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Thursday, February 14, 2019

No. 5

HOUSE JOURNAL NO. 4 (Cont'd)

Thursday, January 31, 2019

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

HOUSE JOURNAL NO. 5

Thursday, February 14, 2019

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

Prayer was offered by the member from Hampstead, Representative Mark Pearson.

O Mighty God, ruler of heaven and sovereign over the affairs of earth, it was You who established human government and for the purpose of ensuring order, peace, prosperity and well-being among Your sometimes-wayward creation. Grant us the grace to think Your thoughts after You and the humility to legislate and govern in accordance with them. May we not be afraid to question and challenge each other as we seek together to discern what Your thoughts are, but when we contend, may we not be contentious. When we disagree, may we not be disagreeable. And while we are persons, may we not make or take our work personally. May we strive to understand each other's points of view even when we cannot embrace those views. May we seek to be comprehensive without denying our convictions. May we know it is possible to win without necessarily making someone else lose. Bless, guide and direct our work in this Session to the glory of Your name and the betterment of Your people. Bless us, Lord, and make us a blessing to You and to others. Amen.

Representative John Fothergill, member from Colebrook, led the Pledge of Allegiance.

The National Anthem was sung by Christine Charmon, wife of Representative John Fothergill.

LEAVES OF ABSENCE

Reps. DeClercq, Elliott, Ladd and Major, the day, illness.

Reps. Chretien, Ellis, Fedolfi, Furbush, Harrington, Klose, MacDonald, McBride, Merner, St. Clair and Towne, the day, important business.

INTRODUCTION OF GUESTS

Caleb Weinstein, student at Berwick Academy, Page for the day.

Michael Layon and Randall Kelly, Guests of Rep. Prudhomme-O'Brien. James Creighton, guest of Rep. Marzullo. Kandy, Tiffany and Madison Roy, wife, daughter and granddaughter, guests of Rep. Roy. Courtney Fishkin, guest of Rep. Yokela. Christine Wiggin, guest of Rep. Abramson.

RESOLUTION

Reps. Ley and Hinch offered the following: RESOLVED, that the House of Representatives notify the Honorable Senate that it is ready to meet in Joint Convention for the purpose of hearing the Budget Address by his Excellency, Governor Christopher T. Sununu.

Motion adopted.

SENATE MESSAGE

The Senate is ready to meet with the Honorable House of Representatives in Joint Convention for the purpose of hearing the budget address by his Excellency, the Governor Christopher T. Sununu.

INTRODUCTION OF SENATE

The Clerk introduced the Honorable Senate and Senate President, Donna Soucy of Manchester.

JOINT CONVENTION

(Speaker Shurtleff presiding)

The Clerk introduced the Honorable Executive Councilors.

The Clerk introduced the Governor, his Excellency, Christopher T. Sununu.

BUDGET ADDRESS

Thank you and good morning. Happy Valentine's Day. Mr. Speaker, Madame President, Honorable Members of the House, Senate, and Executive Council and Commissioners and department heads who have joined us today. My fellow citizens, welcome. I would like to start by thanking the many Commissioners and state agencies we worked with throughout the past few months, especially the State Budget Office in the Department of Administrative Services, prioritizing needs, building systems and infrastructures, and putting forward ideas and policies that put people first. Today, I stand before you, members of the House and Senate, to present my recommended budget for Fiscal Years 2020 and 2021. Families in our state sit at their kitchen table every month to balance their checkbook and pay their bills. They put some money into savings, they plan responsibly for both short term spending and long-term expenses, they ensure they aren't carrying too much debt, they prioritize their needs and they make tough choices to live within their means. I think the same rules should apply to government. So, let me summarize what I am presenting to you today. This budget is fiscally responsible, assumes modest revenue growth based on conservative economic projections, contains no gimmicks or empty promises, inserts no political agenda, has no sales tax, has no income tax, has no new taxes of any kind, does not raise fees, does not downshift costs to municipalities, follows debt guidelines as recommended by our state treasurer, and adheres to the tax cuts already established by law for 2020 and 2021. Tax relief works and tax relief grows our economy. High taxes come at the high cost of the erosion of our state's economic competitiveness. We should not, and cannot turn back now. A healthy Business cycle is predicated on certainty. Our businesses small and large order many of their affairs according to our Government's long-term plans. It is irresponsible governance for the legislature to ping pong core tax policies every two years. In that respect this budget is a Jobs Bill. It sets us on a path to keeping more money with our job creators and ends the expectation that every available resource should be devoted to just growing a bigger government. As we move forward, we cannot let the budget process be hijacked with politically charged agendas or partisan maneuvering. The voters of New Hampshire did not send us to Concord to engage in the circus-like theatrics of Washington, D.C. Washington is broken, and our future depends now more than ever on what we can accomplish together, the citizens of our state demand it, and our system of Government requires it. We must approach the budget process as a roadmap for the future of our state. Our principles guide our priorities. Our principles are what set us each on a path towards public service. How we, as state leaders, create policy that aligns with our worldview and makes New Hampshire the best state it can possibly be. To me and to many others here today that means investing in kids, emphasizing a 21st century education system, ensuring our most vulnerable citizens don't fall through the cracks, designing a system that puts individual first, and creating equal opportunity for all. In doing so, however, we must live within our means. That means spending one-time revenue on one-time projects. Budgeting accordingly, and delivering better results for individuals without irresponsibly growing the size of government and burdening taxpayers with long-term unsustainable liabilities. Remember, Government is not here to guarantee much, but what it can and should guarantee, is equal opportunity. For you, your family, your business, whatever. Government has the obligation to create those doors of opportunity, and give citizens the ability to chart their own path forward. This presentation today can't cover every line item in the budget, but I would like to highlight many of the priorities this budget encompasses. Today in New Hampshire, more people are working than ever before, we have the second lowest unemployment rate in the nation, and our economy is booming. The first step in responsible budgeting is saving. When times are good as they are now, you have to be smart about planning for a rainy day so that is exactly what I did. We are adding \$15 million to the Rainy Day Fund from the current biennium, and an additional \$12.3 million at the close of Fiscal Year 2021, the largest amount in state history, bringing the total to an all-time high of \$137.3 million. Next, we focused our investments on our long-term future, kids. I think we can all agree that education is the foundation of a successful community. A quality education opens doors, and a zip code cannot, and should not, define a child's chance at success. So today, I am proud to announce that my budget focuses investment in the education of New Hampshire's kids in a variety of new and exciting ways and while the single biggest expense to local property taxpayers is education, we showed in the last budget that creative management from the state can result in cash investments into local projects, providing property tax relief and funding local liabilities that have gone unsupported for too long. Last year we invested \$275 million into local drinking water projects, \$35 million into local roads and bridges and \$30 million into our School Safety Infrastructure Fund, which provided grants to over 400 school across the state for critical safety improvements, taking the burden off of property taxpay-

ers. So, to keep building on that momentum, my budget is returning to New Hampshire what has been missing for too long, a \$63 million fund returning money back to cities and towns for targeted school building aid. And I think we can all agree that every student regardless of ability or disability deserves a quality education. For nearly ten years, the state has flat funded Special Education in our schools. These reimbursements, which go to local school districts, also help offset local property taxes. But today that changes. We are increasing Special Education funds nearly 20% so that each and every student has access to an education that suits their needs. We know that not every child learns the same, and New Hampshire has been a national leader in career and technical education. We have made investments in CTE around the State and today I am proud to announce we will be removing barriers and increasing CTE tuition and transportation aid to its highest levels ever, \$8.6 million, which will be necessary to get the kids to the new Rochester and Hudson CTE schools, both to be funded and completed this biennium. And we need to encourage our students regardless of their financial means to strive for educational excellence, and to remove the financial barriers for those kids this budget will appropriate \$250,000 to cover the costs of AP exams for low income students. In order to continue our efforts in ensuring New Hampshire remains the best state to live, work, and raise a family, addressing our workforce shortages is a priority that we all share. Following last fall's announcement, today I am proud to say that this budget includes the \$24 million investment we promised to double the capacity of our healthcare and nursing programs within our University System. The answer to the high burdens of college debt is not to give free diplomas to everyone, it is to create a system that incentivizes students to stay and work in our great state through a student debt assistance program. Last year we piloted this idea with in the area of regenerative medicine. This year we are building on that success by restructuring our cash funds and will lead the nation with a new \$32 million Student Loan Assistance Program available to all students and at no additional cost to the taxpayer. Many of you have heard me talk about my idea that a quality workforce starts with early childhood education. I really believe that. So, through my budget we will create a new State Director for Early Childhood Education, an innovative initiative that will coordinate and streamline the state's services by bridging the divide between the Department of Education and the Department of Health and Human Services. This will help ensure our investments in children are data driven, coordinated, and efficient. For years we have talked about creating an innovative QRIS system for early childhood programs. We found the funding and now we are going to do it and with all of our new focus on a 21st century education system comes the opportunity to be a national leader on the issue. Currently our University system is home to the Child Study and Development Center (CSDC) that trains over 350 UNH students and serves 120 children and their families annually. It is a laboratory school that has been serving New Hampshire since 1929. Unfortunately, it is falling apart and needs major renovations. This is the opportunity we've been waiting for. This budget calls not for a rebuild of a facility, but a rebirth of an entirely new world class Early Childhood Center of Excellence to serve as a model for the rest of the country and ensure that New Hampshire never again falls behind the curve for our kids. A major goal of this budget is to expand opportunities not only for students in our education system, but for Granite State families and children as a whole. This budget includes enabling language to begin the implementation of the Twin State Voluntary Leave Plan authorizing a bid process and association health plans, which will help create a truly voluntary paid family medical leave plan that will never create or require an income tax. Association Health Plans will also ensure that Granite States have more choices at a lower cost when purchasing health insurance, which is a big win. And in my inaugural address I spoke about the need to invest in issues surrounding Pediatric Cancer. Included in this budget is a \$1.2 million appropriation to conduct a series of comprehensive pediatric cancer initiatives, testing and studies to get to the bottom of this unacceptable disease. Last year, with bipartisan support, we passed comprehensive legislation that increased protections against childhood exposure to lead. This year, I am proposing a new, Lead Paint Remediation Fund which, with an initial appropriation of \$5 Million, will provide state support to remove harmful lead paint from existing housing in New Hampshire. Together, we will continue to improve prevention of childhood lead poisoning. Another area that we are seeking to build upon the progress made last year is our intellectually and developmentally disabled community. First, this budget proposes \$750k in new grants for social and community-based programs for Adults with IDD to help them create pathways for employment and civic engagement. And as many of you know, A few months ago, we were able to fully fund the Developmental Disability Waitlist through the fall so that those in need of services would get them. Today, I stand before you to announce that along with rate increases for direct service providers, we will be fully-funding the Developmentally Disabled Waitlist for the entire biennium. By the end of Fiscal Year 2021 we will be putting \$61 million more towards services for our most vulnerable citizens than we do today, closing the gap and investing in these families. Another area, in which we have made historic improvements by re-engineering the system is New Hampshire's mental health system. Last month we released our Ten-Year Mental Health Plan. This plan marked the culmination of some incredible work done by many individuals throughout the state, and provides a road map by which we will finally deliver the system that we need to address our mental health crisis. Today I am proud to say that this budget will take a major step toward fulfilling those goals. We're not going to slow roll this plan over 10 years

when we have the opportunity to make big impacts today. In total, through this budget and with executive actions in the coming days, we will be able to immediately address 2/3rds of the recommendations. In addition to taking major steps with the ten-year mental health plan, today I am proud to say that we are in greater compliance with the Community Mental Health Agreement than ever before. Our job is not done, and these efforts will not fix the system overnight. That takes time, but I am confident that because of these reforms, and in re-engineering our mental health system, we will set the gold standard for the rest of the nation. One area in particular which I have been very outspoken about is the need for the state to invest in a new Secure Psychiatric Unit, the SPU. I put a team together to design a plan to ensure all populations were considered and no stone was left unturned. The result is a \$40 million investment for a new state of the art facility to move the civilly committed population out of the State Prison and create a new, secure forensic hospital. This multi-pronged effort we will undertake is, quite frankly, the single largest step this state has ever taken to reform our mental health system. We will build a new 60-person forensic facility on the grounds of New Hampshire Hospital. We will build new community-based transitional housing that will provide 40 new individual placements around the state and we will move the children currently in New Hampshire Hospital out of that adult facility, and into more appropriate Child and Adolescent focused space for treatment. In total, we will be creating 148 new adult placements critical treatment options, which will eliminate the emergency department waitlist with room to spare. While the steps I have just outlined represent a long-term solution, we cannot forget the individuals waiting in emergency rooms today. With this in mind, we are hopeful that the hospitals will partner with the State to develop solutions for the short term while new facilities are built. For the State's part, we are allocating \$3 million in immediate, one-time funding for grants to hospitals to create new treatment beds, and develop a solution to address the immediate due process needs of individuals who are waiting in emergency rooms today. The State is stepping up, and we ask the hospitals to join us in this effort. At the end of the day, improving and protecting the health and wellbeing of our children is why we are all here. This job is bigger than ourselves, and New Hampshire's most vulnerable children are counting on us to get it right. Last year, we signed the most comprehensive child welfare reform bills this state has ever seen. We brought in new leadership, added caseworkers, increased funding, and restored prevention programs. Today, caseloads are still too high for our front line workers which is why we need to re-focus our resources on these efforts. I am proud to announce that we will be authorizing 62 new positions within the Division for Children, Youth, and Families so that our most vulnerable children have a support network standing up for them. We are increasing funding for Court Appointed Special Advocates by 25% in Fiscal Year 2020 and by 44% in Fiscal Year 2021 to provide additional resources for those on the front lines. In just two short years, we have made significant strides in rebuilding New Hampshire's broken child welfare system and we won't stop until the job is done. While I can't outline every item within the multibillion-dollar budget, there are a few additional programs and initiatives I want to highlight. We are increasing funding for the New Hampshire Coalition Against Domestic and Sexual Violence by over 30% to \$2.4 million a year so that they can continue to carry out the critical work of protecting victims and survivors of domestic violence. We are adding an additional appropriation of \$250,000 to the Human Rights Commission to finally clear a backlog of cases, and begin to assist business in implementing the best practices for ensuring all citizen's rights are respected. We are fully funding the requests of the State's Advisory Council on Diversity and Inclusion for support of listening sessions around the state. Working with Chief Justice Bob Lynn we have put together a plan to reform the State's judicial retirement system as it is now at risk of insolvency, risking leaving our retired judges in a position where a system that they have paid into will not be there for them. We cannot let that happen. We know New Hampshire's veterans deserve the very best, and we will not stop until we give them the best care, period. Building off of my 2018 Executive Order, I am announcing, in this budget, the official formation of the Department of Military Affairs and Veterans Services. It is my hope that the legislature will help continue the progress we made together last year to ensure a new one stop shop for veterans' services. They stood tall for us, and it's time we stand tall for them. This budget increases our education revenue streams by legalizing sports betting, which will bring in an additional \$10 million in annual revenue beginning in Fiscal Year 2021. Given our new opportunities to legalize sports betting in a responsible and reliable way, and capture more revenue for our education system, I say we go all in and get it done! This morning is the first opportunity I have had to address this legislature since all of the legislation you have proposed has been made public. I just have to be frank, it's extremely concerning. In total, billions of dollars' worth of new spending has been proposed, rushed along outside of the budget process with no sustainable or viable way to pay for it. Other proposals would have the state use one-time funds for permanent expenses. Such an approach is not only irresponsible, but we know where it ends. The last time this was done it put the state in the position of having to cut almost a billion dollars out of our budget. We cannot allow that to happen again. Further, I am deeply concerned with the number of proposed new taxes are now being pursued. Altogether, totaling billions of taxpayer dollars. Everything from an income tax, to a carbon tax, even a tax on canoes. So, it is clear that you will be spending a considerable amount of time discussing whether to keep bloating government to unsustainable levels or whether you'll allow our taxpayers to keep

more of their hard-earned money. I ask that you stand with taxpayers. I ask that you stand with our citizens. We have offered a budget free of gimmicks and politics. We have made hard choices that put Granite Stater's first and prioritizes hard work and investment. But today is not the end of the discussion. In fact, the conversations are just beginning. I look forward to working collaboratively with all of you in the months ahead to design a fiscally responsible budget that puts the needs of our citizens front and center because that's why we are here, to design systems that work and to put people before politics. By working together, we can achieve great things for New Hampshire. Thank you. God bless, you, and God bless the great State of New Hampshire.

Rep. Ley and Sen. Feltes moved that the Joint Convention arise.

Motion adopted.

The Joint Convention adjourned.

HOUSE SESSION

(Speaker Shurtleff in the Chair)

The Speaker reconvened the House Session.

CONSENT CALENDAR

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

HB 159, relative to condominium association unit owner payments in arrears, removed by Rep. Webb.

HB 123, relative to emergency response plans in schools, removed by Rep. Myler.

HB 505, allowing voters to vote for multiple candidates for an office, removed by Rep. Abramson.

HB 135, relative to leased railroad property, removed by Rep. Cloutier.

HB 515, establishing a commission to evaluate the cost-effectiveness of toll collection on the New Hampshire turnpike system, removed by Rep. Abramson.

HB 254-FN-A, relative to the provision allowing operators to retain a portion of meals and rooms taxes collected and the appropriation of meals and rooms tax revenues to school building aid, removed by Rep. Cahill.

Consent Calendar adopted.

HB 361, relative to property settlement including animals. **OUGHT TO PASS.**

Rep. Debra DeSimone for Children and Family Law. This bill simply gives the court guidance relative to property settlement inclusive of animals during divorce cases involving families who own pets. Vote 18-1.

HB 550-FN, extending foster care beyond age 18. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Francesca Diggs for Children and Family Law. This bill provides extended foster care services to certain individuals 18 through 21 years of age. This bill will give individuals the ability and security to remain in the foster care system under certain conditions. Vote 15-0.

Amendment (0301h)

Amend RSA 170-E:53, I as inserted by section 1 of the bill by replacing it with the following:

I. The commissioner of the department of health and human services shall, not later than 6 months after the effective date of this section, submit an amendment to the state plan required by 42 U.S.C. section 671 to the United States secretary of health and human services to implement 42 U.S.C. section 675(8) to make federal payments for foster care under Title IV-E directly on behalf of any person who meets the following requirements:

(a) The person has attained the age of 18 but not attained the age of 21.

(b) The person was in the custody of the department of health and human services upon attaining the age of 18.

(c) The person signs a voluntary participation agreement.

(d) The person:

(1) Is completing secondary education or a program leading to an equivalent credential; or

(2) Is enrolled in an institution that provides postsecondary or vocational education; or

(3) Is participating in a program or activity designed to promote, or remove barriers to, employment;

or

(4) Is employed for at least 80 hours per month; or

(5) Is incapable of doing any of the activities described in subparagraphs (1)-(4) due to a medical condition, which incapacity is supported by regularly updated information in the person's case record or plan.

HB 341, relative to insurance investigations. **INEXPEDIENT TO LEGISLATE.**

Rep. Christy Bartlett for Commerce and Consumer Affairs. This bill was requested by the Insurance Department in attempt to clarify what the Insurance Commissioner may disclose to an insured or claimant who has made a complaint against an insurer during an investigation. After the hearing, however, it became clear that this bill might not solve a problem. So, with the department's consent, it was agreed that there was not a good way to amend it and the department would continue investigations per the existing statute. Vote 18-0.

HB 149, relative to the apportionment of costs in cooperative school districts. **OUGHT TO PASS.**

Rep. Mark Vallone for Education. This bill permits the apportionment formula for a cooperative school district to be subject to review 5 years after an article to continue the current formula was passed. Vote 20-0.

HB 164, relative to reporting statistics on student behavior. **INEXPEDIENT TO LEGISLATE.**

Rep. Sue Mullen for Education. The intent of this bill is to require principals to report specific misbehaviors to the school board. The committee feels the superintendent should receive the information, then determine how, or if, the school board needs to be informed. Receiving such reports in school board minutes poses a threat to student privacy interests protected under the Family Educational Rights and Privacy Act (FERPA), particularly in smaller districts. Vote 18-1.

HB 170, requiring a civics examination as a high school requirement. **INEXPEDIENT TO LEGISLATE.**

Rep. Mark Vallone for Education. The State of New Hampshire already requires a course in high school civics. Requiring a particular civics examination limits local school districts' ability to develop assessments that fit their curriculum. Vote 18-1.

HB 171, establishing a commission to study equal access and opportunity for students with disabilities to participate in athletics. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Tamara Le for Education. As amended, this bill establishes a commission to study equitable access and opportunity for students with disabilities to participate in cocurricular activities. Vote 18-0.

Amendment (0279h)

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

AN ACT establishing a commission to study equal access and opportunity for students with disabilities to participate in cocurricular activities.

Amend RSA 186-C:28-a, I as inserted by section 1 of the bill by replacing it with the following:

I. There is established a commission to study equal access and opportunity for students with disabilities to participate in cocurricular activities.

Amend RSA 186-C:28-a, II(a)(8) as inserted by section 1 of the bill by replacing them with the following:

(8) One member of the self-advocacy leadership team, a task force of the New Hampshire council on developmental disabilities, appointed by the team.

Amend RSA 186-C:28-a, III(a) as inserted by section 1 of the bill by replacing it with the following:

III.(a) The commission shall study school districts' efforts and ability to provide equal access and opportunity for students with disabilities to participate in cocurricular activities. The study shall include, but not be limited to:

(1) Considering ways of expanding opportunities for students with disabilities to participate in cocurricular activities in accordance with section 504 of the Rehabilitation Act of 1973, 29 U.S.C. section 701 et seq.

(2) Considering ways for students with disabilities to be allowed to try out for and if selected, participate in athletic programs.

(3) Considering ways for school districts to provide reasonable accommodations for students with disabilities and without disabilities to participate in unified programs.

(4) Considering unified sports legislation passed in other states as a model for New Hampshire to adopt.

(5) Considering ways to expand unified programs in additional school districts.

Amend RSA 186-C:28-a, V as inserted by section 1 of the bill by replacing it with the following:

V. The commission shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2019.

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

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

AMENDED ANALYSIS

This bill establishes a commission to study equal access and opportunity for students with disabilities to participate in cocurricular activities.

HB 175, relative to the requirements for school building aid grants. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Rick Ladd for Education. This bill, as amended, establishes a revised timeline for school districts to apply for building aid grants: 1) a letter of intent to seek funding for a renovation or new construction project must be filed with the Department of Education 18 months prior to the beginning of the biennium in which school building aid grants are to be disbursed; 2) the complete building application must be submitted to the Department no later than July 1 of the year prior to the biennium in which grants are to be disbursed; 3) by December 1, the School Building Authority shall verify the Department's preliminary ranking of projects and submit a list of prioritized projects in descending order to the State Board of Education for approval. If the ranking submitted by the School Building Authority differs from that of the preliminary list received from

the Department, the School Building Authority shall justify the new ranking using the same criteria as that used by the Department and as stated in rule; and 4) the State Board shall approve and publish the final list of approved projects by January 15. This bill also clarifies information to be provided in the building aid applications, provides for emergency projects, and requires an on-site clerk of the works to represent the owner of the property (the district/ municipality). Vote 20-0.

Amendment (0191h)

Amend the bill by replacing section 1 with the following:

1 School Building Aid; Plans, Specifications, and Costs. Amend RSA 198:15-c to read as follows:

I.(a) A school district maintaining approved schools, desiring to avail itself of the grants herein provided shall have the plans, specifications, and cost estimates for school plant construction or proposals for the purchase of school buildings, or both, and the costs for them approved by the department of education prior to the start of construction. For this purpose the district shall submit its plans, specifications, cost, and purchase estimates in writing to the department of education on such forms as the department prescribes. ***A letter of intent shall be submitted to the department no later than 18 months prior to the beginning of the biennium in which school building aid grants are to be disbursed. The commissioner may waive the letter of intent or submittal deadline for good cause. The letter of intent shall include a facilities analysis describing any deficiencies in the facilities of the existing school building, including but not be limited to:***

(1) Building components that are inadequate to provide programs required by state or federal law, rule, or regulation.

(2) Deterioration of existing buildings.

(3) Conditions that are unsafe or that threaten the security or health of students or employees.

(4) Operational systems that have excessive operational costs and are energy inefficient due to age or design characteristics.

(5) Alternatives with costs that have been considered.

(6) Any other items required by the department.

(b) The letter of intent shall be submitted on a form provided by the department. To be considered for a school construction grant in either the first or second year of the biennium, the complete building aid application shall be submitted no later than July 1 of the year prior to the biennium in which school building aid grants are to be disbursed. The building aid application shall include detailed drawings, cost estimates, funding sources, preliminary design documents, maintenance impact analysis, proof of good maintenance, and other documentation as required by the department and identified in the department's school building construction rules. A school district shall also submit a copy of any application for energy efficiency reimbursement under RSA 374-F. The department of education shall coordinate with the public utilities commission to ensure that eligible school districts have submitted applications for funding reimbursement and technical assistance as available from energy utility companies to promote indoor air quality and energy efficiency in public schools. [Applications for school building aid grants shall be submitted before September 1 of each year in order to be eligible for school building aid grants in the fiscal year following the year of submittal.]

(c) As deemed appropriate, emergency projects that are recommended by the commissioner of education and the school building authority shall be addressed on a case-by-case basis by the state board of education at any time during the school year. A school construction project requiring the replacement of all or a significant portion of a school facility which is declared uninhabitable or is identified as an imminent danger or substantial risk by the state fire marshal or a state or federal agency, and which results from an unanticipated and sudden natural or human disaster, shall qualify as an emergency project.

(d) Project proposals shall be funded to the extent of available appropriations in the fiscal year. School districts with projects for which there is insufficient state grant funding during the biennial budget may resubmit those projects to the department for future consideration in the next biennial budget cycle.

II.(a) The commissioner shall accept school building aid grant applications based upon completeness and submit a preliminary school building aid grant list, ***with applications ranked in accordance with subparagraph II(b) and rules of the department***, to the school building authority established pursuant to RSA 195-C. By ~~January 15~~ ***December 1*** of the fiscal year prior to the biennium in which school building aid grants are to be disbursed, the school building authority shall ~~[develop a rank ordered list of all school building construction and renovation proposals submitted by school districts and shall categorize each proposal based on school building and site criteria in descending order. The school building authority shall recommend prioritized proposals to be funded in descending rank order to the state board of education for approval]~~ ***verify the ranking submitted by the commissioner and submit a list in descending rank order to the state board of education for approval. If the ranking submitted to the school building authority differs***

from the preliminary school building aid grant list, the school building authority shall justify the new ranking using the same criteria in subparagraph II(b) and in rules of the department. The state board of education shall approve and publish the descending rank order list of approved projects by January 15 of the fiscal year prior to the biennium in which school building aid grants are distributed. School districts which have projects approved for funding shall be notified by the department of education of the projected amount to be funded within 10 days of approval. The project rating system and criteria used to rate project applications which shall include an administrative review process for appeal of a school district's project point rating, shall be developed by the department of education and approved by the state board of education. The department of education, after review by the house finance committee, the house special committee on education funding reform, and any senate committee designated by the senate president, shall propose interim rules pursuant to RSA 541-A no later than November 1, 2012, and final rules pursuant to RSA 541-A no later than April 30, 2013, relative to the criteria set forth in this paragraph and the procedures necessary to implement this paragraph.

(b) The commissioner of the department of education shall accept school building construction proposals based upon completeness. The department of education shall consider and score each proposal based on the following criteria:

- (1) Unsafe conditions.
- (2) Facilities not in compliance with the Americans With Disabilities Act, or obsolete, inefficient, or unsuitable facilities or mechanical and building systems.
- (3) Overcrowding and associated influences to instructional areas and programming.
- (4) Enrollment projections and population shifts.
- (5) Whether a school district has made a reasonable attempt to accommodate maintenance activities including scheduled and unscheduled repairs, upkeep, minor alterations, enhancements to buildings, and preventive maintenance necessary to achieve the design life expectancy of building systems and components. **School districts shall be required to provide maintenance records and other documentation, if necessary, concerning maintenance program activities for scheduled and unscheduled repairs, upkeep, minor alterations, and enhancements of district buildings.**

(6) A school district's fiscal capacity based on measurable criteria such as the percentage of pupils eligible for free and reduced price meals.

(7) School security design and integration of security systems.

(8) A school district which initiated and completed a locally **or state grant** funded school renovation project to remedy ~~[a safety]~~ **an imminent danger, substantial risk, or security infrastructure** condition identified by the state fire marshal **or the department of safety, division of homeland security and emergency management**, on or before June 30, ~~[2017]~~ **2019** shall be eligible to include any **such** corrected ~~[safety]~~ condition in a subsequent application for school building aid submitted by the school district ~~[after June 30, 2017]~~. This subparagraph shall ~~[not apply to a school district or a school that received state emergency funding or other state aid to remedy the safety condition on or before June 30, 2017]~~ **enable a school district having remedied an imminent danger, substantial risk, or security condition prior to June 30, 2019 to receive application point credit, but such district shall not be eligible to receive additional school construction grant funding for the remedied condition.**

(9) The project contributes to operational cost efficiencies, consolidation, or reduced property taxes.

(10) **High performance of design that provides environments that are energy and resource efficient. Energy and resource efficient designs are those that improve indoor air quality, air temperature, or water quality; reduce heating costs; provide better lighting; and increase average attendance.**

(11) Any other criteria that the state board of education may determine are necessary.

(c) ~~[The school building authority shall recommend those proposals to be funded in descending rank order to the state board of education for approval. The state board of education shall publish the list by January 15 of each year. Those proposals not approved shall be considered for approval in the next biennial budget. Project proposals shall be funded to the extent of available appropriations in the fiscal year.]~~

~~(d)~~ A school district, a city maintaining a school department within its corporate organization, a cooperative school district as defined in RSA 195:1, a receiving district operating an area school as defined in RSA 195-A:1, or a receiving district providing an education to pupils from one or more sending districts under a contract entered into pursuant to RSA 194:21-a or RSA 194:22, with projects for which there is insufficient state grant funding may resubmit those projects to the department pursuant to the provisions of this section.

III. Necessary costs of the purchase of school buildings may be determined by any recognized method of real estate appraisal with appropriate adjustments for remodeling or other expenditures. Upon approval of the construction or purchase, or both, by the department of education, the school district shall be entitled to receive a grant as provided herein.

IV. A school district that accepts school building aid for construction shall engage a clerk of the works as the owner's on-site representative, unless the commissioner waives such requirement as unnecessary. The owner shall specifically define the authority of the clerk of the works in writ-

ing. The clerk of the works shall have an understanding of all aspects of construction; however, technical skill in any particular construction trade is not necessary. The clerk of the works shall either have his or her own general comprehensive liability and accident insurance or be covered by the owner's insurance.

AMENDED ANALYSIS

This bill:

- I. Establishes a timeline for school districts to apply for building aid grants.
- II. Clarifies information to be provided in building aid applications.
- III. Provides for emergency projects.
- IV. Requires an on-site clerk of the works to represent the owner of the property.

