



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.

Thursday, March 15, 2018

No. 8

HOUSE JOURNAL No. 7 (Cont'd)

Wednesday, March 7, 2018

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

HOUSE JOURNAL No. 8

Thursday, March 15, 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 House Chaplain, Reverend Kate Atkinson, Rector of St. Paul's Church in Concord. God of light and life, we give You thanks for the voices of our children. When they weep over the loss of innocent lives, may our own hearts break with theirs; when they point out injustices that undermine the rights of Your people, help us to see from their perspective; when their imaginations work overtime and they share their thoughts and ideas, open our minds to new possibilities; when they are fearful and in need of our support and protection, give us courage to respond with compassion and care; and when they tell us that life has become too painful to bear, release us from the snares of our own concerns, so that, together, we can discover life in all its glorious abundance. In our schools and colleges, in our places of religion, and in the halls of government, give us ears to hear our children's voices, and hearts to respond for the sake of us all. Amen.

Representative Altschiller, member from Stratham, led the Pledge of Allegiance.

The National Anthem was sung by Marina Altschiller of Stratham.

LEAVES OF ABSENCE

Reps. Alicea, Bailey, Binford, Burns, Carr, Cote, Gagnon, Gourgue, Hull, McBeath, Plumer, Spang, Stallcop, Treleaven, Tripp, Vincent and Robert Walsh, the day, illness.

Reps. Barry, Beaudoin, Brown, Dean-Bailey, Francese, Friel, Fromuth, Hellwig, Kotowski, Ley, Lundgren, Manning, Nigrello, O'Neil, Osborne, Timothy Smith, Southworth, Souza, St. Clair, Rio Tilton and Woitkun, the day, important business.

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

INTRODUCTION OF GUESTS

Tom and Lisa Rodgers, guests of Rep. Comtois. Tim Baxter, guest of Reps. Khan and Janvrin. Ellie Politi, Granddaughter of Rep. Gottling. Andy and Claire Dusseault, and June Garen, guests of Rep. MacKenzie. The Girl Scouts of the Girls Rock the Capitol Program, guests of the women legislators.

REGULAR CALENDAR - PART II CONT'D

HB 1443, relative to a jury's determination as to the applicability of a law. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Gary Hopper for the Majority of Judiciary. This bill is "Jury Right to Know." The current jury instruction is, "If you have a reasonable doubt as to whether the state has proved any one or more of the elements of a crime required you must find the defendant not guilty. However, if you find that the state has proved all the elements of the offense charged beyond a reasonable doubt, you should find the defendant guilty." To a lawyer or a legislator the word "should" would clearly mean "may or can" however to the layman the word "should" has been lost amongst all the other jury instructions. This bill clarifies the word "should" by adding, "However if you find that the state has proved all the elements of the offense charged beyond

Rep. Paul Berch for the Minority of Judiciary. The minority of the committee agrees with overwhelming testimony during the past 20 years that a jury nullification bill would create huge problems in the administration of our criminal justice system, conflict with basic rules of evidence and ethical obligations of attorneys, create roadblocks in the prosecution of sexual and domestic offenders, and undermine a bedrock principle of American justice - that we are a society under the rule of law and not of men. It would force prosecutors in jury trial after jury trial, every time that a defendant claims jury nullification, to prove that a law is just and reasonable. It could make victims of crime who are unpopular less likely to obtain justice in New Hampshire courts. The philosophy behind this bill has been uniformly rejected in the United States and has failed to pass at least 12 times in the past 23 years in New Hampshire.

Majority Amendment (0478h)

Amend the bill by replacing section 2 with the following:

2 Jury Instruction. RSA 519:23-a is repealed and reenacted to read as follows:

519:23-a Jury Instruction. In all criminal proceedings the court shall inform the jury of its right to judge the facts and the application of the law in relation to the facts in controversy. At the request of the defendant or the defendant's attorney, the court shall instruct the jury as follows: If you have a reasonable doubt as to whether the state has proved any one or more of the elements of the crime charged, you must find the defendant not guilty. However if you find that the state has proved all the elements of the offense charged beyond a reasonable doubt, you should find the defendant guilty, unless your right of conscience dictates that the facts of the case reveal that a guilty verdict will yield an unjust result; accordingly you shall find the defendant not guilty.

Majority committee amendment adopted.

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

Rep. Berch spoke against.

Reps. Stone spoke in favor.

Rep. Hopper spoke in favor and yielded to questions.

MOTION TO LAY ON THE TABLE

Rep. Burrigge moved that **HB 1443**, relative to a jury's determination as to the applicability of a law, be laid on the table.

Rep. Burt requested a roll call; sufficiently seconded.

YEAS 136 - NAYS 171

YEAS - 136

BELKNAP

Huot, David Spagnuolo, Philip

CARROLL

Buco, Thomas Butler, Edward DesMarais, Edith

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Burridge, Delmar	Harvey, Cathryn	Eaton, Daniel	Faulkner, Barry
Fenton, Donovan	Johnsen, Gladys	Hunt, John	Mann, John
Meador, David	Parkhurst, Henry	Shepardson, Marjorie	Tatro, Bruce
Pearson, William	Weber, Lucy		

COOS

Moynihan, Wayne

GRAFTON

Abel, Richard	Almy, Susan	Campion, Polly	Dontonville, Roger
Higgins, Patricia	Josephson, Timothy	Maes, Kevin	Massimilla, Linda
Mulligan, Mary Jane	Nordgren, Sharon	Smith, Suzanne	Sykes, George
White, Andrew			

HILLSBOROUGH

Ayala, Jessica	Baroody, Benjamin	Bouldin, Amanda	Chandley, Shannon
Cleaver, Skip	Connors, Erika	Cornell, Patricia	Sullivan, Daniel
DiSilvestro, Linda	Donovan, Daniel	Elber, Joel	Freitas, Mary
Goley, Jeffrey	Heath, Mary	Herbert, Christopher	Schmidt, Janice

Jeady, Jean
Leishman, Peter
Martin, Joelle
Nutting, Allison
Porter, Marjorie
Sofikitis, Catherine

Keane, Amelia
Lisle, David
Martineau, Jesse
O'Brien, Michael
Roberts, Carol
Van Houten, Connie

King, Mark
MacKenzie, Mark
McNamara, Richard
O'Leary, Richard
Rosenwald, Cindy
Vann, Ivy

Klee, Patricia
Manley, Jonathan
Newman, Sue
Pierce, David
Harvey, Suzanne
Williams, Kermit

MERRIMACK

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

Bartlett, Christy
Gile, Mary
Luneau, David
Rogers, Katherine
Soucy, Timothy

Carson, Clyde
Henle, Paul
Myler, Mel
Schuett, Dianne
Wallner, Mary Jane

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

ROCKINGHAM

Altschiller, Debra
Cushing, Robert Renny
Lerner, Kari
Murray, Kate
Ward, Gerald

Berrien, Skip
DiLorenzo, Charlotte
Lovejoy, Patricia
Pantelakos, Laura

Cahill, Michael
Edgar, Michael
Malloy, Dennis
Somssich, Peter

Cali-Pitts, Jacqueline
Farnham, Betsey
Messmer, Mindi
Le, Tamara

STRAFFORD

Berube, Roger
Conley, Casey
Horrigan, Timothy
Opderbecke, Linn

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

Burton, Wayne
Frost, Sherry
Krans, Hamilton
Salloway, Jeffrey

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

SULLIVAN

Cloutier, John
Tanner, Linda

Gottling, Suzanne

Oxenham, Lee

Sullivan, Brian

NAYS - 171

BELKNAP

Abear, Marc
Fields, Dennis
Silber, Norman
Varney, Peter

Aldrich, Glen
Fraser, Valerie
Spanos, Peter

Comtois, Barbara
Howard, Raymond
Sylvia, Michael

Tilton, Franklin
Lang, Timothy
Vadney, Herbert

CARROLL

Crawford, Karel

Knirk, Jerry

Schmidt, Stephen

CHESHIRE

McConnell, James

O'Day, John

Sterling, Franklin

COOS

Fothergill, John

Merner, Troy

Richardson, Herbert

Theberge, Robert

GRAFTON

Darrow, Stephen
Schwaegler, Vicki

Hennessey, Erin

Migliore, Vincent Paul

Rand, Steven

HILLSBOROUGH

Ammon, Keith
Byron, Frank
Danielson, David
Fedolfi, Jim
Gagne, Larry
Hinch, Richard
Graham, John
L'Heureux, Robert
Lewicke, John
Murphy, Keith
Long, Patrick
Ober, Russell
Scully, Kevin
Twombly, Timothy

Backus, Robert
Moore, Craig
Dickey, Glen
Ferreira, Elizabeth
Gould, Linda
Hopper, Gary
Moore, Josh
Ober, Lynne
MacKay, Mariellen
Negron, Steve
Panasiti, Reed
Renzullo, Andrew
Seidel, Carl
Ulery, Jordan

Biggie, Barbara
Christensen, Chris
Dyer, Caleb
Freeman, Lisa
Halstead, Carolyn
Hynes, Dan
Jack, Martin
Lascelles, Richard
McLean, Mark
Notter, Jeanine
Proulx, Mark
Rouillard, Claire
Somero, Paul
Sullivan, Victoria

Burt, John
Christie, Rick
Edwards, Elizabeth
Griffin, Gerald
Hansen, Peter
Belanger, James
Rice, Kimberly
LeBrun, Donald
Murotake, David
Ohm, Bill
Prout, Andrew
Sanborn, Laurie
Wolf, Terry

MERRIMACK

Kuch, Bill
Hill, Gregory

Copp, Anne
Hoell, J.R.

Long, Douglas
Horn, Werner

Moffett, Howard
Klose, John

Leavitt, John
 Pearl, Howard
 Wells, Natalie

Moffett, Michael
 Seaworth, Brian
 Woolpert, David

Marple, Richard
 Walsh, Thomas

McGuire, Carol
 Testerman, Dave

ROCKINGHAM

Cook, Allen
 Barnes, Arthur
 Chase, Francis
 Elliott, Robert
 Gilman, Julie
 Hagan, Joseph
 Janigian, John
 Khan, Aboul
 Major, Norman
 Milz, David
 Sapareto, Frank
 Torosian, Peter
 Wallace, Scott

Abrami, Patrick
 Bates, David
 Chirichiello, Brian
 Emerick, J. Tracy
 Green, Dennis
 Hoelzel, Kathleen
 Janvrin, Jason
 Kolodziej, Walter
 Matthews, Carolyn
 Nasser, Jim
 Spillane, James
 True, Chris
 Webb, James

Allen, Mary
 Bean, Philip
 Costable, Michael
 Fesh, Robert
 Guthrie, Joseph
 Itse, Daniel
 O'Connor, John
 Griffin, Mary
 McKinney, Betsy
 Packard, Sherman
 Stone, Brian
 Verville, Kevin
 Welch, David

Baldasaro, Alfred
 Bove, Martin
 Thomas, Douglas
 Gay, Betty
 Marsh, Henry
 Edwards, Jess
 Katsakiores, Phyllis
 Pearson, Mark
 McMahon, Charles
 Gordon, Richard
 Sytek, John
 Vose, Michael
 Weyler, Kenneth

STRAFFORD

Fontneau, Timothy
 Turcotte, Leonard
 Pitre, Joseph
 Wuelper, Kurt

Harrington, Michael
 McNally, Jody
 Graham, Robert

Horgan, James
 Mullen, John
 Scruton, Matthew

Kaczynski, Thomas
 Phinney, Brandon
 Spencer, Matthew

SULLIVAN

Grenier, James
 Smith, Steven

O'Connor, John

Laware, Thomas

Rollins, Skip

and the motion failed

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

YEAS 158 - NAYS 151

YEAS - 158

BELKNAP

Abear, Marc
 Fields, Dennis
 Silber, Norman
 Varney, Peter

Aldrich, Glen
 Fraser, Valerie
 Spanos, Peter

Comtois, Barbara
 Howard, Raymond
 Sylvia, Michael

Tilton, Franklin
 Lang, Timothy
 Vadney, Herbert

CARROLL

Schmidt, Stephen

CHESHIRE

McConnell, James

O'Day, John

Sterling, Franklin

COOS

Fothergill, John

Merner, Troy

Richardson, Herbert

Theberge, Robert

GRAFTON

Darrow, Stephen

Hennessey, Erin

Migliore, Vincent Paul

Schwaegler, Vicki

HILLSBOROUGH

Ammon, Keith
 Moore, Craig
 Dickey, Glen
 Ferreira, Elizabeth
 Gould, Linda
 Hopper, Gary
 Rice, Kimberly
 LeBrun, Donald
 Murotake, David
 Ohm, Bill
 Ober, Russell
 Scully, Kevin
 Twombly, Timothy

Biggie, Barbara
 Christensen, Chris
 Dyer, Caleb
 Freeman, Lisa
 Halstead, Carolyn
 Hynes, Dan
 L'Heureux, Robert
 Lewicke, John
 Murphy, Keith
 Panasiti, Reed
 Renzullo, Andrew
 Seidel, Carl
 Ulery, Jordan

Burt, John
 Christie, Rick
 Edwards, Elizabeth
 Griffin, Gerald
 Hansen, Peter
 Belanger, James
 Ober, Lynne
 MacKay, Mariellen
 Negron, Steve
 Proulx, Mark
 Rouillard, Claire
 Somero, Paul
 Sullivan, Victoria

Byron, Frank
 Danielson, David
 Fedolli, Jim
 Gagne, Larry
 Hinch, Richard
 Moore, Josh
 Lascelles, Richard
 McLean, Mark
 Notter, Jeanine
 Prout, Andrew
 Sanborn, Laurie
 Wolf, Terry

MERRIMACK

Kuch, Bill

Copp, Anne

Long, Douglas

Hill, Gregory

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

Horn, Werner
Marple, Richard
Walsh, Thomas

Klose, John
McGuire, Carol
Testerman, Dave

Leavitt, John
Pearl, Howard
Wells, Natalie

ROCKINGHAM

Cook, Allen
Bates, David
Chirichiello, Brian
Emerick, J. Tracy
Guthrie, Joseph
Itse, Daniel
O'Connor, John
Griffin, Mary
McKinney, Betsy
Packard, Sherman
Stone, Brian
Verville, Kevin
Welch, David

Abrami, Patrick
Bean, Philip
Costable, Michael
Fesh, Robert
Marsh, Henry
Edwards, Jess
Katsakiores, Phyllis
Pearson, Mark
McMahon, Charles
Gordon, Richard
Sytek, John
Vose, Michael
Weyler, Kenneth

Baldasaro, Alfred
Bove, Martin
Thomas, Douglas
Gay, Betty
Hagan, Joseph
Janigian, John
Khan, Aboul
Major, Norman
Milz, David
Sapareto, Frank
Torosian, Peter
Wallace, Scott

Barnes, Arthur
Chase, Francis
Elliott, Robert
Green, Dennis
Hoelzel, Kathleen
Janvrin, Jason
Kolodziej, Walter
Matthews, Carolyn
Nasser, Jim
Spillane, James
True, Chris
Webb, James

STRAFFORD

Harrington, Michael
McNally, Jody
Graham, Robert

Horgan, James
Mullen, John
Scruton, Matthew

Kaczynski, Thomas
Phinney, Brandon
Spencer, Matthew

Turcotte, Leonard
Pitre, Joseph
Wuelper, Kurt

SULLIVAN

O'Connor, John

Laware, Thomas

Rollins, Skip

Smith, Steven

NAYS - 151

BELKNAP

Huot, David

Spagnuolo, Philip

CARROLL

Buco, Thomas
Knirk, Jerry

Butler, Edward

Crawford, Karel

DesMarais, Edith

CHESHIRE

Abbott, Michael
Burridge, Delmar
Fenton, Donovan
Meador, David
Pearson, William

Ames, Richard
Harvey, Cathryn
Johnsen, Gladys
Parkhurst, Henry
Weber, Lucy

Berch, Paul
Eaton, Daniel
Hunt, John
Shepardson, Marjorie

Bordenet, John
Faulkner, Barry
Mann, John
Tatro, Bruce

COOS

Moynihan, Wayne

Tucker, Edith

GRAFTON

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

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

Campion, Polly
Maes, Kevin
Rand, Steven

Dontonville, Roger
Massimilla, Linda
Smith, Suzanne

HILLSBOROUGH

Ayala, Jessica
Bouldin, Amanda
Cornell, Patricia
Elber, Joel
Herbert, Christopher
Jeuzy, Jean
Leishman, Peter
Martin, Joelle
Nutting, Allison
Pierce, David
Harvey, Suzanne
Williams, Kermit

Griffin, Barbara
Chandley, Shannon
Sullivan, Daniel
Freitas, Mary
Graham, John
Keane, Amelia
Lisle, David
Martineau, Jesse
O'Brien, Michael
Porter, Marjorie
Sofikitis, Catherine

Backus, Robert
Cleaver, Skip
DiSilvestro, Linda
Goley, Jeffrey
Schmidt, Janice
King, Mark
MacKenzie, Mark
McNamara, Richard
O'Leary, Richard
Roberts, Carol
Van Houten, Connie

Baroody, Benjamin
Connors, Erika
Donovan, Daniel
Heath, Mary
Jack, Martin
Klee, Patricia
Manley, Jonathan
Newman, Sue
Long, Patrick
Rosenwald, Cindy
Vann, Ivy

MERRIMACK

Turcotte, Alan
Ebel, Karen
MacKay, James
Patten, Dick
Schultz, Kristina
Walz, Mary Beth

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

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

Doherty, David
Henle, Paul
Myler, Mel
Schuett, Dianne
Wallner, Mary Jane

ROCKINGHAM

Allen, Mary
Cali-Pitts, Jacqueline
Farnham, Betsey
Malloy, Dennis
Somssich, Peter

Altschiller, Debra
Cushing, Robert Renny
Gilman, Julie
Messmer, Mindi
Le, Tamara

Berrien, Skip
DiLorenzo, Charlotte
Lerner, Kari
Murray, Kate
Ward, Gerald

Cahill, Michael
Edgar, Michael
Lovejoy, Patricia
Pantelakos, Laura

STRAFFORD

Berube, Roger
Conley, Casey
Grassie, Chuck
Smith, Marjorie
Sandler, Catt

Bixby, Peter
Ellis, Donna
Horrigan, Timothy
Opderbecke, Linn
Wall, Janet

Burton, Wayne
Fontneau, Timothy
Keans, Sandra
Schmidt, Peter

Cilley, Jacalyn
Frost, Sherry
Krans, Hamilton
Salloway, Jeffrey

SULLIVAN

Cloutier, John
Sullivan, Brian

Gottling, Suzanne
Tanner, Linda

Grenier, James

Oxenham, Lee

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

MOTION TO SPECIAL ORDER

Rep. Josephson moved that **HB 1474**, designating the New Hampshire Red as the official state poultry, be made a Special Order as the next order of business.

Rep. Josephson spoke in favor.

Motion adopted.

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Hopper moved that the House reconsider its action whereby, on a roll call vote of 158-151, the House adopted the majority committee report of Ought to Pass with Amendment on **HB 1443**, relative to a jury's determination as to the applicability of a law.

On a division vote, with 150 members having voted in the affirmative, and 165 in the negative, the motion failed.

REGULAR CALENDAR - PART II CONT'D**SPECIAL ORDER**

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

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

Rep. Bixby spoke in favor.

On a division vote, with 275 members having voted in the affirmative, and 46 in the negative, the committee report was adopted and ordered to third reading.

REGULAR CALENDAR - PART II CONT'D

HB 1579-FN, requiring records to be kept for certain exempt convenings under the right-to-know law. **WITHOUT RECOMMENDATION**

Statement in support of Ought to Pass: This bill asks public bodies to keep 'records' of certain times they gather, currently called "non-meetings" because they are specifically exempted from the "meeting" category under RSA 91-A. These records would be minimal, far less than 'minutes' as we know them. The records of such "convenings" would contain only which of the two types of non-meetings covered; the names of members and other persons appearing, and the beginning and ending dates and times; and, if the convening is for collective bargaining negotiations, the name of the bargaining unit or, if for consultation with legal counsel, the name of the counsel and how that party participated. We believe this minimal information would give the citizens some idea of what is now totally invisible. These records would be the only record of collective bargaining sessions, but only invoked when a majority of the body was present, and legal consultation may already be done in "non-public" meetings, where more detailed minutes are required. We believe having these records will improve the citizen's ability to monitor public bodies' performance without compromising the bodies' ability to function or violating the well-established attorney-client privilege.

Rep. Kurt Wuelper

Statement in support of Inexpedient to Legislate: This bill, if passed, would force public bodies to reveal certain information related to so-called convenings (nicknamed "non-meetings" which currently can legitimately be kept confidential. In particular, the names of all persons at the convening would have to be published, even if the person is a minor, or even if there is some other valid reason why his or her name should be kept confidential. This bill would further compromise the confidentiality of the nonpublic meetings. Public bodies would have to disclose the names of all legal counsel they meet with. They would also have to

disclose the names of any bargaining with whose labor agreements are discussed in nonpublic session. There are several well-established reasons, as specified in RSA91-A:3 why certain matters should be resolved confidentially in non-public session.

Rep. Timothy Horrigan

Rep. Wuelper moved Ought to Pass and spoke in favor.

Rep. Horrigan spoke against.

MOTION TO LAY ON THE TABLE

Rep. White moved that **HB 1579-FN**, requiring records to be kept for certain exempt convenings under the right-to-know law, be laid on the table.

Rep. Hinch requested a roll call; sufficiently seconded.

YEAS 162 - NAYS 166

YEAS - 162

BELKNAP

Tilton, Franklin	Fraser, Valerie	Huot, David
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CARROLL

Buco, Thomas	Butler, Edward	Crawford, Karel	DesMarais, Edith
Knirk, Jerry	Marsh, William		

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Burridge, Delmar	Harvey, Cathryn	Eaton, Daniel	Faulkner, Barry
Fenton, Donovan	Johnsen, Gladys	Mann, John	Meador, David
Parkhurst, Henry	Shepardson, Marjorie	Sterling, Franklin	Tatro, Bruce
Pearson, William	Weber, Lucy		

COOS

Fothergill, John	Hatch, William	Moynihan, Wayne	Tucker, Edith
Thomas, Yvonne			

GRAFTON

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

HILLSBOROUGH

Ayala, Jessica	Griffin, Barbara	Backus, Robert	Baroody, Benjamin
Beaulieu, Jane	Bouldin, Amanda	Chandley, Shannon	Cleaver, Skip
Connors, Erika	Cornell, Patricia	Sullivan, Daniel	Danielson, David
DiSilvestro, Linda	Elber, Joel	Freitas, Mary	Goley, Jeffrey
Heath, Mary	Herbert, Christopher	Schmidt, Janice	Jeady, Jean
Keane, Amelia	King, Mark	Klee, Patricia	Leishman, Peter
Lisle, David	MacKenzie, Mark	Manley, Jonathan	Martin, Joelle
Martineau, Jesse	McNamara, Richard	Newman, Sue	Nutting, Allison
O'Brien, Michael	O'Leary, Richard	Long, Patrick	Pierce, David
Porter, Marjorie	Roberts, Carol	Rosenwald, Cindy	Harvey, Suzanne
Sofikitis, Catherine	Van Houten, Connie	Vann, Ivy	Williams, Kermit

MERRIMACK

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

ROCKINGHAM

Allen, Mary	Altschiller, Debra	Berrien, Skip	Bove, Martin
Cahill, Michael	Chirichiello, Brian	Cushing, Robert Renny	DiLorenzo, Charlotte
Edgar, Michael	Farnham, Betsey	Gilman, Julie	Guthrie, Joseph
Janvrin, Jason	Lerner, Kari	Lovejoy, Patricia	Malloy, Dennis
McKinney, Betsy	Messmer, Mindi	Murray, Kate	Gordon, Pamela
Pantelakos, Laura	Read, Ellen	Somssich, Peter	Le, Tamara
Ward, Gerald			

STRAFFORD

Berube, Roger
Conley, Casey
Grassie, Chuck
Smith, Marjorie
Sandler, Catt

Bixby, Peter
Ellis, Donna
Horrigan, Timothy
Opderbecke, Linn
Wall, Janet

Burton, Wayne
Fontneau, Timothy
Keans, Sandra
Schmidt, Peter

Cilley, Jacalyn
Frost, Sherry
Krans, Hamilton
Salloway, Jeffrey

SULLIVAN

Cloutier, John
Oxenham, Lee

Gottling, Suzanne
Sullivan, Brian

Grenier, James
Tanner, Linda

Laware, Thomas

NAYS - 166**BELKNAP**

Abear, Marc
Howard, Raymond
Spanos, Peter

Aldrich, Glen
Lang, Timothy
Sylvia, Michael

Comtois, Barbara
Silber, Norman
Vadney, Herbert

Fields, Dennis
Spagnuolo, Philip
Varney, Peter

CARROLL

Avellani, Lino
Nelson, Bill

Cordelli, Glenn
Schmidt, Stephen

McCarthy, Frank
Umberger, Karen

McConkey, Mark

CHESHIRE

Hunt, John

McConnell, James

O'Day, John

COOS

Merner, Troy

Richardson, Herbert

Theberge, Robert

GRAFTON

Darrow, Stephen
Schwaegler, Vicki

Hennessey, Erin
Johnson, Tiffany

Migliore, Vincent Paul

Rand, Steven

HILLSBOROUGH

Ammon, Keith
Moore, Craig
Donovan, Daniel
Freeman, Lisa
Gould, Linda
Hopper, Gary
Moore, Josh
L'Heureux, Robert
Lewicke, John
Murotake, David
Ohm, Bill
Ober, Russell
Scully, Kevin
Wolf, Terry

Biggie, Barbara
Christensen, Chris
Dyer, Caleb
Griffin, Gerald
Halstead, Carolyn
Hynes, Dan
Jack, Martin
Ober, Lynne
MacKay, Mariellen
Murphy, Keith
Panasiti, Reed
Renzullo, Andrew
Seidel, Carl
Twombly, Timothy

Burt, John
Christie, Rick
Fedolff, Jim
Gagne, Larry
Hansen, Peter
Belanger, James
Rice, Kimberly
Lascelles, Richard
McCarthy, Michael
Negron, Steve
Proulx, Mark
Rouillard, Claire
Shaw, Barbara
Ulery, Jordan

Byron, Frank
Dickey, Glen
Ferreira, Elizabeth
Gargas, Carolyn
Hinch, Richard
Graham, John
Kurk, Neal
LeBrun, Donald
McLean, Mark
Notter, Jeanine
Prout, Andrew
Sanborn, Laurie
Somero, Paul
Sullivan, Victoria

MERRIMACK

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

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

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

Hill, Gregory
Leavitt, John
Pearl, Howard
Wells, Natalie

ROCKINGHAM

Cook, Allen
Bates, David
Costable, Michael
Elliott, Robert
Green, Dennis
Itse, Daniel
Katsakiores, Phyllis
Pearson, Mark
Milz, David
Gordon, Richard
Sytek, John
Wallace, Scott

Abrami, Patrick
Bean, Philip
Thomas, Douglas
Emerick, J. Tracy
Marsh, Henry
Edwards, Jess
Khan, Aboul
Major, Norman
Morrison, Sean
Sapareto, Frank
Torosian, Peter
Webb, James

Baldasaro, Alfred
Cali-Pitts, Jacqueline
DeSimone, Debra
Fesh, Robert
Hagan, Joseph
Janigian, John
Kolodziej, Walter
Matthews, Carolyn
Nasser, Jim
Spillane, James
True, Chris
Welch, David

Barnes, Arthur
Chase, Francis
Dowling, Patricia
Gay, Betty
Hoelzel, Kathleen
O'Connor, John
Griffin, Mary
McMahon, Charles
Packard, Sherman
Stone, Brian
Verville, Kevin
Weyler, Kenneth

STRAFFORD

Harrington, Michael
McNally, Jody
Graham, Robert

Horgan, James
Mullen, John
Scruton, Matthew

Kaczynski, Thomas
Phinney, Brandon
Spencer, Matthew

Turcotte, Leonard
Pitre, Joseph
Wuelper, Kurt

SULLIVAN

O'Connor, John

Rollins, Skip

Smith, Steven

and the motion failed.

The question now being adoption of the motion of Ought to Pass.

Rep. Hoell requested a roll call; sufficiently seconded.

YEAS 168 - NAYS 161**YEAS - 168****BELKNAP**Abear, Marc
Fraser, Valerie
Spanos, PeterAldrich, Glen
Howard, Raymond
Sylvia, MichaelComtois, Barbara
Lang, Timothy
Vadney, HerbertFields, Dennis
Silber, Norman
Varney, Peter**CARROLL**Avellani, Lino
Nelson, BillCordelli, Glenn
Schmidt, StephenMcCarthy, Frank
Umberger, Karen

McConkey, Mark

CHESHIRE

Eaton, Daniel

Hunt, John

McConnell, James

O'Day, John

COOS

Fothergill, John

Merner, Troy

Richardson, Herbert

Theberge, Robert

GRAFTONDarrow, Stephen
Schwaegler, VickiHennessey, Erin
Johnson, Tiffany

Migliore, Vincent Paul

Rand, Steven

HILLSBOROUGHAmmon, Keith
Byron, Frank
Danielson, David
Fedolfi, Jim
Gagne, Larry
Hansen, Peter
Graham, John
L'Heureux, Robert
Lewicke, John
Murphy, Keith
Panasiti, Reed
Renzullo, Andrew
Seidel, Carl
Ulery, JordanGriffin, Barbara
Moore, Craig
Dickey, Glen
Ferreira, Elizabeth
Gargas, Carolyn
Hinch, Richard
Moore, Josh
Ober, Lynne
MacKay, Mariellen
Negron, Steve
Proulx, Mark
Rouillard, Claire
Somero, Paul
Sullivan, VictoriaBiggie, Barbara
Christensen, Chris
Donovan, Daniel
Freeman, Lisa
Gould, Linda
Hopper, Gary
Rice, Kimberly
Lascelles, Richard
McLean, Mark
Notter, Jeanine
Prout, Andrew
Sanborn, Laurie
Wolf, TerryBurt, John
Christie, Rick
Dyer, Caleb
Griffin, Gerald
Halstead, Carolyn
Hynes, Dan
Kurk, Neal
LeBrun, Donald
Murotake, David
Ohm, Bill
Ober, Russell
Scully, Kevin
Twombly, Timothy**MERRIMACK**Kuch, Bill
Hoell, J.R.
Moffett, Michael
Schultz, Kristina
Wells, NatalieCopp, Anne
Horn, Werner
Marple, Richard
Seaworth, BrianLong, Douglas
Klose, John
McGuire, Carol
Walsh, ThomasHill, Gregory
Leavitt, John
Pearl, Howard
Testerman, Dave**ROCKINGHAM**Cook, Allen
Bates, David
Costable, Michael
Elliott, Robert
Green, Dennis
Itse, Daniel
Katsakiores, Phyllis
Pearson, Mark
Milz, David
Gordon, Richard
Sytek, John
Vose, Michael
Weyler, KennethAbrami, Patrick
Bean, Philip
Thomas, Douglas
Emerick, J. Tracy
Marsh, Henry
Edwards, Jess
Khan, Aboul
Major, Norman
Morrison, Sean
Sapareto, Frank
Torosian, Peter
Wallace, ScottBaldasaro, Alfred
Cali-Pitts, Jacqueline
DeSimone, Debra
Fesh, Robert
Hagan, Joseph
Janigian, John
Kolodziej, Walter
Matthews, Carolyn
Nasser, Jim
Spillane, James
True, Chris
Webb, JamesBarnes, Arthur
Chase, Francis
Dowling, Patricia
Gay, Betty
Hoelzel, Kathleen
O'Connor, John
Griffin, Mary
McKinney, Betsy
Packard, Sherman
Stone, Brian
Verville, Kevin
Welch, David**STRAFFORD**Harrington, Michael
McNally, Jody
Graham, RobertKaczynski, Thomas
Mullen, John
Scruton, MatthewTurcotte, Leonard
Phinney, Brandon
Spencer, MatthewSmith, Marjorie
Pitre, Joseph
Wuelper, Kurt

SULLIVAN

O'Connor, John

Rollins, Skip

Smith, Steven

NAYS - 161**BELKNAP**

Tilton, Franklin

Huot, David

Spagnuolo, Philip

CARROLLBuco, Thomas
Knirk, JerryButler, Edward
Marsh, William

Crawford, Karel

DesMarais, Edith

CHESHIREAbbott, Michael
Burridge, Delmar
Johnsen, Gladys
Shepardson, Marjorie
Weber, LucyAmes, Richard
Harvey, Cathryn
Mann, John
Sterling, FranklinBerch, Paul
Faulkner, Barry
Meador, David
Tatro, BruceBordenet, John
Fenton, Donovan
Parkhurst, Henry
Pearson, William**COOS**

Hatch, William

Moynihan, Wayne

Tucker, Edith

Thomas, Yvonne

GRAFTONAbel, Richard
Dontonville, Roger
Massimilla, Linda
Sykes, GeorgeAlmy, Susan
Higgins, Patricia
Mulligan, Mary Jane
White, AndrewBennett, Travis
Josephson, Timothy
Nordgren, SharonCampion, Polly
Maes, Kevin
Smith, Suzanne**HILLSBOROUGH**Ayala, Jessica
Bouldin, Amanda
Cornell, Patricia
Freitas, Mary
Belanger, James
Keane, Amelia
Lisle, David
Martin, Joelle
Nutting, Allison
Pierce, David
Harvey, Suzanne
Vann, IvyBackus, Robert
Chandley, Shannon
Sullivan, Daniel
Goley, Jeffrey
Schmidt, Janice
King, Mark
McCarthy, Michael
Martineau, Jesse
O'Brien, Michael
Porter, Marjorie
Shaw, Barbara
Williams, KermitBaroody, Benjamin
Cleaver, Skip
DiSilvestro, Linda
Heath, Mary
Jack, Martin
Klee, Patricia
MacKenzie, Mark
McNamara, Richard
O'Leary, Richard
Roberts, Carol
Sofikitis, CatherineBeaulieu, Jane
Connors, Erika
Elber, Joel
Herbert, Christopher
Judy, Jean
Leishman, Peter
Manley, Jonathan
Newman, Sue
Long, Patrick
Rosenwald, Cindy
Van Houten, Connie**MERRIMACK**Turcotte, Alan
Ebel, Karen
MacKay, James
Patten, Dick
Shurtleff, Stephen
Woolpert, DavidBartlett, Christy
Gile, Mary
Kenison, Linda
Richards, Beth
Soucy, TimothyCarson, Clyde
Moffett, Howard
Luneau, David
Rogers, Katherine
Wallner, Mary JaneDoherty, David
Henle, Paul
Myler, Mel
Schuett, Dianne
Walz, Mary Beth**ROCKINGHAM**Allen, Mary
Cahill, Michael
Edgar, Michael
Janvrin, Jason
McMahon, Charles
Pantelakos, Laura
Ward, GeraldAltschiller, Debra
Chirichiello, Brian
Farnham, Betsey
Lerner, Kari
Messmer, Mindi
Read, EllenBerrien, Skip
Cushing, Robert Renny
Gilman, Julie
Lovejoy, Patricia
Murray, Kate
Somssich, PeterBove, Martin
DiLorenzo, Charlotte
Guthrie, Joseph
Malloy, Dennis
Gordon, Pamela
Le, Tamara**STRAFFORD**Berube, Roger
Conley, Casey
Grassie, Chuck
Krans, Hamilton
Sandler, CattBixby, Peter
Ellis, Donna
Horgan, James
Opderbecke, Linn
Wall, JanetBurton, Wayne
Fontneau, Timothy
Horrigan, Timothy
Schmidt, PeterCilley, Jacalyn
Frost, Sherry
Keans, Sandra
Salloway, Jeffrey**SULLIVAN**Cloutier, John
Oxenham, LeeGottling, Suzanne
Sullivan, BrianGrenier, James
Tanner, Linda

Laware, Thomas

and the motion was adopted and ordered to third reading.

