights Commission needs to be inclusive of all Granite Staters as was stated in an amendment offered by the minority. The question being adoption of the majority committee report of Ought to Pass.

Rep. Sylvia offered minority committee amendment (0680h).

Minority Amendment (0680h)

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

AN ACT establishing a committee to study the state commission for human rights and the law against discrimination.

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

1 Committee Established. There is established a committee to study the state commission for human rights and the law against discrimination.

2 Membership and Compensation.

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

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

(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 RSA 354-A, relative to the state commission for human rights and the law against discrimination. The committee shall review the duties of the state human rights commission and the protected classes identified in RSA 354-A. The objective of the study shall be to resolve, unify, and clarify protections for all people under RSA 354-A. The committee may solicit information and testimony from any individual or entity the committee deems relevant to its study.

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 RSA 354-A, relative to the state commission for human rights and the law against discrimination.

Rep. Sylvia spoke in favor.

(Rep. Barbara Griffin in the Chair)

Reps. Hynes and William Marsh spoke against.

Rep. Bates spoke in favor.

Rep. Hopper yielded to questions.

Rep. Janvrin requested a roll call; sufficiently seconded.

YEAS 152 - NAYS 175

YEAS - 152

BELKNAP

Abear, Marc
Fields, Dennis
Plumer, John
Vadney, Herbert

Aldrich, Glen
Fraser, Valerie
Silber, Norman

Comtois, Barbara
Howard, Raymond
Spanos, Peter

Tilton, Franklin
Lang, Timothy
Sylvia, Michael

CARROLL

Avellani, Lino
McConkey, Mark

Comeau, Ed
Nelson, Bill

Cordelli, Glenn
Schmidt, Stephen

McCarthy, Frank
Umberger, Karen

CHESHIRE

McConnell, James

O'Day, John

Sterling, Franklin

COOS

Merner, Troy

Richardson, Herbert

GRAFTON

Binford, David
Johnson, Tiffany

Brown, Duane

Ladd, Rick

Migliore, Vincent Paul

HILLSBOROUGH

Ammon, Keith
Byron, Frank
Christie, Rick
Freeman, Lisa
Gagne, Larry
Hinch, Richard
Moore, Josh
Lascelles, Richard
McLean, Mark
Ohm, Bill
Ober, Russell
Scully, Kevin
Twombly, Timothy

Griffin, Barbara
Moore, Craig
Danielson, David
Fromuth, Bart
Gould, Linda
Hopper, Gary
Rice, Kimberly
LeBrun, Donald
Murphy, Keith
Pierce, David
Renzullo, Andrew
Seidel, Carl
Ulery, Jordan

Biggie, Barbara
Carr, John
Dickey, Glen
Griffin, Gerald
Halstead, Carolyn
Belanger, James
Kurk, Neal
Lewicke, John
Negron, Steve
Proulx, Mark
Rouillard, Claire
Somero, Paul
Sullivan, Victoria

Burt, John
Christensen, Chris
Ferreira, Elizabeth
Smith, Gregory
Hellwig, Steve
Graham, John
L'Heureux, Robert
McCarthy, Michael
Notter, Jeanine
Prout, Andrew
Sanborn, Laurie
Wolf, Terry

MERRIMACK

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

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

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

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

ROCKINGHAM

Cook, Allen
Bates, David
Emerick, J. Tracy
Hagan, Joseph
O'Connor, John
Pearson, Mark
Milz, David
Gordon, Richard
Torosian, Peter
Wallace, Scott

Abrami, Patrick
Bove, Martin
Fesh, Robert
Hoelzel, Kathleen
Khan, Aboul
Major, Norman
Morrison, Sean
Sapareto, Frank
True, Chris
Webb, James

Allen, Mary
Costable, Michael
Green, Dennis
Itse, Daniel
Kolodziej, Walter
Manning, John
Nigrello, Robert
Spillane, James
Verville, Kevin
Weyler, Kenneth

Baldasaro, Alfred
Thomas, Douglas
Guthrie, Joseph
Edwards, Jess
Griffin, Mary
Matthews, Carolyn
Packard, Sherman
Sytek, John
Vose, Michael
Woitkun, Steven

STRAFFORD

Beaudoin, Steven
McNally, Jody
Scruton, Matthew

Harrington, Michael
Mullen, John
Spencer, Matthew

Kaczynski, Thomas
Pitre, Joseph
Wuelper, Kurt

Turcotte, Leonard
Graham, Robert

SULLIVAN

Laware, Thomas

Smith, Steven

NAYS - 175 BELKNAP

Spagnuolo, Philip

CARROLL

Butler, Edward
Marsh, William

Crawford, Karel

DesMarais, Edith

Knirk, Jerry

CHESHIRE

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

Ames, Richard
Harvey, Cathryn
Johnsen, Gladys
Stallcop, Joseph

Berch, Paul
Ley, Douglas
Meader, David
Pearson, William

Bordenet, John
Eaton, Daniel
Parkhurst, Henry
Weber, Lucy

COOS

Fothergill, John
Thomas, Yvonne

Moynihan, Wayne

Theberge, Robert

Tucker, Edith

GRAFTON

Abel, Richard
Boutin, Skylar
Ham, Bonnie
Maes, Kevin
Schwaegler, Vicki

Almy, Susan
Campion, Polly
Hennessey, Erin
Massimilla, Linda
Smith, Suzanne

Bailey, Brad
Darrow, Stephen
Higgins, Patricia
Mulligan, Mary Jane
Sykes, George

Bennett, Travis
Dontonville, Roger
Josephson, Timothy
Rand, Steven
White, Andrew

HILLSBOROUGH

Ayala, Jessica
Bouldin, Amanda
Cornell, Patricia
Edwards, Elizabeth
Goley, Jeffrey
Schmidt, Janice
King, Mark
MacKay, Mariellen
Martin, Joelle
Nutting, Allison
Long, Patrick
Rosenwald, Cindy
Van Houten, Connie

Backus, Robert
Chandlee, Shannon
Sullivan, Daniel
Elber, Joel
Heath, Mary
Jack, Martin
Klee, Patricia
MacKenzie, Mark
Martineau, Jesse
O'Brien, Michael
Panasiti, Reed
Harvey, Suzanne
Vann, Ivy

Baroody, Benjamin
Cleaver, Skip
DiSilvestro, Linda
Freitas, Mary
Herbert, Christopher
Judy, Jean
Leishman, Peter
Mangipudi, Latha
McNamara, Richard
O'Leary, Richard
Porter, Marjorie
Shaw, Barbara
Williams, Kermit

Beaulieu, Jane
Connors, Erika
Donovan, Daniel
Gargas, Carolyn
Hynes, Dan
Keane, Amelia
Lisle, David
Manley, Jonathan
Newman, Sue
O'Neil, William
Roberts, Carol
Smith, Timothy

MERRIMACK

Turcotte, Alan
Doherty, David
MacKay, James
Patten, Dick
Schultz, Kristina
Woolpert, David

Bartlett, Christy
Ebel, Karen
Kenison, Linda
Rodd, Beth
Shurtleff, Stephen

Carson, Clyde
Moffett, Howard
Luneau, David
Rogers, Katherine
Soucy, Timothy

Wolf, Dan
Henle, Paul
Myler, Mel
Schuett, Dianne
Walz, Mary Beth

ROCKINGHAM

Altschiller, Debra
Cali-Pitts, Jacqueline
Elliott, Robert
Janvrin, Jason
McKinney, Betsy
Gordon, Pamela
Stone, Brian
Willis, Brenda

Bean, Philip
Chase, Francis
Farnham, Betsey
Lerner, Kari
McMahon, Charles
Pantelakos, Laura
Le, Tamara

Berrien, Skip
Cushing, Robert Renny
Gay, Betty
Lovejoy, Patricia
Messmer, Mindi
Read, Ellen
Ward, Gerald

Cahill, Michael
DiLorenzo, Charlotte
Gilman, Julie
Malloy, Dennis
Murray, Kate
Somssich, Peter
Welch, David

STRAFFORD

Berube, Roger
Ellis, Donna
Grassie, Chuck
Smith, Marjorie
Southworth, Thomas

Bixby, Peter
Fontneau, Timothy
Horrigan, Timothy
Opderbecke, Linn
Treleaven, Susan

Burton, Wayne
Frost, Sherry
Keans, Sandra
Schmidt, Peter
Wall, Janet

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

SULLIVAN

Cloutier, John
Oxenham, Lee

Gagnon, Raymond
Rollins, Skip

Gottling, Suzanne
Sullivan, Brian

Grenier, James
Tanner, Linda

and the minority committee amendment failed.