HB 181, relative to the house and senate members of the university system board of trustees. **OUGHT TO PASS.** Rep. Rick Ladd for Education. This bill repeals the effective date of the removal of the members of the House of Representatives and the Senate from the University System of New Hampshire board of trustees resulting in the House and Senate members remaining on the board of trustees as voting members. Vote 20-0.

HB 269, relative to grounds for denial of a chartered public school application. **INEXPEDIENT TO LEGISLATE.** Rep. Patricia Cornell for Education. The committee believes that lack of state funding alone is not a sufficient reason to deny a charter school application. Approval does not guarantee funding, but the right to operate, and insures that should funding become available, the applicant does not need to reapply having already met the requirements to be granted charter school status. Vote 20-0.

HB 302, relative to communications between school administrative units and certain other entities. **INEXPEDIENT TO LEGISLATE.**

Rep. Barbara Shaw for Education. The committee agrees that local school districts should develop their own policy regarding the sharing of information. There is a possibility, if this bill were to pass, of unintended consequences involving confidential information. The determining agency should be the local school districts. Vote 17-0.

HB 329, relative to review and adoption of school data security plans. **OUGHT TO PASS WITH AMENDMENT.** Rep. Linda Tanner for Education. This bill amends RSA 91-A (Right-to Know-Law) by allowing school boards to go into executive session for discussion on records pertaining to information technology systems and other similar information, the release of which would aid an attempted security breach, or circumvention of laws as to the items assessed. Vote 20-0.

Amendment (0017h)

Amend the bill by replacing section 1 with the following:

1 New Paragraph; Governmental Records; Exemptions; Information Technology Systems. Amend RSA 91-A:5 by inserting after paragraph X the following new paragraph:

XI. Records pertaining to information technology systems, including cyber security plans, vulnerability testing and assessments materials, detailed network diagrams, or other materials, the release of which would make public security details that would aid an attempted security breach or circumvention of law as to the items assessed.

AMENDED ANALYSIS

This bill adds an exemption from the requirements of RSA 91-A for records pertaining to information technology systems.

HB 356, relative to the retention of certain reports by institutions of higher learning. **OUGHT TO PASS.** Rep. Barbara Shaw for Education. Present law does not allow a time certain for retaining transcript records from institutions of higher learning who cease regular conduct of instruction. This bill sets the preservation time of these records at 40 years. The committee believes this is a needed addition to the law to insure clarity and preservation. Vote 20-0.

HB 435, relative to certain terminology in the rulemaking authority of the department of education. **OUGHT TO PASS.**

Rep. Tamara Le for Education. This is a technical correction to RSA 21-N:9 to amend language termed "ethics" to "code of conduct." This bill corrects certain terminology in the rule making authority of the Department of Education. Vote 19-0.

Referred to the Committee on Executive Departments and Administration.

HB 147, relative to appeals from recounts. **INEXPEDIENT TO LEGISLATE.**

Rep. Wayne Moynihan for Election Law. This bill increased the time frame within which an aggrieved person may appeal an election recount. After the public hearing, the prime sponsor of this bill contacted the committee and reported that he had determined a better way, outside of this bill, to obtain the result he was after. The sponsor expressly urged the committee to find the bill Inexpedient to Legislate. The committee complied with the sponsors recommendation. Vote 19-0.

HB 187, relative to state representative districts for Hudson and Pelham. **INEXPEDIENT TO LEGISLATE.** Rep. William Pearson for Election Law. This bill changes current state representative districts by separating Hudson and Pelham. These towns are currently combined in an 11-member 2-town district. The bill keeps the same total of representatives by allocating seven to Hudson and four to Pelham. Redistricting is addressed in the State Constitution and a 2004 State Supreme Court ruling that prevents the legislature from reapportioning elective districts more than once every 10 years. *See In re. Below*, 855 A.2d 459 (N.H. 2004). New districts are adopted after the decennial federal census. Similar bills were voted Inexpedient to Legislate in 2014 and 2018. As was the case then, the majority of the committee is sympathetic to the plight of Pelham voters but does not feel it can be addressed due to constitutional concerns. Vote 19-0.

HB 242, relative to special elections. **INEXPEDIENT TO LEGISLATE.**

Rep. Catt Sandler for Election Law. This bill was voted Inexpedient to Legislate due to apparent conflicts with the New Hampshire State Constitution and existing election law. The Constitution, Part Second "Form of Government," Article 34 provides that "all vacancies in the senate arising by death, removal out of the state, or otherwise, except from failure to elect, shall be filled by a new election by the people of the district upon the requisition of the governor and council." However, Part Second Article 16 provides only that intermediate vacancies in the house of representatives may be filled. Similarly, New Hampshire election laws provide that a State Senate vacancy "shall be filled as provided in Part II Articles 34 and 62 of the State Constitution." However, a State Representative vacancy "may be filled following the provisions of RSA 655:81 and RSA 655:82, by a special election "if the selectmen of any town, or the city or any ward in said district so requests of the governor or council." There is no requirement that the selectmen in that situation make a request. Considering the time required to secure the governor's authorization for a special House election, and to schedule and hold the special election, the newly-elected representative might serve only a short time. If the subject matter of the bill was recast as a CACR, so as to resolve these constitutional and election law obstacles, it could be reconsidered in the future. Vote 19-0.

HB 297, relative to political advertisements on behalf of political committees or advocacy organizations. **OUGHT TO PASS.**

Rep. Wayne Moynihan for Election Law. This bill requires that any political advertisements made on behalf of political action committees or political advocacy organizations contain the same name and address on the advertisements as the entity registered with the Secretary of State. The committee received clear evidence that some advertising distributed in the state during campaigns and at other times was being designed in a way to imply it was from a NH community or source when in fact it originated from out of state entities. This bill takes a small step toward insuring full disclosure of those participating in NH elections. Vote 19-0.

HB 429, establishing a committee to study ways to improve civic engagement in New Hampshire. **OUGHT TO PASS.**

Rep. William Pearson for Election Law. By establishing a committee to study civic engagement in New Hampshire, the Election Law Committee unanimously agrees that this bill promotes the state's longstanding democratic tradition of high voter turnout. While New Hampshire's turnout may be envied throughout the country, the committee recognizes that voter participation is far lower in municipal and mid-term elections. Furthermore, the committee sees a study of these issues as providing a conduit for both new and experienced voters to become even more aware of their crucial role in the process. Vote 19-0.

HB 394-FN, relative to crop theft. **OUGHT TO PASS.**

Rep. Barbara Comtois for Environment and Agriculture. Crop theft has been on the rise across the United States. This bill establishes a minimum penalty for stealing or vandalizing agricultural products. The dollar amount is to help dissuade those violating the property and to encourage law enforcement to investigate these crimes. Vote 19-0. Referred to the Committee on Criminal Justice and Public Safety.

HB 617, establishing a committee to study recycling streams in New Hampshire. **OUGHT TO PASS.**

Rep. Peter Bixby for Environment and Agriculture. This bill creates a study committee to investigate the condition of recycling programs in NH and consider possible legislative remedies. While recycling programs used to pay for themselves through the sale of recycled materials, changing market conditions have reduced the value of these materials and created challenges for municipal recycling programs. The loss of recycling revenue is beginning to make municipal solid waste programs more expensive for property taxpayers, and as long-term contracts get renewed, this trend is likely to get worse. Furthermore, the reduced value of recyclables could lead to more of them ending up in landfills at the same time as the state's landfill capacity is shrinking and getting more expensive. This bill had strong support from the Department of Environmental Services, representatives of towns, and the NH Municipal Association. There was no opposition. Vote 19-0.

HB 112, relative to the mechanical licensing board. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Carol McGuire for Executive Departments and Administration. This bill, as amended, updates the statute that sets up the Mechanical Licensing Board. Significant changes include authorizing the board to set rules for apprenticeship programs, better defining the various levels of gas fitters, and allowing the lower levels of gas fitters to obtain a business license (while operating within their scope of practice). It also requires licensed business entities to have liability insurance and show proof of good standing with the Secretary of State. Vote 20-0.

Amendment (0058h)

Amend the bill by replacing section 2 with the following:

2 Business Entities License. Amend RSA 153:29-a, I to read as follows:

I. The board may issue a business entity a license without examination or continuing education requirements to corporations, partnerships, or limited liability companies engaged in fuel gas fitting and/or plumbing, provided one or more officers of the corporation, or designee, or one or more members of the partnership, or designee, or one or more managing members of the limited liability company, or designee, hold an active and current license as a ***domestic appliance technician, hearth system installation and service technician, fuel gas piping installer, fuel gas installation technician***, fuel gas service technician, or master plumber for the appropriate mechanical business entity license, or any combination thereof, provided that the licensee of record is properly licensed for each of the business entities listed by the applicant under this subdivision. Within 30 days after the death or withdrawal of the licensed person as a corporate officer, or designee, or member of the partnership, or designee, or one or more managing members of the limited liability company, or designee, the licensed person, corporation, partnership, or limited liability company shall give notice thereof to the board and, if no other officer, partner, manager or designee, is licensed as a ***domestic appliance technician, hearth system installation and service technician, fuel gas piping installer, fuel gas installation technician***, fuel gas service technician, or master plumber, the corporation, or partnership, or limited liability company shall not act as a fuel gas fitter or plumber until some other officer, member, or designee, has obtained a license as a ***domestic appliance technician, hearth system installation and service technician, fuel gas piping installer, fuel gas installation technician***, fuel gas service technician, or master plumber. Notwithstanding any other provision of law, the board shall not require a fee for a business entity engaged in fitting and/or plumbing where a licensed ***domestic appliance technician, hearth system installation and service technician, fuel gas piping installer, fuel gas installation technician***, fuel gas service technician, or master plumber is the sole individual holding the license of the business entity.

HB 115, relative to the regulation of private investigators, security guards, and bail recovery agents. **OUGHT TO PASS.**

Rep. Carol McGuire for Executive Departments and Administration. This bill recodifies RSA 106-F, the much amended and very confusing statute on private investigators and security guards. It makes minor changes to simplify the fee structure and adds explicit recognition of the fact that a license is not required to carry a firearm for personal protection. Persons licensed as armed security guards and investigators are still required to be trained and certified, and investigators who are not licensed for firearms proficiency are forbidden to mention that they are carrying. This bill was a request of the Joint Legislative Committee on Administrative Rules and is supported by the Department of Safety and private investigators. Vote 20-0.

HB 165, prohibiting a public official from contracting out his or her duties. **INEXPEDIENT TO LEGISLATE.**

Rep. Samantha Fox for Executive Departments and Administration. This bill would prohibit a public official from contracting out any of their duties and would, in fact, make doing so a criminal offense. It would prevent regular occurrences such as the hiring of town managers, utilizing third party inspection agencies for large or highly technical projects (such as engineering firms), and inter-municipal agreements to share coverage with a neighboring community inspector. The ED&A Committee believes this to be impractical and unwarranted. Vote 18-0.

HB 213, relative to exclusions from the requirement for licensure as a private investigator, bail recovery agent, or security guard. **INEXPEDIENT TO LEGISLATE.**

Rep. Dianne Schuett for Executive Departments and Administration. This bill would have amended licensing exclusions for private investigating agencies to include those employees who simply gather data using computers or digital technologies. The committee found this bill Inexpedient to Legislate in favor of HB 115, which is a complete revision of the entire statute regarding licensure of private investigators, security guards, and bail recovery agents with broader definitions of those to be excluded from licensing requirements. Vote 20-0.

HB 224-FN, making emergency medical technicians and rescue squad members eligible for a death benefit if killed in the line of duty. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Mark Proulx for Executive Departments and Administration. This bill adds emergency medical technicians (EMTs) and rescue personnel to the law providing a death benefit for public safety workers killed in the line of duty. When the original law was passed there were very few EMTs and most were connected to the fire department. Now emergency medical services has come of age. The state has a lot more EMTs and rescue personnel that are not connected to fire departments. Some towns now have non-profit associations that fill a need by running the ambulance for that town and the surrounding towns. Other towns run separate rescue squads. These emergency personnel work side by side with police and firefighters at the same emergency scenes and are deserving of the same benefit. Vote 18-0.

Amendment (0006h)

Amend RSA 21-I:29-a, I(d) as inserted by section 1 of the bill by replacing it with the following:

(d) “Emergency medical technician” means all levels of emergency medical technician, including emergency medical responders, emergency medical technicians, advanced emergency medical technicians, and paramedics, whether auxiliary, intermittent, special, part-time, volunteer, call, or reserve, who is employed by a city, town, village district, or precinct within the state of New Hampshire, or any emergency medical technician who is a volunteer for or employed by a nonprofit corporation in New Hampshire, or any New Hampshire licensed private ambulance service while in the performance of emergency care.

Referred to the Committee on Finance.

HB 259, relative to building code violations. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Steven Beaudoin for Executive Departments and Administration. This bill, in its original form, specified that any notice of building code violations issued by a code compliance officer must also include a reference to the specific section of the applicable code that is being violated. The committee amendment extends this same requirement to include inspections done by a local fire chief or the State Fire Marshall’s Office. Vote 20-0.

Amendment (0199h)

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

1 New Paragraph; Fire Safety Measures; Notice of Violation. Amend RSA 153:14 by inserting after paragraph V the following new paragraph:

VI. Any notice of violation issued by the state fire marshal or the state fire marshal’s authorized representative shall include the relevant section of the state or local fire code.

2 New Paragraph; State Building Code; Enforcement; Notice of Violation. Amend RSA 155-A:7 by inserting after paragraph IV the following new paragraph:

V. Any notice of violation issued by an enforcement authority as described in paragraph I shall include the relevant section of the state or local building or fire code.

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

AMENDED ANALYSIS

This bill requires violation notices issued by a code enforcement authority to reference the relevant section of the state or local building or fire code.

HB 287, relative to nepotism in state employment. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Peter Schmidt for Executive Departments and Administration. This bill expands the prohibition on nepotism in the executive branch code of ethics by adding stepparent, grandparent and grandchild to the list of relatives in the statute that may not be hired or supervised by an executive branch official or classified employee. The amendment retains the requirement that the employment or supervision prohibited must be direct. Vote 19-0.

Amendment (0291h)

Amend the introductory paragraph of RSA 21-G:26-a as inserted by section 1 of the bill by replacing it with the following:

21-G:26-a Nepotism. No executive branch official or classified employee shall directly hire, evaluate, set the compensation or salary for, supervise, or terminate the employment of any full-time or part-time employee, temporary employee, or member of a state board or commission if such employee or member is related to such official in one of the following ways:

AMENDED ANALYSIS

This bill expands the prohibition on nepotism in the executive branch code of ethics to include a stepparent, grandparent, and grandchild.

HB 303, relative to certification of building code compliance inspectors. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Steven Beaudoin for Executive Departments and Administration. As building codes and construction techniques become more complex, the qualifications necessary to properly inspect workmanship also increases. New Hampshire currently has no standard whatsoever for the qualifications of the people that are charged with ensuring our homes and buildings are constructed safely and properly. This bill sets a minimum standard of qualifications while also allowing the Building Code Review Board (BCRB) to develop rules that could, for instance, recognize a compliance officer’s existing experience. The committee amendment simply extends the effective date of the legislation to January 1, 2020 in order to allow the BCRB sufficient time to promulgate those rules. Vote 20-0.

Amendment (0267h)

Amend the bill by replacing section 3 with the following:

3 Effective Date. This act shall take effect January 1, 2020.

HB 328, repealing the New Hampshire film and television commission. **OUGHT TO PASS.**

Rep. Peter Schmidt for Executive Departments and Administration. Given the reorganization of the former Department of Resources and Economic Development into the Department of Business and Economic Affairs,

with the complete transfer of the purpose and function of the NH Film and Television Commission to the Division of Travel and Tourism Development, that commission is now inoperative and defunct. Accordingly, this bill repeals unnecessary and inaccurate statutory language. Vote 18-0.

HB 343, relative to application of the state fire code to foster homes. **OUGHT TO PASS.**

Rep. Jaci Grote for Executive Departments and Administration. During the public hearing on this bill, a representative from the Division for Children, Youth and Families (DCYF) and the State Fire Marshall both testified in support. Last year, the House charged the State Fire Marshal to work with the Department of Health and Human Services to design a form that would bring uniformity to the many different municipal forms used in reviewing foster homes. This bill complies with that request and brings uniformity to the evaluation of foster homes vis-à-vis the State Fire Code. Furthermore, DCYF confirmed that the number of children needing foster homes have doubled in the past three years and their position is that it should not be more difficult to house a foster child than any other child. Vote 20-0.

HB 138, relative to rules pertaining to marine species managed under the Magnusson-Stevens Fishery Conservation and Management Act. **OUGHT TO PASS.**

Rep. Sparky Von Plinsky for Fish and Game and Marine Resources. This bill was requested by the Fish and Game Department so that NH Marine Fisheries rules can more closely align with federal fisheries rules. Essentially the bill will make it easier for the rules governing the first 3 miles of coastal waters to align with those governing the outer 197 miles. Vote 18-0.

HB 281, relative to beaver deceivers. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Cathryn Harvey for Fish and Game and Marine Resources. As amended, this bill allows a landowner, the landowner's agent, or any town or municipal or state employee to destroy beaver, remove beaver dams, or install one or more flow devices on property under their control to protect property, public highways, or bridges from damage or submersion without a wetlands permit under RSA 482-A. Vote 20-0.

Amendment (0214h)

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

AN ACT relative to flow devices designed to control beaver damming and minimize the risk of flooding behind an existing beaver dam.

Amend the bill by replacing section 1 with the following:

1 Protection of Beaver; Flow Devices. Amend RSA 210:9, II and II-a to read as follows:

II. Notwithstanding paragraph I or any other provision of law or rule ~~[of the executive director or the department of environmental services]~~, a landowner, the landowner's agent, or any town or municipal or state official or employee, may destroy beaver, remove beaver dams, or install ~~[beaver pipes or beaver fences]~~ **one or more flow devices** on property under their control to protect property, public highways, or bridges from damage or submersion. ***The landowner or property owner shall be responsible for maintaining the flow device. Complete or partial dam removal or the installation or removal of a flow device*** shall be allowed without a permit under RSA 482-A if machinery does not enter the water and filling or dredging in or adjacent to surface water, wetlands, or their banks does not occur~~[- removal]~~ **and** shall be done in a gradual manner that does not allow a sudden release of impounded water so as to cause erosion, siltation, or a safety hazard downstream.

II-a. For purposes of paragraph II, the term ~~["beaver pipes" means no more than 3 temporary structures with the widest dimension no larger than 15 inches that is placed in a beaver dam to allow water passage to maintain a specific water surface elevation; and the term "beaver fences" means posts and fencing installed at culverts in such a manner as to either encourage or discourage beaver damming against the fence]~~ ***"flow device" means one or more fence structures or other combination of fencing and piping used to discourage beaver damming, maintain water flow through an existing beaver dam, or minimize the risk of flooding by preventing the further impoundment of water behind a beaver dam.***

AMENDED ANALYSIS

This bill allows for the installation of flow devices to discourage beaver damming and to minimize the risk of flooding behind an existing beaver dam.

HB 316-FN, relative to the law governing training permits for the training of bird dogs and trail or tree hounds. **INEXPEDIENT TO LEGISLATE.**

Rep. Timothy Egan for Fish and Game and Marine Resources. The intent of the bill was unclear and not supported by the NH Fish and Game Department. The NH Guides Association and NH Bird Dog Association agreed that the bill was not needed and poorly written. There was no other discussion. Vote 18-1.

HB 113, relative to qualifications for and exceptions from licensure for mental health practice. **OUGHT TO PASS WITH AMENDMENT.**

Rep. James MacKay for Health, Human Services and Elderly Affairs. As amended, this legislation is one step in a much needed process to address the severe manpower shortage in the mental health and addic-

tions fields. Currently, holders of licenses in the career fields must complete a degree, pass a test, and complete 3,000 hours under supervision to qualify for a license to practice without supervision. If a professional licensed to practice without supervision wants to qualify to practice in another area, so they can treat co-occurring conditions, they must currently complete another 3,000 supervised hours. This bill allows the relevant board to waive up to 1,500 hours for the second qualification. This bill is supported by the pertinent licensing loads. Vote 20-0.

Amendment (0059h)

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

1 Mental Health Practice; Clinical Social Workers; Experience. Amend RSA 330-A:18, III to read as follows:

III. Has completed a minimum of 2 years of post-masters experience including completion of a minimum of 3,000 hours of post-masters, supervised clinical experience by a board approved licensed independent clinical social worker or licensed clinical mental health counselor supervisor, or any other supervisor based on reasonable and specific criteria established in rules adopted under RSA 330-A:10. ***A current master licensed alcohol and drug counselor (MLADC) license issued by the board of licensing for alcohol and other drug use professionals under RSA 330-C may be substituted for up to 1,500 hours of the required 3,000 hours of supervised clinical experience. Where substitution of the full 1,500 hours is denied by the board, the MLADC applicant shall be provided the rationale for the board's denial. The board shall not deny the substitution of hours solely based on the MLADC applicant's clinical supervisor holding an MLADC license.***

2 Clinical Mental Health Counselors; Experience. Amend RSA 330-A:19, III to read as follows:

III. Has completed a minimum of 2 years of post-masters experience including completion of a minimum of 3,000 hours of post-masters, supervised clinical experience by a board approved licensed independent clinical social worker or licensed clinical mental health counselor supervisor, or any other supervisor based on reasonable and specific criteria established in rules adopted under RSA 330-A:10. ***A current master licensed alcohol and drug counselor (MLADC) license issued by the board of licensing for alcohol and other drug use professionals under RSA 330-C may be substituted for up to 1,500 hours of the required 3,000 hours of supervised clinical experience. Where substitution of the full 1,500 hours is denied by the board, the MLADC applicant shall be provided the rationale for the board's denial. The board shall not deny the substitution of hours solely based on the MLADC applicant's clinical supervisor holding an MLADC license.***

3 Mental Health Practice; Marriage and Family Therapists, Experience. Amend RSA 330-A:21, III to read as follows:

III. Has completed a minimum of 2 years of post-master's experience in a mental health counseling setting, including completion of a minimum of [1,000] ***3,000*** hours of supervised practice of marriage and family therapy under supervision approved by the American Association of Marriage and Family Therapy or the board, and has completed 200 hours of face-to-face supervision by a supervisor approved by the American Association of Marriage and Family Therapy or the board. Supervision standards shall be equivalent to an American Association of Marriage and Family Therapy approved supervisor, or approved alternate supervision as defined by the American Association of Marriage and Family Therapy Commission on Supervision. ***A current master licensed alcohol and drug counselor (MLADC) license issued by the board of licensing for alcohol and other drug use professionals under RSA 330-C may be substituted for up to 1,500 hours of the required 3,000 hours of supervised clinical experience. Where substitution of the full 1,500 hours is denied by the board, the MLADC applicant shall be provided the rationale for the board's denial. The board shall not deny the substitution of hours solely based on the MLADC applicant's clinical supervisor holding an MLADC license.***

4 Candidates for Mental Health Licensure; Independent or Private Practice. Amend RSA 330-A:22, V to read as follows:

V. No candidate shall engage in independent or private mental health practice or offer to render, or render services, except as provided in this section, ***or as otherwise licensed by the state of New Hampshire.***

5 Mental Health Practice; Person Exempted. Amend RSA 330-A:34, I(e) to read as follows:

(e) The psychotherapy activities and services of physicians licensed under RSA 329, [and] advanced registered nurse practitioners[,] licensed under RSA 326-B:18, ***psychologists licensed under RSA 329-B, and master licensed alcohol and drug counselors licensed under RSA 330-C:16.***

6 Alcohol and Other Drug Use Professionals; Master Licensed Alcohol and Drug Counselor. Amend RSA 330-C:16, I - III to read as follows:

I.(a) Have graduated with a minimum graduate degree of a 60-hour masters degree ***or advanced standing masters degree*** in clinical mental health, clinical psychology, substance use treatment, social work, or human services or equivalent, with clinical course work and internship requirements, from an accredited college or university, 300 hours of alcohol and drug use education, which may be included in the coursework of the master's program, and 300 hours of supervised practical training.

(b) Have graduated with a masters degree of less than 60 hours in a discipline described in subparagraph (a) and has completed the necessary additional hours of masters level course work as determined by the board pursuant to RSA 330-C:9, I(d).

II. Either hold a current LADC license or pass the testing procedures required under RSA 330-C:17, II.

II-a. Either hold a current license issued by the board of mental health practice or pass the examination approved by the board of licensing for alcohol and other drug use professionals to demonstrate competence to provide co-occurring disorder counseling within the context of substance use counseling.

III. Complete 3,000 hours of clinically supervised post-masters degree work experience in the treatment of substance use and co-occurring disorders. Up to 1,500 hours of clinically supervised work experience accumulated by the applicant during his or her practice as an LADC may be counted toward the required 3,000 hours. A current license issued by the board of mental health practice ***under RSA 330-A*** may be substituted for ***up to*** 1,500 hours of the required 3,000 hours of clinically supervised work experience. ***Where substitution of the full 1,500 hours is denied by the board, the applicant shall be provided the rationale for the board's denial. The board shall not deny the substitution of hours solely based on the applicant's clinical supervisor holding a license issued by the board of mental health practice.***

7 Repeal. RSA 330-A:20, relative to an obsolete provision for provisional clinical mental health counselor licenses, is repealed.

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

AMENDED ANALYSIS

This bill allows experience as a master licensed alcohol and drug counselor to qualify as experience for licensure as a clinical social worker, clinical mental health counselor, or marriage and family therapist. The bill also clarifies the mental health license exemption for psychotherapy activities and services of psychologists and master licensed alcohol and drug counselors.

Referred to the Committee on Executive Departments and Administration.

HB 127, relative to the board of medicine and the medical review subcommittee. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Polly Champion for Health, Human Services and Elderly Affairs. This legislation was filed at the request of the board of medicine and the office of professional licensure and credentialing. This bill clarifies the service of the DHHS Medical Director on the board of medicine and the employment status of the physician investigator. The amendment adopted by the committee further delineates that the state of NH shall contract with a qualified physician to serve as a medical review subcommittee investigator, through the board of medicine and the office of professional licensure and credentialing. This legislation as amended brings the statutory language into agreement with the practice and reduces the potential for conflict of interest on the part of the physician investigator. Vote 20-0.

Amendment (0043h)

Amend the bill by replacing section 2 with the following:

2 Medical Review Subcommittee; Investigator. Amend RSA 329:17, V-a to read as follows:

V-a. A medical review subcommittee of 13 members shall be nominated by the board of medicine and appointed by the governor and council. The subcommittee shall consist of 13 persons, ~~[3 of whom shall be public members, one of whom shall be a physician assistant, and]~~ 9 of whom shall be physicians, ***one of whom shall be a physician assistant, and 3 of whom shall be public members.*** One of the physician members shall practice in the area of pain medicine and anesthesiology. ~~[Any]~~ ***No*** public member of the subcommittee shall be ~~[a person who is not, and never was,]~~ ***or ever have been*** a member of the medical profession or the spouse of ~~[any such person, and who does not have, and never has had,]~~ ***a member of the medical profession. No public member shall have or ever have had*** a material financial interest in either the provision of medical services or an activity directly related to medicine, including the representation of the board or profession for a fee~~[at any time during the 5 years preceding appointment]~~. The terms of the public members shall be staggered so that no 2 public members' terms expire in the same year. The subcommittee members shall be appointed for 3-year terms, and shall serve no more than 2 terms. Upon referral by the board, the subcommittee shall review disciplinary actions reported to the board under paragraphs II-V of this section, except that matters concerning a medical director involved in a current internal or external grievance pursuant to RSA 420-J shall not be reviewed until the grievance process has been completed. Following review of each case, the subcommittee shall make recommendations to the board. Funds shall be appropriated from the general fund for use by the subcommittee to investigate allegations under paragraphs I-V of this section. ~~[The board shall employ through the office of professional licensure and certification a physician as a medical review subcommittee investigator who shall serve at the pleasure of the board. The salary of the medical review subcommittee investigator shall be established by RSA 94:1-a.]~~ ***The state of New Hampshire, by the board and the office of professional licensure and certification, and with the approval of governor and council, shall contract with a qualified physician to serve as a medical review subcommittee investigator.***

HB 284, relative to biennial controlled substance inventories conducted under the Controlled Drug Act. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Mark Pearson for Health, Human Services and Elderly Affairs. At present various medical practitioners, hospitals and other persons or businesses required by federal law, must conduct biennial controlled substance inventories on May 1 in odd-numbered years. Sometimes this date falls on a Sunday requiring additional costs to be expended to pay people overtime pay. The bill simply changes the date requirement to conform to the language of the United States Code; which will allow more flexibility. Vote 20-0.

Amendment (0133h)

Amend RSA 318-B:12, III as inserted by section 1 of the bill by replacing it with the following:

III. Practitioners including physicians, podiatrists, dentists, veterinarians, optometrists, advanced practice registered nurses, manufacturers, wholesalers, pharmacies, clinics, hospitals, laboratories, and any other person required by federal law to conduct biennial controlled substance inventories, shall do so ~~beginning May 1, 1991, and thereafter on May 1 of~~ *in accordance with 21 U.S.C. section 1304.11(c) inventory requirements* every odd-numbered year. *The pharmacy board, established in RSA 318:2, may adopt rules, pursuant to RSA 541-A, relative to the board's responsibility for ensuring compliance with this paragraph.*

HB 311, regulating sober living facilities. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Gerri Cannon for Health, Human Services and Elderly Affairs. This bill is enabling legislation which allows municipality to adopt ordinances regulating sober living facilities. "Sober living facilities" or "sober houses" are congregate living facilities for people recovering from addiction. Currently, these facilities are often considered to be rooming houses for purposes of the State Fire Code, which would require them to conform to all code requirements for recovery houses, including the installation of expensive sprinkler systems. The bill, as amended, creates an exception to the State Fire Code for these facilities in towns which adopt the ordinance, balancing safety requirements with the need to provide this type of facility at a reasonable cost to participants. The bill balances exemption from certain safety requirements with a registration requirement which allows local fire departments to ensure safety provisions are followed. Vote 20-0.

Amendment (0152h)

Amend RSA 48-A:11-a as inserted by section 1 of the bill by inserting after paragraph V the following new paragraph:

VI. A sober living facility meeting the requirements of an ordinance adopted pursuant to this section shall be deemed to be in compliance with the state fire code under RSA 153.

Amend the bill by inserting after section 1 the following and renumbering the original section 2 to read as 3: 2 State Fire Code; Sober Living Facility Ordinance. Amend RSA 153:5, IV to read as follows:

IV. The state fire marshal may exempt a building, structure, or equipment from such rules if he or she finds that such exemption does not constitute a hazard to the public welfare and safety. A reasonable time, as determined by the state fire marshal, shall be allowed to make necessary alterations. Nothing in this section shall be construed to prevent municipalities from adopting bylaws or ordinances relative to a subject area of rules adopted by the state fire marshal in accordance with this section if such bylaws or ordinances are no less restrictive than rules adopted by the state fire marshal. *A sober living facility operating pursuant a municipal ordinance adopted under RSA 48-A:11-a for the regulation and enforcement of sober living facilities shall be deemed to comply with the state fire code.*

Referred to the Committee on Municipal and County Government.