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Hinch moved that the House reconsider its action whereby, on a roll call vote of 168-161, the House adopted the motion of Ought to Pass on **HB 1579-FN**, requiring records to be kept for certain exempt convenings under the right-to-know law.

Rep. Hinch spoke against.

Motion failed.

REGULAR CALENDAR PART II CONT'D

HB 1584, relative to a landlord's ability to sell personal property of a commercial tenant. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Charlotte DiLorenzo for the Majority of Judiciary. This bill as allows a landlord of a commercial rental to sell the personal property of a tenant 30 days after termination of the tenancy and giving notice to lien holders of the property. This bill would give the landlord priority and would not protect lien holders in the sorting out of competing interests in the personal property. The NH Bankers Association does not support this bill because member banks and affiliates may hold outstanding loans on the abandoned personal property in question. This bill conflicts with the Uniform Commercial Code which has bearing on commercial leasing. While the committee generally agrees the landlord is in a difficult situation which may delay re-renting a commercial property, this bill needs more work. It is in the purview of the House Commerce and Consumer Affairs Committee to come up with an equitable solution to these matters. Vote 8-5.

Rep. Dan Hynes for the Minority of Judiciary. This bill allows a landlord of a commercial rental to sell or dispose of the personal property of a tenant 30 days after termination of the tenancy and giving notice to lien holders of the property. Under present law a landlord of commercial property has no options available to get rid of property after it is left behind by the tenant. This allows tenants to continue to receive free storage. Our landlord tenant laws related to residential property allow a landlord to dispose of all property after 7 days without notice to the tenant. This bill would give additional protections beyond what residential landlords must give as the bill requires the landlord to wait 30 days and to attempt to determine if anyone has liens on the property via verified mail. Further safeguards include requiring a notice of sale being sent to the tenant and lienholders.

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

Rep. Hynes spoke against.

Rep. DiLorenzo spoke in favor.

On a division vote, with 158 members having voted in the affirmative, and 152 in the negative, the majority committee report was adopted.

HB 1672-FN, prohibiting release of certain information relative to users of therapeutic cannabis to federal agencies. **OUGHT TO PASS.**

Rep. Dan Hynes for Judiciary. This bill recognizes a privacy interest of people who use therapeutic marijuana and are in a state-held registry. Under this bill federal authorities would not have access to the list without a search warrant. Under federal law people who use therapeutic marijuana cannot purchase a firearm. There is concern the federal government would seek this list to deprive people of their second amendment rights. Further, this bill sends a message to the federal government of our support for therapeutic marijuana and New Hampshire's rights under the tenth amendment. Vote 13-5.

Rep. Prout requested a roll call; sufficiently seconded.

YEAS 313 - NAYS 18**YEAS - 313****BELKNAP**

Abear, Marc
Fields, Dennis
Lang, Timothy
Sylvia, Michael

Aldrich, Glen
Fraser, Valerie
Silber, Norman
Vadney, Herbert

Comtois, Barbara
Howard, Raymond
Spagnuolo, Philip
Varney, Peter

Tilton, Franklin
Huot, David
Spanos, Peter

CARROLL

Avellani, Lino
DesMarais, Edith
Schmidt, Stephen

Butler, Edward
McCarthy, Frank
Umberger, Karen

Cordelli, Glenn
Knirk, Jerry
Marsh, William

Crawford, Karel
McConkey, Mark

CHESHIRE

Abbott, Michael
Burridge, Delmar
Fenton, Donovan
McConnell, James
Sterling, Franklin

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

Berch, Paul
Eaton, Daniel
Hunt, John
O'Day, John
Pearson, William

Bordenet, John
Faulkner, Barry
Mann, John
Shepardson, Marjorie
Weber, Lucy

COOS

Fothergill, John
Richardson, Herbert

Hatch, William
Theberge, Robert

Merner, Troy

Moynihan, Wayne

GRAFTON

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

Bennett, Travis
Hennessey, Erin
Massimilla, Linda
Schwaegler, Vicki
White, Andrew

Campion, Polly
Higgins, Patricia
Mulligan, Mary Jane
Smith, Suzanne

Darrow, Stephen
Josephson, Timothy
Nordgren, Sharon
Sykes, George

HILLSBOROUGH

Ammon, Keith
Baroody, Benjamin
Burt, John
Christensen, Chris
Sullivan, Daniel
Donovan, Daniel
Fedolfi, Jim
Griffin, Gerald
Gould, Linda
Herbert, Christopher
Belanger, James
Jack, Martin
King, Mark
Ober, Lynne
Lisle, David
Manley, Jonathan
McNamara, Richard
Notter, Jeanine
Ohm, Bill
Porter, Marjorie
Renzullo, Andrew
Harvey, Suzanne
Shaw, Barbara
Ulery, Jordan

Ayala, Jessica
Beaulieu, Jane
Byron, Frank
Christie, Rick
Danielson, David
Dyer, Caleb
Ferreira, Elizabeth
Gagne, Larry
Halstead, Carolyn
Hinch, Richard
Graham, John
Jeudy, Jean
Klee, Patricia
Lascelles, Richard
MacKay, Mariellen
Martin, Joelle
Murotake, David
Nutting, Allison
Long, Patrick
Proulx, Mark
Roberts, Carol
Sanborn, Laurie
Sofikitis, Catherine
Sullivan, Victoria

Griffin, Barbara
Biggie, Barbara
Moore, Craig
Cleaver, Skip
Dickey, Glen
Edwards, Elizabeth
Freeman, Lisa
Gargas, Carolyn
Hansen, Peter
Hopper, Gary
Moore, Josh
Rice, Kimberly
Kurk, Neal
Leishman, Peter
McCarthy, Michael
Martineau, Jesse
Murphy, Keith
O'Brien, Michael
Panasiti, Reed
Prout, Andrew
Rosenwald, Cindy
Scully, Kevin
Wolf, Terry
Vann, Ivy

Backus, Robert
Bouldin, Amanda
Chandley, Shannon
Cornell, Patricia
DiSilvestro, Linda
Elber, Joel
Freitas, Mary
Goley, Jeffrey
Heath, Mary
Hynes, Dan
Schmidt, Janice
Keane, Amelia
L'Heureux, Robert
Lewicke, John
MacKenzie, Mark
McLean, Mark
Negron, Steve
O'Leary, Richard
Pierce, David
Ober, Russell
Rouillard, Claire
Seidel, Carl
Twombly, Timothy
Williams, Kermit

MERRIMACK

Turcotte, Alan
Copp, Anne
Moffett, Howard
Horn, Werner
Leavitt, John
McGuire, Carol
Richards, Beth
Schultz, Kristina
Walsh, Thomas
Wells, Natalie

Kuch, Bill
Long, Douglas
Henle, Paul
MacKay, James
Luneau, David
Myler, Mel
Rodd, Beth
Seaworth, Brian
Testerman, Dave
Woolpert, David

Bartlett, Christy
Ebel, Karen
Hill, Gregory
Kenison, Linda
Moffett, Michael
Patten, Dick
Rogers, Katherine
Shurtleff, Stephen
Wallner, Mary Jane

Carson, Clyde
Gile, Mary
Hoell, J.R.
Klose, John
Marple, Richard
Pearl, Howard
Schuett, Dianne
Soucy, Timothy
Walz, Mary Beth

ROCKINGHAM

Cook, Allen
Barnes, Arthur
Bove, Martin
Chirichiello, Brian
DeSimone, Debra
Emerick, J. Tracy
Gilman, Julie
Hagan, Joseph
Janigian, John
Khan, Aboul
Griffin, Mary
McKinney, Betsy
Morrison, Sean
Packard, Sherman
Sapareto, Frank
Sytek, John
Verville, Kevin
Welch, David

Abrami, Patrick
Bates, David
Cahill, Michael
Costable, Michael
DiLorenzo, Charlotte
Farnham, Betsey
Green, Dennis
Hoelzel, Kathleen
Janvrin, Jason
Kolodziej, Walter
Major, Norman
McMahon, Charles
Murray, Kate
Pantelakos, Laura
Somssich, Peter
Le, Tamara
Vose, Michael
Weyler, Kenneth

Allen, Mary
Bean, Philip
Cali-Pitts, Jacqueline
Cushing, Robert Renny
Dowling, Patricia
Fesh, Robert
Guthrie, Joseph
Itse, Daniel
O'Connor, John
Lerner, Kari
Malloy, Dennis
Messmer, Minda
Nasser, Jim
Gordon, Richard
Spillane, James
Torosian, Peter
Wallace, Scott

Baldasaro, Alfred
Berrien, Skip
Chase, Francis
Thomas, Douglas
Elliott, Robert
Gay, Betty
Marsh, Henry
Edwards, Jess
Katsakiores, Phyllis
Lovejoy, Patricia
Matthews, Carolyn
Milz, David
Gordon, Pamela
Read, Ellen
Stone, Brian
True, Chris
Webb, James

STRAFFORD

Berube, Roger
Ellis, Donna

Bixby, Peter
Fontneau, Timothy

Cilley, Jacalyn
Frost, Sherry

Conley, Casey
Grassie, Chuck

Harrington, Michael
Keans, Sandra
McNally, Jody
Phinney, Brandon
Sandler, Catt

Horgan, James
Krans, Hamilton
Mullen, John
Pitre, Joseph
Spencer, Matthew

Horrigan, Timothy
Turcotte, Leonard
Opderbecke, Linn
Graham, Robert
Wall, Janet

Kaczynski, Thomas
Smith, Marjorie
Schmidt, Peter
Salloway, Jeffrey
Wuelper, Kurt

Cloutier, John
O'Connor, John
Smith, Steven

Gottling, Suzanne
Laware, Thomas
Sullivan, Brian

Grenier, James
Oxenham, Lee
Tanner, Linda

Irwin, Virginia
Rollins, Skip

SULLIVAN

NAYS - 18 CARROLL

Nelson, Bill

CHESHIRE

Parkhurst, Henry

COOS

Tucker, Edith

Thomas, Yvonne

GRAFTON

Abel, Richard

Migliore, Vincent Paul

HILLSBOROUGH

Connors, Erika
Van Houten, Connie

LeBrun, Donald

Newman, Sue

Somero, Paul

MERRIMACK

Doherty, David

ROCKINGHAM

Altschiller, Debra

Edgar, Michael

Pearson, Mark

Ward, Gerald

STRAFFORD

Burton, Wayne

Scruton, Matthew

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

HB 1748-FN, relative to status for part-time retired judges. **INEXPEDIENT TO LEGISLATE.**

Rep. Claire Rouillard for Judiciary. This bill exempts retired part-time circuit court judges or judicial referees from current state law which other retired state employees must abide. It allows retired judges and judicial referees to work and not comply with our statutory limit of 32 hours per week or 1300 hours per year, while continuing to collect their judicial retirement. Also under this bill, retired part-time circuit court judges are not subject to the "restored to service" statutory provision which requires that state retirement benefits cease once a retirement beneficiary returns to work. Lastly, although this bill was intended for one northern NH county, it is not limited to that county, which would mean this could apply statewide. The majority of the committee did not feel this bill, which has potential unintended consequences, was prudent. Vote 11-7.

Rep. Horrigan spoke against.

Rep. Rouillard spoke in favor.

On a division vote, with 261 members having voted in the affirmative, and 65 in the negative, the committee report was adopted.

HB 1787-FN, relative to the rights of conscience for medical professionals. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Paul Berch for the Majority of Judiciary. This bill would seek to elevate the moral, ethical or religious objections of health care professionals over the right of individuals to obtain certain medical procedures (sterilizations and abortion) as well as commonly used items such as birth control pills and condoms. Applying to almost everyone connected even remotely to the practice or delivery of medicine – from doctors to the clerk selling condoms at a local drugstore, it would establish civil penalties and a basis for lawsuits for violation of its extraordinarily wide provisions. The committee heard testimony that the failure to include any emergency override, where withholding care could result in the death of the woman, may well fail to provide women essential healthcare. A refusing medical professional would be exempt from having to inform a woman in an emergency situation where she might get emergency care. Additionally, the committee was concerned about the broad reach of this proposed law, the vagueness of terms, the effect on businesses who may not wish to hire a clerk who would be selling a range of products including condoms but who states that she/he will refuse to do so; the effort to make unlawful certain actions by national certifying medical boards, and an odd

provision stating that, if the House chooses to intervene in a court test challenging the constitutionality of this bill, the Speaker could only choose a sponsor of this bill to represent the House. Finally, given the rights to an abortion and to obtain contraceptives are constitutionally protected, the elevation of someone's personal "moral" objections may present an unlawful undue burden on these constitutional rights. Based on these and other concerns, the Judiciary Committee recommends ITL with a bipartisan majority. Vote 14-4.

Rep. Kurt Wuelper for the Minority of Judiciary. This bill seeks to protect medical professionals' right to not participate in procedures that take innocent human life. The NH Constitution, Part I, Article 4, says the right of conscience has no equivalent and the minority believes it should be honored especially when the objectionable activity terminates human life. We received many testimonies from medical people in NH asking for it. The minority agreed and supports the bill.

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

Rep. Wuelper spoke against.

Rep. Berch spoke in favor.

Rep. Notter requested a roll call; sufficiently seconded.

YEAS 218 - NAYS 109

YEAS - 218

BELKNAP

Aldrich, Glen
Spagnuolo, Philip

Tilton, Franklin
Spanos, Peter

Fraser, Valerie
Vadney, Herbert

Huot, David

CARROLL

Buco, Thomas
Knirk, Jerry
Marsh, William

Butler, Edward
McConkey, Mark

Crawford, Karel
Schmidt, Stephen

DesMarais, Edith
Umberger, Karen

CHESHIRE

Abbott, Michael
Burridge, Delmar
Fenton, Donovan
Meador, David
Tatro, Bruce

Ames, Richard
Harvey, Cathryn
Johnsen, Gladys
Parkhurst, Henry
Pearson, William

Berch, Paul
Eaton, Daniel
Hunt, John
Shepardson, Marjorie
Weber, Lucy

Bordenet, John
Faulkner, Barry
Mann, John
Sterling, Franklin

COOS

Hatch, William
Thomas, Yvonne

Moynihan, Wayne

Richardson, Herbert

Tucker, Edith

GRAFTON

Abel, Richard
Darrow, Stephen
Josephson, Timothy
Nordgren, Sharon
White, Andrew

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

Bennett, Travis
Hennessey, Erin
Massimilla, Linda
Smith, Suzanne

Campion, Polly
Higgins, Patricia
Mulligan, Mary Jane
Sykes, George

HILLSBOROUGH

Ayala, Jessica
Beaulieu, Jane
Christensen, Chris
Sullivan, Daniel
Edwards, Elizabeth
Gidge, Kenneth
Heath, Mary
Schmidt, Janice
King, Mark
Lisle, David
Martin, Joelle
Nutting, Allison
Panasiti, Reed
Prout, Andrew
Rouillard, Claire
Wolf, Terry

Griffin, Barbara
Bouldin, Amanda
Cleaver, Skip
Dickey, Glen
Elber, Joel
Goley, Jeffrey
Herbert, Christopher
Jack, Martin
Klee, Patricia
MacKay, Mariellen
Martineau, Jesse
O'Brien, Michael
Pierce, David
Ober, Russell
Harvey, Suzanne
Van Houten, Connie

Backus, Robert
Byron, Frank
Connors, Erika
DiSilvestro, Linda
Freitas, Mary
Halstead, Carolyn
Belanger, James
Judy, Jean
Kurk, Neal
MacKenzie, Mark
McNamara, Richard
O'Leary, Richard
Porter, Marjorie
Roberts, Carol
Shaw, Barbara
Vann, Ivy

Baroody, Benjamin
Chandley, Shannon
Cornell, Patricia
Dyer, Caleb
Gargas, Carolyn
Hansen, Peter
Graham, John
Keane, Amelia
Leishman, Peter
Manley, Jonathan
Newman, Sue
Long, Patrick
Proulx, Mark
Rosenwald, Cindy
Sofikitis, Catherine
Williams, Kermit

MERRIMACK

Turcotte, Alan
Long, Douglas
Henle, Paul
Leavitt, John

Kuch, Bill
Doherty, David
MacKay, James
Luneau, David

Bartlett, Christy
Ebel, Karen
Kenison, Linda
Myler, Mel

Carson, Clyde
Moffett, Howard
Klose, John
Patten, Dick

Richards, Beth
Schultz, Kristina
Walz, Mary Beth

Rodd, Beth
Shurtleff, Stephen
Woolpert, David

Rogers, Katherine
Soucy, Timothy

Schuett, Dianne
Wallner, Mary Jane

ROCKINGHAM

Abrami, Patrick
Berrien, Skip
Chase, Francis
Thomas, Douglas
Elliott, Robert
Hagan, Joseph
Lerner, Kari
McKinney, Betsy
Murray, Kate
Pantelakos, Laura
Le, Tamara

Allen, Mary
Bove, Martin
Chirichiello, Brian
DiLorenzo, Charlotte
Farnham, Betsey
Edwards, Jess
Lovejoy, Patricia
McMahon, Charles
Nasser, Jim
Read, Ellen
Ward, Gerald

Altschiller, Debra
Cahill, Michael
Costable, Michael
Dowling, Patricia
Gilman, Julie
Janigian, John
Major, Norman
Messmer, Mindi
Gordon, Pamela
Somssich, Peter
Webb, James

Bean, Philip
Cali-Pitts, Jacqueline
Cushing, Robert Renny
Edgar, Michael
Guthrie, Joseph
Janvrin, Jason
Malloy, Dennis
Milz, David
Packard, Sherman
Stone, Brian

STRAFFORD

Bixby, Peter
Fontneau, Timothy
Horgan, James
Smith, Marjorie
Phinney, Brandon

Burton, Wayne
Frost, Sherry
Horrigian, Timothy
Mullen, John
Salloway, Jeffrey

Conley, Casey
Grassie, Chuck
Keans, Sandra
Opderbecke, Linn
Sandler, Catt

Ellis, Donna
Harrington, Michael
Krans, Hamilton
Schmidt, Peter
Wall, Janet

SULLIVAN

Cloutier, John
Oxenham, Lee

Gottling, Suzanne
Smith, Steven

Grenier, James
Sullivan, Brian

Irwin, Virginia
Tanner, Linda

NAYS - 109

BELKNAP

Abear, Marc
Lang, Timothy

Comtois, Barbara
Silber, Norman

Fields, Dennis
Sylvia, Michael

Howard, Raymond
Varney, Peter

CARROLL

Avellani, Lino

Cordelli, Glenn

McCarthy, Frank

Nelson, Bill

CHESHIRE

COOS

GRAFTON

Migliore, Vincent Paul

Schwaegler, Vicki

Johnson, Tiffany

HILLSBOROUGH

Ammon, Keith
Christie, Rick
Ferreira, Elizabeth
Gould, Linda
Moore, Josh
LeBrun, Donald
Murotake, David
Ohm, Bill
Seidel, Carl
Sullivan, Victoria

Biggie, Barbara
Danielson, David
Freeman, Lisa
Hinch, Richard
Rice, Kimberly
Lewicke, John
Murphy, Keith
Renzullo, Andrew
Somero, Paul

Burt, John
Donovan, Daniel
Griffin, Gerald
Hopper, Gary
L'Heureux, Robert
McCarthy, Michael
Negron, Steve
Sanborn, Laurie
Twombly, Timothy

Moore, Craig
Fedolfi, Jim
Gagne, Larry
Hynes, Dan
Lascelles, Richard
McLean, Mark
Notter, Jeanine
Scully, Kevin
Ulery, Jordan

MERRIMACK

Copp, Anne
Moffett, Michael
Seaworth, Brian

Hill, Gregory
Marple, Richard
Walsh, Thomas

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

Horn, Werner
Pearl, Howard
Wells, Natalie

ROCKINGHAM

Cook, Allen
DeSimone, Debra
Green, Dennis
O'Connor, John
Griffin, Mary
Gordon, Richard
Torosian, Peter
Welch, David

Baldasaro, Alfred
Emerick, J. Tracy
Marsh, Henry
Katsakiores, Phyllis
Pearson, Mark
Sapareto, Frank
True, Chris
Weyler, Kenneth

Barnes, Arthur
Fesh, Robert
Hoelzel, Kathleen
Khan, Aboul
Matthews, Carolyn
Spillane, James
Verville, Kevin

Bates, David
Gay, Betty
Itse, Daniel
Kolodziej, Walter
Morrison, Sean
Sytek, John
Wallace, Scott

STRAFFORDKaczynski, Thomas
Graham, RobertTurcotte, Leonard
Scruton, MatthewMcNally, Jody
Spencer, MatthewPitre, Joseph
Wuelper, Kurt**SULLIVAN**

O'Connor, John

Laware, Thomas

Rollins, Skip

and the majority committee report was adopted.

Rep. Barbara Griffin voted Yea and intended to vote Nay.

HB 1788-FN-L, relative to costs charged under the right-to-know law. **OUGHT TO PASS WITH AMENDMENT.** Rep. Michael Sylvia for Judiciary. This bill addresses wildly varying costs charged by various public bodies for copies provided under RSA 91-A. This bill as amended sets a maximum rate of 10 cents per page for copies. It should be noted that RSA 91-A:4, IV provides that "nothing in this section shall exempt any person from paying fees otherwise established by law for obtaining copies of governmental records or documents, but if such fee is established for the copy, no additional costs or fees shall be charged." Objections from registrars of deeds are protected from this change under RSA 478:17-g, III, which provides "for copying any documents or providing any other service, the charge shall be established and posted by the register of deeds." Vote 11-7.

Amendment (0451h)

Amend RSA 91-A:4, IV as inserted by section 1 of the bill by replacing it with the following:

IV. Each public body or agency shall, upon request for any governmental record reasonably described, make available for inspection and copying any such governmental record within its files when such records are immediately available for such release. If a public body or agency is unable to make a governmental record available for immediate inspection and copying, it shall, within 5 business days of request, make such record available, deny the request in writing with reasons, or furnish written acknowledgment of the receipt of the request and a statement of the time reasonably necessary to determine whether the request shall be granted or denied. If a computer, photocopying machine, or other device maintained for use by a public body or agency is used by the public body or agency to copy the governmental record requested, the person requesting the copy may be charged [~~the actual cost of~~] **10 cents per page** for providing the copy, which cost may be collected by the public body or agency. No fee shall be charged for the inspection or delivery, without copying, of governmental records, whether in paper, electronic, or other form. Nothing in this section shall exempt any person from paying fees otherwise established by law for obtaining copies of governmental records or documents, but if such fee is established for the copy, no additional costs or fees shall be charged.

AMENDED ANALYSIS

This bill establishes a cost per page for copies of governmental records under the right-to-know law. Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment. On a division vote, with 181 members having voted in the affirmative, and 149 in the negative, the committee report was adopted and ordered to third reading.

HB 1789-FN-L, relative to costs of requests which are in electronic format under the right-to-know law. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Timothy Horrigan for the Majority of Judiciary. The majority agreed that this bill went too far. Providing electronic records often incurs substantial costs and there should be some way to cover those costs. Also, there was concern that this bill might interfere with the operations of agencies which currently routinely charge user fees while making certain records available. Vote 9-8.

Rep. Jason Janvrin for the Minority of Judiciary. This bill would prohibit a public body from charging for delivery of electronic governmental records under RSA 91-A. The bill would carry out the intent of the statute by promoting open government by prohibiting charging a fee for transmittal of the record via email, onto a thumb drive, or making the record available on the internet. The minority of the committee believes that this bill would make access to governmental records much easier to obtain in the spirit of the right to know.

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

Reps. Verville and Janvrin spoke against.

Rep. Horrigan spoke in favor and yielded to questions.

Rep. Horn requested a roll call; sufficiently seconded.

YEAS 213 - NAYS 117**YEAS - 213****BELKNAP**Tilton, Franklin
Spagnuolo, PhilipFields, Dennis
Spanos, PeterFraser, Valerie
Varney, Peter

Huot, David

CARROLL

Buco, Thomas
Knirk, Jerry
Umberger, Karen

Butler, Edward
McConkey, Mark
Marsh, William

Crawford, Karel
Nelson, Bill

DesMarais, Edith
Schmidt, Stephen

CHESHIRE

Abbott, Michael
Burridge, Delmar
Fenton, Donovan
Meador, David
Tatro, Bruce

Ames, Richard
Harvey, Cathryn
Johnsen, Gladys
Parkhurst, Henry
Pearson, William

Berch, Paul
Eaton, Daniel
Hunt, John
Shepardson, Marjorie
Weber, Lucy

Bordenet, John
Faulkner, Barry
Mann, John
Sterling, Franklin

COOS

Fothergill, John
Thomas, Yvonne

Hatch, William

Moynihan, Wayne

Richardson, Herbert

GRAFTON

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

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

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

Campion, Polly
Josephson, Timothy
Nordgren, Sharon

HILLSBOROUGH

Ayala, Jessica
Biggie, Barbara
Christensen, Chris
Sullivan, Daniel
Elber, Joel
Goley, Jeffrey
Hopper, Gary
Judy, Jean
Kurk, Neal
LeBrun, Donald
McCarthy, Michael
Martineau, Jesse
O'Brien, Michael
Porter, Marjorie
Harvey, Suzanne
Twombly, Timothy

Backus, Robert
Bouldin, Amanda
Cleaver, Skip
Danielson, David
Freitas, Mary
Heath, Mary
Graham, John
Keane, Amelia
L'Heureux, Robert
Leishman, Peter
MacKenzie, Mark
McNamara, Richard
O'Leary, Richard
Proulx, Mark
Shaw, Barbara
Van Houten, Connie

Baroody, Benjamin
Byron, Frank
Connors, Erika
DiSilvestro, Linda
Gargas, Carolyn
Herbert, Christopher
Schmidt, Janice
King, Mark
Ober, Lynne
Lisle, David
Manley, Jonathan
Newman, Sue
Long, Patrick
Roberts, Carol
Sofikitis, Catherine
Williams, Kermit

Beaulieu, Jane
Chandlee, Shannon
Cornell, Patricia
Edwards, Elizabeth
Gidge, Kenneth
Hinch, Richard
Jack, Martin
Klee, Patricia
Lascelles, Richard
MacKay, Mariellen
Martin, Joelle
Nutting, Allison
Pierce, David
Rosenwald, Cindy
Wolf, Terry

MERRIMACK

Turcotte, Alan
Ebel, Karen
MacKay, James
Luneau, David
Rodd, Beth
Shurtleff, Stephen
Walz, Mary Beth

Bartlett, Christy
Gile, Mary
Kenison, Linda
Myler, Mel
Rogers, Katherine
Soucy, Timothy
Woolpert, David

Carson, Clyde
Moffett, Howard
Klose, John
Patten, Dick
Schuett, Dianne
Walsh, Thomas

Doherty, David
Henle, Paul
Leavitt, John
Richards, Beth
Schultz, Kristina
Wallner, Mary Jane

ROCKINGHAM

Abrami, Patrick
Bove, Martin
DiLorenzo, Charlotte
Emerick, J. Tracy
Guthrie, Joseph
Katsakiores, Phyllis
Pearson, Mark
McMahon, Charles
Gordon, Pamela
Le, Tamara
Weyler, Kenneth

Allen, Mary
Cahill, Michael
Dowling, Patricia
Farnham, Betsey
Hoelzel, Kathleen
Lerner, Kari
Major, Norman
Milz, David
Packard, Sherman
Ward, Gerald

Bean, Philip
Chirichiello, Brian
Edgar, Michael
Gay, Betty
Janigian, John
Lovejoy, Patricia
Malloy, Dennis
Murray, Kate
Pantelakos, Laura
Webb, James

Berrien, Skip
DeSimone, Debra
Elliott, Robert
Gilman, Julie
O'Connor, John
Griffin, Mary
McKinney, Betsy
Nasser, Jim
Sytek, John
Welch, David

STRAFFORD

Berube, Roger
Ellis, Donna
Horgan, James
Smith, Marjorie
Salloway, Jeffrey

Bixby, Peter
Fontneau, Timothy
Horrigan, Timothy
McNally, Jody
Sandler, Catt

Burton, Wayne
Frost, Sherry
Keans, Sandra
Opderbecke, Linn
Scruton, Matthew

Cilley, Jacalyn
Grassie, Chuck
Krans, Hamilton
Schmidt, Peter
Wall, Janet

SULLIVAN

Cloutier, John
Smith, Steven

Gottling, Suzanne
Sullivan, Brian

Grenier, James
Tanner, Linda

Irwin, Virginia

NAYS - 117**BELKNAP**

Abear, Marc
Lang, Timothy

Aldrich, Glen
Silber, Norman

Comtois, Barbara
Sylvia, Michael

Howard, Raymond
Vadney, Herbert

CARROLL

Avellani, Lino

Cordelli, Glenn

McCarthy, Frank

CHESHIRE

McConnell, James

O'Day, John

COOS

Merner, Troy

Tucker, Edith

GRAFTON

Darrow, Stephen
Johnson, Tiffany

Migliore, Vincent Paul

Rand, Steven

Schwaegler, Vicki

HILLSBOROUGH

Ammon, Keith
Dickey, Glen
Ferreira, Elizabeth
Gould, Linda
Belanger, James
McLean, Mark
Notter, Jeanine
Ober, Russell
Scully, Kevin
Sullivan, Victoria

Burt, John
Donovan, Daniel
Freeman, Lisa
Halstead, Carolyn
Moore, Josh
Murotake, David
Ohm, Bill
Renzullo, Andrew
Seidel, Carl
Vann, Ivy

Moore, Craig
Dyer, Caleb
Griffin, Gerald
Hansen, Peter
Rice, Kimberly
Murphy, Keith
Panasiti, Reed
Rouillard, Claire
Somero, Paul

Christie, Rick
Fedolfi, Jim
Gagne, Larry
Hynes, Dan
Lewicke, John
Negron, Steve
Prout, Andrew
Sanborn, Laurie
Ulery, Jordan

MERRIMACK

Kuch, Bill
Horn, Werner
Pearl, Howard

Copp, Anne
Moffett, Michael
Seaworth, Brian

Hill, Gregory
Marple, Richard
Testerman, Dave

Hoell, J.R.
McGuire, Carol
Wells, Natalie

ROCKINGHAM

Cook, Allen
Bates, David
Cushing, Robert Renny
Marsh, Henry
Janvrin, Jason
Messmer, Mindi
Sapareto, Frank
Torosian, Peter
Wallace, Scott

Altschiller, Debra
Cali-Pitts, Jacqueline
Thomas, Douglas
Hagan, Joseph
Khan, Aboul
Morrison, Sean
Somssich, Peter
True, Chris

Baldasaro, Alfred
Chase, Francis
Fesh, Robert
Itse, Daniel
Kolodziej, Walter
Gordon, Richard
Spillane, James
Verville, Kevin

Barnes, Arthur
Costable, Michael
Green, Dennis
Edwards, Jess
Matthews, Carolyn
Read, Ellen
Stone, Brian
Vose, Michael

STRAFFORD

Conley, Casey
Mullen, John
Spencer, Matthew

Harrington, Michael
Phinney, Brandon
Wuelper, Kurt

Kaczynski, Thomas
Pitre, Joseph

Turcotte, Leonard
Graham, Robert

SULLIVAN

O'Connor, John

Laware, Thomas

Oxenham, Lee

Rollins, Skip

and the majority committee report was adopted.