(Speaker Chandler in the Chair)

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

Reps. Mark Pearson and Notter spoke against.

Reps. Hynes and Butler spoke in favor and yielded to questions.

Reps. Stone, Stallcop and Janvrin spoke in favor.

Rep. Sylvia requested a roll call; sufficiently seconded.

YEAS 195 - NAYS 129**YEAS - 195
BELKNAP**

Fields, Dennis

Spagnuolo, Philip

CARROLL

Butler, Edward
McConkey, Mark

Crawford, Karel
Schmidt, Stephen

DesMarais, Edith
Umberger, Karen

Knirk, Jerry
Marsh, William

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
Stallcop, Joseph

Bordenet, John
Eaton, Daniel
Meador, David
Pearson, William

COOS

Fothergill, John
Thomas, Yvonne

Moynihan, Wayne

Theberge, Robert

Tucker, Edith

GRAFTON

Abel, Richard
Boutin, Skylar
Ham, Bonnie
Maes, Kevin
Schwaegler, Vicki

Almy, Susan
Campion, Polly
Hennessey, Erin
Massimilla, Linda
Smith, Suzanne

Bailey, Brad
Darrow, Stephen
Higgins, Patricia
Mulligan, Mary Jane
Sykes, George

Bennett, Travis
Dontonville, Roger
Josephson, Timothy
Rand, Steven
White, Andrew

HILLSBOROUGH

Ayala, Jessica
Bouldin, Amanda
Connors, Erika
Donovan, Daniel
Smith, Gregory
Heath, Mary
Jack, Martin
Klee, Patricia
MacKay, Mariellen
Manley, Jonathan
Newman, Sue
O'Neil, William
Porter, Marjorie
Shaw, Barbara
Williams, Kermit

Backus, Robert
Chandlee, Shannon
Cornell, Patricia
Edwards, Elizabeth
Gargas, Carolyn
Herbert, Christopher
Judy, Jean
Ober, Lynne
McCarthy, Michael
Martin, Joelle
Nutting, Allison
Long, Patrick
Roberts, Carol
Smith, Timothy

Baroody, Benjamin
Christensen, Chris
Sullivan, Daniel
Elber, Joel
Goley, Jeffrey
Hynes, Dan
Keane, Amelia
Leishman, Peter
MacKenzie, Mark
Martineau, Jesse
O'Brien, Michael
Panasiti, Reed
Rosenwald, Cindy
Van Houten, Connie

Beaulieu, Jane
Cleaver, Skip
DiSilvestro, Linda
Freitas, Mary
Hansen, Peter
Schmidt, Janice
King, Mark
Lisle, David
Mangipudi, Latha
McNamara, Richard
O'Leary, Richard
Pierce, David
Harvey, Suzanne
Vann, Ivy

MERRIMACK

Turcotte, Alan
Wolf, Dan
Henle, Paul
Myler, Mel
Schuett, Dianne
Walz, Mary Beth

Bartlett, Christy
Doherty, David
MacKay, James
Patten, Dick
Schultz, Kristina
Woolpert, David

Carson, Clyde
Ebel, Karen
Kenison, Linda
Rodd, Beth
Shurtleff, Stephen

Long, Douglas
Moffett, Howard
Luneau, David
Rogers, Katherine
Soucy, Timothy

ROCKINGHAM

Allen, Mary
Bove, Martin
Cushing, Robert Renny
Farnham, Betsey
Janvrin, Jason
Malloy, Dennis
Milz, David
Pantelakos, Laura
Le, Tamara
Willis, Brenda

Altschiller, Debra
Cahill, Michael
DiLorenzo, Charlotte
Gay, Betty
Khan, Aboul
McKinney, Betsy
Murray, Kate
Read, Ellen
Vose, Michael

Bean, Philip
Cali-Pitts, Jacqueline
Elliott, Robert
Gilman, Julie
Lerner, Kari
McMahon, Charles
Nigrello, Robert
Somssich, Peter
Ward, Gerald

Berrien, Skip
Chase, Francis
Emerick, J. Tracy
Guthrie, Joseph
Lovejoy, Patricia
Messmer, Mindi
Gordon, Pamela
Stone, Brian
Welch, David

STRAFFORD

Berube, Roger
Ellis, Donna
Grassie, Chuck
Smith, Marjorie
Southworth, Thomas

Bixby, Peter
Fontneau, Timothy
Horrigan, Timothy
Opderbecke, Linn
Treleaven, Susan

Burton, Wayne
Frost, Sherry
Keans, Sandra
Schmidt, Peter
Wall, Janet

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

SULLIVAN

Cloutier, John
Oxenham, Lee

Gagnon, Raymond
Smith, Steven

Gottling, Suzanne
Sullivan, Brian

Grenier, James
Tanner, Linda

NAYS - 129**BELKNAP**

Abear, Marc
Fraser, Valerie
Silber, Norman

Aldrich, Glen
Howard, Raymond
Spanos, Peter

Comtois, Barbara
Lang, Timothy
Sylvia, Michael

Tilton, Franklin
Plumer, John
Vadney, Herbert

CARROLL

Avellani, Lino
Nelson, Bill

Comeau, Ed

Cordelli, Glenn

McCarthy, Frank

CHESHIRE

McConnell, James

O'Day, John

Sterling, Franklin

COOS

Merner, Troy

GRAFTON

Binford, David
Johnson, Tiffany

Brown, Duane

Ladd, Rick

Migliore, Vincent Paul

HILLSBOROUGH

Ammon, Keith
Byron, Frank
Danielson, David
Griffin, Gerald
Hellwig, Steve
Graham, John
Lascelles, Richard
Murphy, Keith
Prout, Andrew
Sanborn, Laurie
Wolf, Terry

Griffin, Barbara
Moore, Craig
Dickey, Glen
Gagne, Larry
Hinch, Richard
Moore, Josh
LeBrun, Donald
Negron, Steve
Ober, Russell
Scully, Kevin
Twombly, Timothy

Biggie, Barbara
Carr, John
Ferreira, Elizabeth
Gould, Linda
Hopper, Gary
Kurk, Neal
Lewicke, John
Notter, Jeanine
Renzullo, Andrew
Seidel, Carl
Ulery, Jordan

Burt, John
Christie, Rick
Freeman, Lisa
Halstead, Carolyn
Belanger, James
L'Heureux, Robert
McLean, Mark
Ohm, Bill
Rouillard, Claire
Somero, Paul
Sullivan, Victoria

MERRIMACK

Kuch, Bill
Hoell, J.R.
Moffett, Michael
Seaworth, Brian

Brewster, Michael
Horn, Werner
Marple, Richard
Walsh, Thomas

Copp, Anne
Klose, John
McGuire, Carol
Testerman, Dave

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

ROCKINGHAM

Cook, Allen
Costable, Michael
Hagan, Joseph
Kolodziej, Walter
Manning, John
Gordon, Richard
Torosian, Peter
Webb, James

Abrami, Patrick
Thomas, Douglas
Hoelzel, Kathleen
Griffin, Mary
Matthews, Carolyn
Sapareto, Frank
True, Chris
Weyler, Kenneth

Baldasaro, Alfred
Fesh, Robert
Itse, Daniel
Pearson, Mark
Morrison, Sean
Spillane, James
Verville, Kevin
Woitkun, Steven

Bates, David
Green, Dennis
O'Connor, John
Major, Norman
Packard, Sherman
Sytek, John
Wallace, Scott

STRAFFORD

Beaudoin, Steven
McNally, Jody
Scruton, Matthew

Harrington, Michael
Mullen, John
Spencer, Matthew

Kaczynski, Thomas
Pitre, Joseph
Wuelper, Kurt

Turcotte, Leonard
Graham, Robert

SULLIVAN

Laware, Thomas

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

MOTION TO REMOVE FROM THE TABLE

Rep. Marjorie Smith moved that **SB 33**, relative to the definition of political advocacy organization, be removed from the table.

