



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 22, 2018

No. 10

HOUSE JOURNAL No. 9 (Cont'd)

Wednesday, March 21, 2018

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

HOUSE JOURNAL No. 10

Thursday, March 22, 2018

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

His Excellency, Governor Christopher Sununu, joined the Speaker on the rostrum for the day's opening ceremonies.

Prayer was offered by House Chaplain, Reverend Kate Atkinson, Rector of St. Paul's Church in Concord. A prayer that has been in use in the Episcopal Church since the beginning of the 20th century and is timeless in its relevance.

Prayer for our Country

From The Book of Common Prayer

Almighty God, who has given us this good land for our heritage: We humbly beseech You that we may always prove ourselves a people mindful of Your favor and glad to do Your will. Bless our land with honorable industry, sound learning, and pure manners. Save us from violence, discord, and confusion; from pride and arrogance, and from every evil way. Defend our liberties, and fashion into one united people the multitudes brought hither out of many kindreds and tongues. Endue with the spirit of wisdom those to whom in Your name we entrust the authority of government, that there may be justice and peace at home, and that, through obedience to Your law, we may show forth Your praise among the nations of the earth. In the time of prosperity, fill our hearts with thankfulness, and in the day of trouble, suffer not our trust in You to fail. Amen.

Representative Mariellen MacKay, member from Nashua, led the Pledge of Allegiance.

The National Anthem was sung by a group from the Songweavers from the Concord Community Music School: Yvette Mahoro, Deborah Elonga, Dorise Ndirenganya, Claudia Bahininwa and Peggo Hodes.

LEAVES OF ABSENCE

Reps. Carr, Chirichiello, Cote, Elizabeth Edwards, Francese, Hoell, Hull, Huot, Kaczynski, Kotowski, Lerner, McBeath, Stallcop and Robert Walsh, the day, illness.

Reps. Ayala, Binford, Chase, Dean-Bailey, Ellis, Fesh, Fraser, Friel, Hellwig, Jeudy, Kenison, Khan, Patrick Long, Josh Moore, O'Neil, Verville, Vincent, Thomas Walsh and Woitkun, the day, important business.

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

INTRODUCTION OF GUESTS

Marshall Kramer, student at Hinsdale Middle/High School, Page for the day.

Kathy Southworth, Peggy Senter, Marc Thayer, Mary McLaughlin, Kathie Lovett, Dick Ayers, and Ginnie Lupi, guests of Rep. Danielson. Kinley Gaudette, guest of Rep. Weber. Fourth grade students from Pittsfield Elementary School, guests of Rep. McGuire. Fourth grade Students from Mount Vernon School, guests of Rep. Gerald Griffin.

CONSIDERATION OF SB 401

Shall the House now consider the introduction of SB 401, pursuant to House Rule 35 (e), whereby the bill is substantially similar to HB 181, which was voted Inexpedient to Legislate in the 2017 Session.

On a division vote, with 18 members having voted in the affirmative, and 286 in the negative, the motion failed.

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

HB 1313, relative to prohibitions on carrying a loaded firearm on an OHRV or snowmobile. **MAJORITY: OUGHT TO PASS. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. John Mullen for the Majority of Resources, Recreation and Development. This bill updates statutes based on last year's passage of constitutional carry. Currently, you can carry a firearm in your motor vehicle without a permit or license. However, current statute does not allow you to carry a loaded firearm on an OHRV or snowmobile. This is inconsistent with the new law. Therefore, the bill repeals the OHRV and snowmobile firearm prohibitions to be consistent with recently passed firearms legislation. Vote 11-7.

Rep. Suzanne Smith for the Minority of Resources, Recreation and Development. The sponsors of the bill testified that this bill would bring state statute into compliance with last year's passage of state concealed carry laws. The minority agrees that changes need to be made to the snowmobile and OHRV firearm statutes to bring them into compliance with our concealed carry law and offers an amendment to do so. It would repeal all references in those statutes to permitting or licensure of concealed weapons. Unfortunately, passage of the bill without the amendment will create a direct conflict with RSA 207:7 which prohibits the carrying of loaded rifles, shotguns, and crossbows on or in vehicles, including OHRVs and snowmobiles.

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

Rep. Suzanne Smith offered minority committee amendment (0588h).

Minority Amendment (0588h)

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

1 Off Highway Recreational Vehicles and Trails; Loaded Firearms Forbidden. Amend RSA 215-A:20 to read as follows:

215-A:20 Loaded Firearms Forbidden. No person shall carry on an OHRV, or a trailer towed by same, any firearms unless said firearm is unloaded. This section shall not apply to law enforcement officers carrying firearms in the course of duty or to pistols *or revolvers* carried [~~under a permit issued~~] pursuant to [the authority of] RSA 159.

2 Snowmobiles; Loaded Firearms Forbidden. Amend RSA 215-C:35 to read as follows:

215-C:35 Loaded Firearms Forbidden. No person shall carry on a snowmobile, or a trailer towed by same, any firearms unless said firearm is unloaded. This section shall not apply to law enforcement officers carrying firearms in the course of duty or to pistols *or revolvers* carried [~~under a permit issued~~] pursuant to [the authority of] RSA 159.

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

AMENDED ANALYSIS

This bill amends the statutes governing the carrying of a loaded firearm on an OHRV or snowmobile.

Rep. Suzanne Smith spoke in favor and yielded to questions.

Rep. Burt spoke against.

Rep. Ammon requested a roll call; sufficiently seconded.

YEAS 153 - NAYS 175**YEAS - 153****BELKNAP**

Spagnuolo, Philip

St. Clair, Charlie

CARROLL

Buco, Thomas

Butler, Edward

DesMarais, Edith

Knirk, Jerry

CHESHIRE

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

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

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

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

COOS

Hatch, William
Thomas, Yvonne

Laflamme, Larry

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

Backus, Robert
Chandlee, Shannon
Sullivan, Daniel
Goley, Jeffrey
Keane, Amelia
Leishman, Peter
Martin, Joelle
O'Brien, Michael
Roberts, Carol
Smith, Timothy

Baroody, Benjamin
Cleaver, Skip
DiSilvestro, Linda
Heath, Mary
King, Mark
Lisle, David
Martineau, Jesse
O'Leary, Richard
Rosenwald, Cindy
Van Houten, Connie

Beaulieu, Jane
Connors, Erika
Elber, Joel
Schmidt, Janice
Klee, Patricia
MacKenzie, Mark
Newman, Sue
Pierce, David
Harvey, Suzanne
Vann, Ivy

Bouldin, Amanda
Cornell, Patricia
Freitas, Mary
Jack, Martin
L'Heureux, Robert
Manley, Jonathan
Nutting, Allison
Porter, Marjorie
Sofikitis, Catherine
Williams, Kermit

MERRIMACK

Bartlett, Christy
Gile, Mary
Luneau, David
Rodd, Beth
Shurtleff, Stephen
Woolpert, David

Carson, Clyde
Moffett, Howard
Myler, Mel
Rogers, Katherine
Soucy, Timothy

Wolf, Dan
Henle, Paul
Patten, Dick
Schuett, Dianne
Wallner, Mary Jane

Doherty, David
MacKay, James
Richards, Beth
Schultz, Kristina
Walz, Mary Beth

ROCKINGHAM

Altschiller, Debra
Cahill, Michael
Edgar, Michael
Malloy, Dennis
Gordon, Pamela
Le, Tamara

Barnes, Arthur
Cali-Pitts, Jacqueline
Farnham, Betsey
Messmer, Mindi
Pantelakos, Laura
Ward, Gerald

Bean, Philip
Cushing, Robert Renny
Gilman, Julie
Murray, Kate
Read, Ellen
Willis, Brenda

Berrien, Skip
DiLorenzo, Charlotte
Lovejoy, Patricia
Nasser, Jim
Somssich, Peter

STRAFFORD

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

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

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

Cilley, Jacalyn
Gourgue, Amanda
Krans, Hamilton
Salloway, Jeffrey

SULLIVAN

Cloutier, John
Oxenham, Lee

Gagnon, Raymond
Sullivan, Brian

Gottling, Suzanne
Tanner, Linda

Irwin, Virginia

NAYS - 175**BELKNAP**

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

Aldrich, Glen
Howard, Raymond
Spanos, Peter

Comtois, Barbara
Lang, Timothy
Sylvia, Michael

Tilton, Franklin
Plumer, John
Vadney, Herbert

CARROLL

Avellani, Lino
McCarthy, Frank
Umberger, Karen

Comeau, Ed
McConkey, Mark
Marsh, William

Cordelli, Glenn
Nelson, Bill

Crawford, Karel
Schmidt, Stephen

CHESHIRE

Hunt, John

McConnell, James

O'Day, John

Sterling, Franklin

COOS

Fothergill, John

Merner, Troy

Richardson, Herbert

Theberge, Robert

GRAFTON

Boutin, Skylar
Hennessey, Erin
Johnson, Tiffany

Brown, Duane
Ladd, Rick

Darrow, Stephen
Migliore, Vincent Paul

Ham, Bonnie
Schwaegler, Vicki

HILLSBOROUGH

Ammon, Keith
Burt, John
Christie, Rick
Dyer, Caleb

Barry, Richard
Byron, Frank
Danielson, David
Fedolfi, Jim

Biggie, Barbara
Moore, Craig
Dickey, Glen
Ferreira, Elizabeth

Burns, Charlie
Christensen, Chris
Donovan, Daniel
Freeman, Lisa

Griffin, Gerald
Gould, Linda
Hopper, Gary
Rice, Kimberly
LeBrun, Donald
Murotake, David
Ohm, Bill
Ober, Russell
Scully, Kevin
Wolf, Terry
Valera, John

Smith, Gregory
Halstead, Carolyn
Hynes, Dan
Kurk, Neal
Lewicke, John
Murphy, Keith
Panasiti, Reed
Renzullo, Andrew
Seidel, Carl
Twombly, Timothy

Gagne, Larry
Hansen, Peter
Belanger, James
Ober, Lynne
MacKay, Mariellen
Negron, Steve
Proulx, Mark
Rouillard, Claire
Somero, Paul
Ulery, Jordan

Gargas, Carolyn
Hinch, Richard
Graham, John
Lascelles, Richard
McCarthy, Michael
Notter, Jeanine
Prout, Andrew
Sanborn, Laurie
Souza, Kathleen
Sullivan, Victoria

MERRIMACK

Turcotte, Alan
Hill, Gregory
Moffett, Michael
Seaworth, Brian

Kuch, Bill
Horn, Werner
Marple, Richard
Testerman, Dave

Copp, Anne
Klose, John
McGuire, Carol
Wells, Natalie

Long, Douglas
Leavitt, John
Pearl, Howard

ROCKINGHAM

Cook, Allen
Bates, David
Elliott, Robert
Guthrie, Joseph
Itse, Daniel
O'Connor, John
Griffin, Mary
Matthews, Carolyn
Nigrello, Robert
Spillane, James
True, Chris
Welch, David

Abrami, Patrick
Bove, Martin
Emerick, J. Tracy
Marsh, Henry
Edwards, Jess
Khan, Aboul
Pearson, Mark
McKinney, Betsy
Osborne, Jason
Stone, Brian
Vose, Michael
Weyler, Kenneth

Allen, Mary
Thomas, Douglas
Gay, Betty
Hagan, Joseph
Janigian, John
Kolodziej, Walter
Major, Norman
McMahon, Charles
Packard, Sherman
Sytek, John
Wallace, Scott

Baldasaro, Alfred
DeSimone, Debra
Green, Dennis
Hoelzel, Kathleen
Janvrin, Jason
Lundgren, David
Manning, John
Milz, David
Sapareto, Frank
Torosian, Peter
Webb, James

STRAFFORD

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

Harrington, Michael
Mullen, John
Scruton, Matthew

Horgan, James
Phinney, Brandon
Spencer, Matthew

Turcotte, Leonard
Pitre, Joseph
Sprague, Dale

SULLIVAN

Grenier, James

Laware, Thomas

Rollins, Skip

Smith, Steven

and floor amendment (0588h) failed.

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

Rep. Burt spoke against.

Rep. Phinney requested a roll call; sufficiently seconded.

YEAS 181 - NAYS 148

YEAS - 181

BELKNAP

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

Aldrich, Glen
Howard, Raymond
Spanos, Peter

Comtois, Barbara
Lang, Timothy
Sylvia, Michael

Tilton, Franklin
Plumer, John
Vadney, Herbert

CARROLL

Avellani, Lino
McCarthy, Frank
Umberger, Karen

Comeau, Ed
McConkey, Mark
Marsh, William

Cordelli, Glenn
Nelson, Bill

Crawford, Karel
Schmidt, Stephen

CHESHIRE

Hunt, John

McConnell, James

O'Day, John

Sterling, Franklin

COOS

Fothergill, John
Tucker, Edith

Merner, Troy

Richardson, Herbert

Theberge, Robert

GRAFTON

Boutin, Skylar
Hennessey, Erin
Johnson, Tiffany

Brown, Duane
Ladd, Rick

Darrow, Stephen
Migliore, Vincent Paul

Ham, Bonnie
Schwaegler, Vicki

HILLSBOROUGH

Ammon, Keith
Burt, John
Christie, Rick
Dyer, Caleb
Griffin, Gerald
Gould, Linda
Hopper, Gary
Jack, Martin
Lascelles, Richard
McCarthy, Michael
Notter, Jeanine
Proulx, Mark
Rouillard, Claire
Somero, Paul
Ulery, Jordan

Barry, Richard
Byron, Frank
Danielson, David
Fedolfi, Jim
Smith, Gregory
Halstead, Carolyn
Hynes, Dan
Rice, Kimberly
LeBrun, Donald
Murotake, David
Ohm, Bill
Prout, Andrew
Sanborn, Laurie
Souza, Kathleen
Sullivan, Victoria

Biggie, Barbara
Moore, Craig
Dickey, Glen
Ferreira, Elizabeth
Gagne, Larry
Hansen, Peter
Belanger, James
Kurk, Neal
Lewicke, John
Murphy, Keith
Panasiti, Reed
Ober, Russell
Scully, Kevin
Wolf, Terry
Valera, John

Burns, Charlie
Christensen, Chris
Donovan, Daniel
Freeman, Lisa
Gargas, Carolyn
Hinch, Richard
Graham, John
Ober, Lynne
MacKay, Mariellen
Negrón, Steve
Pierce, David
Renzullo, Andrew
Seidel, Carl
Twombly, Timothy

MERRIMACK

Turcotte, Alan
Hill, Gregory
Moffett, Michael
Seaworth, Brian

Kuch, Bill
Horn, Werner
Marple, Richard
Testerman, Dave

Copp, Anne
Klose, John
McGuire, Carol
Wells, Natalie

Long, Douglas
Leavitt, John
Pearl, Howard

ROCKINGHAM

Cook, Allen
Barnes, Arthur
Thomas, Douglas
Gay, Betty
Hagan, Joseph
Janigian, John
Kolodziej, Walter
Major, Norman
McMahon, Charles
Osborne, Jason
Stone, Brian
Vose, Michael
Weyler, Kenneth

Abrami, Patrick
Bates, David
DeSimone, Debra
Green, Dennis
Hoelzel, Kathleen
Janvrin, Jason
Lundgren, David
Manning, John
Milz, David
Packard, Sherman
Sytek, John
Wallace, Scott

Allen, Mary
Bean, Philip
Elliott, Robert
Guthrie, Joseph
Itse, Daniel
O'Connor, John
Griffin, Mary
Matthews, Carolyn
Morrison, Sean
Sapareto, Frank
Torosian, Peter
Webb, James

Baldasaro, Alfred
Bove, Martin
Emerick, J. Tracy
Marsh, Henry
Edwards, Jess
Khan, Aboul
Pearson, Mark
McKinney, Betsy
Nigrello, Robert
Spillane, James
True, Chris
Welch, David

STRAFFORD

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

Harrington, Michael
Mullen, John
Scruton, Matthew

Horgan, James
Phinney, Brandon
Spencer, Matthew

Turcotte, Leonard
Pitre, Joseph
Sprague, Dale

SULLIVAN

Grenier, James

Laware, Thomas

Rollins, Skip

Smith, Steven

NAYS - 148**BELKNAP**

Spagnuolo, Philip

St. Clair, Charlie

CARROLL

Buco, Thomas

Butler, Edward

DesMarais, Edith

Knirk, Jerry

CHESHIRE

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

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

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

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

COOS

Hatch, William

Laflamme, Larry

Moynihan, Wayne

Thomas, Yvonne

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

Backus, Robert
 Chandley, Shannon
 Sullivan, Daniel
 Goley, Jeffrey
 King, Mark
 Lisle, David
 Martineau, Jesse
 O'Leary, Richard
 Harvey, Suzanne
 Vann, Ivy

Baroody, Benjamin
 Cleaver, Skip
 DiSilvestro, Linda
 Heath, Mary
 Klee, Patricia
 MacKenzie, Mark
 Newman, Sue
 Porter, Marjorie
 Sofikitis, Catherine
 Williams, Kermit

Beaulieu, Jane
 Connors, Erika
 Elber, Joel
 Schmidt, Janice
 L'Heureux, Robert
 Manley, Jonathan
 Nutting, Allison
 Roberts, Carol
 Smith, Timothy

Bouldin, Amanda
 Cornell, Patricia
 Freitas, Mary
 Keane, Amelia
 Leishman, Peter
 Martin, Joelle
 O'Brien, Michael
 Rosenwald, Cindy
 Van Houten, Connie

MERRIMACK

Bartlett, Christy
 Gile, Mary
 Luneau, David
 Rodd, Beth
 Shurtleff, Stephen
 Woolpert, David

Carson, Clyde
 Moffett, Howard
 Myler, Mel
 Rogers, Katherine
 Soucy, Timothy

Wolf, Dan
 Henle, Paul
 Patten, Dick
 Schuett, Dianne
 Wallner, Mary Jane

Doherty, David
 MacKay, James
 Richards, Beth
 Schultz, Kristina
 Walz, Mary Beth

ROCKINGHAM

Altschiller, Debra
 Cushing, Robert Renny
 Gilman, Julie
 Murray, Kate
 Read, Ellen
 Willis, Brenda

Berrien, Skip
 DiLorenzo, Charlotte
 Lovejoy, Patricia
 Nasser, Jim
 Somssich, Peter

Cahill, Michael
 Edgar, Michael
 Malloy, Dennis
 Gordon, Pamela
 Le, Tamara

Cali-Pitts, Jacqueline
 Farnham, Betsey
 Messmer, Mindi
 Pantelakos, Laura
 Ward, Gerald

STRAFFORD

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

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

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

Cilley, Jacalyn
 Gourgue, Amanda
 Krans, Hamilton
 Salloway, Jeffrey

SULLIVAN

Cloutier, John
 Oxenham, Lee

Gagnon, Raymond
 Sullivan, Brian

Gottling, Suzanne
 Tanner, Linda

Irwin, Virginia

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

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Barry moved that the House reconsider its action whereby, on a division vote of 169-148, the House adopted the committee report of Refer for Interim Study on **HB 1718-FN**, relative to surveillance on the public ways of the state.

Rep. Kurk spoke in favor.

On a division vote, with 174 members having voted in the affirmative, and 159 in the negative, the motion was adopted.

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

Rep. Kurk spoke against.

On a division vote, with 156 members having voted in the affirmative, and 176 in the negative, the committee report failed.

Rep. Kurk moved Ought to Pass and offered floor amendment (1115h).

Floor Amendment (1115h)

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

AN ACT relative to surveillance on the public ways of the state.

Amend RSA 236:130, II as inserted by section 1 of the bill by replacing it with the following:

II. Neither the state of New Hampshire ~~nor~~, its political subdivisions, ***nor any person*** shall engage in surveillance on any public ways of the state or its political subdivisions. ***This prohibition shall not apply to a person engaging in surveillance if:***

(a) ***The person obtains the consent of the owner or lessee of the vehicle; or***

(b) ***The surveillance is by a camera, is limited in time and scope, is for a noncommercial purpose, and does not constitute stalking pursuant to RSA 633:3-a.***

Rep. Kurk spoke in favor and yielded to questions.

Floor amendment (1115h) adopted.

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

On a division vote, with 183 members having voted in the affirmative, and 152 in the negative, the motion was adopted and ordered to third reading.

BILLS REMOVED FROM THE CONSENT CALENDAR OF MARCH 6, 2018 CONT'D

HB 1214, prohibiting the sale of certain furniture with flame retardant chemicals. **REFER FOR INTERIM STUDY.**

Rep. John Hunt for Commerce and Consumer Affairs. This bill seeks to ban all flame retardant chemicals in new residential upholstered furniture. The bill, however, includes an exemption from the ban for any flame retardants used in upholstered furniture in public facilities. Flame retardants have been used in upholstered furniture and other consumer products to decrease the ability of the material to ignite, however there have been concerns about long term health issues. The committee believes that while the issue of the health effects of certain chemicals on the public and our firefighters is important to address, there is a need for additional study to determine the practical effect on consumers, retailers, wholesalers and manufacturers in our state. Maine is the only state in the country that has passed a similar law, but it has not yet gone into effect. There are also proceedings at the national level, by the US Environmental Protection Agency, the Consumer Product Safety Commission and the National Fire Protection Association related to both the federal regulation of chemical flame retardants and a national furniture flammability standard. We believe additional study at this time is appropriate to review the experience in Maine and monitor the proceedings at the federal level to determine any future New Hampshire action. Vote 20-0.

On a division vote, with 175 members having voted in the affirmative, and 160 in the negative, the committee report was adopted.

HB 1521, relative to the adoption of budgets and special assessments by condominium associations. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Michael Costable for Commerce and Consumer Affairs. This bill, as introduced, modified the requirement for the number of unit owners of a condominium to be present at a vote to reject the budget. The bill would have created a "super minority" where 25%, plus one, could vote down a budget. The committee felt that was unreasonable. However, the bill also included a definition for "emergency" under 356-B:40-c, which was needed to clarify what type of situation constitutes an emergency which may trigger a board vote on a special assessment. The committee amendment completely replaces the bill just to add the definition of emergency. Vote 20-0.

Amendment (0467h)

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

AN ACT relative to the definition of an emergency for a special assessment in a condominium.

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

1 New Paragraph; Condominium Act; Adoption of Budgets and Special Assessments; Emergency. Amend RSA 356-B:40-c by inserting after paragraph III the following new paragraph:

IV. For the purposes of this section, an "emergency" means a situation that requires immediate action by the board of directors where a danger to the structural integrity of the common areas is discovered or to the life and safety of property unit owners or as required by a court order or to respond to any legal or administrative proceeding brought against the association that could not have been reasonably foreseen by the board in preparing and distributing the annual operating budget.

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

AMENDED ANALYSIS

This bill defines the term emergency for purposes of a vote for a special assessment in a condominium. Committee amendment adopted.

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

Rep. Webb offered floor amendment (0904h).

Floor Amendment (0904h)

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

AN ACT relative to the adoption of condominium association budgets and special assessments, and the definition of an emergency for a special assessment in a condominium association.

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

1 Condominium Act; Adoption of Budgets and Special Assessments. Amend RSA 356-B:40-c to read as follows: 356-B:40-c Adoption of Budgets and Special Assessments.

I. The board of directors, at least annually, shall adopt a proposed budget for the unit owners' association for consideration by the unit owners. Not later than 30 days after adoption of a proposed budget, the

board of directors shall provide to all the unit owners a summary of the budget, including any reserves, and a statement of the basis on which any reserves are calculated and funded. Simultaneously, the board shall set a date not less than 10 days or more than 60 days after providing the summary for a meeting of the unit owners to consider ratification of the budget. Unless at that meeting **with at least** [2/3] 1/2 of all unit owners **present for the meeting or by proxy**, or any larger number specified in the declaration **or bylaws, the unit owners or their proxies reject the budget by a majority vote**, the budget is ratified[, ~~whether or not a quorum is present~~]. If a proposed budget is rejected, the budget last ratified by the unit owners continues until the unit owners ratify a subsequent budget.

II. The board of directors, at any time, may propose a special assessment. Except as otherwise provided in paragraph III, the assessment is effective only if the board of directors follows the procedures for ratification of a budget described in paragraph I and the unit owners do not reject the proposed assessment.

III. If the board of directors determines by a 2/3 vote that a special assessment is necessary to respond to an emergency:

(a) The special assessment becomes effective immediately in accordance with the terms of the vote.

(b) Notice of the special assessment shall be provided promptly to all unit owners.

(c) The board of directors may spend the funds paid on account of the special assessment only for the purposes described in the vote.