HB 1201, relative to an employee's earned but unused vacation time. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Philip Bean for the Majority of Labor, Industrial and Rehabilitative Services. The subject legislation encumbers the workplace to include labor and management, with administrative burden that is inconsistent with marketplace need and reality. The majority agreed that this legislation was not necessary. Vote 12-9. Rep. Michael Cahill for the Minority of Labor, Industrial and Rehabilitative Services. The bill as introduced would do away with "use it or lose it" regarding vacation hours. An amendment was brought forward to protect employees from losing earned wages due to the inability to use vacation hours due to the needs of the business. A ninety-day extension would be granted after which if the hours remain unused, wages would be paid.

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

Rep. Cahill spoke against.

Rep. Bean spoke in favor.

On a division vote, with 159 members having voted in the affirmative, and 162 in the negative, the majority committee report failed.

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

Rep. Cahill offered minority committee amendment (0274h).

Minority Amendment (0274h)

Amend the bill by replacing section 1 with the following:

1 New Section; Day's Work; Days of Rest; Vacation Time. Amend RSA 275 by inserting after section 35 the following new section:

275:35-a Vacation Time.

I. An employer not operating under a collective bargaining agreement that offers paid vacation time to its employees shall comply with the following:

(a) Inform employees of any policy regarding accrual or use of vacation time and any limits on accrual or use.

(b) Provide a means through which vacation time requests and approvals are processed.

(c) Provide employees with an accounting of vacation hours used and vacation hours remaining on the employee's pay statement.

II. If, upon reaching the employee's date of hire anniversary or the end of annual vacation time accrual period, an employee has vacation hours in excess of the accrual limit, the employer shall grant the employee an additional 90 days in which to use the excess vacation hours. The accrual of vacation hours shall continue during this period.

III. If the employee was unable to schedule time off due to the needs of the business, the employer shall pay the employee for any unused vacation hours up to the maximum accrued vacation hours limit established in company policy.

On a division vote, with 201 members having voted in the affirmative, and 120 in the negative, the minority committee amendment was adopted.

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

Rep. Hoell requested a roll call; sufficiently seconded.

YEAS 192 - NAYS 139

YEAS - 192 BELKNAP

Abear, Marc

Fields, Dennis

Huot, David

Spagnuolo, Philip

CARROLL

Buco, Thomas
Knirk, Jerry

Butler, Edward
Nelson, Bill

Crawford, Karel

DesMarais, Edith

CHESHIRE

Abbott, Michael
Burridge, Delmar
Johnsen, Gladys
Parkhurst, Henry
Weber, Lucy

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

Berch, Paul
Faulkner, Barry
McConnell, James
Tatro, Bruce

Bordenet, John
Fenton, Donovan
Meador, David
Pearson, William

COOS

Fothergill, John
Tucker, Edith

Hatch, William

Moynihan, Wayne

Richardson, Herbert

GRAFTON

Abel, Richard
Dontonville, Roger
Massimilla, Linda
Rand, Steven

Almy, Susan
Higgins, Patricia
Migliore, Vincent Paul
Smith, Suzanne

Bennett, Travis
Josephson, Timothy
Mulligan, Mary Jane
Sykes, George

Campion, Polly
Maes, Kevin
Nordgren, Sharon
White, Andrew

HILLSBOROUGH

Ayala, Jessica
Bouldin, Amanda
Cleaver, Skip
Danielson, David
Elber, Joel
Heath, Mary
Schmidt, Janice
King, Mark

Backus, Robert
Chandlee, Shannon
Connors, Erika
DiSilvestro, Linda
Freitas, Mary
Herbert, Christopher
Jack, Martin
Klee, Patricia

Baroody, Benjamin
Christensen, Chris
Cornell, Patricia
Donovan, Daniel
Gidge, Kenneth
Hopper, Gary
Judy, Jean
Leishman, Peter

Beaulieu, Jane
Christie, Rick
Sullivan, Daniel
Edwards, Elizabeth
Goley, Jeffrey
Belanger, James
Keane, Amelia
Lisle, David

MacKay, Mariellen
Martin, Joelle
Nutting, Allison
Porter, Marjorie
Rosenwald, Cindy
Sofikitis, Catherine

McCarthy, Michael
Martineau, Jesse
O'Brien, Michael
Proulx, Mark
Harvey, Suzanne
Van Houten, Connie

MacKenzie, Mark
McNamara, Richard
O'Leary, Richard
Renzullo, Andrew
Scully, Kevin
Vann, Ivy

Manley, Jonathan
Newman, Sue
Long, Patrick
Roberts, Carol
Shaw, Barbara
Williams, Kermit

Turcotte, Alan
Ebel, Karen
MacKay, James
Patten, Dick
Schuett, Dianne
Walsh, Thomas

Bartlett, Christy
Gile, Mary
Kenison, Linda
Richards, Beth
Schultz, Kristina
Wallner, Mary Jane

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

Doherty, David
Henle, Paul
Myler, Mel
Rogers, Katherine
Soucy, Timothy
Woolpert, David

MERRIMACK

Cook, Allen
Berrien, Skip
Cushing, Robert Renny
Elliott, Robert
Khan, Aboul
Malloy, Dennis
Gordon, Pamela
Stone, Brian

Allen, Mary
Bove, Martin
DiLorenzo, Charlotte
Farnham, Betsey
Lerner, Kari
McMahon, Charles
Pantelakos, Laura
Le, Tamara

Altschiller, Debra
Cahill, Michael
Dowling, Patricia
Gay, Betty
Lovejoy, Patricia
Messmer, Mindi
Read, Ellen
Ward, Gerald

Barnes, Arthur
Cali-Pitts, Jacqueline
Edgar, Michael
Gilman, Julie
Pearson, Mark
Murray, Kate
Somssich, Peter
Webb, James

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Smith, Marjorie
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Horrigan, Timothy
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Sullivan, Brian

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Comtois, Barbara
Lang, Timothy
Vadney, Herbert

Tilton, Franklin
Silber, Norman
Varney, Peter

Fraser, Valerie
Spanos, Peter

NAYS - 139

BELKNAP

Avellani, Lino
Schmidt, Stephen

Cordelli, Glenn
Umberger, Karen

McCarthy, Frank
Marsh, William

McConkey, Mark

CARROLL

Hunt, John

O'Day, John

Sterling, Franklin

CHESHIRE

Merner, Troy

Theberge, Robert

Thomas, Yvonne

COOS

Darrow, Stephen

Hennessey, Erin

Schwaegler, Vicki

Johnson, Tiffany

GRAFTON

Ammon, Keith
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Fedolfi, Jim
Gagne, Larry
Hinch, Richard
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Hynes, Dan
Kurk, Neal
LeBrun, Donald
Murphy, Keith
Panasiti, Reed
Rouillard, Claire
Wolf, Terry

Biggie, Barbara
Dickey, Glen
Freeman, Lisa
Halstead, Carolyn
Graham, John
L'Heureux, Robert
Lewicke, John
Negron, Steve
Pierce, David
Sanborn, Laurie
Twombly, Timothy

Burt, John
Dyer, Caleb
Griffin, Gerald
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Moore, Josh
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McLean, Mark
Notter, Jeanine
Prout, Andrew
Seidel, Carl
Ulery, Jordan

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Seaworth, Brian

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Horn, Werner
Marple, Richard
Testerman, Dave

Long, Douglas
Klose, John
McGuire, Carol
Wells, Natalie

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Pearl, Howard

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Guthrie, Joseph
Itse, Daniel
O'Connor, John
Major, Norman
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True, Chris
Welch, David

Baldasaro, Alfred
Chirichiello, Brian
Emerick, J. Tracy
Marsh, Henry
Edwards, Jess
Katsakiores, Phyllis
Matthews, Carolyn
Nasser, Jim
Spillane, James
Verville, Kevin
Weyler, Kenneth

Bates, David
Costable, Michael
Fesh, Robert
Hagan, Joseph
Janigian, John
Kolodziej, Walter
McKinney, Betsy
Packard, Sherman
Sytek, John
Vose, Michael

Bean, Philip
Thomas, Douglas
Green, Dennis
Hoelzel, Kathleen
Janvrin, Jason
Griffin, Mary
Milz, David
Gordon, Richard
Torosian, Peter
Wallace, Scott

STRAFFORD

Harrington, Michael
Phinney, Brandon

Horgan, James
Spencer, Matthew

Kaczynski, Thomas
Wuelper, Kurt

Turcotte, Leonard

SULLIVAN

Rollins, Skip

Smith, Steven

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

HB 1222, relative to inquiries concerning salary history by prospective employers. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Leonard Turcotte for the Majority of Labor, Industrial and Rehabilitative Services. This bill would prevent an employer from asking a potential employee any questions regarding previous wage or salary history prior to an applicant being offered employment. There are several problems with this bill as it places additional, unnecessary restrictions on our already over-regulated businesses. The extensive "legislative findings" stipulated in the preamble are subjective at best and many do not even speak to the bill's intent. An employer could easily negate the entire, intended purpose of this bill by simply stating to an applicant at the first interview "I cannot ask you about your salary or wage history but you may voluntarily disclose your wage history to me now." Limiting the free discussion of salary history could create unintended consequences for the employee's rate of pay or job prospects. Employers might also become more selective in who they even choose to interview by limiting the pool of potential candidates. Finally, rather than eliminating regulations, this bill adds more. As legislators, we should not be creating greater impediments in the employer-employee business relationship. The majority recommends that this bill be voted Inexpedient to Legislate. Vote 12-9.

Rep. Janice Schmidt for the Minority of Labor, Industrial and Rehabilitative Services. Formerly a gendered problem, this is now an issue confronting all new and potential employees in New Hampshire. One reason for slow wage growth since the Great Recession is the referencing in job applications of salaries dating to or prior to the Great Recession. Employers may still ask for salary histories in job interviews, but this proposal would at least aid qualified applicants in passing the initial threshold in the overall application process. Majority committee report adopted.

HB 1246, relative to the minimum hourly rate for tipped employees. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Leonard Turcotte for the Majority of Labor, Industrial and Rehabilitative Services. This bill would raise the minimum wage component for employees who regularly receive tips. The Labor Committee has heard variants of this minimum wage bill several times over the past few years and each time it has been appropriately killed. As before, no employee who would be affected by this bill testified for it. In fact, a prime sponsor of the bill conceded that she knew of no personal instances of tipped employees asking for the change. Testimony by industry affirmed previous years' testimony that tipped employees make on average between \$15 and \$25 an hour, even more in higher-end businesses. Lastly, a similar bill in our neighboring State of Maine, passed just two years ago, was reversed this past summer when a large number of tipped employees formed an association to lobby for the old law. The employees soon discovered that the new law raising their minimum wage actually caused their overall compensation to be less than under the previous law. The majority of the committee recommends Inexpedient to Legislate. Vote 12-9.

Rep. Douglas Ley for the Minority of Labor, Industrial and Rehabilitative Services. Payment of sub-minimum wages to tipped employees perpetuates an historical practice rooted in slavery (unpaid labor) where occasional tips could be offered. Today, some servers earn substantial tips (skewing the overall average)

but the majority barely make a subsistence wage. Consequently, taxpayers bear the burden of the social services (food stamps, housing assistance) these tipped employers must utilize. In addition, payment of the sub-minimum wage disproportionately affects women, and dependence upon tips fosters an inordinate vulnerability to sexual harassment by customers. Therefore, the minority believe it is time to correct this historic inequity, whereby one class of businesses whose employees are made vulnerable to sexual harassment are subsidized by taxpayers.

Majority committee report adopted.

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

HB 1405, relative to the eligibility of school district employees for family and medical leave. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Leonard Turcotte for the Majority of Labor, Industrial and Rehabilitative Services. This bill would reduce the hourly threshold for eligibility under Family and Medical Leave for any "school district employee" from the federally mandated minimum of 1250 hours worked, down to only 900 hours worked. Although testimony focused specifically on Education Support Personnel (ESPs), other school employees could also become eligible under the reduced hourly minimum thresholds. The majority of the committee believes that implementing special carve-outs is not the appropriate way to create fair and equitable legislation. Additionally, we believe the current federal minimums are at an acceptable hourly threshold, and any changes to that minimum hourly threshold should be taken care of at the federal, rather than state level. The majority therefore recommends that this bill be voted Inexpedient to Legislate. Vote 12-9.

Rep. Brian Sullivan for the Minority of Labor, Industrial and Rehabilitative Services. This bill will allow school year employees such as paraprofessionals to qualify for unpaid leave under the FMLA. The minority believes that these essential employees should have access to this leave, especially as it would not cost the school district any additional money.

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

Rep. Len Turcotte spoke in favor.

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

YEAS 169 - NAYS 162

YEAS - 169

BELKNAP

Abear, Marc
Fields, Dennis
Silber, Norman
Varney, Peter

Aldrich, Glen
Fraser, Valerie
Spanos, Peter

Comtois, Barbara
Howard, Raymond
Sylvia, Michael

Tilton, Franklin
Lang, Timothy
Vadney, Herbert

CARROLL

Avellani, Lino
McConkey, Mark
Marsh, William

Comeau, Ed
Nelson, Bill

Cordelli, Glenn
Schmidt, Stephen

McCarthy, Frank
Umberger, Karen

CHESHIRE

Hunt, John

McConnell, James

O'Day, John

Sterling, Franklin

COOS

Fothergill, John

Merner, Troy

Theberge, Robert

GRAFTON

Darrow, Stephen

Hennessey, Erin

Schwaegler, Vicki

Johnson, Tiffany

HILLSBOROUGH

Griffin, Barbara
Moore, Craig
Dickey, Glen
Ferreira, Elizabeth
Gould, Linda
Hopper, Gary
Moore, Josh
Ober, Lynne
MacKay, Mariellen
Murphy, Keith
Panasiti, Reed
Ober, Russell
Scully, Kevin
Ulery, Jordan

Biggie, Barbara
Christensen, Chris
Donovan, Daniel
Freeman, Lisa
Halstead, Carolyn
Hynes, Dan
Rice, Kimberly
Lascelles, Richard
McCarthy, Michael
Negron, Steve
Pierce, David
Renzullo, Andrew
Seidel, Carl
Sullivan, Victoria

Burt, John
Christie, Rick
Dyer, Caleb
Griffin, Gerald
Hansen, Peter
Belanger, James
Kurk, Neal
LeBrun, Donald
McLean, Mark
Notter, Jeanine
Proulx, Mark
Rouillard, Claire
Somero, Paul

Byron, Frank
Danielson, David
Fedolli, Jim
Gagne, Larry
Hinch, Richard
Graham, John
L'Heureux, Robert
Lewicke, John
Murotake, David
Ohm, Bill
Prout, Andrew
Sanborn, Laurie
Wolf, Terry

MERRIMACK

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

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

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

Hill, Gregory
Leavitt, John
Pearl, Howard
Wells, Natalie

ROCKINGHAM

Cook, Allen
Barnes, Arthur
Chase, Francis
DeSimone, Debra
Fesh, Robert
Hoelzel, Kathleen
O'Connor, John
Griffin, Mary
McKinney, Betsy
Nasser, Jim
Spillane, James
True, Chris
Webb, James

Abrami, Patrick
Bates, David
Chirichiello, Brian
Dowling, Patricia
Green, Dennis
Itse, Daniel
Katsakiores, Phyllis
Pearson, Mark
McMahon, Charles
Packard, Sherman
Stone, Brian
Verville, Kevin
Welch, David

Allen, Mary
Bean, Philip
Costable, Michael
Elliott, Robert
Marsh, Henry
Edwards, Jess
Khan, Aboul
Major, Norman
Milz, David
Gordon, Richard
Sytek, John
Vose, Michael
Weyler, Kenneth

Baldasaro, Alfred
Bove, Martin
Thomas, Douglas
Emerick, J. Tracy
Hagan, Joseph
Janigian, John
Kolodziej, Walter
Matthews, Carolyn
Morrison, Sean
Sapareto, Frank
Torosian, Peter
Wallace, Scott

STRAFFORD

Harrington, Michael
McNally, Jody
Graham, Robert

Horgan, James
Mullen, John
Scruton, Matthew

Kaczynski, Thomas
Phinney, Brandon
Spencer, Matthew

Turcotte, Leonard
Pitre, Joseph
Wuelper, Kurt

SULLIVAN

Grenier, James

Rollins, Skip

Smith, Steven

NAYS - 162**BELKNAP**

Huot, David

Spagnuolo, Philip

CARROLL

Buco, Thomas
Knirk, Jerry

Butler, Edward

Crawford, Karel

DesMarais, Edith

CHESHIRE

Abbott, Michael
Burridge, Delmar
Fenton, Donovan
Parkhurst, Henry
Weber, Lucy

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

Berch, Paul
Eaton, Daniel
Mann, John
Tatro, Bruce

Bordenet, John
Faulkner, Barry
Meader, David
Pearson, William

COOS

Hatch, William
Thomas, Yvonne

Moynihan, Wayne

Richardson, Herbert

Tucker, Edith

GRAFTON

Abel, Richard
Campion, Polly
Maes, Kevin
Nordgren, Sharon
White, Andrew

Almy, Susan
Dontonville, Roger
Massimilla, Linda
Rand, Steven

Bennett, Travis
Higgins, Patricia
Migliore, Vincent Paul
Smith, Suzanne

Boutin, Skylar
Josephson, Timothy
Mulligan, Mary Jane
Sykes, George

HILLSBOROUGH

Backus, Robert
Chandley, Shannon
Sullivan, Daniel
Freitas, Mary
Herbert, Christopher
Keane, Amelia
Lisle, David
Martineau, Jesse
O'Brien, Michael
Roberts, Carol
Sofikitis, Catherine
Williams, Kermit

Baroody, Benjamin
Cleaver, Skip
DiSilvestro, Linda
Gidge, Kenneth
Schmidt, Janice
King, Mark
MacKenzie, Mark
McNamara, Richard
O'Leary, Richard
Rosenwald, Cindy
Twombly, Timothy

Beaulieu, Jane
Connors, Erika
Edwards, Elizabeth
Goley, Jeffrey
Jack, Martin
Klee, Patricia
Manley, Jonathan
Newman, Sue
Long, Patrick
Harvey, Suzanne
Van Houten, Connie

Bouldin, Amanda
Cornell, Patricia
Elber, Joel
Heath, Mary
Judy, Jean
Leishman, Peter
Martin, Joelle
Nutting, Allison
Porter, Marjorie
Shaw, Barbara
Vann, Ivy

MERRIMACK

Turcotte, Alan
Ebel, Karen

Bartlett, Christy
Gile, Mary

Carson, Clyde
Moffett, Howard

Doherty, David
Henle, Paul

MacKay, James
Patten, Dick
Schuett, Dianne
Wallner, Mary Jane

Kenison, Linda
Richards, Beth
Schultz, Kristina
Walz, Mary Beth

Luneau, David
Rodd, Beth
Shurtleff, Stephen
Woolpert, David

Myler, Mel
Rogers, Katherine
Soucy, Timothy

ROCKINGHAM

Altschiller, Debra
Cushing, Robert Renny
Gay, Betty
Lovejoy, Patricia
Gordon, Pamela
Le, Tamara

Berrien, Skip
DiLorenzo, Charlotte
Gilman, Julie
Malloy, Dennis
Pantelakos, Laura
Ward, Gerald

Cahill, Michael
Edgar, Michael
Guthrie, Joseph
Messmer, Mindi
Read, Ellen

Cali-Pitts, Jacqueline
Farnham, Betsey
Lerner, Kari
Murray, Kate
Somssich, Peter

STRAFFORD

Berube, Roger
Conley, Casey
Grassie, Chuck
Smith, Marjorie
Sandler, Catt

Bixby, Peter
Ellis, Donna
Horrigan, Timothy
Opderbecke, Linn
Wall, Janet

Burton, Wayne
Fontneau, Timothy
Keans, Sandra
Schmidt, Peter

Cilley, Jacalyn
Frost, Sherry
Krans, Hamilton
Salloway, Jeffrey

SULLIVAN

Cloutier, John
Laware, Thomas

Gottling, Suzanne
Oxenham, Lee

Irwin, Virginia
Sullivan, Brian

O'Connor, John
Tanner, Linda

and the majority committee report was adopted.

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Hinch moved that the House reconsider its action whereby, on a roll call vote of 169-162, the House adopted the majority committee report of Inexpedient to Legislate on **HB 1405**, relative to the eligibility of school district employees for family and medical leave.

Rep. Hinch spoke against.

On a division vote, with 161 members having voted in the affirmative, and 172 in the negative, the motion failed.

REGULAR CALENDAR - PART II CONT'D

HB 1462-FN, relative to health and dental benefits under the workers' compensation law. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Brian Seaworth for the Majority of Labor, Industrial and Rehabilitative Services. This bill proposes to add a benefit which would be unique to New Hampshire. In the case of a workplace injury covered by Workers' Compensation which renders an employee unable to work, it proposes an mandated extension of health insurance coverage by the employer to a period of up to one year. The sponsor wanted to address the cost of COBRA to an employee who continues coverage during their absence. The research did not consider all the options available today, such as expanded medicaid and the health insurance exchange. Note also that health insurance is a benefit provided at the discretion of the employer. The majority of the committee is concerned, not only that this bill would be an expensive new mandate on New Hampshire employers, but that it might have unintended consequences. Employers may be less inclined to provide health insurance as an employee benefit, in some cases, if we increase the cost of doing so. Vote 12-9.

Rep. Mark MacKenzie for the Minority of Labor, Industrial and Rehabilitative Services. The current workers compensation system is designed to make people whole following an industrial accident to the extent possible. It provides for indemnity benefits to replace wages and covers the cost of medical care for the insured worker specific to the injury. It also includes rehabilitation benefits to help return the injured worker to gainful employment when possible. Unfortunately, as the sponsors of the bill explain employers are not required to maintain health care and dental coverage for the employee consistent with practices in place at the time of the injury. This could potentially leave the injured worker and their families without employer-sponsored health care. The current workers compensation provision should be required to make a person whole, and this includes the continuation of health care and dental benefits for the duration of the injury. The bill would only require health and dental coverage to continue for a two-year period. Failure to continue medical and dental insurance for the injured worker and his/her family could also be used as a wedge issue in a settlement by creating additional pressure on the injured worker to return to work before wholly recovered. The minority of the committee believe it is unfair not to continue employer sponsored health care and dental benefits when an employee suffers a work related injury and failure to do so creates an undue burden on the worker and their families.

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

Rep. McKenzie spoke against.

Rep. Seaworth spoke in favor.

Rep. Burt requested a roll call; sufficiently seconded.

YEAS 175 - NAYS 157**YEAS - 175****BELKNAP**

Abear, Marc
Fields, Dennis
Silber, Norman
Varney, Peter

Aldrich, Glen
Fraser, Valerie
Spanos, Peter

Comtois, Barbara
Howard, Raymond
Sylvia, Michael

Tilton, Franklin
Lang, Timothy
Vadney, Herbert

CARROLL

Avellani, Lino
Crawford, Karel
Schmidt, Stephen

Butler, Edward
McCarthy, Frank
Umberger, Karen

Comeau, Ed
McConkey, Mark
Marsh, William

Cordelli, Glenn
Nelson, Bill

CHESHIRE

Hunt, John

McConnell, James

O'Day, John

Sterling, Franklin

COOS

Fothergill, John

Merner, Troy

Theberge, Robert

Thomas, Yvonne

GRAFTON

Boutin, Skylar
Schwaegler, Vicki

Darrow, Stephen
Johnson, Tiffany

Hennessey, Erin

Migliore, Vincent Paul

HILLSBOROUGH

Ammon, Keith
Byron, Frank
Danielson, David
Fedolfi, Jim
Gagne, Larry
Hansen, Peter
Belanger, James
Kurk, Neal
LeBrun, Donald
Murotake, David
Ohm, Bill
Ober, Russell
Scully, Kevin
Twombly, Timothy

Griffin, Barbara
Moore, Craig
Dickey, Glen
Ferreira, Elizabeth
Gargas, Carolyn
Hinch, Richard
Graham, John
L'Heureux, Robert
MacKay, Mariellen
Murphy, Keith
Panasiti, Reed
Renzullo, Andrew
Seidel, Carl
Ulery, Jordan

Biggie, Barbara
Christensen, Chris
Donovan, Daniel
Freeman, Lisa
Gould, Linda
Hopper, Gary
Moore, Josh
Ober, Lynne
McCarthy, Michael
Negron, Steve
Pierce, David
Rouillard, Claire
Somero, Paul
Sullivan, Victoria

Burt, John
Christie, Rick
Dyer, Caleb
Griffin, Gerald
Halstead, Carolyn
Hynes, Dan
Rice, Kimberly
Lascelles, Richard
McLean, Mark
Notter, Jeanine
Prout, Andrew
Sanborn, Laurie
Wolf, Terry

MERRIMACK

Kuch, Bill
Hill, Gregory
Leavitt, John
Pearl, Howard

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

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

Wolf, Dan
Klose, John
McGuire, Carol
Wells, Natalie

ROCKINGHAM

Cook, Allen
Barnes, Arthur
Chase, Francis
DeSimone, Debra
Green, Dennis
Itse, Daniel
Katsakiores, Phyllis
Pearson, Mark
McMahon, Charles
Packard, Sherman
Stone, Brian
Verville, Kevin
Welch, David

Abrami, Patrick
Bates, David
Chirichiello, Brian
Elliott, Robert
Marsh, Henry
Edwards, Jess
Khan, Aboul
Major, Norman
Milz, David
Gordon, Richard
Sytek, John
Vose, Michael
Weyler, Kenneth

Allen, Mary
Bean, Philip
Costable, Michael
Emerick, J. Tracy
Hagan, Joseph
Janigian, John
Kolodziej, Walter
Matthews, Carolyn
Morrison, Sean
Sapareto, Frank
Torosian, Peter
Wallace, Scott

Baldasaro, Alfred
Bove, Martin
Thomas, Douglas
Fesh, Robert
Hoelzel, Kathleen
O'Connor, John
Griffin, Mary
McKinney, Betsy
Nasser, Jim
Spillane, James
True, Chris
Webb, James

STRAFFORD

Harrington, Michael
McNally, Jody
Graham, Robert

Horgan, James
Mullen, John
Scruton, Matthew

Kaczynski, Thomas
Phinney, Brandon
Spencer, Matthew

Turcotte, Leonard
Pitre, Joseph
Wuelper, Kurt

SULLIVAN

Grenier, James

Laware, Thomas

Rollins, Skip

Smith, Steven

NAYS - 157**BELKNAP**

Spagnuolo, Philip

CARROLL

Buco, Thomas

DesMarais, Edith

Knirk, Jerry

CHESHIREAbbott, Michael
Burridge, Delmar
Fenton, Donovan
Parkhurst, Henry
Weber, LucyAmes, Richard
Harvey, Cathryn
Johnsen, Gladys
Shepardson, MarjorieBerch, Paul
Eaton, Daniel
Mann, John
Tatro, BruceBordenet, John
Faulkner, Barry
Meador, David
Pearson, William**COOS**

Hatch, William

Moynihan, Wayne

Richardson, Herbert

Tucker, Edith

GRAFTONAbel, Richard
Dontonville, Roger
Massimilla, Linda
Smith, SuzanneAlmy, Susan
Higgins, Patricia
Mulligan, Mary Jane
Sykes, GeorgeBennett, Travis
Josephson, Timothy
Nordgren, Sharon
White, AndrewCampion, Polly
Maes, Kevin
Rand, Steven**HILLSBOROUGH**Ayala, Jessica
Chandley, Shannon
Sullivan, Daniel
Gidge, Kenneth
Schmidt, Janice
King, Mark
Lisle, David
Martineau, Jesse
O'Brien, Michael
Proulx, Mark
Shaw, Barbara
Williams, KermitBackus, Robert
Cleaver, Skip
DiSilvestro, Linda
Goley, Jeffrey
Jack, Martin
Klee, Patricia
MacKenzie, Mark
McNamara, Richard
O'Leary, Richard
Roberts, Carol
Sofikitis, CatherineBeaulieu, Jane
Connors, Erika
Elber, Joel
Heath, Mary
Judy, Jean
Leishman, Peter
Manley, Jonathan
Newman, Sue
Long, Patrick
Rosenwald, Cindy
Van Houten, ConnieBouldin, Amanda
Cornell, Patricia
Freitas, Mary
Herbert, Christopher
Keane, Amelia
Lewicke, John
Martin, Joelle
Nutting, Allison
Porter, Marjorie
Harvey, Suzanne
Vann, Ivy**MERRIMACK**Turcotte, Alan
Ebel, Karen
MacKay, James
Patten, Dick
Schuett, Dianne
Testerman, DaveBartlett, Christy
Gile, Mary
Kenison, Linda
Richards, Beth
Schultz, Kristina
Wallner, Mary JaneCarson, Clyde
Moffett, Howard
Luneau, David
Rodd, Beth
Shurtleff, Stephen
Walz, Mary BethDoherty, David
Henle, Paul
Myler, Mel
Rogers, Katherine
Soucy, Timothy
Woolpert, David**ROCKINGHAM**Altschiller, Debra
Cushing, Robert Renny
Farnham, Betsey
Lerner, Kari
Murray, Kate
Somssich, PeterBerrien, Skip
DiLorenzo, Charlotte
Gay, Betty
Lovejoy, Patricia
Gordon, Pamela
Le, TamaraCahill, Michael
Dowling, Patricia
Gilman, Julie
Malloy, Dennis
Pantelakos, Laura
Ward, GeraldCali-Pitts, Jacqueline
Edgar, Michael
Guthrie, Joseph
Messmer, Mindi
Read, Ellen**STRAFFORD**Berube, Roger
Conley, Casey
Grassie, Chuck
Smith, Marjorie
Sandler, CattBixby, Peter
Ellis, Donna
Horrigan, Timothy
Opderbecke, Linn
Wall, JanetBurton, Wayne
Fontneau, Timothy
Keans, Sandra
Schmidt, PeterCilley, Jacalyn
Frost, Sherry
Krans, Hamilton
Salloway, Jeffrey**SULLIVAN**Cloutier, John
Oxenham, LeeGottling, Suzanne
Sullivan, BrianIrwin, Virginia
Tanner, Linda

O'Connor, John

and the majority committee report was adopted.

HB 1500-FN, relative to workplace violence, workplace injuries and death in the workplace. **MAJORITY: REFER FOR INTERIM STUDY. MINORITY: OUGHT TO PASS.**

Rep. Leonard Turcotte for the Majority of Labor, Industrial and Rehabilitative Services. While the majority of the committee believes there may be value in exploring the overall concept of the bill, we find that there are just too many unanswered questions regarding the intent, interpretation and definition of individual provisions. In fact, during testimony, an identical question asked of two different witnesses resulted in two different interpretations. An amendment proposed during the executive session contained changes and definitions the sponsor could not adequately explain. Not wanting to approve legislation "on the fly," the majority finds an appropriate resolution to be Interim Study. Vote 11-10.

Rep. Mark MacKenzie for the Minority of Labor, Industrial and Rehabilitative Services. Public employees in New Hampshire lack coverage under the Occupational Safety and Health Administration (OSHA) laws which are provided to private employees, and state laws to protect the health and safety of public employees are much less comprehensive than the federal provisions that protect their private sector counterparts. In addition, the state infrastructure necessary to investigate accidents, determine the cause and initiate measures to prevent further accidental deaths and injuries in public sector workplaces is significantly limited and leaves family members and others looking for answers. This legislation gives the Department of Labor the authority to play a role in the investigation of serious injuries and death by including them in the process and requiring they be notified. It also establishes a time limit for serious injuries and deaths to be reported, which matches reporting requirements for deaths and serious injuries in the private sector workforce. The bill adds two new definitions to laws covering public sector employees for "serious injury" and "workplace violence." During the testimony, the committee heard from public sector workers who have experienced workplace violence in one form or another, some resulting in serious injuries. This legislation is a response to their concerns by giving workers an option to report workplace violence and potentially dangerous situations which could jeopardize their safety, and guarantees no reprisal. It also enables the Department of Labor to inspect the workplaces when they are notified, if the reported conditions are evaluated as posing a credible safety risk. The sponsors of this bill worked with the members of the committee to craft language which is consistent with that used to protect private sector workers. Both the Occupational Safety and Health Administration and the National Institute of Occupational Safety and Health use equivalent definitions of workplace violence as the definition contained in the bill, and the minority of the committee believes the language has been sufficiently vetted and nationally recognized. Public sector workers should be afforded the same protections as the private sector workforce, including recognition of the harmful impact of workplace violence on public employees' safety and health.

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

Reps. Cushing and McKenzie spoke against.