Rep. Hoell requested a roll call; sufficiently seconded.

YEAS 149 - NAYS 174**YEAS - 149
BELKNAP**

Spagnuolo, Philip

CARROLL

DesMarais, Edith

Knirk, Jerry

CHESHIRE

Abbott, Michael
Harvey, Cathryn
Johnsen, Gladys
Pearson, William

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

Berch, Paul
Eaton, Daniel
Parkhurst, Henry

Burridge, Delmar
Faulkner, Barry
Shepardson, Marjorie

COOS

Moynihan, Wayne

Thomas, Yvonne

GRAFTON

Abel, Richard
Dontonville, Roger
Maes, Kevin
Smith, Suzanne

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

Bennett, Travis
Higgins, Patricia
Mulligan, Mary Jane
White, Andrew

Campion, Polly
Josephson, Timothy
Rand, Steven

HILLSBOROUGH

Ayala, Jessica
Bouldin, Amanda
Cornell, Patricia
Edwards, Elizabeth
Heath, Mary
Jeudy, Jean
Leishman, Peter
Mangipudi, Latha
McNamara, Richard
O'Leary, Richard
Roberts, Carol
Smith, Timothy

Backus, Robert
Chandley, Shannon
Sullivan, Daniel
Elber, Joel
Herbert, Christopher
Keane, Amelia
Lisle, David
Manley, Jonathan
Newman, Sue
O'Neil, William
Rosenwald, Cindy
Van Houten, Connie

Baroody, Benjamin
Cleaver, Skip
Danielson, David
Freitas, Mary
Schmidt, Janice
King, Mark
McCarthy, Michael
Martin, Joelle
Nutting, Allison
Long, Patrick
Harvey, Suzanne
Vann, Ivy

Beaulieu, Jane
Connors, Erika
DiSilvestro, Linda
Goley, Jeffrey
Jack, Martin
Klee, Patricia
MacKenzie, Mark
Martineau, Jesse
O'Brien, Michael
Porter, Marjorie
Shaw, Barbara
Williams, Kermit

MERRIMACK

Turcotte, Alan
Ebel, Karen
Kenison, Linda
Rodd, Beth
Shurtleff, Stephen

Bartlett, Christy
Moffett, Howard
Luneau, David
Rogers, Katherine
Soucy, Timothy

Carson, Clyde
Henle, Paul
Myler, Mel
Schuett, Dianne
Walz, Mary Beth

Doherty, David
MacKay, James
Patten, Dick
Schultz, Kristina
Woolpert, David

ROCKINGHAM

Altschiller, Debra
Cali-Pitts, Jacqueline
Gay, Betty
Messmer, Mindi
Pantelakos, Laura
Ward, Gerald

Bean, Philip
Cushing, Robert Renny
Lerner, Kari
Morrison, Sean
Read, Ellen

Berrien, Skip
DiLorenzo, Charlotte
Lovejoy, Patricia
Murray, Kate
Somssich, Peter

Cahill, Michael
Farnham, Betsey
Malloy, Dennis
Gordon, Pamela
Le, Tamara

STRAFFORD

Bixby, Peter
Fontneau, Timothy
Horrigan, Timothy
Opderbecke, Linn
Southworth, Thomas

Burton, Wayne
Frost, Sherry
Keans, Sandra
Schmidt, Peter
Treleaven, Susan

Cilley, Jacalyn
Gourgue, Amanda
Krans, Hamilton
Phinney, Brandon
Wall, Janet

Ellis, Donna
Grassie, Chuck
Smith, Marjorie
Scruton, Matthew

SULLIVAN

Cloutier, John
Oxenham, Lee

Gagnon, Raymond
Sullivan, Brian

Gottling, Suzanne
Tanner, Linda

Laware, Thomas

NAYS - 174 BELKNAP

Abear, Marc
Fields, Dennis
Plumer, John
Vadney, Herbert

Aldrich, Glen
Fraser, Valerie
Silber, Norman

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

CHESHIRE

Bordenet, John
Stallcop, Joseph

Hunt, John
Sterling, Franklin

McConnell, James

O'Day, John

COOS

Fothergill, John

Merner, Troy

Theberge, Robert

Tucker, Edith

GRAFTON

Bailey, Brad
Darrow, Stephen
Schwaegler, Vicki

Binford, David
Hennessey, Erin
Johnson, Tiffany

Boutin, Skylar
Ladd, Rick

Brown, Duane
Migliore, Vincent Paul

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Ammon, Keith
Byron, Frank
Christie, Rick
Freeman, Lisa
Gargas, Carolyn
Hellwig, Steve
Belanger, James
L'Heureux, Robert
Lewicke, John
Negron, Steve
Pierce, David
Sanborn, Laurie
Wolf, Terry

Griffin, Barbara
Moore, Craig
Dickey, Glen
Griffin, Gerald
Gould, Linda
Hinch, Richard
Graham, John
Ober, Lynne
MacKay, Mariellen
Notter, Jeanine
Prout, Andrew
Scully, Kevin
Twombly, Timothy

Biggie, Barbara
Carr, John
Donovan, Daniel
Smith, Gregory
Halstead, Carolyn
Hopper, Gary
Moore, Josh
Lascelles, Richard
McLean, Mark
Ohm, Bill
Renzullo, Andrew
Seidel, Carl
Ulery, Jordan

Burt, John
Christensen, Chris
Ferreira, Elizabeth
Gagne, Larry
Hansen, Peter
Hynes, Dan
Kurk, Neal
LeBrun, Donald
Murphy, Keith
Panasiti, Reed
Rouillard, Claire
Somero, Paul
Sullivan, Victoria

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
Bates, David
Thomas, Douglas
Gilman, Julie
Hoelzel, Kathleen
Khan, Aboul
Major, Norman
McMahon, Charles
Gordon, Richard
Sytek, John
Vose, Michael
Weyler, Kenneth

Abrami, Patrick
Bove, Martin
Elliott, Robert
Green, Dennis
Itse, Daniel
Kolodziej, Walter
Manning, John
Milz, David
Sapareto, Frank
Torosian, Peter
Wallace, Scott
Willis, Brenda

Allen, Mary
Chase, Francis
Emerick, J. Tracy
Guthrie, Joseph
Edwards, Jess
Griffin, Mary
Matthews, Carolyn
Nigrello, Robert
Spillane, James
True, Chris
Webb, James
Woitkun, Steven

Baldasaro, Alfred
Costable, Michael
Fesh, Robert
Hagan, Joseph
O'Connor, John
Pearson, Mark
McKinney, Betsy
Packard, Sherman
Stone, Brian
Verville, Kevin
Welch, David

STRAFFORD

Beaudoin, Steven
Turcotte, Leonard
Graham, Robert

Berube, Roger
McNally, Jody
Spencer, Matthew

Harrington, Michael
Mullen, John
Wuelper, Kurt

Kaczynski, Thomas
Pitre, Joseph

SULLIVAN

Grenier, James
and the motion failed.

Rollins, Skip

Smith, Steven

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Timothy Smith moved that the House reconsider its action whereby, on a roll call vote of 195-129, the House adopted the majority committee report of Ought to Pass on **HB 1319**, prohibiting discrimination based on gender identity.

Rep. Timothy Smith spoke against.

Motion failed.