HB 508, relative to direct primary care. **OUGHT TO PASS WITH AMENDMENT.**

Rep. William Marsh for Health, Human Services and Elderly Affairs. This bill accomplishes one very simple thing; it removes statutory barriers to direct primary care and clarifies that direct primary care is not a form of insurance, as has been done in 25 states. Direct primary care is not synonymous with concierge medicine. It is a model whose followers, as a consequence of how highly they value the doctor patient relationship, refuse to compromise their duty to their patients with a duty or financial incentive to control costs on behalf of an insurer. Practitioners are paid a retainer and do not bill insurers on a fee for service basis. By making themselves available, sometimes by innovative methods, practitioners have reduced health care costs for their patients. Passage will allow expansion of this model in NH. The amendment clarifies language about provider qualifications. Vote 20-0.

Amendment (0130h)

Amend RSA 415:28, III(c) as inserted by section 1 of the bill by replacing it with the following:

(c) The patient's medical condition is such that the provider is unable to provide the type of primary care services needed by the patient.

Referred to the Committee on Commerce and Consumer Affairs.

HB 509-FN, relative to a graduate physician pilot program. **INEXPEDIENT TO LEGISLATE.**

Rep. William Marsh for Health, Human Services and Elderly Affairs. In response to the introduction of a similar bill last session, two new medical residency programs are being developed in NH, including one focused on rural medicine. This is a step towards accomplishing the intent of the prime sponsor to expand access to health care in undeserved parts of NH, and makes the bill no longer necessary. Vote 17-2.

HB 353, establishing a committee to study whether non-attorney legal professionals could be licensed to engage in the limited practice of law in the family division of the circuit court while under the supervision of a licensed attorney. **OUGHT TO PASS.**

Rep. David Woodbury for Judiciary. This bill establishes a committee to examine to what extent, if at all, lay persons may practice before the Family Division of the Circuit Court. Given the number of pro se litigants in that court and given the complexities and importance of the issues decided and coupled with the scarcity of attorneys willing and able to undertake their representation, non-attorney legal professionals are an attractive option. If established, the committee could explore the expertise and experience required as well as the interface with the New Hampshire Bar Association. The committee felt the need to explore this remedy to a pressing problem in the Family Division. Vote 19-1.

HB 421, relative to the requirements for summary judgment in a civil action. **INEXPEDIENT TO LEGISLATE.**

Rep. Paul Berch for Judiciary. This bill would mandate summary judgment for the moving party in civil suits if the opposing party fails to follow certain procedural rules. The bipartisan majority of the committee felt there were policy and procedural problems with the proposed legislation. As a general concept, courts in NH have moved away from strict enforcement of the letter of the rules, especially in the case of a pro se litigant. This bill would remove any discretion from the judge and allow certain errors in pleading to override justice. The bill would also allow courts to make findings without an opportunity for litigants to be heard and could result in a party winning even if they presented no valid claim. Vote 16-2.

HB 227, relative to the length of time an employer may lease an employee through an employee leasing company. **INEXPEDIENT TO LEGISLATE.**

Rep. Donald Bouchard for Labor, Industrial and Rehabilitative Services. The sponsor disapproved of the bill as it was written, and wished it to be withdrawn. The committee therefore voted to recommend Inexpedient to Legislate. Vote 19-0.

HB 285, relative to filing and approval of rates and rating plans applicable to workers' compensation. **OUGHT TO PASS.**

Rep. Timothy Soucy for Labor, Industrial and Rehabilitative Services. The majority of the committee felt that since the bill was requested by the NH Insurance Department, to make workers compensation rates open to public inspection when approved by the Insurance Commissioner, it deserved a recommendation of Ought to Pass. Vote 20-0.

HB 294, establishing a committee to study enforcement of the equal pay act provisions. **INEXPEDIENT TO LEGISLATE.**

Rep. William Bordy for Labor, Industrial and Rehabilitative Services. The committee felt that a study committee on this topic is not required at this time. The Department of Labor is the current mechanism to address concerns of enforcement of equal pay. Vote 19-0.

HB 122, allowing for gifts, grants, and donations on behalf of state and national legislative association events. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Timothy Smith for Legislative Administration. In 2007, the Legislative Ethics Committee offered Advisory Opinion 2007-4 which allowed for the then Sergeant-at-Arms to fundraise for the purposes of hosting a staff section meeting of the National Conference of State Legislatures. Since that time, no other meetings of that nature have taken place in New Hampshire, although we've had two prior Speakers who served as President of NCSL and various members and officers who hold leadership positions within the organization. This legislation, as amended, codifies the advisory opinion, stating that members, officers, and staff of the General Court may solicit funds for the express purpose of hosting a meeting by an organization to which the General Court pays dues (NCSL and CSG). Vote 14-0.

Amendment (0120h)

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

1 New Subparagraph; Gifts and Honorariums; Legislature; definition of Gift; Exclusion Added. Amend RSA 14-C:2, IV(b) by inserting after subparagraph (14) the following new subparagraph:

(15) Gifts, grants, or donations on behalf of an official meeting, conference, or event of a state or national legislative association to which the general court pays dues and which includes among its membership the New Hampshire general court, officers, or staff.

2 Gifts and Honorariums; Solicitation or Acceptance. Amend RSA 14-C:3, III to read as follows:

III. It shall be unlawful for any legislator or legislative employee to solicit or to knowingly accept, directly or indirectly, any gift, as defined in this chapter, or to fail to meet the reporting requirements of this chapter. ***This prohibition shall not apply to the solicitation or acceptance of gifts, grants, or donations on behalf of an official meeting, conference, or event of a state or national legislative association to which the general court pays dues and which includes among its membership the New Hampshire general court, officers, or staff.***

AMENDED ANALYSIS

This bill excludes from legislative prohibitions and reporting requirements the solicitation and acceptance of gifts, grants, or donations on behalf of certain official state and national legislative association events.

HB 214, repealing an obsolete provision for legislative mileage for attaches from Concord. **OUGHT TO PASS.** Rep. Allison Nutting-Wong for Legislative Administration. This bill repeals RSA 14:17 which deals with mileage paid to “attaches” who live in Concord. Legislative employees are no longer paid for mileage and therefore this law is no longer necessary. Vote 13-1.

HB 216-FN, relative to the mileage reimbursement rate for legislators and prohibiting deductions from compensation or mileage reimbursement of representatives. **INEXPEDIENT TO LEGISLATE.** Rep. Kimberly Rice for Legislative Administration. This bill would remove the use of the maximum rate established under the United States Internal Revenue Code for legislative mileage reimbursement and prohibit deductions from compensation or mileage reimbursement of House members. The committee heard testimony that the Internal Revenue Code and its regulations define “employee” to include an elected state representative for the purposes of federal income tax withholding. The committee believes that if this bill were to become law, it would be in conflict with federal law. Vote 14-0.

HB 453, relative to members of the state house bicentennial commission. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Kimberly Rice for Legislative Administration. As amended, this bill does a few things regarding the State House Bicentennial Commission. It designates a week in June 2019 as New Hampshire State House Bicentennial Week and establishes June 6th, 2019, as New Hampshire Legislators’ Homecoming Day. It also adds certain members including former Governors, House Speakers, Senate Presidents, Chief Justices of the Supreme Court, and Secretaries of States as honorary chairmen of the commission. Vote 14-0.

Amendment (0080h)

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

AN ACT making changes to the membership of the state house bicentennial commission, declaring June 2 - June 8 as New Hampshire State House Bicentennial Week, and declaring June 6 as New Hampshire Legislators’ Homecoming Day.

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

1 New Subparagraphs; State House Bicentennial Commission; Director of the State House Visitors Center and Chief Operating Officer of the General Court Added. Amend RSA 17-R:1, II by inserting after subparagraph (u) the following new subparagraphs:

(v) The director of the state house visitors center, or designee.

(w) The chief operating officer of the general court, or designee.

2 New Paragraph; State House Bicentennial Commission; Honorary Members Added. Amend RSA 17-R:1 by inserting after paragraph II the following new paragraph:

II-a. All living, former governors, speakers of the house of representatives, senate presidents, chief justices of the supreme court, and secretaries of state shall be honorary chairpersons of the commission.

3 New Hampshire State House Bicentennial Week. The general court hereby declares that the period of June 2 to June 8, 2019 shall be known as the New Hampshire State House Bicentennial Week.

4 New Hampshire Legislators’ Homecoming Day. The general court hereby establishes Thursday, June 6, 2019 as New Hampshire Legislators’ Homecoming Day.

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

AMENDED ANALYSIS

This bill:

I. Adds members to the state house bicentennial commission and makes all living, former governors, speakers of the house of representatives, senate presidents, chief justices of the supreme court, and secretaries of state honorary chairs of the commission.

II. Establishes a week in June 2019 as the New Hampshire State House Bicentennial Week.

III. Establishes June 6, 2019 as New Hampshire Legislators’ Homecoming Day.

HB 525-FN, relative to the compensation of members of the general court. **INEXPEDIENT TO LEGISLATE.** Rep. Kimberly Rice for Legislative Administration. While payment in silver coins sounds very appealing, there is no practical way this could be implemented. Vote 14-0.

HB 125, allowing county officers to be chosen by secret ballot, and exempting secret ballots from the right-to-know law. **INEXPEDIENT TO LEGISLATE.**

Rep. David Meader for Municipal and County Government. This bill would allow county officers to be chosen by secret ballot and exempt the ballots from the right to know laws. The committee heard some testimony that some counties are already doing this without specific state authority. It was the feeling of the committee that this bill is unneeded. In addition, increased transparency is a goal that should be sought in legislation. Vote 18-0.

HB 136, increasing the maximum period for the zoning board of adjustment to hold a public hearing. **OUGHT TO PASS.**

Rep. Donna Mombourquette for Municipal and County Government. This bill was requested to provide relief for municipalities with fewer resources to assure an adequate time frame between application, notice of hearing, and the scheduled date of hearing. Because many municipalities meet monthly, the timing of the receipt of application often required a second meeting to be scheduled, creating a burden on resources. Municipalities able to conduct hearings within a 30-day period will not be impacted by this bill. The bill extends the time for scheduling a Zoning Board of Appeals hearing from 30 to 45 days from the time of receipt of an application for appeal. Vote 17-0.

HB 145, relative to the counting of secret ballots. **OUGHT TO PASS.**

Rep. James Belanger for Municipal and County Government. "The Moderator may not override existing state law" (Pierce v. Langdon, 110 N.H. 170 (1970)). Voter intent is primary for counting votes in any election or other articles. This bill makes it clear that every ballot must be considered in counting the results. When a count of secret ballots is made, some ballots are often considered "spoiled ballots" and set aside without being counted. A ballot may be considered "spoiled" for several reasons, such as not following specific instructions on how to mark the ballot. No vote should be discounted, and those ballots need to be reviewed, as they would be in a recount, as to voter intent. The moderator should review and determine the intent of the voter on each ballot and rule accordingly. This bill will make it clear what is already understood in New Hampshire, every vote counts, and every vote should be counted. Vote 19-0.

HB 146, relative to the counting of defective ballots. **OUGHT TO PASS WITH AMENDMENT.**

Rep. James Belanger for Municipal and County Government. This bill is a companion bill to HB 145. Everyone is aware that a moderator conducting an official meeting makes rules for the conduct of the meeting. All also know that these rules are subject to being over-ruled by the legislative body. However, when it comes to counting votes in a recount or regular count, the state statutes are clear that voter intent is primary and cannot be disregarded. The legislative body has no authority to over-rule the moderator in a decision on the results of a recount of a secret ballot vote. Legislative bodies have no authority to amend or modify state law and this bill simply makes that clear. The amendment simply corrects a referral in the bill where it mentioned the wrong statute. Vote 19-0.

Amendment (0049h)

Amend the bill by inserting after section 2 the following and renumbering the original sections 3-4 to read as 4-5, respectively:

3 Government of Town Meeting; Conduct of Voting; Declaration of Results. Amend RSA 40:4-d to read as follows:

40:4-d Declaration of Results. If, in the case of a recount of votes, it shall appear that the result of the vote on the question was other than as declared by the moderator, the board of recount shall declare the result found by it and shall, after [5] **10** days from such declaration, if no appeal is taken to the superior court, certify such declaration to the town clerk and said declaration shall be final, unless the result is changed upon appeal to the superior court.

HB 245, relative to the planning board's procedures on plats. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Paul Dargie for Municipal and County Government. This bill provides a reasonable time between the filing of a plan and the time when a hearing must be scheduled. The current statute states that an application must be filed at least 21 days prior to the meeting at which the application will be accepted. This bill allows the planning board to specify a shorter period of time in its rules of procedure. This allows a particular planning board to do things quicker if they have the resources to do so. Vote 18-0.

Amendment (0024h)

Amend the bill by replacing section 1 with the following:

1 Planning and Zoning; Planning Board; Board's Procedures on Plats; Application Deadline. Amend RSA 676:4, I(b) to read as follows:

(b) The planning board shall specify by regulation what constitutes a completed application sufficient to invoke jurisdiction to obtain approval. A completed application means that sufficient information is included or submitted to allow the board to proceed with consideration and to make an informed decision. A completed application sufficient to invoke jurisdiction of the board shall be submitted to and accepted by the board only at a public meeting of the board, with notice as provided in subparagraph (d). An application shall not be considered

incomplete solely because it is dependent upon the submission of an application to or the issuance of permits or approvals from other state or federal governmental bodies; however, the planning board may condition approval upon the receipt of such permits or approvals in accordance with subparagraph (i). The applicant shall file the application with the board or its agent at least 21 days prior to the meeting at which the application will be accepted, ***provided that the planning board may specify a shorter period of time in its rules of procedure.*** The application shall include the names and addresses of the applicant, all holders of conservation, preservation, or agricultural preservation restrictions as defined in RSA 477:45, and all abutters as indicated in the town records for incorporated towns or county records for unincorporated towns or unorganized places not more than 5 days before the day of filing. Abutters shall also be identified on any plat submitted to the board. The application shall also include the name and business address of every engineer, architect, land surveyor, or soil scientist whose professional seal appears on any plat submitted to the board.

AMENDED ANALYSIS

This bill allows a planning board to specify a filing deadline for a plat or application for approval that is less than 21 days prior to a meeting.

HB 344, relative to gifts, honorariums, and expense reimbursements of county elected officials. **INEXPEDIENT TO LEGISLATE.**

Rep. Jim Maggiore for Municipal and County Government. While the intent of the drafted bill makes some sense, the committee is uncomfortable with the additional level of appeals and the subsequent confusion created as to the final authority of oversight. Vote 17-1.

HB 243, adding a member to the Pease development authority board of directors to represent Greenland. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Karen Ebel for Public Works and Highways. As amended, this bill would add two members to the Pease Development Authority (PDA) board of directors; one appointed by the Governor and Executive Council and one by the Town of Greenland. The PDA is responsible for overseeing activities and development at Pease. The PDA was originally created by statute in 1990 in connection with the redevelopment of the former Pease Air Force Base. At that time, Greenland, then much less impacted, was not granted a board seat. The committee heard testimony that much has changed since the PDA was created. Since then, the PDA's success has dramatically impacted Greenland, especially with respect to commuter traffic. The committee was persuaded that the PDA, the region, and Greenland itself would benefit from granting Greenland representation. However, to preserve the balance between state and local membership on the PDA, as well as to ensure an uneven number of directors, the committee amended the bill to increase the membership, then unanimously recommended the bill Ought to Pass. Vote 19-0.

Amendment (0050h)

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

AN ACT adding members to the Pease development authority board of directors to represent Greenland.

Amend RSA 12-G:4, I as inserted by section 1 of the bill by replacing it with the following:

I. The management of the authority shall be vested in a board of [7] **9** directors to be appointed as follows:

(a) [~~One member~~] **Two members** appointed by the governor and executive council.

(b) One member appointed by the mayor and city council of the city of Portsmouth.

(c) One member appointed by the board of selectmen of the town of Newington.

(d) One member appointed by the president of the senate.

(e) One member appointed by the speaker of the house of representatives.

(f) One member appointed jointly by the mayor and city council of the city of Portsmouth and the board of selectmen of the town of Newington.

(g) One member who is nominated by majority vote of the legislative delegation of Strafford county, including the senators whose districts include towns in Strafford county, and who is appointed by the governor, the senate president, and the speaker of the house. The member appointed in this manner shall be a resident of Strafford county and shall serve an initial term of 2 years beginning June 1, 1993. Subsequent terms shall be governed by the provisions of this section. The member appointed in this manner may be removed from office for cause after hearing by the Strafford county legislative delegation.

(h) One member appointed by the board of selectmen of the town of Greenland.

AMENDED ANALYSIS

This bill adds members to the Pease development authority board of directors to represent the town of Greenland.

HB 515, establishing a commission to evaluate the cost-effectiveness of toll collection on the New Hampshire turnpike system. **INEXPEDIENT TO LEGISLATE.**

Rep. Michael Edgar for Public Works and Highways. This bill would establish a study commission to evaluate the cost-effectiveness of toll collection on the New Hampshire turnpike system. The sponsor questioned the cost-effectiveness of tolls on the turnpike system considering unintended costs caused by issues such as

traffic congestion and a multitude of business related problems. It was stated that the turnpike system had a total revenue of \$141 million in FY18. It is highly unlikely to get that magnitude of increased revenue by decreasing traffic congestion and thereby stimulating local businesses. Therefore, the unanimous opinion of the committee was that this proposed commission was not necessary. Vote 16-0.

HB 534-FN, relative to certain major state projects. **OUGHT TO PASS.**

Rep. John Graham for Public Works and Highways. This bill amends existing statutes dealing with exclusion from the competitive bidding requirement for two departments while adding a third. The Adjutant General's Department and the Department of Natural and Cultural Resources are already included in this exclusion. This bill adds the Department of Transportation. The bill also raises the ceiling for projects that are to be done under this exclusion from \$250,000 to \$500,000. The committee feels that this adjustment to existing law is warranted and recommends that the bill ought to pass. Vote 16-0.

HB 580-FN, relative to bonding construction projects for the department of natural and cultural resources. **INEXPEDIENT TO LEGISLATE.**

Rep. John Graham for Public Works and Highways. This bill would have allowed the Commissioner of Natural and Cultural Resources in conjunction with the State Park Advisory Council to bypass the normal process for bonding. It would have allowed a bonding request to be approved by a standing committee (the Capital Budget Overview Committee) and then go to the Governor and Council for final approval. The committee felt that the General Court as a body should be involved in this bonding process. The committee also had concerns about the funding mechanism for repaying any such bonds. Vote 18-0.

HB 679, authorizing the department of environmental services to lease land associated with state-owned impoundments. **INEXPEDIENT TO LEGISLATE.**

Rep. John Graham for Public Works and Highways. This bill, if approved, would have allowed the Department of Environmental Services (DES) to by-pass the established procedures in regard to leasing land associated with state-owned property impounded for flood plain areas associated with dams. In essence, DES would write its own rules concerning such leases and then manage the leases essentially free from supervision. The committee feels that this is not a good precedent to establish. Vote 18-0.

HB 162, repealing the requirement for the inspection of timber. **OUGHT TO PASS.**

Rep. Kevin Maes for Resources, Recreation and Development. This bill removes the requirement for the inspection of timber by repealing RSA 347. The timber inspections currently prescribed in law are no longer relevant to the current timber industry and markets, including NH production of timber products. It was noted that the forest industry has outgrown the law. The Division of Forests and Lands will continue to have the ability to oversee inspections and enforce issues of over cutting. Vote 19-0.

HB 188, amending the definition of headway speed. **OUGHT TO PASS.**

Rep. Patricia Bushway for Resources, Recreation and Development. This bill removes from the definition of headway speed the reference to 6 miles per hour and establishes headway speed as the slowest speed that a boat can be operated and maintain the ability to steer. The current definition that specifies 6 miles per hour is too fast for some watercraft because they still create a wake. For some other craft, the speed may be too slow to maintain steerage. The committee decision was informed by the input of the Marine Patrol. Vote 19-0.

HB 219, relative to membership on the Structures on Non-tidal Public Waterways Commission. **INEXPEDIENT TO LEGISLATE.**

Rep. Andrew Renzullo for Resources, Recreation and Development. This bill adjusts the membership and establishes a quorum for the commission that is studying structures on non-tidal public waterways. Another bill (HB 228) in the committee's possession extends the reporting date of the same commission. The committee (with the concurrence of the HB 219 sponsor) decided to merge the contents of both bills to form a single bill going forward. As such, this bill is superfluous and is not needed. Vote 18-0.

HB 228, extending the commission to study the current statutes related to management of non-tidal public waterways and the construction or placement of structures within them. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Suzanne Smith for Resources, Recreation and Development. This bill will extend this statutory commission to allow a full two years to accomplish its work. The amendment reduces the number of commission members needed for a quorum to 8. It also removes the commission member who was to be appointed by the Coast Guard Auxiliary since that organization has stated they will not make the appointment. The committee believes there is much work to be done related to docks, boat slips, and other structures built or placed within state non-tidal waters. Extending the commission to November 2020 and making a more realistic membership quorum will help assure the commission can accomplish its tasks. Vote 18-0.

Amendment (0131h)

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

1 Commission to Study the Effectiveness of the Current Statutes Related to Management of Non-tidal Public Waterways and the Construction or Placement of Structures Within Them; Membership. Amend RSA 482-A:35, II(o) and (p) to read as follows:

(o) ~~[A representative of the recreational boating community that is not a waterfront property owner, appointed by the Commander of Flotilla 2-8, station Portsmouth Harbor, United States Coast Guard Auxiliary.~~

(p) A representative of the natural resource science community, appointed by the New Hampshire Association of Natural Resource Scientists.

2 Commission to Study the Effectiveness of the Current Statutes Related to Management of Non-tidal Public Waterways and the Construction or Placement of Structures Within Them; Quorum and Extension of Reporting Date. Amend RSA 482-A:35, V to read as follows:

V. The members of the commission shall elect a chairperson and secretary from among the members. The first meeting of the commission shall be called by the by the first-named member of the house. The first meeting of the commission shall be held within 45 days of the effective date of this section. Subsequent meetings shall be at the call of the chair, or at the request of 3 or more commission members. ***Eight members of the commission shall constitute a quorum.*** The commission shall make an interim report of its findings and any recommendations for proposed legislation to the senate president, the speaker of the house of representatives, the governor, the commissioner of the department of environmental services, the senate clerk, the house clerk, and the state library on or before November 1, [2018] **2019**. The commission shall make a final report of its findings and any recommendations for proposed legislation to the senate president, the speaker of the house of representatives, the governor, the commissioner of the department of environmental services, the senate clerk, the house clerk, and the state library on or before November 30, [2019] **2020**.

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

AMENDED ANALYSIS

This bill extends the commission established in RSA 482-A:35 to study the effectiveness of the current statutes related to management of non-tidal public waterways and the construction or placement of structures within them. The bill also removes a member of the commission and establishes a quorum.

HB 320-FN, authorizing Future In Sight to issue decals for multi-use decal number plates. **OUGHT TO PASS.** Rep. Daniel Pickering for Transportation. This bill adds Future In Sight to the list of non-profit organizations approved to issue a decal for multi-use plates. The organization provides education and rehabilitation for the blind and believes the decal would increase public awareness and referrals. Vote 18-0.

HB 372-FN, relative to motorist duties when approaching highway emergencies. **OUGHT TO PASS.** Rep. Casey Conley for Transportation. This bill would require motorists to perform the same safety actions around moving emergency vehicles as for those that are stationary. Under this proposal, the standards of the state's "move over" law would apply to vehicles displaying blue, red, and amber lights whether they are moving or stationary. In these situations, motorists encountering emergency vehicles displaying lights should give a wide berth so long as they are not endangering oncoming traffic. Vote 18-0.

HB 428, relative to pedestrian control signals. **OUGHT TO PASS WITH AMENDMENT.** Rep. Casey Conley for Transportation. The committee amendment replaces the initial bill. Current statutes have a conflict between motorists' authority to make a right turn on red, generally, and motorists' responsibilities when making a right turn on red and a traffic control device is signaling pedestrians may walk. This bill clarifies that discrepancy while also making clear that motorists may make right turns after stopping at red lights during walk signals when pedestrians are not crossing. Motor vehicle operators must still yield to pedestrians. Vote 18-0.

Amendment (0111h)

Amend the bill by replacing section 1 with the following:

1 Motor Vehicles; Rules of the Road; Pedestrian Control Signals. Amend RSA 265:11, I to read as follows:

I. Walk-Pedestrians facing such steady or flashing signal may proceed across the roadway in the direction of the signal and shall be given the right of way by the drivers of all vehicles. ~~[There shall be no right turn allowed for any vehicle while a steady or flashing walk signal is being displayed.]~~

AMENDED ANALYSIS

This bill clarifies when a vehicle may turn right while a steady or flashing walk signal is being displayed on the pedestrian control signal.

HB 517-FN-L, repealing municipal permits for registration of vehicles. **INEXPEDIENT TO LEGISLATE.** Rep. Skip Cleaver for Transportation. This bill would repeal the practice and requirement that the owner of each vehicle must secure a registration permit from their municipality. This would reduce revenues by more than \$265 million - that is, eliminate the second largest funding source of municipalities. This would also disrupt the tracking and registrations systems for the Division of Motor Vehicles. Vote 20-0.

HB 526-FN, eliminating the bureau of certificate of title. **INEXPEDIENT TO LEGISLATE.** Rep. Skip Cleaver for Transportation. This bill would eliminate the Bureau of Certificate of Title, but does not change the requirements to issue titles, which are required by statute. This would require other employees within the Division of Motor Vehicles to process titles. The apparent attempt of the bill's sponsor to eliminate titles themselves is not served by the bill as written. Vote 20-0.

HB 182, establishing a commission to study adaptation of the tax structure of the state to economic and demographic change. **INEXPEDIENT TO LEGISLATE.**

Rep. Richard Ames for Ways and Means. This bill establishes a commission to study adaptation of the tax structure of the state to economic and demographic change. The bill instructs the commission to focus on the state's top revenue sources with regard to their ability to foster or impede the goals of growth in the new service and high-tech economy and to attract and retain the young people needed to reverse current demographic trends that threaten such growth. These are worthy questions which certainly warrant serious exploration. The majority believes, however, that a new commission is not needed at this time to facilitate this important work which is currently ongoing, on an ad hoc basis, in several legislative committees. The committee has also been told that there may be greater delays in identifying outside members for commissions than formerly, leaving little time to work. Vote 19-0.

HB 390-FN, relative to the amount retained by a Keno operator. **INEXPEDIENT TO LEGISLATE.**

Rep. Thomas Southworth for Ways and Means. This bill would reduce the commission for businesses offering Keno from 8% to 5%. The committee believes that this reduction would have a negative effect on the expansion and sustainability of Keno as a revenue source. The program is new, and it is too soon to make changes. Businesses already pay a \$500 license fee and have related personnel costs. The current 8% commission is comparable to other New England states. A reduced commission could discourage participation by new businesses and result in some businesses dropping Keno. Vote 19-0.

REGULAR CALENDAR

HB 333, relative to mental health professionals in private custody matters. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Erika Connors for the Majority of Children and Family Law. This bill would permit the parties in a parenting case to engage in therapy with a qualified mental health provider selected by the parties when directed by the court to participate in counseling. While the majority understands concerns over cost and sees the benefits of mutual agreement, this bill fails to address what constitutes a qualified provider, and fails to address whether parties must agree to one provider or could individually select counselors. In addition, RSA 461-A:4 already directs the court to give due consideration to selecting a counselor who accepts direct payment from the parties' health insurance carrier. This bill also provides that the court shall not order the psychological evaluation of a parent unless the court has documented evidence of child abuse or neglect or domestic violence involving the parent. The majority believes this puts children in danger, as a parent exhibiting dangerous warning signs would not be subject to evaluation. Vote 11-3.

Rep. Deanna Jurius for the Minority of Children and Family Law. This bill seeks to provide parents with the opportunity to choose a mental health professional that suits their needs relative to travel time or other personal preferences in the case of court ordered counseling or psychological evaluation. The minority believes it is reasonable to give parents the ability to make this judgment.

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

Rep. McGuire requested a roll call; sufficiently seconded.