IV. For the purposes of this section, an “emergency” means a situation that requires immediate action by the board of directors where a danger to the structural integrity of the common areas is discovered or to the life and safety of property unit owners or as required by a court order or to respond to any legal or administrative proceeding brought against the association that could not have been reasonably foreseen by the board in preparing and distributing the annual operating budget.

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

AMENDED ANALYSIS

This bill modifies the requirements for the number of unit owners of a condominium association to be present for a vote to reject the budget or their proxies. This bill also defines the term emergency for purposes of a vote for a special assessment in a condominium association.

Rep. Webb spoke in favor and yielded to questions.

Rep. Williams spoke against.

On a division vote, with 92 members having voted in the affirmative, and 234 in the negative, floor amendment (0904h) failed.

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

Committee report adopted and ordered to third reading.

HB 1610, requiring sellers of real property to disclose certain information concerning environmental hazards. **INEXPEDIENT TO LEGISLATE.**

Rep. Reed Panasiti for Commerce and Consumer Affairs. Current law requires a seller and agent to identify any source of contamination on their property. A Purchase and Sales agreement and a Property Disclosure form is required by both the seller and buyer. Both forms require the property owner to disclose water test results and radon results along with a signed Buyer Acknowledgment receipt form. This bill creates a new burden for the seller by requiring him or her to provide notice to buyers of any federally designated Superfund sites and other known environmentally hazardous sites within a one mile radius of the property. The seller must also provide water test results from within one mile of the property and a map identifying auto salvage yards, hazardous waste generators, remediation sites, solid waste facilities, underground storage tanks, environmental monitoring sites, and local potential contamination sources. This would suggest the owner has knowledge about these hazards, both present and past, within 27,878,400 square feet (1 mile) of the property. The committee feels this is a burdensome and unrealistic requirement. We believe it is the buyer's responsibility to conduct a thorough and comprehensive search of the property not the seller. Vote 19-0.

Rep. McConnell spoke against.

Rep. Panasiti spoke in favor.

Committee report adopted.

HB 1632, relative to the labeling of bottled water. **INEXPEDIENT TO LEGISLATE.**

Rep. John Hunt for Commerce and Consumer Affairs. This bill requires all bottled water sold in New Hampshire to be tested annually for the presence of 24 chemicals and labeled with certain results of such tests. The committee had a wide range of concerns centered on how this bill could be implemented and enforced and had fears that the passage of this bill would dry up the availability of bottled water in New Hampshire. Vote 17-1.

Rep. Messmer spoke against.

Rep. Hunt spoke in favor.

Rep. Somssich requested a roll call; sufficiently seconded.

YEAS 216 - NAYS 113**YEAS - 216****BELKNAP**

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

Aldrich, Glen
Howard, Raymond
Spanos, Peter

Comtois, Barbara
Lang, Timothy
Sylvia, Michael

Tilton, Franklin
Plumer, John
Vadney, Herbert

CARROLL

Avellani, Lino
Crawford, Karel
Nelson, Bill

Butler, Edward
DesMarais, Edith
Schmidt, Stephen

Comeau, Ed
McCarthy, Frank
Umberger, Karen

Cordelli, Glenn
McConkey, Mark
Marsh, William

CHESHIRE

Abbott, Michael
Ley, Douglas
O'Day, John

Ames, Richard
Johnsen, Gladys
Sterling, Franklin

Bordenet, John
Hunt, John
Pearson, William

Harvey, Cathryn
Meader, David
Weber, Lucy

COOS

Fothergill, John
Richardson, Herbert

Laflamme, Larry
Theberge, Robert

Merner, Troy

Moynihan, Wayne

GRAFTON

Almy, Susan
Ladd, Rick
Johnson, Tiffany

Brown, Duane
Massimilla, Linda

Darrow, Stephen
Nordgren, Sharon

Hennessey, Erin
Schwaegler, Vicki

HILLSBOROUGH

Ammon, Keith
Biggie, Barbara
Moore, Craig
Danielson, David
Fedolfi, Jim
Fromuth, Bart
Gargas, Carolyn
Hinch, Richard
Jack, Martin
Ober, Lynne
Lewicke, John
Martineau, Jesse
Notter, Jeanine
Prout, Andrew
Sanborn, Laurie
Somero, Paul
Ulery, Jordan

Griffin, Barbara
Burns, Charlie
Christie, Rick
Dickey, Glen
Ferreira, Elizabeth
Griffin, Gerald
Gould, Linda
Hopper, Gary
Rice, Kimberly
Lascelles, Richard
MacKay, Mariellen
Murphy, Keith
Ohm, Bill
Ober, Russell
Scully, Kevin
Souza, Kathleen
Sullivan, Victoria

Barry, Richard
Burt, John
Connors, Erika
Donovan, Daniel
Freeman, Lisa
Smith, Gregory
Halstead, Carolyn
Belanger, James
Kurk, Neal
LeBrun, Donald
McCarthy, Michael
Negron, Steve
Panasiti, Reed
Renzullo, Andrew
Seidel, Carl
Wolf, Terry
Van Houten, Connie

Beaulieu, Jane
Byron, Frank
Cornell, Patricia
Dyer, Caleb
Freitas, Mary
Gagne, Larry
Hansen, Peter
Graham, John
L'Heureux, Robert
Leishman, Peter
MacKenzie, Mark
Newman, Sue
Pierce, David
Rouillard, Claire
Shaw, Barbara
Twombly, Timothy
Williams, Kermit

MERRIMACK

Kuch, Bill
Hill, Gregory
Leavitt, John
Patten, Dick
Soucy, Timothy

Bartlett, Christy
Horn, Werner
Moffett, Michael
Pearl, Howard
Testerman, Dave

Long, Douglas
MacKay, James
Marple, Richard
Seaworth, Brian
Wells, Natalie

Wolf, Dan
Klose, John
McGuire, Carol
Shurtleff, Stephen

ROCKINGHAM

Cook, Allen
Barnes, Arthur
Cali-Pitts, Jacqueline
Elliott, Robert
Guthrie, Joseph
Itse, Daniel
O'Connor, John
Lovejoy, Patricia
Manning, John
Milz, David
Nigrello, Robert
Sapareto, Frank
Torosian, Peter
Wallace, Scott
Willis, Brenda

Abrami, Patrick
Bates, David
Thomas, Douglas
Emerick, J. Tracy
Marsh, Henry
Edwards, Jess
Katsakiores, Phyllis
Griffin, Mary
Matthews, Carolyn
Morrison, Sean
Osborne, Jason
Spillane, James
Tripp, Richard
Webb, James

Allen, Mary
Bove, Martin
DeSimone, Debra
Gilman, Julie
Hagan, Joseph
Janigian, John
Khan, Aboul
Pearson, Mark
McKinney, Betsy
Murray, Kate
Packard, Sherman
Stone, Brian
True, Chris
Welch, David

Baldasaro, Alfred
Cahill, Michael
Dowling, Patricia
Green, Dennis
Hoelzel, Kathleen
Janvrin, Jason
Kolodziej, Walter
Major, Norman
McMahon, Charles
Nasser, Jim
Pantelakos, Laura
Sytek, John
Vose, Michael
Weyler, Kenneth

STRAFFORD

Beaudoin, Steven
Horgan, James
Pitre, Joseph
Spencer, Matthew

Berube, Roger
Turcotte, Leonard
Graham, Robert
Sprague, Dale

Fontneau, Timothy
Mullen, John
Scruton, Matthew
Wall, Janet

Harrington, Michael
Phinney, Brandon
Southworth, Thomas
Wuelper, Kurt

SULLIVAN

Grenier, James

Laware, Thomas

Rollins, Skip

Smith, Steven

**NAYS - 113
BELKNAP**

Spagnuolo, Philip

St. Clair, Charlie

CARROLL

Buco, Thomas

Knirk, Jerry

CHESHIRE

Berch, Paul
Fenton, Donovan
Shepardson, Marjorie

Burridge, Delmar
Mann, John

Eaton, Daniel
McConnell, James

Faulkner, Barry
Parkhurst, Henry

COOS

Hatch, William

Tucker, Edith

Thomas, Yvonne

GRAFTON

Abel, Richard
Dontonville, Roger
Migliore, Vincent Paul
White, Andrew

Bennett, Travis
Higgins, Patricia
Rand, Steven

Boutin, Skylar
Josephson, Timothy
Smith, Suzanne

Campion, Polly
Maes, Kevin
Sykes, George

HILLSBOROUGH

Baroody, Benjamin
Sullivan, Daniel
Goley, Jeffrey
Keane, Amelia
Manley, Jonathan
Nutting, Allison
Proulx, Mark
Smith, Timothy

Bouldin, Amanda
DiSilvestro, Linda
Heath, Mary
King, Mark
Martin, Joelle
O'Brien, Michael
Rosenwald, Cindy
Vann, Ivy

Chandley, Shannon
Elber, Joel
Herbert, Christopher
Klee, Patricia
McNamara, Richard
O'Leary, Richard
Harvey, Suzanne

Cleaver, Skip
Gidge, Kenneth
Schmidt, Janice
Lisle, David
Murotake, David
Porter, Marjorie
Sofikitis, Catherine

MERRIMACK

Turcotte, Alan
Moffett, Howard
Richards, Beth
Schultz, Kristina

Carson, Clyde
Henle, Paul
Rodd, Beth
Walz, Mary Beth

Doherty, David
Luneau, David
Rogers, Katherine
Woolpert, David

Gile, Mary
Myler, Mel
Schuett, Dianne

ROCKINGHAM

Altschiller, Debra
DiLorenzo, Charlotte
Malloy, Dennis
Somssich, Peter

Bean, Philip
Edgar, Michael
Messmer, Mindi
Le, Tamara

Berrien, Skip
Farnham, Betsey
Gordon, Pamela
Ward, Gerald

Cushing, Robert Renny
Gay, Betty
Read, Ellen

STRAFFORD

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

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

Cilley, Jacalyn
Grassie, Chuck
Smith, Marjorie
Salloway, Jeffrey

Conley, Casey
Horrigan, Timothy
McNally, Jody
Sandler, Catt

SULLIVAN

Cloutier, John
Oxenham, Lee

Gagnon, Raymond
Sullivan, Brian

Gottling, Suzanne
Tanner, Linda

Irwin, Virginia

and the committee report was adopted.

HB 1678-FN, reducing the penalty for certain first offense drug possession charges. INEXPEDIENT TO LEGISLATE.

Rep. Dave Testerman for Criminal Justice and Public Safety. This bill rewrites the sentencing statute by reducing the penalty from, in some cases a class A felony to a misdemeanor for illegal possession of a controlled drug or its analog. Classified in schedules I, II, III or IV, the fines specified for a class B felony of up to \$25,000 or for a class A felony of up to \$50,000 are deleted. This makes no sense while New Hampshire is struggling with the opioid crisis. Vote 18-1.

Rep. Hynes spoke against.

(Rep. Packard in the Chair)

Rep. Phinney spoke against and yielded to questions.

Rep. Bouldin spoke against.

Rep. Sapareto spoke in favor.

Rep. Prout requested a roll call; sufficiently seconded.

YEAS 227 - NAYS 108**YEAS - 227****BELKNAP**

Abear, Marc
Plumer, John

Tilton, Franklin
Silber, Norman

Fields, Dennis
Spanos, Peter

Lang, Timothy
Varney, Peter

CARROLL

Buco, Thomas
Knirk, Jerry
Umberger, Karen

Cordelli, Glenn
McConkey, Mark
Marsh, William

Crawford, Karel
Nelson, Bill

McCarthy, Frank
Schmidt, Stephen

CHESHIRE

Abbott, Michael
Harvey, Cathryn
Meader, David
Pearson, William

Ames, Richard
Ley, Douglas
Parkhurst, Henry
Weber, Lucy

Berch, Paul
Johnsen, Gladys
Sterling, Franklin

Bordenet, John
Hunt, John
Tatro, Bruce

COOS

Fothergill, John
Moynihan, Wayne
Thomas, Yvonne

Hatch, William
Richardson, Herbert

Laflamme, Larry
Theberge, Robert

Merner, Troy
Tucker, Edith

GRAFTON

Almy, Susan
Ham, Bonnie
Migliore, Vincent Paul
White, Andrew

Brown, Duane
Hennessey, Erin
Nordgren, Sharon

Campion, Polly
Ladd, Rick
Schwaegler, Vicki

Darrow, Stephen
Massimilla, Linda
Smith, Suzanne

HILLSBOROUGH

Griffin, Barbara
Biggie, Barbara
Chandley, Shannon
Sullivan, Daniel
Freeman, Lisa
Gidge, Kenneth
Heath, Mary
Graham, John
Keane, Amelia
Lascelles, Richard
McCarthy, Michael
McLean, Mark
Notter, Jeanine
Pierce, David
Rosenwald, Cindy
Seidel, Carl
Wolf, Terry

Backus, Robert
Burns, Charlie
Christie, Rick
Donovan, Daniel
Freitas, Mary
Goley, Jeffrey
Hinch, Richard
Schmidt, Janice
Klee, Patricia
LeBrun, Donald
MacKenzie, Mark
McNamara, Richard
O'Leary, Richard
Porter, Marjorie
Rouillard, Claire
Shaw, Barbara
Twombly, Timothy

Barry, Richard
Byron, Frank
Connors, Erika
Elber, Joel
Griffin, Gerald
Gould, Linda
Hopper, Gary
Jack, Martin
Kurk, Neal
Lisle, David
Manley, Jonathan
Negron, Steve
Ohm, Bill
Proulx, Mark
Harvey, Suzanne
Somero, Paul
Sullivan, Victoria

Beaulieu, Jane
Moore, Craig
Cornell, Patricia
Fedolfi, Jim
Gagne, Larry
Hansen, Peter
Belanger, James
Rice, Kimberly
L'Heureux, Robert
MacKay, Mariellen
Martin, Joelle
Newman, Sue
Panasiti, Reed
Renzullo, Andrew
Sanborn, Laurie
Souza, Kathleen
Van Houten, Connie

MERRIMACK

Turcotte, Alan
Wolf, Dan
MacKay, James
Moffett, Michael
Rogers, Katherine
Testerman, Dave

Kuch, Bill
Gile, Mary
Klose, John
Myler, Mel
Schuett, Dianne
Wallner, Mary Jane

Carson, Clyde
Moffett, Howard
Leavitt, John
Patten, Dick
Shurtleff, Stephen
Wells, Natalie

Long, Douglas
Hill, Gregory
Luneau, David
Rodd, Beth
Soucy, Timothy

ROCKINGHAM

Cook, Allen
Baldasaro, Alfred
Berrien, Skip
DeSimone, Debra
Emerick, J. Tracy
Marsh, Henry
Janigian, John

Abrami, Patrick
Barnes, Arthur
Cahill, Michael
Dowling, Patricia
Gay, Betty
Hagan, Joseph
O'Connor, John

Allen, Mary
Bates, David
Cali-Pitts, Jacqueline
Edgar, Michael
Green, Dennis
Hoelzel, Kathleen
Katsakiores, Phyllis

Altschiller, Debra
Bean, Philip
Thomas, Douglas
Elliott, Robert
Guthrie, Joseph
Edwards, Jess
Khan, Aboul

Kolodziej, Walter
Major, Norman
McKinney, Betsy
Nasser, Jim
Sapareto, Frank
True, Chris
Weyler, Kenneth

Lovejoy, Patricia
Malloy, Dennis
McMahon, Charles
Nigrello, Robert
Sytek, John
Ward, Gerald
Willis, Brenda

Lundgren, David
Manning, John
Milz, David
Packard, Sherman
Torosian, Peter
Webb, James

Pearson, Mark
Matthews, Carolyn
Murray, Kate
Pantelakos, Laura
Tripp, Richard
Welch, David

STRAFFORD

Beaudoin, Steven
Horgan, James
McNally, Jody
Graham, Robert
Sprague, Dale

Berube, Roger
Horrigan, Timothy
Mullen, John
Scruton, Matthew
Treleaven, Susan

Bixby, Peter
Krans, Hamilton
Opderbecke, Linn
Southworth, Thomas
Wall, Janet

Burton, Wayne
Turcotte, Leonard
Pitre, Joseph
Spencer, Matthew
Wuelper, Kurt

SULLIVAN

Gagnon, Raymond
Oxenham, Lee

Grenier, James
Rollins, Skip

Irwin, Virginia
Smith, Steven

Laware, Thomas
Sullivan, Brian

NAYS - 108

BELKNAP

Aldrich, Glen
St. Clair, Charlie

Comtois, Barbara
Sylvia, Michael

Howard, Raymond
Vadney, Herbert

Spagnuolo, Philip

CARROLL

Avellani, Lino

Butler, Edward

Comeau, Ed

DesMarais, Edith

CHESHIRE

Burridge, Delmar
Mann, John

Eaton, Daniel
McConnell, James

Faulkner, Barry
O'Day, John

Fenton, Donovan
Shepardson, Marjorie

GRAFTON

Abel, Richard
Higgins, Patricia
Sykes, George

Bennett, Travis
Josephson, Timothy
Johnson, Tiffany

Boutin, Skylar
Maes, Kevin

Dontonville, Roger
Rand, Steven

HILLSBOROUGH

Ammon, Keith
Cleaver, Skip
Ferreira, Elizabeth
Herbert, Christopher
Leishman, Peter
Murphy, Keith
Ober, Russell
Smith, Timothy
Williams, Kermit

Baroody, Benjamin
Dickey, Glen
Fromuth, Bart
Hynes, Dan
Lewicke, John
Nutting, Allison
Roberts, Carol
Ulery, Jordan

Bouldin, Amanda
DiSilvestro, Linda
Smith, Gregory
King, Mark
Martineau, Jesse
O'Brien, Michael
Scully, Kevin
Valera, John

Burt, John
Dyer, Caleb
Halstead, Carolyn
Ober, Lynne
Murotake, David
Prout, Andrew
Sofikitis, Catherine
Vann, Ivy

MERRIMACK

Bartlett, Christy
Marple, Richard
Schultz, Kristina

Doherty, David
McGuire, Carol
Seaworth, Brian

Henle, Paul
Pearl, Howard
Walz, Mary Beth

Horn, Werner
Richards, Beth
Woolpert, David

ROCKINGHAM

Bove, Martin
Gilman, Julie
Messmer, Mindi
Read, Ellen
Le, Tamara

Cushing, Robert Renny
Itse, Daniel
Morrison, Sean
Somssich, Peter
Vose, Michael

DiLorenzo, Charlotte
Janvrin, Jason
Osborne, Jason
Spillane, James
Wallace, Scott

Farnham, Betsey
Griffin, Mary
Gordon, Pamela
Stone, Brian

STRAFFORD

Conley, Casey
Grassie, Chuck
Schmidt, Peter

Fontneau, Timothy
Harrington, Michael
Phinney, Brandon

Frost, Sherry
Keans, Sandra
Salloway, Jeffrey

Gourgue, Amanda
Smith, Marjorie
Sandler, Catt

SULLIVAN

Cloutier, John

Gottling, Suzanne

Tanner, Linda

and the committee report was adopted.

(Speaker Chandler in the Chair)

HB 1499, relative to the focus and components of New Hampshire kindergartens. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Victoria Sullivan for Education. The committee supports this bill which will bring play based education to our kindergartens. Kindergarten was intended by its founder, Fredrich Froebel, to be a means of socializing children and preparing them for formal education through exploration, movement, expression and play. This bill returns those concepts to the kindergarten classroom and will help teachers nurture the talents and abilities of our youngest learners. Vote 19-0.

Amendment (0606h)

Amend RSA 193-E:2-a as inserted by section 2 of the bill by replacing it with the following:

II-a. Instruction in support of kindergarten standards shall be engaging and shall foster children's development and learning in all domains including physical, social, cognitive, and language. Educators shall create a learning environment that facilitates high quality, child-directed experiences based upon early childhood best teaching practices and play-based learning that comprise movement, creative expression, exploration, socialization, and music. Educators shall develop literacy through guided reading and shall provide unstructured time for the discovery of each child's individual talents, abilities, and needs.

Committee amendment adopted.

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

Rep. Stone spoke against.

Rep. Gile spoke in favor and yielded to questions.

On a division vote, with 328 members having voted in the affirmative, and 8 in the negative, the committee report was adopted and ordered to third reading.

CACR 11, relating to elections. Providing that a majority of selectmen shall be present at certain polling places. **INEXPEDIENT TO LEGISLATE.**

Rep. Andrew White for Election Law. This proposed constitutional amendment would change the attendance requirement for selectmen at state elections. Currently, the New Hampshire Constitution requires the presence of "the selectmen." The proposal would change this provision to require a "majority of the selectmen" to attend elections. While attendance of all selectmen would be ideal, death, illness, and family emergencies can and do arise. These, and many other legitimate reasons can and do prohibit one or more selectmen from attending elections. Current state law provides a process for a selectman to appoint a replacement to attend in their stead. The committee unanimously believes that current law adequately addresses the attendance of selectmen at elections and an amendment to the State Constitution is not necessary. Vote 19-0.

Rep. Spillane spoke against.

Rep. White spoke in favor.

On a division vote, with 256 members having voted in the affirmative, and 76 in the negative, the committee report was adopted.

HB 1240, allowing voters to vote for multiple candidates for an office. **INEXPEDIENT TO LEGISLATE.**

Rep. Steve Negron for Election Law. This bill proposes to eliminate statutory restrictions on the ability of voters to vote for multiple candidates for the same office. This is similar to the request for ranked-choice voting as it allows an individual to select more than one candidate for an office. It is unlike ranked choice voting in that there are not multiple counts to eliminate candidates. There appeared to be no restriction on elections impacted by this bill and the only provisions affected were those addressing the preparation of voting materials. Many potential issues, such as machine programming and recounts were not addressed. The committee unanimously agreed that the bill was inexpedient to legislate. Vote 20-0.

Rep. Dyer spoke against and yielded to questions.

Rep. Negron spoke in favor.