REGULAR CALENDAR - PART II CONT'D

HB 1323, relative to employment of chief executive officers under the right-to-know law. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Kurt Wuelper for the Majority of Judiciary. This bill seeks to make all actions, hiring, discipline, firing, etc., regarding those who head departments (police and fire chiefs, school superintendents, public works directors, etc.) at all levels of our government, subject to the openness required by the Right-to-Know law. The majority generally agreed that there should be more openness, but also recognized that such employees' careers could be destroyed by unfounded but openly publicized allegations and amended the bill to provide some protections against that scenario. Recognizing this bill might reduce the applicants for some positions, we believe the increased transparency it provides is more valuable. Vote 10-8.

Rep. Debra Altschiller for the Minority of Judiciary. This bill seeks to classify any public employee who is directly supervised by a public body (such as a municipal select board or a state government commission) as a "chief executive officer" and subsequently have all of their personnel information be subject to RSA 91-A. The committee heard testimony from the N.H. School Boards Association that in the many searches for school superintendents conducted in N.H., candidates wish to remain anonymous unless and until they are a finalist for the job. This is also a common practice for chiefs of police and most recently for the newly formed Office of the Child Advocate. The effect of making the entire process from the beginning of the application process through to the final hire open to the public would result in a serious shrinking of the talent pool of applicants as people would be reluctant to apply for these positions that would immediately inform their current employer that they were considering leaving. The minority believes our elected officials should be trusted to the jobs they were elected to do, which includes conducting professional searches, assembling the best possible pool of candidates and hiring the most qualified person from that pool on behalf of the citizens who elected them. This bill is a solution in search of a problem that the committee heard no specific testimony to explain its necessity. We recommend trusting local voters and their officials continue hiring with privacy afforded to potential candidates until they make the final round of hiring as is current practice.

Majority Amendment (0631h)

Amend the bill by replacing sections 1 and 2 with the following:

1 New Paragraph; Right-to-Know; Definitions. Amend RSA 91-A:1-a by inserting after paragraph I the following new paragraph:

I-a. "Chief executive officer" means any public employee, including, but not limited to, any police or fire chief, who is directly supervised by a public body.

2 Right-to-Know; Nonpublic Sessions. Amend RSA 91-A:3, II(a) and (b) to read as follows:

(a) ***Except as provided in subparagraph (b), the hiring, dismissal, promotion, or compensation of any public employee or the disciplining of such employee, or the investigation of any charges against him or her, unless the employee affected (1) has a right to a meeting and (2) requests that the meeting be open, in which case the request shall be granted.***

(b) ~~[The hiring of any person as a public employee]~~ ***If the public employee is a chief executive officer, only the disciplining of such employee or the investigation of any charges against him or her shall be held in nonpublic session, unless the chief executive officer (1) has a right to a meeting and (2) requests that the meeting be open, in which case the request shall be granted.***

Majority committee amendment adopted.

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

Rep. Altschiller spoke against and yielded to questions.

Rep. Sylvia spoke in favor.

Rep. White requested a roll call; sufficiently seconded.

YEAS 132 - NAYS 185

YEAS - 132

BELKNAP

Abear, Marc
Howard, Raymond
Spanos, Peter

Aldrich, Glen
Lang, Timothy
Sylvia, Michael

Comtois, Barbara
Plumer, John

Tilton, Franklin
Silber, Norman

CARROLL

Avellani, Lino
McConkey, Mark

Comeau, Ed
Nelson, Bill

Cordelli, Glenn
Schmidt, Stephen

McCarthy, Frank
Umberger, Karen

CHESHIRE

O'Day, John

Stallcop, Joseph

COOS

Merner, Troy

Theberge, Robert

GRAFTON

Bailey, Brad
Migliore, Vincent Paul

Binford, David
Schwaegler, Vicki

Brown, Duane
Johnson, Tiffany

Hennessey, Erin

HILLSBOROUGH

Ammon, Keith
Byron, Frank
Donovan, Daniel
Griffin, Gerald
Hansen, Peter
Moore, Josh
MacKay, Mariellen
Notter, Jeanine
Renzullo, Andrew
Seidel, Carl
Sullivan, Victoria

Griffin, Barbara
Moore, Craig
Edwards, Elizabeth
Gagne, Larry
Hellwig, Steve
L'Heureux, Robert
McLean, Mark
Ohm, Bill
Rouillard, Claire
Somero, Paul

Biggie, Barbara
Christie, Rick
Ferreira, Elizabeth
Gould, Linda
Hopper, Gary
Lascelles, Richard
Murphy, Keith
Proulx, Mark
Sanborn, Laurie
Twombly, Timothy

Burt, John
Dickey, Glen
Freeman, Lisa
Halstead, Carolyn
Hynes, Dan
Lewicke, John
Negron, Steve
Prout, Andrew
Scully, Kevin
Ulery, Jordan

MERRIMACK

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

Brewster, Michael
Hoell, J.R.
Marple, Richard
Walsh, Thomas

Copp, Anne
Klose, John
McGuire, Carol
Testerman, Dave

Long, Douglas
Kotowski, Frank
Pearl, Howard
Wells, Natalie

ROCKINGHAM

Cook, Allen
Bates, David
Elliott, Robert
Hagan, Joseph
Kolodziej, Walter
McKinney, Betsy
Sapareto, Frank
True, Chris
Weyler, Kenneth

Abrami, Patrick
Chase, Francis
Emerick, J. Tracy
Itse, Daniel
Griffin, Mary
Nigrello, Robert
Spillane, James
Verville, Kevin

Allen, Mary
Costable, Michael
Fesh, Robert
Edwards, Jess
Major, Norman
Packard, Sherman
Stone, Brian
Vose, Michael

Baldasaro, Alfred
Thomas, Douglas
Green, Dennis
Khan, Aboul
Matthews, Carolyn
Gordon, Richard
Torosian, Peter
Wallace, Scott

STRAFFORD

Beaudoin, Steven
McNally, Jody
Spencer, Matthew

Harrington, Michael
Phinney, Brandon
Wuelper, Kurt

Kaczynski, Thomas
Pitre, Joseph

Turcotte, Leonard
Graham, Robert

SULLIVAN

Laware, Thomas

Rollins, Skip

Smith, Steven

NAYS - 185**BELKNAP**

Fields, Dennis

Spagnuolo, Philip

Vadney, Herbert

CARROLL

Butler, Edward
Marsh, William

Crawford, Karel

DesMarais, Edith

Knirk, Jerry

CHESHIRE

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

Ames, Richard
Harvey, Cathryn
Hunt, John
Shepardson, Marjorie

Berch, Paul
Ley, Douglas
McConnell, James
Sterling, Franklin

Bordenet, John
Eaton, Daniel
Meador, David
Pearson, William

COOS

Fothergill, John
Thomas, Yvonne

Moynihan, Wayne

Richardson, Herbert

Tucker, Edith

GRAFTON

Abel, Richard
Darrow, Stephen
Josephson, Timothy
Mulligan, Mary Jane
White, Andrew

Almy, Susan
Dontonville, Roger
Ladd, Rick
Rand, Steven

Bennett, Travis
Ham, Bonnie
Maes, Kevin
Smith, Suzanne

Campion, Polly
Higgins, Patricia
Massimilla, Linda
Sykes, George

HILLSBOROUGH

Ayala, Jessica
Bouldin, Amanda
Cleaver, Skip
Danielson, David
Smith, Gregory
Hinch, Richard
Jack, Martin
Klee, Patricia
McCarthy, Michael
Martin, Joelle
Nutting, Allison
Long, Patrick
Roberts, Carol
Smith, Timothy
Williams, Kermit

Backus, Robert
Carr, John
Connors, Erika
DiSilvestro, Linda
Goley, Jeffrey
Belanger, James
Judy, Jean
Kurk, Neal
MacKenzie, Mark
Martineau, Jesse
O'Brien, Michael
Panasiti, Reed
Rosenwald, Cindy
Wolf, Terry