YEAS 240 - NAYS 112

YEAS - 240

BELKNAP

Huot, David

Jurius, Deanna

Mackie, Jonathan

CARROLL

Buco, Thomas
Knirk, Jerry

Burroughs, Anita
Marsh, William

Crawford, Karel
Ticehurst, Susan

DesMarais, Edith
Woodcock, Stephen

CHESHIRE

Abbott, Michael
Faulkner, Barry
Mann, John
Schapiro, Joe
Von Plinsky, Sparky

Ames, Richard
Fenton, Donovan
Meader, David
Swinburne, Sandy
Pearson, William

Berch, Paul
Gomarlo, Jennie
Morrill, David
Tatro, Bruce
Weber, Lucy

Bordenet, John
Harvey, Cathryn
Parkhurst, Henry
Thompson, Craig

COOS

Hatch, William
Tucker, Edith

Laflamme, Larry
Thomas, Yvonne

Moynihan, Wayne

Noel, Henry

GRAFTON

Abel, Richard
Diggs, Francesca

Adjutant, Joshua
Dontonville, Roger

Almy, Susan
Egan, Timothy

Campion, Polly
Fellows, Sallie

Ford, Susan
Maes, Kevin
Nordgren, Sharon
Stringham, Jerry

French, Elaine
Massimilla, Linda
Osborne, Richard
Smith, Suzanne

Gordon, Edward
Mulligan, Mary Jane
Ruprecht, Dennis
Sykes, George

Josephson, Timothy
Muscatel, Garrett
Stavis, Laurel
Weston, Joyce

HILLSBOROUGH

Bouldin, Amanda
Beaulieu, Jane
Bordy, William
Camarota, Linda
Cornell, Patricia
Desjardin, Kathy
Freitas, Mary
Hall, Brett
Herbert, Christopher
Judy, Jean
Komi, Richard
Murray, Megan
Mombourquette, Donna
Nutting-Wong, Allison
Plett, Fred
Radhakrishnan, Julie
Shaw, Barbara
Stack, Kathryn
Toomey, Dan
Thomas, Wendy

Bouldin, Andrew
Belanger, James
Bosman, James
Cleaver, Skip
Cote, David
Dutzy, Sherry
Goley, Jeffrey
Hamer, Heidi
Indruk, Greg
King, Mark
Langley, Diane
Mangipudi, Latha
Mullen, Sue
Pedersen, Michael
Porter, Marjorie
Riel, Cole
Snow, Kendall
Stevens, Deb
Vail, Suzanne
Wilhelm, Matthew

Backus, Robert
Bergeron, Paul
Bouchard, Donald
Cohen, Bruce
Danielson, David
Espitia, Manny
Graham, John
Harriott-Gathright, Linda
Schmidt, Janice
Klee, Patricia
Leishman, Peter
Martin, Joelle
Murphy, Nancy
Petrigno, Peter
Query, Joshua
Rung, Rosemarie
Sofikitis, Catherine
Smith, Timothy
Van Houten, Constance
Williams, Kermit

Balch, Chris
Bernet, Jennifer
Burns, Charles
Connors, Erika
Dargie, Paul
Davis, Fred
Griffith, Willis
Heath, Mary
Jack, Martin
Klein-Knight, Nicole
Long, Patrick
McGhee, Kat
Nutter-Upham, Frances
Pickering, Daniel
Newman, Ray
Newman, Sue
St. John, Michelle
Telerski, Laura
Vann, Ivy
Woodbury, David

MERRIMACK

Bartlett, Christy
Ellison, Arthur
Luneau, David
Myler, Mel
Rogers, Katherine
Schultz, Kristina
Wells, Kenneth

Buchanan, Ryan
Karrick, David
MacKay, James
Pimentel, Roderick
Saunderson, George
Soucy, Timothy
Wolf, Dan

Carson, Clyde
Kotowski, Frank
McWilliams, Rebecca
Richards, Beth
Schamberg, Thomas
Turcotte, Alan
Woods, Gary

Doherty, David
Lane, Connie
Moffett, Howard
Rodd, Beth
Schuett, Dianne
Walz, Mary Beth

ROCKINGHAM

Altschiller, Debra
Bushway, Patricia
Cushing, Robert Renny
Eisner, Mary
Guthrie, Joseph
Le, Tamara
Maggiore, Jim
Meuse, David
Potucek, John
Ward, Gerald

Barnes, Arthur
Cahill, Michael
DeSimone, Debra
Gilman, Julie
Hobson, Deborah
Loughman, Tom
Malloy, Dennis
Milz, David
Read, Ellen
Warner, Anne

Berrien, Skip
Cali-Pitts, Jacqueline
DiLorenzo, Charlotte
Grossman, Gaby
Murray, Kate
Lovejoy, Patricia
McBeath, Rebecca
O'Connor, John
Somssich, Peter
Welch, David

Bunker, Lisa
Coursin, David
Edgar, Michael
Grote, Jac
Khan, Aboul
Lundgren, David
McConnell, Liz
Pantelakos, Laura
Vallone, Mark
Yokela, Josh

STRAFFORD

Bixby, Peter
Fontneau, Timothy
Higgins, Peg
Kittredge, Mac
Opderbecke, Linn
Sandler, Catt
Vincent, Kenneth

Cannon, Gerri
Frost, Sherry
Horriggan, Timothy
Levesque, Cassandra
Schmidt, Peter
Southworth, Thomas
Wall, Janet

Chase, Wendy
Gourgue, Amanda
Keans, Sandra
Smith, Marjorie
Rich, Cecilia
Spang, Judith

Fargo, Kristina
Grassie, Chuck
Kenney, Cam
McNally, Jody
Salloway, Jeffrey
Treleaven, Susan

SULLIVAN

Cloutier, John
Rollins, Skip

Merchant, Gary
Sullivan, Brian

O'Hearne, Andrew
Tanner, Linda

Oxenham, Lee

NAYS - 112

BELKNAP

Aldrich, Glen
Fields, Dennis
Spanos, Peter
Viens, Harry

Bean, Harry
Howard, Raymond
Sylvia, Michael

Comtois, Barbara
Lang, Timothy
Tilton, Franklin

Feeney, George
Plumer, John
Varney, Peter

CARROLL

Avellani, Lino

Comeau, Ed

Cordelli, Glenn

Nelson, Bill

CHESHIRE

Hunt, John

O'Day, John

COOS

Craig, Kevin

GRAFTON

Hennessey, Erin

Migliore, Vincent Paul

HILLSBOROUGH

Lekas, Alicia
Boehm, Ralph
Gagne, Larry
Hinch, Richard
McLean, Mark
Proulx, Mark
Somero, Paul
Warden, Mark

Alexander, Joe
Burt, John
Gould, Linda
L'Heureux, Robert
Notter, Jeanine
Prout, Andrew
Lekas, Tony
Whittemore, James

Griffin, Barbara
Erf, Keith
Greene, Bob
Lascelles, Richard
Nunez, Hershel
Ober, Russell
Trento, Michael

Barry, Richard
Fedolff, Jim
Gunski, Michael
Marzullo, JP
Panasiti, Reed
Renzullo, Andrew
Ulery, Jordan

MERRIMACK

Allard, James
McGuire, Carol
Yakubovich, Michael

Hill, Gregory
Pearl, Howard

Horn, Werner
Seaworth, Brian

Marple, Richard
Testerman, Dave

ROCKINGHAM

Abbas, Daryl
Bershtein, Alan
Thomas, Douglas
Edwards, Jess
Hoelzel, Kathleen
Kolodziej, Walter
McMahon, Charles
Packard, Sherman
Pearson, Stephen
Verville, Kevin

Abrami, Patrick
Chirichiello, Brian
Desilets, Joe
Gay, Betty
Osborne, Jason
Love, David
Melvin, Charles
Piemonte, Tony
Sytek, John
Webb, James

Abramson, Max
Costable, Michael
Dolan, Tom
Green, Dennis
Janigian, John
Griffin, Mary
Morrison, Sean
Pratt, Kevin
Torosian, Peter
Weyler, Kenneth

Acton, Dennis
Davis, Dan
Doucette, Fred
Harb, Robert
Katsakiores, Phyllis
Pearson, Mark
Owens, Becky
Prudhomme-O'Brien, Katherine
True, Chris

STRAFFORD

Hayward, Peter
Rooney, Abigail

Horgan, James
Beaudoin, Steven

Perreault, Mona
Wuelper, Kurt

Pitre, Joseph

SULLIVAN

Aron, Judy
Stapleton, Walter

Callum, John

Laware, Thomas

Lucas, Gates

and the majority committee report was adopted.

HB 354, establishing a committee to investigate whether modification should be made to the time frame for determining permanency pursuant to RSA 169-C:24-b. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Elaine French for Children and Family Law. This bill was well vetted and amended in the committee. The committee found that there was a need to establish this study committee to examine whether modification should be made to the time frame for determining permanency. However, the committee decided that November 2019 did not provide enough time to do a thorough study. The deadline for the report was extended to November 2020. Vote 17-1.

Amendment (0172h)

Amend the bill by replacing section 5 with the following:

5 Report. The committee shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2020.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

HB 131, establishing a commission on mental health education programs. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Patricia Cornell for the Majority of Education. The Governor's School Safety Preparedness Task Force reported that schools should "focus on creating a culture in schools that adheres to safety protocols, is free of the stigmatization of mental health challenges, and reduces or prevents harm or violence of all kinds." The commission created by this bill would collaborate with and include experts those to develop and promote mental health curriculum and behavioral health and wellness education programs in grades K-12. Vote 11-8. Rep. Alicia Lekas for the Minority of Education. The commission was a good idea, however, this work has already been done. The Bureau of Student Wellness within the NH Department of Education has, and continues to do this. The issue at this point is implementation, not research.

Majority Amendment (0249h)

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

AN ACT establishing a commission on mental health education and behavioral health and wellness programs.

Amend the bill by replacing section 1 with the following:

1 New Subdivision; Commission on Mental Health Education and Behavioral Health and Wellness Programs. Amend RSA 193-E by inserting after section 5 the following new subdivision:

Commission on Mental Health Education Programs and

Behavioral Health and Wellness Programs

193-E:6 Commission Established.

I. There is established a commission to develop and promote mental health curriculum and behavioral health and wellness education programs in kindergarten through grade 12.

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

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

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

(c) Two teachers of health or related subjects, appointed by the governor.

(d) One member of the New Hampshire School Boards Association, appointed by the association.

(e) One member of the New Hampshire Association of School Principals, appointed by the association.

(f) One member of the New Hampshire School Administrators Association, appointed by the association.

(g) One member of the New Hampshire Association of Special Education Administrators, appointed by the association.

(h) One member of the New Hampshire Association of School Psychologists, appointed by the association.

(i) One member of the New Hampshire Psychological Association, appointed by the association.

(j) One member of the institute on disability of the university of New Hampshire, appointed by the institute.

(k) One member of the New Hampshire Center for Effective Behavioral Interventions and Supports, appointed by the center.

(l) One representative of a New Hampshire mental health center, appointed by the governor.

(m) One school resource officer, appointed by the governor.

(n) One representative of the student assistance program of the department of health and human services, appointed by the commissioner.

(o) One school nurse, appointed by the New Hampshire School Nurses' Association, appointed by the association.

(p) One member of the Manchester health department, appointed by the director.

(q) One New Hampshire pediatrician, appointed by the New Hampshire Medical Society.

(r) One representative of the office of behavioral health, department of health and human services, appointed by the commissioner.

(s) One representative of the bureau of wellness, department of education, appointed by the commissioner.

(t) One member of NAMI New Hampshire, appointed by the alliance.

(u) One member of the New Hampshire Charitable Foundation, appointed by the foundation.

(v) One member of the New Hampshire School Counselor Association, appointed by the association.

III. The commission shall:

(a) Examine the K-12 mental health curriculum and social and emotional learning programs for all grade levels as a way to establish a culture of mental health in schools that adheres to safety protocols, is free of the stigmatization of mental health challenges, and reduces or prevents harm or violence.

(b) Determine methods for providing help for students in kindergarten through grade 12 who are experiencing a mental health challenge.

(c) Assess possible threats posed by individuals or groups exhibiting warning signs or pre-incident indicators.

(d) Review the state's anti-bullying laws and recommend any needed updates to RSA 193-F.

(e) Determine ways to expand community and not-for-profit mental health services.

(f) Develop an age-appropriate school outreach program that educates staff and students on reducing the stigma of mental illness and what to do when someone is in crisis.

(g) Increase and promote Mental Health First Aid to school staff, students, and families to provide the school community with the resources to effectively manage a mental health incident.

(h) Develop a threat assessment task force at the community or district level that engages the local public health network, including an intervention and reporting protocol that evaluates students quickly and efficiently and provides a plan to help appropriately return students to school.

(i) Increase and promote evidence-based best practice suicide prevention to ensure assessors use the latest standards, knowledge, and techniques.

(j) Include instruction regarding alcohol, tobacco, and other drugs.

(k) Determine methodologies for implementing recommendations of the governor's school safety preparedness task force.

(l) Examine and develop methodologies for implementing applicable recommendations of the 2018 10-year mental health plan of the department of health and human services, when completed.

IV. The chairperson may assign members to subgroups to accomplish the duties of the commission.

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

VI. 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 biannually on January 30 and June 30 of each year. The reports shall evaluate the implementation of recommendations.

AMENDED ANALYSIS

This bill establishes a commission to develop and promote mental health programs and behavioral health and wellness programs in kindergarten through grade 12.
Majority committee amendment adopted.

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

Rep. Alicia Lekas spoke against.

Rep. Cornell spoke in favor.

On a division vote, with 220 members having voted in the affirmative, and 146 in the negative, the majority committee report was adopted and ordered to third reading.

HB 169, requiring school districts to submit an annual report concerning gifted students. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Sue Mullen for the Majority of Education. This bill would require all public schools to submit annual reports to the Department of Education (DOE) detailing the policies and procedures that are in place to identify and accommodate the needs of gifted students. Concern was expressed about the lack of definition of the term "gifted," about the lack of a mechanism and personnel to collect data and whether or not the information is needed now that competency based education is in place. Vote 18-2.

Rep. Robert Forsythe for the Minority of Education. The minority's position is as follows: The spirit of this bill is to ask each school district to submit a narrative report annually to the Department of Education (DOE), explaining what they are doing to identify and support the education of gifted students. This information could be used to identify best practices and will thus help promote gifted students and improve their education. This bill will also force school districts to recognize gifted students and keep them conscious of the gifted programs and education. We spend time and resources to improve those students who are left behind and forget about those who can achieve so much more.

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

Rep. Verville requested a roll call; sufficiently seconded.

YEAS 295 - NAYS 73

YEAS - 295

BELKNAP

Feeney, George
Jurius, Deanna
Varney, Peter

Fields, Dennis
Plumer, John
Viens, Harry

Howard, Raymond
Spanos, Peter

Huot, David
Tilton, Franklin

CARROLL

Buco, Thomas
Kanzler, Harrison
Woodcock, Stephen

Burroughs, Anita
Knirk, Jerry

Crawford, Karel
Marsh, William

DesMarais, Edith
Ticehurst, Susan

CHESHIRE

Abbott, Michael
Faulkner, Barry
Ley, Douglas
O'Day, John
Tatro, Bruce
Weber, Lucy

Ames, Richard
Fenton, Donovan
Mann, John
Parkhurst, Henry
Thompson, Craig

Berch, Paul
Gomarlo, Jennie
Meador, David
Schapiro, Joe
Von Plinsky, Sparky

Bordenet, John
Harvey, Cathryn
Morrill, David
Swinburne, Sandy
Pearson, William

COOS

Craig, Kevin
Noel, Henry

Hatch, William
Tucker, Edith

Laflamme, Larry
Thomas, Yvonne

Moynihan, Wayne

GRAFTON

Abel, Richard
Diggs, Francesca
Ford, Susan
Maes, Kevin
Muscatel, Garrett
Stavis, Laurel
Weston, Joyce

Adjutant, Joshua
Dontonville, Roger
French, Elaine
Massimilla, Linda
Nordgren, Sharon
Stringham, Jerry

Almy, Susan
Egan, Timothy
Gordon, Edward
Migliore, Vincent Paul
Osborne, Richard
Smith, Suzanne

Campion, Polly
Fellows, Sallie
Josephson, Timothy
Mulligan, Mary Jane
Ruprecht, Dennis
Sykes, George

HILLSBOROUGH

Alexander, Joe
Backus, Robert
Bergeron, Paul
Bosman, James
Cohen, Bruce
Danielson, David
Erf, Keith
Gagne, Larry
Hall, Brett
Herbert, Christopher
Jack, Martin
Klein-Knight, Nicole
Langley, Diane
Murray, Megan
Mombourquette, Donna
Nutting-Wong, Allison
Pickering, Daniel
Query, Joshua
Riel, Cole
Snow, Kendall
Stevens, Deb
Trento, Michael
Vann, Ivy
Wilhelm, Matthew

Bouldin, Amanda
Balch, Chris
Bernet, Jennifer
Bouchard, Donald
Connors, Erika
Dargie, Paul
Espitia, Manny
Graham, John
Hamer, Heidi
Hopper, Gary
Judy, Jean
Komi, Richard
Lascelles, Richard
Mangipudi, Latha
Mullen, Sue
O'Brien, Michael
Plett, Fred
Newman, Ray
Rung, Rosemarie
Somero, Paul
Lekas, Tony
Ulery, Jordan
Thomas, Wendy
Williams, Kermit

Bouldin, Andrew
Beaulieu, Jane
Boehm, Ralph
Burns, Charles
Cornell, Patricia
Desjardin, Kathy
Davis, Fred
Griffith, Willis
Harriott-Gathright, Linda
Indruk, Greg
King, Mark
L'Heureux, Robert
Leishman, Peter
Martin, Joelle
Murphy, Nancy
Pedersen, Michael
Porter, Marjorie
Ober, Russell
Newman, Sue
St. John, Michelle
Telerski, Laura
Vail, Suzanne
Warden, Mark
Woodbury, David

Griffin, Barbara
Belanger, James
Bordy, William
Cleaver, Skip
Cote, David
Dutzy, Sherry
Freitas, Mary
Gunski, Michael
Heath, Mary
Schmidt, Janice
Klee, Patricia
Ober, Lynne
Long, Patrick
McGhee, Kat
Nutter-Upham, Frances
Petrigno, Peter
Proulx, Mark
Radhakrishnan, Julie
Shaw, Barbara
Stack, Kathryn
Toomey, Dan
Van Houten, Constance
Whittemore, James

MERRIMACK

Allard, James
Doherty, David
Kotowski, Frank
McWilliams, Rebecca
Richards, Beth
Schamberger, Thomas
Turcotte, Alan
Wells, Kenneth

Bartlett, Christy
Ebel, Karen
Lane, Connie
Moffett, Howard
Rodd, Beth
Schuett, Dianne
Wallner, Mary Jane
Wolf, Dan

Buchanan, Ryan
Ellison, Arthur
Luneau, David
Myler, Mel
Rogers, Katherine
Schultz, Kristina
Walz, Mary Beth
Woods, Gary

Carson, Clyde
Karrick, David
MacKay, James
Pimentel, Roderick
Saunderson, George
Soucy, Timothy
Wazir, Safiya

ROCKINGHAM

Abbas, Daryl
Altschiller, Debra
Bushway, Patricia
Cushing, Robert Renny
Edgar, Michael
Grossman, Gaby
Hobson, Deborah
Khan, Aboul
Lovejoy, Patricia
McBeath, Rebecca
Meuse, David
Packard, Sherman
Read, Ellen
Wallace, Scott
Yokela, Josh

Abrami, Patrick
Berrien, Skip
Cahill, Michael
Davis, Dan
Eisner, Mary
Grote, Jaci
Hoelzel, Kathleen
Kolodziej, Walter
Lundgren, David
McConnell, Liz
Milz, David
Pantelakos, Laura
Somssich, Peter
Ward, Gerald

Abramson, Max
Bershtein, Alan
Cali-Pitts, Jacqueline
DiLorenzo, Charlotte
Gay, Betty
Guthrie, Joseph
Janigian, John
Le, Tamara
Maggiore, Jim
McKinney, Betsy
O'Connor, John
Piemonte, Tony
Sytek, John
Warner, Anne

Acton, Dennis
Bunker, Lisa
Coursin, David
Dolan, Tom
Gilman, Julie
Harb, Robert
Murray, Kate
Loughman, Tom
Malloy, Dennis
Melvin, Charles
Owens, Becky
Potucek, John
Vallone, Mark
Welch, David

STRAFFORD

Bixby, Peter
Fontneau, Timothy
Hayward, Peter
Keans, Sandra
Smith, Marjorie
Rich, Cecilia
Sandler, Catt
Vincent, Kenneth

Cannon, Gerri
Frost, Sherry
Higgins, Peg
Kenney, Cam
McNally, Jody
Rooney, Abigail
Southworth, Thomas
Wall, Janet

Chase, Wendy
Gourgue, Amanda
Horgan, James
Kittredge, Mac
Opderbecke, Linn
Beaudoin, Steven
Spang, Judith

Fargo, Kristina
Grassie, Chuck
Horriggan, Timothy
Levesque, Cassandra
Schmidt, Peter
Salloway, Jeffrey
Treleaven, Susan

SULLIVAN

Aron, Judy
O'Hearne, Andrew
Sullivan, Brian

Cloutier, John
Oxenham, Lee
Tanner, Linda

Lucas, Gates
Rollins, Skip

Merchant, Gary
Stapleton, Walter

NAYS - 73**BELKNAP**

Aldrich, Glen
Mackie, Jonathan

Bean, Harry
Sylvia, Michael

Comtois, Barbara

Lang, Timothy

CARROLL

Avellani, Lino

Comeau, Ed

Cordelli, Glenn

Nelson, Bill

CHESHIRE

Hunt, John

GRAFTON

Hennessey, Erin

HILLSBOROUGH

Lekas, Alicia
Fedolfi, Jim
Marzullo, JP
Panasiti, Reed
Sofikitis, Catherine

Barry, Richard
Gould, Linda
McLean, Mark
Prout, Andrew
Smith, Timothy

Burt, John
Greene, Bob
Notter, Jeanine
Renzullo, Andrew

Camarota, Linda
Hinch, Richard
Nunez, Hershel
Rice, Kimberly

MERRIMACK

Forsythe, Robert
McGuire, Carol
Walsh, Thomas

Hill, Gregory
Pearl, Howard
Yakubovich, Michael

Horn, Werner
Seaworth, Brian

Marple, Richard
Testerman, Dave

ROCKINGHAM

Baldasaro, Al
Thomas, Douglas
Edwards, Jess
Janvrin, Jason
Pearson, Mark
Prudhomme-O'Brien, Katherine
True, Chris

Barnes, Arthur
Desilets, Joel
Fowler, William
Katsakiores, Phyllis
McMahon, Charles
Roy, Terry
Verville, Kevin

Chirichiello, Brian
DeSimone, Debra
Green, Dennis
Love, David
Morrison, Sean
Pearson, Stephen
Webb, James

Costable, Michael
Doucette, Fred
Osborne, Jason
Griffin, Mary
Pratt, Kevin
Torosian, Peter
Weyler, Kenneth

STRAFFORD

Perreault, Mona

Pitre, Joseph

Wuelper, Kurt

SULLIVAN

Callum, John

Laware, Thomas

and the majority committee report was adopted.

HB 176-FN-A, relative to grants for school building aid and making an appropriation therefor. **OUGHT TO PASS.**

Rep. Rick Ladd for Education. This bill amends the current maximum expenditures for school building aid grants from a maximum of \$50 million per year, including debt service payments (the tail), to a minimum expenditure of no less than \$50 million per year. During the past decade, with the exception of one smaller building construction project funded last year, the state building aid program has been in a moratorium regarding new or renovation projects. Many of NH's public schools are 60 years old or older and in need of improvements or replacement. The state's growing list of potential building aid projects is lengthy. The building aid program provides 30% to 60% of local construction costs, and without state assistance, many municipalities are left with old, inefficient, and costly schools to operate. Older buildings generally do not have building systems such as lighting, ventilation, acoustical control, science labs, nursing and counseling areas, adequate thermal controls, and functional furniture that result in less illness and improved student achievement. Vote 18-0.

Committee report adopted and referred to the Committee on Finance.

HB 222, relative to criteria for teachers in charter schools. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Barbara Shaw for the Majority of Education. Present law requires 50% of chartered public school teachers be certified or have at least 3 years teaching experience. This bill increases this to 75% and adds licensing. The staff of public chartered schools can be determined by individual school focus or mission. The committee believes the present law is sufficient. Vote 15-5.

Rep. Tamara Le for the Minority of Education. The minority believes elevating the required percentage of licensed New Hampshire teachers for public charter schools from 50% to 75% arguments quality and continued oversight of growth and development of education professionals teaching public school children. Further, this improvement reflects opportunities for non-certified charter school educators to interact with education law and be required to pass background checks. Lastly, allowing 25% of teachers to be uncertified still allows flexibility for including non-education oriented professionals from specific disciplines.

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

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

On a division vote, with 290 members having voted in the affirmative, and 80 in the negative, the majority committee report was adopted.

HB 327-FN-A, making an appropriation to the community college system to continue the math learning communities program in partnership with New Hampshire high schools. **OUGHT TO PASS.**

Rep. Dan Wolf for Education. This bill appropriates funds to the community college system to continue math learning communities in partnership with New Hampshire high schools. This program will continue an extremely successful program that was funded by grants that have expired. Vote 20-0.

Committee report adopted and referred to the Committee on Finance.

HB 374, prohibiting certain state officers from forming political action committees. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. William Pearson for the Majority of Election Law. This bill prevents candidates who seek to run for Secretary of State or Treasurer from forming political action committees (PACs). Since the Supreme Court's ruling in *Buckley v. Valeo*, the right to participate in democracy through political contributions has been protected by the First Amendment. *See also McCutcheon v. F.E.C.*, 572 U.S. 185 (2014). The majority is cognizant of the corrupting influence of money in politics, but does not see this piecemeal approach as the remedy. Rather, the majority sees this bill as chilling plainly political speech with the effect of assisting incumbencies. Vote 12-7.

Rep. Katherine Prudhomme-O'Brien for the Minority of Election Law. This bill ought to pass to preserve the integrity and nonpartisan nature of the offices of Secretary of State and Treasurer. The two other states where these officers are elected by their legislature have either outlawed the practice of forming political action committees (PACs) for these offices (Maine) or the creation of PAC's to campaign for these offices is considered by their legislature to be so antithetical to good governance that their current Secretary of State reports it would not be done (Tennessee).

The question before the House is the majority committee report of Inexpedient to Legislate.

Rep. Prudhomme-O'Brien spoke against and yielded to questions.

Rep. William Pearson spoke in favor and yielded to questions.

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

YEAS 236 - NAYS 139

YEAS - 236

BELKNAP

Howard, Raymond	Huot, David	Sylvia, Michael
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CARROLL

Burroughs, Anita	Butler, Edward	Comeau, Ed	DesMarais, Edith
Kanzler, Harrison	Knirk, Jerry	Ticehurst, Susan	Woodcock, Stephen

CHESHIRE

Abbott, Michael	Ames, Richard	Berch, Paul	Bordenet, John
Faulkner, Barry	Fenton, Donovan	Gomarlo, Jennie	Harvey, Cathryn
Ley, Douglas	Mann, John	Meador, David	Morrill, David
Parkhurst, Henry	Schapiro, Joe	Swinburne, Sandy	Tatro, Bruce
Thompson, Craig	Von Plinsky, Sparky	Pearson, William	Weber, Lucy

COOS

Craig, Kevin	Hatch, William	Laflamme, Larry	Moynihan, Wayne
Noel, Henry	Tucker, Edith	Thomas, Yvonne	

GRAFTON

Abel, Richard	Almy, Susan	Campion, Polly	Diggs, Francesca
Dontonville, Roger	Egan, Timothy	Fellows, Sallie	Ford, Susan
French, Elaine	Josephson, Timothy	Maes, Kevin	Mulligan, Mary Jane
Muscatel, Garrett	Nordgren, Sharon	Osborne, Richard	Stavis, Laurel
Stringham, Jerry	Smith, Suzanne	Sykes, George	Weston, Joyce

HILLSBOROUGH

Lekas, Alicia
 Balch, Chris
 Bergeron, Paul
 Bouchard, Donald
 Connors, Erika
 Desjardin, Kathy
 Davis, Fred
 Griffith, Willis
 Heath, Mary
 Jack, Martin
 Klein-Knight, Nicole
 Long, Patrick
 McGhee, Kat
 Nunez, Hershel
 Pedersen, Michael
 Prout, Andrew
 Radhakrishnan, Julie
 Sofikitis, Catherine
 Smith, Timothy
 Van Houten, Constance
 Wilhelm, Matthew

Bouldin, Amanda
 Baroody, Benjamin
 Bernet, Jennifer
 Burt, John
 Cornell, Patricia
 DiSilvestro, Linda
 Freitas, Mary
 Hall, Brett
 Herbert, Christopher
 Jeudy, Jean
 Komi, Richard
 Murray, Megan
 Mombourquette, Donna
 Nutter-Upham, Frances
 Petrigno, Peter
 Query, Joshua
 Riel, Cole
 St. John, Michelle
 Telerski, Laura
 Vann, Ivy
 Williams, Kermit

Bouldin, Andrew
 Beaulieu, Jane
 Bordy, William
 Cleaver, Skip
 Cote, David
 Dutzy, Sherry
 Goley, Jeffrey
 Hamer, Heidi
 Indruk, Greg
 King, Mark
 Ober, Lynne
 Mangipudi, Latha
 Mullen, Sue
 Nutting-Wong, Allison
 Pickering, Daniel
 Newman, Ray
 Rung, Rosemarie
 Stack, Kathryn
 Toomey, Dan
 Thomas, Wendy
 Woodbury, David

Backus, Robert
 Belanger, James
 Bosman, James
 Cohen, Bruce
 Dargie, Paul
 Espitia, Manny
 Greene, Bob
 Harriott-Gathright, Linda
 Schmidt, Janice
 Klee, Patricia
 Langley, Diane
 Martin, Joelle
 Murphy, Nancy
 O'Brien, Michael
 Porter, Marjorie
 Ober, Russell
 Newman, Sue
 Stevens, Deb
 Vail, Suzanne
 Warden, Mark

MERRIMACK

Bartlett, Christy
 Ellison, Arthur
 Luneau, David
 Pimentel, Roderick
 Saunderson, George
 Seaworth, Brian
 Walz, Mary Beth
 Yakubovich, Michael

Carson, Clyde
 Fulweiler, Joyce
 MacKay, James
 Richards, Beth
 Schamberg, Thomas
 Soucy, Timothy
 Wazir, Safiya

Doherty, David
 Karrick, David
 McWilliams, Rebecca
 Rodd, Beth
 Schuett, Dianne
 Turcotte, Alan
 Wells, Kenneth

Ebel, Karen
 Lane, Connie
 Myler, Mel
 Rogers, Katherine
 Schultz, Kristina
 Wallner, Mary Jane
 Woods, Gary

ROCKINGHAM

Acton, Dennis
 Bunker, Lisa
 Coursin, David
 DiLorenzo, Charlotte
 Gilman, Julie
 Le, Tamara
 Malloy, Dennis
 Meuse, David
 Vallone, Mark

Altschiller, Debra
 Bushway, Patricia
 Cushing, Robert Renny
 Edgar, Michael
 Grossman, Gaby
 Loughman, Tom
 McBeath, Rebecca
 Pantelakos, Laura
 Ward, Gerald

Berrien, Skip
 Cahill, Michael
 Davis, Dan
 Edwards, Jess
 Grote, Jaci
 Lovejoy, Patricia
 McConnell, Liz
 Read, Ellen
 Warner, Anne

Bershtein, Alan
 Costable, Michael
 Desilets, Joel
 Eisner, Mary
 Murray, Kate
 Maggiore, Jim
 McMahon, Charles
 Somssich, Peter
 Yokela, Josh

STRAFFORD

Bixby, Peter
 Fontneau, Timothy
 Higgins, Peg
 Levesque, Cassandra
 Salloway, Jeffrey
 Treleaven, Susan

Cannon, Gerri
 Frost, Sherry
 Horrigan, Timothy
 Smith, Marjorie
 Sandler, Catt
 Vincent, Kenneth

Chase, Wendy
 Gourgue, Amanda
 Keans, Sandra
 Schmidt, Peter
 Southworth, Thomas
 Wall, Janet

Fargo, Kristina
 Grassie, Chuck
 Kenney, Cam
 Rich, Cecilia
 Spang, Judith

SULLIVAN

Cloutier, John
 Oxenham, Lee

Lucas, Gates
 Sullivan, Brian

Merchant, Gary
 Tanner, Linda

O'Hearne, Andrew

NAYS - 139**BELKNAP**

Aldrich, Glen
 Fields, Dennis
 Plumer, John
 Viens, Harry

Bean, Harry
 Jurius, Deanna
 Spanos, Peter

Comtois, Barbara
 Lang, Timothy
 Tilton, Franklin

Feeney, George
 Mackie, Jonathan
 Varney, Peter

CARROLL

Avellani, Lino
 Marsh, William

Buco, Thomas
 Nelson, Bill

Cordelli, Glenn

Crawford, Karel

CHESHIRE**GRAFTON**

Adjutant, Joshua
 Migliore, Vincent Paul

Gordon, Edward
 Ruprecht, Dennis

Hennessey, Erin

Massimilla, Linda

HILLSBOROUGH

Alexander, Joe
Burns, Charles
Fedolfi, Jim
Gunski, Michael
Lascelles, Richard
Notter, Jeanine
Renzullo, Andrew
Somero, Paul
Whittemore, James

Griffin, Barbara
Camarota, Linda
Gagne, Larry
Hinch, Richard
Leishman, Peter
Panasiti, Reed
Rice, Kimberly
Lekas, Tony

Barry, Richard
Danielson, David
Gould, Linda
Hopper, Gary
Marzullo, JP
Plett, Fred
Shaw, Barbara
Trento, Michael

Boehm, Ralph
Erf, Keith
Graham, John
L'Heureux, Robert
McLean, Mark
Proulx, Mark
Snow, Kendall
Ulery, Jordan

MERRIMACK

Allard, James
Horn, Werner
Moffett, Howard
Wolf, Dan

Buchanan, Ryan
Kotowski, Frank
Pearl, Howard

Forsythe, Robert
Marple, Richard
Testerman, Dave

Hill, Gregory
McGuire, Carol
Walsh, Thomas

ROCKINGHAM

Abbas, Daryl
Barnes, Arthur
DeSimone, Debra
Gay, Betty
Hobson, Deborah
Janvrin, Jason
Love, David
McKinney, Betsy
O'Connor, John
Potucek, John
Pearson, Stephen
True, Chris
Welch, David

Abrami, Patrick
Cali-Pitts, Jacqueline
Dolan, Tom
Green, Dennis
Hoelzel, Kathleen
Katsakiores, Phyllis
Lundgren, David
Melvin, Charles
Owens, Becky
Pratt, Kevin
Spillane, James
Verville, Kevin
Weyler, Kenneth

Abramson, Max
Chirichiello, Brian
Doucette, Fred
Guthrie, Joseph
Osborne, Jason
Khan, Aboul
Griffin, Mary
Milz, David
Packard, Sherman
Prudhomme-O'Brien, Katherine
Sytek, John
Wallace, Scott

Baldasaro, Al
Thomas, Douglas
Fowler, William
Harb, Robert
Janigian, John
Kolodziej, Walter
Pearson, Mark
Morrison, Sean
Piemonte, Tony
Roy, Terry
Torosian, Peter
Webb, James

STRAFFORD

Hayward, Peter
Opderbecke, Linn
Beaudoin, Steven

Horgan, James
Perreault, Mona
Wuelper, Kurt

Kittredge, Mac
Pitre, Joseph

McNally, Jody
Rooney, Abigail

SULLIVAN

Aron, Judy
Stapleton, Walter

Callum, John
Smith, Steven

Laware, Thomas

Rollins, Skip

and the majority committee report was adopted.