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

YEAS 281 - NAYS 44**YEAS - 281****BELKNAP**

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

Comtois, Barbara
Lang, Timothy
St. Clair, Charlie

Tilton, Franklin
Plumer, John
Sylvia, Michael

Fields, Dennis
Silber, Norman
Vadney, Herbert

CARROLL

Avellani, Lino
Crawford, Karel
Nelson, Bill

Buco, Thomas
DesMarais, Edith
Schmidt, Stephen

Comeau, Ed
McCarthy, Frank
Umberger, Karen

Cordelli, Glenn
McConkey, Mark
Marsh, William

CHESHIRE

Abbott, Michael
Burridge, Delmar
Fenton, Donovan
Meader, David
Sterling, Franklin

Ames, Richard
Harvey, Cathryn
Johnsen, Gladys
O'Day, John
Pearson, William

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

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

COOS

Fothergill, John
Moynihan, Wayne

Hatch, William
Richardson, Herbert

Laflamme, Larry
Tucker, Edith

Merner, Troy
Thomas, Yvonne

GRAFTON

Abel, Richard
Brown, Duane
Hennessey, Erin
Nordgren, Sharon
Johnson, Tiffany

Almy, Susan
Darrow, Stephen
Ladd, Rick
Schwaegler, Vicki
White, Andrew

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

Boutin, Skylar
Ham, Bonnie
Migliore, Vincent Paul
Sykes, George

HILLSBOROUGH

Griffin, Barbara
Bouldin, Amanda
Moore, Craig
Cornell, Patricia
Elber, Joel
Freitas, Mary
Gagne, Larry
Gould, Linda
Hopper, Gary
Jack, Martin
L'Heureux, Robert
Leishman, Peter
McCarthy, Michael
McLean, Mark
Newman, Sue
Ohm, Bill
Proulx, Mark
Rosenwald, Cindy
Seidel, Carl
Souza, Kathleen
Sullivan, Victoria
Williams, Kermit

Backus, Robert
Burns, Charlie
Chandley, Shannon
Dickey, Glen
Fedolff, Jim
Fromuth, Bart
Gargas, Carolyn
Heath, Mary
Belanger, James
Rice, Kimberly
Ober, Lynne
Lewicke, John
Manley, Jonathan
Murotake, David
Notter, Jeanine
Panasiti, Reed
Ober, Russell
Rouillard, Claire
Shaw, Barbara
Wolf, Terry
Valera, John

Barry, Richard
Burt, John
Christensen, Chris
DiSilvestro, Linda
Ferreira, Elizabeth
Griffin, Gerald
Gidge, Kenneth
Herbert, Christopher
Graham, John
Klee, Patricia
Lascelles, Richard
Lisle, David
Martin, Joelle
Murphy, Keith
O'Brien, Michael
Pierce, David
Renzullo, Andrew
Sanborn, Laurie
Sofikitis, Catherine
Twombly, Timothy
Van Houten, Connie

Biggie, Barbara
Byron, Frank
Christie, Rick
Donovan, Daniel
Freeman, Lisa
Smith, Gregory
Goley, Jeffrey
Hinch, Richard
Schmidt, Janice
Kurk, Neal
LeBrun, Donald
MacKay, Mariellen
Martineau, Jesse
Negron, Steve
O'Leary, Richard
Porter, Marjorie
Roberts, Carol
Scully, Kevin
Somero, Paul
Ulery, Jordan
Vann, Ivy

MERRIMACK

Turcotte, Alan
Long, Douglas
Hill, Gregory
Luneau, David
Myler, Mel
Schuett, Dianne
Testerman, Dave

Kuch, Bill
Wolf, Dan
Horn, Werner
Moffett, Michael
Patten, Dick
Seaworth, Brian
Wallner, Mary Jane

Bartlett, Christy
Doherty, David
MacKay, James
Marple, Richard
Pearl, Howard
Shurtleff, Stephen
Walz, Mary Beth

Carson, Clyde
Gile, Mary
Klose, John
McGuire, Carol
Rodd, Beth
Soucy, Timothy
Wells, Natalie

ROCKINGHAM

Cook, Allen
Baldasaro, Alfred
Bove, Martin
DeSimone, Debra
Emerick, J. Tracy
Green, Dennis
Hoelzel, Kathleen
Janvrin, Jason
Kolodziej, Walter
Malloy, Dennis
McMahon, Charles
Nasser, Jim
Pantelakos, Laura
Le, Tamara
Vose, Michael
Welch, David

Abrami, Patrick
Barnes, Arthur
Cahill, Michael
Dowling, Patricia
Farnham, Betsey
Guthrie, Joseph
Itse, Daniel
O'Connor, John
Griffin, Mary
Manning, John
Messmer, Mindi
Nigrello, Robert
Sapareto, Frank
Torosian, Peter
Wallace, Scott
Weyler, Kenneth

Allen, Mary
Bates, David
Cali-Pitts, Jacqueline
Edgar, Michael
Gay, Betty
Marsh, Henry
Edwards, Jess
Katsakiores, Phyllis
Pearson, Mark
Matthews, Carolyn
Milz, David
Gordon, Pamela
Spillane, James
Tripp, Richard
Ward, Gerald
Willis, Brenda

Altschiller, Debra
Bean, Philip
Thomas, Douglas
Elliott, Robert
Gilman, Julie
Hagan, Joseph
Janigian, John
Khan, Aboul
Major, Norman
McKinney, Betsy
Murray, Kate
Packard, Sherman
Sytek, John
True, Chris
Webb, James

STRAFFORD

Beaudoin, Steven
Fontneau, Timothy

Bixby, Peter
Gourgue, Amanda

Burton, Wayne
Grassie, Chuck

Conley, Casey
Harrington, Michael

Horgan, James
Smith, Marjorie
Schmidt, Peter
Sandler, Catt
Treleven, Susan

Keans, Sandra
McNally, Jody
Pitre, Joseph
Scruton, Matthew
Wall, Janet

Krans, Hamilton
Mullen, John
Graham, Robert
Southworth, Thomas
Wuelper, Kurt

Turcotte, Leonard
Opderbecke, Linn
Salloway, Jeffrey
Spencer, Matthew

Gagnon, Raymond
Rollins, Skip

Gottling, Suzanne
Smith, Steven

Grenier, James
Sullivan, Brian

Laware, Thomas
Tanner, Linda

SULLIVAN

NAYS - 44 CARROLL

Butler, Edward

Knirk, Jerry

CHESHIRE

Faulkner, Barry

McConnell, James

COOS

Theberge, Robert

GRAFTON

Campion, Polly

Higgins, Patricia

Josephson, Timothy

Rand, Steven

HILLSBOROUGH

Ammon, Keith
Dyer, Caleb
Keane, Amelia
Prout, Andrew

Beaulieu, Jane
Halstead, Carolyn
King, Mark
Harvey, Suzanne

Cleaver, Skip
Hansen, Peter
MacKenzie, Mark
Smith, Timothy

Connors, Erika
Hynes, Dan
McNamara, Richard

MERRIMACK

Moffett, Howard
Woolpert, David

Henle, Paul

Rogers, Katherine

Schultz, Kristina

ROCKINGHAM

Berrien, Skip
Osborne, Jason

Cushing, Robert Renny
Read, Ellen

DiLorenzo, Charlotte
Somssich, Peter

Lovejoy, Patricia
Stone, Brian

STRAFFORD

Cilley, Jacalyn

Frost, Sherry

Horrigan, Timothy

Phinney, Brandon

SULLIVAN

Cloutier, John

Irwin, Virginia

Oxenham, Lee

and the committee report was adopted.

HB 1479-L, relative to the nomination of political candidates. **INEXPEDIENT TO LEGISLATE.**

Rep. Yvonne Dean-Bailey for Election Law. This legislation would allow parties to nominate candidates through a different method, such as a caucus, instead of holding state primary elections. The committee heard no testimony that the current process does not work, merely that there can be alternatives. The committee believes this legislation could severely limit access to those seeking to run for office. New Hampshire is proud to have a nomination process that is easy to participate in and allows candidates to engage in our large local and representative government. The committee also heard testimony that the adoption of such a process would have an adverse effect on our first in the nation primary. Vote 20-0.

MOTION TO LAY ON THE TABLE

Rep. Barbara Griffin moved that **HB 1479-L**, relative to the nomination of political candidates, be laid on the table. On a division vote, with 294 members having voted in the affirmative, and 26 in the negative, the motion was adopted.

BILLS REMOVED FROM THE CONSENT CALENDAR OF MARCH 6 CONT'D

HB 1543, relative to domicile of students for voting purposes. **INEXPEDIENT TO LEGISLATE.**

Rep. Yvonne Dean-Bailey for Election Law. This bill proposed to modify the requirements for a student claiming domicile for voting purposes by attempting to provide guidance on determination of whether an individual is an in-state or out-of-state student by examining that person's school status. The bill also attempted to delineate a number of factors to be considered as evidence in the domicile inquiry. The bipartisan majority of the committee found this bill unnecessary and unworkable in its current form. Last session the legislature addressed domicile requirements for all New Hampshire persons registering to vote and this bill would potentially conflict with requirements of that statute. In the hearing there was testimony that this change might have a chilling effect on student voters. Vote 20-0.

Committee report adopted.

HB 1568-FN, allowing voters to register as members of political organizations. **INEXPEDIENT TO LEGISLATE.**

Rep. Steve Negron for Election Law. This bill allows voters to register as members of various political organizations with new guidelines for ballot access. If one percent of the voters register as a member of an organization, it qualifies as a "party." This allows creation of a party with only 1% of registered voters while at the same time the group is not recognized as a legal "party." The committee unanimously agreed that the process for ballot access in New Hampshire is open and not difficult. Accordingly, it is recommended that this bill be found Inexpedient to Legislate. Vote 20-0.

MOTION TO LAY ON THE TABLE

Rep. Barbara Griffin moved that **HB 1568-FN**, allowing voters to register as members of political organizations, be laid on the table.

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

Motion adopted.

The House recessed at 12:30 p.m.

RECESS

The House reconvened at 1:30 p.m.

(Speaker Chandler in the Chair)**MOTION TO REMOVE FROM THE TABLE**

Rep. Souza moved that **HB 156-FN**, including a fetus in the definition of "another" for purposes of certain criminal offenses, be removed from the table.

Rep. Wuelper requested a roll call; sufficiently seconded.

YEAS 113 - NAYS 175**YEAS - 113****BELKNAP**

Aldrich, Glen
Howard, Raymond
Spanos, Peter

Comtois, Barbara
Lang, Timothy
Varney, Peter

Tilton, Franklin
Plumer, John

Fields, Dennis
Silber, Norman

CARROLL

Avellani, Lino
Nelson, Bill

Comeau, Ed
Schmidt, Stephen

Cordelli, Glenn

McConkey, Mark

CHESHIRE

O'Day, John

COOS

Fothergill, John

GRAFTON

Brown, Duane

Darrow, Stephen

Johnson, Tiffany

HILLSBOROUGH

Ammon, Keith
Moore, Craig
Dyer, Caleb
Griffin, Gerald
Halstead, Carolyn
Hynes, Dan
LeBrun, Donald
Negron, Steve
Proulx, Mark
Sanborn, Laurie
Souza, Kathleen

Biggie, Barbara
Christie, Rick
Ferreira, Elizabeth
Smith, Gregory
Hansen, Peter
Rice, Kimberly
McCarthy, Michael
Notter, Jeanine
Prout, Andrew
Scully, Kevin
Sullivan, Victoria

Burns, Charlie
Danielson, David
Freeman, Lisa
Gagne, Larry
Hinch, Richard
L'Heureux, Robert
McLean, Mark
Ohm, Bill
Renzullo, Andrew
Seidel, Carl

Burt, John
Donovan, Daniel
Fromuth, Bart
Gould, Linda
Hopper, Gary
Lascelles, Richard
Murphy, Keith
Panasiti, Reed
Rouillard, Claire
Somero, Paul

MERRIMACK

Kuch, Bill
Moffett, Michael
Testerman, Dave

Hill, Gregory
McGuire, Carol
Wells, Natalie

Horn, Werner
Pearl, Howard

Klose, John
Seaworth, Brian

ROCKINGHAM

Abrami, Patrick
Thomas, Douglas

Barnes, Arthur
DeSimone, Debra

Bates, David
Emerick, J. Tracy

Bove, Martin
Gay, Betty

Green, Dennis
Itse, Daniel
Lundgren, David
McMahon, Charles
Spillane, James
True, Chris

Marsh, Henry
Edwards, Jess
Griffin, Mary
Morrison, Sean
Sytek, John
Wallace, Scott

Hagan, Joseph
O'Connor, John
Pearson, Mark
Nasser, Jim
Torosian, Peter
Webb, James

Hoelzel, Kathleen
Khan, Aboul
Matthews, Carolyn
Osborne, Jason
Tripp, Richard

STRAFFORD

Beaudoin, Steven
Scruton, Matthew

Turcotte, Leonard
Spencer, Matthew

McNally, Jody
Wuelper, Kurt

Pitre, Joseph

SULLIVAN

Laware, Thomas

Smith, Steven

NAYS - 175

BELKNAP

Vadney, Herbert

CARROLL

Buco, Thomas
Marsh, William

Butler, Edward

DesMarais, Edith

Knirk, Jerry

CHESHIRE

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

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

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

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

COOS

Merner, Troy

Moynihan, Wayne

Richardson, Herbert

Tucker, Edith

GRAFTON

Abel, Richard
Campion, Polly
Higgins, Patricia
Nordgren, Sharon
Sykes, George

Almy, Susan
Dontonville, Roger
Josephson, Timothy
Rand, Steven

Bennett, Travis
Ham, Bonnie
Ladd, Rick
Schwaegler, Vicki

Boutin, Skylar
Hennessey, Erin
Maes, Kevin
Smith, Suzanne

HILLSBOROUGH

Backus, Robert
Chandley, Shannon
Cornell, Patricia
Fedolfi, Jim
Herbert, Christopher
Jack, Martin
Kurk, Neal
Lisle, David
Martin, Joelle
Nutting, Allison
Porter, Marjorie
Harvey, Suzanne
Vann, Ivy

Beaulieu, Jane
Christensen, Chris
Dickey, Glen
Freitas, Mary
Belanger, James
Keane, Amelia
Ober, Lynne
MacKay, Mariellen
Martineau, Jesse
O'Brien, Michael
Ober, Russell
Sofikitis, Catherine
Williams, Kermit

Bouldin, Amanda
Cleaver, Skip
DiSilvestro, Linda
Goley, Jeffrey
Graham, John
King, Mark
Leishman, Peter
MacKenzie, Mark
McNamara, Richard
O'Leary, Richard
Roberts, Carol
Smith, Timothy

Byron, Frank
Connors, Erika
Elber, Joel
Heath, Mary
Schmidt, Janice
Klee, Patricia
Lewicke, John
Manley, Jonathan
Newman, Sue
Pierce, David
Rosenwald, Cindy
Van Houten, Connie

MERRIMACK

Turcotte, Alan
Wolf, Dan
Luneau, David
Rodd, Beth
Shurtleff, Stephen
Woolpert, David

Bartlett, Christy
Doherty, David
Marple, Richard
Rogers, Katherine
Soucy, Timothy

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

Long, Douglas
MacKay, James
Patten, Dick
Schultz, Kristina
Walz, Mary Beth

ROCKINGHAM

Allen, Mary
Cahill, Michael
Edgar, Michael
Guthrie, Joseph
Malloy, Dennis
Gordon, Pamela
Vose, Michael

Altschiller, Debra
Cali-Pitts, Jacqueline
Elliott, Robert
Janigian, John
Messmer, Mindi
Pantelakos, Laura
Ward, Gerald

Bean, Philip
Cushing, Robert Renny
Farnham, Betsey
Lovejoy, Patricia
Milz, David
Somssich, Peter
Welch, David

Berrien, Skip
DiLorenzo, Charlotte
Gilman, Julie
Major, Norman
Murray, Kate
Le, Tamara
Weyler, Kenneth

STRAFFORD

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

Burton, Wayne
Gourgue, Amanda
Horriggan, Timothy
Mullen, John
Salloway, Jeffrey

Cilley, Jacalyn
Grassie, Chuck
Keans, Sandra
Opderbecke, Linn
Sandler, Catt

Conley, Casey
Harrington, Michael
Krans, Hamilton
Schmidt, Peter
Southworth, Thomas

SULLIVAN

Cloutier, John
Oxenham, Lee

Gottling, Suzanne
Rollins, Skip

Grenier, James
Sullivan, Brian

Irwin, Virginia
Tanner, Linda

and the motion failed.

BILLS REMOVED FROM THE CONSENT CALENDAR OF MARCH 6 CONT'D**HB 1759-FN**, regulating the use of drones. **INEXPEDIENT TO LEGISLATE.**

Rep. J.R. Hoell for Executive Departments and Administration. The intent of this bill was to create a new chapter to regulate the use of drones by the government and private citizens. The committee supports this intent, but after reviewing the text, we found many details that needed to be cleaned up. There is no declaration that evidence obtained by surveillance without a warrant is not admissible in court. There is a requirement for reporting the use of a drone to the Attorney General within 5 days of the initiation of use that is too cumbersome and excessive. The restrictions regarding use of drones by nongovernmental entities restricted the use of drones to use as surveillance mechanisms for the protection of private property. The bill needs additional work and with the current workload of the committee and the lack of time before the reporting deadline, it was deemed too incomplete to correct in time. Vote 17-0.

Rep. Kurk spoke against.

Rep. McGuire spoke in favor.

Committee report adopted.

HB 1210, establishing a committee to study the effect of current use taxation on small and rural municipalities. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Susan Treleaven for Municipal and County Government. As amended, this bill will allow a detailed investigation and discussion of current use exemptions and conservation restrictions as they pertain/apply to tax rates in rural communities. Vote 14-0.

Amendment (0723h)

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

AN ACT directing the assessing standards board to study current use and conservation restriction assessments.

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

1 Assessing Standards Board; Study of Current Use and Conservation Restrictions.

I. The assessing standards board, established in RSA 21-J:14-a, shall study the following issues:

(a) Whether property under conservation restrictions is constitutionally eligible for current use assessment.

(b) Existing valuation and assessment methods for properties under current use and properties under conservation restrictions.

(c) The financial impact of current use and conservation restriction assessments and tax rates on the overall property tax rates in small and rural communities.

II. On or before November 1, 2018, the board shall submit a report of its findings to the speaker of the house of representatives, the senate president, the governor, the house clerk, the senate clerk, and the state library.

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

AMENDED ANALYSIS

This bill directs the assessing standards board to study current use and conservation restriction assessments.

MOTION TO LAY ON THE TABLE

Rep. Belanger moved that **HB 1210**, establishing a committee to study the effect of current use taxation on small and rural municipalities, be laid on the table.

Motion adopted.

BILLS REMOVED FROM THE CONSENT CALENDAR OF MARCH 6 CONT'D**HB 1702**, relative to the management of the Gunstock Area. **INEXPEDIENT TO LEGISLATE.**

Rep. Jane Beaulieu for Municipal and County Government. This bill as drafted would jeopardize the future of Gunstock and would have given the Belknap County Convention authority to control Gunstock's finances.

The Gunstock Area Commission was created by special legislation in 1959. The purpose of the five member commission is to “operate, maintain, develop, improve, and promote the Gunstock Area in Gilford, New Hampshire.” Gunstock provides a significant economic boost to Belknap County in particular and the Commission has for years managed this valuable asset, benefitting the Lakes Region and the state. Vote 13-0.

MOTION TO LAY ON THE TABLE

Rep. Belanger moved that **HB 1702**, relative to the management of the Gunstock Area, be laid on the table. On a division vote, with 308 members having voted in the affirmative, and 15 in the negative, the motion was adopted.

BILLS REMOVED FROM THE CONSENT CALENDAR OF MARCH 6 CONT'D

HB 1728-FN-L, removing the homestead exemption. **INEXPEDIENT TO LEGISLATE.**

Rep. Susan Treleaven for Municipal and County Government. After careful consideration, the committee found there was no justification given to change the Homestead Exemption. Vote 14-0.

MOTION TO LAY ON THE TABLE

Rep. Belanger moved that **HB 1728-FN-L**, removing the homestead exemption, be laid on the table. Rep. Marple requested a roll call; sufficiently seconded.

YEAS 274 - NAYS 49

YEAS - 274

BELKNAP

Abear, Marc
Lang, Timothy
Spanos, Peter

Aldrich, Glen
Plumer, John
St. Clair, Charlie

Tilton, Franklin
Silber, Norman
Vadney, Herbert

Fields, Dennis
Spagnuolo, Philip
Varney, Peter

CARROLL

Buco, Thomas
McCarthy, Frank
Schmidt, Stephen

Butler, Edward
Knirk, Jerry
Umberger, Karen

Cordelli, Glenn
McConkey, Mark
Marsh, William

DesMarais, Edith
Nelson, Bill

CHESHIRE

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

Ames, Richard
Harvey, Cathryn
Fenton, Donovan
Meador, David
Tatro, Bruce

Berch, Paul
Ley, Douglas
Johnsen, Gladys
Parkhurst, Henry
Pearson, William

Bordenet, John
Eaton, Daniel
Mann, John
Shepardson, Marjorie
Weber, Lucy

COOS

Fothergill, John
Richardson, Herbert

Laflamme, Larry
Theberge, Robert

Merner, Troy
Thomas, Yvonne

Moynihan, Wayne

GRAFTON

Abel, Richard
Brown, Duane
Ham, Bonnie
Ladd, Rick
Rand, Steven
White, Andrew

Almy, Susan
Campion, Polly
Hennessey, Erin
Maes, Kevin
Schwaegler, Vicki

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

Boutin, Skylar
Dontonville, Roger
Josephson, Timothy
Nordgren, Sharon
Sykes, George

HILLSBOROUGH

Ammon, Keith
Biggie, Barbara
Moore, Craig
Connors, Erika
DiSilvestro, Linda
Freitas, Mary
Goley, Jeffrey
Heath, Mary
Graham, John
Keane, Amelia
L'Heureux, Robert
Leishman, Peter
MacKenzie, Mark
McLean, Mark
Nutting, Allison
Panasiti, Reed
Ober, Russell

Griffin, Barbara
Bouldin, Amanda
Chandley, Shannon
Cornell, Patricia
Donovan, Daniel
Griffin, Gerald
Gould, Linda
Herbert, Christopher
Schmidt, Janice
King, Mark
Ober, Lynne
Lisle, David
Manley, Jonathan
McNamara, Richard
O'Brien, Michael
Pierce, David
Roberts, Carol

Backus, Robert
Burns, Charlie
Christensen, Chris
Danielson, David
Elber, Joel
Gagne, Larry
Halstead, Carolyn
Hinch, Richard
Jack, Martin
Klee, Patricia
Lascelles, Richard
MacKay, Mariellen
Martin, Joelle
Negron, Steve
O'Leary, Richard
Porter, Marjorie
Rosenwald, Cindy

Barry, Richard
Byron, Frank
Cleaver, Skip
Dickey, Glen
Fedolff, Jim
Gargas, Carolyn
Hansen, Peter
Belanger, James
Rice, Kimberly
Kurk, Neal
LeBrun, Donald
McCarthy, Michael
Martineau, Jesse
Newman, Sue
Ohm, Bill
Proulx, Mark
Rouillard, Claire

Harvey, Suzanne
Sofikitis, Catherine
Twombly, Timothy
Williams, Kermit

Sanborn, Laurie
Somero, Paul
Sullivan, Victoria

Seidel, Carl
Souza, Kathleen
Van Houten, Connie

Shaw, Barbara
Smith, Timothy
Vann, Ivy

MERRIMACK

Turcotte, Alan
Long, Douglas
Moffett, Howard
Klose, John
Myler, Mel
Schuett, Dianne
Testerman, Dave

Kuch, Bill
Wolf, Dan
Henle, Paul
Luneau, David
Patten, Dick
Schultz, Kristina
Wallner, Mary Jane

Bartlett, Christy
Doherty, David
Hill, Gregory
Moffett, Michael
Pearl, Howard
Shurtleff, Stephen
Walz, Mary Beth

Carson, Clyde
Gile, Mary
MacKay, James
McGuire, Carol
Rodd, Beth
Soucy, Timothy

ROCKINGHAM

Cook, Allen
Bean, Philip
Thomas, Douglas
Edgar, Michael
Gay, Betty
Hagan, Joseph
Janvrin, Jason
Kolodziej, Walter
Pearson, Mark
McKinney, Betsy
Murray, Kate
Packard, Sherman
Somssich, Peter
True, Chris
Welch, David

Abrami, Patrick
Berrien, Skip
DeSimone, Debra
Elliott, Robert
Gilman, Julie
Hoelzel, Kathleen
O'Connor, John
Lovejoy, Patricia
Major, Norman
McMahon, Charles
Nasser, Jim
Pantelakos, Laura
Spillane, James
Vose, Michael
Willis, Brenda

Baldasaro, Alfred
Bove, Martin
DiLorenzo, Charlotte
Emerick, J. Tracy
Guthrie, Joseph
Edwards, Jess
Katsakiores, Phyllis
Lundgren, David
Malloy, Dennis
Messmer, Minda
Nigrello, Robert
Read, Ellen
Le, Tamara
Ward, Gerald

Barnes, Arthur
Cahill, Michael
Dowling, Patricia
Farnham, Betsey
Marsh, Henry
Janigian, John
Khan, Aboul
Griffin, Mary
Matthews, Carolyn
Milz, David
Gordon, Pamela
Sapareto, Frank
Tripp, Richard
Webb, James

STRAFFORD

Bixby, Peter
Fontneau, Timothy
Horgan, James
Smith, Marjorie
Schmidt, Peter
Sandler, Catt
Sprague, Dale

Burton, Wayne
Gourgue, Amanda
Keans, Sandra
McNally, Jody
Pitre, Joseph
Scruton, Matthew
Treleaven, Susan

Cilley, Jacalyn
Grassie, Chuck
Krans, Hamilton
Mullen, John
Graham, Robert
Southworth, Thomas
Wall, Janet

Conley, Casey
Harrington, Michael
Turcotte, Leonard
Opderbecke, Linn
Salloway, Jeffrey
Spencer, Matthew

SULLIVAN

Cloutier, John
Irwin, Virginia
Sullivan, Brian

Gagnon, Raymond
Oxenham, Lee
Tanner, Linda

Gottling, Suzanne
Rollins, Skip

Grenier, James
Smith, Steven

NAYS - 49 BELKNAP

Comtois, Barbara

Howard, Raymond

CARROLL

Avellani, Lino

Comeau, Ed

CHESHIRE

O'Day, John

COOS

Tucker, Edith

GRAFTON

Johnson, Tiffany

HILLSBOROUGH

Beaulieu, Jane
Ferreira, Elizabeth
Hopper, Gary
Murphy, Keith
Scully, Kevin

Burt, John
Freeman, Lisa
Hynes, Dan
Notter, Jeanine
Ulery, Jordan

Christie, Rick
Fromuth, Bart
Lewicke, John
Prout, Andrew

Dyer, Caleb
Smith, Gregory
Murotake, David
Renzullo, Andrew

MERRIMACK

Horn, Werner
Wells, Natalie

Marple, Richard
Woolpert, David

Rogers, Katherine

Seaworth, Brian

ROCKINGHAM

Allen, Mary
Cushing, Robert Renny
Osborne, Jason
Weyler, Kenneth

Altschiller, Debra
Green, Dennis
Sytek, John

Bates, David
Itse, Daniel
Toriosian, Peter

Cali-Pitts, Jacqueline
Morrison, Sean
Wallace, Scott

STRAFFORD

Beaudoin, Steven

Horrigan, Timothy

Phinney, Brandon

Wuelper, Kurt

SULLIVAN

Laware, Thomas

and the motion was adopted.