Baroody, Benjamin
Chandley, Shannon
Cornell, Patricia
Elber, Joel
Heath, Mary
Graham, John
Keane, Amelia
Leishman, Peter
Mangipudi, Latha
McNamara, Richard
O'Leary, Richard
Pierce, David
Harvey, Suzanne
Van Houten, Connie

Beaulieu, Jane
Christensen, Chris
Sullivan, Daniel
Freitas, Mary
Herbert, Christopher
Schmidt, Janice
King, Mark
Lisle, David
Manley, Jonathan
Newman, Sue
O'Neil, William
Porter, Marjorie
Shaw, Barbara
Vann, Ivy

MERRIMACK

Turcotte, Alan
Doherty, David
Horn, Werner
Myler, Mel
Schuett, Dianne
Walz, Mary Beth

Bartlett, Christy
Ebel, Karen
MacKay, James
Patten, Dick
Schultz, Kristina
Woolpert, David

Carson, Clyde
Moffett, Howard
Kenison, Linda
Rodd, Beth
Shurtleff, Stephen

Wolf, Dan
Henle, Paul
Luneau, David
Rogers, Katherine
Soucy, Timothy

ROCKINGHAM

Altschiller, Debra
Cahill, Michael
Farnham, Betsey
Hoelzel, Kathleen
Lovejoy, Patricia
Messmer, Mindi
Gordon, Pamela
Sytek, John
Welch, David

Bean, Philip
Cali-Pitts, Jacqueline
Gay, Betty
Janvrin, Jason
Pearson, Mark
Milz, David
Pantelakos, Laura
Le, Tamara
Willis, Brenda

Berrien, Skip
Cushing, Robert Renny
Gilman, Julie
O'Connor, John
Malloy, Dennis
Morrison, Sean
Read, Ellen
Ward, Gerald

Bove, Martin
DiLorenzo, Charlotte
Guthrie, Joseph
Lerner, Kari
McMahon, Charles
Murray, Kate
Somssich, Peter
Webb, James

STRAFFORD

Bixby, Peter
Frost, Sherry
Keans, Sandra
Opderbecke, Linn
Treleaven, Susan

Burton, Wayne
Gourgue, Amanda
Krans, Hamilton
Schmidt, Peter
Wall, Janet

Cilley, Jacalyn
Grassie, Chuck
Smith, Marjorie
Scruton, Matthew

Fontneau, Timothy
Horrigan, Timothy
Mullen, John
Southworth, Thomas

SULLIVAN

Cloutier, John
Oxenham, Lee

Gagnon, Raymond
Sullivan, Brian

Gottling, Suzanne
Tanner, Linda

Grenier, James

and the majority committee report failed.

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

HB 1344, relative to collective bargaining under the right-to-know law. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Kurt Wuelper for the Majority of Judiciary: This bill seeks to make public bodies' negotiating meetings truly public by removing their exemption from the Right-to-Know law. The majority agreed that the taxpayers, those who pay all the participants, who will bear the costs of the final agreement, should be able to judge for themselves the values presented by both sides during the actual negotiations. We think this will give citizens better understanding of the issues and a real opportunity to evaluate the performance of their representatives, whatever side they are on. We also expect the tenor of negotiations may improve when everything said is a matter of public record. Note: public bodies retain the ability to develop strategies in non-public meetings. Vote 9-7.

Rep. Linda Kenison for the Minority of Judiciary. Collective bargaining negotiations have always been exempt from the Right-to-Know Law. The ability to negotiate in private fosters compromise. This is essential to resolving

and avoiding impasses. Public negotiating sessions would likely lead to grandstanding and hardening of positions on both sides, making it more difficult and delaying an agreement. Trying to draw a distinction between “strategy” which is exempt under the Right-to-Know law, and requiring “negotiation” to take place privately. Under this bill these sessions would seesaw constantly between a public meeting and a non-meeting and would make compliance difficult and record keeping almost impossible. This bill would have no impact on municipalities who appoint a non-member to negotiate with the union. However, this bill would be especially deleterious for those towns where select boards negotiate directly with the unions, which would require public negotiation.

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

Reps. Kenison and Ley spoke against.

Rep. Wuelper spoke in favor.

Rep. Leonard Turcotte requested a roll call; sufficiently seconded.

YEAS 125 - NAYS 189

YEAS - 125

BELKNAP

Aldrich, Glen
Silber, Norman

Comtois, Barbara
Spanos, Peter

Howard, Raymond
Sylvia, Michael

Plumer, John

CARROLL

Avellani, Lino
McConkey, Mark

Comeau, Ed
Umberger, Karen

Cordelli, Glenn

McCarthy, Frank

CHESHIRE

Hunt, John

McConnell, James

O'Day, John

Stallcop, Joseph

COOS

Theberge, Robert

GRAFTON

Bailey, Brad
Hennessey, Erin

Binford, David
Migliore, Vincent Paul

Brown, Duane
Schwaegler, Vicki

Ham, Bonnie
Johnson, Tiffany

HILLSBOROUGH

Ammon, Keith
Carr, John
Ferreira, Elizabeth
Gagne, Larry
Hansen, Peter
Hynes, Dan
Lewicke, John
Negron, Steve
Renzullo, Andrew
Seidel, Carl
Sullivan, Victoria

Biggie, Barbara
Christie, Rick
Freeman, Lisa
Gargas, Carolyn
Hellwig, Steve
Moore, Josh
MacKay, Mariellen
Notter, Jeanine
Rouillard, Claire
Somero, Paul

Burt, John
Dickey, Glen
Griffin, Gerald
Gould, Linda
Hinch, Richard
Kurk, Neal
McLean, Mark
Panasiti, Reed
Sanborn, Laurie
Twombly, Timothy

Moore, Craig
Donovan, Daniel
Smith, Gregory
Halstead, Carolyn
Hopper, Gary
L'Heureux, Robert
Murphy, Keith
Prout, Andrew
Scully, Kevin
Ulery, Jordan

MERRIMACK

Kuch, Bill
Hill, Gregory
Marple, Richard
Walsh, Thomas

Brewster, Michael
Hoell, J.R.
McGuire, Carol
Testerman, Dave

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

Long, Douglas
Moffett, Michael
Seaworth, Brian

ROCKINGHAM

Cook, Allen
Bates, David
Fesh, Robert
Hoelzel, Kathleen
Griffin, Mary
McKinney, Betsy
Spillane, James
Verville, Kevin

Abrami, Patrick
Costable, Michael
Gay, Betty
Itse, Daniel
Major, Norman
Nigrello, Robert
Stone, Brian
Vose, Michael

Allen, Mary
Thomas, Douglas
Green, Dennis
Edwards, Jess
Manning, John
Packard, Sherman
Torosian, Peter
Wallace, Scott

Baldasaro, Alfred
Emerick, J. Tracy
Hagan, Joseph
Kolodziej, Walter
Matthews, Carolyn
Gordon, Richard
True, Chris
Weyler, Kenneth

STRAFFORD

Beaudoin, Steven
McNally, Jody
Wuelper, Kurt

Harrington, Michael
Phinney, Brandon

Kaczynski, Thomas
Graham, Robert

Turcotte, Leonard
Spencer, Matthew

SULLIVAN

Rollins, Skip

Smith, Steven

NAYS - 189 BELKNAP

Abear, Marc
Spagnuolo, Philip

Tilton, Franklin
Vadney, Herbert

Fields, Dennis

Lang, Timothy

CARROLL

Butler, Edward
Nelson, Bill

Crawford, Karel
Schmidt, Stephen

DesMarais, Edith
Marsh, William

Knirk, Jerry

CHESHIRE

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

Ames, Richard
Harvey, Cathryn
Meader, David
Pearson, William

Berch, Paul
Ley, Douglas
Parkhurst, Henry
Weber, Lucy

Bordenet, John
Eaton, Daniel
Shepardson, Marjorie

COOS

Merner, Troy
Thomas, Yvonne

Moynihan, Wayne

Richardson, Herbert

Tucker, Edith

GRAFTON

Abel, Richard
Darrow, Stephen
Ladd, Rick
Rand, Steven

Almy, Susan
Dontonville, Roger
Maes, Kevin
Smith, Suzanne

Bennett, Travis
Higgins, Patricia
Massimilla, Linda
Sykes, George

Campion, Polly
Josephson, Timothy
Mulligan, Mary Jane
White, Andrew

HILLSBOROUGH

Ayala, Jessica
Beaulieu, Jane
Christensen, Chris
Sullivan, Daniel
Freitas, Mary
Belanger, James
Judy, Jean
Lascelles, Richard
MacKenzie, Mark
Martineau, Jesse
O'Brien, Michael
Long, Patrick
Roberts, Carol
Smith, Timothy
Williams, Kermit