MOTION TO PRINT DEBATE

Rep. Packard moved that the debate on **HB 374**, prohibiting certain state officers from forming political action committees, be printed in the Permanent Journal.

On a division vote, with 192 members having voted in the affirmative, and 182 in the negative, the motion was adopted.

DEBATE ON HB 374

Rep. Prudhomme-O'Brien: Thank you, sir. This issue came to my attention when I read an editorial at InDepthNH.com from Jim Splaine, the Honorable James Splaine from Portsmouth, former State Representative and Senator where he warned of the importance of keeping these offices impartial. I agreed with him and I filed this legislation as soon as I was able to. Ken Gidge cannot be here today with us. He's out having some health issues, but he called prior to my call and he is the prime sponsor of this bill, so it's been a real pleasure to work with Democrats on this bill and to work in a bipartisan fashion in that matter and I hope I can do that again throughout my time here. Now yesterday I had the good fortune to speak to the former Congressman from Maine, Bruce Poliquin. Prior to being a Congressman, he was the Maine State Treasurer. He told me that before he was the Maine State Treasurer he was in the business world and he was in the pension management business. He was speaking to the Maine State Treasurer, Samuel Shapiro about pension management services when Shapiro told him that he had a political action committee that Poliquin could donate to. The PAC was intended to help elect the same state legislators who would later vote for him for State Treasurer. Poliquin told me that his jaw nearly hit the floor and he said, "It was the most unethical thing I could imagine." Two other states elect these officers in the same way New Hampshire does; Maine and Tennessee. In Maine in the mid 90's they outlawed political action committees being formed by people running for this office. In Tennessee they have not officially outlawed it, but recently their Secretary of State, Tre Hargett said that he would never do such a thing because his legislature would never allow that. It would instantly be a "no" they would not vote for him. So, I ask you to show your love for the best interest of the people of New Hampshire on this Valentine's Day and press the red button.

Speaker Shurtleff: Would the member yield to a question? Rep. Baldasaro you are recognized for a question.

Rep. Baldasaro: Thank you, Mister Speaker. Thank you, Representative, for taking my question. If we support the committee vote, does this mean that we're, that office is for sale because they can keep raising all sorts of money like they did in the past and try to buy that office?

Rep. Prudhomme-O'Brien: My highest interest is keeping this an impartial office, the office of Secretary of State and the office of Treasurer. My example from Maine shows that this is not a New Hampshire issue, this is just an ethical issue that other states deal with.

Speaker Shurtleff: This is an education moment. I just want to remind my good friend from Londonderry a question of that nature is really not appropriate in this body to refer to any elected office being for sale. So, I just remind people to be very circumspect when they come up here to ask a question that it's in a due form that we normally use and go by in this body. Thank you. The Chair recognizes the member from Goffstown, Barbara Griffin to speak to the minority on this bill.

Rep. Barbara Griffin: Thank you, Mister Speaker. Thank you members and I ask you to overturn the recommendation of the committee and I do so with the utmost respect for the work of this committee and I do so because I think there is a fundamental misunderstanding of what we are talking about here and I think the little discussion we just heard here explains that because there was a reference to elections. We are talking about elected officials. The reality is that we are not. We're not. If you turn to page 14 of your calendar you will see a couple of cases cited by the majority in support of the committee's position. They cite those cases in support of positions in regard to elections, but that's not applicable to what we are talking about here because this bill is about the raising of money by and for persons for the positions of Secretary of State and Treasurer and those are governed by a different rulebook. We are all governed by rulebooks, right? We've already had a lot of discussion this session about who has control over the rules, lots of rules. Well the first rulebook is the constitution and the New Hampshire Constitution sets up those offices as constitutional offices. They are not elected. If you read the election statutes and I know it's something you are all going to do tonight, last night, all the time. They are not elected offices. So, the second rulebook that you need to look at in conjunction when considering this bill is the rulebook on elections because the majority would have you think that the rulebook on elections applies and it doesn't. There is a different rule for candidates and incumbents for offices that are elected and constitutional officers and you know what the difference in that rule is? If you're an incumbent or you are running for office, it needs to be for an election because otherwise you are accepting gifts and there's an appearance that perhaps not everything is on the up and up. In setting up the constitution we have specifically taken the office of the Secretary of State and Treasurer out of the election process. That is so confusing to everybody. I understand it. It is so confusing that in regards to our most recent Secretary of State's selection, we had a candidate who did form a PAC and did advertise and did spend money and it was so confusing that the week before the general election he sent out an email saying don't be confused when I'm not on the ballot in an election because I'm not really being elected by you, I get selected a different way. That's how confusing this process is. Under our current rules, as an incumbent Secretary of State, you are prohibited from accepting money and you are prohibited from forming a PAC because a PAC is for an election because the raising of funds for an election is for an election. For those of you who formed committees, you know you had check off a box that said what election are you running for. The Secretary of State is not on any of those boxes. The Treasurer is not on any of those boxes because the offices we are talking about are not selected by the people for whom this House stands, the peoples House. Those offices are selected by us and to allow the raising of funds for such an office by someone does not level the playing field because the current office holder or even you as an incumbent could not raise money because it is not an election. So, this bill if the majority recommendation is overturned would make it clear that we understand what our constitution says, that we understand what our election laws say, that those selections are done by us the elected people who can raise funds under the rules of elections for a constitutional office because those constitutional offices should not be beholden to the fund-raising process. I ask for your support in overturning the majority's recommendation so that another motion can be made that would be consistent with the constitution and would indeed level the playing field for these offices. Thank you.

Speaker Shurtleff: Will the member yield to a question? The member does not yield. The question before the House is the majority report that this bill is Inexpedient to Legislate. The House recognizes the member from Keene, Rep. Pearson.

Rep. William Pearson: Thank you, Mister Speaker. I'd like to first agree with my colleague, the member before me and state that our first rulebook is indeed the US Constitution. And I want to disagree and say that PACs aren't simply for elections, they are for 1st Amendment free speech and I'm glad that my colleague, the member before me raised the cases that I cited in my blurb, I think we are calling them reports now, but I'm glad she raised those citations because I'm going to read a little bit from *Buckley v. Valeo* right now which is really the centerpiece when we're talking about 1st Amendment speech in the political process. In the court in 1976, the Supreme Court that is, said that the real issue here is whether or not the specific legislation, the legislature, us, has enacted interferes with 1st Amendment freedoms or invidiously discriminates against non-incumbent candidates

and minor parties in contravention of the 5th Amendment. They go on to say that although the 1st Amendment protections are not confined to the exposition of ideas there is practically universal agreement that a major purpose of the amendment was to protect the free discussion of governmental affairs, of course including discussion of candidates. That would, I presume, candidates for Secretary of State. There is practically universal agreement again that a major purpose of – sorry I just read that. It is of particular importance that candidates have the unfettered opportunity to make their views known so that the electorate, that being us, may intelligently evaluate the candidate's personal qualities and their positions on bio public issues before choosing among them on election day, something we all participated in a few weeks ago. Now, courts will view any restrictions on these 1st Amendment rights with strict scrutiny. This body must be able to prove that these restrictions are narrowly tailored and that they address a compelling state interest. I don't believe such is the case here. I posit that these restrictions are both over inclusive and under inclusive and that there is really no compelling state interest in limiting these as we have seen through *Buckley v. Valeo* and its progeny. Again, *Buckley v. Valeo*, which I have quoted already extensively sees these issues that the minority is raising as being remedied through the reporting and disclosure requirements and that is what we already do in this fine State of New Hampshire. The mere growth and the cost of elections as what was cited by the minority is not in itself a compelling interest to levy these sorts of restrictions. The minority cites two states, Maine and Tennessee, as states that New Hampshire should follow. I wish they agreed with that for some of the great things that Maine has already done with regards to ranked-choice voting and publicly funding elections, but here they do cite Maine for this and I just wanted to highlight the differences between Maine and Tennessee and New Hampshire. Since 1976, Maine has seen six different Secretaries of State over seven different terms. New Hampshire has seen one over twenty-two. Since 1976, again Tennessee has seen six different Secretaries of State. Again, New Hampshire still only seen one. Our states are different, not just in how we limit our Secretary of State, but also in our electioneering statutes. If you look at the State of Maine, they prohibit the Secretary of State from electioneering. This State, New Hampshire, explicitly exempts the Secretary of State from electioneering so I would posit that this piecemeal approach doesn't help anything and if indeed if we were to adopt it, we would want to amend that electioneering statute as well. I don't say any of this to imply that our Secretary of State isn't deserving of his long tenure, quite the contrary. In fact, I respect Secretary Gardner immensely for what he has done for the State of New Hampshire and indeed myself. His office has always been open and helpful to me as I'm sure it has been to all of you. Rather, I talk about the above to highlight the incumbency advantage the Secretary of State enjoys. His office is feet from our cubbies, really and his door is always open. He has tremendous weight both in National and local media and more than that he has maintained the integrity of New Hampshire elections and our First in the Nation Primary status. These reasons and more illustrate why Secretary Gardner has remained in his office for so long. For those who have been hibernating this winter, Secretary Gardner is still our Secretary of State despite a robust process election cycle that just happened. So, despite not having these restrictions on the books, rightfully so Secretary Gardner enjoys many incumbency advantages. Secretary Gardner does not need this legislature to further advantage his office through the suppression of plainly political speech. I know the Secretary of State can win elections based purely on the merits. Our current one has done so for 21 elections so far and with that I hope you support the majority committee recommendation of ITL. Thank you.

Speaker Shurtleff: Will the member yield to a question? Rep. Smith you are recognized for a question.

Rep. Timothy Smith: Thank you, Mister Speaker. I have two questions. I hope you will take the second. My first question is does the language in this bill distinguish between a regular PAC and a candidate committee?

Rep. William Pearson: I don't believe so.

Speaker Shurtleff: Does the member yield to a follow-up? The member yields.

Rep. Timothy Smith: That seems like a serious flaw if it doesn't make that distinction. If this bill were to pass, would this allow someone to run for Secretary of State and still raise money for postage to send his letters and do whatever they are going to do for that and spend money to run for an office, a constitutional office without having any duty whatsoever to report who is funding their campaign?

Rep. William Pearson: I'm not sure I can answer that having not looked at it specifically. I can't answer that without looking at the statute. Sorry.

Speaker Shurtleff: Will the member yield to another question? Rep. Wuelper is recognized for a question.

Rep. Wuelper: Thank you, Mister Speaker and thank you for taking my question. Do you believe that the Secretaries of State in Maine or in Tennessee have less incumbency advantage than what is in New Hampshire at this time?

Rep. William Pearson: Thank you for the question and again as I referenced the electioneering statutes, I think that they have less of an incumbency advantage. Our current Secretary of State is exempt from our electioneering statute which gives them an immense ability to lobby us as we saw in the most recent Secretary of State election.

Speaker Shurtleff: Do you yield to a follow up? You may ask your question.

Rep. Wuelper: So, I'm guessing that you are suggesting that the Secretaries of State in those other states don't have the opportunity to lobby but it seems to me that since they have higher turnover and they preclude PACs, that that would say the PAC is not necessary for getting elected as an outsider.

Rep. William Pearson: Thank you for the. I'm not sure I heard a question, but I will say that our Secretary of State has done a great job and there is a reason he has had such a long tenure. I'm not trying to detract that from him at all. I'm simply saying that the process as it stands now doesn't need the revision that the minority seems to think it does. We've got a long day. I'm sorry.

Speaker Shurtleff: A division vote has been requested. Members will take their seats. This will be a division vote. A roll call has been requested. Rep. Griffin has requested a roll call. That is sufficiently seconded. This will now be a roll call vote. The question before the House is the majority recommendation that this bill is Inexpedient to Legislate. The Chair recognizes Rep. Lang for a parliamentary inquiry.

Rep. Lang: Thank you, Mister Speaker. Mister Speaker, if I know that the impartiality of this office of both the Secretary of State and the Treasure are tantamount to our citizens and not only our citizenry, our elected officials in this office and if I know the reason for that is because this office is responsible for the recounts and recently in a Belknap County recount we went from a Democrat who won by 10 votes to a Republican who won by one vote and I would question a Secretary of State who may have received money from one side or the other and how that vote might have been counted and how it was done. And, Mister Speaker if I further know that the Secretary of State's office is also responsible for the corporate division which investigates securities frauds and a Secretary of State who received campaign funds from the financial industry may, may be called into question, not that they would, but it presents, I feel it would present an appearance of impropriety and I want to avoid that at all costs for our citizens so they can have faith in our government, faith in our election system, faith in our treasury.

Speaker Shurtleff: The member will suspend for just a moment. In the PI, we need to hear a few more question marks in your comments.

Rep. Lang: If I believe all that Mister Speaker that I want that integrity, would I now push the red button so another motion can be made?

Speaker Shurtleff: The question before the House is the majority recommendation that the bill is Inexpedient to Legislate. The Chair recognizes Rep. Ley for a parliamentary inquiry.

Rep. Ley: Thank you, Mister Speaker. Mister Speaker if I know that participation in democracy through political contributions is protected by the 1st Amendment. And if I know that this bill would unconstitutionally restrict the speech rights of those who seek the office of Secretary of State or State Treasurer. And if I know that this bill does not create a level playing field, but instead would codify and enshrine advantages to incumbency, would I now press the green button to vote yes on the committee report of ITL? Thank you.

Speaker Shurtleff: The question is on the majority recommendation that the bill is Inexpedient to Legislate. If you are in favor, you'll press the green button. If you are opposed, you'll press the red button. Voting stations are now open for 30 seconds. Have all members present had an opportunity to vote? The House will be attentive to the vote. With 236 voting Yea and 139 voting Nay, the motion is adopted.

REGULAR CALENDAR CONT'D

HB 110-FN-A, relative to the cost of fiscal analysis of legislation relating to the retirement system. **OUGHT TO PASS.**

Rep. Kristina Schultz for Executive Departments and Administration. As our State Constitution requires, in Article 36-A Use of Retirement Funds, retirement funds be used exclusively to provide benefits to retirees. This bill ensures any costs for fiscal analysis of retirement legislation will initially come from the retirement system, and then be sent to the Governor for reimbursement from general funds not otherwise appropriated. This is to ensure that all funds for such analysis does not come from retirement funds. As stated during deliberations on this bill, such fiscal studies lead to needed changes to our retirement system to make it better and, as such, are worth the money. Vote 18-0.

Committee report adopted and referred to the Committee on Finance.

HB 116-FN, relative to the job classification of positions in the retirement system. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Carol McGuire for Executive Departments and Administration. The workers in our state prisons were, at one time, all included in Group II (police, fire, and corrections), even the office staff and others who had no contact with prisoners. This has been fixed, but since then there have been continual problems with the classification of different groups of employees. Every year or so, the Department of Corrections brings in a bill with a list of positions to be reassigned from Group I to Group II. The issue is that the newly created positions are given standard titles such as "cook" or "administrator" which appear to fit in Group I to most legislators. However, these positions in the prisons fully meet the definition of "Correctional line personnel" which is defined as Group II. In compliance with the definition, they are in contact with prisoners, trained and certified, and as a job requirement meet the mental, educational, and physical requirements of correctional line personnel. This creates serious inequities when people working side by side in the same job have different benefits, because some have been reclassified as Group II and some haven't. This bill, as amended, specifies that if the Division of Personnel and the Department of Corrections certify that a position meets the requirements for Group II, the trustees of the NH Retirement System can approve the classification change without specific legislative authorization. Vote 16-2.

Amendment (0018h)

Amend the bill by replacing section 1 with the following:

1 Retirement System; Job Classification. Amend RSA 100-A:3, IX to read as follows:

IX. If there is any doubt as to the proper classification of a job in the retirement system, the trustees shall determine whether the person holding the job is an employee, teacher, permanent policeman, or permanent fireman as defined in RSA 100-A:1; provided, however, that a 2/3 vote shall be required to classify the job in group II, and further provided that in the case of a newly-created job held by more than one person, the job shall be classified in group I unless it is explicitly placed in group II by the legislation creating the job in the case of a state job, or by a majority vote of the legislative body of the political subdivision in the case of a political subdivision job. For the purposes of this paragraph, an increase in the number of persons holding a given job with a given employer shall not be considered as creation of a new job. No job shall be reclassified from group I to group II of the retirement system without legislation specifically authorizing a transfer from group I to group II; ***except in the case where the state department of corrections declares that an existing job meets the standards of correctional line personnel, and the director of the division of personnel confirms that the position conforms to these standards, the board of trustees may approve the reclassification from group I to group II without such specific legislation.***

AMENDED ANALYSIS

This bill allows for changes to the reclassification of certain department of corrections positions from group I to group II without specific legislation.

Committee amendment adopted.

Committee report adopted and referred to the Committee on Finance.

HB 220, relative to licensing requirements for septic system evaluators. **INEXPEDIENT TO LEGISLATE.** Rep. Jaci Grote for Executive Departments and Administration. This bill would grant septic system evaluators who missed the deadline for confirming their compliance with license requirements an extension for compliance. Since 178 of the septic system evaluators complied with the deadline, and only 17 of evaluators did not comply with the deadline, and the committee heard that there are other means to obtain the licensing, this bill was deemed Inexpedient to Legislate. Vote 16-3.

Committee report adopted.

HB 497-FN-A-L, relative to payment by the state of a portion of retirement system contributions of political subdivision employers. **MAJORITY: OUGHT TO PASS. MINORITY: OUGHT TO PASS WITH AMENDMENT.** Rep. Jaci Grote for the Majority of Executive Departments and Administration. This bill upholds the promise made by the State to pay a portion of the employer's contribution to the NH Retirement System (NHRS) for Group I (teachers) and Group II members. The state's payment to NHRS was reduced from 35% in 2008 to 0% as of 2012. This bill would require the state to pay 15% of the cost to the NHRS, reducing the burden on our local communities. Since then, municipalities have borne the total burden of payment for their employees causing a large increase in property tax rates. Because of this financial burden, many municipalities have had to forgo other needs in order to fund their NHRS contribution. Many schools have a gap in their budgets due to this burden as well. The NH Municipal Association is in support of this bill. Vote 15-5.

Rep. Carol McGuire for the Minority of Executive Departments and Administration. The minority amendment to this bill guarantees property tax relief by reducing the statewide education property tax, which is under state control. The Education Fund is re-filled from the General Fund, so education spending is not affected; the net effect on the General Fund is the same as the bill without the amendment. By reducing a specific property tax, the minority amendment ensures that all taxpayers get proportional relief, not relying on towns or school districts to trickle down the relief the un-amended bill would give municipalities and schools.

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

Rep. McGuire offered minority committee amendment (0113h).

Minority Amendment (0113h)

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

AN ACT reducing the state education property tax warrant by an amount equal to 15 percent of retirement system contributions of political subdivision employers.

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

1 New Subparagraph; Retirement System; Employer Contributions; State Share of Contributions. Amend RSA 100-A:16, II by inserting after subparagraph (j) the following new paragraph:

(k) Immediately following the actuarial valuation prepared as of June 30 of each fiscal year, the board shall estimate the total employer contribution for teachers, police, and firefighters employed by political subdivisions. The board shall notify the department of revenue administration of this amount prior to July 15 of that year.

2 State Education Property Tax Warrant; Reduction. Amend RSA 76:3 to read as follows:

76:3 Education Tax. Beginning July 1, 2005, and every fiscal year thereafter, the commissioner of the department of revenue administration shall set the education tax rate at a level sufficient to generate revenue of \$363,000,000, ***less 15 percent of the employer contribution for teachers, police, and firefighters employed by political subdivisions, as provided by the retirement system under RSA 100-A:16, II(k)***, when imposed on all persons and property taxable pursuant to RSA 76:8, except property subject to tax under RSA 82 and RSA 83-F. The education property tax rate shall be effective for the following fiscal year. The rate shall be set to the nearest 1/2 cent necessary to generate the revenue required in this section.

3 Education Trust Fund; Addition of Funds. Amend RSA 198:39, I(1) to read as follows:

(1) ***State general funds in the amount required in RSA 76:3 to equal 15 percent of the employer contribution for teachers, police, and firefighters employed by political subdivisions, as provided by the retirement system under RSA 100-A:16, II(k).***

(m) Any other moneys appropriated from the general fund.

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

AMENDED ANALYSIS

This bill requires that an amount equal to 15 percent of political subdivision retirement system contributions will be subtracted from the annual state education property tax warrant. The amount subtracted is replaced in the education trust fund by state general funds.

Rep. Cushing spoke against and yielded to questions.

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

YEAS 144 - NAYS 232

YEAS - 144

BELKNAP

Aldrich, Glen
Fields, Dennis
Mackie, Jonathan
Tilton, Franklin

Bean, Harry
Howard, Raymond
Plumer, John
Varney, Peter

Comtois, Barbara
Jurius, Deanna
Spanos, Peter
Viens, Harry

Feeney, George
Lang, Timothy
Sylvia, Michael

CARROLL

Avellani, Lino
Nelson, Bill

Comeau, Ed

Cordelli, Glenn

Marsh, William

CHESHIRE

Hunt, John

O'Day, John

COOS

Craig, Kevin

GRAFTON

Gordon, Edward

Hennessey, Erin

Migliore, Vincent Paul

HILLSBOROUGH

Lekas, Alicia
Belanger, James
Camarota, Linda
Gagne, Larry
Gunski, Michael
Ober, Lynne
Notter, Jeanine
Prout, Andrew
Somero, Paul
Warden, Mark

Alexander, Joe
Boehm, Ralph
Danielson, David
Gould, Linda
Hinch, Richard
Lascelles, Richard
Nunez, Hershel
Ober, Russell
Lekas, Tony
Whittemore, James

Griffin, Barbara
Burns, Charles
Erf, Keith
Graham, John
Hopper, Gary
Marzullo, JP
Panasiti, Reed
Renzullo, Andrew
Trento, Michael

Barry, Richard
Burt, John
Fedolfi, Jim
Greene, Bob
L'Heureux, Robert
McLean, Mark
Plett, Fred
Rice, Kimberly
Ulery, Jordan

MERRIMACK

Allard, James
Kotowski, Frank
Seaworth, Brian
Yakubovich, Michael

Forsythe, Robert
Marple, Richard
Testerman, Dave

Hill, Gregory
McGuire, Carol
Walsh, Thomas

Horn, Werner
Pearl, Howard
Wolf, Dan

ROCKINGHAM

Abbas, Daryl
Baldasaro, Al
Davis, Dan
Dolan, Tom
Gay, Betty
Hobson, Deborah

Abrami, Patrick
Bershtein, Alan
Thomas, Douglas
Doucette, Fred
Green, Dennis
Hoelzel, Kathleen

Abramson, Max
Chirichiello, Brian
Desilets, Joel
Edwards, Jess
Guthrie, Joseph
Osborne, Jason

Acton, Dennis
Costable, Michael
DeSimone, Debra
Fowler, William
Harb, Robert
Janigian, John

Katsakiores, Phyllis
Griffin, Mary
Melvin, Charles
Packard, Sherman
Roy, Terry
True, Chris
Welch, David

Kolodziej, Walter
Pearson, Mark
Milz, David
Piemonte, Tony
Spillane, James
Verville, Kevin
Weyler, Kenneth

Love, David
McKinney, Betsy
O'Connor, John
Potucek, John
Sytek, John
Wallace, Scott
Yokela, Josh

Lundgren, David
McMahon, Charles
Owens, Becky
Prudhomme-O'Brien, Katherine
Torosian, Peter
Webb, James

STRAFFORD

Hayward, Peter
Perreault, Mona
Wuelper, Kurt

Horgan, James
Pitre, Joseph

Kittredge, Mac
Rooney, Abigail

McNally, Jody
Beaudoin, Steven

SULLIVAN

Aron, Judy
Rollins, Skip

Callum, John
Stapleton, Walter

Laware, Thomas
Smith, Steven

Lucas, Gates

NAYS - 232 BELKNAP

Huot, David

CARROLL

Buco, Thomas
DesMarais, Edith
Woodcock, Stephen

Burroughs, Anita
Kanzler, Harrison

Butler, Edward
Knirk, Jerry

Crawford, Karel
Ticehurst, Susan

CHESHIRE

Abbott, Michael
Faulkner, Barry
Ley, Douglas
Parkhurst, Henry
Thompson, Craig

Ames, Richard
Fenton, Donovan
Mann, John
Schapiro, Joe
Von Plinsky, Sparky

Berch, Paul
Gomarlo, Jennie
Meador, David
Swinburne, Sandy
Pearson, William

Bordenet, John
Harvey, Cathryn
Morrill, David
Tatro, Bruce
Weber, Lucy

COOS

Hatch, William
Tucker, Edith

Lafamme, Larry
Thomas, Yvonne

Moynihan, Wayne

Noel, Henry

GRAFTON

Abel, Richard
Diggs, Francesca
Ford, Susan
Massimilla, Linda
Osborne, Richard
Smith, Suzanne

Adjutant, Joshua
Dontonville, Roger
French, Elaine
Mulligan, Mary Jane
Ruprecht, Dennis
Sykes, George

Almy, Susan
Egan, Timothy
Josephson, Timothy
Muscatel, Garrett
Stavis, Laurel
Weston, Joyce

Campion, Polly
Fellows, Sallie
Maes, Kevin
Nordgren, Sharon
Stringham, Jerry

HILLSBOROUGH

Bouldin, Amanda
Baroody, Benjamin
Bordy, William
Cohen, Bruce
Dargie, Paul
Espitia, Manny
Griffith, Willis
Heath, Mary
Jack, Martin
Klein-Knight, Nicole
Long, Patrick
McGhee, Kat
Nutter-Upham, Frances
Petrigno, Peter
Proulx, Mark
Riel, Cole
Snow, Kendall
Stevens, Deb
Vail, Suzanne
Wilhelm, Matthew

Bouldin, Andrew
Beaulieu, Jane
Bosman, James
Connors, Erika
Desjardin, Kathy
Davis, Fred
Hall, Brett
Herbert, Christopher
Judy, Jean
Komi, Richard
Murray, Megan
Mombourquette, Donna
Nutting-Wong, Allison
Pickering, Daniel
Query, Joshua
Rung, Rosemarie
Sofikitis, Catherine
Smith, Timothy
Van Houten, Constance
Williams, Kermit

Backus, Robert
Bergeron, Paul
Bouchard, Donald
Cornell, Patricia
DiSilvestro, Linda
Freitas, Mary
Hamer, Heidi
Indruk, Greg
King, Mark
Langley, Diane
Mangipudi, Latha
Mullen, Sue
O'Brien, Michael
Piedra, Israel
Newman, Ray
Newman, Sue
St. John, Michelle
Telerski, Laura
Vann, Ivy
Woodbury, David

Balch, Chris
Bernet, Jennifer
Cleaver, Skip
Cote, David
Dutzy, Sherry
Goley, Jeffrey
Harriott-Gathright, Linda
Schmidt, Janice
Klee, Patricia
Leishman, Peter
Martin, Joelle
Murphy, Nancy
Pedersen, Michael
Porter, Marjorie
Radhakrishnan, Julie
Shaw, Barbara
Stack, Kathryn
Toomey, Dan
Thomas, Wendy

MERRIMACK

Bartlett, Christy
Ebel, Karen
Lane, Connie

Buchanan, Ryan
Ellison, Arthur
Luneau, David

Carson, Clyde
Fulweiler, Joyce
MacKay, James

Doherty, David
Karrick, David
McWilliams, Rebecca

Moffett, Howard
 Rodd, Beth
 Schuett, Dianne
 Wallner, Mary Jane
 Woods, Gary

Myler, Mel
 Rogers, Katherine
 Schultz, Kristina
 Walz, Mary Beth

Pimentel, Roderick
 Saunderson, George
 Soucy, Timothy
 Wazir, Safiya

Richards, Beth
 Schamberg, Thomas
 Turcotte, Alan
 Wells, Kenneth

ROCKINGHAM

Altschiller, Debra
 Bushway, Patricia
 Cushing, Robert Renny
 Gilman, Julie
 Murray, Kate
 Lovejoy, Patricia
 McConnell, Liz
 Pratt, Kevin
 Vallone, Mark

Barnes, Arthur
 Cahill, Michael
 DiLorenzo, Charlotte
 Grossman, Gaby
 Khan, Aboul
 Maggiore, Jim
 Meuse, David
 Read, Ellen
 Ward, Gerald

Berrien, Skip
 Cali-Pitts, Jacqueline
 Edgar, Michael
 Grote, Jaci
 Le, Tamara
 Malloy, Dennis
 Morrison, Sean
 Pearson, Stephen
 Warner, Anne

Bunker, Lisa
 Coursin, David
 Eisner, Mary
 Janvrin, Jason
 Loughman, Tom
 McBeath, Rebecca
 Pantelakos, Laura
 Somssich, Peter

STRAFFORD

Bixby, Peter
 Fontneau, Timothy
 Higgins, Peg
 Levesque, Cassandra
 Rich, Cecilia
 Spang, Judith

Cannon, Gerri
 Frost, Sherry
 Horrigan, Timothy
 Smith, Marjorie
 Salloway, Jeffrey
 Treleaven, Susan

Chase, Wendy
 Gourgue, Amanda
 Keans, Sandra
 Opderbecke, Linn
 Sandler, Catt
 Vincent, Kenneth

Fargo, Kristina
 Grassie, Chuck
 Kenney, Cam
 Schmidt, Peter
 Southworth, Thomas
 Wall, Janet

SULLIVAN

Cloutier, John
 Sullivan, Brian

Merchant, Gary
 Tanner, Linda

O'Hearne, Andrew

Oxenham, Lee

and the minority committee amendment failed.