BILLS REMOVED FROM THE CONSENT CALENDAR OF MARCH 6 CONT'D

HR 20, affirming states' powers based on the Constitution for the United States and the Constitution of New Hampshire. **INEXPEDIENT TO LEGISLATE.**

Rep. Reed Panasiti for State-Federal Relations and Veterans Affairs. Although well intended to affirm our state powers, this 5-page bill as written expounds on many state and federal constitutional issues that were confusing, difficult to follow, and sometimes misleading. Our state constitution declares the people of this state as having the sole and exclusive right of governing themselves as a free, sovereign, and independent state. This bill claims the federal government usurps many of these state powers without justification. One could interpret this bill as a prelude to secession and therefore, without a clear and concise understanding, the majority opposes this bill as written. Vote 16-2.

Committee report adopted.

REGULAR CALENDAR

HB 1822-FN, making hormonal contraceptives available directly from pharmacists by means of a standing order. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Christy Bartlett for the Majority of Commerce and Consumer Affairs. This bill will make hormonal contraceptives available directly from pharmacists. The committee heard extensive testimony from various members of the 2017 study commission that met several times on this issue. Hormonal contraceptives have been available to women for about 50 years. They are among the safest and most-studied drugs in common use and their use is credited with the reduction of unplanned pregnancies and the adverse health consequences resulting. The NH Medical Society, NH Pharmacists Association, NH Nurses Association, Department of Health and Human Services and NH Board of Pharmacy were among the entities represented on this commission and have all voted in favor of moving this bill forward. The Commerce and Consumer Affairs Committee was charged as a second committee to review the insurance provisions of the bill. The NH Insurance Department took no position, but advised the committee that as amended, the initial screening provided by the pharmacist, that will be covered by insurance, will be at a rate established by the contract between the pharmacy and the insurer or its pharmacy benefits manager. Vote 10-6.

Rep. Valerie Fraser for the Minority of Commerce and Consumer Affairs. The minority disagreed with the majority for several reasons. This bill creates a mandate on the insurance companies to cover medical care delivered by a pharmacist at the pharmacy. This bill will decrease the level of medical care by pharmacists to a checklist which can never replace the levels of medical competence earned through many years of hands-on training and examinations by a licensed physician, who is required to establish a valid doctor-patient relationship in order to write a prescription. No liability-free legislation should be granted to any pharmacy nor should a de facto medical license be granted.

Majority Amendment (1118h)

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

4 Insurance; Group; Coverage for Prescription Contraceptive Drugs and Prescription Contraceptive Devices and for Contraceptive Services. Amend RSA 415:18-i to read as follows:

415:18-i Coverage for Prescription Contraceptive Drugs and Prescription Contraceptive Devices and for Contraceptive Services. Each insurer that issues or renews any group policy of accident or health insurance providing benefits for medical or hospital expenses, which provides coverage for outpatient services shall provide to each group, or to the portion of each group comprised of certificate holders of such insurance who are residents of this state, coverage for outpatient contraceptive services under the same terms and conditions as for other outpatient services. "Outpatient contraceptive services" means consultations, examinations, and medical services, provided on an outpatient basis, ***including the initial screening provided through a pharmacy pursuant to RSA 318:47-l at a rate established by contract between the pharmacy and the insurer or its pharmacy benefits manager***, and related to the use of contraceptive methods to prevent pregnancy which has been approved by the U.S. Food and Drug Administration. Each insurer that issues or renews any policy of group accident or health insurance providing benefits for medical or hospital expenses

which provides a prescription rider shall cover all prescription contraceptive drugs and prescription contraceptive devices approved by the U.S. Food and Drug Administration under the same terms and conditions as other prescription drugs. Nothing in this section shall be construed as altering the terms and conditions of a contract relating to prescription drugs and outpatient services.

5 Insurance; Health Service Corporations; Coverage for Prescription Contraceptive Drugs and Prescription Contraceptive Devices and for Contraceptive Services. Amend RSA 420-A:17-c to read as follows:

420-A:17-c Coverage for Prescription Contraceptive Drugs and Prescription Contraceptive Devices and for Contraceptive Services. Every health service corporation and every other similar corporation licensed under the laws of another state that issues or renews any policy of group accident or health insurance providing benefits for medical or hospital expenses, which provides coverage for outpatient services shall provide to each group, or to the portion of each group comprised of certificate holders of such insurance who are residents of this state, coverage for outpatient contraceptive services under the same terms and conditions as for other outpatient services. "Outpatient contraceptive services" means consultations, examinations, and medical services, provided on an outpatient basis, ***including the initial screening provided through a pharmacy pursuant to RSA 318:47-l at a rate established by contract between the pharmacy and the insurer or its pharmacy benefits manager***, and related to the use of contraceptive methods to prevent pregnancy which has been approved by the U.S. Food and Drug Administration. Each health service corporation and every other similar corporation licensed under the laws of a different state that issues or renews any group policy of accident or health insurance providing benefits for medical or hospital expenses which provides a prescription rider shall cover all prescription contraceptive drugs and prescription contraceptive devices approved by the U.S. Food and Drug Administration under the same terms and conditions as other prescription drugs. Nothing in this section shall be construed as altering the terms and conditions of a contract relating to prescription drugs and outpatient services.

6 Insurance; Health Maintenance Organizations; Coverage for Prescription Contraceptive Drugs and Prescription Contraceptive Devices and for Contraceptive Services. Amend RSA 420-B:8-gg to read as follows:

420-B:8-gg Coverage for Prescription Contraceptive Drugs and Prescription Contraceptive Devices and for Contraceptive Services. Every health maintenance organization and every other similar corporation licensed under the laws of another state that issues or renews any policy of group health insurance providing benefits for medical or hospital expenses, which provides coverage for outpatient services shall provide to each group, or to the portion of each group comprised of certificate holders of such insurance who are residents of this state, coverage for outpatient contraceptive services under the same terms and conditions as for other outpatient services. "Outpatient contraceptive services" means consultations, examinations, and medical services, provided on an outpatient basis, ***including the initial screening provided through a pharmacy pursuant to RSA 318:47-l at a rate established by contract between the pharmacy and the insurer or its pharmacy benefits manager***, and related to the use of contraceptive methods to prevent pregnancy which has been approved by the U.S. Food and Drug Administration. Each health maintenance organization and every other similar corporation licensed under the laws of another state that issues or renews any group health insurance providing benefits for medical or hospital expenses which provides a prescription rider shall cover all prescription contraceptive drugs and prescription contraceptive devices approved by the U.S. Food and Drug Administration under the same terms and conditions as other prescription drugs. Nothing in this section shall be construed as altering the terms and conditions of a contract relating to prescription drugs and outpatient services.

7 New Section; Insurance; Individual; Coverage for Prescription Contraceptive Drugs and Prescription Contraceptive Devices and for Contraceptive Services. Amend RSA 415 by inserting after section 6-u the following new section:

415:6-v Coverage for Prescription Contraceptive Drugs and Prescription Contraceptive Devices and for Contraceptive Services. Each insurer that issues or renews any individual policy, plan, or contract of accident or health insurance providing benefits for medical or hospital expenses, which provides coverage for outpatient services shall provide to persons covered by such insurance who are residents of this state coverage for outpatient contraceptive services under the same terms and conditions as for other outpatient services. "Outpatient contraceptive services" means consultations, examinations, and medical services, provided on an outpatient basis, including the initial screening provided through a pharmacy pursuant to RSA 318:47-l at a rate established by contract between the pharmacy and the insurer or its pharmacy benefits manager, and related to the use of contraceptive methods to prevent pregnancy which has been approved by the U.S. Food and Drug Administration. Each insurer that issues or renews any individual policy of accident or health insurance providing benefits for medical or hospital expenses which provides a prescription rider shall cover all prescription contraceptive drugs and prescription contraceptive devices approved by the U.S. Food and Drug Administration under the same terms and conditions as other prescription drugs. Nothing in this section shall be construed as altering the terms and conditions of a contract relating to prescription drugs and outpatient services.

8 Effective Date.

I. Sections 4-7 of this act shall take effect January 1, 2019.

II. The remainder of this act shall take effect 60 days after its passage.

Majority committee amendment adopted.

Majority committee report adopted and ordered to third reading.

HB 1104-FN, relative to dredge and fill permit time limits; relative to time limits under the administrative procedure act; and relative to online filing with the secretary of state's office. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: REFER FOR INTERIM STUDY.**

Rep. Thomas Kaczynski for the Majority of Executive Departments and Administration. This bill, as amended, establishes time limits in several areas in an effort to streamline the process for certain state agency actions. Some examples are wetlands permits, permits for excavating and dredging in public waters, also certain time limits on applications to an agency are reduced. If an agency fails to act within the prescribed time limit, it will be considered as agency approval. Exceptions to this limit have been established for specific concerns of various agencies who all agree that the limits are workable now. This bill also requires the Secretary of State to allow online business and corporate filings. The majority felt these were all improvements to the current requirements. Vote 7-6.

Rep. Carol Roberts for the Minority of Executive Departments and Administration. The bill has had two rewrites and still there are major issues with it. The minority believes the bill is being rushed, is not well thought out, and sets unreasonable and unattainable conditions for agencies to perform their functions. The amendment to this bill carves out specific exemptions for the Department of Revenue Administration, the Department of Health and Human Services, the Public Utilities Commission, the Insurance Department, the Department of Environmental Services, and the Department of Employment Security. Because the subcommittee never took the time to review and analyze the information, the extent of the consequences of this bill is not known.

Majority Amendment (1062h)

Amend the bill by replacing section 4 with the following:

4 Administrative Provisions; Extensions for Conservation Commission Action on Wetlands Applications.

Amend RSA 482-A:11, III(a) to read as follows:

(a) Upon written notification to the department by a municipal conservation commission that it intends to investigate any notice received by it pursuant to RSA 482-A:3, the department shall not make its decision on the application that is the subject of the notice until it has received and acknowledged receipt of a written report from such commission, or until 40 days from the date of filing with the municipal clerk of such notice, whichever occurs earlier, subject to an extension **of up to 40 days**, as permitted by the [department] **commissioner, for good cause shown**. In connection with any local investigation, a conservation commission may hold a public informational meeting or a public hearing, the record of which shall be made a part of the record of the department. Where the [department] **commissioner** grants an extension, the time limits prescribed by RSA 482-A:3, XIV(b) shall be suspended [until a date] **for up to 40 days as** agreed to by the applicant and the department. If a conservation commission makes a recommendation to the department in its report, the department shall specifically consider such recommendation and shall make written findings with respect to each issue raised in such report which is contrary to the decision of the department. If notification by a local conservation commission pursuant to this paragraph is not received by the department within 14 days following the date the notice is filed with the municipal clerk, the department shall not suspend its normal action, but shall proceed as if no notification has been made.

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

7 Time Limit for Recommendation on Grant of Right Petitions. Amend RSA 482-A:22 to read as follows:

482-A:22 Grant of Right. The governor and council, upon petition and upon the recommendation of the department, may, for just consideration, grant to an owner of a shoreline on public waters the right to excavate, remove, or dredge any bank, flat, marsh, swamp or lake bed before the owner's shoreline. Every petition to excavate or dredge said areas shall be filed with the department. The department, after 30 days' notice to abutters **and within 60 days of receipt of a petition**, the local governing body of the municipality in which the property is situate, and the department of health and human services shall hold a public hearing. Notice of the hearing shall be published twice in 2 different weeks, the last publication to be 7 days before the hearing, in one newspaper of general circulation throughout the state and another newspaper of general circulation in the municipality. The notice shall also be posted in 2 public places in the municipality. Upon appropriate investigation **and within 30 days of a public hearing**, the department shall make its recommendations to the governor and council with regard to such petition. If the department recommends that the petition be granted, in whole or in part, such recommendation shall include appropriate specifications and conditions necessary to the protection of public rights and to the protection of the rights and privileges of persons owning land in the vicinity of the area to be excavated or dredged by the petitioner.

8 Terrain Alteration; Reduction of Permit Timelines. Amend RSA 485-A:17, II-b(e) and (f) to read as follows:

(e) The time limits under this paragraph shall not apply to an application from an applicant that has [~~previously~~] been found in violation of this chapter pursuant to RSA 485-A:22-a ***within the 5 years preceding the application*** or an application that does not otherwise ***substantially*** comply with the department's rules relative to the permit application process.

(f) The department may extend the time for rendering a decision under subparagraphs (b)(3) and (c)(3), without the applicant's agreement, on an application from an applicant who, [~~previously~~] ***within the 5 years preceding the application***, has been determined, after the exhaustion of available appellate remedies, to have failed to comply with this section or any rule adopted or permit or approval issued under this section, or to have misrepresented any material fact made in connection with any activity regulated or prohibited by this section, pursuant to an action initiated under RSA 485-A:22. The length of such an extension shall be no longer than reasonably necessary to complete the review of the application, and shall not exceed 30 days unless the applicant agrees to a longer extension. The department shall notify the applicant of the length of the extension.

9 New Section; Failure of Agency to Act. Amend RSA 541-A by inserting after section 29 the following new section:

541-A:29-a Failure of Agency to Act.

I. If an agency fails to take any required action on an application, petition, or request within the time limits prescribed by RSA 541-A:29 or any other provisions of law, the application, petition, or request shall be deemed approved and any permit, approval or other item requested shall be deemed granted to or received by the applicant, petitioner, or requestor.

II. If a permit, approval, or other item has been granted under paragraph I, the applicant may request written confirmation of such grant from an agency. The agency shall provide an applicant written confirmation of such an approval within 14 days of the applicant's request.

III. A permit, approval, or other item shall not be granted by default if an applicant has agreed in writing to extend an agency's time for review pursuant to RSA 541-A:29, IV or any other provision of law.

IV. A grant of a permit, approval, or other item under this section shall not relieve the applicant, petitioner, or requestor from the obligation to comply with all federal, state, and local requirements applicable to activities authorized by the permit, approval, or other item.

10 New Section; Voluntary Corporations and Associations; Online Filing. Amend RSA 292 by inserting after section 5-b the following new section:

292:5-c Online Filing. No later than January 1, 2020, the secretary of state shall provide for and allow the online filing of all forms, certificates, or other documents required under this chapter.

11 New Section; New Hampshire Business Corporations Act; Online Filing. Amend RSA 293-A by inserting after section 1.21 the following new section:

293-A:1.21-a Online Filing. No later than January 1, 2020, the secretary of state shall provide for and allow the online filing of all forms, certificates, or other documents required under this subdivision.

12 New Section; Uniform Partnership Act; Online Filing. Amend RSA 304-A by inserting after section 5 the following new section:

304-A:5-a Online Filing. No later than January 1, 2020, the secretary of state shall provide for and allow the online filing of all forms, certificates, or other documents required under this chapter.

13 New Section; Uniform Limited Partnership Act; Online Filing. Amend RSA 304-B by inserting after section 8 the following new section:

304-B:8-a Online Filing. No later than January 1, 2020, the secretary of state shall provide for and allow the online filing of all forms, certificates, or other documents required under this chapter.

14 New Section; Limited Liability Companies; Online Filing. Amend RSA 304-C by inserting after section 28 the following new section:

304-C:28-a Online Filing. No later than January 1, 2020, the secretary of state shall provide for and allow the online filing of all forms, certificates, or other documents required under this chapter.

15 New Paragraphs; Refunds, Appeals for Redetermination or Reconsideration, Liens, and Distrainments; Processing Timelines. Amend RSA 21-J:28-b by inserting after paragraph II the following new paragraphs:

II-a. Within 60 days of receipt of such petition for redetermination or reconsideration, the department shall examine such petition for redetermination or reconsideration, notify the applicant of any errors or omissions, request any additional information that the department is permitted by law to require, and notify the petitioner of the name, official title, address, and telephone number of a department official or employee who may be contacted regarding the petition.

II-b. Within a reasonable time, not to exceed 120 days, after receipt of the petition for redetermination or reconsideration, or of the response to a timely request by the department pursuant to paragraph II-a, the department shall:

(a) Approve or deny the petition for redetermination or reconsideration, in whole or in part, on the basis of nonadjudicative processes, if disposition of the petition for redetermination or reconsideration by the use of these processes is not precluded by any provision of law; or

(b) Commence an adjudicative proceeding in accordance with RSA 541-A.

16 New Paragraph; Department of Health and Human Services; Time Limits for Agency Action on Applications, Petitions, and Requests. Amend RSA 126-A:5 by inserting after paragraph XXX the following new paragraph:

XXXI. The department of health and human services shall comply with the provisions of RSA 541-A:29 for the timely processing of completed applications, petitions, or other administrative requests made of the agency. However, the provisions of RSA 541-A:29-a shall not apply to any federally funded program administered by the department to the extent such default approval conflicts with federal law.

17 The Public Utilities Commission; Appointment, Qualification, Etc. Amend the introductory paragraph of RSA 363:17-b to read as follows:

363:17-b Final Orders. The commission shall issue a final order on all matters presented to it. ***Matters resolved by final order of the commission shall be exempt from RSA 541-A:29 and RSA 541-A:29-a, but shall be subject to federal and state time limitations applicable to specific matters.*** The transcript or minutes of oral deliberations shall not constitute a final order. A final order shall include, but not be limited to:

18 The Public Utilities Commission; Rulemaking Authority. Amend RSA 365:8 to read as follows:
365:8 Rulemaking Authority.

I. The commission shall adopt rules, pursuant to RSA 541-A, relative to:

[I-] ***(a)*** The conduct of its hearings, including alternative processes in hearings and other forms of alternative dispute resolution.

[II-] ***(b)*** Standards and procedures for streamlined review or other alternative processes to enhance the efficiency of the commission and respond to the needs of the utility's ratepayers and shareholders.

[III-] ***(c)*** Standards and procedures for the creation, monitoring and evaluation of alternative forms of regulation.

[IV-] ***(d)*** Standards and procedures for the handling of confidential information, in accordance with RSA 91-A.

[V-] ***(e)*** Standards and procedures for filing requirements for tariffs, engineering, accounting, and other commission matters.

[VI-] ***(f)*** Standards and procedures for franchise terms and conditions, including extended area telephone service.

[VII-] ***(g)*** Standards and procedures for safe and reliable utility service and termination of service subject to RSA 363-B.

[VIII-] ***(h)*** Standards and procedures for matters related to the proper administration of RSA 366 relative to utility relations with affiliates.

[IX-] ***(i)*** Standards and procedures relative to a reasonable amount of the short-term notes, bonds or other evidences of indebtedness based upon the amount of the utility's respective plant investment which each utility shall not exceed without first obtaining the approval of the commission pursuant to RSA 369:7.

[X-] ***(j)*** Standards and procedures for determination and recovery of rate case expenses.

[XI-] ***(k)*** Standards and procedures for the conduct of investigations authorized under this title.

[XII-] ***(l)*** Procedures necessary to provide for the proper administration of and to further the purposes of this title.

[XIII-] ***(m)*** [Repealed.]

[XIV-] ***(n)*** Standards and procedures for public utilities to request protection of routine filings that contain confidential commercial or financial information.

II. Where the commission has adopted rules in conformity with this section, complaints to and proceedings before the commission shall not be subject to RSA 541-A:29 or RSA 541-A:29-a.

19 The Public Utilities Commission; Electric Utility Restructuring; Ratepayer Protection. Amend RSA 374-F:4-b, I to read as follows:

I. Within 60 days of the effective date of this section, the commission shall initiate a proceeding to develop rules to allow residential and small commercial customers to choose how they receive communication from competitive electric suppliers and to implement the provisions of this section. ***Where the commission has adopted rules in conformity with this section, complaints to and proceedings before the commission shall not be subject to RSA 541-A:29 or RSA 541-A:29-a.***

20 The Public Utilities Commission; Competitive Electricity Supplier Requirements. Amend RSA 374-F:7, V to read as follows:

V. The commission shall adopt rules, under RSA 541-A, to implement this section. ***Where the commission has adopted rules in conformity with this section, complaints to and proceedings before the commission shall not be subject to RSA 541-A:29 or RSA 541-A:29-a.***

21 New Section; Insurance Holding Companies; Time Limits for Agency Action. Amend RSA 401-B by inserting after section 15 the following new section:

401-B:16 Time Limits for Agency Action. The time limits specified in this chapter for the commissioner to act on any holding company application, petition, or request and the provisions in this chapter under which an application, petition, or request may or may not be deemed to be approved when the commissioner does not act after a specified period of time shall control, and RSA 541-A:29 and RSA 541-A:29-a shall not apply.

22 New Sections; Approval of Rates and Forms; Company, Producer, and Adjuster Licensing; Time Limits for Agency Action. Amend RSA 400-A by inserting after section 15-d the following new sections:

400-A:15-e General Provisions Regarding Review of Rate and Form Filings. Unless otherwise provided in specific provisions of title XXXVII or in rules promulgated thereunder, when reviewing a rate or form filing submitted by an insurer, the commissioner shall:

I. Within 30 days of receipt, examine the rate or form filing and notify the insurer of any apparent errors or omissions that render the filing incomplete or request any additional information that the insurance department is permitted by law to require and that is deemed by the commissioner to be relevant to the review process.

II. Within 60 days after receipt of the filing or after receipt of the additional information or corrections timely requested by the commissioner pursuant to paragraph I, the commissioner shall:

(a) Approve or deny the filing, in whole or in part; or

(b) Commence an adjudicative proceeding in accordance with RSA 541-A.

III. In the event that the commissioner returns one or more preliminary objections to the insurer regarding a rate or form filing, the period in paragraph II shall not include the period during which the insurer is preparing its response.

IV. Upon written agreement of the insurer, the commissioner may extend any of the time periods for review provided for in this section.

V. Wherever the general time limits prescribed by this section differ from specific time limits provided for by other provisions of title XXXVII or in rules promulgated thereunder, the specific time limits provided for by such other provisions shall control.

VI. If the commissioner fails to take action on a rate or form filing governed by this section within the time limits prescribed in this section, the filing shall be deemed approved. If at any time after a rate or form has been deemed approved under this paragraph, the commissioner finds that the rate or form does not meet any of the requirements under title XXXVII, the commissioner may, after notice and hearing, order the discontinuance of the rate or form. The order shall provide a reasonable time after which the filing shall be deemed no longer effective. The order shall not affect any contract or policy made or issued prior to the expiration of the period set forth in the order. However, a policyholder shall have the privilege to cancel the policy containing the nonconforming rate or policy provision without penalty.

VII. RSA 541-A: 29 and RSA 541-A: 29-a shall not apply to insurer rate and form filings under title XXXVII.

400-A:15-f General Provisions Regarding Company, Producer, and Adjuster Licensing. Unless otherwise provided in specific provisions of title XXXVII or in rules promulgated thereunder, when reviewing a license application submitted by a company, producer, or adjuster, the commissioner shall:

I. Within 30 days of receipt, examine the license application and notify the applicant of any apparent errors or omissions that render the application incomplete or request any additional information that the insurance department is permitted by law to require and that is deemed by the commissioner to be relevant to the review process.

II. Within 60 days after receipt of the application or after receipt of the additional information or corrections timely requested by the commissioner pursuant to paragraph I, the commissioner shall:

(a) Approve or deny the application, in whole or with restrictions; or

(b) Commence an adjudicative proceeding in accordance with RSA 541-A.

III. In the event that the commissioner returns one or more preliminary objections to the company, producer, or adjuster regarding a license application, the period in paragraph II shall not include the period during which the applicant is preparing a response.

IV. In the event that the commissioner is conducting an investigation of an applicant pursuant to RSA 400-A:16 of possible violations of insurance laws, the period in paragraph II shall not include the period during which the investigation is pending.

V. Upon written agreement of the applicant, the commissioner may extend any of the time periods for review provided for in this section.

VI. Wherever the general time limits prescribed by this section differ from specific time limits provided for by other provisions of title XXXVII or in rules promulgated thereunder, the specific time limits provided for by such other provisions shall control.

VII. If the commissioner fails to take action on a license application governed by this section within the time limits prescribed in this section, the application shall be deemed approved. If at any time after a license application has been deemed approved under this paragraph, the commissioner finds that the applicant does not meet standards for licensure, the commissioner may, after notice and hearing, order the revocation, suspension, or restriction of the license.

VIII. RSA 541-A: 29 and RSA 541-A: 29-a shall not apply to company, producer, or adjuster license applications under title XXXVII.