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

YEAS 177 - NAYS 157

YEAS - 177

BELKNAP

Abear, Marc
Fields, Dennis
Silber, Norman
Varney, Peter

Aldrich, Glen
Fraser, Valerie
Spanos, Peter

Comtois, Barbara
Howard, Raymond
Sylvia, Michael

Tilton, Franklin
Lang, Timothy
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

Fothergill, John

Merner, Troy

Theberge, Robert

Tucker, Edith

GRAFTON

Darrow, Stephen
Schwaegler, Vicki

Ham, Bonnie
Johnson, Tiffany

Hennessey, Erin

Rand, Steven

HILLSBOROUGH

Ammon, Keith
Byron, Frank
Danielson, David
Fedolfi, Jim
Gagne, Larry
Hansen, Peter
Belanger, James
Kurk, Neal
LeBrun, Donald
Murotake, David
Ohm, Bill
Ober, Russell
Scully, Kevin
Twombly, Timothy

Griffin, Barbara
Moore, Craig
Dickey, Glen
Ferreira, Elizabeth
Gargas, Carolyn
Hinch, Richard
Graham, John
L'Heureux, Robert
Lewicke, John
Murphy, Keith
Panasiti, Reed
Renzullo, Andrew
Seidel, Carl
Ulery, Jordan

Biggie, Barbara
Christensen, Chris
Donovan, Daniel
Freeman, Lisa
Gould, Linda
Hopper, Gary
Moore, Josh
Ober, Lynne
MacKay, Mariellen
Negron, Steve
Pierce, David
Rouillard, Claire
Somero, Paul
Sullivan, Victoria

Burt, John
Christie, Rick
Dyer, Caleb
Griffin, Gerald
Halstead, Carolyn
Hynes, Dan
Rice, Kimberly
Lascelles, Richard
McLean, Mark
Notter, Jeanine
Prout, Andrew
Sanborn, Laurie
Wolf, Terry

MERRIMACK

Kuch, Bill
Hill, Gregory
Leavitt, John
Pearl, Howard

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

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

Wolf, Dan
Klose, John
McGuire, Carol
Wells, Natalie

ROCKINGHAM

Abrami, Patrick
Bates, David
Costable, Michael
Elliott, Robert
Gilman, Julie
Hagan, Joseph
Janigian, John
Khan, Aboul
Major, Norman
Milz, David
Gordon, Richard
Sytek, John
Vose, Michael
Weyler, Kenneth

Allen, Mary
Bean, Philip
Thomas, Douglas
Emerick, J. Tracy
Green, Dennis
Hoelzel, Kathleen
Janvrin, Jason
Kolodziej, Walter
Matthews, Carolyn
Morrison, Sean
Sapareto, Frank
Torosian, Peter
Wallace, Scott

Baldasaro, Alfred
Bove, Martin
DeSimone, Debra
Fesh, Robert
Guthrie, Joseph
Itse, Daniel
O'Connor, John
Griffin, Mary
McKinney, Betsy
Nasser, Jim
Spillane, James
True, Chris
Webb, James

Barnes, Arthur
Chase, Francis
Dowling, Patricia
Gay, Betty
Marsh, Henry
Edwards, Jess
Katsakiores, Phyllis
Pearson, Mark
McMahon, Charles
Packard, Sherman
Stone, Brian
Verville, Kevin
Welch, David

STRAFFORD

Harrington, Michael
McNally, Jody
Graham, Robert

Horgan, James
Mullen, John
Scruton, Matthew

Kaczynski, Thomas
Phinney, Brandon
Spencer, Matthew

Turcotte, Leonard
Pitre, Joseph
Wuelper, Kurt

SULLIVAN

Grenier, James

Laware, Thomas

Rollins, Skip

Smith, Steven

**NAYS - 157
BELKNAP**

Huot, David

Spagnuolo, Philip

CARROLL

Buco, Thomas

Butler, Edward

DesMarais, Edith

Knirk, Jerry

CHESHIRE

Abbott, Michael
Burridge, Delmar
Fenton, Donovan
Parkhurst, Henry
Weber, Lucy

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

Berch, Paul
Eaton, Daniel
Mann, John
Tatro, Bruce

Bordenet, John
Faulkner, Barry
Meader, David
Pearson, William

COOS

Hatch, William

Moynihan, Wayne

Richardson, Herbert

Thomas, Yvonne

GRAFTON

Abel, Richard
Campion, Polly
Maes, Kevin
Nordgren, Sharon

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

Bennett, Travis
Higgins, Patricia
Migliore, Vincent Paul
Sykes, George

Boutin, Skylar
Josephson, Timothy
Mulligan, Mary Jane
White, Andrew

HILLSBOROUGH

Ayala, Jessica
Bouldin, Amanda
Cornell, Patricia
Freitas, Mary
Herbert, Christopher
Keane, Amelia
Lisle, David
Martin, Joelle
Nutting, Allison
Porter, Marjorie
Harvey, Suzanne
Vann, Ivy

Backus, Robert
Chandley, Shannon
Sullivan, Daniel
Gidge, Kenneth
Schmidt, Janice
King, Mark
McCarthy, Michael
Martineau, Jesse
O'Brien, Michael
Proulx, Mark
Shaw, Barbara
Williams, Kermit

Baroody, Benjamin
Cleaver, Skip
DiSilvestro, Linda
Goley, Jeffrey
Jack, Martin
Klee, Patricia
MacKenzie, Mark
McNamara, Richard
O'Leary, Richard
Roberts, Carol
Sofikitis, Catherine

Beaulieu, Jane
Connors, Erika
Elber, Joel
Heath, Mary
Judy, Jean
Leishman, Peter
Manley, Jonathan
Newman, Sue
Long, Patrick
Rosenwald, Cindy
Van Houten, Connie

MERRIMACK

Turcotte, Alan
Ebel, Karen

Bartlett, Christy
Gile, Mary

Carson, Clyde
Moffett, Howard

Doherty, David
Henle, Paul

MacKay, James
Patten, Dick
Schuett, Dianne
Testerman, Dave

Kenison, Linda
Richards, Beth
Schultz, Kristina
Wallner, Mary Jane

Luneau, David
Rodd, Beth
Shurtleff, Stephen
Walz, Mary Beth

Myler, Mel
Rogers, Katherine
Soucy, Timothy
Woolpert, David

ROCKINGHAM

Altschiller, Debra
Cushing, Robert Renny
Lerner, Kari
Murray, Kate
Somssich, Peter

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

Cahill, Michael
Edgar, Michael
Malloy, Dennis
Pantelakos, Laura
Ward, Gerald

Cali-Pitts, Jacqueline
Farnham, Betsey
Messmer, Mindi
Read, Ellen

STRAFFORD

Berube, Roger
Conley, Casey
Grassie, Chuck
Smith, Marjorie
Sandler, Catt

Bixby, Peter
Ellis, Donna
Horrigan, Timothy
Opderbecke, Linn
Wall, Janet

Burton, Wayne
Fontneau, Timothy
Keans, Sandra
Schmidt, Peter

Cilley, Jacalyn
Frost, Sherry
Krans, Hamilton
Salloway, Jeffrey

SULLIVAN

Cloutier, John
Oxenham, Lee

Gottling, Suzanne
Sullivan, Brian

Irwin, Virginia
Tanner, Linda

O'Connor, John

and the majority committee report was adopted.

SENATE MESSAGE

REQUESTS CONCURRENCE WITH AMENDMENT

HB 143, relative to recommitment of a prisoner by the parole board. (Amendment printed SJ 1/3/18)
Rep. Welch moved that the House concur and spoke in favor.
Motion adopted.

The House recessed at 12:15 p.m.

RECESS

The House reconvened at 1:20 p.m.

(Speaker Chandler in the Chair)

REGULAR CALENDAR - PART II CONT'D

CACR 19, relating to right to govern. Providing that the people of the state may enact local laws that protect health, safety and welfare. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**
Rep. Franklin Sterling for the Majority of Municipal and County Government. This amendment is an attempt to change the NH Constitution and permit "Home Rule" giving veto power to any community in area wide projects. Passage of this amendment would allow one community to forbid a highway construction or expansion in their community although the surrounding communities desired it. When Planning Boards consider projects with "regional impact" they consult neighboring communities that will be affected. This amendment would render that purpose impractical since a community would no longer need to consider how a project would affect their neighbors. The philosophy behind this Constitutional Amendment could be extended to neighborhoods within a community pitting one neighborhood against another. The result would be discord and dissatisfaction with no overall state control or influence. The effect might be different rules from community to community relating to leash laws, taxicabs, highway uses with different weight limits, municipal sales taxes, firearm controls and a myriad of other quality of life provisions guaranteed to us by the state. Vote 11-8.
Rep. Steven Rand for the Minority of Municipal and County Government. This constitutional amendment adds a new article (40) to the Bill of Rights of the NH State Constitution. The article makes plain that communities may enact local ordinances that protect the "health, safety and welfare" (a well understood phrase used in 151 NH statutes) of their local citizens and of nature. At the same time, it does NOT allow the establishment of ordinances that would remove or weaken any existing protections or rights of natural persons currently secured by local, state or federal law (such as second amendment rights). We heard testimony from many NH communities who wished to limit or deny a corporate wind, water, or contaminant project only to find that they did not have the constitutional standing to prevail against the constitutional "personhood" civil rights of a corporation in a court of law. The corporation's financial resources and constitutional civil rights made for an unfair fight in the courts. This amendment levels the playing field. Because this amendment's purpose is to recognize limited constitutional power to communities, it will, within its purview, make a substantive change to the parent-child relationship of the State to cities and towns. Within narrow limits, it gives towns the flexibility to address matters of local concern without needing state enabling legislation. The minority believes that this substantive matter must be decided by the people themselves as the ultimate stakeholders in our system of government, through the popular vote of the amendment process. As we proceed toward a

vote on the amendment, citizens should and will take the time to educate themselves and decide their best interests on this balance of power/rights-based question. It is our obligation as their representatives, to pass the amendment so they can learn, decide and vote.

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

Rep. Burton spoke against and yielded to questions.

Rep. Belanger spoke in favor.

Rep. Rand spoke against.

Rep. Itse spoke in favor and yielded to questions.

Rep. Hoell requested a roll call; sufficiently seconded.

YEAS 217 - NAYS 112

YEAS - 217

BELKNAP

Abear, Marc
Fields, Dennis
Silber, Norman
Varney, Peter

Aldrich, Glen
Fraser, Valerie
Spanos, Peter

Comtois, Barbara
Huot, David
Sylvia, Michael

Tilton, Franklin
Lang, Timothy
Vadney, Herbert

CARROLL

Avellani, Lino
Crawford, Karel
Schmidt, Stephen

Buco, Thomas
McCarthy, Frank
Umberger, Karen

Comeau, Ed
McConkey, Mark
Marsh, William

Cordelli, Glenn
Nelson, Bill

CHESHIRE

Ames, Richard
Faulkner, Barry
O'Day, John

Berch, Paul
Hunt, John
Sterling, Franklin

Bordenet, John
Mann, John
Pearson, William

Eaton, Daniel
McConnell, James
Weber, Lucy

COOS

Fothergill, John
Theberge, Robert

Hatch, William
Tucker, Edith

Merner, Troy
Thomas, Yvonne

Richardson, Herbert

GRAFTON

Almy, Susan
Johnson, Tiffany

Boutin, Skylar
White, Andrew

Hennessey, Erin

Schwaegler, Vicki

HILLSBOROUGH

Ammon, Keith
Burt, John
Christensen, Chris
Donovan, Daniel
Ferreira, Elizabeth
Gargas, Carolyn
Hansen, Peter
Hynes, Dan
Jack, Martin
L'Heureux, Robert
Leishman, Peter
McLean, Mark
Notter, Jeanine
Pierce, David
Ober, Russell
Scully, Kevin
Wolf, Terry

Griffin, Barbara
Byron, Frank
Christie, Rick
Dyer, Caleb
Freeman, Lisa
Goley, Jeffrey
Herbert, Christopher
Belanger, James
Rice, Kimberly
Ober, Lynne
Lewicke, John
Murotake, David
Ohm, Bill
Porter, Marjorie
Renzullo, Andrew
Seidel, Carl
Twombly, Timothy

Backus, Robert
Moore, Craig
Danielson, David
Edwards, Elizabeth
Griffin, Gerald
Gould, Linda
Hinch, Richard
Graham, John
Keane, Amelia
Lascelles, Richard
MacKay, Mariellen
Murphy, Keith
Long, Patrick
Proulx, Mark
Rouillard, Claire
Shaw, Barbara
Ulery, Jordan

Biggie, Barbara
Chandley, Shannon
Dickey, Glen
Fedolfi, Jim
Gagne, Larry
Halstead, Carolyn
Hopper, Gary
Moore, Josh
Kurk, Neal
LeBrun, Donald
McCarthy, Michael
Negron, Steve
Panasiti, Reed
Prout, Andrew
Sanborn, Laurie
Somero, Paul
Sullivan, Victoria

MERRIMACK

Turcotte, Alan
Wolf, Dan
Hoell, J.R.
Moffett, Michael
Rodd, Beth
Testerman, Dave

Kuch, Bill
Moffett, Howard
Horn, Werner
Marple, Richard
Schuett, Dianne
Wells, Natalie

Copp, Anne
Henle, Paul
Klose, John
McGuire, Carol
Seaworth, Brian

Long, Douglas
Hill, Gregory
Leavitt, John
Pearl, Howard
Walsh, Thomas

ROCKINGHAM

Cook, Allen
Barnes, Arthur
Cahill, Michael
Costable, Michael

Abrami, Patrick
Bates, David
Cali-Pitts, Jacqueline
Thomas, Douglas

Allen, Mary
Bean, Philip
Chase, Francis
DeSimone, Debra

Baldasaro, Alfred
Bove, Martin
Chirichiello, Brian
Elliott, Robert

Emerick, J. Tracy
Guthrie, Joseph
Itse, Daniel
O'Connor, John
Lovejoy, Patricia
Matthews, Carolyn
Morrison, Sean
Sapareto, Frank
True, Chris
Webb, James

Fesh, Robert
Marsh, Henry
Edwards, Jess
Katsakiores, Phyllis
Griffin, Mary
McKinney, Betsy
Nasser, Jim
Spillane, James
Verville, Kevin
Welch, David

Gay, Betty
Hagan, Joseph
Janigian, John
Khan, Aboul
Pearson, Mark
McMahon, Charles
Packard, Sherman
Sytek, John
Vose, Michael
Weyler, Kenneth

Green, Dennis
Hoelzel, Kathleen
Janvrin, Jason
Kolodziej, Walter
Major, Norman
Milz, David
Gordon, Richard
Torosian, Peter
Wallace, Scott
Willis, Brenda

Berube, Roger
Keans, Sandra
McNally, Jody
Graham, Robert

Harrington, Michael
Krans, Hamilton
Mullen, John
Scruton, Matthew

Horgan, James
Turcotte, Leonard
Phinney, Brandon
Spencer, Matthew

Kaczynski, Thomas
Smith, Marjorie
Pitre, Joseph
Wuelper, Kurt

STRAFFORD

SULLIVAN

Grenier, James
Rollins, Skip

Irwin, Virginia
Smith, Steven

O'Connor, John

Laware, Thomas

NAYS - 112 BELKNAP

Howard, Raymond

Spagnuolo, Philip

CARROLL

Butler, Edward

DesMarais, Edith

Knirk, Jerry

CHESHIRE

Abbott, Michael
Johnsen, Gladys
Tatro, Bruce

Burridge, Delmar
Meader, David

Harvey, Cathryn
Parkhurst, Henry

Fenton, Donovan
Shepardson, Marjorie

COOS

Moynihan, Wayne

GRAFTON

Abel, Richard
Dontonville, Roger
Maes, Kevin
Nordgren, Sharon

Bennett, Travis
Ham, Bonnie
Massimilla, Linda
Rand, Steven

Campion, Polly
Higgins, Patricia
Migliore, Vincent Paul
Smith, Suzanne

Darrow, Stephen
Josephson, Timothy
Mulligan, Mary Jane
Sykes, George

HILLSBOROUGH

Ayala, Jessica
Cleaver, Skip
Elber, Joel
Jeudy, Jean
Manley, Jonathan
Newman, Sue
Roberts, Carol
Vann, Ivy

Baroody, Benjamin
Connors, Erika
Freitas, Mary
King, Mark
Martin, Joelle
Nutting, Allison
Harvey, Suzanne
Williams, Kermit

Beaulieu, Jane
Cornell, Patricia
Heath, Mary
Klee, Patricia
Martineau, Jesse
O'Brien, Michael
Sofikitis, Catherine

Bouldin, Amanda
DiSilvestro, Linda
Schmidt, Janice
Lisle, David
McNamara, Richard
O'Leary, Richard
Van Houten, Connie

MERRIMACK

Bartlett, Christy
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Myler, Mel
Schultz, Kristina
Walz, Mary Beth

Carson, Clyde
MacKay, James
Patten, Dick
Shurtleff, Stephen
Woolpert, David

Doherty, David
Kenison, Linda
Richards, Beth
Soucy, Timothy

Ebel, Karen
Luneau, David
Rogers, Katherine
Wallner, Mary Jane

ROCKINGHAM

Altschiller, Debra
Edgar, Michael
Malloy, Dennis
Pantelakos, Laura
Ward, Gerald

Berrien, Skip
Farnham, Betsey
Messmer, Mindi
Read, Ellen

Cushing, Robert Renny
Gilman, Julie
Murray, Kate
Somssich, Peter

DiLorenzo, Charlotte
Lerner, Kari
Gordon, Pamela
Le, Tamara

STRAFFORD

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Schmidt, Peter

Burton, Wayne
Fontneau, Timothy
Salloway, Jeffrey

Cilley, Jacalyn
Grassie, Chuck
Sandler, Catt

Conley, Casey
Horriggan, Timothy

SULLIVAN

Cloutier, John
Tanner, Linda

Gottling, Suzanne

Oxenham, Lee

Sullivan, Brian

and the majority committee report was adopted.

MOTION TO SPECIAL ORDER

Rep. Itse moved that **HCR 11**, urging a pardon of Gerald “Jerry” DeLemus, be made a Special Order as the next order of business.

Rep. Itse spoke in favor.

Motion adopted.

REGULAR CALENDAR - PART II CONT'D**SPECIAL ORDER**

HCR 11, urging a pardon of Gerald “Jerry” DeLemus. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Alfred Baldasaro for the Majority of State-Federal Relations and Veterans Affairs. The majority feels that the federal government overstepped their power with the Nevada rancher Cliven Bundy on the court case over an armed standoff in the Nevada grazing dispute. On January 8th, a judge dismissed the cases against Nevada rancher Cliven Bundy and three other men, over cattle grazing rights. U.S. District Judge Navarro dismissed the case “with prejudice” meaning that Bundy, his sons and a militia member will not face another trial. Jerry DeLemus, a NH resident, still sits in jail. He did a plea bargain; he wanted to stop his plea and the judge denied him and he was sentenced. Therefore, Jerry DeLemus should be pardoned. Vote 9-8.

Rep. Amanda Bouldin for the Minority of State-Federal Relations and Veterans Affairs. This bill urges the pardon of New Hampshire resident Mr. Jerry DeLemus based on the claim that all others who were charged as a result of the incident have been cleared and released. However, there is evidence to show that the prosecution of all the accused may still be ongoing. Therefore, the “facts” in this bill are misleading. An amendment was proposed and accepted by the majority that failed to address the concerns of the minority. There may be reasons to support a pardon of Mr. DeLemus; however, the reasons provided in the bill and subsequent amendment do not appear to align with the facts available to the committee. The minority recognizes that Mr. DeLemus claims to have falsely confessed. Thus, either Mr. DeLemus committed the crimes he’s accused of, or he committed the crime of giving false testimony. There are established consequences for both. Further, the minority was concerned about setting a precedent regarding the duties of this committee. The minority felt that this could open the door for a flood of judicial grievances.

Majority Amendment (0101h)

Amend the resolution by replacing the fifth paragraph after the title with the following:

Whereas a person cannot be guilty of aiding and extortion by other individuals who have been found not guilty of committing extortion, or the charges have been dismissed with prejudice; and
Majority committee amendment adopted.

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

Rep. Woolpert spoke against.

Rep. Baldasaro spoke in favor.

Rep. White requested a roll call; sufficiently seconded.

YEAS 154 - NAYS 174**YEAS - 154****BELKNAP**

Abear, Marc
Fraser, Valerie
Spanos, Peter

Aldrich, Glen
Howard, Raymond
Sylvia, Michael

Comtois, Barbara
Lang, Timothy
Vadney, Herbert

Tilton, Franklin
Silber, Norman
Varney, Peter

CARROLL

Avellani, Lino
McConkey, Mark

Comeau, Ed
Schmidt, Stephen

Cordelli, Glenn
Umberger, Karen

McCarthy, Frank

CHESHIRE

Hunt, John
Sterling, Franklin

Mann, John

McConnell, James

O'Day, John

COOS

Merner, Troy

GRAFTON

Boutin, Skylar
Johnson, Tiffany

Darrow, Stephen

Migliore, Vincent Paul

Schwaegler, Vicki

HILLSBOROUGH

Ammon, Keith
Byron, Frank
Danielson, David
Ferreira, Elizabeth
Gargas, Carolyn
Hinch, Richard
L'Heureux, Robert
Lewicke, John
Negron, Steve
Proulx, Mark
Rouillard, Claire
Shaw, Barbara
Sullivan, Victoria

Griffin, Barbara
Moore, Craig
Dickey, Glen
Freeman, Lisa
Gould, Linda
Hopper, Gary
Ober, Lynne
McLean, Mark
Notter, Jeanine
Prout, Andrew
Sanborn, Laurie
Somero, Paul

Biggie, Barbara
Christensen, Chris
Donovan, Daniel
Griffin, Gerald
Halstead, Carolyn
Hynes, Dan
Lascelles, Richard
Murotake, David
Ohm, Bill
Ober, Russell
Scully, Kevin
Twombly, Timothy

Burt, John
Christie, Rick
Fedolff, Jim
Gagne, Larry
Hansen, Peter
Moore, Josh
LeBrun, Donald
Murphy, Keith
Panasiti, Reed
Renzullo, Andrew
Seidel, Carl
Ulery, Jordan

MERRIMACK

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

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

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

Hill, Gregory
Leavitt, John
Pearl, Howard
Wells, Natalie

ROCKINGHAM

Cook, Allen
Bates, David
Costable, Michael
Emerick, J. Tracy
Guthrie, Joseph
Itse, Daniel
Katsakiores, Phyllis
Major, Norman
Morrison, Sean
Spillane, James
Vose, Michael
Weyler, Kenneth

Abrami, Patrick
Bean, Philip
Thomas, Douglas
Fesh, Robert
Marsh, Henry
Edwards, Jess
Kolodziej, Walter
Matthews, Carolyn
Packard, Sherman
Torosian, Peter
Wallace, Scott
Willis, Brenda

Allen, Mary
Bove, Martin
Dowling, Patricia
Gay, Betty
Hagan, Joseph
Janigian, John
Griffin, Mary
McKinney, Betsy
Gordon, Richard
True, Chris
Webb, James

Baldasaro, Alfred
Chirichiello, Brian
Elliott, Robert
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Hoelzel, Kathleen
Janvrin, Jason
Pearson, Mark
McMahon, Charles
Sapareto, Frank
Verville, Kevin
Welch, David

STRAFFORD

Harrington, Michael
McNally, Jody
Spencer, Matthew

Horgan, James
Phinney, Brandon
Wuelper, Kurt

Kaczynski, Thomas
Pitre, Joseph

Turcotte, Leonard
Graham, Robert

SULLIVAN

Rollins, Skip

NAYS - 174**BELKNAP**

Spagnuolo, Philip

CARROLL

Crawford, Karel
Marsh, William

DesMarais, Edith

CHESHIRE

Berch, Paul
Eaton, Daniel
Meador, David
Pearson, William

Bordenet, John
Faulkner, Barry
Parkhurst, Henry
Weber, Lucy

COOS

Moynihan, Wayne
Thomas, Yvonne

Richardson, Herbert

GRAFTON

Abel, Richard
Dontonville, Roger
Maes, Kevin
Rand, Steven

Almy, Susan
Ham, Bonnie
Massimilla, Linda
Smith, Suzanne

Bennett, Travis
Higgins, Patricia
Mulligan, Mary Jane
Sykes, George

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

HILLSBOROUGH

Ayala, Jessica
Bouldin, Amanda
Cornell, Patricia
Elber, Joel
Heath, Mary
Jack, Martin
Klee, Patricia
McCarthy, Michael
Martineau, Jesse
O'Brien, Michael
Porter, Marjorie
Sofikitis, Catherine
Williams, Kermit

Backus, Robert
Chandley, Shannon
DiSilvestro, Linda
Freitas, Mary
Herbert, Christopher
Judy, Jean
Leishman, Peter
MacKenzie, Mark
McNamara, Richard
O'Leary, Richard
Roberts, Carol
Wolf, Terry

Baroody, Benjamin
Cleaver, Skip
Dyer, Caleb
Gidge, Kenneth
Belanger, James
Keane, Amelia
Lisle, David
Manley, Jonathan
Newman, Sue
Long, Patrick
Rosenwald, Cindy
Van Houten, Connie

Beaulieu, Jane
Connors, Erika
Edwards, Elizabeth
Goley, Jeffrey
Schmidt, Janice
King, Mark
MacKay, Mariellen
Martin, Joelle
Nutting, Allison
Pierce, David
Harvey, Suzanne
Vann, Ivy

MERRIMACK

Turcotte, Alan
Doherty, David
Henle, Paul
Myler, Mel
Rogers, Katherine
Soucy, Timothy

Bartlett, Christy
Ebel, Karen
MacKay, James
Patten, Dick
Schuett, Dianne
Wallner, Mary Jane

Carson, Clyde
Gile, Mary
Kenison, Linda
Richards, Beth
Schultz, Kristina
Walz, Mary Beth

Wolf, Dan
Moffett, Howard
Luneau, David
Rodd, Beth
Shurtleff, Stephen
Woolpert, David

ROCKINGHAM

Altschiller, Debra
Cali-Pitts, Jacqueline
DiLorenzo, Charlotte
O'Connor, John
Malloy, Dennis
Nasser, Jim
Somssich, Peter

Barnes, Arthur
Chase, Francis
Edgar, Michael
Khan, Aboul
Messmer, Mindi
Gordon, Pamela
Sytek, John

Berrien, Skip
Cushing, Robert Renny
Farnham, Betsey
Lerner, Kari
Milz, David
Pantelakos, Laura
Le, Tamara

Cahill, Michael
DeSimone, Debra
Gilman, Julie
Lovejoy, Patricia
Murray, Kate
Read, Ellen
Ward, Gerald

STRAFFORD

Berube, Roger
Conley, Casey
Horrigan, Timothy
Mullen, John
Scruton, Matthew

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

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

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

SULLIVAN

Cloutier, John
Oxenham, Lee

Gottling, Suzanne
Sullivan, Brian

Irwin, Virginia
Tanner, Linda

O'Connor, John

and the majority committee report failed.

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

Rep. Itse requested a roll call; sufficiently seconded.

YEAS 180 - NAYS 148**YEAS - 180****BELKNAP**

Fields, Dennis

Huot, David

Spagnuolo, Philip

CARROLL

Buco, Thomas
Knirk, Jerry

Butler, Edward
Nelson, Bill

Crawford, Karel
Marsh, William

DesMarais, Edith

CHESHIRE

Abbott, Michael
Burridge, Delmar
Fenton, Donovan
Parkhurst, Henry
Weber, Lucy

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

Berch, Paul
Eaton, Daniel
Mann, John
Tatro, Bruce

Bordenet, John
Faulkner, Barry
Meador, David
Pearson, William

COOS

Fothergill, John
Theberge, Robert

Hatch, William
Tucker, Edith

Moynihan, Wayne
Thomas, Yvonne

Richardson, Herbert

GRAFTON

Abel, Richard
Campion, Polly

Almy, Susan
Dontonville, Roger

Bennett, Travis
Ham, Bonnie

Boutin, Skylar
Higgins, Patricia

Josephson, Timothy
Nordgren, Sharon
White, Andrew

Maes, Kevin
Rand, Steven

Massimilla, Linda
Smith, Suzanne

Mulligan, Mary Jane
Sykes, George

HILLSBOROUGH

Ayala, Jessica
Bouldin, Amanda
Cornell, Patricia
Elber, Joel
Hansen, Peter
Schmidt, Janice
King, Mark
MacKay, Mariellen
Martin, Joelle
Nutting, Allison
Pierce, David
Harvey, Suzanne
Vann, Ivy

Backus, Robert
Chandley, Shannon
DiSilvestro, Linda
Freitas, Mary
Heath, Mary
Jack, Martin
Klee, Patricia
McCarthy, Michael
Martineau, Jesse
O'Brien, Michael
Porter, Marjorie
Sofikitis, Catherine
Williams, Kermit

Baroody, Benjamin
Cleaver, Skip
Donovan, Daniel
Gidge, Kenneth
Herbert, Christopher
Judy, Jean
Leishman, Peter
MacKenzie, Mark
McNamara, Richard
O'Leary, Richard
Roberts, Carol
Wolf, Terry

Beaulieu, Jane
Connors, Erika
Edwards, Elizabeth
Goley, Jeffrey
Belanger, James
Keane, Amelia
Lisle, David
Manley, Jonathan
Newman, Sue
Long, Patrick
Rosenwald, Cindy
Van Houten, Connie

MERRIMACK

Turcotte, Alan
Doherty, David
Henle, Paul
Myler, Mel
Rogers, Katherine
Soucy, Timothy

Bartlett, Christy
Ebel, Karen
MacKay, James
Patten, Dick
Schuett, Dianne
Wallner, Mary Jane

Carson, Clyde
Gile, Mary
Kenison, Linda
Richards, Beth
Schultz, Kristina
Walz, Mary Beth

Wolf, Dan
Moffett, Howard
Luneau, David
Rodd, Beth
Shurtleff, Stephen
Woolpert, David

ROCKINGHAM

Altschiller, Debra
Cali-Pitts, Jacqueline
DiLorenzo, Charlotte
Gilman, Julie
Lovejoy, Patricia
Milz, David
Pantelakos, Laura
Le, Tamara

Barnes, Arthur
Chase, Francis
Edgar, Michael
O'Connor, John
Malloy, Dennis
Murray, Kate
Read, Ellen
Ward, Gerald

Berrien, Skip
Cushing, Robert Renny
Elliott, Robert
Khan, Aboul
McKinney, Betsy
Nasser, Jim
Somssich, Peter

Cahill, Michael
DeSimone, Debra
Farnham, Betsey
Lerner, Kari
Messmer, Mindi
Gordon, Pamela
Sytek, John

STRAFFORD

Berube, Roger
Conley, Casey
Horgan, James
Smith, Marjorie
Sandler, Catt

Bixby, Peter
Ellis, Donna
Horrigan, Timothy
Mullen, John
Scruton, Matthew

Burton, Wayne
Fontneau, Timothy
Keans, Sandra
Schmidt, Peter

Cilley, Jacalyn
Grassie, Chuck
Krans, Hamilton
Salloway, Jeffrey

Cloutier, John
Oxenham, Lee

Gottling, Suzanne
Sullivan, Brian

Irwin, Virginia
Tanner, Linda

O'Connor, John

NAYS - 148

BELKNAP

Abear, Marc
Fraser, Valerie
Spanos, Peter

Aldrich, Glen
Howard, Raymond
Sylvia, Michael

Comtois, Barbara
Lang, Timothy
Vadney, Herbert

Tilton, Franklin
Silber, Norman
Varney, Peter

CARROLL

Avellani, Lino
McConkey, Mark

Comeau, Ed
Schmidt, Stephen

Cordelli, Glenn
Umberger, Karen

McCarthy, Frank

CHESHIRE

Hunt, John

McConnell, James

O'Day, John

Sterling, Franklin

COOS

Merner, Troy

GRAFTON

Darrow, Stephen

Migliore, Vincent Paul

Schwaegler, Vicki

Johnson, Tiffany

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Ammon, Keith
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Danielson, David

Griffin, Barbara
Moore, Craig
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Biggie, Barbara
Christensen, Chris
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Burt, John
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Ferreira, Elizabeth
Gargas, Carolyn
Hopper, Gary
Ober, Lynne
McLean, Mark
Notter, Jeanine
Prout, Andrew
Sanborn, Laurie
Somero, Paul

Freeman, Lisa
Gould, Linda
Hynes, Dan
Lascelles, Richard
Murotake, David
Ohm, Bill
Ober, Russell
Scully, Kevin
Twombly, Timothy

Griffin, Gerald
Halstead, Carolyn
Moore, Josh
LeBrun, Donald
Murphy, Keith
Panasiti, Reed
Renzullo, Andrew
Seidel, Carl
Ulery, Jordan

Gagne, Larry
Hinch, Richard
L'Heureux, Robert
Lewicke, John
Negron, Steve
Proulx, Mark
Rouillard, Claire
Shaw, Barbara
Sullivan, Victoria

MERRIMACK

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

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

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

Hill, Gregory
Leavitt, John
Pearl, Howard
Wells, Natalie

ROCKINGHAM

Cook, Allen
Bates, David
Costable, Michael
Fesh, Robert
Marsh, Henry
Edwards, Jess
Kolodziej, Walter
Matthews, Carolyn
Gordon, Richard
True, Chris
Webb, James

Abrami, Patrick
Bean, Philip
Thomas, Douglas
Gay, Betty
Hagan, Joseph
Janigian, John
Griffin, Mary
McMahon, Charles
Sapareto, Frank
Verville, Kevin
Welch, David

Allen, Mary
Bove, Martin
Dowling, Patricia
Green, Dennis
Hoelzel, Kathleen
Janvrin, Jason
Pearson, Mark
Morrison, Sean
Spillane, James
Vose, Michael
Weyler, Kenneth

Baldasaro, Alfred
Chirichiello, Brian
Emerick, J. Tracy
Guthrie, Joseph
Itse, Daniel
Katsakiores, Phyllis
Major, Norman
Packard, Sherman
Torosian, Peter
Wallace, Scott
Willis, Brenda

STRAFFORD

Harrington, Michael
Phinney, Brandon
Wuelper, Kurt

Kaczynski, Thomas
Pitre, Joseph

Turcotte, Leonard
Graham, Robert

McNally, Jody
Spencer, Matthew

SULLIVAN

Grenier, James

Laware, Thomas

Rollins, Skip

and 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 roll call vote of 180-148, the House adopted the minority committee report of Inexpedient to Legislate on **HCR 11**, urging a pardon of Gerald "Jerry" DeLemus. Rep. Elber requested a roll call; sufficiently seconded.