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

Rep. Edwards requested a roll call; sufficiently seconded.

YEAS 256 - NAYS 120

YEAS - 256 BELKNAP

Huot, David

Tilton, Franklin

CARROLL

Buco, Thomas
 DesMarais, Edith
 Woodcock, Stephen

Burroughs, Anita
 Kanzler, Harrison

Butler, Edward
 Knirk, Jerry

Crawford, Karel
 Ticehurst, Susan

CHESHIRE

Abbott, Michael
 Faulkner, Barry
 Ley, Douglas
 Parkhurst, Henry
 Thompson, Craig

Ames, Richard
 Fenton, Donovan
 Mann, John
 Schapiro, Joe
 Von Plinsky, Sparky

Berch, Paul
 Gomarlo, Jennie
 Meader, David
 Swinburne, Sandy
 Pearson, William

Bordenet, John
 Harvey, Cathryn
 Morrill, David
 Tatro, Bruce
 Weber, Lucy

COOS

Hatch, William
 Tucker, Edith

Laflamme, Larry
 Thomas, Yvonne

Moynihan, Wayne

Noel, Henry

GRAFTON

Abel, Richard
 Diggs, Francesca
 Ford, Susan
 Maes, Kevin
 Nordgren, Sharon
 Stringham, Jerry

Adjutant, Joshua
 Dontonville, Roger
 French, Elaine
 Massimilla, Linda
 Osborne, Richard
 Smith, Suzanne

Almy, Susan
 Egan, Timothy
 Gordon, Edward
 Mulligan, Mary Jane
 Ruprecht, Dennis
 Sykes, George

Campion, Polly
 Fellows, Sallie
 Josephson, Timothy
 Muscatel, Garrett
 Stavis, Laurel
 Weston, Joyce

HILLSBOROUGH

Bouldin, Amanda
 Baroody, Benjamin
 Bernet, Jennifer
 Burns, Charles
 Cornell, Patricia
 DiSilvestro, Linda
 Freitas, Mary

Bouldin, Andrew
 Barry, Richard
 Bordy, William
 Cleaver, Skip
 Cote, David
 Dutzy, Sherry
 Goley, Jeffrey

Backus, Robert
 Beaulieu, Jane
 Bosman, James
 Cohen, Bruce
 Dargie, Paul
 Espitia, Manny
 Graham, John

Balch, Chris
 Bergeron, Paul
 Bouchard, Donald
 Connors, Erika
 Desjardin, Kathy
 Davis, Fred
 Griffith, Willis

Hall, Brett
Herbert, Christopher
Jeudy, Jean
Komi, Richard
Murray, Megan
McLean, Mark
Nutter-Upham, Frances
Pedersen, Michael
Plett, Fred
Newman, Ray
Rung, Rosemarie
Sofikitis, Catherine
Smith, Timothy
Van Houten, Constance
Williams, Kermit

Hamer, Heidi
Indruk, Greg
King, Mark
Langley, Diane
Mangipudi, Latha
Mombourquette, Donna
Nutting-Wong, Allison
Petrigno, Peter
Porter, Marjorie
Radhakrishnan, Julie
Newman, Sue
St. John, Michelle
Telerski, Laura
Vann, Ivy
Woodbury, David

Harriott-Gathright, Linda
Schmidt, Janice
Klee, Patricia
Leishman, Peter
Martin, Joelle
Mullen, Sue
O'Brien, Michael
Pickering, Daniel
Proulx, Mark
Rice, Kimberly
Shaw, Barbara
Stack, Kathryn
Toomey, Dan
Thomas, Wendy

Heath, Mary
Jack, Martin
Klein-Knight, Nicole
Long, Patrick
McGhee, Kat
Murphy, Nancy
Panasiti, Reed
Piedra, Israel
Query, Joshua
Riel, Cole
Snow, Kendall
Stevens, Deb
Vail, Suzanne
Wilhelm, Matthew

MERRIMACK

Bartlett, Christy
Ebel, Karen
Karrick, David
MacKay, James
Pimentel, Roderick
Saunderson, George
Soucy, Timothy
Wazir, Safiya

Buchanan, Ryan
Ellison, Arthur
Kotowski, Frank
McWilliams, Rebecca
Richards, Beth
Schamberg, Thomas
Turcotte, Alan
Wells, Kenneth

Carson, Clyde
Fulweiler, Joyce
Lane, Connie
Moffett, Howard
Rodd, Beth
Schuett, Dianne
Wallner, Mary Jane
Wolf, Dan

Doherty, David
Horn, Werner
Luneau, David
Myler, Mel
Rogers, Katherine
Schultz, Kristina
Walz, Mary Beth
Woods, Gary

ROCKINGHAM

Abramson, Max
Bunker, Lisa
Chirichiello, Brian
Dolan, Tom
Gilman, Julie
Murray, Kate
Maggiore, Jim
McKinney, Betsy
Pratt, Kevin
Pearson, Stephen
Ward, Gerald

Altschiller, Debra
Bushway, Patricia
Coursin, David
Doucette, Fred
Grossman, Gaby
Khan, Aboul
Malloy, Dennis
Meuse, David
Prudhomme-O'Brien, Katherine
Somssich, Peter
Warner, Anne

Barnes, Arthur
Cahill, Michael
Cushing, Robert Renny
Edgar, Michael
Grote, Jaci
Le, Tamara
McBeath, Rebecca
Morrison, Sean
Read, Ellen
Spillane, James
Webb, James

Berrien, Skip
Cali-Pitts, Jacqueline
DiLorenzo, Charlotte
Eisner, Mary
Janvrin, Jason
Loughman, Tom
McConnell, Liz
Pantelakos, Laura
Roy, Terry
Vallone, Mark
Welch, David

STRAFFORD

Bixby, Peter
Fontneau, Timothy
Hayward, Peter
Kenney, Cam
Schmidt, Peter
Southworth, Thomas
Wall, Janet

Cannon, Gerri
Frost, Sherry
Higgins, Peg
Levesque, Cassandra
Rich, Cecilia
Spang, Judith
Wuelper, Kurt

Chase, Wendy
Gourgue, Amanda
Horrigan, Timothy
Smith, Marjorie
Salloway, Jeffrey
Treleaven, Susan

Fargo, Kristina
Grassie, Chuck
Keans, Sandra
Opderbecke, Linn
Sandler, Catt
Vincent, Kenneth

SULLIVAN

Cloutier, John
Rollins, Skip

Merchant, Gary
Sullivan, Brian

O'Hearne, Andrew
Tanner, Linda

Oxenham, Lee

NAYS - 120

BELKNAP

Aldrich, Glen
Fields, Dennis
Mackie, Jonathan
Varney, Peter

Bean, Harry
Howard, Raymond
Plumer, John
Viens, Harry

Comtois, Barbara
Jurius, Deanna
Spanos, Peter

Feeney, George
Lang, Timothy
Sylvia, Michael

CARROLL

Avellani, Lino
Nelson, Bill

Comeau, Ed

Cordelli, Glenn

Marsh, William

CHESHIRE

COOS

GRAFTON

Hunt, John

O'Day, John

Craig, Kevin

Hennessey, Erin

Migliore, Vincent Paul

HILLSBOROUGH

Lekas, Alicia
Boehm, Ralph
Erf, Keith
Greene, Bob
L'Heureux, Robert
Notter, Jeanine
Renzullo, Andrew
Ulery, Jordan

Alexander, Joe
Burt, John
Fedolfi, Jim
Gunski, Michael
Ober, Lynne
Nunez, Hershel
Somero, Paul
Warden, Mark

Griffin, Barbara
Camarota, Linda
Gagne, Larry
Hinch, Richard
Lascelles, Richard
Prout, Andrew
Lekas, Tony
Whittemore, James

Belanger, James
Danielson, David
Gould, Linda
Hopper, Gary
Marzullo, JP
Ober, Russell
Trento, Michael

MERRIMACK

Allard, James
McGuire, Carol
Walsh, Thomas

Forsythe, Robert
Pearl, Howard
Yakubovich, Michael

Hill, Gregory
Seaworth, Brian

Marple, Richard
Testerman, Dave

ROCKINGHAM

Abbas, Daryl
Bershtein, Alan
Desilets, Joel
Gay, Betty
Hobson, Deborah
Katsakiores, Phyllis
Lundgren, David
Melvin, Charles
Packard, Sherman
Torosian, Peter
Weyler, Kenneth

Abrami, Patrick
Costable, Michael
DeSimone, Debra
Green, Dennis
Hoelzel, Kathleen
Kolodziej, Walter
Griffin, Mary
Milz, David
Piemonte, Tony
True, Chris
Yokela, Josh

Acton, Dennis
Davis, Dan
Edwards, Jess
Guthrie, Joseph
Osborne, Jason
Love, David
Pearson, Mark
O'Connor, John
Potucek, John
Verville, Kevin

Baldasaro, Al
Thomas, Douglas
Fowler, William
Harb, Robert
Janigian, John
Lovejoy, Patricia
McMahon, Charles
Owens, Becky
Sytek, John
Wallace, Scott

STRAFFORD

Horgan, James
Pitre, Joseph

Kittredge, Mac
Rooney, Abigail

McNally, Jody
Beaudoin, Steven

Perreault, Mona

SULLIVAN

Aron, Judy
Stapleton, Walter

Callum, John
Smith, Steven

Laware, Thomas

Lucas, Gates

and the majority committee report was adopted and referred to the Committee on Finance.

HB 524, relative to child day care agencies compliance with local codes. **OUGHT TO PASS WITH AMENDMENT.** Rep. Carol McGuire for Executive Departments and Administration. This bill, as amended, creates a study committee to look at obstacles to forming and running day care businesses. There are anecdotal reports of issues with building inspections, fire inspections, licensing, and state reimbursement requirements, which are within state purview. Local problems can be identified and flagged for local action. Vote 14-4.

Amendment (0162h)

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

AN ACT establishing a committee to study issues and impediments to starting, running, and growing home and commercial day care facilities in New Hampshire.

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

1 Statement of Intent. The general court hereby establishes the following study committee with the intent of supporting families in New Hampshire by providing adequate day care across the state, removing structural impediments to opening, running and growing day care businesses, and reversing the current trend of day care closures outnumbering openings.

2 Committee Established. There is established a committee to study issues and impediments to starting, running, and growing home and commercial day care facilities in New Hampshire.

3 Membership and Compensation.

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

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

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

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

4 Duties.

I. The committee shall:

(a) Examine the adequacy of day care programs and facilities across the state;

(b) Identify issues and impediments to starting, running, and growing both home and commercial day care facilities; and

(c) Identify ways to reverse the current trend of day care closures outnumbering openings.

II. In conducting its study, the committee shall solicit information from the state fire marshal's office, all municipalities with populations over 25,000, and at least 2 municipalities from each county.

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

6 Report. The committee shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the sponsors of this act, the chairperson of the house executive departments and administration committee, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2019.

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

AMENDED ANALYSIS

This bill establishes a committee to study issues and impediments to starting, running, and growing home and commercial day care facilities in New Hampshire.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

HB 322, relative to reporting the taking of a turkey. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Dennis Ruprecht for the Majority of Fish and Game and Marine Resources. This bill would require the NH Fish and Game Department to develop an automated telephonic registration system and to develop an online registration form to be made available on the department's web site for the purpose of the registration of any wild turkey taken. The committee heard testimony that the department would lose important biological data due to the potential lack of reports being filed. This bill would also create burdens for the department to exercise law enforcement oversight. Vote 11-8.

Rep. James Spillane for the Minority of Fish and Game and Marine Resources. This bill directs the Fish and Game Department to develop and implement electronic/telephonic based methods to register and report the taking of turkey during hunting season. The bill allows flexibility for the department to implement the method they feel is best, collect whatever data about the turkey and hunter they deem necessary, and does not prohibit the personal check-in for those who prefer that method.

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

Rep. McGuire spoke against.

Reps. Ruprecht and Harvey spoke in favor.

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

YEAS 227 - NAYS 150

YEAS - 227

BELKNAP

Fields, Dennis

Howard, Raymond

Huot, David

Plumer, John

CARROLL

Buco, Thomas
DesMarais, Edith

Burroughs, Anita
Knirk, Jerry

Butler, Edward
Ticehurst, Susan

Crawford, Karel

CHESHIRE

Abbott, Michael
Faulkner, Barry
Ley, Douglas
Parkhurst, Henry
Thompson, Craig

Ames, Richard
Fenton, Donovan
Mann, John
Schapiro, Joe
Von Plinsky, Sparky

Berch, Paul
Gomarlo, Jennie
Meador, David
Swinburne, Sandy
Pearson, William

Bordenet, John
Harvey, Cathryn
Morrill, David
Tatro, Bruce
Weber, Lucy

COOS

Hatch, William
Thomas, Yvonne

Laflamme, Larry

Moynihan, Wayne

Noel, Henry

GRAFTON

Abel, Richard
Diggs, Francesca
Ford, Susan
Massimilla, Linda
Osborne, Richard
Smith, Suzanne

Adjutant, Joshua
Dontonville, Roger
French, Elaine
Mulligan, Mary Jane
Ruprecht, Dennis
Sykes, George

Almy, Susan
Egan, Timothy
Josephson, Timothy
Muscatel, Garrett
Stavis, Laurel
Weston, Joyce

Campion, Polly
Fellows, Sallie
Maes, Kevin
Nordgren, Sharon
Stringham, Jerry

HILLSBOROUGH

Bouldin, Amanda
 Baroody, Benjamin
 Bordy, William
 Cohen, Bruce
 Dargie, Paul
 Espitia, Manny
 Griffith, Willis
 Heath, Mary
 Jack, Martin
 Klein-Knight, Nicole
 Langley, Diane
 Mangipudi, Latha
 Mullen, Sue
 Pedersen, Michael
 Porter, Marjorie
 Radhakrishnan, Julie
 Shaw, Barbara
 Stack, Kathryn
 Vail, Suzanne
 Wilhelm, Matthew

Bouldin, Andrew
 Beaulieu, Jane
 Bosman, James
 Connors, Erika
 Desjardin, Kathy
 Davis, Fred
 Hall, Brett
 Herbert, Christopher
 Jeudy, Jean
 Komi, Richard
 Leishman, Peter
 Martin, Joelle
 Murphy, Nancy
 Petrigno, Peter
 Query, Joshua
 Riel, Cole
 Snow, Kendall
 Stevens, Deb
 Van Houten, Constance
 Williams, Kermit

Backus, Robert
 Bergeron, Paul
 Bouchard, Donald
 Cornell, Patricia
 DiSilvestro, Linda
 Freitas, Mary
 Hamer, Heidi
 Indruk, Greg
 King, Mark
 L'Heureux, Robert
 Long, Patrick
 McGhee, Kat
 Nutting-Wong, Allison
 Pickering, Daniel
 Newman, Ray
 Rung, Rosemarie
 Sofikitis, Catherine
 Telerski, Laura
 Vann, Ivy
 Woodbury, David

Balch, Chris
 Bernet, Jennifer
 Cleaver, Skip
 Cote, David
 Dutzy, Sherry
 Goley, Jeffrey
 Harriott-Gathright, Linda
 Schmidt, Janice
 Klee, Patricia
 Ober, Lynne
 Murray, Megan
 Mombourquette, Donna
 O'Brien, Michael
 Piedra, Israel
 Ober, Russell
 Newman, Sue
 St. John, Michelle
 Toomey, Dan
 Thomas, Wendy

MERRIMACK

Allard, James
 Doherty, David
 Karrick, David
 McWilliams, Rebecca
 Richards, Beth
 Schuett, Dianne
 Wallner, Mary Jane
 Wolf, Dan

Bartlett, Christy
 Ebel, Karen
 Lane, Connie
 Moffett, Howard
 Rodd, Beth
 Schultz, Kristina
 Walz, Mary Beth
 Woods, Gary

Buchanan, Ryan
 Ellison, Arthur
 Luneau, David
 Myler, Mel
 Saunderson, George
 Soucy, Timothy
 Wazir, Safiya

Carson, Clyde
 Fulweiler, Joyce
 MacKay, James
 Pimentel, Roderick
 Schamberg, Thomas
 Turcotte, Alan
 Wells, Kenneth

ROCKINGHAM

Altschiller, Debra
 Cahill, Michael
 Edgar, Michael
 Grossman, Gaby
 Loughman, Tom
 McBeath, Rebecca
 Pantelakos, Laura
 Warner, Anne

Berrien, Skip
 Coursin, David
 Eisner, Mary
 Grote, Jaci
 Lovejoy, Patricia
 McConnell, Liz
 Read, Ellen
 Webb, James

Bunker, Lisa
 Cushing, Robert Renny
 Gay, Betty
 Murray, Kate
 Maggiore, Jim
 McKinney, Betsy
 Somssich, Peter

Bushway, Patricia
 DiLorenzo, Charlotte
 Gilman, Julie
 Le, Tamara
 Malloy, Dennis
 Meuse, David
 Vallone, Mark

STRAFFORD

Bixby, Peter
 Fontneau, Timothy
 Higgins, Peg
 Levesque, Cassandra
 Rich, Cecilia
 Spang, Judith

Cannon, Gerri
 Frost, Sherry
 Horrigan, Timothy
 Smith, Marjorie
 Salloway, Jeffrey
 Treleaven, Susan

Chase, Wendy
 Gourgue, Amanda
 Keans, Sandra
 Opderbecke, Linn
 Sandler, Catt
 Vincent, Kenneth

Fargo, Kristina
 Grassie, Chuck
 Kenney, Cam
 Schmidt, Peter
 Southworth, Thomas
 Wall, Janet

SULLIVAN

Cloutier, John
 Tanner, Linda

O'Hearne, Andrew

Oxenham, Lee

Sullivan, Brian

NAYS - 150**BELKNAP**

Aldrich, Glen
 Jurius, Deanna
 Sylvia, Michael

Bean, Harry
 Lang, Timothy
 Tilton, Franklin

Comtois, Barbara
 Mackie, Jonathan
 Varney, Peter

Feeney, George
 Spanos, Peter
 Viens, Harry

CARROLL

Avellani, Lino
 Marsh, William

Comeau, Ed
 Nelson, Bill

Cordelli, Glenn
 Woodcock, Stephen

Kanzler, Harrison

CHESHIRE**COOS**

Hunt, John

O'Day, John

Tucker, Edith

GRAFTON

Gordon, Edward

Hennessey, Erin

Migliore, Vincent Paul

HILLSBOROUGH

Lekas, Alicia
 Belanger, James
 Camarota, Linda
 Gagne, Larry
 Gunski, Michael
 Marzullo, JP
 Nutter-Upham, Frances
 Prout, Andrew
 Lekas, Tony
 Warden, Mark

Alexander, Joe
 Boehm, Ralph
 Danielson, David
 Gould, Linda
 Hinch, Richard
 McLean, Mark
 Panasiti, Reed
 Renzullo, Andrew
 Smith, Timothy
 Whittemore, James

Griffin, Barbara
 Burns, Charles
 Erf, Keith
 Graham, John
 Hopper, Gary
 Notter, Jeanine
 Plett, Fred
 Rice, Kimberly
 Trento, Michael

Barry, Richard
 Burt, John
 Fedolfi, Jim
 Greene, Bob
 Lascelles, Richard
 Nunez, Hershel
 Proulx, Mark
 Somero, Paul
 Ulery, Jordan

MERRIMACK

Forsythe, Robert
 Marple, Richard
 Seaworth, Brian

Hill, Gregory
 McGuire, Carol
 Testerman, Dave

Horn, Werner
 Pearl, Howard
 Walsh, Thomas

Kotowski, Frank
 Rogers, Katherine
 Yakubovich, Michael

ROCKINGHAM

Abbas, Daryl
 Baldasaro, Al
 Chirichiello, Brian
 Desilets, Joel
 Edwards, Jess
 Harb, Robert
 Janigian, John
 Kolodziej, Walter
 Pearson, Mark
 Morrison, Sean
 Piemonte, Tony
 Roy, Terry
 Torosian, Peter
 Ward, Gerald

Abrami, Patrick
 Barnes, Arthur
 Costable, Michael
 DeSimone, Debra
 Fowler, William
 Hobson, Deborah
 Janvrin, Jason
 Love, David
 McMahon, Charles
 O'Connor, John
 Potucek, John
 Pearson, Stephen
 True, Chris
 Welch, David

Abramson, Max
 Bershtein, Alan
 Davis, Dan
 Dolan, Tom
 Green, Dennis
 Hoelzel, Kathleen
 Katsakiores, Phyllis
 Lundgren, David
 Melvin, Charles
 Owens, Becky
 Pratt, Kevin
 Spillane, James
 Verville, Kevin
 Weyler, Kenneth

Acton, Dennis
 Cali-Pitts, Jacqueline
 Thomas, Douglas
 Doucette, Fred
 Guthrie, Joseph
 Osborne, Jason
 Khan, Aboul
 Griffin, Mary
 Milz, David
 Packard, Sherman
 Prudhomme-O'Brien, Katherine
 Sytek, John
 Wallace, Scott
 Yokela, Josh

STRAFFORD

Hayward, Peter
 Perreault, Mona
 Wuelper, Kurt

Horgan, James
 Pitre, Joseph

Kittredge, Mac
 Rooney, Abigail

McNally, Jody
 Beaudoin, Steven

SULLIVAN

Aron, Judy
 Merchant, Gary

Callum, John
 Rollins, Skip

Laware, Thomas
 Stapleton, Walter

Lucas, Gates
 Smith, Steven

and the majority committee report was adopted.

The House recessed at 12:35 p.m.

RECESS

The House reconvened at 1:35 p.m.

(Speaker Shurtleff in the Chair)

MOTION TO SUSPEND HOUSE RULES

Reps. Ley and Hinch moved that House Rules be so far suspended as to allow for late drafting and introduction on **HB 1-A**, **HB 2-FN-A-L** and **HB 25-FN-A**.

Motion adopted by the necessary two-thirds vote.

REGULAR CALENDAR CONT'D

HB 304, relative to policies required for health facilities and special health care service licenses. **INEXPEDIENT TO LEGISLATE.**

Rep. Jerry Knirk for Health, Human Services and Elderly Affairs. This bill would repeal a requirement for licensed health care facilities to provide services to all persons regardless of the source of payment, a requirement added by the legislature in 2016 to ensure access to services for low-income individuals and those covered by Medicaid. The bill would allow a small number of for-profit centers to cherry-pick uncomplicated patients with well-paying insurance, leaving the complicated, expensive patients and patients with Medicaid or no insurance to be shifted to the not-for-profit hospitals which need this revenue to balance the losses from providing needed community services such as emergency and obstetrics. This will have a significant negative impact on critical access hospitals and federally qualified health centers. The majority believes it will not drive down the overall cost of health care. Vote 15-5.

Rep. McLean spoke against.

Rep. Knirk spoke in favor.

Rep. Notter requested a roll call; sufficiently seconded.

YEAS 221 - NAYS 141**YEAS - 221
BELKNAP**

Fields, Dennis

Huot, David

Buco, Thomas
Kanzler, Harrison
Woodcock, StephenBurroughs, Anita
Knirk, Jerry**CARROLL**Butler, Edward
Marsh, WilliamDesMarais, Edith
Ticehurst, Susan**CHESHIRE**Abbott, Michael
Eaton, Daniel
Harvey, Cathryn
Morrill, David
Tatro, Bruce
Weber, LucyAmes, Richard
Faulkner, Barry
Ley, Douglas
Parkhurst, Henry
Thompson, CraigBerch, Paul
Fenton, Donovan
Mann, John
Schapiro, Joe
Von Plinsky, SparkyBordenet, John
Gomarlo, Jennie
Meader, David
Swinburne, Sandy
Pearson, William**COOS**Laflamme, Larry
Thomas, Yvonne

Moynihan, Wayne

Noel, Henry

Tucker, Edith

GRAFTONAbel, Richard
Diggs, Francesca
French, Elaine
Mulligan, Mary Jane
Ruprecht, Dennis
Sykes, GeorgeAdjutant, Joshua
Dontonville, Roger
Josephson, Timothy
Muscatel, Garrett
Stavis, Laurel
Weston, JoyceAlmy, Susan
Egan, Timothy
Maes, Kevin
Nordgren, Sharon
Stringham, JerryCampion, Polly
Ford, Susan
Massimilla, Linda
Osborne, Richard
Smith, Suzanne**HILLSBOROUGH**Bouldin, Amanda
Baroody, Benjamin
Bordy, William
Cohen, Bruce
Dargie, Paul
Espitia, Manny
Griffith, Willis
Heath, Mary
Jack, Martin
Langley, Diane
Mangipudi, Latha
Mullen, Sue
Pedersen, Michael
Porter, Marjorie
Riel, Cole
Snow, Kendall
Stevens, Deb
Vail, Suzanne
Wilhelm, MatthewBouldin, Andrew
Beaulieu, Jane
Bosman, James
Connors, Erika
Desjardin, Kathy
Davis, Fred
Hall, Brett
Herbert, Christopher
King, Mark
Leishman, Peter
Martin, Joelle
Murphy, Nancy
Petrigno, Peter
Query, Joshua
Rung, Rosemarie
Sofikitis, Catherine
Smith, Timothy
Van Houten, Constance
Williams, KermitBackus, Robert
Bergeron, Paul
Bouchard, Donald
Cornell, Patricia
DiSilvestro, Linda
Fedolfi, Jim
Hamer, Heidi
Indruk, Greg
Klee, Patricia
Long, Patrick
McGhee, Kat
Nutting-Wong, Allison
Pickering, Daniel
Newman, Ray
Newman, Sue
St. John, Michelle
Telerski, Laura
Vann, Ivy
Woodbury, DavidBalch, Chris
Bernet, Jennifer
Cleaver, Skip
Cote, David
Dutzy, Sherry
Freitas, Mary
Harriott-Gathright, Linda
Schmidt, Janice
Klein-Knight, Nicole
Murray, Megan
Mombourquette, Donna
O'Brien, Michael
Piedra, Israel
Radhakrishnan, Julie
Shaw, Barbara
Stack, Kathryn
Toomey, Dan
Thomas, Wendy**MERRIMACK**Allard, James
Ebel, Karen
Lane, Connie
Moffett, Howard
Rogers, Katherine
Schultz, Kristina
Walz, Mary Beth
Woods, GaryBartlett, Christy
Ellison, Arthur
Luneau, David
Myler, Mel
Saunderson, George
Soucy, Timothy
Wazir, SafiyaCarson, Clyde
Fulweiler, Joyce
MacKay, James
Pimentel, Roderick
Schamberg, Thomas
Turcotte, Alan
Wells, KennethDoherty, David
Karrick, David
McWilliams, Rebecca
Richards, Beth
Schuett, Dianne
Wallner, Mary Jane
Wolf, Dan**ROCKINGHAM**Altschiller, Debra
Cahill, Michael
DiLorenzo, Charlotte
Gay, Betty
Murray, Kate
Pearson, Mark
Meuse, David
Vallone, MarkBerrien, Skip
Cali-Pitts, Jacqueline
Dolan, Tom
Gilman, Julie
Le, Tamara
Maggiore, Jim
Read, Ellen
Ward, GeraldBunker, Lisa
Coursin, David
Edgar, Michael
Grossman, Gaby
Loughman, Tom
Malloy, Dennis
Pearson, Stephen
Warner, AnneBushway, Patricia
Cushing, Robert Renny
Eisner, Mary
Grote, Jaci
Lovejoy, Patricia
McConnell, Liz
Somssich, Peter

STRAFFORD

Bixby, Peter
Fontneau, Timothy
Horrigan, Timothy
Smith, Marjorie
Salloway, Jeffrey
Wall, Janet

Cannon, Gerri
Gourgue, Amanda
Keans, Sandra
Opderbecke, Linn
Sandler, Catt

Chase, Wendy
Grassie, Chuck
Kenney, Cam
Schmidt, Peter
Southworth, Thomas

Fargo, Kristina
Higgins, Peg
Levesque, Cassandra
Rich, Cecilia
Vincent, Kenneth

SULLIVAN

Cloutier, John
Sullivan, Brian

Merchant, Gary
Tanner, Linda

O'Hearne, Andrew

Oxenham, Lee

NAYS - 141**BELKNAP**

Aldrich, Glen
Howard, Raymond
Plumer, John
Varney, Peter

Bean, Harry
Jurius, Deanna
Spanos, Peter
Viens, Harry

Comtois, Barbara
Lang, Timothy
Sylvia, Michael

Feeney, George
Mackie, Jonathan
Tilton, Franklin

CARROLL

Avellani, Lino
Nelson, Bill

Comeau, Ed

Cordelli, Glenn

Crawford, Karel

CHESHIRE**COOS****GRAFTON**

Gordon, Edward

Migliore, Vincent Paul

HILLSBOROUGH

Lekas, Alicia
Belanger, James
Camarota, Linda
Gould, Linda
Hinch, Richard
Lascelles, Richard
Nunez, Hershel
Proulx, Mark
Rice, Kimberly
Ulery, Jordan

Alexander, Joe
Boehm, Ralph
Danielson, David
Graham, John
Hopper, Gary
Marzullo, JP
Nutter-Upham, Frances
Prout, Andrew
Sanborn, Laurie
Warden, Mark

Griffin, Barbara
Burns, Charles
Erf, Keith
Greene, Bob
L'Heureux, Robert
McLean, Mark
Panasiti, Reed
Ober, Russell
Somero, Paul
Whittemore, James

Barry, Richard
Burt, John
Gagne, Larry
Gunski, Michael
Ober, Lynne
Notter, Jeanine
Plett, Fred
Renzullo, Andrew
Lekas, Tony

MERRIMACK

Forsythe, Robert
Marple, Richard
Testerman, Dave

Hill, Gregory
McGuire, Carol
Walsh, Thomas

Horn, Werner
Pearl, Howard
Yakubovich, Michael

Kotowski, Frank
Seaworth, Brian

ROCKINGHAM

Abbas, Daryl
Baldasaro, Al
Costable, Michael
DeSimone, Debra
Green, Dennis
Hoelzel, Kathleen
Katsakiores, Phyllis
McKinney, Betsy
Morrison, Sean
Piemonte, Tony
Roy, Terry
True, Chris
Welch, David

Abrami, Patrick
Barnes, Arthur
Davis, Dan
Doucette, Fred
Guthrie, Joseph
Osborne, Jason
Khan, Aboul
McMahon, Charles
O'Connor, John
Potucek, John
Spillane, James
Verville, Kevin
Weyler, Kenneth

Abramson, Max
Bershtein, Alan
Thomas, Douglas
Edwards, Jess
Harb, Robert
Janigian, John
Love, David
Melvin, Charles
Owens, Becky
Pratt, Kevin
Sytek, John
Wallace, Scott
Yokela, Josh

Acton, Dennis
Chirichiello, Brian
Desilets, Joel
Fowler, William
Hobson, Deborah
Janvrin, Jason
Griffin, Mary
Milz, David
Packard, Sherman
Prudhomme-O'Brien, Katherine
Torosian, Peter
Webb, James

STRAFFORD

Hayward, Peter
Perreault, Mona

Horgan, James
Pitre, Joseph

Kittredge, Mac
Beaudoin, Steven

McNally, Jody
Wuelper, Kurt

SULLIVAN

Aron, Judy
Rollins, Skip

Callum, John
Stapleton, Walter

Laware, Thomas
Smith, Steven

Lucas, Gates

and the committee report was adopted.