23 Department of Environmental Services; Time Limits for Department Action on Applications, Petitions, and Requests. Amend RSA 21-O by inserting after section 1-a the following new section:

21-O:1-b Time Limits for Department Action on Applications, Petitions, and Requests. The provisions of RSA 541-A:29-a shall not apply to any federally funded program administered by the department to the extent a default approval granted under RSA 541-A:29-a would conflict with federal law.

24 New Paragraph; Department of Employment Security; Time Limits for Agency Action on Applications, Petitions, and Requests. Amend RSA 282-A:112 by inserting after paragraph VI the following new paragraph:

VII. The department of employment security shall comply with the provisions of RSA 541-A:29 for the timely processing of completed applications, petitions, and other administrative requests made of the agency. However, the provisions of RSA 541-A:29-a shall not apply to any federally funded program administered by the department to the extent that such default approval conflicts with federal law.

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

AMENDED ANALYSIS

This bill:

I. Shortens certain time limits related to wetlands permits and terrain alteration.

II. Establishes a time limit for recommendation on grant of right petitions for excavating and dredging in public waters.

III. Reduces certain time limits for agency actions on applications under the administrative procedure act.

IV. Provides that failure of an agency to act within certain proscribed time limits under the administrative procedure act shall be treated as agency approval.

V. Requires the secretary of state to allow online business and corporate filings.

VI. Establishes and clarifies certain time limits for agency action on applications, petitions, and requests by the department of health and human services, the public utilities commission, the department of employment security, the insurance department, and the department of environmental services.

Majority committee amendment adopted.

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

Rep. McGuire spoke in favor.

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

YEAS 178 - NAYS 148

YEAS - 178

BELKNAP

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

Aldrich, Glen
Howard, Raymond
Spanos, Peter

Comtois, Barbara
Lang, Timothy
Sylvia, Michael

Tilton, Franklin
Plumer, John
Vadney, Herbert

CARROLL

Avellani, Lino
McConkey, Mark
Marsh, William

Comeau, Ed
Nelson, Bill

Cordelli, Glenn
Schmidt, Stephen

McCarthy, Frank
Umberger, Karen

CHESHIRE

Eaton, Daniel
Sterling, Franklin

Hunt, John

McConnell, James

O'Day, John

COOS

Fothergill, John

Merner, Troy

Theberge, Robert

Thomas, Yvonne

GRAFTON

Boutin, Skylar
Ladd, Rick

Brown, Duane
Migliore, Vincent Paul

Darrow, Stephen
Johnson, Tiffany

Hennessey, Erin

HILLSBOROUGH

Ammon, Keith
Burns, Charlie
Christensen, Chris
Donovan, Daniel
Freeman, Lisa
Gagne, Larry
Hansen, Peter

Griffin, Barbara
Burt, John
Christie, Rick
Dyer, Caleb
Fromuth, Bart
Gargas, Carolyn
Hinch, Richard

Barry, Richard
Byron, Frank
Danielson, David
Fedolfi, Jim
Griffin, Gerald
Gould, Linda
Hopper, Gary

Biggie, Barbara
Moore, Craig
Dickey, Glen
Ferreira, Elizabeth
Smith, Gregory
Halstead, Carolyn
Hynes, Dan

Belanger, James
L'Heureux, Robert
Leishman, Peter
Murotake, David
Ohm, Bill
Prout, Andrew
Scully, Kevin
Twombly, Timothy

Graham, John
Ober, Lynne
MacKay, Mariellen
Murphy, Keith
Panasiti, Reed
Ober, Russell
Seidel, Carl
Ulery, Jordan

Rice, Kimberly
Lascelles, Richard
McCarthy, Michael
Negron, Steve
Pierce, David
Renzullo, Andrew
Somero, Paul
Sullivan, Victoria

Kurk, Neal
LeBrun, Donald
McLean, Mark
Notter, Jeanine
Proulx, Mark
Sanborn, Laurie
Wolf, Terry

MERRIMACK

Kuch, Bill
Horn, Werner
McGuire, Carol
Wells, Natalie

Long, Douglas
Klose, John
Pearl, Howard

Wolf, Dan
Moffett, Michael
Seaworth, Brian

Hill, Gregory
Marple, Richard
Testerman, Dave

ROCKINGHAM

Cook, Allen
Barnes, Arthur
Thomas, Douglas
Emerick, J. Tracy
Marsh, Henry
Edwards, Jess
Khan, Aboul
Pearson, Mark
McMahon, Charles
Nigrello, Robert
Stone, Brian
True, Chris
Welch, David

Abrami, Patrick
Bates, David
DeSimone, Debra
Gay, Betty
Hagan, Joseph
Janigian, John
Kolodziej, Walter
Major, Norman
Milz, David
Osborne, Jason
Sytek, John
Vose, Michael
Weyler, Kenneth

Allen, Mary
Bean, Philip
Dowling, Patricia
Green, Dennis
Hoelzel, Kathleen
O'Connor, John
Lundgren, David
Matthews, Carolyn
Morrison, Sean
Packard, Sherman
Torosian, Peter
Wallace, Scott
Willis, Brenda

Baldasaro, Alfred
Bove, Martin
Elliott, Robert
Guthrie, Joseph
Itse, Daniel
Katsakiores, Phyllis
Griffin, Mary
McKinney, Betsy
Nasser, Jim
Sapareto, Frank
Tripp, Richard
Webb, James

STRAFFORD

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

Harrington, Michael
Mullen, John
Scruton, Matthew

Horgan, James
Phinney, Brandon
Spencer, Matthew

Turcotte, Leonard
Pitre, Joseph
Sprague, Dale

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Grenier, James

Laware, Thomas

Rollins, Skip

Smith, Steven

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Spagnuolo, Philip

St. Clair, Charlie

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
Ley, Douglas
Mann, John
Tatro, Bruce

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

COOS

Hatch, William
Tucker, Edith

Laflamme, Larry

Moynihan, Wayne

Richardson, Herbert

GRAFTON

Abel, Richard
Dontonville, Roger
Maes, Kevin
Sykes, George

Almy, Susan
Ham, Bonnie
Nordgren, Sharon
White, Andrew

Bennett, Travis
Higgins, Patricia
Rand, Steven

Campion, Polly
Josephson, Timothy
Smith, Suzanne

HILLSBOROUGH

Backus, Robert
Cleaver, Skip
Elber, Joel
Herbert, Christopher
King, Mark
MacKenzie, Mark
McNamara, Richard

Beaulieu, Jane
Connors, Erika
Freitas, Mary
Schmidt, Janice
Klee, Patricia
Manley, Jonathan
Newman, Sue

Bouldin, Amanda
Cornell, Patricia
Goley, Jeffrey
Jack, Martin
Lewicke, John
Martin, Joelle
Nutting, Allison

Chandley, Shannon
DiSilvestro, Linda
Heath, Mary
Keane, Amelia
Lisle, David
Martineau, Jesse
O'Brien, Michael

O'Leary, Richard
Harvey, Suzanne
Smith, Timothy

Porter, Marjorie
Shaw, Barbara
Van Houten, Connie

Roberts, Carol
Sofikitis, Catherine
Vann, Ivy

Rosenwald, Cindy
Souza, Kathleen
Williams, Kermit

MERRIMACK

Turcotte, Alan
Gile, Mary
Luneau, David
Rogers, Katherine
Soucy, Timothy

Bartlett, Christy
Moffett, Howard
Myler, Mel
Schuett, Dianne
Wallner, Mary Jane

Carson, Clyde
Henle, Paul
Patten, Dick
Schultz, Kristina
Walz, Mary Beth

Doherty, David
MacKay, James
Rodd, Beth
Shurtleff, Stephen
Woolpert, David

ROCKINGHAM

Altschiller, Debra
Cushing, Robert Renny
Gilman, Julie
Messmer, Mindi
Read, Ellen

Berrien, Skip
DiLorenzo, Charlotte
Janvrin, Jason
Murray, Kate
Somssich, Peter

Cahill, Michael
Edgar, Michael
Lovejoy, Patricia
Gordon, Pamela
Le, Tamara

Cali-Pitts, Jacqueline
Farnham, Betsey
Malloy, Dennis
Pantelakos, Laura
Ward, Gerald

STRAFFORD

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

Bixby, Peter
Fontneau, Timothy
Keans, Sandra
Schmidt, Peter
Treleaven, Susan

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

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

SULLIVAN

Cloutier, John
Oxenham, Lee

Gagnon, Raymond
Sullivan, Brian

Gottling, Suzanne
Tanner, Linda

Irwin, Virginia

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

HB 1592-FN, requiring the commissioner of the department of environmental services to review standards relative to arsenic contamination in drinking water. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Mark Proulx for Executive Departments and Administration. This bill requires the Commissioner of the Department of Environmental Services to review the standard relative to arsenic contamination in drinking water and make new rules if they determine if there should be a new standard. The committee amendment provides criteria for this decision and also requires a report of their findings to the ED&A Committee. The committee feels this is important due to the high level of bladder cancer in New England, a condition for which an increased risk is associated with arsenic in drinking water. Vote 13-0.

Amendment (1100h)

Amend the bill by inserting after section 2 the following and renumbering the original section 3 to read as 4:
3 Drinking Water Rules. Amend RSA 485:3, I(b) to read as follows:

(b) *After consideration of the extent to which the contaminant is found in New Hampshire, the ability to detect the contaminant in public water systems, the ability to remove the contaminant from drinking water, and the costs and benefits to affected entities that will result from establishing the standard, a specification for each contaminant of either:*

(1) A maximum contaminant level that is acceptable in water for human consumption[~~if it is feasible to ascertain the level of such contaminant in water in public water systems~~]; or

(2) One or more treatment techniques or methods which lead to a reduction of the level of such contaminant sufficient to protect the public health, if it is not feasible to ascertain the level of such contaminant in water in the public water system; and

(3) *The commissioner shall submit a report to the house executive departments and administration committee within 60 days of proposing a specification under this subparagraph; and*

AMENDED ANALYSIS

This bill requires the commissioner of the department of environmental services to review standards relative to arsenic contamination in drinking water and make new rules if he or she determines there should be new standards.

This bill also requires the commissioner of the department of environmental services to consider certain criteria before adopting specifications for contaminants in drinking water.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

HB 579-FN, relative to registration of semi-trailers. **INEXPEDIENT TO LEGISLATE.**

Rep. Robert Theberge for Finance. There are two major flaws with the bill. Firstly, unlike the boat registration fee which was used as a template, where both non-residents and residents are treated equally, this legislation creates a disadvantage to New Hampshire residents. Secondly, the bill, if passed, would permit the registra-

tion of semi-trailers in New Hampshire to violate the motor vehicle registration laws of other states. The bill, as written, is a direct violation of RSA 261:40. Unfortunately, the fine for such a violation is merely \$100 and not a deterrent. In addition, the violation of the law is difficult to enforce which casts a blind eye on the registration of the owners of semi-trailers who flock to Maine to obtain a more lucrative deal covering a 12-year registration period. The upfront cost of \$500,000 to implement the program is not insignificant. No data was presented to demonstrate how the revenues would be generated. The intent of the sponsors was to increase revenues to the state by competing with our neighboring state of Maine. The passage of the bill would not entice residents and non-residents to return to New Hampshire. Also, this legislation would result in a loss of motor vehicle revenues to our cities and towns and would directly increase the property tax burden of our citizens. Far too many unknowns and unintended consequences are associated with this legislation. Vote 22-2.

MOTION TO INDEFINITELY POSTPONE

Rep. Eaton moved that **HB 579-FN**, relative to registration of semi-trailers, be Indefinitely Postponed.

Rep. Eaton spoke in favor.

Rep. Steven Smith spoke against and yielded to questions.

Rep. Morrison requested a roll call; sufficiently seconded.

YEAS 165 - NAYS 167

YEAS - 165 BELKNAP

Spagnuolo, Philip

CARROLL

Buco, Thomas

Butler, Edward

DesMarais, Edith

Knirk, Jerry

CHESHIRE

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

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

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

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

COOS

Hatch, William
Thomas, Yvonne

Laflamme, Larry

Moynihan, Wayne

Tucker, Edith

GRAFTON

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

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

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

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

HILLSBOROUGH

Backus, Robert
Chandley, Shannon
Sullivan, Daniel
Griffin, Gerald
Heath, Mary
Keane, Amelia
Lisle, David
Martineau, Jesse
O'Brien, Michael
Roberts, Carol
Smith, Timothy

Beaulieu, Jane
Cleaver, Skip
DiSilvestro, Linda
Gidge, Kenneth
Herbert, Christopher
King, Mark
MacKenzie, Mark
McNamara, Richard
O'Leary, Richard
Rosenwald, Cindy
Van Houten, Connie

Bouldin, Amanda
Connors, Erika
Elber, Joel
Goley, Jeffrey
Schmidt, Janice
Klee, Patricia
Manley, Jonathan
Newman, Sue
Pierce, David
Harvey, Suzanne
Vann, Ivy

Byron, Frank
Cornell, Patricia
Freitas, Mary
Hansen, Peter
Jack, Martin
Leishman, Peter
Martin, Joelle
Nutting, Allison
Porter, Marjorie
Sofikitis, Catherine
Williams, Kermit

MERRIMACK

Turcotte, Alan
Wolf, Dan
MacKay, James
Richards, Beth
Schultz, Kristina
Walz, Mary Beth

Bartlett, Christy
Doherty, David
Luneau, David
Rodd, Beth
Shurtleff, Stephen
Woolpert, David

Carson, Clyde
Gile, Mary
Myler, Mel
Rogers, Katherine
Soucy, Timothy

Long, Douglas
Henle, Paul
Patten, Dick
Schuett, Dianne
Wallner, Mary Jane

ROCKINGHAM

Altschiller, Debra
Cali-Pitts, Jacqueline

Berrien, Skip
Cushing, Robert Renny

Bove, Martin
DiLorenzo, Charlotte

Cahill, Michael
Dowling, Patricia

Edgar, Michael
Janvrin, Jason
McMahon, Charles
Gordon, Pamela
Tripp, Richard

Farnham, Betsey
Lovejoy, Patricia
Messmer, Mindi
Pantelakos, Laura
Ward, Gerald

Gilman, Julie
Malloy, Dennis
Murray, Kate
Read, Ellen
Willis, Brenda

Guthrie, Joseph
McKinney, Betsy
Nasser, Jim
Le, Tamara

STRAFFORD

Berube, Roger
Fontneau, Timothy
Keans, Sandra
Schmidt, Peter
Southworth, Thomas

Bixby, Peter
Gourgue, Amanda
Krans, Hamilton
Salloway, Jeffrey
Sprague, Dale

Burton, Wayne
Grassie, Chuck
Smith, Marjorie
Sandler, Catt
Treleven, Susan

Cilley, Jacalyn
Horrigan, Timothy
Opderbecke, Linn
Scruton, Matthew
Wall, Janet

SULLIVAN

Cloutier, John
Oxenham, Lee

Gagnon, Raymond
Sullivan, Brian

Gottling, Suzanne
Tanner, Linda

Irwin, Virginia

NAYS - 167

BELKNAP

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

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

Comtois, Barbara
Lang, Timothy
St. Clair, Charlie

Tilton, Franklin
Plumer, John
Sylvia, Michael

CARROLL

Avellani, Lino
McConkey, Mark
Marsh, William

Comeau, Ed
Nelson, Bill

Cordelli, Glenn
Schmidt, Stephen

McCarthy, Frank
Umberger, Karen

CHESHIRE

Hunt, John

McConnell, James

O'Day, John

Sterling, Franklin

COOS

Fothergill, John

Merner, Troy

Richardson, Herbert

Theberge, Robert

GRAFTON

Brown, Duane
Schwaegler, Vicki

Darrow, Stephen
Johnson, Tiffany

Hennessey, Erin

Ladd, Rick

HILLSBOROUGH

Ammon, Keith
Burns, Charlie
Christie, Rick
Dyer, Caleb
Fromuth, Bart
Gould, Linda
Hynes, Dan
Kurk, Neal
LeBrun, Donald
McLean, Mark
Notter, Jeanine
Prout, Andrew
Sanborn, Laurie
Somero, Paul
Ulery, Jordan

Griffin, Barbara
Burt, John
Danielson, David
Fedolfi, Jim
Smith, Gregory
Halstead, Carolyn
Belanger, James
L'Heureux, Robert
Lewicke, John
Murotake, David
Ohm, Bill
Ober, Russell
Scully, Kevin
Souza, Kathleen
Sullivan, Victoria

Barry, Richard
Moore, Craig
Dickey, Glen
Ferreira, Elizabeth
Gagne, Larry
Hinch, Richard
Graham, John
Ober, Lynne
MacKay, Mariellen
Murphy, Keith
Panasiti, Reed
Renzullo, Andrew
Seidel, Carl
Wolf, Terry

Biggie, Barbara
Christensen, Chris
Donovan, Daniel
Freeman, Lisa
Gargas, Carolyn
Hopper, Gary
Rice, Kimberly
Lascelles, Richard
McCarthy, Michael
Negron, Steve
Proulx, Mark
Rouillard, Claire
Shaw, Barbara
Twombly, Timothy

MERRIMACK

Kuch, Bill
Klose, John
Pearl, Howard

Moffett, Howard
Moffett, Michael
Seaworth, Brian

Hill, Gregory
Marple, Richard
Testerman, Dave

Horn, Werner
McGuire, Carol
Wells, Natalie

ROCKINGHAM

Cook, Allen
Barnes, Arthur
DeSimone, Debra
Green, Dennis
Itse, Daniel
Katsakiores, Phyllis
Griffin, Mary
Milz, David
Packard, Sherman

Abrami, Patrick
Bates, David
Elliott, Robert
Marsh, Henry
Edwards, Jess
Khan, Aboul
Pearson, Mark
Morrison, Sean
Sapareto, Frank

Allen, Mary
Bean, Philip
Emerick, J. Tracy
Hagan, Joseph
Janigian, John
Kolodziej, Walter
Major, Norman
Nigrello, Robert
Somssich, Peter

Baldasaro, Alfred
Thomas, Douglas
Gay, Betty
Hoelzel, Kathleen
O'Connor, John
Lundgren, David
Matthews, Carolyn
Osborne, Jason
Spillane, James

Stone, Brian
Vose, Michael
Weyler, Kenneth

Sytek, John
Wallace, Scott

Torosian, Peter
Webb, James

True, Chris
Welch, David

STRAFFORD

Conley, Casey
McNally, Jody
Graham, Robert

Harrington, Michael
Mullen, John
Spencer, Matthew

Horgan, James
Phinney, Brandon
Wuelper, Kurt

Turcotte, Leonard
Pitre, Joseph

SULLIVAN

Grenier, James

Laware, Thomas

Rollins, Skip

Smith, Steven

and the motion failed.

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

MOTION TO LAY ON THE TABLE

Rep. Umberger moved that **HB 579-FN**, relative to registration of semi-trailers, be laid on the table.

On a division vote, with 186 members having voted in the affirmative, and 147 in the negative, the motion was adopted.

REGULAR CALENDAR CONT'D

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

Rep. J. Tracy Emerick for the Majority of Finance. This bill as amended by House Finance is a prudent and responsible plan to open the possibilities of quickly offering paid Family Leave and Medical Leave to NH families and workers, while offering the ability for employees to opt in or out without being forced to change jobs. The original bill coupled paid family leave with medical insurance for employees (commonly known as Short Term Disability Insurance), granted broad rulemaking authority to the Department of Employment Security, and required the state to develop a costly, custom computer system to track the program and to hire a minimum of 43 new employees with an expected expenditure of nearly \$50 million in the first biennium with a launch date at least 3 years in the future. The bill as amended by House Finance uses private insurance companies to offer the benefit, modeled on an established plan used in another state, offers a free market option good for business and allows employees to opt in and out on a yearly basis. The bill as previously passed required an employee to change jobs in order to opt out of the plan. The possibility of offering such benefits to NH families in the near term (expected launch date January, 2019) coupled with no growth in government or costly expenditures is good for the people of our state. Vote 15-11.

Rep. Patricia Lovejoy for the Minority of Finance. The majority's amendment is a wholesale revision in the public policy established by the House in the twice approved "Family and Medical Leave Insurance" program. It changes the House established policy from a public family and medical insurance program into a mandate on employers to offer the benefit themselves through private insurance companies. A public hearing was not held on this substantive change to the bill. Two policy committees have worked on this program; it is not the Finance Committee's role to totally reengineer the policy but to focus on the financial issues associated with the bill. The majority amendment was described as modeled after the New York plan that utilizes private insurance. The big difference is that NY requires all employees, approximately 20 million people, to be covered by FMLI. This bill lets employees opt out upfront and every January 1st. There is no indication that there are any insurance companies that would offer a policy under these conditions. The NY bill limits the cost to the employees; this bill has no cap on costs to employees. The minority's amendment sets up a \$603,000 short term loan to begin the implementation of the program as adopted twice this year by the House.

Majority Amendment (1111h)

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

AN ACT relative to disability insurance for non-work related employee health issues and family and medical leave insurance.

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

1 New Chapter; Disability Insurance for Non-Work Related Employee Health Issues and Family and Medical Leave Insurance. Amend RSA by inserting after chapter 282-A the following new chapter:

CHAPTER 282-B

DISABILITY INSURANCE FOR NON-WORK RELATED EMPLOYEE HEALTH ISSUES AND FAMILY AND MEDICAL LEAVE INSURANCE

282-B:1 Findings. The general court finds that disability insurance for non-work related employee health issues coupled with family and medical leave insurance will help New Hampshire attract and retain workers, including younger workers, will enable parents to bond with biological, adopted, or foster children, will help meet the needs of an aging population, will advance the health of New Hampshire's workforce and

workplace stability, and will enhance worker retention and productivity. The general court therefore finds that it is in the public interest to establish a system of disability insurance for non-work related employee health issues and family and medical leave insurance (FMLI) with benefits to be provided to qualified workers on a limited basis.

282-B:2 Definitions. In this chapter:

I. "Child" has the same meaning as "son or daughter" in 29 U.S.C. section 2611(12).

II. "Commissioner" means the commissioner of the department of labor.

III. "Department" means the department of labor.

IV. "Disability insurance for non-work related employee health issues" means insurance designed to provide financial support to an employee who is unable to perform the activities of his or her employment due to a non-work related injury or sickness.

V. "Employer" means any individual, organization, partnership, association, corporation, or limited liability company that employs or puts to work a person as an employee. "Employer" shall not include a sole proprietor with no employees.

VI. "Employment" means service performed for wages for an employer under this chapter.

VII. "Family and medical leave" means leave from work due to:

(a) The birth of a child of the employee, within the past 12 months;

(b) The placement of a child with the employee for adoption or fostering, within the past 12 months; or

(c) A serious health condition of a family member.

VIII. "Family member" means a child, a biological, adoptive, or foster parent, a stepparent or legal guardian of a child, a child's spouse or domestic partner, a biological, adoptive, or stepgrandparent, or a spouse or domestic partner.

IX. "Federal family and medical leave act" means the federal Family and Medical Leave Act of 1993, 29 U.S.C. section 2601 et seq.

X. "FMLI" means family and medical leave insurance.

XI. "Serious health condition" for the purpose of family and medical leave means any illness covered by the federal family and medical leave act including treatment for addiction as prescribed by a treating clinician, consistent with American Society of Addiction Medicine criteria, as well as treatment for a mental health condition, consistent with American Psychiatric Association criteria.

282-B:3 Employer Responsibility.

I. All employers except the state and its political subdivisions shall provide family and medical leave insurance, provided that any employer participating in a self-insured plan or who is self-insured may opt out of family and medical leave insurance upon certification by the commissioner or authorized representative that the employer provides an equivalent benefit for its employees. The state or its political subdivisions may provide insurance under this chapter upon certification by the commissioner or authorized representative that the insurance benefits are at least equivalent to the benefits provided under the collective bargaining agreement, provided the applicable bargaining unit has first ratified this option. All employers shall offer paid family and medical leave insurance policies from an approved list of insurers maintained by the department of insurance unless self-insured.

II. Prior to the commencement of employment or the commencement of the provision of insurance, each employer shall provide to a prospective employee department-approved written information containing conspicuous language explaining the costs and benefits of family and medical leave insurance and indicating that the employee may affirmatively opt out of the insurance by downloading a form from the department to be completed, signed, and submitted to the department and the employer before employment commences or before insurance is provided, and that the employee shall be provided the opportunity to opt in or opt out on January 1 of each year. No employer shall make opting in or opting out of the insurance a condition of employment nor discriminate against an employee in compensation or in terms, conditions, or privileges of employment because such employee chose not to opt out.

III. Employers shall withhold a percentage of each participating employee's wages per week, as determined by the insurance commissioner under RSA 400-A:68, I, for family and medical leave insurance premiums.