YEAS 148 - NAYS 178

YEAS - 148

BELKNAP

Abear, Marc
Howard, Raymond
Sylvia, Michael

Comtois, Barbara
Lang, Timothy
Vadney, Herbert

Tilton, Franklin
Silber, Norman
Varney, Peter

Fraser, Valerie
Spanos, Peter

CARROLL

Avellani, Lino
McConkey, Mark

Comeau, Ed
Schmidt, Stephen

Cordelli, Glenn
Umberger, Karen

McCarthy, Frank

CHESHIRE

Hunt, John
Sterling, Franklin

Mann, John

McConnell, James

O'Day, John

COOS

Merner, Troy

GRAFTON

Boutin, Skylar
Johnson, Tiffany

Darrow, Stephen

Migliore, Vincent Paul

Schwaegler, Vicki

HILLSBOROUGH

Ammon, Keith
Byron, Frank

Griffin, Barbara
Moore, Craig

Biggie, Barbara
Christensen, Chris

Burt, John
Christie, Rick

Danielson, David
Ferreira, Elizabeth
Gargas, Carolyn
Hinrich, Richard
Ober, Lynne
McLean, Mark
Notter, Jeanine
Prout, Andrew
Sanborn, Laurie
Somero, Paul

Dickey, Glen
Freeman, Lisa
Gould, Linda
Hynes, Dan
Lascelles, Richard
Murotake, David
Ohm, Bill
Ober, Russell
Scully, Kevin
Twombly, Timothy

Edwards, Elizabeth
Griffin, Gerald
Halstead, Carolyn
Moore, Josh
LeBrun, Donald
Murphy, Keith
Panasiti, Reed
Renzullo, Andrew
Seidel, Carl
Ulery, Jordan

Fedolfi, Jim
Gagne, Larry
Hansen, Peter
L'Heureux, Robert
Lewicke, John
Negron, Steve
Proulx, Mark
Rouillard, Claire
Shaw, Barbara
Sullivan, Victoria

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

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

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

Hill, Gregory
Leavitt, John
Pearl, Howard
Wells, Natalie

MERRIMACK

ROCKINGHAM

Cook, Allen
Bates, David
Costable, Michael
Fesh, Robert
Marsh, Henry
Edwards, Jess
Griffin, Mary
McMahon, Charles
Sapareto, Frank
Verville, Kevin
Welch, David

Abrami, Patrick
Bean, Philip
Thomas, Douglas
Gay, Betty
Hagan, Joseph
Janigian, John
Pearson, Mark
Morrison, Sean
Spillane, James
Vose, Michael
Weyler, Kenneth

Allen, Mary
Bove, Martin
Dowling, Patricia
Green, Dennis
Hoelzel, Kathleen
Katsakiores, Phyllis
Major, Norman
Packard, Sherman
Torosian, Peter
Wallace, Scott
Willis, Brenda

Baldasaro, Alfred
Chirichiello, Brian
Emerick, J. Tracy
Guthrie, Joseph
Itse, Daniel
Kolodziej, Walter
Matthews, Carolyn
Gordon, Richard
True, Chris
Webb, James

STRAFFORD

Harrington, Michael
Phinney, Brandon
Wuelper, Kurt

Kaczynski, Thomas
Pitre, Joseph

Turcotte, Leonard
Graham, Robert

McNally, Jody
Spencer, Matthew

SULLIVAN

Grenier, James

Laware, Thomas

Rollins, Skip

NAYS - 178

BELKNAP

Fields, Dennis

Huot, David

Spagnuolo, Philip

CARROLL

Buco, Thomas
Knirk, Jerry

Butler, Edward
Nelson, Bill

Crawford, Karel
Marsh, William

DesMarais, Edith

CHESHIRE

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

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

Berch, Paul
Eaton, Daniel
Meader, David
Pearson, William

Bordenet, John
Faulkner, Barry
Parkhurst, Henry
Weber, Lucy

COOS

Fothergill, John
Theberge, Robert

Hatch, William
Tucker, Edith

Moynihan, Wayne
Thomas, Yvonne

Richardson, Herbert

GRAFTON

Abel, Richard
Dontonville, Roger
Maes, Kevin
Rand, Steven

Almy, Susan
Ham, Bonnie
Massimilla, Linda
Smith, Suzanne

Bennett, Travis
Higgins, Patricia
Mulligan, Mary Jane
Sykes, George

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

HILLSBOROUGH

Ayala, Jessica
Bouldin, Amanda
Cornell, Patricia
Elber, Joel
Heath, Mary
Jack, Martin
Klee, Patricia
McCarthy, Michael

Backus, Robert
Chandley, Shannon
DiSilvestro, Linda
Freitas, Mary
Herbert, Christopher
Jeudy, Jean
Leishman, Peter
MacKenzie, Mark

Baroody, Benjamin
Cleaver, Skip
Donovan, Daniel
Gidge, Kenneth
Belanger, James
Keane, Amelia
Lisle, David
Manley, Jonathan

Beaulieu, Jane
Connors, Erika
Dyer, Caleb
Goley, Jeffrey
Schmidt, Janice
King, Mark
MacKay, Mariellen
Martin, Joelle

Martineau, Jesse
O'Brien, Michael
Porter, Marjorie
Sofikitis, Catherine
Williams, Kermit

McNamara, Richard
O'Leary, Richard
Roberts, Carol
Wolf, Terry

Newman, Sue
Long, Patrick
Rosenwald, Cindy
Van Houten, Connie

Nutting, Allison
Pierce, David
Harvey, Suzanne
Vann, Ivy

MERRIMACK

Turcotte, Alan
Doherty, David
Henle, Paul
Myler, Mel
Rogers, Katherine
Soucy, Timothy

Bartlett, Christy
Ebel, Karen
MacKay, James
Patten, Dick
Schuett, Dianne
Wallner, Mary Jane

Carson, Clyde
Gile, Mary
Kenison, Linda
Richards, Beth
Schultz, Kristina
Walz, Mary Beth

Wolf, Dan
Moffett, Howard
Luneau, David
Rodd, Beth
Shurtleff, Stephen
Woolpert, David

ROCKINGHAM

Altschiller, Debra
Cali-Pitts, Jacqueline
DiLorenzo, Charlotte
Gilman, Julie
Lerner, Kari
Messmer, Mindi
Gordon, Pamela
Sytek, John

Barnes, Arthur
Chase, Francis
Edgar, Michael
Janvrin, Jason
Lovejoy, Patricia
Milz, David
Pantelakos, Laura
Le, Tamara

Berrien, Skip
Cushing, Robert Renny
Elliott, Robert
O'Connor, John
Malloy, Dennis
Murray, Kate
Read, Ellen
Ward, Gerald

Cahill, Michael
DeSimone, Debra
Farnham, Betsey
Khan, Aboul
McKinney, Betsy
Nasser, Jim
Somssich, Peter

STRAFFORD

Berube, Roger
Conley, Casey
Horgan, James
Smith, Marjorie
Sandler, Catt

Bixby, Peter
Ellis, Donna
Horrigan, Timothy
Mullen, John
Scruton, Matthew

Burton, Wayne
Fontneau, Timothy
Keans, Sandra
Schmidt, Peter

Cilley, Jacalyn
Grassie, Chuck
Krans, Hamilton
Salloway, Jeffrey

SULLIVAN

Cloutier, John
Oxenham, Lee

Gottling, Suzanne
Sullivan, Brian

Irwin, Virginia
Tanner, Linda

O'Connor, John

and the motion failed.

REGULAR CALENDAR - PART II CONT'D

HB 2018, relative to the state 10-year transportation improvement program. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Mark McConkey for Public Works and Highways. This bill is the Ten-Year Transportation Improvement Plan (TYP) for New Hampshire, covering the period from 2019-2028. The plan is financially constrained at a total of \$3.74 billion and contains projects in the following categories and estimated amounts: \$2.52 billion in highway funded projects from all sources; and non-highway funded projects including: turnpike improvements- \$630.3 million; airports- \$256 million; rail- \$12 million; and federal transit- \$324 million. The TYP was vetted with input from the municipalities via the regional planning commissions and with the public through a series of 26 Governor's Advisory Commission on Intermodal Transportation (GACIT) public hearings. GACIT consists of the Governor's Executive Council and the Commissioner of the Department of Transportation (DOT). GACIT submitted their proposal to the Governor, and subsequently the Governor submitted his proposal to the Public Works and Highways Committee, which held several hearings and work sessions on the TYP. The TYP continues to focus on pavement preservation, red listed bridges and bridge preservation; pledges work on rural roads and bridges; includes the completion of I-93 from Salem to Manchester; and provides funding for Exit 4A in Derry-Londonderry. The plan includes a heightened financial constraint for an increased level of accountability and predictability in program delivery. The plan includes an assumed inflation factor of 2.55% and relies on the utilization of turnpike toll credits for the state's matching share for federally funded projects in lieu of cash contributions. The following seven amendments were made to the TYP. 1) A corridor study for Route 114 between the towns of Bedford and Goffstown was added to the TYP. 2) A project to develop a financial plan for bus service expansion from Concord to Nashua or to other eligible Boston Urbanized Area (UZA) bus services, including parking facilities at existing and new bus terminals, replaced a project development study for a rail corridor. This choice was made with the understanding that the DOT's current operational cost estimate to support the proposed rail service from Manchester to Nashua equals or exceeds \$11 million a year. The 2004 New Hampshire Capitol Corridor Rail and Transit Alternative Analysis final report identified capitol cost alternatives to support the state's annual state appropriation to include raising \$15.7 million through a statewide property tax, taking 5% of lottery revenue proceeds, and increasing vehicle registration fees for all cars and trucks statewide to make up the anticipated rail's operational shortfalls. Bus service between the proposed railhead locations presently serves our residents well, is cost effective and offers our residents greater commuting frequency than a rail alternative. This plan expands

bus service for commuters from Lebanon and Portsmouth to southern New Hampshire employment centers and to the Boston UZA. 3) Authority was granted to the DOT to study and design all electronic tolling at turnpike system locations. If the DOT deems all electronic tolling financially feasible, the DOT is authorized to construct and implement all electronic tolling at locations pursuant to the TYP. All electronic tolling is authorized in close proximity in the existing Dover and Rochester toll plazas and, provided the DOT makes a determination of financial feasibility, the DOT is authorized to construct and implement all electronic tolling in close proximity to the existing Bedford mainline toll plaza. 4) The DOT was granted authority to make available an anonymous transponder option in conjunction with the installation and implementation of all electronic tolling. 5) Turnpike funds were provided for the use of the public private partnership infrastructure oversight commission. 6) The Newington-Dover project was amended to remove the superstructure of the General Sullivan Bridge and to provide the most cost-effective bicycle/pedestrian connection. The committee would like the DOT to acknowledge the historical significance of the General Sullivan Bridge through the placement of a kiosk or some other suitable display near the site of the original bridge abutments, but the committee does not support constructing a costly historical reproduction in part or whole for that structure. 7) The scope of the Walpole-Charlestown project was amended which moves funding for construction for projects named Nashua-Merrimack-Bedford Manchester forward one year; moves a project in Manchester and Bedford-Merrimack back one year; adds a Conway project for construction, previously removed from the TYP, back into the plan; removes funding for a Conway project 40018; and removes a project named Hooksett and a project named Tilton from the TYP. Vote 21-2.

Amendment (0806h)

Amend the bill by inserting after section 1 the following and renumbering the original section 2 to read as 19:

2 Department of Transportation; Town of Bedford; Corridor Study. The following shall be added to the 10-year transportation improvement plan 2019-2028: a corridor study of Route 114 from the intersection of Route 114 and Route 101 in the town of Bedford to the intersection of Route 114 and Route 114a in the town of Goffstown.

3 Department of Transportation; Nashua-Manchester-Concord. The project named Nashua-Manchester-Concord, project number 40818, which consists of a project development study for a rail corridor, shall be modified to consist of a project to design and develop a financial plan for bus service expansion from Concord to Nashua, or other eligible Boston UZA bus services, including parking facilities at existing and new bus terminals.

4 New Subparagraph; Turnpike System; Authority Granted. Amend RSA 237:5, II by inserting after subparagraph (o) the following new subparagraph:

(p) Study and design all electronic tolling at all locations, and if the department deems it financially feasible, construct and implement all electronic tolling at locations pursuant to the state 10-year transportation improvement program.

5 New Subdivision; All Electronic Tolling. Amend RSA 237 by inserting after section 50 the following new subdivision:

ALL ELECTRONIC TOLLING

237:51 All Electronic Tolling (AET).

I. The department is authorized to construct, and implement all electronic tolling (AET) at or in close proximity to the existing Dover and Rochester toll plaza locations, as part of the project named Dover-Rochester, project number 29440, using project appropriated turnpike funds totaling \$11,000,000.

II. Provided the department makes a determination of financial feasibility, the department is further authorized to construct and implement all electronic tolling at or in close proximity to the existing Bedford mainline toll plaza as part of the project named Bedford-Merrimack, project number 16100, using appropriated turnpike funds for project number 16100 totaling \$15,300,000.

237:52 Anonymous Transponder Option. In conjunction with the installation and implementation of all electronic tolling under RSA 237:51, the department shall make available an optional system of anonymous transponders, allowing customers to anonymously fund and use a transponder, provided the transponder is properly funded and mounted prior to use. The transponders shall be available at public locations that allow the purchaser to remain anonymous. The department shall retain the least amount of information necessary for auditing purposes on anonymous transponder transactions.

6 New Subparagraphs; Turnpike System; Funds Provided. Amend RSA 237:7, I by inserting after subparagraph (s) the following new subparagraphs:

(t) Construction of all electronic tolling or open road tolling plazas. RSA 237:2, VIII, RSA 237:5, II(o)-(p) 27,000,000

(u) Consultant services for public-private partnership infrastructure oversight committee (2 years) 100,000

7 Turnpike System; Funds Provided. Amend RSA 237:7, I(h) to read as follows:

(h) Improvements to central New Hampshire turnpike. RSA 237:2, IV(h), VII, VII(b), VII(c), IX [\$697,000,000] **891,000,000**

8 Dover to Rochester. The project named Dover-Rochester, project number 29440, is amended as to the scope of improvement, which shall include all electronic tolling at the Dover toll plaza and the Rochester toll plaza.

9 Bedford to Merrimack. Construction funding for the project named Bedford-Merrimack, project number 16100, shall be moved from 2019 to 2020. The scope of the project shall include improvement to the Bedford mainline toll plaza to include the option of open road tolling or all electronic tolling.

10 Conway. The State Aid Highway Program funding for the project named Conway, project number 40018, for \$702,211 shall be removed and replaced with \$702,211 in federal funds.

11 Projects Removed. The following projects shall be removed from the Ten Year Transportation Improvement Plan 2019-2028 based on the elimination of the state aid highway funding:

I. The project named Hooksett, project number 24862 using 100 percent State Aid Highway Program funds.

II. The project named Tilton, project number 29753 using 100 percent State Aid Highway Program funds.

12 Statewide Turnpike Evaluation of Public-Private Partnership Projects. \$100,000 of turnpike funds shall be designated for the use of the public-private partnership infrastructure oversight commission for consultant services to provide expert advice and assistance, and to provide services during the consideration of and development of requests for proposals (RFPs) for proposed public-private partnership projects that impact the turnpike system as selected by the commission and for review of submissions in response to the RFPs.

13 Newington-Dover. The project named Newington-Dover, project number 11238S, which includes the rehabilitation of the General Sullivan bridge, shall be amended in the scope from "rehabilitation" to "remove the superstructure of the General Sullivan bridge and provide the most cost effective bicycle/pedestrian connection." Funding for construction shall be moved from 2019 to 2020.

14 Walpole-Charlestown. The project named Walpole-Charlestown, project number 14747, is amended to change the scope by removing "Relocate RR."

15 Windham. The project named Windham, project number 40663, is amended to change the scope and extend the study limits to include the Ledge Road/London Bridge Road intersection.

16 Nashua to Merrimack to Bedford to Manchester. Funding for construction of the project named Nashua-Merrimack-Bedford-Manchester, project number 13761, shall be moved from 2022 through 2026 to 2021 through 2025.

17 Manchester. Funding for construction of the project named Manchester, project number 16099A, shall be moved from 2026 to 2025 and future funding required of \$30,000,000 shall be moved to 2026.

18 Department of Transportation; Conway. The projects named Conway, project numbers 11339J, 11339T, and 13339U which were previously removed from the state 10-year transportation plan, are added to the plan using federal funds totaling one dollar.

AMENDED ANALYSIS

This bill:

I. Adopts the 10-year transportation improvement plan for 2019-2028.

II. Adds a corridor study of Route 114 in the town of Goffstown.

III. Modifies a study for a rail corridor to consist of a project to design and develop a financial plan for bus service expansion from Concord to Nashua.

IV. Authorizes the department of transportation to construct and implement all electronic tolling, if feasible.

V. Authorizes construction and implementation all electronic tolling (AET) at Dover and Rochester toll plaza locations and at the Bedford mainline toll plaza.

VI. Requires the department of transportation to make available an optional system of anonymous transponders.

VII. Provides funding for construction of electronic tolling or open road tolling plazas, consultant services for the public private partnership infrastructure oversight committee, and improvements to central New Hampshire turnpike.

VIII. Moves construction funding for the project named Bedford-Merrimack from 2019 to 2020.

IX. Removes funding for the project named Conway, project number 40018.

X. Removes the project named Hooksett and the project named Tilton from the 10-year transportation improvement plan 2019-2028.

XI. Designates \$100,000 of turnpike funds for the use of the public-private partnership infrastructure oversight commission.

XII. Amends the project named Newington-Dover.

XIII. Amends the scope of the project named Walpole-Charlestown and the project named Windham.

XIV. Moves funding for construction of the project named Nashua-Merrimack-Bedford-Manchester from 2022 through 2026 to 2021 through 2025.

XV. Moves funding for construction of the project named Manchester from 2026 to 2025.

XVI. Adds projects named Conway, previously removed from the state 10-year transportation plan, to the plan. Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment.
Rep. Cleaver offered floor amendment (0888h).

Floor Amendment (0888h)

Amend the bill by replacing section 3 with the following:

3 Department of Transportation; Nashua-Manchester-Concord. The project named Nashua-Manchester-Concord, project number 40818, which consists of a project development study for a rail corridor, shall be modified to also include a project to design and develop a financial plan for bus service expansion from Concord to Nashua, or other eligible Boston UZA bus services, including parking facilities at existing and new bus terminals.

AMENDED ANALYSIS

This bill:

I. Adopts the 10-year transportation improvement plan for 2019-2028.

II. Adds a corridor study of Route 114 in the town of Goffstown.

III. Modifies a study for a rail corridor to also include a project to design and develop a financial plan for bus service expansion from Concord to Nashua.

IV. Authorizes the department of transportation to construct and implement all electronic tolling, if feasible.

V. Authorizes construction and implementation all electronic tolling (AET) at Dover and Rochester toll plaza locations and at the Bedford mainline toll plaza.

VI. Requires the department of transportation to make available an optional system of anonymous transponders.

VII. Provides funding for construction of electronic tolling or open road tolling plazas, consultant services for the public private partnership infrastructure oversight committee, and improvements to central New Hampshire turnpike.

VIII. Moves construction funding for the project named Bedford-Merrimack from 2019 to 2020.

IX. Removes funding for the project named Conway, project number 40018.

X. Removes the project named Hooksett and the project named Tilton from the 10-year transportation improvement plan 2019-2028.

XI. Designates \$100,000 of turnpike funds for the use of the public-private partnership infrastructure oversight commission.

XII. Amends the project named Newington-Dover.

XIII. Amends the scope of the project named Walpole-Charlestown and the project named Windham.

XIV. Moves funding for construction of the project named Nashua-Merrimack-Bedford-Manchester from 2022 through 2026 to 2021 through 2025.

XV. Moves funding for construction of the project named Manchester from 2026 to 2025.

XVI. Adds projects named Conway, previously removed from the state 10-year transportation plan, to the plan.

Rep. Cleaver spoke in favor and yielded to questions.

Rep. McConkey spoke against.

Rep. Cleaver requested a roll call; sufficiently seconded.

YEAS 166 - NAYS 160

YEAS - 166

BELKNAP

Fields, Dennis

Huot, David

Spagnuolo, Philip

CARROLL

Butler, Edward

Crawford, Karel

DesMarais, Edith

Knirk, Jerry

CHESHIRE

Ames, Richard

Berch, Paul

Bordenet, John

Burridge, Delmar

Harvey, Cathryn

Eaton, Daniel

Faulkner, Barry

Fenton, Donovan

Johnsen, Gladys

Mann, John

Meador, David

Parkhurst, Henry

Shepardson, Marjorie

Pearson, William

Weber, Lucy

COOS

Fothergill, John

Moynihan, Wayne

Thomas, Yvonne

GRAFTON

Abel, Richard

Almy, Susan

Bennett, Travis

Boutin, Skylar

Campion, Polly

Dontonville, Roger

Ham, Bonnie

Higgins, Patricia

Josephson, Timothy

Maes, Kevin

Massimilla, Linda

Mulligan, Mary Jane

Nordgren, Sharon

Rand, Steven

Smith, Suzanne

Sykes, George

White, Andrew

HILLSBOROUGH

Ayala, Jessica
Bouldin, Amanda
Connors, Erika
DiSilvestro, Linda
Gidge, Kenneth
Belanger, James
Keane, Amelia
Lisle, David
Manley, Jonathan
Newman, Sue
Long, Patrick
Rosenwald, Cindy
Sofikitis, Catherine
Williams, Kermit

Backus, Robert
Chandley, Shannon
Cornell, Patricia
Edwards, Elizabeth
Goley, Jeffrey
Schmidt, Janice
King, Mark
MacKay, Mariellen
Martin, Joelle
Nutting, Allison
Pierce, David
Harvey, Suzanne
Twombly, Timothy

Baroody, Benjamin
Christensen, Chris
Sullivan, Daniel
Elber, Joel
Heath, Mary
Jack, Martin
Klee, Patricia
McCarthy, Michael
Martineau, Jesse
O'Brien, Michael
Porter, Marjorie
Seidel, Carl
Van Houten, Connie

Beaulieu, Jane
Cleaver, Skip
Danielson, David
Freitas, Mary
Herbert, Christopher
Judy, Jean
LeBrun, Donald
MacKenzie, Mark
McNamara, Richard
O'Leary, Richard
Roberts, Carol
Shaw, Barbara
Vann, Ivy

MERRIMACK

Turcotte, Alan
Doherty, David
Henle, Paul
Luneau, David
Rodd, Beth
Shurtleff, Stephen

Bartlett, Christy
Ebel, Karen
Horn, Werner
Myler, Mel
Rogers, Katherine
Soucy, Timothy

Carson, Clyde
Gile, Mary
MacKay, James
Patten, Dick
Schuett, Dianne
Wallner, Mary Jane

Wolf, Dan
Moffett, Howard
Kenison, Linda
Richards, Beth
Schultz, Kristina
Walz, Mary Beth

ROCKINGHAM

Allen, Mary
Cahill, Michael
Dowling, Patricia
Lerner, Kari
Messmer, Mindi
Pantelakos, Laura
Ward, Gerald

Altschiller, Debra
Cali-Pitts, Jacqueline
Edgar, Michael
Lovejoy, Patricia
Morrison, Sean
Read, Ellen

Bates, David
Cushing, Robert Renny
Farnham, Betsey
Pearson, Mark
Murray, Kate
Somssich, Peter

Berrien, Skip
DiLorenzo, Charlotte
Gilman, Julie
Malloy, Dennis
Gordon, Pamela
Le, Tamara

STRAFFORD

Bixby, Peter
Ellis, Donna
Keans, Sandra
Graham, Robert

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

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

Conley, Casey
Horrigan, Timothy
Schmidt, Peter

SULLIVAN

Cloutier, John
Oxenham, Lee

Gottling, Suzanne
Sullivan, Brian

Irwin, Virginia
Tanner, Linda

O'Connor, John

NAYS - 160**BELKNAP**

Abear, Marc
Fraser, Valerie
Vadney, Herbert

Aldrich, Glen
Silber, Norman
Varney, Peter

Comtois, Barbara
Spanos, Peter

Tilton, Franklin
Sylvia, Michael

CARROLL

Avellani, Lino
McConkey, Mark
Marsh, William

Comeau, Ed
Nelson, Bill

Cordelli, Glenn
Schmidt, Stephen

McCarthy, Frank
Umberger, Karen

CHESHIRE

Abbott, Michael
Tatro, Bruce

Hunt, John

McConnell, James

O'Day, John

COOS

Merner, Troy

Richardson, Herbert

Theberge, Robert

Tucker, Edith

GRAFTON

Darrow, Stephen
Johnson, Tiffany

Hennessey, Erin

Migliore, Vincent Paul

Schwaegler, Vicki

HILLSBOROUGH

Ammon, Keith
Moore, Craig
Dyer, Caleb
Griffin, Gerald

Biggie, Barbara
Christie, Rick
Fedolfi, Jim
Gagne, Larry

Burt, John
Dickey, Glen
Ferreira, Elizabeth
Gargas, Carolyn

Byron, Frank
Donovan, Daniel
Freeman, Lisa
Gould, Linda

Halstead, Carolyn
Moore, Josh
Ober, Lynne
McLean, Mark
Notter, Jeanine
Prout, Andrew
Sanborn, Laurie
Ulery, Jordan

Hansen, Peter
Rice, Kimberly
Lascelles, Richard
Murotake, David
Ohm, Bill
Ober, Russell
Scully, Kevin
Sullivan, Victoria

Hinch, Richard
Kurk, Neal
Leishman, Peter
Murphy, Keith
Panasiti, Reed
Renzullo, Andrew
Somero, Paul

Graham, John
L'Heureux, Robert
Lewicke, John
Negron, Steve
Proulx, Mark
Rouillard, Claire
Wolf, Terry

MERRIMACK

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

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

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

Hill, Gregory
Moffett, Michael
Seaworth, Brian
Woolpert, David

ROCKINGHAM

Cook, Allen
Bean, Philip
Costable, Michael
Emerick, J. Tracy
Guthrie, Joseph
Itse, Daniel
O'Connor, John
Griffin, Mary
McMahon, Charles
Gordon, Richard
Torosian, Peter
Wallace, Scott
Willis, Brenda

Abrami, Patrick
Bove, Martin
Thomas, Douglas
Fesh, Robert
Marsh, Henry
Edwards, Jess
Katsakiores, Phyllis
Major, Norman
Milz, David
Sapareto, Frank
True, Chris
Webb, James

Baldasaro, Alfred
Chase, Francis
DeSimone, Debra
Gay, Betty
Hagan, Joseph
Janigian, John
Khan, Aboul
Matthews, Carolyn
Nasser, Jim
Spillane, James
Verville, Kevin
Welch, David

Barnes, Arthur
Chirichiello, Brian
Elliott, Robert
Green, Dennis
Hoelzel, Kathleen
Janvrin, Jason
Kolodziej, Walter
McKinney, Betsy
Packard, Sherman
Sytek, John
Vose, Michael
Weyler, Kenneth

STRAFFORD

Berube, Roger
Turcotte, Leonard
Pitre, Joseph

Harrington, Michael
McNally, Jody
Scruton, Matthew

Horgan, James
Mullen, John
Spencer, Matthew

Kaczynski, Thomas
Phinney, Brandon
Wuelper, Kurt

SULLIVAN

Grenier, James

Laware, Thomas

Rollins, Skip

Smith, Steven

and floor amendment (0888h) was adopted.

Committee report adopted and ordered to third reading.

HB 1358, relative to decisions by the site evaluation committee. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Michael Vose for the Majority of Science, Technology and Energy. This bill provides immediacy to the statutory requirement that the Site Evaluation Committee (SEC) complete project application deliberations within 365 days. The amendment repeals current law that allows indefinite deadline extensions and replaces it with a provision to allow an extension of up to 120 days. Such extension would be allowed providing that no parties to the proceeding objected. This provision will prevent any special interest party from dominating the process. The majority felt that an indeterminate and indefinite deadline was not really a deadline, making SEC project deliberations more expensive and prone to unnecessary delay. Vote 12-9.

Rep. Robert Backus for the Minority of Science, Technology and Energy. This bill would deem any application to come before the Site Evaluation Committee (SEC) approved if not decided within one year from acceptance of the application, unless a 120-day extension was agreed to by all parties to the proceeding. The minority believes this bill is unnecessary and unwise. Unnecessary because the SEC in fact determines the vast majority of cases within a year, and unwise because in certain major and controversial cases the SEC cannot always accommodate within a year the numerous parties who want to participate as parties or the individuals who want to appear before it in the required field hearings. Therefore, the SEC must have some flexibility to manage its caseload and schedule without being put into a straitjacket by an arbitrary decision deadline. Just four years ago, the legislature approved major changes to the SEC's governing statute to insure more robust opportunities for public participation, including adding public members to the SEC. The decision to provide fuller opportunities for citizen participation necessarily requires more time for the SEC to provide opportunities for public input in major cases. This bill would undercut the very reform to increase opportunities for public involvement recently enacted. The limited opportunity for a 120 day extension is unlikely to be practical, since it seems unlikely that there would be many times, if any, when one party, especially the applicant, would agree to the extension.

Majority Amendment (0476h)

Amend RSA 162-H:7, VI-d as inserted by section 1 of the bill by replacing it with the following:

VI-d. Within 365 days of the acceptance of an application, the committee shall issue or deny a certificate for an energy facility. ***If the committee fails to act within the 365 days from the acceptance of the application, the application shall be deemed approved and the committee shall issue the certificate. The committee may extend the deadline for no more than an additional 120 days provided that no party objects.***

Amend the bill by inserting after section 2 the following and renumbering the original section 2 to read as 3:
2 Repeal. RSA 162-H:14, relative to suspension of site evaluation committee time frames, is repealed.

AMENDED ANALYSIS

This bill requires the site evaluation committee to issue a certificate for an energy facility if the committee fails to act within 365 days of acceptance of an application and provides for an extension of the time frame.

MOTION TO LAY ON THE TABLE

Rep. Schwaegler moved that **HB 1358**, relative to decisions by the site evaluation committee, be laid on the table.

Rep. Burt requested a roll call; sufficiently seconded.