HB 587, relative to organ donation on a driver's license. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Gary Woods for the Majority of Health, Human Services and Elderly Affairs. Passage of this bill does not alter existing law. Rather, it clarifies and amplifies that the organ donor's wishes must be carried out after his/her death. This is consistent with national standards and operating policies of donor organizations. Vote 18-1.

Rep. Bill Nelson for the Minority of Health, Human Services and Elderly Affairs. The correct legislation is in place and has not been a problem in NH. The concern of the minority is that the term "not be amended by anyone..." in the bill takes away the possibility for change that might be necessitated by unforeseen circumstances.

Majority Amendment (0132h)

Amend the bill by replacing section 1 with the following:

1 Uniform Anatomical Gift Act; Honoring an Individual's Decision to Donate. Amend RSA 291-A:23 to read as follows:

291-A:23 Honoring an Individual's Decision to Donate. A person's decision to make a donation of that person's own body, organ, or tissue after death shall be honored *and may not be amended by anyone after such individual's death*. In the absence of a revocation or amendment *by the individual prior to death*, health care providers and procurement organizations shall act in accordance with the donor's decision and may take appropriate actions to effect the anatomical gift.

Majority committee amendment adopted.

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

Rep. Nelson spoke against.

Rep. Woods spoke in favor.

Majority committee report adopted and ordered to third reading.

HB 270, relative to commencement of foreclosure by civil action. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Barbara Griffin for the Majority of Judiciary. This bill would require that our state's current process of non-judicial foreclosure be changed to a foreclosure process that is commenced by a civil action brought in superior court. The bill would also repeal the current law as to redemption of mortgaged property and allow the borrower up to 90 days after foreclosure to bring the mortgage current. The committee heard that a foreclosure commission was created in 2014 which studied all aspects of foreclosure in NH and across the country. The changes sought by this bill were not recommended by the commission. As proposed, the time period for foreclosure process would be significantly extended. Currently, federal regulations require a minimum of four months to pass after a failure to pay before foreclosure can begin and no court process is necessary. Current law does provide that the borrower can file in court for relief after receipt of notice of default and foreclosure. This bill would require the commencement of a court action to begin the process and in some states that do use the judicial process a foreclosure can take over two years while in others a separate land court exists to handle the workload of the judicial foreclosure process. There was no testimony that the requested change in process would provide improved outcomes for borrowers. No financial information was received on the impact of this legislation. The bipartisan majority of the committee did not agree there was a need for the legislation and ask support for the committee report of ITL. Vote 13-5.

Rep. David Woodbury for the Minority of Judiciary. This bill brings the method of mortgage foreclosures into line with other civil equity actions. It calls for service of process upon the mortgagor as in a civil suit and shifts the burden of proof to the mortgagee. This means that the mortgage has knowledge of the action and cannot be blind-sided by the mortgagee. The shift in burden of proof places the same obligation to prove the case as any plaintiff might find in any other civil action. This bill avoids mortgagors suffering foreclosure without even knowing that it is occurring. This bill also provides a greater inducement to the mortgagee bank to communicate with the mortgagor home owner.

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

Rep. Williams requested a roll call; sufficiently seconded.

YEAS 184 - NAYS 183

YEAS - 184
BELKNAP

Aldrich, Glen
 Fields, Dennis
 Lang, Timothy
 Sylvia, Michael

Bean, Harry
 Howard, Raymond
 Mackie, Jonathan
 Tilton, Franklin

Comtois, Barbara
 Huot, David
 Plumer, John
 Varney, Peter

Feeney, George
 Jurius, Deanna
 Spanos, Peter
 Viens, Harry

CARROLL

Avellani, Lino
 Kanzler, Harrison

Comeau, Ed
 Marsh, William

Cordelli, Glenn
 Nelson, Bill

Crawford, Karel

CHESHIRE

Hunt, John
O'Day, John

Ley, Douglas
Thompson, Craig

Meador, David

Morrill, David

COOS

Craig, Kevin

Fothergill, John

GRAFTON

Gordon, Edward
Nordgren, Sharon

Hennessey, Erin
Stringham, Jerry

Massimilla, Linda
Sykes, George

Migliore, Vincent Paul

HILLSBOROUGH

Lekas, Alicia
Belanger, James
Burns, Charles
Cohen, Bruce
Erf, Keith
Gould, Linda
Hinch, Richard
Lascelles, Richard
Nunez, Hershel
Plett, Fred
Renzullo, Andrew
Somero, Paul
Whittemore, James

Alexander, Joe
Bergeron, Paul
Burt, John
Connors, Erika
Fedolfi, Jim
Graham, John
Hopper, Gary
Marzullo, JP
Nutter-Upham, Frances
Proulx, Mark
Rice, Kimberly
Lekas, Tony

Griffin, Barbara
Boehm, Ralph
Camarota, Linda
Cote, David
Freitas, Mary
Greene, Bob
L'Heureux, Robert
McLean, Mark
Panasiti, Reed
Prout, Andrew
Sanborn, Laurie
Ulery, Jordan

Barry, Richard
Bouchard, Donald
Cleaver, Skip
Danielson, David
Gagne, Larry
Gunski, Michael
Ober, Lynne
Notter, Jeanine
Piedra, Israel
Ober, Russell
Shaw, Barbara
Warden, Mark

MERRIMACK

Allard, James
Horn, Werner
Pearl, Howard
Testerman, Dave

Forsythe, Robert
Kotowski, Frank
Richards, Beth
Walsh, Thomas

Fulweiler, Joyce
Marple, Richard
Seaworth, Brian
Wolf, Dan

Hill, Gregory
McGuire, Carol
Shurtleff, Steve
Yakubovich, Michael

ROCKINGHAM

Abbas, Daryl
Baldasaro, Al
Costable, Michael
DeSimone, Debra
Fowler, William
Harb, Robert
Janigian, John
Kolodziej, Walter
Griffin, Mary
McMahon, Charles
O'Connor, John
Potucek, John
Pearson, Stephen
True, Chris
Welch, David

Abrami, Patrick
Barnes, Arthur
Davis, Dan
Dolan, Tom
Gay, Betty
Hobson, Deborah
Janvrin, Jason
Le, Tamara
Pearson, Mark
Melvin, Charles
Owens, Becky
Pratt, Kevin
Spillane, James
Verville, Kevin
Weyler, Kenneth

Acton, Dennis
Bershtein, Alan
Thomas, Douglas
Doucette, Fred
Green, Dennis
Hoelzel, Kathleen
Katsakiores, Phyllis
Loughman, Tom
Maggiore, Jim
Milz, David
Packard, Sherman
Prudhomme-O'Brien, Katherine
Sytek, John
Wallace, Scott
Yokela, Josh

Altschiller, Debra
Chirichiello, Brian
Desilets, Joel
Edwards, Jess
Guthrie, Joseph
Osborne, Jason
Khan, Aboul
Love, David
McKinney, Betsy
Morrison, Sean
Piemonte, Tony
Roy, Terry
Torosian, Peter
Webb, James

STRAFFORD

Cannon, Gerri
Horrigan, Timothy
Perreault, Mona
Sandler, Catt

Chase, Wendy
Kenney, Cam
Pitre, Joseph
Wuelper, Kurt

Hayward, Peter
Kittredge, Mac
Beaudoin, Steven

Horgan, James
McNally, Jody
Salloway, Jeffrey

SULLIVAN

Aron, Judy
O'Hearne, Andrew

Callum, John
Rollins, Skip

Laware, Thomas
Stapleton, Walter

Lucas, Gates
Smith, Steven

NAYS - 183**CARROLL**

Buco, Thomas
Knirk, Jerry

Burroughs, Anita
Ticehurst, Susan

Butler, Edward
Woodcock, Stephen

DesMarais, Edith

CHESHIRE

Abbott, Michael
Eaton, Daniel
Harvey, Cathryn
Swinburne, Sandy
Weber, Lucy

Ames, Richard
Faulkner, Barry
Mann, John
Tatro, Bruce

Berch, Paul
Fenton, Donovan
Parkhurst, Henry
Von Plinsky, Sparky

Bordenet, John
Gomarlo, Jennie
Schapiro, Joe
Pearson, William

COOS

Hatch, William
Tucker, Edith

Laflamme, Larry
Thomas, Yvonne

Moynihan, Wayne

Noel, Henry

GRAFTON

Abel, Richard
Diggs, Francesca
Josephson, Timothy
Osborne, Richard
Weston, Joyce

Adjutant, Joshua
Dontonville, Roger
Maes, Kevin
Ruprecht, Dennis

Almy, Susan
Egan, Timothy
Mulligan, Mary Jane
Stavis, Laurel

Campion, Polly
French, Elaine
Muscatel, Garrett
Smith, Suzanne

HILLSBOROUGH

Bouldin, Amanda
Baroody, Benjamin
Bosman, James
DiSilvestro, Linda
Goley, Jeffrey
Harriott-Gathright, Linda
Schmidt, Janice
Klein-Knight, Nicole
Mangipudi, Latha
Mullen, Sue
Pedersen, Michael
Query, Joshua
Rung, Rosemarie
St. John, Michelle
Telerski, Laura
Vann, Ivy
Woodbury, David

Bouldin, Andrew
Beaulieu, Jane
Cornell, Patricia
Dutzy, Sherry
Griffith, Willis
Heath, Mary
Jack, Martin
Langley, Diane
Martin, Joelle
Murphy, Nancy
Petrigno, Peter
Newman, Ray
Newman, Sue
Stack, Kathryn
Toomey, Dan
Thomas, Wendy

Backus, Robert
Bernet, Jennifer
Dargie, Paul
Espitia, Manny
Hall, Brett
Herbert, Christopher
King, Mark
Leishman, Peter
McGhee, Kat
Nutting-Wong, Allison
Pickering, Daniel
Radhakrishnan, Julie
Snow, Kendall
Stevens, Deb
Vail, Suzanne
Wilhelm, Matthew

Balch, Chris
Bordy, William
Desjardin, Kathy
Davis, Fred
Hamer, Heidi
Indruk, Greg
Klee, Patricia
Long, Patrick
Mombourquette, Donna
O'Brien, Michael
Porter, Marjorie
Riel, Cole
Sofikitis, Catherine
Smith, Timothy
Van Houten, Constance
Williams, Kermit

MERRIMACK

Bartlett, Christy
Ellison, Arthur
MacKay, James
Pimentel, Roderick
Schuett, Dianne
Wallner, Mary Jane
Woods, Gary

Carson, Clyde
Karrick, David
McWilliams, Rebecca
Rogers, Katherine
Schultz, Kristina
Walz, Mary Beth

Doherty, David
Lane, Connie
Moffett, Howard
Saunderson, George
Soucy, Timothy
Wazir, Safiya

Ebel, Karen
Luneau, David
Myler, Mel
Schamberg, Thomas
Turcotte, Alan
Wells, Kenneth

ROCKINGHAM

Abramson, Max
Cahill, Michael
DiLorenzo, Charlotte
Grossman, Gaby
Malloy, Dennis
Somssich, Peter

Berrien, Skip
Cali-Pitts, Jacqueline
Edgar, Michael
Grote, Jaci
McConnell, Liz
Vallone, Mark

Bunker, Lisa
Coursin, David
Eisner, Mary
Murray, Kate
Meuse, David
Ward, Gerald

Bushway, Patricia
Cushing, Robert Renny
Gilman, Julie
Lovejoy, Patricia
Read, Ellen
Warner, Anne

STRAFFORD

Bixby, Peter
Grassie, Chuck
Smith, Marjorie
Southworth, Thomas
Wall, Janet

Fargo, Kristina
Higgins, Peg
Opderbecke, Linn
Spang, Judith

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

Gourgue, Amanda
Levesque, Cassandra
Rich, Cecilia
Vincent, Kenneth

SULLIVAN

Cloutier, John
Tanner, Linda

Merchant, Gary

Oxenham, Lee

Sullivan, Brian

and the majority committee report was adopted.

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Sykes moved that the House reconsider its action whereby, on a roll call vote of 184-183, the House adopted the majority committee report of Inexpedient to Legislate on **HB 270**, relative to commencement of foreclosure by civil action.

Rep. Burt requested a roll call; sufficiently seconded.

YEAS 200 - NAYS 168

YEAS - 200**CARROLL**

Burroughs, Anita
Ticehurst, Susan

Butler, Edward
Woodcock, Stephen

DesMarais, Edith

Knirk, Jerry

CHESHIRE

Abbott, Michael
Eaton, Daniel

Ames, Richard
Faulkner, Barry

Berch, Paul
Fenton, Donovan

Bordenet, John
Gomarolo, Jennie

Harvey, Cathryn
Morrill, David
Tatro, Bruce

Ley, Douglas
Parkhurst, Henry
Von Plinsky, Sparky

Mann, John
Schapiro, Joe
Pearson, William

Meador, David
Swinburne, Sandy
Weber, Lucy

COOS

Hatch, William
Thomas, Yvonne

Lafamme, Larry

Moynihan, Wayne

Noel, Henry

GRAFTON

Abel, Richard
Diggs, Francesca
Josephson, Timothy
Nordgren, Sharon
Stringham, Jerry

Adjutant, Joshua
Dontonville, Roger
Maes, Kevin
Osborne, Richard
Smith, Suzanne

Almy, Susan
Ford, Susan
Mulligan, Mary Jane
Ruprecht, Dennis
Sykes, George

Campion, Polly
French, Elaine
Muscatel, Garrett
Stavis, Laurel
Weston, Joyce

HILLSBOROUGH

Bouldin, Amanda
Baroody, Benjamin
Bosman, James
Cornell, Patricia
DiSilvestro, Linda
Goley, Jeffrey
Harriott-Gathright, Linda
Schmidt, Janice
Klein-Knight, Nicole
Mangipudi, Latha
Mullen, Sue
Pedersen, Michael
Porter, Marjorie
Riel, Cole
Snow, Kendall
Stevens, Deb
Vail, Suzanne
Wilhelm, Matthew

Bouldin, Andrew
Beaulieu, Jane
Cleaver, Skip
Cote, David
Dutzy, Sherry
Griffith, Willis
Heath, Mary
Jack, Martin
Langley, Diane
Martin, Joelle
Murphy, Nancy
Petrigno, Peter
Query, Joshua
Rung, Rosemarie
Sofikitis, Catherine
Smith, Timothy
Van Houten, Constance
Williams, Kermit

Backus, Robert
Bernet, Jennifer
Cohen, Bruce
Dargie, Paul
Espitia, Manny
Hall, Brett
Herbert, Christopher
King, Mark
Leishman, Peter
McGhee, Kat
Nutting-Wong, Allison
Pickering, Daniel
Newman, Ray
Newman, Sue
St. John, Michelle
Telerski, Laura
Vann, Ivy
Woodbury, David

Balch, Chris
Bordy, William
Connors, Erika
Desjardin, Kathy
Davis, Fred
Hamer, Heidi
Indruk, Greg
Klee, Patricia
Long, Patrick
Mombourquette, Donna
O'Brien, Michael
Piedra, Israel
Radhakrishnan, Julie
Shaw, Barbara
Stack, Kathryn
Toomey, Dan
Thomas, Wendy

MERRIMACK

Bartlett, Christy
Ellison, Arthur
MacKay, James
Pimentel, Roderick
Schamberg, Thomas
Turcotte, Alan
Wells, Kenneth

Carson, Clyde
Karrick, David
McWilliams, Rebecca
Richards, Beth
Schuett, Dianne
Wallner, Mary Jane
Woods, Gary

Doherty, David
Lane, Connie
Moffett, Howard
Rogers, Katherine
Schultz, Kristina
Walz, Mary Beth

Ebel, Karen
Luneau, David
Myler, Mel
Saunderson, George
Soucy, Timothy
Wazir, Safiya

ROCKINGHAM

Berrien, Skip
Cali-Pitts, Jacqueline
Edgar, Michael
Grote, Jaci
Maggiore, Jim
Read, Ellen
Warner, Anne

Bunker, Lisa
Coursin, David
Eisner, Mary
Murray, Kate
Malloy, Dennis
Somssich, Peter

Bushway, Patricia
Cushing, Robert Renny
Gilman, Julie
Le, Tamara
McConnell, Liz
Vallone, Mark

Cahill, Michael
DiLorenzo, Charlotte
Grossman, Gaby
Lovejoy, Patricia
Meuse, David
Ward, Gerald

STRAFFORD

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

Cannon, Gerri
Gourgue, Amanda
Levesque, Cassandra
Rich, Cecilia
Spang, Judith

Chase, Wendy
Grassie, Chuck
Smith, Marjorie
Salloway, Jeffrey
Treleaven, Susan

Fargo, Kristina
Higgins, Peg
Opderbecke, Linn
Sandler, Catt
Vincent, Kenneth

SULLIVAN

Cloutier, John
Sullivan, Brian

Merchant, Gary
Tanner, Linda

O'Hearne, Andrew

Oxenham, Lee

NAYS - 168

BELKNAP

Aldrich, Glen
Fields, Dennis
Lang, Timothy
Sylvia, Michael

Bean, Harry
Howard, Raymond
Mackie, Jonathan
Tilton, Franklin

Comtois, Barbara
Huot, David
Plumer, John
Varney, Peter

Feeney, George
Jurius, Deanna
Spanos, Peter
Viens, Harry

CARROLL

Avellani, Lino
Crawford, Karel

Buco, Thomas
Kanzler, Harrison

Comeau, Ed
Marsh, William

Cordelli, Glenn
Nelson, Bill

CHESHIRE

Hunt, John

O'Day, John

Thompson, Craig

COOS

Craig, Kevin

Fothergill, John

Tucker, Edith

GRAFTON

Egan, Timothy
Migliore, Vincent Paul

Gordon, Edward

Hennessey, Erin

Massimilla, Linda

HILLSBOROUGH

Lekas, Alicia
Belanger, James
Burns, Charles
Erf, Keith
Gould, Linda
Hinch, Richard
Lascelles, Richard
Nunez, Hershel
Proulx, Mark
Rice, Kimberly
Trento, Michael

Alexander, Joe
Bergeron, Paul
Burt, John
Fedolfi, Jim
Graham, John
Hopper, Gary
Marzullo, JP
Nutter-Upham, Frances
Prout, Andrew
Sanborn, Laurie
Ulery, Jordan

Griffin, Barbara
Boehm, Ralph
Camarota, Linda
Freitas, Mary
Greene, Bob
L'Heureux, Robert
McLean, Mark
Panasiti, Reed
Ober, Russell
Somero, Paul
Warden, Mark

Barry, Richard
Bouchard, Donald
Danielson, David
Gagne, Larry
Gunski, Michael
Ober, Lynne
Notter, Jeanine
Plett, Fred
Renzullo, Andrew
Lekas, Tony
Whittemore, James

MERRIMACK

Allard, James
Horn, Werner
Pearl, Howard
Wolf, Dan

Forsythe, Robert
Kotowski, Frank
Seaworth, Brian
Yakubovich, Michael

Fulweiler, Joyce
Marple, Richard
Testerman, Dave

Hill, Gregory
McGuire, Carol
Walsh, Thomas

ROCKINGHAM

Abbas, Daryl
Altschiller, Debra
Chirichiello, Brian
Desilets, Joel
Edwards, Jess
Guthrie, Joseph
Osborne, Jason
Khan, Aboul
Griffin, Mary
Melvin, Charles
Owens, Becky
Pratt, Kevin
Spillane, James
Verville, Kevin
Weyler, Kenneth

Abrami, Patrick
Baldasaro, Al
Costable, Michael
DeSimone, Debra
Fowler, William
Harb, Robert
Janigian, John
Kolodziej, Walter
Pearson, Mark
Milz, David
Packard, Sherman
Prudhomme-O'Brien, Katherine
Sytek, John
Wallace, Scott
Yokela, Josh

Abramson, Max
Barnes, Arthur
Davis, Dan
Dolan, Tom
Gay, Betty
Hobson, Deborah
Janvrin, Jason
Loughman, Tom
McKinney, Betsy
Morrison, Sean
Piemonte, Tony
Roy, Terry
Torosian, Peter
Webb, James

Acton, Dennis
Bershtein, Alan
Thomas, Douglas
Doucette, Fred
Green, Dennis
Hoelzel, Kathleen
Katsakiores, Phyllis
Love, David
McMahon, Charles
O'Connor, John
Potucek, John
Pearson, Stephen
True, Chris
Welch, David

STRAFFORD

Hayward, Peter
Kittredge, Mac
Beaudoin, Steven

Horgan, James
McNally, Jody
Wuelper, Kurt

Horriggan, Timothy
Perreault, Mona

Kenney, Cam
Pitre, Joseph

SULLIVAN

Aron, Judy
Rollins, Skip

Callum, John
Stapleton, Walter

Laware, Thomas
Smith, Steven

Lucas, Gates

and the motion was adopted.

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

MOTION TO LAY ON THE TABLE

Rep. Spillane moved that **HB 270**, relative to commencement of foreclosure by civil action, be laid on the table. On a division vote, with 161 members having voted in the affirmative, and 207 in the negative, the motion failed.

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

MOTION TO RECOMMIT

Rep. Janvrin moved that **HB 270**, relative to commencement of foreclosure by civil action, be recommitted to the Committee on Judiciary.

Motion failed.

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

MOTON TO INDEFINITELY POSTPONE

Rep. Burt moved that **HB 270**, relative to commencement of foreclosure by civil action, be Indefinitely Postponed.

Rep. Hunt spoke against and yielded to questions.

Rep. Williams spoke against.

On a division vote, with 156 members having voted in the affirmative, and 212 in the negative, the motion failed.

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

Rep. Notter requested a roll call; sufficiently seconded.

YEAS 166 - NAYS 203**YEAS - 166****BELKNAP**

Aldrich, Glen
Fields, Dennis
Lang, Timothy
Sylvia, Michael

Bean, Harry
Howard, Raymond
Mackie, Jonathan
Tilton, Franklin

Comtois, Barbara
Huot, David
Plumer, John
Varney, Peter

Feeney, George
Jurius, Deanna
Spanos, Peter
Viens, Harry

CARROLL

Avellani, Lino
Kanzler, Harrison

Comeau, Ed
Marsh, William

Cordelli, Glenn
Nelson, Bill

Crawford, Karel

CHESHIRE

Hunt, John

Morrill, David

O'Day, John

COOS

Craig, Kevin

Fothergill, John

GRAFTON

Egan, Timothy

Gordon, Edward

Hennessey, Erin

Migliore, Vincent Paul

HILLSBOROUGH

Lekas, Alicia
Barry, Richard
Burt, John
Erf, Keith
Gould, Linda
Hinch, Richard
Lascelles, Richard
Nunez, Hershel
Prout, Andrew
Sanborn, Laurie
Trento, Michael

Alexander, Joe
Belanger, James
Camarota, Linda
Fedolfi, Jim
Graham, John
Hopper, Gary
Marzullo, JP
Panasiti, Reed
Ober, Russell
Shaw, Barbara
Ulery, Jordan

Griffin, Barbara
Boehm, Ralph
Connors, Erika
Freitas, Mary
Greene, Bob
L'Heureux, Robert
McLean, Mark
Plett, Fred
Renzullo, Andrew
Somero, Paul
Warden, Mark

Backus, Robert
Burns, Charles
Danielson, David
Gagne, Larry
Gunski, Michael
Ober, Lynne
Notter, Jeanine
Proulx, Mark
Rice, Kimberly
Lekas, Tony
Whittemore, James

MERRIMACK

Allard, James
Horn, Werner
McGuire, Carol
Turcotte, Alan

Forsythe, Robert
Karrick, David
Pearl, Howard
Walsh, Thomas

Fulweiler, Joyce
Kotowski, Frank
Seaworth, Brian
Wolf, Dan

Hill, Gregory
Marple, Richard
Testerman, Dave
Yakubovich, Michael

ROCKINGHAM

Abbas, Daryl
Baldasaro, Al
Costable, Michael
DeSimone, Debra
Fowler, William
Harb, Robert
Janigian, John
Kolodziej, Walter
McKinney, Betsy
Morrison, Sean
Piemonte, Tony
Roy, Terry
Torosian, Peter
Webb, James

Abrami, Patrick
Barnes, Arthur
Davis, Dan
Dolan, Tom
Gay, Betty
Hobson, Deborah
Janvrin, Jason
Love, David
McMahon, Charles
O'Connor, John
Potucek, John
Pearson, Stephen
True, Chris
Welch, David

Acton, Dennis
Bershtein, Alan
Thomas, Douglas
Doucette, Fred
Green, Dennis
Hoelzel, Kathleen
Katsakiores, Phyllis
Griffin, Mary
Melvin, Charles
Owens, Becky
Pratt, Kevin
Spillane, James
Verville, Kevin
Weyler, Kenneth

Altschiller, Debra
Chirichiello, Brian
Desilets, Joel
Edwards, Jess
Guthrie, Joseph
Osborne, Jason
Khan, Aboul
Pearson, Mark
Milz, David
Packard, Sherman
Prudhomme-O'Brien, Katherine
Sytek, John
Wallace, Scott
Yokela, Josh

STRAFFORD

Fontneau, Timothy
Kenney, Cam
Pitre, Joseph

Hayward, Peter
Kittredge, Mac
Beaudoin, Steven

Horgan, James
McNally, Jody
Wuelper, Kurt

Horrigan, Timothy
Perreault, Mona

SULLIVAN

Aron, Judy
Rollins, Skip

Callum, John
Stapleton, Walter

Laware, Thomas
Smith, Steven

Lucas, Gates

NAYS - 203**CARROLL**

Buco, Thomas
Knirk, Jerry

Burroughs, Anita
Ticehurst, Susan

Butler, Edward
Woodcock, Stephen

DesMarais, Edith

CHESHIRE

Abbott, Michael
Eaton, Daniel
Harvey, Cathryn
Parkhurst, Henry
Thompson, Craig

Ames, Richard
Faulkner, Barry
Ley, Douglas
Schapiro, Joe
Von Plinsky, Sparky

Berch, Paul
Fenton, Donovan
Mann, John
Swinburne, Sandy
Pearson, William

Bordenet, John
Gomarlo, Jennie
Meader, David
Tatro, Bruce
Weber, Lucy

COOS

Hatch, William
Tucker, Edith

Laflamme, Larry
Thomas, Yvonne

Moynihan, Wayne

Noel, Henry

GRAFTON

Abel, Richard
Diggs, Francesca
French, Elaine
Mulligan, Mary Jane
Ruprecht, Dennis
Sykes, George

Adjutant, Joshua
Dontonville, Roger
Josephson, Timothy
Muscatel, Garrett
Stavis, Laurel
Weston, Joyce

Almy, Susan
Fellows, Sallie
Maes, Kevin
Nordgren, Sharon
Stringham, Jerry

Campion, Polly
Ford, Susan
Massimilla, Linda
Osborne, Richard
Smith, Suzanne

HILLSBOROUGH

Bouldin, Amanda
Beaulieu, Jane
Bosman, James
Cornell, Patricia
DiSilvestro, Linda
Goley, Jeffrey
Harriott-Gathright, Linda
Schmidt, Janice
Klein-Knight, Nicole
Mangipudi, Latha
Mullen, Sue
O'Brien, Michael
Piedra, Israel
Radhakrishnan, Julie
Snow, Kendall
Stevens, Deb
Vail, Suzanne
Wilhelm, Matthew

Bouldin, Andrew
Bergeron, Paul
Bouchard, Donald
Cote, David
Dutzy, Sherry
Griffith, Willis
Heath, Mary
Jack, Martin
Langley, Diane
Martin, Joelle
Murphy, Nancy
Pedersen, Michael
Porter, Marjorie
Riel, Cole
Sofikitis, Catherine
Smith, Timothy
Van Houten, Constance
Williams, Kermit

Balch, Chris
Bernet, Jennifer
Cleaver, Skip
Dargie, Paul
Espitia, Manny
Hall, Brett
Herbert, Christopher
King, Mark
Leishman, Peter
McGhee, Kat
Nutter-Upham, Frances
Petrigno, Peter
Query, Joshua
Rung, Rosemarie
St. John, Michelle
Telerski, Laura
Vann, Ivy
Woodbury, David

Baroody, Benjamin
Bordy, William
Cohen, Bruce
Desjardin, Kathy
Davis, Fred
Hamer, Heidi
Indruk, Greg
Klee, Patricia
Long, Patrick
Mombourquette, Donna
Nutting-Wong, Allison
Pickering, Daniel
Newman, Ray
Newman, Sue
Stack, Kathryn
Toomey, Dan
Thomas, Wendy

MERRIMACK

Bartlett, Christy
Ellison, Arthur
McWilliams, Rebecca
Richards, Beth
Schuett, Dianne
Walz, Mary Beth

Carson, Clyde
Lane, Connie
Moffett, Howard
Rogers, Katherine
Schultz, Kristina
Wazir, Safiya

Doherty, David
Luneau, David
Myler, Mel
Saunderson, George
Soucy, Timothy
Wells, Kenneth

Ebel, Karen
MacKay, James
Pimentel, Roderick
Schamberg, Thomas
Wallner, Mary Jane
Woods, Gary

ROCKINGHAM

Abramson, Max
Cahill, Michael
DiLorenzo, Charlotte
Grossman, Gaby
Loughman, Tom
McConnell, Liz
Vallone, Mark

Berrien, Skip
Cali-Pitts, Jacqueline
Edgar, Michael
Grote, Jaci
Lovejoy, Patricia
Meuse, David
Ward, Gerald

Bunker, Lisa
Coursin, David
Eisner, Mary
Murray, Kate
Maggiore, Jim
Read, Ellen
Warner, Anne

Bushway, Patricia
Cushing, Robert Renny
Gilman, Julie
Le, Tamara
Malloy, Dennis
Somssich, Peter

STRAFFORD

Bixby, Peter
Gourgue, Amanda
Levesque, Cassandra
Rich, Cecilia
Spang, Judith

Cannon, Gerri
Grassie, Chuck
Smith, Marjorie
Salloway, Jeffrey
Treleaven, Susan

Chase, Wendy
Higgins, Peg
Opderbecke, Linn
Sandler, Catt
Vincent, Kenneth

Fargo, Kristina
Keans, Sandra
Schmidt, Peter
Southworth, Thomas
Wall, Janet

SULLIVAN

Cloutier, John
Sullivan, Brian

Merchant, Gary
Tanner, Linda

O'Hearne, Andrew

Oxenham, Lee

and the majority committee report failed.

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

Rep. Notter requested a roll call; sufficiently seconded.