IV. An employer may require that leave taken under this chapter be taken concurrently or otherwise coordinated with leave allowed under the terms of a collective bargaining agreement or employer policy. An employer shall give employees written notice of this requirement.

V. Annually, on or before January 31, every employer shall provide an annual report for the most recent calendar year on leave usage, aggregate benefits paid, average benefit paid, and participation rates. Such report shall be in a format established by the department.

VI. A violation of any provision of this chapter shall require corrective action. The department shall issue a written warning for a first offense. The employer may appeal in writing to the commissioner from the initial determination. For a second offense, an employer shall be guilty of a class A misdemeanor.

282-B:4 Employee Responsibility.

I. An employee shall provide his or her employer with written notice of intent to take family and medical leave at least 30 days before the leave will begin unless the leave was not reasonably foreseeable or the time of the leave changes due to circumstances that were not reasonably foreseeable. An employee's failure to provide required notice may delay or reduce benefits.

II. Any employee of an employer covered under the federal Family and Medical Leave Act who takes leave under this chapter shall be restored to the position he or she held prior to taking such leave or to an equivalent position by his or her employer. Employers shall continue to provide health insurance to employees during the leave, but employees shall remain responsible for any employee-shared costs associated with the health insurance benefits. No employer shall retaliate against any employee solely for exercising his or her rights under this chapter.

282-B:5 Eligibility Process. In order to be eligible to participate in family and medical leave insurance, an employee shall be employed by the same employer for 12 months. An employee must participate in the program for 12 months with the same employer before being eligible for family and medical leave benefits. No employee may take paid family and medical leave for himself or herself until he or she has exhausted all short term disability benefits. An employee shall have worked in employment resulting in wages in the amount of at least 1,040 hours annually multiplied by the applicable minimum wage. An employee who earns less than the required wages may not contribute to the program or be eligible for benefits.

282-B:6 Calculation of Minimum Benefits. An employer must withhold premium payments from the employee's wages for at least 12 months before the employee is eligible for benefits. Family and medical leave insurance benefits in any 12 month period shall be as least as follows:

I. In the first year of eligibility, an employee is limited to 4 weeks of paid family leave at 50 percent of average weekly wage capped at 50 percent of New Hampshire's state average weekly wage as reported by the department of employment security. No employee shall earn more than 50 percent of his or her weekly wage.

II. In the second year of eligibility, an employee is limited to 4 weeks of paid family leave at 55 percent of average weekly wage capped at 55 percent of New Hampshire's state average weekly wage as reported by the department of employment security. No employee shall earn more than 55 percent of his or her weekly wage.

III. In the third year of eligibility, an employee is limited to 4 weeks of paid family leave at 60 percent of average weekly wage capped at 60 percent of New Hampshire's state average weekly wage as reported by the department of employment security. No employee shall earn more than 60 percent of his or her weekly wage.

IV. In the fourth and subsequent years of eligibility, an employee is limited to 4 weeks of paid family leave at 67 percent of average weekly wage capped at 67 percent of New Hampshire's state average weekly wage as reported by the department of employment security. No employee shall earn more than 67 percent of his or her weekly wage.

282-B:7 Limitations. Nothing in this chapter shall diminish an employer's obligation to comply with a collective bargaining agreement or employer policy, nor does this chapter, or any decision by the commissioner or authorized representative under this chapter, limit the ability of employers to provide short term disability insurance, family and medical leave insurance benefits, or benefits beyond what is required by this chapter.

282-B:8 Oversight Committee Established.

I. There is established a legislative oversight committee to monitor disability insurance for non-work related employee health issues and family medical leave insurance under RSA 282-B.

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

(1) Four members of the house of representatives appointed by the speaker of the house of representatives, one of whom shall be the chairperson of the commerce and consumer affairs committee and one of whom shall be the chairperson of the finance committee.

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

(b) Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.

III. The committee shall monitor disability insurance for non-work related employee health issues and family medical leave insurance. The committee shall work with the departments of insurance, labor, and employment security to evaluate the efficiency and effectiveness of disability insurance for non-work related employee health issues and family medical leave insurance under RSA 282-B.

IV. The chairperson of the commerce and consumer affairs committee and the chairperson of the finance committee shall be co-chairpersons of the oversight committee. The first meeting of the committee shall be called by the first-named house member. The first meeting of the committee shall be held within 45 days of the effective date of this section. Three members of the committee shall constitute a quorum.

V. The legislative oversight committee shall submit an annual report of its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the chairpersons of the house and senate finance and executive departments and administration committees, the house clerk, the senate clerk, the governor, and the state library on or before November 1.

2 New Subdivision; Disability Insurance for Non-Work Related Employee Health Issues. Amend RSA 275 by inserting after section 27 the following new subdivision:

Disability Insurance for Non-Work Related Employee Health Issues

275:27-a Disability Insurance for Non-Work Related Employee Health Issues. All employers, including the state and its political subdivisions and nonprofit organizations that opt into this chapter, shall provide disability insurance for non-work related employee health issues for their employees, provided that any employer providing disability coverage already or who is self-insured and participating in a self-insured plan shall not be required to change coverage.

3 New Subdivision; Disability Insurance for Non-Work Related Employee Health Issues. Amend RSA 400-A by inserting after section 67 the following new subdivision:

Disability Insurance for Non-Work Related Employee Health Issues

400-A:68 Disability Insurance for Non-Work Related Employee Health Issues.

I. The insurance commissioner, in consultation with the department of employment security, shall annually adjust the payroll withholding percentage based on market rates and pursuant to RSA 282-B:3, III, and provide the new rate to the department of labor for dissemination to eligible employers.

II. The insurance commissioner, in consultation with the department of employment security, shall make public and provide annual reports on or before March 31 to the senate president, speaker of the house of representatives, and members of the house and senate committees with jurisdiction over commerce and finance, and make available to the public on the insurance department website a summary including, but not limited to, program usage, aggregate benefits paid, average benefit paid, and participation rates.

III. The insurance commissioner shall provide information to all insurance providers that provide or may be interested in providing disability insurance for non-work related employee health issues products in New Hampshire.

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

AMENDED ANALYSIS

This bill establishes disability insurance for non-work related employee health issues and family and medical leave insurance.

MOTION TO LAY ON THE TABLE

Rep. Kurk moved that **HB 628-FN**, relative to a family and medical leave insurance program, be laid on the table. Rep. Kurk requested a roll call; sufficiently seconded.

YEAS 164 - NAYS 168

YEAS - 164

BELKNAP

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

Aldrich, Glen
Howard, Raymond
Spanos, Peter

Comtois, Barbara
Lang, Timothy
Sylvia, Michael

Tilton, Franklin
Plumer, John
Vadney, Herbert

CARROLL

Avellani, Lino
McConkey, Mark
Marsh, William

Comeau, Ed
Nelson, Bill

Cordelli, Glenn
Schmidt, Stephen

McCarthy, Frank
Umberger, Karen

CHESHIRE

Hunt, John

McConnell, James

O'Day, John

Sterling, Franklin

COOS

Merner, Troy

Theberge, Robert

GRAFTON

Brown, Duane
Ladd, Rick

Darrow, Stephen
Migliore, Vincent Paul

Ham, Bonnie
Schwaegler, Vicki

Hennessey, Erin
Johnson, Tiffany

HILLSBOROUGH

Ammon, Keith
Burns, Charlie
Christensen, Chris
Donovan, Daniel
Freeman, Lisa
Gagne, Larry
Hinch, Richard
Rice, Kimberly

Griffin, Barbara
Burt, John
Christie, Rick
Dyer, Caleb
Fromuth, Bart
Gould, Linda
Hynes, Dan
Kurk, Neal

Barry, Richard
Byron, Frank
Danielson, David
Fedolfi, Jim
Griffin, Gerald
Halstead, Carolyn
Belanger, James
L'Heureux, Robert

Biggie, Barbara
Moore, Craig
Dickey, Glen
Ferreira, Elizabeth
Smith, Gregory
Hansen, Peter
Graham, John
Ober, Lynne

Lascelles, Richard
McLean, Mark
Notter, Jeanine
Prout, Andrew
Sanborn, Laurie
Souza, Kathleen

LeBrun, Donald
Murotake, David
Ohm, Bill
Ober, Russell
Scully, Kevin
Wolf, Terry

Lewicke, John
Murphy, Keith
Panasiti, Reed
Renzullo, Andrew
Seidel, Carl
Twombly, Timothy

MacKay, Mariellen
Negron, Steve
Pierce, David
Rouillard, Claire
Somero, Paul
Sullivan, Victoria

Kuch, Bill
Klose, John
Pearl, Howard

Long, Douglas
Moffett, Michael
Seaworth, Brian

Hill, Gregory
Marple, Richard
Testerman, Dave

Horn, Werner
McGuire, Carol
Wells, Natalie

MERRIMACK

ROCKINGHAM

Cook, Allen
Barnes, Arthur
Dowling, Patricia
Green, Dennis
Hoelzel, Kathleen
O'Connor, John
Lundgren, David
Matthews, Carolyn
Nigrello, Robert
Spillane, James
True, Chris
Welch, David

Abrami, Patrick
Bates, David
Elliott, Robert
Guthrie, Joseph
Itse, Daniel
Katsakiores, Phyllis
Griffin, Mary
McKinney, Betsy
Osborne, Jason
Sytek, John
Vose, Michael
Weyler, Kenneth

Allen, Mary
Thomas, Douglas
Emerick, J. Tracy
Marsh, Henry
Edwards, Jess
Khan, Aboul
Pearson, Mark
Milz, David
Packard, Sherman
Torosian, Peter
Wallace, Scott

Baldasaro, Alfred
DeSimone, Debra
Gay, Betty
Hagan, Joseph
Janigian, John
Kolodziej, Walter
Major, Norman
Nasser, Jim
Sapareto, Frank
Tripp, Richard
Webb, James

Beaudoin, Steven
McNally, Jody
Graham, Robert

Harrington, Michael
Mullen, John
Spencer, Matthew

Horgan, James
Phinney, Brandon
Wuelper, Kurt

Turcotte, Leonard
Pitre, Joseph

STRAFFORD

SULLIVAN

Laware, Thomas

Rollins, Skip

Smith, Steven

NAYS - 168

BELKNAP

Spagnuolo, Philip

St. Clair, Charlie

CARROLL

Buco, Thomas

Butler, Edward

DesMarais, Edith

Knirk, Jerry

CHESHIRE

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

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

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

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

COOS

Fothergill, John
Richardson, Herbert

Hatch, William
Tucker, Edith

Laflamme, Larry
Thomas, Yvonne

Moynihan, Wayne

GRAFTON

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

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

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

Boutin, Skylar
Josephson, Timothy
Rand, Steven

HILLSBOROUGH

Backus, Robert
Cleaver, Skip
DiSilvestro, Linda
Gidge, Kenneth
Schmidt, Janice
Klee, Patricia
MacKenzie, Mark
McNamara, Richard
O'Leary, Richard
Rosenwald, Cindy
Smith, Timothy
Williams, Kermit

Beaulieu, Jane
Connors, Erika
Elber, Joel
Goley, Jeffrey
Jack, Martin
Leishman, Peter
Manley, Jonathan
Newman, Sue
Porter, Marjorie
Harvey, Suzanne
Ulery, Jordan

Bouldin, Amanda
Cornell, Patricia
Freitas, Mary
Heath, Mary
Keane, Amelia
Lisle, David
Martin, Joelle
Nutting, Allison
Proulx, Mark
Shaw, Barbara
Van Houten, Connie

Chandley, Shannon
Sullivan, Daniel
Gargas, Carolyn
Herbert, Christopher
King, Mark
McCarthy, Michael
Martineau, Jesse
O'Brien, Michael
Roberts, Carol
Sofikitis, Catherine
Vann, Ivy

MERRIMACK

Turcotte, Alan
Doherty, David
MacKay, James
Richards, Beth
Schultz, Kristina
Walz, Mary Beth

Bartlett, Christy
Gile, Mary
Luneau, David
Rodd, Beth
Shurtleff, Stephen
Woolpert, David

Carson, Clyde
Moffett, Howard
Myler, Mel
Rogers, Katherine
Soucy, Timothy

Wolf, Dan
Henle, Paul
Patten, Dick
Schuett, Dianne
Wallner, Mary Jane

ROCKINGHAM

Altschiller, Debra
Cahill, Michael
Edgar, Michael
Lovejoy, Patricia
Morrison, Sean
Read, Ellen
Ward, Gerald

Bean, Philip
Cali-Pitts, Jacqueline
Farnham, Betsey
Malloy, Dennis
Murray, Kate
Somssich, Peter
Willis, Brenda

Berrien, Skip
Cushing, Robert Renny
Gilman, Julie
McMahon, Charles
Gordon, Pamela
Stone, Brian

Bove, Martin
DiLorenzo, Charlotte
Janvrin, Jason
Messmer, Mindi
Pantelakos, Laura
Le, Tamara

STRAFFORD

Berube, Roger
Conley, Casey
Horrigan, Timothy
Opderbecke, Linn
Scruton, Matthew
Wall, Janet

Bixby, Peter
Fontneau, Timothy
Keans, Sandra
Schmidt, Peter
Southworth, Thomas

Burton, Wayne
Gourgue, Amanda
Krans, Hamilton
Salloway, Jeffrey
Sprague, Dale

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

SULLIVAN

Cloutier, John
Irwin, Virginia

Gagnon, Raymond
Oxenham, Lee

Gottling, Suzanne
Sullivan, Brian

Grenier, James
Tanner, Linda

and the motion failed.

The question now being adoption of the majority committee amendment.

Reps. Lovejoy, Bean and Stone spoke against.

Reps. Danielson, Lynne Ober and Emerick spoke in favor.

Rep. John Graham requested a roll call; sufficiently seconded.

YEAS 156 - NAYS 175**YEAS - 156****BELKNAP**

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

Aldrich, Glen
Howard, Raymond
Spanos, Peter

Comtois, Barbara
Lang, Timothy
Sylvia, Michael

Tilton, Franklin
Plumer, John
Vadney, Herbert

CARROLL

Avellani, Lino
McConkey, Mark

Comeau, Ed
Nelson, Bill

Cordelli, Glenn
Schmidt, Stephen

McCarthy, Frank
Umberger, Karen

CHESHIRE

Hunt, John

Sterling, Franklin

COOS

Merner, Troy

Theberge, Robert

GRAFTON

Brown, Duane
Migliore, Vincent Paul

Darrow, Stephen
Schwaegler, Vicki

Hennessey, Erin
Johnson, Tiffany

Ladd, Rick

HILLSBOROUGH

Ammon, Keith
Burt, John
Christie, Rick
Fedolfi, Jim
Griffin, Gerald
Halstead, Carolyn
Hynes, Dan
Kurk, Neal
LeBrun, Donald
Murotake, David
Ohm, Bill

Barry, Richard
Byron, Frank
Danielson, David
Ferreira, Elizabeth
Smith, Gregory
Hansen, Peter
Belanger, James
L'Heureux, Robert
Lewicke, John
Murphy, Keith
Panasiti, Reed

Biggie, Barbara
Moore, Craig
Dickey, Glen
Freeman, Lisa
Gagne, Larry
Hinch, Richard
Graham, John
Ober, Lynne
MacKay, Mariellen
Negron, Steve
Pierce, David

Burns, Charlie
Christensen, Chris
Donovan, Daniel
Fromuth, Bart
Gould, Linda
Hopper, Gary
Rice, Kimberly
Lascelles, Richard
McLean, Mark
Notter, Jeanine
Prout, Andrew

Ober, Russell
Scully, Kevin
Wolf, Terry

Renzullo, Andrew
Seidel, Carl
Twombly, Timothy

Rouillard, Claire
Somero, Paul
Ulery, Jordan

Sanborn, Laurie
Souza, Kathleen
Sullivan, Victoria

MERRIMACK

Kuch, Bill
Klose, John
Pearl, Howard

Long, Douglas
Moffett, Michael
Seaworth, Brian

Hill, Gregory
Marple, Richard
Testerman, Dave

Horn, Werner
McGuire, Carol
Wells, Natalie

ROCKINGHAM

Cook, Allen
Barnes, Arthur
Dowling, Patricia
Marsh, Henry
Edwards, Jess
Khan, Aboul
Pearson, Mark
Nasser, Jim
Sapareto, Frank
Tripp, Richard
Webb, James

Abrami, Patrick
Bates, David
Emerick, J. Tracy
Hagan, Joseph
Janigian, John
Kolodziej, Walter
Major, Norman
Nigrello, Robert
Spillane, James
True, Chris
Welch, David

Allen, Mary
Thomas, Douglas
Gay, Betty
Hoelzel, Kathleen
O'Connor, John
Lundgren, David
Matthews, Carolyn
Osborne, Jason
Sytek, John
Vose, Michael
Weyler, Kenneth

Baldasaro, Alfred
DeSimone, Debra
Green, Dennis
Itse, Daniel
Katsakiores, Phyllis
Griffin, Mary
Milz, David
Packard, Sherman
Torosian, Peter
Wallace, Scott

STRAFFORD

Beaudoin, Steven
McNally, Jody
Scruton, Matthew

Harrington, Michael
Mullen, John
Spencer, Matthew

Horgan, James
Pitre, Joseph
Wuelper, Kurt

Turcotte, Leonard
Graham, Robert

SULLIVAN

Rollins, Skip

Smith, Steven

NAYS - 175 BELKNAP

Spagnuolo, Philip

St. Clair, Charlie

CARROLL

Buco, Thomas
Marsh, William

Butler, Edward

DesMarais, Edith

Knirk, Jerry

CHESHIRE

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

Ames, Richard
Harvey, Cathryn
Fenton, Donovan
Meador, David
Tatro, Bruce

Berch, Paul
Ley, Douglas
Johnsen, Gladys
O'Day, John
Pearson, William

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

COOS

Fothergill, John
Richardson, Herbert

Hatch, William
Tucker, Edith

Laflamme, Larry
Thomas, Yvonne

Moynihan, Wayne

GRAFTON

Abel, Richard
Campion, Polly
Josephson, Timothy
Rand, Steven

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

Bennett, Travis
Ham, Bonnie
Massimilla, Linda
Sykes, George

Boutin, Skylar
Higgins, Patricia
Nordgren, Sharon
White, Andrew

HILLSBOROUGH

Backus, Robert
Chandley, Shannon
Sullivan, Daniel
Freitas, Mary
Heath, Mary
Keane, Amelia
Lisle, David
Martin, Joelle
Nutting, Allison
Proulx, Mark
Shaw, Barbara
Vann, Ivy

Baroody, Benjamin
Cleaver, Skip
DiSilvestro, Linda
Gargas, Carolyn
Herbert, Christopher
King, Mark
McCarthy, Michael
Martineau, Jesse
O'Brien, Michael
Roberts, Carol
Sofikitis, Catherine
Williams, Kermit

Beaulieu, Jane
Connors, Erika
Dyer, Caleb
Gidge, Kenneth
Schmidt, Janice
Klee, Patricia
MacKenzie, Mark
McNamara, Richard
O'Leary, Richard
Rosenwald, Cindy
Smith, Timothy

Bouldin, Amanda
Cornell, Patricia
Elber, Joel
Goley, Jeffrey
Jack, Martin
Leishman, Peter
Manley, Jonathan
Newman, Sue
Porter, Marjorie
Harvey, Suzanne
Van Houten, Connie

MERRIMACK

Turcotte, Alan
Doherty, David

Bartlett, Christy
Gile, Mary

Carson, Clyde
Moffett, Howard

Wolf, Dan
Henle, Paul

MacKay, James
Richards, Beth
Schultz, Kristina
Walz, Mary Beth

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

Myler, Mel
Rogers, Katherine
Soucy, Timothy

Patten, Dick
Schuett, Dianne
Wallner, Mary Jane

ROCKINGHAM

Altschiller, Debra
Cahill, Michael
Edgar, Michael
Guthrie, Joseph
McMahon, Charles
Gordon, Pamela
Stone, Brian

Bean, Philip
Cali-Pitts, Jacqueline
Elliott, Robert
Janvrin, Jason
Messmer, Mindi
Pantelakos, Laura
Le, Tamara

Berrien, Skip
Cushing, Robert Renny
Farnham, Betsey
Lovejoy, Patricia
Morrison, Sean
Read, Ellen
Ward, Gerald

Bove, Martin
DiLorenzo, Charlotte
Gilman, Julie
Malloy, Dennis
Murray, Kate
Somssich, Peter
Willis, Brenda

STRAFFORD

Berube, Roger
Conley, Casey
Horrigan, Timothy
Schmidt, Peter
Southworth, Thomas

Bixby, Peter
Fontneau, Timothy
Krans, Hamilton
Phinney, Brandon
Sprague, Dale

Burton, Wayne
Gourgue, Amanda
Smith, Marjorie
Salloway, Jeffrey
Treleven, Susan

Cilley, Jacalyn
Grassie, Chuck
Opderbecke, Linn
Sandler, Catt
Wall, Janet

SULLIVAN

Cloutier, John
Irwin, Virginia
Tanner, Linda

Gagnon, Raymond
Laware, Thomas

Gottling, Suzanne
Oxenham, Lee

Grenier, James
Sullivan, Brian

and the majority committee amendment failed.

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

Rep. Kurk spoke against.

Rep. Gile spoke in favor.

Rep. White requested a roll call; sufficiently seconded.