Griffin, Barbara
Bouldin, Amanda
Cleaver, Skip
Danielson, David
Goley, Jeffrey
Graham, John
Keane, Amelia
Leishman, Peter
Mangipudi, Latha
McNamara, Richard
O'Leary, Richard
Pierce, David
Rosenwald, Cindy
Wolf, Terry

Backus, Robert
Byron, Frank
Connors, Erika
DiSilvestro, Linda
Heath, Mary
Schmidt, Janice
King, Mark
Lisle, David
Manley, Jonathan
Newman, Sue
O'Neil, William
Porter, Marjorie
Harvey, Suzanne
Van Houten, Connie

Baroody, Benjamin
Chandley, Shannon
Cornell, Patricia
Elber, Joel
Herbert, Christopher
Jack, Martin
Klee, Patricia
McCarthy, Michael
Martin, Joelle
Nutting, Allison
Ohm, Bill
Proulx, Mark
Shaw, Barbara
Vann, Ivy

MERRIMACK

Turcotte, Alan
Doherty, David
Horn, Werner
Luneau, David
Rogers, Katherine
Soucy, Timothy

Bartlett, Christy
Ebel, Karen
MacKay, James
Myler, Mel
Schuett, Dianne
Walz, Mary Beth

Carson, Clyde
Moffett, Howard
Kenison, Linda
Patten, Dick
Schultz, Kristina
Woolpert, David

Wolf, Dan
Henle, Paul
Kotowski, Frank
Rodd, Beth
Shurtleff, Stephen

ROCKINGHAM

Altschiller, Debra
Cahill, Michael
Elliott, Robert
Janvrin, Jason
Lovejoy, Patricia
Messmer, Mindi
Gordon, Pamela
Sytek, John
Welch, David

Bean, Philip
Cali-Pitts, Jacqueline
Farnham, Betsey
O'Connor, John
Pearson, Mark
Milz, David
Pantelakos, Laura
Le, Tamara
Willis, Brenda

Berrien, Skip
Cushing, Robert Renny
Gilman, Julie
Khan, Aboul
Malloy, Dennis
Morrison, Sean
Read, Ellen
Ward, Gerald

Bove, Martin
DiLorenzo, Charlotte
Guthrie, Joseph
Lerner, Kari
McMahon, Charles
Murray, Kate
Somssich, Peter
Webb, James

STRAFFORD

Bixby, Peter
Frost, Sherry
Keans, Sandra
Opderbecke, Linn
Treleaven, Susan

Burton, Wayne
Gourgue, Amanda
Krans, Hamilton
Schmidt, Peter
Wall, Janet

Cilley, Jacalyn
Grassie, Chuck
Smith, Marjorie
Scruton, Matthew

Fontneau, Timothy
Horrigan, Timothy
Mullen, John
Southworth, Thomas

SULLIVAN

Cloutier, John
Laware, Thomas

Gagnon, Raymond
Oxenham, Lee

Gottling, Suzanne
Sullivan, Brian

Grenier, James
Tanner, Linda

and the majority committee report failed.

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

SPECIAL ORDERED

Without objection, the Speaker made the remaining bills on today's calendar Special Orders for the Session of March 15, 2018.

RESOLUTION

Rep. Hinch offered the following: RESOLVED, that the House now adjourn from the early session, that the business of the late session be in order at the present time, that the reading of bills be by title only and resolutions by caption only and that all bills ordered to third reading be read a third time by this resolution, and that all titles of bills be the same as adopted, and that they be passed at the present time, and when the House adjourns today it be to meet, Thursday, March 15, 2018 at 9:30 a.m.
Motion adopted.

LATE SESSION

Third Reading and Final Passage

HB 1766-FN, relative to remediating the Coakley Landfill in Greenland.

HB 1685-FN, establishing a statutory commission for oversight over occupational regulation.

HB 1626-FN, requiring the governor's commission on alcohol and drug abuse prevention, treatment, and recovery to report on the cost effectiveness of funded programs.

HB 1756-FN-A, relative to an additional allowance and a cost of living adjustment for retirees from the state retirement system.

HB 1506-FN, relative to regulation of graduate physicians.

HB 1319, prohibiting discrimination based on gender identity.

UNANIMOUS CONSENT

Rep. Walz requested Unanimous Consent of the House regarding an apology and addressed the House.

Rep. Barbara Griffin requested Unanimous Consent of the House regarding an apology and addressed the House.

RECESS MOTION

Rep. Hinch moved that the House stand in recess for the purposes of the introduction of bills, receiving Senate messages, enrolled bill amendments and enrolled bill reports.
Motion adopted.

The House recessed at 1:55 p.m.

RECESS

(Rep. Wells in the Chair)

ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled Senate Bill numbered 215.

Rep. Hinch, Sen. Avarad for the Committee

SENATE MESSAGES

CONCURRENCE

HB 1334, establishing a commission to review the structure of motor vehicle laws.

RECESS

(Speaker Chandler in the Chair)

RESOLUTION

Rep. Packard offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, Senate Bills numbered 55, 63, 84, 87, 91, 92, 112, 164, 165, 170, 172, 189, 199, 240, 300, 303, 310, 311, 312, 313, 315, 316, 319, 320, 321, 324, 326, 327, 328, 332, 333, 334, 336, 339, 341, 345, 348, 349, 356, 358, 359, 360, 363, 366, 367, 368, 369, 372, 374, 376, 377, 378, 379, 380, 382, 384, 385, 386, 387, 389, 390, 392, 393, 396, 398, 399, 402, 406, 407, 415, 416, 417, 424, 425, 428, 429, 433, 434, 435, 436, 437, 441, 442, 444, 445, 448, 456, 468, 469, 470, 471, 473, 474, 476, 477, 479, 481, 482, 483, 484, 485, 486, 488, 489, 493, 496, 502, 503, 504, 505, 507, 508, 510, 512, 513, 514, 515, 516, 517, 518, 519, 524, 531, 534, 536, 539, 544, 549, 561, 574, 575, 579, 580 and 591 shall be by this resolution read a first and second time by the therein listed titles and referred to the therein designated committees.

Motion adopted.

INTRODUCTION OF SENATE BILLS

First, second reading and referral

SB 55, relative to the servicing of backflow devices and arrest powers of fire marshals. (Executive Departments and Administration)

SB 63, relative to record management of abuse and neglect reports and establishing a pilot program regarding electronic storage of abuse and neglect records. (Children and Family Law)

SB 84, relative to payment of workers' compensation benefits by direct deposit and authorizing electronic payment of payroll. (Labor, Industrial and Rehabilitative Services)

SB 87-FN, relative to on-premises sales by liquor manufacturers. (Commerce and Consumer Affairs)

SB 91, relative to the title loan default process. (Commerce and Consumer Affairs)

SB 92, relative to the consumer complaint process at the banking department. (Commerce and Consumer Affairs)

SB 112, establishing a council on the creative economy. (Commerce and Consumer Affairs)

SB 164-FN, establishing a commission to study repealing the statute of limitations and limitations on actions for sexual assault. (Criminal Justice and Public Safety)

SB 165-FN, authorizing periodic payments as security after a motor vehicle accident. (Transportation)

SB 170, relative to the authority of towns to issue bonds for the expansion of broadband infrastructure. (Municipal and County Government)

SB 172-FN, relative to non-menace dams. (Resources, Recreation and Development)

SB 189-FN, requiring insurance policies to cover 3-D mammography. (Commerce and Consumer Affairs).