YEAS 178 - NAYS 148

YEAS - 178 BELKNAP

Comtois, Barbara
Spagnuolo, Philip

Fraser, Valerie
Sylvia, Michael

Huot, David

Silber, Norman

CARROLL

Butler, Edward
Marsh, William

DesMarais, Edith

Knirk, Jerry

Nelson, Bill

CHESHIRE

Abbott, Michael
Burridge, Delmar
Fenton, Donovan
Parkhurst, Henry
Weber, Lucy

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

Berch, Paul
Eaton, Daniel
McConnell, James
Tatro, Bruce

Bordenet, John
Faulkner, Barry
Meador, David
Pearson, William

COOS

Fothergill, John
Theberge, Robert

Hatch, William
Tucker, Edith

Merner, Troy
Thomas, Yvonne

Moynihan, Wayne

GRAFTON

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

Almy, Susan
Darrow, Stephen
Higgins, Patricia
Migliore, Vincent Paul
Smith, Suzanne

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

Boutin, Skylar
Ham, Bonnie
Maes, Kevin
Nordgren, Sharon
Johnson, Tiffany

HILLSBOROUGH

Backus, Robert
Chandley, Shannon
Sullivan, Daniel
Elber, Joel
Gidge, Kenneth
Jack, Martin
Klee, Patricia
Lisle, David
McNamara, Richard
O'Leary, Richard
Rosenwald, Cindy
Twombly, Timothy

Baroody, Benjamin
Cleaver, Skip
DiSilvestro, Linda
Fedolfi, Jim
Heath, Mary
Jeudy, Jean
Kurk, Neal
Manley, Jonathan
Newman, Sue
Pierce, David
Harvey, Suzanne
Van Houten, Connie

Beaulieu, Jane
Connors, Erika
Dyer, Caleb
Freitas, Mary
Herbert, Christopher
Keane, Amelia
Leishman, Peter
Martin, Joelle
Nutting, Allison
Porter, Marjorie
Sanborn, Laurie
Vann, Ivy

Bouldin, Amanda
Cornell, Patricia
Edwards, Elizabeth
Gargas, Carolyn
Moore, Josh
King, Mark
Lewicke, John
Martineau, Jesse
O'Brien, Michael
Roberts, Carol
Sofikitis, Catherine
Williams, Kermit

MERRIMACK

Turcotte, Alan
Doherty, David
Henle, Paul
Luneau, David
Rodd, Beth
Soucy, Timothy

Bartlett, Christy
Ebel, Karen
Hill, Gregory
Myler, Mel
Rogers, Katherine
Wallner, Mary Jane

Carson, Clyde
Gile, Mary
MacKay, James
Patten, Dick
Schuett, Dianne
Walz, Mary Beth

Wolf, Dan
Moffett, Howard
Kenison, Linda
Richards, Beth
Shurtleff, Stephen
Woolpert, David

ROCKINGHAM

Altschiller, Debra
DiLorenzo, Charlotte
Green, Dennis
McKinney, Betsy
Pantelakos, Laura
Spillane, James
Welch, David

Berrien, Skip
Edgar, Michael
Lerner, Kari
Messmer, Mindi
Read, Ellen
Le, Tamara

Cahill, Michael
Farnham, Betsey
Lovejoy, Patricia
Murray, Kate
Sapareto, Frank
Verville, Kevin

Cushing, Robert Renny
Gilman, Julie
Malloy, Dennis
Gordon, Pamela
Somssich, Peter
Ward, Gerald

STRAFFORD

Berube, Roger
Conley, Casey
Horrigan, Timothy
Smith, Marjorie
Sandler, Catt

Bixby, Peter
Ellis, Donna
Kaczynski, Thomas
McNally, Jody
Scruton, Matthew

Burton, Wayne
Grassie, Chuck
Keans, Sandra
Schmidt, Peter

Cilley, Jacalyn
Horgan, James
Krans, Hamilton
Salloway, Jeffrey

SULLIVAN

Cloutier, John
Oxenham, Lee

Gottling, Suzanne
Rollins, Skip

Grenier, James
Sullivan, Brian

Irwin, Virginia
Tanner, Linda

NAYS - 148**BELKNAP**

Abear, Marc
Howard, Raymond
Varney, Peter

Aldrich, Glen
Lang, Timothy

Tilton, Franklin
Spanos, Peter

Fields, Dennis
Vadney, Herbert

CARROLL

Avellani, Lino
McCarthy, Frank

Comeau, Ed
McConkey, Mark

Cordelli, Glenn
Schmidt, Stephen

Crawford, Karel
Umberger, Karen

CHESHIRE

Johnsen, Gladys

Hunt, John

O'Day, John

COOS

Richardson, Herbert

GRAFTON

Rand, Steven

HILLSBOROUGH

Ammon, Keith
Moore, Craig
Dickey, Glen
Griffin, Gerald
Halstead, Carolyn
Graham, John
Ober, Lynne
McCarthy, Michael
Murphy, Keith
Long, Patrick
Ober, Russell
Seidel, Carl
Ulery, Jordan

Biggie, Barbara
Christensen, Chris
Donovan, Daniel
Gagne, Larry
Hansen, Peter
Schmidt, Janice
Lascelles, Richard
MacKenzie, Mark
Negron, Steve
Panasiti, Reed
Renzullo, Andrew
Shaw, Barbara
Sullivan, Victoria

Burt, John
Christie, Rick
Ferreira, Elizabeth
Goley, Jeffrey
Hinch, Richard
Rice, Kimberly
LeBrun, Donald
McLean, Mark
Notter, Jeanine
Proulx, Mark
Rouillard, Claire
Somero, Paul

Byron, Frank
Danielson, David
Freeman, Lisa
Gould, Linda
Belanger, James
L'Heureux, Robert
MacKay, Mariellen
Murotake, David
Ohm, Bill
Prout, Andrew
Scully, Kevin
Wolf, Terry

MERRIMACK

Kuch, Bill
Horn, Werner
Marple, Richard
Seaworth, Brian

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

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

Hoell, J.R.
Moffett, Michael
Schultz, Kristina

ROCKINGHAM

Cook, Allen
Barnes, Arthur
Cali-Pitts, Jacqueline
Thomas, Douglas
Emerick, J. Tracy
Marsh, Henry
Edwards, Jess
Katsakiores, Phyllis
Pearson, Mark

Abrami, Patrick
Bates, David
Chase, Francis
DeSimone, Debra
Fesh, Robert
Hagan, Joseph
Janigian, John
Khan, Aboul
Major, Norman

Allen, Mary
Bean, Philip
Chirichiello, Brian
Dowling, Patricia
Gay, Betty
Hoelzel, Kathleen
Janvrin, Jason
Kolodziej, Walter
Matthews, Carolyn

Baldasaro, Alfred
Bove, Martin
Costable, Michael
Elliott, Robert
Guthrie, Joseph
Itse, Daniel
O'Connor, John
Griffin, Mary
McMahon, Charles

Milz, David
Gordon, Richard
Vose, Michael
Willis, Brenda

Morrison, Sean
Sytek, John
Wallace, Scott

Nasser, Jim
Torosian, Peter
Webb, James

Packard, Sherman
True, Chris
Weyler, Kenneth

STRAFFORD

Fontneau, Timothy
Phinney, Brandon
Wuelper, Kurt

Harrington, Michael
Pitre, Joseph

Turcotte, Leonard
Graham, Robert

Mullen, John
Spencer, Matthew

SULLIVAN

O'Connor, John

Laware, Thomas

Smith, Steven

and the motion was adopted.

REGULAR CALENDAR - PART II CONT'D

HB 1555, relative to participation by the public utilities commission in regional activities. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Herbert Vadney for the Majority of Science, Technology and Energy. Supported by the Public Utilities Commission (PUC) and the Consumer Advocate, this bill, as amended, gives both these entities concrete direction that the interests of New Hampshire ratepayers are paramount in the state's participation in regional energy policy deliberations. Specifically, the PUC and the Consumer Advocate will work to make sure NH ratepayers are not responsible for the public policy of other states. This bill could strengthen the state's position on regional energy negotiations. It will serve to help avoid or minimize unjust or unreasonable impacts on NH ratepayers. Vote 11-8.

Rep. Jacqueline Cali-Pitts for the Minority of Science, Technology and Energy. This bill is unnecessary. It requires that the Public Utilities Commission (PUC) and the Consumer Advocate shall act in accordance with NH policies and not advocate any policy or rule proposed by the federal government or other states at regional meetings. The minority believes that the PUC and the Consumer Advocate currently act in the public interest by nature of their positions and uphold the policies and rules of NH in the best interest of the state.

Majority Amendment (0326h)

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

1 Electric Utility Restructuring; Participation by the Public Utilities Commission in Regional Activities. Amend RSA 374-F:8 to read as follows:

374-F:8 Participation in Regional Activities. The commission shall advocate for New Hampshire interests before the Federal Energy Regulatory Commission and other regional and federal bodies. The commission shall participate in the activities of the New England Conference of Public Utility Commissioners, the National Association of Regulatory Utility Commissioners, and the New England States Committee on Electricity, or other similar organizations, and work with the New England Independent System Operator and NEPOOL to advance the interests of New Hampshire with respect to wholesale electric issues, including policy goals relating to fuel diversity, renewable energy, and energy efficiency, and to assure nondiscriminatory open access to a safe, adequate, and reliable transmission system at just and reasonable prices. ***The commission shall advocate against proposed regional or federal rules or policies that are inconsistent with the policies, rules, or laws of New Hampshire. In its participation in regional activities, the commission shall consider how other states' policies will impact New Hampshire rates and work to prevent or minimize any rate impact the commission determines to be unjust or unreasonable.***

2 Office of the Consumer Advocate. Amend RSA 363:28, IV to read as follows:

IV. The consumer advocate shall have authority to promote and further consumer knowledge and education. ***The consumer advocate shall advocate against proposed regional or federal rules or policies that are inconsistent with the policies, rules, or laws of New Hampshire. In its participation in regional activities, the consumer advocate shall consider how other states' policies will impact New Hampshire rates and work to prevent or minimize any rate impact the consumer advocate determines to be unjust or unreasonable.***

AMENDED ANALYSIS

This bill requires the public utilities commission and the office of the consumer advocate to advocate against regional or federal policies which are inconsistent with the policies in this state or which would have rate impacts determined to be unjust or unreasonable.

Majority committee amendment adopted.

Majority committee report adopted and ordered to third reading.

HB 1563-L, relative to taxation of solar energy systems. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Herbert Vadney for the Majority of Science, Technology and Energy. Municipalities currently have the authority to vote to allow tax exemptions on the valuation of solar energy systems. This bill would apply to

municipalities that have not authorized such a tax exemption. It would require them to bypass a vote of the people and offer system owners an option of making a payment in lieu of taxes, not to exceed \$5 per kilowatt of rated capacity of such solar systems. It seems we should accept that municipalities that have not voted to approve these exemptions under current law have intentionally not done so, and we should and must accept their lack of such action as their intention. Therefore, we must deny this proposed legislation. Also, the seemingly arbitrary rate of \$5 per kilowatt hour, with no explanation of determination, and the lack of allowances for variations based on market situations or monetary inflation factors, could put this legislature in the position of needing to make frequent modifications to such rules and rates. Vote 13-8.

Rep. Lee Oxenham for the Minority of Science, Technology and Energy. Solar energy in New Hampshire is encountering an increased number of obstacles to its development, ranging from tariffs on imported solar panels to unpredictable and highly variable tax rates from one town to another. The resulting decline in new projects is leaving schools, houses of worship, and municipalities with fewer options as they seek to reduce and manage their energy costs. Placing a cap on payments in lieu of taxes can reduce uncertainty, provide a more level playing field between developers and municipalities, and enhance the transition to a clean energy economy.

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

Rep. Oxenham spoke against.

Rep. Vadney spoke in favor.

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

On a division vote, with 185 members having voted in the affirmative, and 135 in the negative, the majority committee report was adopted.

HB 1569, relative to liability of energy facility companies for damage caused by restoration projects. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Douglas Thomas for the Majority of Science, Technology and Energy. This bill requires that a certificate issued by the Site Evaluation Committee include a provision that the applicant guarantees funding for restoration efforts in the event of environmental damage caused by the facility, as determined by the Department of Environmental Services. Testimony revealed that concerns centered around specific areas of the state currently undergoing projects by public electric utilities. The committee learned that electric utilities have provisions in their contracts to abate any environmental damage caused by the facility and, to date, any damage previously caused has been rectified. The majority of the committee felt this bill was meant to act as insurance against damage over and above what facilities might normally cover and that past history did not warrant such action. The majority felt this bill was redundant and unnecessary. Vote 11-8.

Rep. Peter Somssich for the Minority of Science, Technology and Energy. The minority is of the opinion that in the case of some energy facility projects, damage could be done resulting in harm that down shifts mitigation costs to local towns and cities. While utility representatives acknowledged their responsibilities for mitigation and restoration of damage caused by their projects, the issue of harm to local businesses (e.g. oyster farmers in the Great Bay estuary) does not appear to be clearly covered by current rules. This bill adds an additional level of protection for local businesses and communities in case of unexpected damage by requiring that a certificate for a project include a financial guarantee to fund restoration efforts that are needed, as determined by the Department of Environmental Services.

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

Rep. Burton spoke against.

Rep. Douglas Thomas spoke in favor.

On a division vote, with 172 members having voted in the affirmative, and 145 in the negative, the majority committee report was adopted.

HCR 12, applying to Congress to propose a congressional term limits constitutional amendment. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Matthew Spencer for the Majority of State-Federal Relations and Veterans Affairs. The majority of the committee believed there was no need to ask for a constitutional amendment to set term limits for members in the two branches of Congress. The ballot box in New Hampshire has done an adequate job in setting terms limits for elected officials. Vote 11-7.

Rep. Linda Massimilla for the Minority of State-Federal Relations and Veterans Affairs. This HCR asks to apply to Congress for a constitutional amendment proposing congressional term limits. The minority supports the process calling for a convention to propose the amendment. We felt the HCR was only a step in bringing real reform to the U.S. Congress by reducing its political monopoly and restores power to the states.

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

Rep. Wallace spoke against.

Rep. Baldasaro spoke in favor.

Majority committee report adopted.

HB 1259, relative to passenger restraints. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Steven Smith for the Majority of Transportation. This bill would make seat belt use mandatory and a primary violation. If the goal is to increase seat belt use, the committee felt that education programs and advertising would be a better first step. The National Highway Traffic Safety Administration (NHTSA) also reports that close to 1 percent of crash fatalities are caused by seat belts. These cases involve submergence, fires, and exposure. Before potentially sacrificing some in order to save others, the committee would like to see more efforts to gain voluntary compliance before forcing this on people. Vote 10-9.

Rep. George Sykes for the Minority of Transportation. Seat belt usage in NH has declined steadily in recent years: now 67%, the lowest percentage of use in the country. Sadly, 73% of fatal accident victims in NH from 2016 were not wearing a seat belt, compared to 41% nationally. Today's vehicles are designed to be used in conjunction with seat belts. Persons not wearing a seat belt often become a projectile within the passenger compartment, seriously injuring even belted passengers. Finally, medical costs for unbelted passengers who survive but are injured are three times higher than belted passengers; costs sometimes borne by the rest of us.

MOTION TO LAY ON THE TABLE

Rep. Steven Smith moved that **HB 1259**, relative to passenger restraints, be laid on the table.

Rep. White requested a roll call; sufficiently seconded.

YEAS 195 - NAYS 126**YEAS - 195****BELKNAP**

Abear, Marc
Fields, Dennis
Lang, Timothy
Sylvia, Michael

Aldrich, Glen
Fraser, Valerie
Silber, Norman
Vadney, Herbert

Comtois, Barbara
Howard, Raymond
Spagnuolo, Philip
Varney, Peter

Tilton, Franklin
Huot, David
Spanos, Peter

CARROLL

Avellani, Lino
Cordelli, Glenn
Schmidt, Stephen

Buco, Thomas
McCarthy, Frank
Umberger, Karen

Butler, Edward
McConkey, Mark

Comeau, Ed
Nelson, Bill

CHESHIRE

Bordenet, John
O'Day, John

Eaton, Daniel
Parkhurst, Henry

Hunt, John
Sterling, Franklin

McConnell, James

COOS

Fothergill, John

Richardson, Herbert

Theberge, Robert

GRAFTON

Boutin, Skylar
Schwaegler, Vicki

Darrow, Stephen
Johnson, Tiffany

Ham, Bonnie

Hennessey, Erin

HILLSBOROUGH

Ammon, Keith
Biggie, Barbara
Christensen, Chris
DiSilvestro, Linda
Fedolfi, Jim
Griffin, Gerald
Halstead, Carolyn
Belanger, James
King, Mark
Lascelles, Richard
McCarthy, Michael
Murphy, Keith
Panasiti, Reed
Renzullo, Andrew
Seidel, Carl
Wolf, Terry
Williams, Kermit

Griffin, Barbara
Burt, John
Christie, Rick
Donovan, Daniel
Ferreira, Elizabeth
Gagne, Larry
Hansen, Peter
Graham, John
Kurk, Neal
Leishman, Peter
Martineau, Jesse
Negrón, Steve
Proulx, Mark
Rouillard, Claire
Shaw, Barbara
Twombly, Timothy

Baroody, Benjamin
Byron, Frank
Sullivan, Daniel
Dyer, Caleb
Freeman, Lisa
Gargas, Carolyn
Hinch, Richard
Moore, Josh
L'Heureux, Robert
Lewicke, John
McLean, Mark
Notter, Jeanine
Prout, Andrew
Sanborn, Laurie
Sofikitis, Catherine
Ulery, Jordan

Beaulieu, Jane
Moore, Craig
Dickey, Glen
Edwards, Elizabeth
Freitas, Mary
Gould, Linda
Hynes, Dan
Rice, Kimberly
Ober, Lynne
MacKay, Mariellen
Murotake, David
Ohm, Bill
Ober, Russell
Scully, Kevin
Somero, Paul
Sullivan, Victoria

MERRIMACK

Turcotte, Alan
Wolf, Dan
Horn, Werner
McGuire, Carol
Testerman, Dave

Kuch, Bill
Ebel, Karen
Klose, John
Pearl, Howard
Wells, Natalie

Copp, Anne
Hill, Gregory
Leavitt, John
Seaworth, Brian

Long, Douglas
Hoell, J.R.
Moffett, Michael
Walsh, Thomas

ROCKINGHAM

Cook, Allen	Abrami, Patrick	Allen, Mary	Baldasaro, Alfred
Barnes, Arthur	Bates, David	Bean, Philip	Bove, Martin
Cali-Pitts, Jacqueline	Chase, Francis	Chirichiello, Brian	Thomas, Douglas
DeSimone, Debra	Dowling, Patricia	Elliott, Robert	Emerick, J. Tracy
Fesh, Robert	Gay, Betty	Gilman, Julie	Green, Dennis
Guthrie, Joseph	Marsh, Henry	Hagan, Joseph	Hoelzel, Kathleen
Itse, Daniel	Edwards, Jess	Janigian, John	Janvrin, Jason
O'Connor, John	Katsakiores, Phyllis	Kolodziej, Walter	Griffin, Mary
Pearson, Mark	Major, Norman	Matthews, Carolyn	McKinney, Betsy
McMahon, Charles	Milz, David	Morrison, Sean	Nasser, Jim
Packard, Sherman	Gordon, Richard	Sapareto, Frank	Spillane, James
Stone, Brian	Sytek, John	Torosian, Peter	True, Chris
Verville, Kevin	Vose, Michael	Wallace, Scott	Webb, James
Welch, David	Weyler, Kenneth	Willis, Brenda	

STRAFFORD

Berube, Roger	Harrington, Michael	Horgan, James	Kaczynski, Thomas
Turcotte, Leonard	McNally, Jody	Mullen, John	Pitre, Joseph
Graham, Robert	Salloway, Jeffrey	Spencer, Matthew	Wuelper, Kurt

SULLIVAN

Grenier, James	Laware, Thomas	Rollins, Skip	Smith, Steven
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NAYS - 126**CARROLL**

DesMarais, Edith	Knirk, Jerry	Marsh, William	
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CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Burridge, Delmar
Harvey, Cathryn	Faulkner, Barry	Johnsen, Gladys	Mann, John
Meador, David	Shepardson, Marjorie	Weber, Lucy	

COOS

Hatch, William	Moynihan, Wayne	Tucker, Edith	Thomas, Yvonne
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GRAFTON

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

HILLSBOROUGH

Backus, Robert	Bouldin, Amanda	Chandley, Shannon	Cleaver, Skip
Connors, Erika	Cornell, Patricia	Elber, Joel	Gidge, Kenneth
Goley, Jeffrey	Heath, Mary	Herbert, Christopher	Schmidt, Janice
Jack, Martin	Judy, Jean	Keane, Amelia	Klee, Patricia
LeBrun, Donald	Lisle, David	MacKenzie, Mark	Manley, Jonathan
Martin, Joelle	McNamara, Richard	Newman, Sue	Nutting, Allison
O'Brien, Michael	O'Leary, Richard	Long, Patrick	Pierce, David
Porter, Marjorie	Rosenwald, Cindy	Harvey, Suzanne	Van Houten, Connie
Vann, Ivy			

MERRIMACK

Bartlett, Christy	Carson, Clyde	Doherty, David	Gile, Mary
Moffett, Howard	Henle, Paul	MacKay, James	Kenison, Linda
Luneau, David	Myler, Mel	Patten, Dick	Rodd, Beth
Rogers, Katherine	Schuett, Dianne	Shurtleff, Stephen	Soucy, Timothy
Wallner, Mary Jane	Walz, Mary Beth	Woolpert, David	

ROCKINGHAM

Altschiller, Debra	Berrien, Skip	Cahill, Michael	Costable, Michael
DiLorenzo, Charlotte	Edgar, Michael	Farnham, Betsey	Khan, Aboul
Lerner, Kari	Lovejoy, Patricia	Malloy, Dennis	Messmer, Mindi
Murray, Kate	Gordon, Pamela	Pantelakos, Laura	Read, Ellen
Somssich, Peter	Le, Tamara	Ward, Gerald	

STRAFFORD

Bixby, Peter	Cilley, Jacalyn	Conley, Casey	Ellis, Donna
Fontneau, Timothy	Grassie, Chuck	Horrigan, Timothy	Keans, Sandra
Krans, Hamilton	Smith, Marjorie	Schmidt, Peter	Phinney, Brandon
Sandler, Catt	Scruton, Matthew		

SULLIVAN

Cloutier, John
Oxenham, Lee

Gottling, Suzanne
Sullivan, Brian

Irwin, Virginia
Tanner, Linda

O'Connor, John

and the motion was adopted.

REGULAR CALENDAR - PART II CONT'D

HB 1262-L, relative to online driver education. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Peter Torosian for the Majority of Transportation. This bill allows NH to join 24 other states that already offer online driver education courses. This gives a choice to students to either attend formal classroom training or enroll and complete an online course of study to satisfy RSA 21-P:14. If, however, the student elects to satisfy this requirement with online course completion, the student will then be required to complete 12 hours of behind-the-wheel driver training in lieu of the 10 hours required when attending formal classroom training. All courses must be approved by the Department of Safety. Vote 10-9.

Rep. Karel Crawford for the Minority of Transportation. If the intent of this bill was to save money by doing driver education online, in fact, it did the opposite. By adding two hours of additional driving to the law, the cost of driver education will increase. The cost is not in the classroom, but in the actual driving portion of the course. The bill also states that it would be a choice to take the course online or in classroom but there are studies by AAA and Washington state that say classroom instruction is more effective than online courses in driver education.

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

Rep. Crawford spoke against.

Rep. Porter spoke in favor and yielded to questions.

Rep. Prout requested a roll call; sufficiently seconded.

YEAS 233 - NAYS 94**YEAS - 233****BELKNAP**

Abear, Marc
Fraser, Valerie
Spanos, Peter

Aldrich, Glen
Howard, Raymond
Sylvia, Michael

Comtois, Barbara
Lang, Timothy
Vadney, Herbert

Fields, Dennis
Silber, Norman
Varney, Peter

CARROLL

Butler, Edward
McCarthy, Frank

Comeau, Ed
McConkey, Mark

Cordelli, Glenn
Schmidt, Stephen

DesMarais, Edith
Umberger, Karen

CHESHIRE

Abbott, Michael
Harvey, Cathryn
McConnell, James
Shepardson, Marjorie

Ames, Richard
Johnsen, Gladys
Meader, David
Sterling, Franklin

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

Bordenet, John
Mann, John
Parkhurst, Henry
Weber, Lucy

COOS

Fothergill, John
Tucker, Edith

Hatch, William
Thomas, Yvonne

Moynihan, Wayne

Theberge, Robert

GRAFTON

Abel, Richard
Dontonville, Roger
Nordgren, Sharon
Johnson, Tiffany

Almy, Susan
Ham, Bonnie
Rand, Steven

Boutin, Skylar
Migliore, Vincent Paul
Schwaegler, Vicki

Darrow, Stephen
Mulligan, Mary Jane
Smith, Suzanne

HILLSBOROUGH

Ammon, Keith
Byron, Frank
Dickey, Glen
Ferreira, Elizabeth
Gargas, Carolyn
Hansen, Peter
Belanger, James
Keane, Amelia
Leishman, Peter
Manley, Jonathan
McNamara, Richard
Notter, Jeanine
Porter, Marjorie

Griffin, Barbara
Christensen, Chris
Donovan, Daniel
Freeman, Lisa
Goley, Jeffrey
Heath, Mary
Graham, John
Kurk, Neal
Lewicke, John
Martin, Joelle
Murotake, David
O'Leary, Richard
Prout, Andrew

Biggie, Barbara
Christie, Rick
Dyer, Caleb
Griffin, Gerald
Gould, Linda
Hinch, Richard
Moore, Josh
Ober, Lynne
MacKay, Mariellen
Martineau, Jesse
Murphy, Keith
Ohm, Bill
Ober, Russell

Burt, John
Connors, Erika
Edwards, Elizabeth
Gagne, Larry
Halstead, Carolyn
Hynes, Dan
Rice, Kimberly
Lascelles, Richard
McCarthy, Michael
McLean, Mark
Negron, Steve
Panasiti, Reed
Renzullo, Andrew

Rouillard, Claire
Seidel, Carl
Twombly, Timothy
Vann, Ivy

Harvey, Suzanne
Sofikitis, Catherine
Ulery, Jordan
Williams, Kermit

Sanborn, Laurie
Somero, Paul
Sullivan, Victoria

Scully, Kevin
Wolf, Terry
Van Houten, Connie

MERRIMACK

Turcotte, Alan
Doherty, David
Horn, Werner
Luneau, David
Myler, Mel
Testerman, Dave
Woolpert, David

Kuch, Bill
Henle, Paul
Kenison, Linda
Moffett, Michael
Pearl, Howard
Wallner, Mary Jane

Carson, Clyde
Hill, Gregory
Klose, John
Marple, Richard
Seaworth, Brian
Walz, Mary Beth

Copp, Anne
Hoell, J.R.
Leavitt, John
McGuire, Carol
Shurtleff, Stephen
Wells, Natalie

ROCKINGHAM

Cook, Allen
Bates, David
Cahill, Michael
Cushing, Robert Renny
Elliott, Robert
Green, Dennis
Itse, Daniel
O'Connor, John
Lovejoy, Patricia
Malloy, Dennis
Milz, David
Packard, Sherman
Sapareto, Frank
Sytek, John
Vose, Michael
Welch, David

Abrami, Patrick
Bean, Philip
Cali-Pitts, Jacqueline
Thomas, Douglas
Emerick, J. Tracy
Marsh, Henry
Edwards, Jess
Katsakiores, Phyllis
Griffin, Mary
Matthews, Carolyn
Morrison, Sean
Pantelakos, Laura
Somssich, Peter
Torosian, Peter
Wallace, Scott
Weyler, Kenneth

Altschiller, Debra
Berrien, Skip
Chirichiello, Brian
DeSimone, Debra
Fesh, Robert
Hagan, Joseph
Janigian, John
Kolodziej, Walter
Pearson, Mark
McKinney, Betsy
Murray, Kate
Gordon, Richard
Spillane, James
True, Chris
Ward, Gerald

Baldasaro, Alfred
Bove, Martin
Costable, Michael
Edgar, Michael
Gay, Betty
Hoelzel, Kathleen
Janvrin, Jason
Lerner, Kari
Major, Norman
McMahon, Charles
Nasser, Jim
Read, Ellen
Stone, Brian
Verville, Kevin
Webb, James

STRAFFORD

Berube, Roger
Harrington, Michael
Turcotte, Leonard
Phinney, Brandon
Wuelper, Kurt

Bixby, Peter
Horgan, James
McNally, Jody
Pitre, Joseph

Burton, Wayne
Kaczynski, Thomas
Mullen, John
Graham, Robert

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

SULLIVAN

Gottling, Suzanne
Laware, Thomas

Grenier, James
Rollins, Skip

Irwin, Virginia
Smith, Steven

O'Connor, John
Sullivan, Brian

NAYS - 94

BELKNAP

Tilton, Franklin

Huot, David

Spagnuolo, Philip

CARROLL

Avellani, Lino
Nelson, Bill

Buco, Thomas
Marsh, William

Crawford, Karel

Knirk, Jerry

CHESHIRE

Burridge, Delmar

Eaton, Daniel

Faulkner, Barry

Fenton, Donovan

COOS

Richardson, Herbert

GRAFTON

Bennett, Travis
Maes, Kevin

Campion, Polly
Massimilla, Linda

Hennessey, Erin
Sykes, George

Higgins, Patricia
White, Andrew

HILLSBOROUGH

Backus, Robert
Moore, Craig
Sullivan, Daniel
Freitas, Mary
Jack, Martin
L'Heureux, Robert
Newman, Sue
Pierce, David
Shaw, Barbara

Baroody, Benjamin
Chandley, Shannon
DiSilvestro, Linda
Gidge, Kenneth
Judy, Jean
LeBrun, Donald
Nutting, Allison
Proulx, Mark

Beaulieu, Jane
Cleaver, Skip
Elber, Joel
Herbert, Christopher
King, Mark
Lisle, David
O'Brien, Michael
Roberts, Carol

Bouldin, Amanda
Cornell, Patricia
Fedolfi, Jim
Schmidt, Janice
Klee, Patricia
MacKenzie, Mark
Long, Patrick
Rosenwald, Cindy

MERRIMACK

Bartlett, Christy
Gile, Mary
Rodd, Beth
Soucy, Timothy

Long, Douglas
Moffett, Howard
Rogers, Katherine
Walsh, Thomas

Wolf, Dan
MacKay, James
Schuett, Dianne

Ebel, Karen
Patten, Dick
Schultz, Kristina

ROCKINGHAM

Allen, Mary
Farnham, Betsey
Messmer, Mindi

Barnes, Arthur
Gilman, Julie
Gordon, Pamela

DiLorenzo, Charlotte
Guthrie, Joseph
Le, Tamara

Dowling, Patricia
Khan, Aboul
Willis, Brenda

STRAFFORD

Cilley, Jacalyn
Horriggan, Timothy
Sandler, Catt

Conley, Casey
Keans, Sandra
Scruton, Matthew

Ellis, Donna
Smith, Marjorie

Grassie, Chuck
Salloway, Jeffrey

SULLIVAN

Cloutier, John

Oxenham, Lee

Tanner, Linda

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

HB 1442, relative to driver education. **INEXPEDIENT TO LEGISLATE.**

Rep. Steven Smith for Transportation. This bill would allow the Department of Safety to waive the driver education requirement for those under 18 years of age who provide a document from their parents stating that they trained their child. The bill sets no standards for the training and does not require the department to accept the document. This missing procedure makes the bill have no implementable effect. Vote 16-3.

Rep. Lang spoke against.

Rep. Steven Smith spoke in favor.

Rep. Ammon requested a roll call; sufficiently seconded.