YEAS 171 - NAYS 162

YEAS - 171

BELKNAP

Spagnuolo, Philip

St. Clair, Charlie

CARROLL

Buco, Thomas

Butler, Edward

DesMarais, Edith

Knirk, Jerry

CHESHIRE

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

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

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

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

COOS

Fothergill, John
Richardson, Herbert

Hatch, William
Tucker, Edith

Laflamme, Larry
Thomas, Yvonne

Moynihan, Wayne

GRAFTON

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

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

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

Boutin, Skylar
Josephson, Timothy
Rand, Steven

HILLSBOROUGH

Backus, Robert
Chandley, Shannon
Sullivan, Daniel
Gargas, Carolyn
Herbert, Christopher
King, Mark
MacKay, Mariellen
Martin, Joelle
Nutting, Allison
Proulx, Mark
Shaw, Barbara
Vann, Ivy

Baroody, Benjamin
Cleaver, Skip
DiSilvestro, Linda
Gidge, Kenneth
Schmidt, Janice
Klee, Patricia
McCarthy, Michael
Martineau, Jesse
O'Brien, Michael
Roberts, Carol
Sofikitis, Catherine
Williams, Kermit

Beaulieu, Jane
Connors, Erika
Elber, Joel
Goley, Jeffrey
Jack, Martin
Leishman, Peter
MacKenzie, Mark
McNamara, Richard
O'Leary, Richard
Rosenwald, Cindy
Smith, Timothy

Bouldin, Amanda
Cornell, Patricia
Freitas, Mary
Heath, Mary
Keane, Amelia
Lisle, David
Manley, Jonathan
Newman, Sue
Porter, Marjorie
Harvey, Suzanne
Van Houten, Connie

MERRIMACK

Turcotte, Alan
Doherty, David
MacKay, James
Richards, Beth
Schultz, Kristina
Walz, Mary Beth

Bartlett, Christy
Gile, Mary
Luneau, David
Rodd, Beth
Shurtleff, Stephen
Woolpert, David

Carson, Clyde
Moffett, Howard
Myler, Mel
Rogers, Katherine
Soucy, Timothy

Wolf, Dan
Henle, Paul
Patten, Dick
Schuett, Dianne
Wallner, Mary Jane

ROCKINGHAM

Cook, Allen
Bove, Martin
DiLorenzo, Charlotte
Farnham, Betsey
McMahon, Charles
Gordon, Pamela
Stone, Brian

Altschiller, Debra
Cahill, Michael
Dowling, Patricia
Gilman, Julie
Messmer, Mindi
Pantelakos, Laura
Le, Tamara

Bean, Philip
Cali-Pitts, Jacqueline
Edgar, Michael
Lovejoy, Patricia
Morrison, Sean
Read, Ellen
Ward, Gerald

Berrien, Skip
Cushing, Robert Renny
Elliott, Robert
Malloy, Dennis
Murray, Kate
Somssich, Peter
Willis, Brenda

STRAFFORD

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

Bixby, Peter
Fontneau, Timothy
Keans, Sandra
Schmidt, Peter
Sprague, Dale

Burton, Wayne
Gourgue, Amanda
Krans, Hamilton
Salloway, Jeffrey
Treleaven, Susan

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

SULLIVAN

Cloutier, John
Irwin, Virginia
Tanner, Linda

Gagnon, Raymond
Laware, Thomas

Gottling, Suzanne
Oxenham, Lee

Grenier, James
Sullivan, Brian

NAYS - 162**BELKNAP**

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

Aldrich, Glen
Howard, Raymond
Spanos, Peter

Comtois, Barbara
Lang, Timothy
Sylvia, Michael

Tilton, Franklin
Plumer, John
Vadney, Herbert

CARROLL

Avellani, Lino
McConkey, Mark
Marsh, William

Comeau, Ed
Nelson, Bill

Cordelli, Glenn
Schmidt, Stephen

McCarthy, Frank
Umberger, Karen

CHESHIRE

Hunt, John

McConnell, James

O'Day, John

Sterling, Franklin

COOS

Merner, Troy

Theberge, Robert

GRAFTON

Brown, Duane
Ladd, Rick

Darrow, Stephen
Migliore, Vincent Paul

Ham, Bonnie
Schwaegler, Vicki

Hennessey, Erin
Johnson, Tiffany

HILLSBOROUGH

Ammon, Keith
Burns, Charlie
Christensen, Chris
Donovan, Daniel
Freeman, Lisa
Gagne, Larry
Hinch, Richard
Graham, John
Ober, Lynne
McLean, Mark
Notter, Jeanine
Prout, Andrew
Sanborn, Laurie
Souza, Kathleen
Sullivan, Victoria

Griffin, Barbara
Burt, John
Christie, Rick
Dyer, Caleb
Fromuth, Bart
Gould, Linda
Hopper, Gary
Rice, Kimberly
Lascelles, Richard
Murotake, David
Ohm, Bill
Ober, Russell
Scully, Kevin
Wolf, Terry

Barry, Richard
Byron, Frank
Danielson, David
Fedolfi, Jim
Griffin, Gerald
Halstead, Carolyn
Hynes, Dan
Kurk, Neal
LeBrun, Donald
Murphy, Keith
Panasiti, Reed
Renzullo, Andrew
Seidel, Carl
Twombly, Timothy

Biggie, Barbara
Moore, Craig
Dickey, Glen
Ferreira, Elizabeth
Smith, Gregory
Hansen, Peter
Belanger, James
L'Heureux, Robert
Lewicke, John
Negron, Steve
Pierce, David
Rouillard, Claire
Somero, Paul
Ulery, Jordan

MERRIMACK

Kuch, Bill
Klose, John
Pearl, Howard

Long, Douglas
Moffett, Michael
Seaworth, Brian

Hill, Gregory
Marple, Richard
Testerman, Dave

Horn, Werner
McGuire, Carol
Wells, Natalie

ROCKINGHAM

Abrami, Patrick
Bates, David
Gay, Betty
Hagan, Joseph
Janigian, John
Khan, Aboul
Pearson, Mark
Nasser, Jim
Sapareto, Frank
Tripp, Richard
Webb, James

Allen, Mary
Thomas, Douglas
Green, Dennis
Hoelzel, Kathleen
Janvrin, Jason
Kolodziej, Walter
Major, Norman
Nigrello, Robert
Spillane, James
True, Chris
Welch, David

Baldasaro, Alfred
DeSimone, Debra
Guthrie, Joseph
Itse, Daniel
O'Connor, John
Lundgren, David
Matthews, Carolyn
Osborne, Jason
Sytek, John
Vose, Michael
Weyler, Kenneth

Barnes, Arthur
Emerick, J. Tracy
Marsh, Henry
Edwards, Jess
Katsakiores, Phyllis
Griffin, Mary
Milz, David
Packard, Sherman
Torosian, Peter
Wallace, Scott

STRAFFORD

Beaudoin, Steven
McNally, Jody
Graham, Robert

Harrington, Michael
Mullen, John
Scruton, Matthew

Horgan, James
Phinney, Brandon
Spencer, Matthew

Turcotte, Leonard
Pitre, Joseph
Wuelper, Kurt

SULLIVAN

Rollins, Skip

Smith, Steven

and the motion was adopted and ordered to third reading.

HB 1316-FN, relative to revenue collected from concealed carry licenses. **OUGHT TO PASS.**

Rep. Daniel Eaton for Finance. This bill provides an additional \$400,000 to the Department of Safety for the criminal background checks for handguns. The criminal background section is totally funded by fees charged for criminal background checks for employment. This section has two responsibilities, criminal background checks required for employment and criminal background checks to purchase a handgun. The \$400,000 will come from fees charged for out-of-state gun registration. Currently, all the money from out-of-state gun registrations goes directly to the general fund - approximately 1 million dollars. We recognize it is not usual to divert money from the general fund, during a non-budget year, but this is necessary to fund gun background checks. Currently criminal background checks for employment are taking up to three weeks. With the addition of the \$400,000 to support the handgun background checks, it is anticipated the time for these employment background checks will be reduced to less than 10 days. This will have a significant effect on improving service to numerous employers and employees throughout the state. The money for the background checks for handguns will become part of the budget process for the 2020 biennium. Vote 24-2.

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

On a division vote, with 305 members having voted in the affirmative, and 23 in the negative, the committee report was adopted and ordered to third reading.

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 171-162, the House adopted the motion of Ought to Pass on **HB 628-FN**, relative to a family and medical leave insurance program.

Rep. White spoke against.

Rep. Shurtleff requested a roll call; sufficiently seconded.

YEAS 161 - NAYS 169**YEAS - 161
BELKNAP**

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

Aldrich, Glen
Howard, Raymond
Spanos, Peter

Comtois, Barbara
Lang, Timothy
Sylvia, Michael

Tilton, Franklin
Plumer, John
Vadney, Herbert

CARROLL

Avellani, Lino
McConkey, Mark
Marsh, William

Comeau, Ed
Nelson, Bill

Cordelli, Glenn
Schmidt, Stephen

McCarthy, Frank
Umberger, Karen

CHESHIRE

Hunt, John

McConnell, James

O'Day, John

Sterling, Franklin

COOS

Merner, Troy

Theberge, Robert

GRAFTON

Brown, Duane
Migliore, Vincent Paul

Darrow, Stephen
Schwaegler, Vicki

Hennessey, Erin
Johnson, Tiffany

Ladd, Rick

HILLSBOROUGH

Ammon, Keith
Burns, Charlie
Christensen, Chris
Donovan, Daniel
Freeman, Lisa
Gagne, Larry
Hinch, Richard
Graham, John
Ober, Lynne
MacKay, Mariellen
Negron, Steve
Pierce, David
Sanborn, Laurie
Souza, Kathleen
Sullivan, Victoria

Griffin, Barbara
Burt, John
Christie, Rick
Dyer, Caleb
Fromuth, Bart
Gould, Linda
Hopper, Gary
Rice, Kimberly
Lascelles, Richard
McLean, Mark
Notter, Jeanine
Prout, Andrew
Scully, Kevin
Wolf, Terry

Barry, Richard
Byron, Frank
Danielson, David
Fedolfi, Jim
Griffin, Gerald
Halstead, Carolyn
Hynes, Dan
Kurk, Neal
LeBrun, Donald
Murotake, David
Ohm, Bill
Renzullo, Andrew
Seidel, Carl
Twombly, Timothy

Biggie, Barbara
Moore, Craig
Dickey, Glen
Ferreira, Elizabeth
Smith, Gregory
Hansen, Peter
Belanger, James
L'Heureux, Robert
Lewicke, John
Murphy, Keith
Panasiti, Reed
Rouillard, Claire
Somero, Paul
Ulery, Jordan

MERRIMACK

Kuch, Bill
Klose, John
Pearl, Howard

Long, Douglas
Moffett, Michael
Seaworth, Brian

Hill, Gregory
Marple, Richard
Testerman, Dave

Horn, Werner
McGuire, Carol
Wells, Natalie

ROCKINGHAM

Cook, Allen
Barnes, Arthur
Emerick, J. Tracy
Marsh, Henry
Edwards, Jess
Khan, Aboul
Pearson, Mark
Nasser, Jim
Sapareto, Frank
Tripp, Richard
Webb, James

Abrami, Patrick
Bates, David
Gay, Betty
Hagan, Joseph
Janigian, John
Kolodziej, Walter
Major, Norman
Nigrello, Robert
Spillane, James
True, Chris
Welch, David

Allen, Mary
Thomas, Douglas
Green, Dennis
Hoelzel, Kathleen
O'Connor, John
Lundgren, David
Matthews, Carolyn
Osborne, Jason
Sytek, John
Vose, Michael
Weyler, Kenneth

Baldasaro, Alfred
DeSimone, Debra
Guthrie, Joseph
Itse, Daniel
Katsakiores, Phyllis
Griffin, Mary
Milz, David
Packard, Sherman
Torosian, Peter
Wallace, Scott

STRAFFORD

Beaudoin, Steven
McNally, Jody
Graham, Robert

Harrington, Michael
Mullen, John
Scruton, Matthew

Horgan, James
Phinney, Brandon
Spencer, Matthew

Turcotte, Leonard
Pitre, Joseph
Wuelper, Kurt

SULLIVAN

Rollins, Skip

Smith, Steven

NAYS - 169**BELKNAP**

Spagnuolo, Philip

St. Clair, Charlie

CARROLL

Buco, Thomas

Butler, Edward

DesMarais, Edith

Knirk, Jerry

CHESHIRE

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

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

Berch, Paul
Ley, Douglas
Mann, John
Tatro, Bruce

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

COOS

Fothergill, John
Richardson, Herbert

Hatch, William
Tucker, Edith

Laflamme, Larry
Thomas, Yvonne

Moynihan, Wayne

GRAFTON

Abel, Richard
Campion, Polly
Josephson, Timothy
Rand, Steven

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

Bennett, Travis
Ham, Bonnie
Massimilla, Linda
Sykes, George

Boutin, Skylar
Higgins, Patricia
Nordgren, Sharon
White, Andrew

HILLSBOROUGH

Backus, Robert	Baroody, Benjamin	Bouldin, Amanda	Chandley, Shannon
Cleaver, Skip	Connors, Erika	Cornell, Patricia	Sullivan, Daniel
DiSilvestro, Linda	Elber, Joel	Freitas, Mary	Gargas, Carolyn
Gidge, Kenneth	Goley, Jeffrey	Heath, Mary	Herbert, Christopher
Schmidt, Janice	Jack, Martin	Keane, Amelia	King, Mark
Klee, Patricia	Leishman, Peter	Lisle, David	McCarthy, Michael
MacKenzie, Mark	Manley, Jonathan	Martin, Joelle	Martineau, Jesse
McNamara, Richard	Newman, Sue	Nutting, Allison	O'Brien, Michael
O'Leary, Richard	Porter, Marjorie	Proulx, Mark	Roberts, Carol
Rosenwald, Cindy	Harvey, Suzanne	Shaw, Barbara	Sofikitis, Catherine
Smith, Timothy	Van Houten, Connie	Vann, Ivy	Williams, Kermit

MERRIMACK

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

ROCKINGHAM

Altschiller, Debra	Bean, Philip	Berrien, Skip	Bove, Martin
Cahill, Michael	Cali-Pitts, Jacqueline	Cushing, Robert Renny	DiLorenzo, Charlotte
Dowling, Patricia	Edgar, Michael	Elliott, Robert	Farnham, Betsey
Gilman, Julie	Janvrin, Jason	Lovejoy, Patricia	Malloy, Dennis
McMahon, Charles	Messmer, Mindi	Morrison, Sean	Murray, Kate
Gordon, Pamela	Pantelakos, Laura	Read, Ellen	Somssich, Peter
Stone, Brian	Le, Tamara	Ward, Gerald	Willis, Brenda

STRAFFORD

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

SULLIVAN

Cloutier, John	Gagnon, Raymond	Gottling, Suzanne	Grenier, James
Irwin, Virginia	Laware, Thomas	Oxenham, Lee	Sullivan, Brian
Tanner, Linda			

and the motion failed.

REGULAR CALENDAR CONT'D

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

Rep. J. Tracy Emerick for Finance. This bill establishes a death benefit of \$100,000 for New Hampshire public school teachers and employees killed in the line of duty. Vote 26-0.

Amendment (0897h)

Amend RSA 189-A:1, I(a) as inserted by section 1 of the bill by replacing it with the following:

(a) "Family" means the surviving spouse of the school employee; or, if there is no surviving spouse, the surviving dependent child or dependent children, of such school employee or, if there is no surviving dependent child, a surviving person qualifying as a common-law spouse pursuant to RSA 457:39, or if there is no surviving common-law spouse, the surviving adult child or adult children, or if there is no surviving adult child or adult children, the surviving parent or parents of such school employee. A surviving dependent child shall include a dependent step-child whose expenses of daily living were substantially paid for by the decedent at the time of the death.

Amend RSA 189-A:1, III(a) as inserted by section 1 of the bill by replacing it with the following:

(a) Such determination shall be rendered within 45 days of documented notice of the incident.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

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

HB 1763-FN-A, establishing a road usage fee and making an appropriation therefor. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Kenneth Weyler for Finance. For more than a decade we have struggled with financing the Department of Transportation. Federal CAFE Standards have brought ever-increasing miles per gallon to more and more of the vehicles on our roads. We have increased total vehicles, and vehicle miles, but that has not increased the

receipts of the “road toll” or gas tax. Some suggestions have been to put mileage trackers on every vehicle and charge accordingly. That was seen as very intrusive on one’s privacy as well as very expensive. The method that the bill employs is to place vehicles in different mpg categories. Motorcycles are exempt as well as vehicles achieving less than 20 mpg or manufactured in 1983 and prior. This of course exempts trucks. Trucks may put more wear and tear on the roads, but it was decided that between the higher registration costs and the higher fuel consumption, they already are paying a large share. As to the other categories, they go up by 10 mpg from 20 mpg to greater than 50 mpg; then to no gasoline consumption at all. Since the vehicles with better mpg in comparison with 20 mpg or less, are achieving considerable savings on the gas tax; this bill would tax 9% of the calculated savings based on 10,000 miles per year, and the mpg given by the manufacturer in the VIN. Typically for vehicles in the 20-30 mpg this would result in a charge of \$23.94 collected on yearly registration payment and designated as “road usage fee.” Payments would go as high as \$111 for vehicles that used no gas. It is estimated that this fee would bring 21 million to the Highway Fund. We have had several years of using Turnpike surplus to balance the Highway Fund by selling 7 miles of highway and a bridge from DoT to Turnpike. After exhausting those funds, we last transferred General Funds to the Highway Fund. We had an unexpected General Fund surplus in the present budget, but that is unlikely in the next one. The bill is accepted as a fair way to assign the cost of maintaining our roads and bridges across the users and will assure the future funding, as we can expect ever-increasing mpg in our vehicles as well as alternate untaxed fuels. The concept was well accepted by the Ways and Means Committee and the NH House. It came to Finance, where we amended the bill by changing the funding from General Funds for the \$330,000 IT investment to Highway Funds, and to making the new revenue go to the Highway Fund rather than a new designated fund. The bill was well supported in Finance and we hope the House will support it again. Vote 21-5.

Amendment (0896h)

Amend RSA 260:32-d as inserted by section 1 of the bill by replacing it with the following:

260:32-d Road Usage Fee.

I. Except as provided by paragraph II, the owner of each New Hampshire motor vehicle which has an equivalent miles per gallon (MPG) more than 20 MPG shall be required to pay a road usage fee at the time of registration of the vehicle, other than temporary registration, with a registration agent. The road usage fee shall be based on a vehicle that travels 10,000 miles per year and averages 20 MPG. Such a base vehicle would use 500 gallons of fuel and pay \$111 per year in road toll. The road usage fee for such base vehicle is \$0. The road usage fee for all other vehicles shall be \$111 minus the New Hampshire road toll paid per year based on 10,000 miles of travel.

II. The road usage fee shall not apply to motorcycles as defined in RSA 259:63, mopeds as defined in RSA 259:57, off highway recreational vehicles as defined in RSA 259:69, and motor vehicles that are model year 1983 or older.

III. The department of safety, in conjunction with the department of transportation, shall develop and maintain a system which links the United States Environmental Protection Agency’s MPG data system with the department of safety’s vehicle identification number (VIN) data system, allowing registration agents to collect the road usage fee established in amounts based on the following MPG ranges:

MPG range at 10,000 miles per year

- 20 or less
- greater than 20 to 30
- greater than 30 to 40
- greater than 40 to 50
- greater than 50
- no gasoline

IV. The registration agent may retain \$1 of each road usage fee collected in compensation for the administrative costs of collecting the fee. The remainder of the fees shall be remitted to the state treasurer for deposit, net of any “Apportionment A” allocated to the local highway aid fund for distribution under RSA 235:23, I, in the highway fund.

Amend the bill by replacing section 3 with the following:

3 Appropriation; Department of Safety. The sum of \$330,000 is hereby appropriated to the department of safety for the biennium ending June 30, 2019, for the purpose of implementing the provisions of this act. The appropriation shall be a charge against the highway fund and is in addition to any other funds appropriated to the department of safety.

AMENDED ANALYSIS

This bill establishes a road usage fee for motor vehicles registered to travel on New Hampshire roads based on the equivalent miles per gallon of the vehicle. The fee is collected at the time of annual registration of the vehicle and deposited in the highway fund. The bill also makes an appropriation to the department of safety to implement the road usage fee.

Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass.
 Rep. Somssich spoke against and yielded to questions.
 Rep. Weyler spoke in favor and yielded to questions.
 Rep. Spillane requested a roll call; sufficiently seconded.

YEAS 168 - NAYS 152**YEAS - 168****BELKNAP**

Abear, Marc
 Plumer, John

Tilton, Franklin
 Spanos, Peter

Fields, Dennis
 Vadney, Herbert

Lang, Timothy

CARROLL

Buco, Thomas
 Schmidt, Stephen

Butler, Edward
 Umberger, Karen

Knirk, Jerry
 Marsh, William

Nelson, Bill

CHESHIRE

Abbott, Michael
 Harvey, Cathryn
 Johnsen, Gladys
 Weber, Lucy

Ames, Richard
 Ley, Douglas
 Hunt, John

Berch, Paul
 Eaton, Daniel
 Mann, John

Bordenet, John
 Faulkner, Barry
 Parkhurst, Henry

COOS

Fothergill, John
 Richardson, Herbert

Hatch, William
 Theberge, Robert

Merner, Troy
 Tucker, Edith

Moynihan, Wayne
 Thomas, Yvonne

GRAFTON

Almy, Susan
 Massimilla, Linda
 Sykes, George

Hennessey, Erin
 Migliore, Vincent Paul
 White, Andrew

Higgins, Patricia
 Schwaegler, Vicki

Ladd, Rick
 Smith, Suzanne

HILLSBOROUGH

Griffin, Barbara
 Biggie, Barbara
 Christensen, Chris
 Danielson, David
 Gargas, Carolyn
 Hinch, Richard
 Klee, Patricia
 Lascelles, Richard
 MacKenzie, Mark
 Newman, Sue
 Pierce, David
 Seidel, Carl
 Ulery, Jordan

Backus, Robert
 Bouldin, Amanda
 Connors, Erika
 DiSilvestro, Linda
 Gidge, Kenneth
 Graham, John
 Kurk, Neal
 LeBrun, Donald
 Manley, Jonathan
 O'Brien, Michael
 Porter, Marjorie
 Shaw, Barbara
 Williams, Kermit

Baroody, Benjamin
 Burns, Charlie
 Cornell, Patricia
 Griffin, Gerald
 Gould, Linda
 Rice, Kimberly
 L'Heureux, Robert
 MacKay, Mariellen
 Martin, Joelle
 O'Leary, Richard
 Rosenwald, Cindy
 Wolf, Terry

Barry, Richard
 Byron, Frank
 Sullivan, Daniel
 Gagne, Larry
 Heath, Mary
 Keane, Amelia
 Ober, Lynne
 McCarthy, Michael
 McNamara, Richard
 Ohm, Bill
 Harvey, Suzanne
 Twombly, Timothy

MERRIMACK

Bartlett, Christy
 Henle, Paul
 Rogers, Katherine
 Walz, Mary Beth

Long, Douglas
 Hill, Gregory
 Seaworth, Brian
 Woolpert, David

Wolf, Dan
 Moffett, Michael
 Shurtleff, Stephen

Moffett, Howard
 Patten, Dick
 Wallner, Mary Jane

ROCKINGHAM

Abrami, Patrick
 Bove, Martin
 Dowling, Patricia
 Green, Dennis
 Itse, Daniel
 Lundgren, David
 Malloy, Dennis
 Gordon, Pamela
 Webb, James

Allen, Mary
 Cushing, Robert Renny
 Edgar, Michael
 Guthrie, Joseph
 Janvrin, Jason
 Griffin, Mary
 McMahon, Charles
 Packard, Sherman
 Welch, David

Altschiller, Debra
 Thomas, Douglas
 Emerick, J. Tracy
 Hagan, Joseph
 Katsakiores, Phyllis
 Pearson, Mark
 Morrison, Sean
 Sytek, John
 Weyler, Kenneth

Bean, Philip
 DeSimone, Debra
 Gay, Betty
 Hoelzel, Kathleen
 Lovejoy, Patricia
 Major, Norman
 Nigrello, Robert
 Vose, Michael
 Willis, Brenda

STRAFFORD

Bixby, Peter
 Smith, Marjorie
 Graham, Robert
 Wall, Janet

Cilley, Jacalyn
 McNally, Jody
 Sandler, Catt
 Wuelper, Kurt

Keans, Sandra
 Opderbecke, Linn
 Scruton, Matthew

Krans, Hamilton
 Schmidt, Peter
 Southworth, Thomas

SULLIVAN

Cloutier, John
Irwin, Virginia
Sullivan, Brian

Gagnon, Raymond
Laware, Thomas

Gottling, Suzanne
Rollins, Skip

Grenier, James
Smith, Steven

NAYS - 152**BELKNAP**

Aldrich, Glen
Spagnuolo, Philip

Comtois, Barbara
St. Clair, Charlie

Howard, Raymond
Sylvia, Michael

Silber, Norman
Varney, Peter

CARROLL

Avellani, Lino
McCarthy, Frank

Comeau, Ed
McConkey, Mark

Cordelli, Glenn

DesMarais, Edith

CHESHIRE

Burridge, Delmar
Shepardson, Marjorie

McConnell, James
Sterling, Franklin

Meador, David
Tatro, Bruce

O'Day, John

COOS

Laflamme, Larry

GRAFTON

Abel, Richard
Darrow, Stephen
Maes, Kevin

Bennett, Travis
Dontonville, Roger
Rand, Steven

Boutin, Skylar
Ham, Bonnie
Johnson, Tiffany

Campion, Polly
Josephson, Timothy

HILLSBOROUGH

Ammon, Keith
Christie, Rick
Ferreira, Elizabeth
Smith, Gregory
Hopper, Gary
Jack, Martin
Lisle, David
Murphy, Keith
Panasiti, Reed
Roberts, Carol
Sofikitis, Catherine
Van Houten, Connie

Burt, John
Cleaver, Skip
Freeman, Lisa
Goley, Jeffrey
Hynes, Dan
King, Mark
Martineau, Jesse
Negron, Steve
Proulx, Mark
Rouillard, Claire
Somero, Paul
Vann, Ivy

Moore, Craig
Dickey, Glen
Freitas, Mary
Halstead, Carolyn
Belanger, James
Leishman, Peter
McLean, Mark
Notter, Jeanine
Prout, Andrew
Sanborn, Laurie
Souza, Kathleen

Chandley, Shannon
Dyer, Caleb
Fromuth, Bart
Hansen, Peter
Schmidt, Janice
Lewicke, John
Murotake, David
Nutting, Allison
Renzullo, Andrew
Scully, Kevin
Sullivan, Victoria

MERRIMACK

Turcotte, Alan
Gile, Mary
Luneau, David
Pearl, Howard
Schultz, Kristina

Kuch, Bill
Horn, Werner
Marple, Richard
Richards, Beth
Soucy, Timothy

Carson, Clyde
MacKay, James
McGuire, Carol
Rodd, Beth
Testerman, Dave

Doherty, David
Klose, John
Myler, Mel
Schuett, Dianne
Wells, Natalie

ROCKINGHAM

Cook, Allen
Cahill, Michael
Farnham, Betsey
Janigian, John
Matthews, Carolyn
Nasser, Jim
Sapareto, Frank
Le, Tamara
Wallace, Scott

Barnes, Arthur
Cali-Pitts, Jacqueline
Gilman, Julie
O'Connor, John
Messmer, Mindi
Osborne, Jason
Somssich, Peter
Torosian, Peter
Ward, Gerald

Bates, David
DiLorenzo, Charlotte
Marsh, Henry
Khan, Aboul
Milz, David
Pantelakos, Laura
Spillane, James
Tripp, Richard

Berrien, Skip
Elliott, Robert
Edwards, Jess
Kolodziej, Walter
Murray, Kate
Read, Ellen
Stone, Brian
True, Chris

STRAFFORD

Beaudoin, Steven
Gourgue, Amanda
Horrigan, Timothy
Pitre, Joseph
Treleaven, Susan

Burton, Wayne
Grassie, Chuck
Turcotte, Leonard
Salloway, Jeffrey

Conley, Casey
Harrington, Michael
Mullen, John
Spencer, Matthew

Fontneau, Timothy
Horgan, James
Phinney, Brandon
Sprague, Dale

SULLIVAN

Oxenham, Lee

Tanner, Linda

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

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. John Graham moved that the House reconsider its action whereby, on a roll call vote of 168-152, the House adopted the committee report of Ought to Pass with Amendment on **HB 1763-FN-A**, establishing a road usage fee and making an appropriation therefor.