SB 199, relative to limited driving privileges after an administrative license suspension. (Criminal Justice and Public Safety)

SB 240-FN-L, relative to the monitoring and treatment of contaminated wells. (Resources, Recreation and Development)

SB 300, naming a certain bridge connecting Dover and Newington the Ruth L. Griffin bridge. (Public Works and Highways)

SB 303, relative to a security freeze on a consumer's credit report. (Commerce and Consumer Affairs)

SB 310-FN, establishing a committee to study the feasibility of establishing community-based services pilot programs. (Children and Family Law)

SB 311, clarifying rules of construction under the New Hampshire Trust Code. (Commerce and Consumer Affairs)

SB 312, clarifying the New Hampshire Foundation Act. (Commerce and Consumer Affairs)

SB 313-FN, reforming New Hampshire's Medicaid and Premium Assistance Program, establishing the granite workforce pilot program, and relative to certain liquor funds. (Health, Human Services and Elderly Affairs)

SB 315, relative to the definitions of beverage and of mead. (Commerce and Consumer Affairs)

SB 316, relative to the regulation of online auctions. (Commerce and Consumer Affairs)

SB 319, relative to exempt securities. (Commerce and Consumer Affairs)

SB 320, relative to checklists used at elections. (Election Law)

SB 321, relative to group host net energy metering. (Science, Technology and Energy)

SB 324-FN, allowing an optional retirement system allowance to include a subsequent remarriage of a divorced retiree. (Executive Departments and Administration)

SB 326, relative to the functions of the division of historical resources. (Executive Departments and Administration)

SB 327, relative to the medical review subcommittee of the board of medicine and time limits for allegations of professional misconduct before the board. (Executive Departments and Administration)

SB 328, relative to attorney general membership on certain committees and repealing the criminal justice information system. (Executive Departments and Administration)

SB 332, relative to medication synchronization. (Commerce and Consumer Affairs)

SB 333, relative to pharmacy interns and vaccinations. (Health, Human Services and Elderly Affairs)

SB 334-FN, relative to temporary licenses for occupations and professions for persons from other states. (Executive Departments and Administration)

SB 336, relative to the judicial district for the towns of Waterville and Livermore. (Judiciary)

SB 339, relative to voting by zoning boards of adjustment. (Municipal and County Government)

SB 341, relative to the veterans' property tax credit for service-connected disability. (Municipal and County Government)

SB 345, naming a bridge in the town of Lincoln in honor of the Clark Family. (Public Works and Highways)

SB 348, relative to senior-specific certifications or designations for securities broker-dealers. (Commerce and Consumer Affairs)

SB 349, relative to course requirements in a career and technical education program. (Education)

SB 356, adding a representative from the community college system to the apprenticeship advisory council. (Labor, Industrial and Rehabilitative Services)

SB 358, relative to reorganization of the department of education. (Education)

- SB 359**, relative to notice to school districts of out-of-home placements. (Children and Family Law)
- SB 360**, establishing a commission to study whether the department of education should be required to conduct criminal history records checks, via a fingerprint check, on all applicants for teacher certification. (Education)
- SB 363**, prohibiting political expenditures by foreign nationals. (Election Law)
- SB 366**, relative to members of the site evaluation committee. (Science, Technology and Energy)
- SB 367**, relative to public utilities commission review of group host agreements. (Science, Technology and Energy)
- SB 368**, establishing an exemption from shoreland protection permitting requirements for maintenance and repairs of existing roads and for borings and test wells. (Resources, Recreation and Development)
- SB 369-FN**, relative to the publication of the rulemaking register. (Legislative Administration)
- SB 372-FN-A**, establishing positions in the office of professional licensure and certification and making an appropriation therefor. (Executive Departments and Administration)
- SB 374**, relative to adoption of emergency medical and trauma services protocols. (Executive Departments and Administration)
- SB 376-FN**, relative to the sale of certain cold medications. (Health, Human Services and Elderly Affairs)
- SB 377-FN**, relative to the regulation of dentists and dental hygienists by the board of dental examiners. (Executive Departments and Administration)
- SB 378-FN**, relative to an exemption from the board of registration of medical technicians. (Executive Departments and Administration)
- SB 379**, relative to retroactive denials of previously paid claims. (Commerce and Consumer Affairs)
- SB 380**, relative to the therapeutic use of cannabis. (Health, Human Services and Elderly Affairs)
- SB 382**, relative to withdrawal from cooperative school districts. (Education)
- SB 384**, relative to written certification under the use of cannabis for therapeutic purposes law. (Health, Human Services and Elderly Affairs)
- SB 385**, establishing a foster care children's bill of rights. (Children and Family Law)
- SB 386**, relative to access to criminal records. (Criminal Justice and Public Safety)
- SB 387-FN**, relative to liability of governmental units. (Judiciary)
- SB 389**, relative to administrative fees on restitution. (Judiciary)
- SB 390-FN**, establishing the office of solicitor general in the department of justice and establishing an unclassified attorney position in the department of justice. (Executive Departments and Administration)
- SB 392**, establishing a commission to study and evaluate the impact of the discharge of state prisoners. (Criminal Justice and Public Safety)
- SB 393**, relative to county audits and performance audits. (Municipal and County Government)
- SB 396-FN**, relative to gold star number plates. (Transportation)
- SB 398**, relative to information contained in certain motor vehicle records. (Transportation)
- SB 399**, naming a bridge in Concord in honor of David E. Powelson. (Public Works and Highways)
- SB 402**, naming a portion of route 110 in Berlin in honor of Anthony B. Urban. (Public Works and Highways)
- SB 406-FN**, requiring background checks for access to Internal Revenue Service federal tax information. (Executive Departments and Administration)
- SB 407**, relative to membership of the McAuliffe-Shepard discovery center board. (Executive Departments and Administration)
- SB 415**, relative to condominium unit owners' special meetings. (Commerce and Consumer Affairs)
- SB 416**, relative to transportation network company drivers. (Commerce and Consumer Affairs)
- SB 417**, relative to days of rest for employees of recreation camps and youth skill camps. (Labor, Industrial and Rehabilitative Services)
- SB 424**, relative to property and casualty insurance. (Commerce and Consumer Affairs)
- SB 425**, relative to limited liability companies. (Commerce and Consumer Affairs)
- SB 428**, relative to the payment of weekly and biweekly wages. (Labor, Industrial and Rehabilitative Services)
- SB 429-FN**, establishing a consumer services program within the insurance department. (Commerce and Consumer Affairs)
- SB 433**, relative to the annual filing of statistical reports to the department of education. (Education)
- SB 434**, relative to school nurse certification. (Education)
- SB 435**, relative to alternative programs for granting credit leading to graduation. (Education)
- SB 436**, relative to tuition in the community college system. (Education)
- SB 437**, relative to the robotics education development program. (Education)
- SB 441**, relative to final grades in schools. (Education)
- SB 442**, relative to surety indemnification requirements for private postsecondary career schools. (Education)
- SB 444**, relative to cutting timber near certain waters and public highways. (Resources, Recreation and Development)
- SB 445**, designating the Warner River as a protected river. (Resources, Recreation and Development)

SB 448, establishing a commission to study the establishment of a state department of energy. (Science, Technology and Energy)

SB 456, relative to the appointment of the state medical director for emergency medical services. (Executive Departments and Administration)

SB 468-FN-A, relative to fines and penalties collected by the department of environmental services. (Ways and Means)

SB 469, relative to the appropriation of funds from the equipment inventory fund. (Public Works and Highways)

SB 470-FN, relative to positions within the insurance department. (Executive Departments and Administration)

SB 471, relative to the authority of municipalities to address potential natural threats. (Municipal and County Government)

SB 473, relative to employment contract restrictions upon health care providers. (Commerce and Consumer Affairs)