YEAS 234 - NAYS 86**YEAS - 234****BELKNAP**

Comtois, Barbara
Spagnuolo, Philip

Tilton, Franklin
Spanos, Peter

Fraser, Valerie
Vadney, Herbert

Huot, David

CARROLL

Avellani, Lino
DesMarais, Edith
Nelson, Bill

Buco, Thomas
McCarthy, Frank
Umberger, Karen

Butler, Edward
Knirk, Jerry
Marsh, William

Crawford, Karel
McConkey, Mark

CHESHIRE

Abbott, Michael
Burridge, Delmar
Fenton, Donovan
Parkhurst, Henry
Weber, Lucy

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

Berch, Paul
Eaton, Daniel
Hunt, John
Sterling, Franklin

Bordenet, John
Faulkner, Barry
Meader, David
Tatro, Bruce

COOS

Hatch, William
Tucker, Edith

Moynihan, Wayne
Thomas, Yvonne

Richardson, Herbert

Theberge, Robert

GRAFTON

Abel, Richard
Campion, Polly
Hennessey, Erin
Migliore, Vincent Paul
Smith, Suzanne

Almy, Susan
Darrow, Stephen
Higgins, Patricia
Nordgren, Sharon
Sykes, George

Bennett, Travis
Dontonville, Roger
Maes, Kevin
Rand, Steven

Boutin, Skylar
Ham, Bonnie
Massimilla, Linda
Schwaegler, Vicki

HILLSBOROUGH

Griffin, Barbara
Biggie, Barbara
Chandlee, Shannon
Cornell, Patricia
Fedolfi, Jim
Gidge, Kenneth
Heath, Mary
Graham, John
Rice, Kimberly

Backus, Robert
Bouldin, Amanda
Christensen, Chris
Sullivan, Daniel
Freitas, Mary
Goley, Jeffrey
Herbert, Christopher
Schmidt, Janice
Keane, Amelia

Baroody, Benjamin
Byron, Frank
Cleaver, Skip
DiSilvestro, Linda
Gagne, Larry
Gould, Linda
Hinch, Richard
Jack, Martin
King, Mark

Beaulieu, Jane
Moore, Craig
Connors, Erika
Elber, Joel
Gargas, Carolyn
Halstead, Carolyn
Belanger, James
Judy, Jean
Klee, Patricia

Kurk, Neal
Leishman, Peter
McCarthy, Michael
Martineau, Jesse
O'Leary, Richard
Roberts, Carol
Sofikitis, Catherine
Williams, Kermit

L'Heureux, Robert
Lewicke, John
MacKenzie, Mark
McNamara, Richard
Long, Patrick
Rosenwald, Cindy
Somero, Paul

Ober, Lynne
Lisle, David
Manley, Jonathan
Newman, Sue
Pierce, David
Rouillard, Claire
Van Houten, Connie

Lascelles, Richard
MacKay, Mariellen
Martin, Joelle
Nutting, Allison
Porter, Marjorie
Harvey, Suzanne
Vann, Ivy

MERRIMACK

Turcotte, Alan
Long, Douglas
Gile, Mary
MacKay, James
Luneau, David
Rodd, Beth
Soucy, Timothy

Kuch, Bill
Wolf, Dan
Moffett, Howard
Kenison, Linda
McGuire, Carol
Schuett, Dianne
Wallner, Mary Jane

Bartlett, Christy
Doherty, David
Henle, Paul
Klose, John
Myler, Mel
Schultz, Kristina
Walz, Mary Beth

Carson, Clyde
Ebel, Karen
Horn, Werner
Leavitt, John
Patten, Dick
Shurtleff, Stephen
Woolpert, David

ROCKINGHAM

Abrami, Patrick
Berrien, Skip
Chirichiello, Brian
DiLorenzo, Charlotte
Farnham, Betsey
Marsh, Henry
Janvrin, Jason
Kolodziej, Walter
Pearson, Mark
McMahon, Charles
Nasser, Jim
Read, Ellen
Le, Tamara
Weyler, Kenneth

Allen, Mary
Bove, Martin
Cushing, Robert Renny
Dowling, Patricia
Gay, Betty
Hagan, Joseph
O'Connor, John
Lerner, Kari
Major, Norman
Messmer, Mindi
Gordon, Pamela
Sapareto, Frank
Ward, Gerald
Willis, Brenda

Barnes, Arthur
Cahill, Michael
Thomas, Douglas
Edgar, Michael
Gilman, Julie
Hoelzel, Kathleen
Katsakiores, Phyllis
Lovejoy, Patricia
Malloy, Dennis
Milz, David
Packard, Sherman
Somssich, Peter
Webb, James

Bean, Philip
Cali-Pitts, Jacqueline
DeSimone, Debra
Elliott, Robert
Guthrie, Joseph
Janigian, John
Khan, Aboul
Griffin, Mary
Matthews, Carolyn
Murray, Kate
Pantelakos, Laura
Sytek, John
Welch, David

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Berube, Roger
Ellis, Donna
Keans, Sandra
Mullen, John
Sandier, Catt

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

Burton, Wayne
Grassie, Chuck
Smith, Marjorie
Graham, Robert

Conley, Casey
Horgan, James
McNally, Jody
Salloway, Jeffrey

SULLIVAN

Cloutier, John
O'Connor, John
Smith, Steven

Gottling, Suzanne
Laware, Thomas
Sullivan, Brian

Grenier, James
Oxenham, Lee

Irwin, Virginia
Rollins, Skip

NAYS - 86

BELKNAP

Abear, Marc
Lang, Timothy

Aldrich, Glen
Silber, Norman

Fields, Dennis
Sylvia, Michael

Howard, Raymond
Varney, Peter

CARROLL

Comeau, Ed

Cordelli, Glenn

CHESHIRE

Mann, John

McConnell, James

O'Day, John

COOS

Fothergill, John

GRAFTON

Mulligan, Mary Jane

Johnson, Tiffany

HILLSBOROUGH

Ammon, Keith
Donovan, Daniel
Griffin, Gerald
McLean, Mark
Notter, Jeanine
Prout, Andrew
Scully, Kevin
Twombly, Timothy

Burt, John
Dyer, Caleb
Hynes, Dan
Murotake, David
Ohm, Bill
Ober, Russell
Seidel, Carl
Ulery, Jordan

Christie, Rick
Ferreira, Elizabeth
Moore, Josh
Murphy, Keith
Panasiti, Reed
Renzullo, Andrew
Shaw, Barbara
Sullivan, Victoria

Dickey, Glen
Freeman, Lisa
LeBrun, Donald
Negron, Steve
Proulx, Mark
Sanborn, Laurie
Wolf, Terry

MERRIMACK

Copp, Anne
Marple, Richard
Testerman, Dave

Hill, Gregory
Pearl, Howard
Wells, Natalie

Hoell, J.R.
Rogers, Katherine

Moffett, Michael
Seaworth, Brian

ROCKINGHAM

Cook, Allen
Costable, Michael
Itse, Daniel
Gordon, Richard
True, Chris

Altschiller, Debra
Emerick, J. Tracy
Edwards, Jess
Spillane, James
Verville, Kevin

Baldasaro, Alfred
Fesh, Robert
McKinney, Betsy
Stone, Brian
Vose, Michael

Bates, David
Green, Dennis
Morrison, Sean
Torosian, Peter
Wallace, Scott

STRAFFORD

Harrington, Michael
Phinney, Brandon

Horrigan, Timothy
Pitre, Joseph

Kaczynski, Thomas
Spencer, Matthew

Turcotte, Leonard
Wuelper, Kurt

SULLIVAN

Tanner, Linda

and the committee report was adopted.

HB 1686-FN, relative to applications for and the use of education tax credits. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Timothy Lang for the Majority of Ways and Means. This bill gives individual NH citizens the opportunity to participate in the education scholarship donation program. Until now, this program has been the exclusive domain of NH businesses, with a credit against the business profits tax and business enterprise tax. With passage of this bill, NH citizens could donate and receive a credit on the interest and dividends tax under the same provisions as businesses. There is no tax credit cap increase, just broadening the pool of participants and treating all NH Taxpayers who pay taxes to the Department of Revenue Administration similarly. The amendment replaces the words “scholarship organization” with “department of revenue administration.” Vote 13-10. Rep. Susan Almy for the Minority of Ways and Means. The education tax credit, passed in 2012, provides businesses a reduction of 85% of what they donate to a non-profit scholarship organization created for the purpose of accepting these donations, taking up to 10% as administrative costs, and handing them to non-public schools and homeschooling parents as supplemental individual scholarships. The credit is not as popular among businesses as the many other breaks we offer them, and even after the constitutional lawsuit was sidelined, they only used \$747,000 of the available \$5.1 million per year allowed by the law. This bill extends the credit to the interest and dividends (I&D) tax, thus allowing wealthy I&D taxpayers to donate. With additional deductions on their federal returns, these taxpayers will be able to make a profit, receiving more back (between the state credit and the federal deduction) than they gave. This is the first-ever tax credit available to I&D taxpayers, so it should be very popular, especially because of its profit-making potential. It will result in the well-off segment of taxpayers paying at a much lower rate than those without the means to donate. Only 2.4% of the I&D taxpayers pay over \$10,000 a year, but they paid 45% of our 5% tax in the most recent fully-audited year. In this year, that would be \$40 million. If this bill passes, it is highly likely that most such individuals will seek to use it in FY 19, guided by their accountants, but there is a \$5.1 million cap. The first applicants will get the benefit. The damage to the budget – which assumed that only the \$97,000 used in TY 15 would be used – will be limited to \$5 million. But the following year, because usage reached 80% of the cap, the cap would be raised by 25% (RSA 77-G:4(II)) – and every year thereafter until all the taxpayers that were willing to avoid their taxes had taken advantage. In ten years, the cap could exceed the 45% of the tax now paid by the wealthier taxpayers, and the only ones paying the tax would be the middle- and low-income. The minority does not believe that we should destroy the constitutional fairness of this tax, nor can we afford to lose the \$40 million that is a substantial part of what is needed to keep open job training and education, mental health and substance abuse treatment, and elder services; as well as our prisons, courts, public safety programs, general administration, and this legislature.

Majority Amendment (0155h)

Amend RSA 77-G:5, II(b)-(d) as inserted by section 7 of the bill by replacing them with the following:

(b) A business organization [or], business enterprise, **or individual** shall submit an education tax credit application to the department of revenue administration no earlier than January 1 and no later than November 15. The department shall approve these applications within 30 days on a first come-first served basis, up to the aggregate tax credit amount allowed under RSA 77-G:4. If multiple education tax credit applications are received on the same day, they shall be processed at random. No business organization [or], business enterprise, **or individual** shall be granted an education tax credit for more than 10 percent of the aggregate tax credit amount permitted in RSA 77-G:4. The department of revenue administration may approve only a portion of a request if required to prevent exceeding the aggregate tax credit amount allowed under RSA 77-G:4. The approval shall include the amount allowed and the date of approval.

(c) Once an education tax credit application is approved, the business organization [or], business enterprise, **or individual** shall donate within 60 days of the date of approval, but no later than December 15, or the request shall expire. Donations may be made to multiple scholarship organizations provided the total amount donated by the business organization [or], business enterprise, **or individual** does not exceed the amount approved.

(d) Upon receiving a donation, the scholarship organization shall send a scholarship receipt to the department of revenue administration and to the business organization [or], business enterprise, **or individual** within 15 days. The department of revenue administration shall notify the scholarship organization and the business organization [or], business enterprise, **or individual** within 15 days if the donations made ~~by a business organization or business enterprise~~ exceed the amount approved. If a business organization [or], business enterprise, **or individual** fails to donate the total amount approved within the time permitted, the department of revenue administration may grant credit requests in the order specified in subparagraph (b).

AMENDED ANALYSIS

This bill allows a taxpayer to use credit computed under the education tax credit against taxes due and payable under the interest and dividends tax.

Majority committee amendment adopted.

Rep. Lang offered floor amendment (0831h).

Floor Amendment (0831h)

Amend the bill by inserting after section 10 the following and renumbering the original section 11 to read as 12:

11 Education Tax Credit; Aggregate Amount. RSA 77-G:4 is repealed and reenacted to read as follows:

77-G:4 Tax Credits. The aggregate of tax credits issued by the commissioner of the department of revenue administration to all taxpayers claiming the credit shall not exceed \$5,100,000 for a program year.

Rep. Lang spoke in favor.

Floor amendment (0831h) adopted.

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

Rep. Martin requested a roll call; sufficiently seconded.

YEAS 168 - NAYS 147

YEAS - 168

BELKNAP

Abear, Marc
Fields, Dennis
Silber, Norman
Varney, Peter

Aldrich, Glen
Fraser, Valerie
Spanos, Peter

Comtois, Barbara
Howard, Raymond
Sylvia, Michael

Tilton, Franklin
Lang, Timothy
Vadney, Herbert

CARROLL

Avellani, Lino
McCarthy, Frank
Umberger, Karen

Comeau, Ed
McConkey, Mark

Cordelli, Glenn
Nelson, Bill

Crawford, Karel
Schmidt, Stephen

CHESHIRE

Hunt, John

McConnell, James

O'Day, John

Sterling, Franklin

COOS

Fothergill, John

Richardson, Herbert

Theberge, Robert

GRAFTON

Darrow, Stephen
Schwaegler, Vicki

Ham, Bonnie
Johnson, Tiffany

Hennessey, Erin

Migliore, Vincent Paul

HILLSBOROUGH

Ammon, Keith
Moore, Craig
Dyer, Caleb
Gagne, Larry
Hansen, Peter
Graham, John
Lascelles, Richard
McCarthy, Michael
Murphy, Keith
Panasiti, Reed
Renzullo, Andrew
Seidel, Carl
Ulery, Jordan

Griffin, Barbara
Christensen, Chris
Fedolfi, Jim
Gargas, Carolyn
Hinch, Richard
Moore, Josh
LeBrun, Donald
Martineau, Jesse
Negron, Steve
Proulx, Mark
Rouillard, Claire
Somero, Paul
Sullivan, Victoria

Biggie, Barbara
Christie, Rick
Ferreira, Elizabeth
Gould, Linda
Hynes, Dan
L'Heureux, Robert
Lewicke, John
McLean, Mark
Notter, Jeanine
Prout, Andrew
Sanborn, Laurie
Wolf, Terry

Burt, John
Dickey, Glen
Freeman, Lisa
Halstead, Carolyn
Belanger, James
Ober, Lynne
MacKay, Mariellen
Murotake, David
Ohm, Bill
Ober, Russell
Scully, Kevin
Twombly, Timothy

MERRIMACK

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

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

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

Hill, Gregory
Leavitt, John
Pearl, Howard
Wells, Natalie

ROCKINGHAM

Cook, Allen
Barnes, Arthur
Chirichiello, Brian
Elliott, Robert
Green, Dennis
Hoelzel, Kathleen
Janvrin, Jason
Kolodziej, Walter
Matthews, Carolyn
Morrison, Sean
Sapareto, Frank
Torosian, Peter
Wallace, Scott

Abrami, Patrick
Bates, David
Costable, Michael
Emerick, J. Tracy
Guthrie, Joseph
Itse, Daniel
O'Connor, John
Griffin, Mary
McKinney, Betsy
Nasser, Jim
Spillane, James
True, Chris
Webb, James

Allen, Mary
Bean, Philip
Thomas, Douglas
Fesh, Robert
Marsh, Henry
Edwards, Jess
Katsakiores, Phyllis
Pearson, Mark
McMahon, Charles
Packard, Sherman
Stone, Brian
Verville, Kevin
Welch, David

Baldasaro, Alfred
Bove, Martin
DeSimone, Debra
Gay, Betty
Hagan, Joseph
Janigian, John
Khan, Aboul
Major, Norman
Milz, David
Gordon, Richard
Sytek, John
Vose, Michael
Weyler, Kenneth

STRAFFORD

Harrington, Michael
McNally, Jody
Graham, Robert

Horgan, James
Mullen, John
Spencer, Matthew

Kaczynski, Thomas
Phinney, Brandon
Wuelper, Kurt

Turcotte, Leonard
Pitre, Joseph

SULLIVAN

O'Connor, John

Laware, Thomas

Rollins, Skip

Smith, Steven

**NAYS - 147
BELKNAP**

Huot, David

Spagnuolo, Philip

CARROLL

Buco, Thomas
Marsh, William

Butler, Edward

DesMarais, Edith

Knirk, Jerry

CHESHIRE

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

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

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

Bordenet, John
Faulkner, Barry
Meader, David

COOS

Hatch, William

Moynihan, Wayne

Tucker, Edith

Thomas, Yvonne

GRAFTON

Abel, Richard
Campion, Polly
Massimilla, Linda
Smith, Suzanne

Almy, Susan
Dontonville, Roger
Mulligan, Mary Jane
Sykes, George

Bennett, Travis
Higgins, Patricia
Nordgren, Sharon

Boutin, Skylar
Maes, Kevin
Rand, Steven

HILLSBOROUGH

Backus, Robert
Connors, Erika
Elber, Joel
Heath, Mary
Jeudy, Jean
Leishman, Peter
Martin, Joelle
O'Leary, Richard
Roberts, Carol
Sofikitis, Catherine

Beaulieu, Jane
Cornell, Patricia
Freitas, Mary
Herbert, Christopher
Keane, Amelia
Lisle, David
McNamara, Richard
Long, Patrick
Rosenwald, Cindy
Van Houten, Connie

Bouldin, Amanda
Sullivan, Daniel
Gidge, Kenneth
Schmidt, Janice
Klee, Patricia
MacKenzie, Mark
Newman, Sue
Pierce, David
Harvey, Suzanne
Vann, Ivy

Cleaver, Skip
DiSilvestro, Linda
Goley, Jeffrey
Jack, Martin
Kurk, Neal
Manley, Jonathan
Nutting, Allison
Porter, Marjorie
Shaw, Barbara
Williams, Kermit

MERRIMACK

Turcotte, Alan
Doherty, David
Henle, Paul
Myler, Mel
Schuett, Dianne
Wallner, Mary Jane

Bartlett, Christy
Ebel, Karen
MacKay, James
Patten, Dick
Schultz, Kristina
Walz, Mary Beth

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

Wolf, Dan
Moffett, Howard
Luneau, David
Rogers, Katherine
Soucy, Timothy

ROCKINGHAM

Altschiller, Debra
Cushing, Robert Renny
Farnham, Betsey
Malloy, Dennis
Pantelakos, Laura
Ward, Gerald

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

Cahill, Michael
Dowling, Patricia
Lerner, Kari
Murray, Kate
Somssich, Peter

Cali-Pitts, Jacqueline
Edgar, Michael
Lovejoy, Patricia
Gordon, Pamela
Le, Tamara

STRAFFORD

Berube, Roger
Ellis, Donna
Keans, Sandra
Salloway, Jeffrey

Bixby, Peter
Fontneau, Timothy
Krans, Hamilton
Sandler, Catt

Burton, Wayne
Grassie, Chuck
Smith, Marjorie
Scruton, Matthew

Conley, Casey
Horrigan, Timothy
Schmidt, Peter

SULLIVAN

Cloutier, John
Oxenham, Lee

Gottling, Suzanne
Sullivan, Brian

Grenier, James
Tanner, Linda

Irwin, Virginia

and the majority committee report was adopted and ordered to third reading.
Rep. Byron declared a conflict of interest and did not participate.

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Hinch moved that the House reconsider its action whereby, on a roll call vote of 168-147, the House adopted the majority committee report of Ought to Pass with Amendment on **HB 1686-FN**, relative to applications for and the use of education tax credits.

Rep. Hinch spoke against.

On a division vote, with 146 members having voted in the affirmative, and 171 in the negative, the motion failed.

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

REGULAR CALENDAR - PART III

HB 1682-FN, relative to procedures for foreclosure. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Valerie Fraser for the Majority of Commerce and Consumer Affairs. As introduced, this bill requires mortgage foreclosures to be commenced by civil actions brought in superior court, a process known as judicial foreclosure. The committee amendment replaces the original bill with a study committee. Further work by a study committee would provide the necessary time to understand the legal ramifications and thoughtfully make the necessary changes needed to protect the homeowners and put the burden of proof on the banks. The bad acting banks have a fiduciary responsibility and a higher bar to reach if they are going to claim they own the promissory note and that the homeowner owes a debt and maybe should be required to file as a plaintiff. Vote 11-8.

Rep. Kermit Williams for the Minority of Commerce and Consumer Affairs. This bill would require most foreclosures to be done through a judicial process, where a judge would examine the records and ensure that both sides were fairly treated. While the study committee that is proposed by the committee amendment is a small step forward, the minority believes that another amendment, which combines the study with small changes to the current foreclosure law, would have been a better choice. We believe that providing adequate notice to a mortgagor before their property is sold is critical. Service by the Sheriff would be an improvement to insure that in unusual circumstances, some of which we heard in testimony, notice always happens.

Majority Amendment (0770h)

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

AN ACT establishing a committee to study the pervasiveness of foreclosure practices that violate state or federal law.

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

1 Committee Established. There is established a committee to study the pervasiveness of foreclosure practices that violate state or federal law.

2 Membership and Compensation.

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

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

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

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

3 Duties. The committee shall study the pervasiveness of foreclosure practices that violate state or federal law.

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 the pervasiveness of foreclosure practices that violate state or federal law.

Majority committee amendment adopted.

Rep. Williams offered floor amendment (0913h).

Floor Amendment (0913h)

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

AN ACT relative to procedures for foreclosure and establishing a committee to study the pervasiveness of foreclosure practices that violate state or federal law.

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

1 Sale Under the Power; Notice. Amend RSA 479:25, II(a) to read as follows:

II.(a) A copy of said notice shall be served upon the mortgagor [or] **by the sheriff. A copy shall be** sent by registered or certified mail to his or her last known address or to such person as may be agreed upon in the mortgage at least 25 days before the sale, or in the case of a residential mortgage, at least 45 days before the sale. The term "mortgagor" shall include the mortgagor and any grantee, assignee, devisee or heir of the mortgagor holding a recorded interest in the mortgaged premises subordinate to the lien of the mortgage, provided that such interest is recorded at least 30 days, or in the case of a residential mortgage, at least 50 days, before the date of the sale, in the registry of deeds for the county in which the mortgaged premises are situated. In this paragraph, the term "residential mortgage" means a mortgage on a dwelling, as defined in RSA 397-A:1, VI-c. Like notice shall be sent to any person having a lien of record on the mortgaged premises not less than 21 days before the sale, provided that the lien is recorded at least 30 days, or in the case of a residential mortgage, at least 50 days, before the date of the sale in the registry of deeds. Such notice of sale shall be sufficient if it fully sets forth the date, time, and place of sale; the town, county, street or highway and street number, if any, of the mortgaged premises; the date of the mortgage; the volume and page of the recording of the mortgage; and the terms of the sale. Any mortgagor or record lienholder who refuses to accept or claim mailed or served notice or who frustrates attempts by the mortgagee to give notice of the sale by failing to give or leave a forwarding address or by other act or omission shall be deemed to be notified of the sale, provided that such mortgagee shall have made a good faith effort to provide such notice.

2 Committee Established.

I. There is established a committee to study the pervasiveness of foreclosure practices that violate state or federal law.

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

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

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

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

IV. The committee shall study the pervasiveness of foreclosure practices that violate state or federal law.

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

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

3 Effective Date.

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

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

AMENDED ANALYSIS

This bill modifies procedures for service of notice for power of sale mortgage foreclosures. This bill also establishes a committee to study the pervasiveness of foreclosure practices that violate state or federal law. Rep. Williams spoke in favor.

(Rep. Packard in the Chair)

Rep. Frasier spoke against.

On a division vote, with 135 members having voted in the affirmative, and 163 in the negative, floor amendment (0913h) failed.

Majority committee report adopted and ordered to third reading.

HB 1725-FN, establishing regulations for nano wineries. OUGHT TO PASS WITH AMENDMENT.

Rep. Kermit Williams for Commerce and Consumer Affairs. This bill was created to allow small wineries to sell glasses of wine at their facility to customers who don't want to get samples. The amendment, allows the sale of one glass of their own wine per consumer, or two if food is made available. The amendment also extends the same one or two glass sales with food privilege to beverage manufacturers Vote 15-2.

Amendment (0800h)

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

AN ACT relative to wine samples and samples for consumption on the premises of a beverage manufacturer.

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

1 Wine Samples. Amend RSA 178:8, III to read as follows:

III. Each wine manufacturer shall have the right to sell at retail or wholesale at its winery, and at retail at one wine manufacturer retail outlet, for off-premises consumption any of its wines. The wine manufacturer shall pay an annual fee of \$216 to the commission for the wine manufacturer retail outlet. The wine manufacturer may transport wines it manufactures to its wine manufacturer retail outlet for sample or sale. Visitors of legal drinking age at the manufacturing location or wine manufacturer retail outlet may be provided with samples of wine manufactured by the licensee in this state for tasting. ~~[Samples may be provided either]~~ **A wine manufacturer may either provide samples for free or for a fee [and] which shall be limited to one 2-ounce sample per label or one 5-ounce glass per person[.] or, if a wine manufacturer elects to serve no more than 2 5-ounce glasses per person, the wine manufacturer shall ensure food and non-alcoholic beverages are provided by a properly-licensed third party food vendor, prepared on or off the premises.** Pursuant to rules adopted by the commission, a wine manufacturer may transport its products to a farmers' market or a wine festival licensed under RSA 178:31, and may sell such products at retail in the original container.

2 Beverage Manufacturer License; On-Premises Consumption. Amend RSA 178:12, II-a to read as follows:

II-a. The holder of a beverage manufacturer license may sell beverage samples to visitors of legal drinking age for consumption on the premises where the beverages were manufactured. ~~[Sales of samples for consumption on the premises shall be limited to one 4-ounce glass per label per person.]~~ **A beverage manufacturer may either provide samples for free or for a fee which shall be limited to one 4-ounce glass per label or one 16-ounce glass per person, or if a beverage manufacturer elects to serve no more than 2 16-ounce glasses per person, the beverage manufacturer shall ensure food and non-alcoholic beverages are provided by a properly-licensed third party food vendor, prepared on or off the premises.**

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

AMENDED ANALYSIS

This bill allows wine manufacturers to serve samples of wine on-premises and requires the availability of food for wine manufacturers that sell more than one glass of wine per person.

This bill also allows beverage manufacturers to provide a 16-ounce sample for consumption and requires the availability of food for beverage manufacturers that sell more than one glass of beer per person.

Committee amendment adopted.

Rep. Hunt offered floor amendment (0860h).

Floor Amendment (0860h)

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

AN ACT relative to wine samples and samples for consumption on the premises of a beverage manufacturer.

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

1 Wine Samples. Amend RSA 178:8, III to read as follows:

III. Each wine manufacturer shall have the right to sell at retail or wholesale at its winery, and at retail at one wine manufacturer retail outlet, for off-premises consumption any of its wines. The wine manufacturer shall pay an annual fee of \$216 to the commission for the wine manufacturer retail outlet. The wine manufacturer may transport wines it manufactures to its wine manufacturer retail outlet for sample or sale. Visitors of legal drinking age at the manufacturing location or wine manufacturer retail outlet may be provided with samples of wine manufactured by the licensee in this state for tasting. ~~[Samples may be provided either]~~ **A wine manufacturer may either provide samples for free or for a fee [and] which shall be limited to one**

2-ounce sample per label *or one 5-ounce glass* per person. *At such times as food is available, a wine manufacturer may serve no more than 2 5-ounce glasses per person in any areas approved by the commission. For the purpose of this section, food and non-alcoholic beverages may be provided by a properly-licensed third party food vendor, prepared on or off the premises.* Pursuant to rules adopted by the commission, a wine manufacturer may transport its products to a farmers' market or a wine festival licensed under RSA 178:31, and may sell such products at retail in the original container.

2 Beverage Manufacturer License; On-Premises Consumption. Amend RSA 178:12, II-a to read as follows:

II-a. The holder of a beverage manufacturer license may sell beverage samples to visitors of legal drinking age for consumption on the premises where the beverages were manufactured. ~~[Sales of samples for consumption on the premises shall be limited to one 4-ounce glass per label per person.]~~ *A beverage manufacturer may either provide samples for free or for a fee which shall be limited to one 4-ounce glass per label or one 16-ounce glass per person. At such times as food is available, a beverage manufacturer may serve no more than 2 16-ounce glasses per person in any areas approved by the commission. For the purpose of this section, food and non-alcoholic beverages may be provided by a properly-licensed third party food vendor, prepared on or off the premises*

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

AMENDED ANALYSIS

This bill allows wine manufacturers to serve samples of wine on premises and allows such manufacturers to serve 2 5-ounce samples if they serve food.

This bill also allows beverage manufacturers to provide a 16-ounce sample for consumption and allows such manufacturers to serve 2 16-ounce samples if they serve food.

Rep. Hunt spoke in favor.

Floor amendment (0860h) adopted.

Committee report adopted and ordered to third reading.

HB 1432, requiring certain schools to establish nondiscrimination and employee background check policies. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Victoria Sullivan for the Majority of Education. This bill would redefine certain funds such as tax credits used for the education tax credit scholarships, as public funds. However, it is established law that these are not public funds. The bill also ties non-public schools to public school definitions currently in law. Furthermore, research done of private schools' employment practices suggested it is the policy to do background checks. Currently, they would, otherwise, leave themselves open to liability. Also, RSA 485-A:24, II mandates background checks for all profit and non-profit entities that teach youth skills programs that last more than eight hours or more per year for the purpose of teaching skills to minors. The need for this additional legislation was not proven. Vote 11-9.

Rep. Linda Tanner for the Minority of Education. The minority feels the issue of child safety is of utmost importance in the educational setting. This bill requires background checks for employees and volunteers in non-public schools or educational services receiving students and public monies directly, or indirectly, as a result of current legislation. This bill also requires that any non-public or educational service comply with state and federal non-discrimination laws.

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

Reps. Tanner and Le spoke against.

Rep. Victoria Sullivan spoke in favor.

(Speaker Chandler in the Chair)

Rep. Tanner requested a roll call; sufficiently seconded.

YEAS 165 - NAYS 138

YEAS - 165

BELKNAP

Abear, Marc
Fields, Dennis
Spanos, Peter

Aldrich, Glen
Fraser, Valerie
Sylvia, Michael

Comtois, Barbara
Howard, Raymond
Vadney, Herbert

Tilton, Franklin
Silber, Norman
Varney, Peter

CARROLL

Avellani, Lino
McCarthy, Frank
Umberger, Karen

Comeau, Ed
McConkey, Mark
Marsh, William

Cordelli, Glenn
Nelson, Bill

Crawford, Karel
Schmidt, Stephen

CHESHIRE

Hunt, John

McConnell, James

O'Day, John

Sterling, Franklin

COOS

Fothergill, John

Richardson, Herbert

Theberge, Robert

GRAFTON

Darrow, Stephen
Johnson, Tiffany

Hennessey, Erin

Migliore, Vincent Paul

Schwaegler, Vicki

HILLSBOROUGH

Ammon, Keith
Byron, Frank
Dickey, Glen
Freeman, Lisa
Halstead, Carolyn
Graham, John
L'Heureux, Robert
Lewicke, John
Murotake, David
Ohm, Bill
Prout, Andrew
Sanborn, Laurie
Somero, Paul
Sullivan, Victoria

Griffin, Barbara
Moore, Craig
Donovan, Daniel
Griffin, Gerald
Hinch, Richard
Moore, Josh
Ober, Lynne
MacKay, Mariellen
Murphy, Keith
Panasiti, Reed
Ober, Russell
Scully, Kevin
Wolf, Terry

Biggie, Barbara
Christensen, Chris
Dyer, Caleb
Gagne, Larry
Hynes, Dan
Rice, Kimberly
Lascelles, Richard
McCarthy, Michael
Negron, Steve
Pierce, David
Renzullo, Andrew
Seidel, Carl
Twombly, Timothy

Burt, John
Christie, Rick
Ferreira, Elizabeth
Gould, Linda
Belanger, James
Kurk, Neal
LeBrun, Donald
McLean, Mark
Notter, Jeanine
Proulx, Mark
Rouillard, Claire
Shaw, Barbara
Ulery, Jordan

MERRIMACK

Kuch, Bill
Hill, Gregory
Marple, Richard
Testerman, Dave

Copp, Anne
Hoell, J.R.
McGuire, Carol
Wells, Natalie

Long, Douglas
Horn, Werner
Pearl, Howard

Wolf, Dan
Moffett, Michael
Seaworth, Brian

ROCKINGHAM

Abrami, Patrick
Bates, David
Costable, Michael
Emerick, J. Tracy
Marsh, Henry
Edwards, Jess
Katsakiores, Phyllis
Pearson, Mark
Milz, David
Gordon, Richard
Torosian, Peter
Wallace, Scott
Willis, Brenda

Allen, Mary
Bean, Philip
Thomas, Douglas
Fesh, Robert
Hagan, Joseph
Janigian, John
Khan, Aboul
Major, Norman
Morrison, Sean
Spillane, James
True, Chris
Webb, James

Baldasaro, Alfred
Bove, Martin
DeSimone, Debra
Gay, Betty
Hoelzel, Kathleen
Janvrin, Jason
Kolodziej, Walter
Matthews, Carolyn
Nasser, Jim
Stone, Brian
Verville, Kevin
Welch, David

Barnes, Arthur
Chirichiello, Brian
Dowling, Patricia
Green, Dennis
Itse, Daniel
O'Connor, John
Griffin, Mary
McMahon, Charles
Packard, Sherman
Sytek, John
Vose, Michael
Weyler, Kenneth

STRAFFORD

Harrington, Michael
McNally, Jody
Graham, Robert

Kaczynski, Thomas
Mullen, John
Scruton, Matthew

Keans, Sandra
Phinney, Brandon
Spencer, Matthew

Turcotte, Leonard
Pitre, Joseph
Wuelper, Kurt

SULLIVAN

Grenier, James

Laware, Thomas

Rollins, Skip

NAYS - 138**BELKNAP**

Huot, David

Spagnuolo, Philip

CARROLL

Buco, Thomas

Butler, Edward

DesMarais, Edith

Knirk, Jerry

CHESHIRE

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

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

Berch, Paul
Eaton, Daniel
Meader, David
Pearson, William

Bordenet, John
Faulkner, Barry
Parkhurst, Henry
Weber, Lucy

COOS

Hatch, William

Moynihan, Wayne

Tucker, Edith

Thomas, Yvonne

GRAFTON

Abel, Richard
Campion, Polly
Massimilla, Linda
Smith, Suzanne

Almy, Susan
Dontonville, Roger
Mulligan, Mary Jane
Sykes, George

Bennett, Travis
Ham, Bonnie
Nordgren, Sharon

Boutin, Skylar
Maes, Kevin
Rand, Steven

HILLSBOROUGH

Backus, Robert
Connors, Erika
Elber, Joel
Hansen, Peter
Jeudy, Jean
Leishman, Peter
Martin, Joelle
O'Brien, Michael
Roberts, Carol
Vann, Ivy

Baroody, Benjamin
Cornell, Patricia
Freitas, Mary
Heath, Mary
Keane, Amelia
Lisle, David
Martineau, Jesse
O'Leary, Richard
Rosenwald, Cindy
Williams, Kermit

Bouldin, Amanda
Sullivan, Daniel
Gidge, Kenneth
Schmidt, Janice
King, Mark
MacKenzie, Mark
McNamara, Richard
Long, Patrick
Sofikitis, Catherine

Cleaver, Skip
DiSilvestro, Linda
Goley, Jeffrey
Jack, Martin
Klee, Patricia
Manley, Jonathan
Newman, Sue
Porter, Marjorie
Van Houten, Connie

MERRIMACK

Turcotte, Alan
Ebel, Karen
Kenison, Linda
Rogers, Katherine
Soucy, Timothy

Bartlett, Christy
Gile, Mary
Luneau, David
Schuett, Dianne
Wallner, Mary Jane

Carson, Clyde
Henle, Paul
Myler, Mel
Schultz, Kristina
Walz, Mary Beth

Doherty, David
MacKay, James
Rodd, Beth
Shurtleff, Stephen
Woolpert, David

ROCKINGHAM

Altschiller, Debra
Cushing, Robert Renny
Farnham, Betsey
Lovejoy, Patricia
Gordon, Pamela
Le, Tamara

Berrien, Skip
DiLorenzo, Charlotte
Gilman, Julie
Malloy, Dennis
Pantelakos, Laura
Ward, Gerald

Cahill, Michael
Edgar, Michael
Guthrie, Joseph
Messmer, Mindi
Read, Ellen

Cali-Pitts, Jacqueline
Elliott, Robert
Lerner, Kari
Murray, Kate
Somssich, Peter

STRAFFORD

Berube, Roger
Conley, Casey
Horrigan, Timothy

Bixby, Peter
Ellis, Donna
Krans, Hamilton

Burton, Wayne
Fontneau, Timothy
Smith, Marjorie

Cilley, Jacalyn
Grassie, Chuck
Sandler, Catt

SULLIVAN

Cloutier, John
Sullivan, Brian

Gottling, Suzanne
Tanner, Linda

Irwin, Virginia

Oxenham, Lee

and the majority committee report was adopted.