Rep. John Graham spoke against.

Motion failed.

REGULAR CALENDAR CONT'D

HB 324, relative to the valuation of utility property. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Timothy Lang for Ways and Means. This second committee bill, having passed the Science, Technology, and Energy Committee previously this session, establishes a commission to look at the complex issue of the wildly varying local taxation rates of public utility property across the state. The commission's goal would be to recommend legislation for next term which would hopefully stem the tide of the over 200 lawsuits currently active, and any future lawsuits. The amendment increases the membership of the commission from nine to 11 members. It includes representatives of industry, the Department of Revenue Administration, the Assessing Standards Board (ASB), the judiciary, NH municipalities, the NH House, and NH Senate. The amendment also removes the ability of the commission to establish a moratorium on changes to local utility property valuation methodologies. Further, the amendment states that the commission will not look at generation and Federal Energy Regulatory Commission (FERC)-regulated transmission properties as part of its charter due to the unique nature of those properties, and will use the newly voted ASB recommendation as its starting point, so as to not re-hash the data. Vote 23-0.

Amendment (1070h)

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

AN ACT establishing a commission to study utility property valuation and recommend legislation to reform the current system of taxing utility property in New Hampshire.

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

1 New Section; Commission to Study Utility Property Valuation. Amend RSA 72 by inserting after section 12-d the following new section:

72:12-e Commission Established; Utility Property Valuation.

I. There is established a commission to study utility property valuation and recommend legislation to reform the current system of taxing utility property in New Hampshire.

II. The commission shall be composed of 11 members, as follows:

(a) Two representatives of New Hampshire utility companies, one from an electric utility and one from a water or gas utility, appointed by the chairperson of the house science, technology and energy committee.

(b) One representative of New Hampshire municipalities, appointed by the New Hampshire Municipal Association.

(c) One representative from the department of revenue administration, appointed by the commissioner.

(d) One representative of certified municipal assessing officials, appointed by the New Hampshire Association of Assessing Officials.

(e) One retired member of the judiciary with experience in mediation and/or utility property valuation, appointed by the governor, or, in the absence of an able and willing retired judge, a retired member of the public utilities commission, appointed by the governor.

(f) Two members of the assessing standards board, consisting of the chairperson of the board, or his or her designee, and a member appointed by the board.

(g) Two members of the house of representatives appointed by the speaker of the house of representatives, one of whom is a member of the ways and means committee and one of whom is a member of the science, technology and energy committee, with each from a different major political party.

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

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

IV. The commission shall:

(a) Consider defects in the current system of utility property valuation, including the use of different appraisal approaches or methodologies by different municipal assessing authorities, the disparate valuation of comparable utility property in different towns throughout the state, and the costs and other inefficiencies involved in litigating disputes over valuation between municipalities and utilities.

(b) Recommend legislation to reform the current system of municipal taxation of utility property, guided by the principles and recommendations unanimously adopted by the assessing standards board on February 16, 2018, intended to make the state's system of utility property valuation more consistent across municipalities and yet still reflective of the full and fair market value of utility property in each municipality, to the extent reasonably possible.

(c) Consider, among other factors it deems relevant, the following questions:

(1) Whether the “unit” method or some other uniform statewide method of valuing utility property would yield fairer and more consistent results than the present system of municipal valuation under RSA 75:1.

(2) What valuation approach or combination of approaches is most likely to yield valuation results that are both consistent across municipalities and reflective of the full and fair market value of utility property in each municipality. In considering this question, the commission shall also consider whether different approaches or methods are best suited for valuing different classes of utility property, or whether a single one of the following valuation approaches or methods can be expected to produce results that are both consistent and reflective of fair market value across various municipalities and classes of utility property:

(A) The “modified net book value” cost approach as described in proposed amendment 2017-2515h;

(B) Another cost approach, such as but not limited to “reproduction cost new less depreciation;”

(C) A market or sales approach;

(D) An income approach;

(E) An approach that combines 2 or more of the above; or

(F) Some other alternative approach.

(3) Whether the department of revenue administration would require additional resources in order to effectively, fairly, and consistently appraise and value various kinds of utility property located in municipalities throughout New Hampshire, if tasked with appraising and valuing utility property throughout the state for purposes of local property taxation.

(4) What appeal process should be available to a utility or municipality that believes a valuation made by the department of revenue administration or any other appraising agency has not resulted in a fair market valuation of specified utility property.

(d) Exclude from its deliberations all generation and Federal Energy Regulatory Commission (FERC) regulated transmission properties.

V. The first meeting of the commission shall be called by the first-named house member, who shall serve as chairperson of the commission. The commission shall meet as often as necessary but no less often than monthly, and shall hear testimony from both stakeholder witnesses and from independent utility property valuation experts with experience in other states. Six members shall constitute a quorum.

VI. The commission shall receive assistance from the support staff of the house and senate ways and means committees, and the house science, technology and energy committee.

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

2 Prospective Repeal. RSA 72:12-e, relative to the commission to study utility property valuation, is repealed.

3 Effective Date.

I. Section 2 of this act shall take effect November 1, 2018.

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

AMENDED ANALYSIS

This bill establishes a commission to study utility property valuation and recommend legislation to reform the current system of taxing utility property in New Hampshire.

Rep. Vose spoke against.

Rep. Lang spoke in favor.

On a division vote, with 225 members having voted in the affirmative, and 89 in the negative, the committee amendment was adopted.

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

Rep. Lang offered floor amendment (1083h).

Floor Amendment (1083h)

Amend RSA 72:12-e, II(e) as inserted by section 1 of the bill by replacing it with the following:

(e) One retired member of the judiciary with experience in mediation and/or utility property valuation, appointed by the chair of the house municipal and county government committee, or, in the absence of an able and willing retired judge, a retired member of the public utilities commission appointed by the chair of house municipal and county government committee.

Floor amendment (1083h) adopted.

Committee report adopted and ordered to third reading.

BILLS REMOVED FROM THE CONSENT CALENDAR

HB 656-FN-A-L, relative to the legalization and regulation of marijuana. **REFER FOR INTERIM STUDY.**

Rep. Patrick Abrami for Ways and Means. The unanimous vote of the committee to recommend Refer for Interim Study is not an attempt at a polite death to this bill. The committee truly feels this bill requires

work to make it more implementable if it becomes law. The original version of this bill, which was a full marijuana legalization and commercialization bill, came out of the policy committee with a recommendation of Inexpedient to Legislate. That motion was defeated on the floor and the bill was replaced in total by a floor amendment calling for the legalization of the growing of six marijuana plants at home, the ability to produce marijuana-infused products at home from the marijuana grown, and the possession of $\frac{3}{4}$ of an ounce of marijuana or less. The bill was passed as amended and sent to the Ways and Means Committee as a second committee to look at revenue and fees. Since there was no revenue or fees in the amended bill, the Ways and Means Committee focused on whether revenue sources were needed to help support the oversight of the provisions of the amended bill sent to us. We heard much testimony that oversight was required and that without a stream of revenue, such as what the original commercialization of marijuana bill would have generated, the amended bill lacked the needed funding for proper oversight. The committee unanimously and in a bipartisan manner felt that more time was needed to discuss ways to raise revenue to properly oversee the legalization of the homegrown marijuana plants, marijuana-infused products, and the legalization of possession. Thus, the Ways and Means Committee unanimously supported an interim study motion. In addition, since this floor amendment was not fully vetted by the policy committee, several technical corrections were also needed. The most glaring was the language, "marijuana-infused products containing no more than 300 milligrams of THC shall be possessed." What is missing is how many milligrams of THC per what measure of the product's weight. Not being the policy committee, the Ways and Means Committee did not have the knowledge base to answer that question. The committee wants to emphasize that it will indeed be studying this issue fully to ensure there is revenue to properly implement this bill's approach to marijuana legalization already supported by the full House. Vote 23-0.

Reps. Cleaver, Wallace and O'Leary spoke against.

Rep. Cushing spoke against and yielded to questions.

Reps. Fothergill and Abrami spoke in favor and yielded to questions.

Reps. Almy and Testerman spoke in favor.

(Speaker Chandler in the Chair)

Rep. Cushing requested a roll call; sufficiently seconded.

YEAS 153 - NAYS 135

YEAS - 153

BELKNAP

Abear, Marc
Plumer, John

Tilton, Franklin
Spagnuolo, Philip

Fields, Dennis

Lang, Timothy

CARROLL

Buco, Thomas
Nelson, Bill

Cordelli, Glenn
Schmidt, Stephen

McCarthy, Frank
Umberger, Karen

McConkey, Mark

CHESHIRE

Abbott, Michael
Parkhurst, Henry

Ames, Richard
Tatro, Bruce

Hunt, John
Weber, Lucy

Mann, John

COOS

Fothergill, John

Theberge, Robert

Thomas, Yvonne

GRAFTON

Abel, Richard
Hennessey, Erin
Migliore, Vincent Paul

Almy, Susan
Higgins, Patricia
Nordgren, Sharon

Boutin, Skylar
Ladd, Rick
Schwaegler, Vicki

Campion, Polly
Massimilla, Linda
Johnson, Tiffany

HILLSBOROUGH

Griffin, Barbara
Byron, Frank
Connors, Erika
Gargas, Carolyn
Hansen, Peter
Graham, John
Lascelles, Richard
McCarthy, Michael
Newman, Sue
Proulx, Mark
Seidel, Carl
Wolf, Terry
Van Houten, Connie

Backus, Robert
Moore, Craig
Cornell, Patricia
Gidge, Kenneth
Heath, Mary
Klee, Patricia
LeBrun, Donald
Manley, Jonathan
Ohm, Bill
Renzullo, Andrew
Shaw, Barbara
Twombly, Timothy

Barry, Richard
Chandley, Shannon
Danielson, David
Goley, Jeffrey
Hinch, Richard
Kurk, Neal
Leishman, Peter
Martin, Joelle
Pierce, David
Rosenwald, Cindy
Somero, Paul
Ulery, Jordan

Burns, Charlie
Christensen, Chris
Donovan, Daniel
Gould, Linda
Hopper, Gary
L'Heureux, Robert
MacKay, Mariellen
Negron, Steve
Porter, Marjorie
Rouillard, Claire
Souza, Kathleen
Sullivan, Victoria

MERRIMACK

Kuch, Bill
Henle, Paul
Moffett, Michael
Shurtleff, Stephen

Doherty, David
Hill, Gregory
Myler, Mel
Testerman, Dave

Gile, Mary
Horn, Werner
Rogers, Katherine
Walz, Mary Beth

Moffett, Howard
Luneau, David
Schuett, Dianne
Wells, Natalie

ROCKINGHAM

Cook, Allen
Berrien, Skip
DeSimone, Debra
Gay, Betty
Hagan, Joseph
Khan, Aboul
Major, Norman
Morrison, Sean
Pantelakos, Laura
Welch, David

Abrami, Patrick
Bove, Martin
Dowling, Patricia
Green, Dennis
Hoelzel, Kathleen
Kolodziej, Walter
Malloy, Dennis
Nasser, Jim
Sytek, John

Barnes, Arthur
Cahill, Michael
Emerick, J. Tracy
Guthrie, Joseph
Janigian, John
Griffin, Mary
Matthews, Carolyn
Nigrello, Robert
Toriosian, Peter

Bates, David
Cali-Pitts, Jacqueline
Farnham, Betsey
Marsh, Henry
Katsakiores, Phyllis
Pearson, Mark
McMahon, Charles
Packard, Sherman
Tripp, Richard

STRAFFORD

Krans, Hamilton
Pitre, Joseph
Southworth, Thomas

Turcotte, Leonard
Graham, Robert
Spencer, Matthew

McNally, Jody
Sandler, Catt
Wall, Janet

Mullen, John
Scruton, Matthew
Wuelper, Kurt

SULLIVAN

Cloutier, John

Gottling, Suzanne

Rollins, Skip

Smith, Steven

NAYS - 135**BELKNAP**

Aldrich, Glen
St. Clair, Charlie

Comtois, Barbara
Sylvia, Michael

Howard, Raymond
Vadney, Herbert

Silber, Norman

CARROLL

Avellani, Lino
Marsh, William

Comeau, Ed

DesMarais, Edith

Knirk, Jerry

CHESHIRE

Berch, Paul
Faulkner, Barry
Sterling, Franklin

Harvey, Cathryn
McConnell, James

Ley, Douglas
O'Day, John

Eaton, Daniel
Shepardson, Marjorie

COOS

Laflamme, Larry

Moynihan, Wayne

Richardson, Herbert

GRAFTON

Bennett, Travis
Josephson, Timothy
Sykes, George

Darrow, Stephen
Maes, Kevin
White, Andrew

Dontonville, Roger
Rand, Steven

Ham, Bonnie
Smith, Suzanne

HILLSBOROUGH

Ammon, Keith
Christie, Rick
DiSilvestro, Linda
Freitas, Mary
Hynes, Dan
Keane, Amelia
MacKenzie, Mark
Nutting, Allison
Prout, Andrew
Scully, Kevin

Baroody, Benjamin
Cleaver, Skip
Dyer, Caleb
Fromuth, Bart
Belanger, James
King, Mark
Martineau, Jesse
O'Brien, Michael
Roberts, Carol
Sofikitis, Catherine

Bouldin, Amanda
Sullivan, Daniel
Ferreira, Elizabeth
Griffin, Gerald
Schmidt, Janice
Lewicke, John
McLean, Mark
O'Leary, Richard
Harvey, Suzanne
Vann, Ivy

Burt, John
Dickey, Glen
Freeman, Lisa
Gagne, Larry
Jack, Martin
Lisle, David
Murotake, David
Panasiti, Reed
Sanborn, Laurie
Williams, Kermit

MERRIMACK

Turcotte, Alan
MacKay, James
Schultz, Kristina
Woolpert, David

Bartlett, Christy
McGuire, Carol
Seaworth, Brian

Carson, Clyde
Pearl, Howard
Soucy, Timothy

Long, Douglas
Rodd, Beth
Wallner, Mary Jane

ROCKINGHAM

Altschiller, Debra
DiLorenzo, Charlotte
Edwards, Jess

Bean, Philip
Edgar, Michael
Janvrin, Jason

Cushing, Robert Renny
Gilman, Julie
O'Connor, John

Thomas, Douglas
Itse, Daniel
Lovejoy, Patricia

Messmer, Mindi
Gordon, Pamela
Spillane, James
Wallace, Scott

Milz, David
Read, Ellen
Stone, Brian
Ward, Gerald

Murray, Kate
Sapareto, Frank
True, Chris
Willis, Brenda

Osborne, Jason
Somssich, Peter
Vose, Michael

STRAFFORD

Bixby, Peter
Grassie, Chuck
Keans, Sandra
Phinney, Brandon

Burton, Wayne
Harrington, Michael
Smith, Marjorie
Salloway, Jeffrey

Conley, Casey
Horgan, James
Opderbecke, Linn
Treleven, Susan

Gourgue, Amanda
Horrigan, Timothy
Schmidt, Peter

SULLIVAN

Gagnon, Raymond
Sullivan, Brian

Irwin, Virginia
Tanner, Linda

Laware, Thomas

Oxenham, Lee

and the committee report was adopted.

HB 1819-FN, relative to administration of the education tax credit. **OUGHT TO PASS WITH AMENDMENT.** Rep. Richard Ames for Ways and Means. This bill makes technical adjustments to the education tax credit statute, RSA 77-G. On review, the Ways and Means Committee identified minor drafting errors in the bill that have been corrected in the committee amendment. The committee further identified a problem with a provision in the statute that exposes the state to indeterminate increases in the amount of education tax credits that could be taken against state revenues in future years. This problem has been corrected in the committee amendment with a provision that caps tax credit awards for future years at the \$5.1 million limit that is currently in effect. Vote 23-0.

Amendment (1053h)

Amend the bill by replacing section 1 with the following:

1 Education Tax Credit; Definition; Eligible Student. Amend RSA 77-G:1, VIII(a)(1) to read as follows:

(a)(1) Who is currently attending a New Hampshire public school, including a chartered public school, and for whom the adequacy grant in the next school year would be reduced if the student were removed from the average daily membership calculation, **or who is entering kindergarten or first grade;** or

Amend the bill by replacing section 4 with the following:

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

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

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

(b) The ~~[amount of the donations used or carried forward and the amount not used]~~ **donation amount and date received or postmarked.**

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

Amend the bill by deleting section 7 and renumbering the original sections 8-18 to read as 7-17, respectively.

Amend the bill by replacing section 9 with the following:

9 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.

Committee amendment adopted.

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

Rep. Lang offered floor amendment (1175h).

Floor Amendment (1175h)

Amend the bill by replacing section 9 with the following:

9 Education Tax Credit; Aggregate Amount; Carry Forward. RSA 77-G:4 is repealed and reenacted to read as follows:

77-G:4 Tax Credits.

I. 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.

II. The credit issued to a business organization or business enterprise, or any unused portion thereof, may be carried forward for no more than 5 succeeding years, but shall not exceed \$1,000,000 in any given tax year.

Rep. Lang spoke in favor.

Floor amendment (1175h) adopted.

Committee report adopted and ordered to third reading.

RESOLUTION

Rep. Hinch offered the following: **RESOLVED**, that the House now adjourn from the early session, that the business of the late session be in order at the present time, that the reading of bills be by title only and resolutions by caption only and that all bills ordered to third reading be read a third time by this resolution, and that all titles of bills be the same as adopted, and that they be passed at the present time, and when the House adjourns today it be to meet, Thursday, April 5, 2018 at 10:00 a.m.
Motion adopted.

LATE SESSION**Third Reading and Final Passage**

HB 1313, relative to prohibitions on carrying a loaded firearm on an OHRV or snowmobile.
HB 1718-FN, relative to surveillance on the public ways of the state.
HB 1521, relative to the definition of an emergency for a special assessment in a condominium.
HB 1499, relative to the focus and components of New Hampshire kindergartens.
HB 1822-FN, making hormonal contraceptives available directly from pharmacists by means of a standing order.
HB 1104-FN, relative to dredge and fill permit time limits; relative to time limits under the administrative procedure act; and relative to online filing with the secretary of state's office.
HB 1592-FN, requiring the commissioner of the department of environmental services to review standards relative to arsenic contamination in drinking water.
HB 628-FN, relative to a family and medical leave insurance program.
HB 1316-FN, relative to revenue collected from concealed carry licenses.
HB 1415-FN-A, establishing a death benefit for a school employee killed in the line of duty.
HB 1763-FN-A, establishing a road usage fee and making an appropriation therefor.
HB 324, establishing a commission to study utility property valuation and recommend legislation to reform the current system of taxing utility property in New Hampshire.
HB 1819-FN, relative to administration of the education tax credit.

UNANIMOUS CONSENT

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

RECESS MOTION

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

The House recessed at 4:30 p.m.

RECESS**(Speaker Chandler in the Chair)****RESOLUTION**

Rep. Packard offered the following: **RESOLVED**, that in accordance with the list in the possession of the Clerk, Senate Bills numbered 314, 318, 343, 350, 354, 357, 365, 383, 388, 413, 418, 420, 421, 447, 452, 453, 461, 487, 491, 511, 520, 537, 541, 548, 564, 569, 576, 577, 582, 590 and 592 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 314, relative to regulation of mortgage bankers, brokers, servicers, and originators. (Commerce and Consumer Affairs)
SB 318, relative to posting and notification requirements for employers, establishing criteria for workplace inspections, and amending certain provisions of the youth employment law. (Labor, Industrial and Rehabilitative Services)
SB 343, relative to legislative ethics guidelines. (Legislative Administration)
SB 350, relative to biological products dispensed by pharmacists. (Health, Human Services and Elderly Affairs)
SB 354, relative to pharmacy claim fees and copayments. (Commerce and Consumer Affairs)
SB 357, relative to safe school zones and relative to syringe service programs. (Education)
SB 365, relative to the use of renewable generation in default service. (Science, Technology and Energy)
SB 383, establishing a commission to recommend policies that will enhance access to affordable health care for all New Hampshire residents. (Commerce and Consumer Affairs)
SB 388, relative to dispensary locations for therapeutic cannabis. (Health, Human Services and Elderly Affairs)

SB 413, relative to name availability for business organizations and relative to reinstatement of a limited liability company. (Commerce and Consumer Affairs)

SB 418, relative to beverage manufacturers and nano breweries and defining table wine. (Commerce and Consumer Affairs)

SB 420, relative to collective bargaining under the right-to-know law. (Judiciary)

SB 421, relative to insurance coverage for prescription contraceptives. (Commerce and Consumer Affairs)

SB 447, relative to issuance of renewable energy certificates. (Science, Technology and Energy)

SB 452, relative to renewable energy fund incentive payments. (Science, Technology and Energy)

SB 453, relative to requirements and criteria for a competitive grant program for drinking water protection. (Resources, Recreation and Development)

SB 461, relative to continuing education for real estate brokers and salespersons. (Executive Departments and Administration)

SB 487, relative to license requirements for certain alcohol and other drug use professionals and establishing a state substance use disorder treatment services program. (Education)

SB 491, relative to food protection services in New Hampshire. (Environment and Agriculture)

SB 511, establishing an optional tax credit for combat service. (Municipal and County Government)

SB 520-FN, relative to organizations authorized to issue decals for multi-use decal plates. (Transportation)

SB 537, conferring extraterritorial financing powers on the New Hampshire business finance authority. (Commerce and Consumer Affairs)

SB 541-FN-A, establishing a fund to reimburse costs associated with firefighters who have cancer and establishing a commission to study the funding and operations of the presumption under workers' compensation requiring the reimbursement of costs associated with firefighters who have cancer. (Finance)

SB 548-FN, relative to therapeutic intervention needs of infants diagnosed with neonatal abstinence syndrome. (Health, Human Services and Elderly Affairs)

SB 564-FN-A, relative to a business tax exemption and a workforce development program for regenerative manufacturing businesses. (Ways and Means)

SB 569-FN, relative to animal cruelty and establishing a commission to study certain language applicable to the transfer of animals. (Environment and Agriculture)

SB 576-FN, relative to home health services rate setting. (Finance)

SB 577, requiring the public utilities commission to consider its order affecting the Burgess BioPower plant in Berlin, prohibiting the import of certain liquid fuels, and relative to the production of useful thermal energy. (Science, Technology and Energy)

SB 582-FN, authorizing an assessment to determine appropriate caseload and workload standards for the division for children, youth and families; establishing additional child protection services positions in the division for children, youth and families; relative to foster care and adoption programs and services; and making appropriations therefor. (Finance)

SB 590-FN-A, making a supplemental appropriation to the state loan repayment program and relative to emergency involuntary admissions, the child protection act, and the developmental disabilities wait list and making appropriations therefor. (Finance)

SB 592-FN-A, relative to the child welfare system. (Finance)

SENATE MESSAGES

CONCURRENCE

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

HB 1386, establishing a joint committee on employee relations.

RECESS

(Speaker Chandler in the Chair)

RESOLUTION

Rep. Barbara Griffin offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, Senate Bill numbered CACR 22 shall be by this resolution read a first and second time by the therein listed title and referred to the therein designated committee.

Motion adopted.

INTRODUCTION OF SENATE BILL

First, second reading and referral

CACR 22, relating to rights for crime victims. Providing that crime victims shall be afforded constitutional rights. (Criminal Justice and Public Safety joint with Judiciary).

ENROLLED BILL AMENDMENTS

HB 1370, relative to a school's emergency management plan.

Amendment 2018-1220EBA

Amend section 1 of the bill by replacing lines 1 and 2 with the following:

1 School Boards; Emergency Response Plans. Amend RSA 189:64 to read as follows:
189:64 Emergency Response Plans.

I. ~~Within 2 years of the effective date of this section,~~ Every public and nonpublic school
Amend RSA 189:64, II as inserted by section 1 of the bill by replacing line 8 with the following:
safety. The director of homeland security and emergency management, department of safety shall
Motion adopted.

RECESS

(Rep. Packard in the Chair)

ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 1292 and 1386.

Rep. Hinch, Sen. Avarad for the Committee

RECESS