SB 474, establishing a committee to study group home rate parity. (Health, Human Services and Elderly Affairs)

SB 476, establishing a committee to study reinstituting the unemployed parent program. (Health, Human Services and Elderly Affairs)

SB 477, establishing a therapeutic cannabis medical oversight board. (Health, Human Services and Elderly Affairs)

SB 479, relative to the oversight commission on children's services and relative to the commission to review child abuse fatalities. (Children and Family Law)

SB 481, establishing a committee to study the impact of pharmacy benefit manager operations on cost, administration, and distribution of prescription drugs. (Health, Human Services and Elderly Affairs)

SB 482-FN, relative to confidential emergency medical and trauma services data. (Executive Departments and Administration)

SB 483, relative to procedures for dispensing controlled drugs. (Health, Human Services and Elderly Affairs)

SB 484, reestablishing the commission to address child hunger in New Hampshire. (Health, Human Services and Elderly Affairs)

SB 485, establishing a committee to study the relationship between concierge medicine and New Hampshire and federal health insurance law. (Commerce and Consumer Affairs)

SB 486, establishing a commission to study enhancing the prescription drug donation program. (Health, Human Services and Elderly Affairs)

SB 488, relative to licensure of health care professionals employed at the Manchester Veterans Affairs Medical Center. (Executive Departments and Administration)

SB 489, establishing a committee to study parental alienation in New Hampshire. (Children and Family Law)

SB 493, establishing a committee to study the codification of the exculpatory evidence schedule and related law enforcement protocols. (Judiciary)

SB 496-FN, relative to mediation for certain child support arrearages. (Children and Family Law)

SB 502-FN, relative to transparency and standards for acquisition transactions in health care. (Commerce and Consumer Affairs)

SB 503, relative to increasing the maximum amount of the optional veterans' tax credit. (Municipal and County Government)

SB 504-FN, relative to sales of tax-deeded property. (Municipal and County Government)

SB 505, requiring abutter notice of the construction of a crematory. (Municipal and County Government)

SB 507, proclaiming June as post-traumatic stress injury (PTSI) awareness month. (Executive Departments and Administration)

SB 508, establishing a committee to study the prevalence of post-traumatic stress disorder (PTSD) and other related disorders among first responders. (Executive Departments and Administration)

SB 510, relative to municipal notice of leases on tax-exempt property. (Municipal and County Government)

SB 512, relative to compact sections of towns. (Transportation)

SB 513, establishing September as New Hampshire recovery month. (Executive Departments and Administration)

SB 514-FN, establishing a commission to create a New Hampshire recovery memorial. (Public Works and Highways)

SB 516, prohibiting motorcycle-only checkpoints. (Transportation)

SB 517, establishing an electric vehicle charging stations infrastructure commission. (Transportation)

SB 518, relative to agency reports of real property owned or leased by the department. (Public Works and Highways)

SB 519, relative to the purchase of property for the construction of roads. (Public Works and Highways)

SB 524-FN, relative to head injury policies for the community college system of New Hampshire and the university system of New Hampshire. (Education)

SB 531-FN, relative to the office of professional licensure and certification. (Executive Departments and Administration)

SB 534-FN, relative to the classification of certain state employee positions. (Executive Departments and Administration)

SB 536-FN, relative to eligibility for death benefits for court security officers. (Executive Departments and Administration)

SB 539-FN-A, making appropriations to the department of education for adequate education grants. (Finance)

SB 544-FN, providing that 2 percent of insurance tax collections be deposited in the fire standards and training and emergency medical services fund. (Finance)

SB 549-FN-A, relative to plans of safe care for infants affected by substance abuse or withdrawal symptoms from prenatal drug exposure or fetal alcohol spectrum disorder. (Health, Human Services and Elderly Affairs)

SB 561-FN, naming a bridge over the Little River between the towns of Plaistow and Atkinson the Lance Corporal Dimitrios Gavriel bridge. (Public Works and Highways)

SB 574-FN, clarifying the repayment period for parental reimbursement. (Children and Family Law)

SB 575-FN, relative to electric vehicle charging stations. (Transportation)

SB 579-FN, relative to penalties for welfare fraud. (Criminal Justice and Public Safety)

SB 580, relative to the creation of new class lines within the department of transportation and the department of health and human services, and amending a capital budget appropriation to allow for door replacements at the New Hampshire hospital. (Public Works and Highways)

SB 591-FN, relative to accreditation of health care providers by pharmacy benefit managers. (Commerce and Consumer Affairs)

RECESS

(Speaker Chandler in the Chair)

RESOLUTION

Rep. Hinch offered the following: **RESOLVED**, that in accordance with the list in the possession of the Clerk, Senate Bills numbered 301, 317, 340, 346, 351, 370, 391, 400, 408, 410, 411, 427, 432, 438, 443, 451, 464, 478, 497, 498, 500, 506, 522, 527, 533, 556, 559, 565, 566, 570, 588 and 589 shall be by this resolution read a first and second time by the therein listed titles and referred to the therein designated committees.

Motion adopted.

INTRODUCTION OF SENATE BILLS

First, second reading and referral

SB 301-FN, temporarily reducing the real estate transfer tax for first-time home buyers. (Ways and Means)

SB 317-FN, relative to veterans' preference in public employment. (Commerce and Consumer Affairs)

SB 340, relative to the commissioner of revenue administration's assessment report. (Ways and Means)

SB 346, relative to requiring enhanced technology ignition interlock devices. (Criminal Justice and Public Safety)

SB 351, relative to managed care programs under workers' compensation. (Labor, Industrial and Rehabilitative Services)

SB 370-FN, adopting the emergency medical services personnel licensure interstate compact. (Executive Departments and Administration)

SB 391-FN, establishing a sexual assault survivors' rights commission. (Criminal Justice and Public Safety)

SB 400, relative to traveler information signs on highways. (Public Works and Highways)

SB 408-FN, licensing historic racing. (Ways and Means)

SB 410-FN, establishing a commission to study creating a boat safe card. (Resources, Recreation and Development)

SB 411-FN-A, relative to the research and development tax credit. (Ways and Means)

SB 427, limiting the liability of successor corporations for asbestos-related claims. (Commerce and Consumer Affairs)

SB 432-FN-L, establishing a commission to study whether it is in the best interest of students to require schools to offer an SAT preparation course as an elective. (Education)

SB 438, relative to the postponement of local elections. (Election Law)

SB 443, relative to the jurisdiction of counties concerning retail electric supply. (Municipal and County Government)

SB 451, relative to wildlife trafficking. (Fish and Game and Marine Resources)

SB 464, relative to the procedure for driveway permits. (Public Works and Highways)

SB 478, establishing an advisory council on lactation. (Health, Human Services and Elderly Affairs)

SB 497-FN, relative to breast-feeding. (Judiciary)

SB 498-FN, requiring an annual report detailing activity related to forfeiture of personal property. (Judiciary)

SB 500, amending references to firearms terminology. Fish and Game and Marine Resources)

SB 506, limiting amendments to warrant articles. (Municipal and County Government)

SB 522, relative to alteration of speed limits. (Transportation)

SB 527-FN-L, relative to absentee voting. (Election Law)

SB 533-FN, relative to the composition and compensation of the personnel appeals board. (Executive Departments and Administration)

SB 556-FN, relative to changes in bail procedures and procedures for annulment of a criminal record. (Criminal Justice and Public Safety)

SB 559-FN-A, establishing a committee to study the construction of sound barriers on type I and type II highways. (Public Works and Highways)

SB 565-FN, relative to aircraft registration fees and airways tolls. (Ways and Means)

SB 566-FN, establishing a commission to study the school bus driver shortage. (Commerce and Consumer Affairs)

SB 570-FN, relative to the work requirement for the child care scholarship program. (Executive Departments and Administration)

SB 588-FN, relative to inspections of laboratories and relative to loans for lead hazard remediation projects. (Executive Departments and Administration)

SB 589-FN, relative to regulation of certified recovery support workers. (Executive Departments and Administration).

RECESS