HB 1694, requiring a civics examination as a high school graduation requirement. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Terry Wolf for the Majority of Education. This well-intentioned bill could have significant consequences. In 2016, the legislature passed HB 157 which required all high school students to pass a local competency assessment in government and civics. The bill allowed high schools to use the US Citizenship and Immigration Services test to satisfy the requirement. In 2017, this very legislature passed SB 45, mandating a course in civics as a requirement for high school graduation. This was a huge step and demonstrates the importance the legislature put on civics education. The course requires nine elements, including the US constitution, the NH constitution, the three branches of government, and the responsibility to engage in civic activity. This bill proposes to change the statute for a third year in a row, requiring a passing grade on the US Citizenship and Immigration Services test to be able to graduate high school. NH does not require any single test for graduation. While it may sound appealing, the majority is concerned that it could lead to teaching to the test and elements of the course could be lost, such as NH history and the importance of NH in the primary process. School districts have barely had time to implement the comprehensive changes that we made last year. The majority prefers to let school districts adapt to the new policy. Vote 11-8.

Rep. Victoria Sullivan for the Minority of Education. This bill would require a civics exam as a high school graduation requirement. A grade of 60% or better on the U. S. naturalization exam would be required. The test is easily accessible online and has no cost associated with its use. Many of our citizens do not have a basic understanding that we are in fact a constitutional republic and often refer to our nation as a democracy as one example of the lack of knowledge regarding our form of government. This has become an increasing concern for our country.

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

Rep. Victoria Sullivan spoke against.

Rep. Terry Wolf spoke in favor.

On a division vote, with 225 members having voted in the affirmative, and 81 in the negative, the majority committee report was adopted.

HB 1772-FN, permitting online voting registration. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Norman Silber for the Majority of Election Law. This bill requires the Secretary of State to create and maintain an online voter registration system and directs the Department of Safety and Division of Motor Vehicles (DMV) to provide information to the statewide voter registration database to support this system. The majority of the committee believes that this bill would have a large negative impact on the Secretary of State by requiring significant expenditures with no certain funding source. The bill also fails to deal with the impact on the Department of Safety. It requires the DMV signature database to be used for signature verification without providing legal authorization for DMV to provide it. In addition, the bill imposes new duties on the supervisors of the checklist in certain circumstances. It does not deal with the potential for the hacking of any online registration system. This is an identified problem in light of reported hacks of large databases maintained by many government and business enterprises (e.g. see reported hacks of the National Security Agency, the IRS, the database of federal employees, Hannaford's credit card payment system, Target, banks, etc.) and the reported enormous activities of foreign states to attempt to interfere in the US electoral process (e.g. Russia, China, North Korea, etc.). While other states have implemented forms of online registration, their registration process is not the same as New Hampshire's and in-person registration is not eliminated. Given the risks and expense, the majority believes this process is not appropriate at this time. The proposed amendment to establish a study commission on this issue, was defeated by a vote of 9-11. Vote 11-9.

Rep. Wayne Moynihan for the Minority of Election Law. This bill directs the Secretary of State to create and maintain an online voter registration (OVR) system. 37 other states, including our New England neighbors Vermont and Massachusetts, have OVR systems in operation and have found the means and methods to operate the systems securely and efficiently to the satisfaction of their citizens. Also, the State of Oklahoma is transitioning to OVR, and the District of Columbia has adopted OVR. OVR systems vary in their scope and details. In this era people seek out and expect carefully developed online systems for their finances and other aspects of their lives. The OVR system proposed by this bill may or may not have been able to be implemented in a cost effective manner. Testimony from the Secretary of State's office urged more study. While the majority believes the bill is not ready, the minority believes that NH must begin an evaluation to determine whether or not our elections would be improved were we to adopt an OVR system. The bill, if amended as proposed, by the minority would create a study commission on OVR, and provide an opportunity to examine whether the efficiencies experienced from OVR systems in other states would yield such benefits for NH.

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

Rep. Keane spoke against.

Rep. Silber spoke in favor.

Rep. Hinch requested a roll call; sufficiently seconded.

YEAS 179 - NAYS 128

YEAS - 179

BELKNAP

Aldrich, Glen
Fraser, Valerie
Sylvia, Michael

Comtois, Barbara
Howard, Raymond
Vadney, Herbert

Tilton, Franklin
Silber, Norman
Varney, Peter

Fields, Dennis
Spanos, Peter

CARROLL

Avellani, Lino
Crawford, Karel
Schmidt, Stephen

Buco, Thomas
McCarthy, Frank
Umberger, Karen

Comeau, Ed
McConkey, Mark
Marsh, William

Cordelli, Glenn
Nelson, Bill

CHESHIRE

Hunt, John

McConnell, James

O'Day, John

Sterling, Franklin

COOS

Richardson, Herbert

Theberge, Robert

Tucker, Edith

GRAFTON

Boutin, Skylar
Migliore, Vincent Paul

Darrow, Stephen
Schwaegler, Vicki

Ham, Bonnie
Johnson, Tiffany

Hennessey, Erin

HILLSBOROUGH

Ammon, Keith
Burt, John
Christie, Rick
Freeman, Lisa
Gould, Linda
Hynes, Dan
Rice, Kimberly
Lascelles, Richard

Griffin, Barbara
Byron, Frank
Dickey, Glen
Griffin, Gerald
Halstead, Carolyn
Belanger, James
Kurk, Neal
LeBrun, Donald

Backus, Robert
Moore, Craig
Donovan, Daniel
Gagne, Larry
Hansen, Peter
Graham, John
L'Heureux, Robert
Lewicke, John

Biggie, Barbara
Christensen, Chris
Ferreira, Elizabeth
Gargas, Carolyn
Hinch, Richard
Moore, Josh
Ober, Lynne
MacKay, Mariellen

McCarthy, Michael
Negron, Steve
Pierce, David
Renzullo, Andrew
Seidel, Carl
Twombly, Timothy

McLean, Mark
Notter, Jeanine
Proulx, Mark
Rouillard, Claire
Shaw, Barbara
Ulery, Jordan

Murotake, David
Ohm, Bill
Prout, Andrew
Sanborn, Laurie
Somero, Paul
Sullivan, Victoria

Murphy, Keith
Panasiti, Reed
Ober, Russell
Scully, Kevin
Wolf, Terry

MERRIMACK

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

Copp, Anne
Hoell, J.R.
McGuire, Carol
Testerman, Dave

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

Wolf, Dan
Moffett, Michael
Seaworth, Brian

ROCKINGHAM

Cook, Allen
Bates, David
Chirichiello, Brian
Dowling, Patricia
Gay, Betty
Marsh, Henry
Edwards, Jess
Katsakiores, Phyllis
Pearson, Mark
McMahon, Charles
Packard, Sherman
Sytek, John
Vose, Michael
Weyler, Kenneth

Abrami, Patrick
Bean, Philip
Costable, Michael
Elliott, Robert
Gilman, Julie
Hagan, Joseph
Janigian, John
Khan, Aboul
Major, Norman
Milz, David
Gordon, Richard
Torosian, Peter
Wallace, Scott
Willis, Brenda

Baldasaro, Alfred
Bove, Martin
Thomas, Douglas
Emerick, J. Tracy
Green, Dennis
Hoelzel, Kathleen
Janvrin, Jason
Kolodziej, Walter
Matthews, Carolyn
Morrison, Sean
Spillane, James
True, Chris
Webb, James

Barnes, Arthur
Cali-Pitts, Jacqueline
DeSimone, Debra
Fesh, Robert
Guthrie, Joseph
Itse, Daniel
O'Connor, John
Griffin, Mary
McKinney, Betsy
Nasser, Jim
Stone, Brian
Verville, Kevin
Welch, David

STRAFFORD

Berube, Roger
Keans, Sandra
Pitre, Joseph
Wuelper, Kurt

Bixby, Peter
Turcotte, Leonard
Graham, Robert

Harrington, Michael
McNally, Jody
Scruton, Matthew

Kaczynski, Thomas
Mullen, John
Spencer, Matthew

SULLIVAN

Cloutier, John
Smith, Steven

Grenier, James
Sullivan, Brian

Laware, Thomas

Rollins, Skip

NAYS - 128 BELKNAP

Huot, David

Spagnuolo, Philip

CARROLL

DesMarais, Edith

Knirk, Jerry

CHESHIRE

Abbott, Michael
Burridge, Delmar
Fenton, Donovan
Tatro, Bruce

Ames, Richard
Harvey, Cathryn
Johnsen, Gladys
Pearson, William

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

Bordenet, John
Faulkner, Barry
Parkhurst, Henry

COOS

Fothergill, John

Moynihan, Wayne

Thomas, Yvonne

GRAFTON

Abel, Richard
Dontonville, Roger
Mulligan, Mary Jane
Sykes, George

Almy, Susan
Higgins, Patricia
Nordgren, Sharon

Bennett, Travis
Maes, Kevin
Rand, Steven

Campion, Polly
Massimilla, Linda
Smith, Suzanne

HILLSBOROUGH

Baroody, Benjamin
Cornell, Patricia
Edwards, Elizabeth
Goley, Jeffrey
Jeudy, Jean
Leishman, Peter
Martineau, Jesse
O'Brien, Michael
Roberts, Carol
Vann, Ivy

Bouldin, Amanda
Sullivan, Daniel
Elber, Joel
Heath, Mary
Keane, Amelia
Lisle, David
McNamara, Richard
O'Leary, Richard
Rosenwald, Cindy
Williams, Kermit

Cleaver, Skip
DiSilvestro, Linda
Freitas, Mary
Schmidt, Janice
King, Mark
MacKenzie, Mark
Newman, Sue
Long, Patrick
Sofikitis, Catherine

Connors, Erika
Dyer, Caleb
Gidge, Kenneth
Jack, Martin
Klee, Patricia
Manley, Jonathan
Nutting, Allison
Porter, Marjorie
Van Houten, Connie

MERRIMACK

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

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

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

Doherty, David
Henle, Paul
Myler, Mel
Schultz, Kristina
Walz, Mary Beth

ROCKINGHAM

Altschiller, Debra
DiLorenzo, Charlotte
Lovejoy, Patricia
Gordon, Pamela
Le, Tamara

Berrien, Skip
Edgar, Michael
Malloy, Dennis
Pantelakos, Laura
Ward, Gerald

Cahill, Michael
Farnham, Betsey
Messmer, Mindi
Read, Ellen

Cushing, Robert Renny
Lerner, Kari
Murray, Kate
Somssich, Peter

STRAFFORD

Burton, Wayne
Fontneau, Timothy
Smith, Marjorie

Cilley, Jacalyn
Grassie, Chuck
Schmidt, Peter

Conley, Casey
Horrigan, Timothy
Phinney, Brandon

Ellis, Donna
Krans, Hamilton
Sandler, Catt

SULLIVAN

Gottling, Suzanne

Irwin, Virginia

Oxenham, Lee

Tanner, Linda

and the majority committee report was adopted.

HB 1757-FN, relative to the reduction in the calculation of state retirement system annuities at age 65. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.** Rep. John Sytek for the Majority of Executive Departments and Administration. Group I retirees (state and municipal employees, teachers) in the NH Retirement System (NHRS) see a 10% decrease in their benefit at age 65. The historical reason for the decrease is that the age 65 coincided with the age for which the retiree would be entitled to full Social Security benefits. It was felt that the Social Security payment would more than compensate for the decrease in state benefit. Even though the legislature dropped the reference to Social Security benefits in 1988, the understanding that the decrease in NHRS pension benefit was connected to full Social Security age remained. This connection is the impetus for this bill. This bill raises the age at which the NHRS benefit decreases 10% from 65 to 67, which is the retirement age for full Social Security for people working now. The cost of this benefit (approximately \$43 million) would be paid by an increase in the employer contribution to the NHRS. This was a recommendation of the 2017 Decennial Retirement Commission. The committee amendment does not change the retiree's overall economic benefit but rather changes the manner of payment. The retiree would see the decreased monthly benefit immediately (which he/she would eventually be seeing anyway). To make the retiree whole, he/she would get two lump sum payments – one at retirement and one a year later to minimize tax consequences. These two payments would be calculated to give the retiree the same dollar amount as contemplated in the original bill. This method of payments will avoid the unpleasantness of a decrease in benefit and decouple the NHRS completely from the federal Social Security system. There is no inherent reason why the NHRS should interact with the federal system. After all, that is the situation for Group II employees (police, fire) who do not participate in Social Security and have always seen one benefit amount. Vote 15-4.

Rep. Carol Roberts for the Minority of Executive Departments and Administration. The minority felt that while it is admirable to make the state retirees whole by revising the provision that reduces benefits by 10% at age 65, the fact remains that this expense will be passed down to the towns who will need to increase property taxes to meet this mandated obligation. Many of our retirees in NH have no source of income other than Social Security and this expense will be on their backs through no fault of their own. Needless to say, those voting in the minority felt this to be an unintended consequence which will have repercussions for years to come.

Majority Amendment (0873h)

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

AN ACT relative to the calculation of a group I retiree's retirement allowance in the retirement system and establishing a post-retirement payment.

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

1 New Paragraph; Retirement System; Definitions; Post-retirement Payment. Amend RSA 100-A:1 by inserting after paragraph XXXVII the following new paragraph:

XXXVIII. "Post-retirement payment" means payment to a member subsequent to the member's retirement as a group I employee or teacher. The payment shall be based on 10 percent of 30 months of a member's retirement allowance as a group I member, and therefore calculated as equivalent to 3 times the retiree's monthly retirement allowance as determined by the retirement system, or group I portion of such allowance for split benefit service.

(a) The retirement system shall make such post-retirement payment from the state annuity accumulation fund in 2 equal installments, with the first installment to be paid within 180 days of retirement and the remainder to be paid following one year from the date of the member's retirement. Regular interest shall not accrue to post-retirement payments.

(b) No person restored to service shall receive an additional post-retirement payment.

(c) Any retiring member who has at least 10 years of creditable service as a group I member on July 1, 2019 shall receive an increase to his or her post-retirement payment as follows: For each full month between the member's actual date of retirement and the member's 65 birthday, the post-retirement payment shall be increased by another 10 percent increment.

(d) Upon the death of a retired member prior to receiving a post-retirement payment, the payment shall be paid in one sum to the person or persons nominated by the member, if living, otherwise to the member's estate.

2 Retirement System; Service Retirement Benefits; Reduction Age. Amend RSA 100-A:5, I(b) to read as follows:

(b) Upon service retirement, an employee member or teacher member of group I shall receive a service retirement allowance which shall consist of a member annuity which shall be the actuarial equivalent of the member's accumulated contributions at the time of retirement, and a state annuity. ~~[Prior to the member's attainment of age 65, the state annuity, together with the member annuity, shall be equal to 1/60 of the member's average final compensation multiplied by the number of years of creditable service. After attainment of age 65,]~~ The state annuity, together with the member annuity, shall be equal to 1/66 of the member's average final compensation multiplied by the number of years of creditable service. ***In addition, upon service retirement a group I member shall be entitled to receive a post-retirement payment as described in RSA 100-A:1, XXXVIII.*** Provided, however, that a group I member who commenced service on or after July 1, 2011 shall not receive a service retirement allowance until attaining the age of 65; but may receive a reduced allowance after age 60 if the member has at least 30 years of creditable service where the allowance shall be reduced, for each month by which the date on which benefits commence precedes the month after which the member attains 65 years of age, by 1/4 of one percent.

3 Retirement System; Ordinary Disability Retirement Benefits. Amend RSA 100-A:6, I(b)(1)(A) - (C) to read as follows:

(A) ~~[Prior to the member's attainment of age 65, the state annuity, together with the member annuity, shall be equal to 1/60 of the member's average final compensation at the time of his ordinary disability retirement multiplied by the number of years of creditable service at the time of his ordinary disability retirement;~~

~~(B) After attainment of age 65,]~~ The state annuity, together with the member annuity, shall be equal to 1/66 of the member's average final compensation at the time of his ***or her*** ordinary disability retirement multiplied by the number of years of creditable service at the time of his ***or her*** ordinary disability retirement. ***In addition, upon ordinary disability retirement a group I member shall be entitled to receive a post-retirement payment as described in RSA 100-A:1, XXXVIII;***

~~[(C)]~~ (B) Regardless of age at disability, the ordinary disability retirement allowance shall not be less than 25 percent of the member's average final compensation at the time of his ***or her*** disability retirement.

4 Retirement System; Accidental Disability Retirement Benefits. Amend RSA 100-A:6, I(d)(1)(A) - (C) to read as follows:

(A) ~~[Prior to the member's attainment of age 65, the state annuity, together with the member annuity, shall be equal to 1/60 of the member's average final compensation at the time of his accidental disability retirement multiplied by the number of years of creditable service at the time of his or her accidental disability retirement;~~

~~(B) After attainment of age 65,]~~ The state annuity, together with the member annuity, shall be equal to 1/66 of the member's average final compensation at the time of his ***or her*** accidental disability retirement multiplied by the number of years of creditable service at the time of his ***or her*** accidental disability retirement. ***In addition, upon accidental disability retirement a group I member shall be entitled to receive a post-retirement payment as described in RSA 100-A:1, XXXVIII;***

~~[(C)]~~ (B) Regardless of age at disability, such allowance shall not be less than 50 percent of the member's average final compensation at the time of his ***or her*** accidental disability retirement.

5 Repeal. RSA 100-A:57, IV(1), relative to the decennial retirement commission study of the reduction at age 65, is repealed.

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

AMENDED ANALYSIS

This bill eliminates the higher group I retiree annuity prior to age 65 and establishes a post-retirement payment.

Majority committee amendment adopted.

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

MOTION TO LAY ON THE TABLE

Rep. McGuire moved that **HB 1757-FN**, relative to the calculation of a group I retiree's retirement allowance in the retirement system and establishing a post-retirement payment, be laid on the table.

Motion adopted.

REGULAR CALENDAR - PART III CONT'D

HB 1818-FN, relative to penalties for certain occupational licensing violations. **MAJORITY: REFER FOR INTERIM STUDY. MINORITY: OUGHT TO PASS.**

Rep. Jeffrey Goley for the Majority of Executive Departments and Administration. This bill would reduce the penalties for violations of a number of state licensure laws from misdemeanors to violations. Members on the committee agree that there may be some occupations in which the penalty might need to be reduced, but the majority of the committee believes that those included in this bill, including septic system evaluators and septic system designers, should not have their penalties reduced. A septic system that is designed incorrectly or is not inspected properly by an unlicensed individual could cost a homeowner thousands of dollars for repairs. Therefore majority of the committee believes the current penalties should remain in place. Vote 14-2.

Rep. J.R. Hoell for the Minority of Executive Departments and Administration. The initial Ought to Pass motion on this bill failed on an 8-8 tie. The bill reduces the criminal level penalties to violation level offenses for violating license laws for several different occupations. The committee heard testimony that within our current occupational licensing statutes we use severe criminal penalties in a number of areas. In fact, a search of the statutes shows that the word "Felony" shows up in the occupational and licensing section of statutes 130 times and the word "Misdemeanor" shows up 135 times. While some of these uses are appropriate, the minority of the committee felt that the continued use of criminal penalties as the boilerplate language was unnecessary for licensing violations and that adopting financial penalties was more appropriate. The following phrase or variation thereof, has been found in a number of locations "It shall be a class A misdemeanor for any natural person, and a felony for any other person, to engage in any practice regulated by this chapter without the appropriate license." The minority of the committee did not feel that helping someone install shrubs or letting the drama teacher apply makeup prior to the play rose to the level of a misdemeanor level crime. The minority also heard that by using criminal level penalties, it makes it harder for someone who has been charged with a crime to obtain other gainful employment.

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

Rep. Hoell spoke against.

Rep. Goley spoke in favor.

Rep. Hoell requested a roll call; sufficiently seconded.

YEAS 211 - NAYS 93

YEAS - 211

BELKNAP

Tilton, Franklin
Varney, Peter

Fields, Dennis

Huot, David

Spanos, Peter

CARROLL

Buco, Thomas
McCarthy, Frank
Schmidt, Stephen

Butler, Edward
Knirk, Jerry
Umberger, Karen

Cordelli, Glenn
McConkey, Mark
Marsh, William

DesMarais, Edith
Nelson, Bill

CHESHIRE

Abbott, Michael
Burridge, Delmar
Johnsen, Gladys
Tatro, Bruce

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

Berch, Paul
Faulkner, Barry
Parkhurst, Henry

Bordenet, John
Fenton, Donovan
Sterling, Franklin

COOS

Moynihan, Wayne
Thomas, Yvonne

Richardson, Herbert

Theberge, Robert

Tucker, Edith

GRAFTON

Abel, Richard
Campion, Polly
Higgins, Patricia
Nordgren, Sharon

Almy, Susan
Darrow, Stephen
Maes, Kevin
Schwaegler, Vicki

Bennett, Travis
Dontonville, Roger
Migliore, Vincent Paul
Smith, Suzanne

Boutin, Skylar
Hennessey, Erin
Mulligan, Mary Jane
Sykes, George

HILLSBOROUGH

Griffin, Barbara
Bouldin, Amanda
Connors, Erika
Donovan, Daniel
Gargas, Carolyn
Halstead, Carolyn
Schmidt, Janice
King, Mark
Lascelles, Richard
MacKay, Mariellen
Martin, Joelle
O'Brien, Michael
Porter, Marjorie
Rouillard, Claire
Sofikitis, Catherine
Vann, Ivy

Backus, Robert
Byron, Frank
Cornell, Patricia
Elber, Joel
Gidge, Kenneth
Heath, Mary
Jack, Martin
Klee, Patricia
LeBrun, Donald
McCarthy, Michael
McNamara, Richard
O'Leary, Richard
Proulx, Mark
Scully, Kevin
Wolf, Terry
Williams, Kermit

Baroody, Benjamin
Christensen, Chris
Sullivan, Daniel
Freitas, Mary
Goley, Jeffrey
Hinch, Richard
Judy, Jean
Kurk, Neal
Leishman, Peter
MacKenzie, Mark
Newman, Sue
Panasiti, Reed
Roberts, Carol
Seidel, Carl
Sullivan, Victoria

Biggie, Barbara
Cleaver, Skip
DiSilvestro, Linda
Gagne, Larry
Gould, Linda
Graham, John
Keane, Amelia
L'Heureux, Robert
Lisle, David
Manley, Jonathan
Nutting, Allison
Pierce, David
Rosenwald, Cindy
Shaw, Barbara
Van Houten, Connie

MERRIMACK

Turcotte, Alan
Wolf, Dan
Moffett, Howard
Kenison, Linda
Rogers, Katherine
Soucy, Timothy

Bartlett, Christy
Doherty, David
Henle, Paul
Luneau, David
Schuett, Dianne
Wallner, Mary Jane

Carson, Clyde
Ebel, Karen
Horn, Werner
Myler, Mel
Schultz, Kristina
Walz, Mary Beth

Long, Douglas
Gile, Mary
MacKay, James
Rodd, Beth
Shurtleff, Stephen
Woolpert, David

ROCKINGHAM

Abrami, Patrick
Bove, Martin
Cushing, Robert Renny
Elliott, Robert
Marsh, Henry
Janvrin, Jason
Lerner, Kari
Major, Norman
McMahon, Charles
Nasser, Jim
Read, Ellen
Vose, Michael
Weyler, Kenneth

Allen, Mary
Cahill, Michael
DeSimone, Debra
Farnham, Betsey
Hagan, Joseph
O'Connor, John
Lovejoy, Patricia
Malloy, Dennis
Messmer, Mindi
Gordon, Pamela
Somssich, Peter
Ward, Gerald
Willis, Brenda

Barnes, Arthur
Cali-Pitts, Jacqueline
Dowling, Patricia
Gilman, Julie
Hoelzel, Kathleen
Katsakiores, Phyllis
Griffin, Mary
Matthews, Carolyn
Milz, David
Packard, Sherman
Stone, Brian
Webb, James

Berrien, Skip
Chirichiello, Brian
Edgar, Michael
Guthrie, Joseph
Janigian, John
Khan, Aboul
Pearson, Mark
McKinney, Betsy
Murray, Kate
Pantelakos, Laura
Le, Tamara
Welch, David

STRAFFORD

Berube, Roger
Conley, Casey
Horrigan, Timothy
McNally, Jody
Scruton, Matthew

Bixby, Peter
Ellis, Donna
Keans, Sandra
Mullen, John

Burton, Wayne
Fontneau, Timothy
Krans, Hamilton
Schmidt, Peter

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

SULLIVAN

Cloutier, John
Rollins, Skip

Gottling, Suzanne
Sullivan, Brian

Grenier, James
Tanner, Linda

Oxenham, Lee

NAYS - 93**BELKNAP**

Abear, Marc
Howard, Raymond
Sylvia, Michael

Aldrich, Glen
Lang, Timothy
Vadney, Herbert

Comtois, Barbara
Silber, Norman

Fraser, Valerie
Spagnuolo, Philip

CARROLL**CHESHIRE**

Avellani, Lino

Comeau, Ed

Eaton, Daniel

Hunt, John

McConnell, James

O'Day, John

GRAFTON

Ham, Bonnie

Massimilla, Linda

Rand, Steven

Johnson, Tiffany

HILLSBOROUGH

Ammon, Keith
 Dickey, Glen
 Freeman, Lisa
 Rice, Kimberly
 Murotake, David
 Ohm, Bill
 Sanborn, Laurie

Burt, John
 Dyer, Caleb
 Griffin, Gerald
 Ober, Lynne
 Murphy, Keith
 Prout, Andrew
 Somero, Paul

Moore, Craig
 Edwards, Elizabeth
 Hynes, Dan
 Lewicke, John
 Negron, Steve
 Ober, Russell
 Twombly, Timothy

Christie, Rick
 Ferreira, Elizabeth
 Moore, Josh
 McLean, Mark
 Notter, Jeanine
 Renzullo, Andrew
 Ulery, Jordan

MERRIMACK

Kuch, Bill
 Moffett, Michael
 Seaworth, Brian

Copp, Anne
 Marple, Richard
 Walsh, Thomas

Hill, Gregory
 McGuire, Carol
 Testerman, Dave

Hoell, J.R.
 Pearl, Howard
 Wells, Natalie

ROCKINGHAM

Cook, Allen
 Bean, Philip
 Emerick, J. Tracy
 Itse, Daniel
 Gordon, Richard
 True, Chris

Altschiller, Debra
 Costable, Michael
 Fesh, Robert
 Edwards, Jess
 Spillane, James
 Verville, Kevin

Baldasaro, Alfred
 Thomas, Douglas
 Gay, Betty
 Kolodziej, Walter
 Sytek, John
 Wallace, Scott

Bates, David
 DiLorenzo, Charlotte
 Green, Dennis
 Morrison, Sean
 Torosian, Peter

STRAFFORD

Harrington, Michael
 Pitre, Joseph

Kaczynski, Thomas
 Graham, Robert

Turcotte, Leonard
 Spencer, Matthew

Phinney, Brandon
 Wuelper, Kurt

SULLIVAN

Laware, Thomas

Smith, Steven

and the majority committee report was adopted.

MOTION TO SUSPEND HOUSE RULES

Reps. Hinch and Shurtleff moved that House Rule 65 be suspended and that the remaining bills be acted on by the Crossover date of Thursday, March 22, 2018.

Motion adopted by the necessary two-thirds vote.

RESOLUTION

Rep. Hinch offered the following: **RESOLVED**, that the House now adjourn from the early session, that the business of the late session be in order at the present time, that the reading of bills be by title only and resolutions by caption only and that all bills ordered to third reading be read a third time by this resolution, and that all titles of bills be the same as adopted, and that they be passed at the present time, and when the House adjourns today it be to meet, Wednesday, March 21, 2018 at 10:00 a.m.

Motion adopted.

LATE SESSION**Third Reading and Final Passage**

HB 1443, relative to a jury's determination as to the applicability of a law.

HB 1474, designating the New Hampshire Red as the official state poultry.

HB 1579-FN, requiring records to be kept for certain exempt convenings under the right-to-know law.

HB 1672-FN, prohibiting release of certain information relative to users of therapeutic cannabis to federal agencies.

HB 1788-FN-L, relative to costs charged under the right-to-know law.

HB 1201, relative to an employee's earned but unused vacation time.

HB 2018, relative to the state 10-year transportation improvement program.

HB 1555, relative to participation by the public utilities commission in regional activities.

HB 1262-L, relative to online driver education.

HB 1686-FN, relative to applications for and the use of education tax credits.

HB 1682-FN, establishing a committee to study the pervasiveness of foreclosure practices that violate state or federal law.

HB 1725-FN, relative to wine samples and samples for consumption on the premises of a beverage manufacturer.

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 5:10 p.m.

RECESS

(Speaker Chandler in the Chair)

SENATE MESSAGE NONCONCURRENCE

HB 287, establishing a committee to study decriminalizing sex work.

RECESS

(Speaker Chandler in the Chair)

RESOLUTION

Rep. John Graham offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, Senate Bills numbered 309, 323, 335, 342, 373, 395, 403, 412, 446, 450, 455, 458, 459, 475, 499, 501, 525, 528, 529, 532, 535, 538, 540, 546, 553, 555, 557, 560, 563, 573, 578, 581 and 593 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 309-FN, relative to standards for perfluorochemicals in drinking water, ambient groundwater, and surface water. (Resources, Recreation and Development)

SB 323, relative to rehiring of laid off classified state employees. (Executive Departments and Administration)

SB 335, establishing a committee to review compensation in asbestos litigation and to study ways to promote transparency, fairness, and timeliness of payment in asbestos litigation. (Judiciary)

SB 342, requiring identification of specific items in the default budget. (Municipal and County Government)

SB 373, requiring rulemaking by the department of corrections. (Executive Departments and Administration)

SB 395, relative to access to records under the right-to-know law. (Judiciary)

SB 403-L, relative to the exemption for recreational vehicles from property taxation. (Municipal and County Government)

SB 412, relative to agritourism. (Municipal and County Government)

SB 446, relative to net energy metering limits for customer-generators. (Science, Technology and Energy)

SB 450-FN-A, establishing an advisory commission for the department of environmental services relative to the delegation of authority of the National Pollutant Discharge Elimination System Program. (Resources, Recreation and Development)

SB 455, relative to state employees injured in the line of duty. (Executive Departments and Administration)

SB 458, authorizing the purchase of retirement system creditable service by a certain surviving spouse. (Executive Departments and Administration)

SB 459, relative to reciprocity for licensure as a real estate broker or salesperson. (Executive Departments and Administration)

SB 475, relative to testing for Lyme disease. (Health, Human Services and Elderly Affairs)

SB 499, relative to the applicability of certain DWI prohibitions. (Criminal Justice and Public Safety)

SB 501, relative to immunity for campground owners. (Judiciary)

SB 525-FN, prohibiting the distribution of adult education financial assistance to any student who is not a legal resident. (Education)

SB 528-FN-L, relative to dam registration fees and relative to permit fees for constructing or reconstructing a dam. (Resources, Recreation and Development)

SB 529-FN, requiring the department of environmental services to conduct a study regarding the Baker River in the town of Warren and making an appropriation for such study. (Resources, Recreation and Development)

SB 532-FN, relative to group II status of certain department of corrections officials. (Executive Departments and Administration)

SB 535-FN, relative to licensure for the practice of professional art therapy and establishing an advisory council on alternative mental health therapies, and relative to certain revenues from the sale of commemorative liquor bottles of historic significance. (Executive Departments and Administration)

SB 538-FN, including police officers of the state office complex police force in group II of the retirement system. (Executive Departments and Administration)

SB 540-FN, relative to the counting of kindergarteners for "average daily membership in attendance" and relative to the operation of keno games in unincorporated places. (Education)

SB 546-FN, relative to purchasing alliances. (Commerce and Consumer Affairs)

SB 553-FN, establishing a commission to study the incidence of post traumatic stress disorder in first responders and whether such disorder should be covered under workers' compensation. (Labor, Industrial and Rehabilitative Services)

SB 555-FN-A, establishing a citizens' right-to-know appeals commission and a right-to-know law ombudsman and making an appropriation therefor. (Judiciary)

SB 557-FN, establishing a board of housing development appeals. (Judiciary)

SB 560-FN-L, relative to updating the state trails plan and making an appropriation therefor. (Resources, Recreation and Development)

SB 563-FN, establishing a recovery friendly workplace initiatives tax credit against business taxes administered by the community development finance authority. (Ways and Means)

SB 573-FN-A, relative to the controlled drug prescription health and safety program and making an appropriation therefor. (Health, Human Services and Elderly Affairs)

SB 578-FN, relative to unclassified positions within the department of health and human services. (Executive Departments and Administration)

SB 581-FN, relative to compounding of drugs. (Executive Departments and Administration)

SB 593-FN, relative to the penalty for capital murder. (Criminal Justice and Public Safety)

RECESS