YEAS 208 - NAYS 161**YEAS - 208****CARROLL**

Buco, Thomas
Knirk, Jerry

Burroughs, Anita
Ticehurst, Susan

Butler, Edward
Woodcock, Stephen

DesMarais, Edith

CHESHIRE

Abbott, Michael
Eaton, Daniel
Harvey, Cathryn
Morrill, David
Tatro, Bruce
Weber, Lucy

Ames, Richard
Faulkner, Barry
Ley, Douglas
Parkhurst, Henry
Thompson, Craig

Berch, Paul
Fenton, Donovan
Mann, John
Schapiro, Joe
Von Plinsky, Sparky

Bordenet, John
Gomarlo, Jennie
Meadar, David
Swinburne, Sandy
Pearson, William

COOS

Hatch, William
Tucker, Edith

Laflamme, Larry
Thomas, Yvonne

Moynihan, Wayne

Noel, Henry

GRAFTON

Abel, Richard
Diggs, Francesca
Ford, Susan
Massimilla, Linda
Osborne, Richard
Smith, Suzanne

Adjutant, Joshua
Dontonville, Roger
French, Elaine
Mulligan, Mary Jane
Ruprecht, Dennis
Sykes, George

Almy, Susan
Egan, Timothy
Josephson, Timothy
Muscatel, Garrett
Stavis, Laurel
Weston, Joyce

Campion, Polly
Fellows, Sallie
Maes, Kevin
Nordgren, Sharon
Stringham, Jerry

HILLSBOROUGH

Bouldin, Amanda
Beaulieu, Jane
Bosman, James
Cornell, Patricia
DiSilvestro, Linda
Freitas, Mary
Hamer, Heidi
Indruk, Greg
Klee, Patricia
Long, Patrick
Mombourquette, Donna
Nutting-Wong, Allison
Pickering, Daniel
Newman, Ray
Newman, Sue
Stack, Kathryn
Vail, Suzanne
Wilhelm, Matthew

Bouldin, Andrew
Bergeron, Paul
Bouchard, Donald
Cote, David
Dutzy, Sherry
Goley, Jeffrey
Harriott-Gathright, Linda
Schmidt, Janice
Klein-Knight, Nicole
Mangipudi, Latha
Mullen, Sue
O'Brien, Michael
Piedra, Israel
Radhakrishnan, Julie
Snow, Kendall
Smith, Timothy
Van Houten, Constance
Williams, Kermit

Balch, Chris
Bernet, Jennifer
Cleaver, Skip
Dargie, Paul
Espitia, Manny
Griffith, Willis
Heath, Mary
Jack, Martin
Langley, Diane
Martin, Joelle
Murphy, Nancy
Pedersen, Michael
Porter, Marjorie
Riel, Cole
Sofikitis, Catherine
Telerski, Laura
Vann, Ivy
Woodbury, David

Baroody, Benjamin
Bordy, William
Cohen, Bruce
Desjardin, Kathy
Davis, Fred
Hall, Brett
Herbert, Christopher
King, Mark
Leishman, Peter
McGhee, Kat
Nutter-Upham, Frances
Petrigno, Peter
Query, Joshua
Rung, Rosemarie
St. John, Michelle
Toomey, Dan
Thomas, Wendy

MERRIMACK

Bartlett, Christy
Ellison, Arthur
MacKay, James
Pimentel, Roderick
Schamberg, Thomas
Turcotte, Alan
Wells, Kenneth

Carson, Clyde
Karrick, David
McWilliams, Rebecca
Richards, Beth
Schuett, Dianne
Wallner, Mary Jane
Woods, Gary

Doherty, David
Lane, Connie
Moffett, Howard
Rogers, Katherine
Schultz, Kristina
Walz, Mary Beth

Ebel, Karen
Luneau, David
Myler, Mel
Saunderson, George
Soucy, Timothy
Wazir, Safiya

ROCKINGHAM

Berrien, Skip
Cali-Pitts, Jacqueline
Edgar, Michael
Grote, Jaci
Lovejoy, Patricia
Meuse, David
Vallone, Mark

Bunker, Lisa
Coursin, David
Eisner, Mary
Murray, Kate
Maggiore, Jim
Read, Ellen
Ward, Gerald

Bushway, Patricia
Cushing, Robert Renny
Gilman, Julie
Le, Tamara
Malloy, Dennis
Somssich, Peter
Warner, Anne

Cahill, Michael
DiLorenzo, Charlotte
Grossman, Gaby
Loughman, Tom
McConnell, Liz
Spillane, James

STRAFFORD

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

Cannon, Gerri
Gourgue, Amanda
Levesque, Cassandra
Rich, Cecilia
Spang, Judith

Chase, Wendy
Grassie, Chuck
Smith, Marjorie
Salloway, Jeffrey
Treleven, Susan

Fargo, Kristina
Higgins, Peg
Opderbecke, Linn
Sandler, Catt
Vincent, Kenneth

SULLIVAN

Cloutier, John
Sullivan, Brian

Merchant, Gary
Tanner, Linda

O'Hearne, Andrew

Oxenham, Lee

NAYS - 161**BELKNAP**

Aldrich, Glen
Fields, Dennis
Lang, Timothy
Sylvia, Michael

Bean, Harry
Howard, Raymond
Mackie, Jonathan
Tilton, Franklin

Comtois, Barbara
Huot, David
Plumer, John
Varney, Peter

Feeney, George
Jurius, Deanna
Spanos, Peter
Viens, Harry

CARROLL

Avellani, Lino
Kanzler, Harrison

Comeau, Ed
Marsh, William

Cordelli, Glenn
Nelson, Bill

Crawford, Karel

CHESHIRE

Hunt, John

O'Day, John

COOS

Craig, Kevin

Fothergill, John

GRAFTON

Gordon, Edward

Hennessey, Erin

Migliore, Vincent Paul

HILLSBOROUGH

Lekas, Alicia
Barry, Richard
Burt, John
Erf, Keith
Graham, John
Hopper, Gary
Marzullo, JP
Panasiti, Reed
Ober, Russell
Shaw, Barbara
Trento, Michael

Alexander, Joe
Belanger, James
Camarota, Linda
Fedolfi, Jim
Greene, Bob
L'Heureux, Robert
McLean, Mark
Plett, Fred
Renzullo, Andrew
Somero, Paul
Ulery, Jordan

Griffin, Barbara
Boehm, Ralph
Connors, Erika
Gagne, Larry
Gunski, Michael
Ober, Lynne
Notter, Jeanine
Proulx, Mark
Rice, Kimberly
Stevens, Deb
Warden, Mark

Backus, Robert
Burns, Charles
Danielson, David
Gould, Linda
Hinch, Richard
Lascelles, Richard
Nunez, Hershel
Prout, Andrew
Sanborn, Laurie
Lekas, Tony
Whittemore, James

MERRIMACK

Allard, James
Horn, Werner
Pearl, Howard
Wolf, Dan

Forsythe, Robert
Kotowski, Frank
Seaworth, Brian
Yakubovich, Michael

Fulweiler, Joyce
Marple, Richard
Testerman, Dave

Hill, Gregory
McGuire, Carol
Walsh, Thomas

ROCKINGHAM

Abbas, Daryl
Altschiller, Debra
Chirichiello, Brian
Desilets, Joel
Edwards, Jess
Guthrie, Joseph
Osborne, Jason
Khan, Aboul
Pearson, Mark
Milz, David
Packard, Sherman
Prudhomme-O'Brien, Katherine
Torosian, Peter
Webb, James

Abrami, Patrick
Baldasaro, Al
Costable, Michael
DeSimone, Debra
Fowler, William
Harb, Robert
Janigian, John
Kolodziej, Walter
McKinney, Betsy
Morrison, Sean
Piemonte, Tony
Roy, Terry
True, Chris
Welch, David

Abramson, Max
Barnes, Arthur
Davis, Dan
Dolan, Tom
Gay, Betty
Hobson, Deborah
Janvrin, Jason
Love, David
McMahon, Charles
O'Connor, John
Potucek, John
Pearson, Stephen
Verville, Kevin
Weyler, Kenneth

Acton, Dennis
Bershtein, Alan
Thomas, Douglas
Doucette, Fred
Green, Dennis
Hoelzel, Kathleen
Katsakiores, Phyllis
Griffin, Mary
Melvin, Charles
Owens, Becky
Pratt, Kevin
Sytek, John
Wallace, Scott
Yokela, Josh

STRAFFORD

Hayward, Peter
Kittredge, Mac
Beaudoin, Steven

Horgan, James
McNally, Jody
Wuelper, Kurt

Horrigan, Timothy
Perreault, Mona

Kenney, Cam
Pitre, Joseph

SULLIVAN

Aron, Judy
Rollins, Skip

Callum, John
Stapleton, Walter

Laware, Thomas
Smith, Steven

Lucas, Gates

and the minority committee report was adopted and referred to the Committee on Finance.

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Spillane moved that the House reconsider its action whereby, on a roll call vote of 208-161, the House adopted the minority committee report of Ought to Pass on **HB 270**, relative to commencement of foreclosure by civil action.

OBJECTION

An objection was raised to the reconsideration motion offered by Rep. Spillane by Rep. Timothy Smith.

The question now being shall the House consider the reconsideration motion on **HB 270**, relative to commencement of foreclosure by civil action?

Rep. Burt requested a roll call; sufficiently seconded.

YEAS 223 - NAYS 142**YEAS - 223****BELKNAP**

Aldrich, Glen
Fields, Dennis
Lang, Timothy
Sylvia, Michael

Bean, Harry
Howard, Raymond
Mackie, Jonathan
Tilton, Franklin

Comtois, Barbara
Huot, David
Plumer, John
Varney, Peter

Feeney, George
Jurius, Deanna
Spanos, Peter
Viens, Harry

CARROLL

Avellani, Lino
Cordelli, Glenn
Nelson, Bill

Buco, Thomas
Crawford, Karel
Ticehurst, Susan

Butler, Edward
DesMarais, Edith

Comeau, Ed
Marsh, William

CHESHIRE

Abbott, Michael
Hunt, John
O'Day, John

Ames, Richard
Ley, Douglas
Tatro, Bruce

Berch, Paul
Mann, John
Von Plinsky, Sparky

Eaton, Daniel
Meader, David
Weber, Lucy

COOS

Craig, Kevin
Tucker, Edith

Fothergill, John

Hatch, William

Moynihan, Wayne

GRAFTON

Almy, Susan
French, Elaine
Migliore, Vincent Paul
Sykes, George

Campion, Polly
Gordon, Edward
Nordgren, Sharon

Egan, Timothy
Hennessey, Erin
Stavis, Laurel

Ford, Susan
Maes, Kevin
Smith, Suzanne

HILLSBOROUGH

Lekas, Alicia
Baroody, Benjamin
Boehm, Ralph
Camarota, Linda
Cote, David
Freitas, Mary
Graham, John
Heath, Mary
L'Heureux, Robert
Leishman, Peter
Notter, Jeanine
Porter, Marjorie
Rice, Kimberly
Stevens, Deb
Warden, Mark

Alexander, Joe
Barry, Richard
Bordy, William
Cleaver, Skip
Danielson, David
Gagne, Larry
Greene, Bob
Herbert, Christopher
Ober, Lynne
Martin, Joelle
Nunez, Hershel
Prout, Andrew
Sanborn, Laurie
Lekas, Tony
Whittemore, James

Griffin, Barbara
Beaulieu, Jane
Burns, Charles
Connors, Erika
DiSilvestro, Linda
Goley, Jeffrey
Griffith, Willis
Hinch, Richard
Langley, Diane
Marzullo, JP
Panasiti, Reed
Newman, Ray
Snow, Kendall
Trento, Michael
Woodbury, David

Backus, Robert
Bergeron, Paul
Burt, John
Cornell, Patricia
Erf, Keith
Gould, Linda
Gunski, Michael
Hopper, Gary
Lascelles, Richard
McLean, Mark
Plett, Fred
Renzullo, Andrew
Somero, Paul
Ulery, Jordan

MERRIMACK

Allard, James
Ellison, Arthur
Horn, Werner
Marple, Richard
Pimentel, Roderick
Wallner, Mary Jane
Wolf, Dan

Carson, Clyde
Forsythe, Robert
Kotowski, Frank
McGuire, Carol
Schuett, Dianne
Walsh, Thomas
Woods, Gary

Doherty, David
Fulweiler, Joyce
Luneau, David
Myler, Mel
Seaworth, Brian
Wazir, Safiya
Yakubovich, Michael

Ebel, Karen
Hill, Gregory
MacKay, James
Pearl, Howard
Testerman, Dave
Wells, Kenneth

ROCKINGHAM

Abbas, Daryl
 Baldasaro, Al
 Chirichiello, Brian
 Davis, Dan
 Dolan, Tom
 Gay, Betty
 Hobson, Deborah
 Janvrin, Jason
 Kolodziej, Walter
 Pearson, Mark
 Milz, David
 Packard, Sherman
 Prudhomme-O'Brien, Katherine
 Spillane, James
 Wallace, Scott
 Yokela, Josh

Abrami, Patrick
 Barnes, Arthur
 Costable, Michael
 Thomas, Douglas
 Doucette, Fred
 Green, Dennis
 Hoelzel, Kathleen
 Murray, Kate
 Love, David
 Malloy, Dennis
 Morrison, Sean
 Piemonte, Tony
 Read, Ellen
 Sytek, John
 Webb, James

Abramson, Max
 Berrien, Skip
 Coursin, David
 Desilets, Joel
 Edwards, Jess
 Guthrie, Joseph
 Osborne, Jason
 Katsakiores, Phyllis
 Lovejoy, Patricia
 McMahon, Charles
 O'Connor, John
 Potucek, John
 Roy, Terry
 Torosian, Peter
 Welch, David

Acton, Dennis
 Bershtein, Alan
 Cushing, Robert Renny
 DeSimone, Debra
 Fowler, William
 Harb, Robert
 Janigian, John
 Khan, Aboul
 Griffin, Mary
 Melvin, Charles
 Owens, Becky
 Pratt, Kevin
 Pearson, Stephen
 True, Chris
 Weyler, Kenneth

STRAFFORD

Cannon, Gerri
 Horrigan, Timothy
 Perreault, Mona
 Wuelper, Kurt

Grassie, Chuck
 Kittredge, Mac
 Pitre, Joseph

Hayward, Peter
 Smith, Marjorie
 Beaudoin, Steven

Horgan, James
 McNally, Jody
 Southworth, Thomas

Aron, Judy
 Stapleton, Walter

Callum, John
 Smith, Steven

Laware, Thomas
 Tanner, Linda

Merchant, Gary

NAYS - 142**CARROLL**

Burroughs, Anita

Kanzler, Harrison

Knirk, Jerry

Woodcock, Stephen

Bordenet, John
 Harvey, Cathryn
 Swinburne, Sandy

Faulkner, Barry
 Morrill, David
 Thompson, Craig

Fenton, Donovan
 Parkhurst, Henry
 Pearson, William

Gomarlo, Jennie
 Schapiro, Joe

Laflamme, Larry

Noel, Henry

Thomas, Yvonne

Abel, Richard
 Fellows, Sallie
 Muscatel, Garrett
 Weston, Joyce

Adjutant, Joshua
 Josephson, Timothy
 Osborne, Richard

Diggs, Francesca
 Massimilla, Linda
 Ruprecht, Dennis

Dontonville, Roger
 Mulligan, Mary Jane
 Stringham, Jerry

HILLSBOROUGH

Bouldin, Amanda
 Bosman, James
 Desjardin, Kathy
 Hall, Brett
 Schmidt, Janice
 Klein-Knight, Nicole
 Mombourquette, Donna
 Nutting-Wong, Allison
 Pickering, Daniel
 Riel, Cole
 Sofikitis, Catherine
 Telerski, Laura
 Vann, Ivy

Bouldin, Andrew
 Bouchard, Donald
 Dutzy, Sherry
 Hamer, Heidi
 Jack, Martin
 Long, Patrick
 Mullen, Sue
 O'Brien, Michael
 Piedra, Israel
 Rung, Rosemarie
 St. John, Michelle
 Toomey, Dan
 Thomas, Wendy

Belanger, James
 Cohen, Bruce
 Espitia, Manny
 Harriott-Gathright, Linda
 King, Mark
 Mangipudi, Latha
 Murphy, Nancy
 Pedersen, Michael
 Query, Joshua
 Newman, Sue
 Stack, Kathryn
 Vail, Suzanne
 Wilhelm, Matthew

Bernet, Jennifer
 Dargie, Paul
 Davis, Fred
 Indruk, Greg
 Klee, Patricia
 McGhee, Kat
 Nutter-Upham, Frances
 Petrigno, Peter
 Radhakrishnan, Julie
 Shaw, Barbara
 Smith, Timothy
 Van Houten, Constance
 Williams, Kermit

Bartlett, Christy
 Moffett, Howard
 Schamberg, Thomas
 Walz, Mary Beth

Karrick, David
 Richards, Beth
 Schultz, Kristina

Lane, Connie
 Rogers, Katherine
 Soucy, Timothy

McWilliams, Rebecca
 Saunderson, George
 Turcotte, Alan

ROCKINGHAM

Altschiller, Debra
 Cali-Pitts, Jacqueline
 Gilman, Julie

Bunker, Lisa
 DiLorenzo, Charlotte
 Grossman, Gaby

Bushway, Patricia
 Edgar, Michael
 Grote, Jaci

Cahill, Michael
 Eisner, Mary
 Le, Tamara

Loughman, Tom
Meuse, David
Ward, Gerald

Maggiore, Jim
Somssich, Peter
Warner, Anne

McConnell, Liz
Vallone, Mark

McKinney, Betsy
Verville, Kevin

STRAFFORD

Bixby, Peter
Fontneau, Timothy
Kenney, Cam
Rich, Cecilia
Treleaven, Susan

Chase, Wendy
Gourgue, Amanda
Levesque, Cassandra
Salloway, Jeffrey
Vincent, Kenneth

Conley, Casey
Higgins, Peg
Opderbecke, Linn
Sandler, Catt
Wall, Janet

Fargo, Kristina
Keans, Sandra
Schmidt, Peter
Spang, Judith

SULLIVAN

Cloutier, John
Sullivan, Brian

O'Hearne, Andrew

Oxenham, Lee

Rollins, Skip

and the motion was adopted.

The question now being adoption of the motion to reconsider.

Rep. Rice requested a roll call; sufficiently seconded.

YEAS 151 - NAYS 216

YEAS - 151

BELKNAP

Aldrich, Glen
Fields, Dennis
Mackie, Jonathan
Tilton, Franklin

Bean, Harry
Howard, Raymond
Plumer, John
Varney, Peter

Comtois, Barbara
Jurius, Deanna
Spanos, Peter
Viens, Harry

Feeney, George
Lang, Timothy
Sylvia, Michael

CARROLL

Avellani, Lino
Marsh, William

Comeau, Ed
Nelson, Bill

Cordelli, Glenn

Crawford, Karel

CHESHIRE

Hunt, John

O'Day, John

COOS

Craig, Kevin

Fothergill, John

GRAFTON

Gordon, Edward

Hennessey, Erin

Migliore, Vincent Paul

HILLSBOROUGH

Lekas, Alicia
Barry, Richard
Burt, John
Fedolfi, Jim
Gunski, Michael
Ober, Lynne
Notter, Jeanine
Prout, Andrew
Sanborn, Laurie
Ulery, Jordan

Alexander, Joe
Belanger, James
Camarota, Linda
Gagne, Larry
Hinch, Richard
Lascelles, Richard
Nunez, Hershel
Ober, Russell
Somero, Paul
Warden, Mark

Griffin, Barbara
Boehm, Ralph
Danielson, David
Gould, Linda
Hopper, Gary
Marzullo, JP
Panasiti, Reed
Renzullo, Andrew
Lekas, Tony
Whittemore, James

Backus, Robert
Burns, Charles
Erf, Keith
Greene, Bob
L'Heureux, Robert
McLean, Mark
Plett, Fred
Rice, Kimberly
Trento, Michael

MERRIMACK

Allard, James
Horn, Werner
Pearl, Howard
Wolf, Dan

Forsythe, Robert
Kotowski, Frank
Seaworth, Brian
Yakubovich, Michael

Fulweiler, Joyce
Marple, Richard
Testerman, Dave

Hill, Gregory
McGuire, Carol
Walsh, Thomas

ROCKINGHAM

Abbas, Daryl
Baldasaro, Al
Costable, Michael
DeSimone, Debra
Fowler, William
Harb, Robert
Janigian, John
Kolodziej, Walter
McMahon, Charles
O'Connor, John
Potucek, John

Abrami, Patrick
Barnes, Arthur
Davis, Dan
Dolan, Tom
Gay, Betty
Hobson, Deborah
Janvrin, Jason
Love, David
Melvin, Charles
Owens, Becky
Pratt, Kevin

Abramson, Max
Bershtein, Alan
Thomas, Douglas
Doucette, Fred
Green, Dennis
Hoelzel, Kathleen
Katsakiores, Phyllis
Griffin, Mary
Milz, David
Packard, Sherman
Prudhomme-O'Brien, Katherine

Acton, Dennis
Chirichiello, Brian
Desilets, Joel
Edwards, Jess
Guthrie, Joseph
Osborne, Jason
Khan, Aboul
Pearson, Mark
Morrison, Sean
Piemonte, Tony
Roy, Terry

Pearson, Stephen
True, Chris
Welch, David

Spillane, James
Verville, Kevin
Weyler, Kenneth

Sytek, John
Wallace, Scott
Yokela, Josh

Torosian, Peter
Webb, James

STRAFFORD

Hayward, Peter
McNally, Jody
Wuelper, Kurt

Horgan, James
Perreault, Mona

Horrigan, Timothy
Pitre, Joseph

Kittredge, Mac
Beaudoin, Steven

SULLIVAN

Aron, Judy
Stapleton, Walter

Callum, John
Smith, Steven

Laware, Thomas

Rollins, Skip

NAYS - 216 BELKNAP

Huot, David

CARROLL

Buco, Thomas
Kanzler, Harrison

Burroughs, Anita
Knirk, Jerry

Butler, Edward
Ticehurst, Susan

DesMarais, Edith
Woodcock, Stephen

CHESHIRE

Abbott, Michael
Eaton, Daniel
Harvey, Cathryn
Morrill, David
Tatro, Bruce
Weber, Lucy

Ames, Richard
Faulkner, Barry
Ley, Douglas
Parkhurst, Henry
Thompson, Craig

Berch, Paul
Fenton, Donovan
Mann, John
Schapiro, Joe
Von Plinsky, Sparky

Bordenet, John
Gomarlo, Jennie
Meador, David
Swinburne, Sandy
Pearson, William

COOS

Hatch, William
Tucker, Edith

Laflamme, Larry
Thomas, Yvonne

Moynihan, Wayne

Noel, Henry

GRAFTON

Abel, Richard
Diggs, Francesca
Ford, Susan
Massimilla, Linda
Osborne, Richard
Smith, Suzanne

Adjutant, Joshua
Dontonville, Roger
French, Elaine
Mulligan, Mary Jane
Ruprecht, Dennis
Sykes, George

Almy, Susan
Egan, Timothy
Josephson, Timothy
Muscatel, Garrett
Stavis, Laurel
Weston, Joyce

Campion, Polly
Fellows, Sallie
Maes, Kevin
Nordgren, Sharon
Stringham, Jerry

HILLSBOROUGH

Bouldin, Amanda
Bergeron, Paul
Bouchard, Donald
Cornell, Patricia
DiSilvestro, Linda
Freitas, Mary
Hall, Brett
Herbert, Christopher
King, Mark
Leishman, Peter
McGhee, Kat
Nutter-Upham, Frances
Petrigno, Peter
Query, Joshua
Rung, Rosemarie
Sofikitis, Catherine
Smith, Timothy
Van Houten, Constance
Williams, Kermit

Bouldin, Andrew
Bernet, Jennifer
Cleaver, Skip
Cote, David
Dutzy, Sherry
Goley, Jeffrey
Hamer, Heidi
Indruk, Greg
Klee, Patricia
Long, Patrick
Mombourquette, Donna
Nutting-Wong, Allison
Pickering, Daniel
Newman, Ray
Newman, Sue
St. John, Michelle
Telerski, Laura
Vann, Ivy
Woodbury, David

Baroody, Benjamin
Bordy, William
Cohen, Bruce
Dargie, Paul
Espitia, Manny
Graham, John
Harriott-Gathright, Linda
Schmidt, Janice
Klein-Knight, Nicole
Mangipudi, Latha
Mullen, Sue
O'Brien, Michael
Piedra, Israel
Radhakrishnan, Julie
Shaw, Barbara
Stack, Kathryn
Toomey, Dan
Thomas, Wendy

Beaulieu, Jane
Bosman, James
Connors, Erika
Desjardin, Kathy
Davis, Fred
Griffith, Willis
Heath, Mary
Jack, Martin
Langley, Diane
Martin, Joelle
Murphy, Nancy
Pedersen, Michael
Porter, Marjorie
Riel, Cole
Snow, Kendall
Stevens, Deb
Vail, Suzanne
Wilhelm, Matthew

MERRIMACK

Bartlett, Christy
Ellison, Arthur
MacKay, James
Pimentel, Roderick
Schamberg, Thomas
Turcotte, Alan
Wells, Kenneth

Carson, Clyde
Karrick, David
McWilliams, Rebecca
Richards, Beth
Schuett, Dianne
Wallner, Mary Jane
Woods, Gary

Doherty, David
Lane, Connie
Moffett, Howard
Rogers, Katherine
Schultz, Kristina
Walz, Mary Beth

Ebel, Karen
Luneau, David
Myler, Mel
Saunderson, George
Soucy, Timothy
Wazir, Safiya

ROCKINGHAM

Altschiller, Debra
Cahill, Michael
DiLorenzo, Charlotte
Grossman, Gaby
Loughman, Tom
McConnell, Liz
Somssich, Peter

Berrien, Skip
Cali-Pitts, Jacqueline
Edgar, Michael
Grote, Jaci
Lovejoy, Patricia
McKinney, Betsy
Vallone, Mark

Bunker, Lisa
Coursin, David
Eisner, Mary
Murray, Kate
Maggiore, Jim
Meuse, David
Ward, Gerald

Bushway, Patricia
Cushing, Robert Renny
Gilman, Julie
Le, Tamara
Malloy, Dennis
Read, Ellen
Warner, Anne

STRAFFORD

Bixby, Peter
Fargo, Kristina
Higgins, Peg
Smith, Marjorie
Salloway, Jeffrey
Treleaven, Susan

Cannon, Gerri
Fontneau, Timothy
Keans, Sandra
Opderbecke, Linn
Sandler, Catt
Vincent, Kenneth

Chase, Wendy
Gourgue, Amanda
Kenney, Cam
Schmidt, Peter
Southworth, Thomas
Wall, Janet

Conley, Casey
Grassie, Chuck
Levesque, Cassandra
Rich, Cecilia
Spang, Judith

SULLIVAN

Cloutier, John
Sullivan, Brian

Merchant, Gary
Tanner, Linda

O'Hearne, Andrew

Oxenham, Lee

and the motion failed.

MOTION TO PRINT DEBATE

Rep. Hopper moved that the debate on **HB 270**, relative to commencement of foreclosure by civil action, be printed in the Permanent Journal.

On a division vote, with 141 members having voted in the affirmative, and 220 in the negative, the motion failed.

REGULAR CALENDAR CONT'D

HB 295-FN-A, establishing a special marriage officiant license. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Charlotte DiLorenzo for the Majority of Judiciary. This bill establishes a special marriage officiant license which authorizes an individual to solemnize a marriage in the State of New Hampshire. The temporary officiant license is a one-day event and allows the marriage partners to choose a relative or friend to perform the solemnization ceremony at avenue of the couple's choice, for example, at a private residence or on top on one of New Hampshire's majestic mountains or along New Hampshire sparkling sea shore. A portion of the license fee will be allocated to the NH Department of Health and Human Services for deposit in the fund for domestic costs associated with the issuance of the license. Vote 11-8.

Rep. Jason Janvrin for the Minority of Judiciary. This bill would allow persons other than clergy and officials of the state to solemnize a marriage in the state. Proponents would argue that allowing this would be a boost to the state economy by allowing destination marriages all the while boosting revenue to the fund for domestic violence programs. The minority of the committee believes that, with more justices of the peace than members of the General Court, such a license would lead to errors or omissions in certifying the marriages performed and make the reporting to the town and city clerks difficult to accomplish if they are not performed by an official of the state or a clergy member.

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

Rep. Wuelper spoke against and yielded to questions.

Rep. DiLorenzo spoke in favor.

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

On a division vote, with 206 members having voted in the affirmative, and 138 in the negative, the majority committee report was adopted and referred to the Committee on Ways and Means.

HB 410, allowing all state agencies and political subdivisions to have access to enhanced 911 information. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: OUGHT TO PASS.**

Rep. Edward Gordon for the Majority of Judiciary. This bill expands access to enhanced 911 information behind the agencies which are currently authorized to receive the information. This information is not considered a public record and is not subject to RSA 91-A disclosure. The amendment specifically limits the expanded access to the Department of Environmental Services. Vote 15-5.

Rep. Jason Janvrin for the Minority of Judiciary. This bill as introduced would have allowed sharing street name, number and GPS location only to any state agency or political subdivision of the state. This would allow counties, in the case of unincorporated places, regional planning commissions and municipalities to see a cost savings in establishing a local GIS DATA set by not starting from scratch. The Department of Safety testified it has no reservations sharing this data if it is authorized to do so in the statutes.

Majority Amendment (0048h)

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

AN ACT allowing the department of environmental services to have access to enhanced 911 information.

Amend RSA 106-H:14, II-III as inserted by section 2 of the bill by replacing it with the following:

II. Notwithstanding any provision of law to the contrary, the ~~[bureau]~~ **division** shall ~~[only]~~ make information or records compiled under this chapter available ~~[as follows]~~ **only as follows:**

~~[H:]~~ **(a)** On a case-by-case basis to a law enforcement agency that requires the information or records for investigative purposes; and

~~[H:]~~ **(b)** To the department of environmental services ~~[solely]~~ for the purpose of estimating the location of wells subject to RSA 482-B. ~~[Information shared with the department of environmental services under this provision shall be limited to geographic information systems data that will aid in locating such wells. The department of environmental services shall not release such shared data under RSA 91-A. Address information may be also made available to the department of environmental services upon request for the purpose of using one set of street names and numbers within and across New Hampshire. Address information shall be limited to geospatial data that is sufficient to place an address on a map, consistent with the methodology used by the division to spatially locate any address. Address information shall not consist of any other information or data, including, but not limited to, any information about the property to which an address pertains, any information about the structures thereon, and the name or other identifying information of the property owner or any individual or individuals who occupy any specific address. The timing and method of delivery of address information, as well as the format of the address information, shall be solely determined by the division, in light of the demand or such information and the division's technical capabilities and available resources. Address information shall only be used for the official purposes of the department of environmental services and the department of environmental services shall not make such address information available under RSA 91-A. The division shall not be liable for any inaccuracies in the information provided under this paragraph.]~~

AMENDED ANALYSIS

This bill allows the department of environmental services to have access to certain enhanced 911 information. Majority committee amendment adopted.

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

On a division vote, with 291 members having voted in the affirmative, and 59 in the negative, the majority committee report was adopted and ordered to third reading.

HB 211, relative to inquiries by prospective employers concerning salary history. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Manny Espitia for the Majority of Labor, Industrial and Rehabilitative Services. In the opinion of the majority, the question of salary history belongs in the interview rather than the application. The employer will consider the experience and knowledge of the applicant as factors determining compensation. Vote 12-8. Rep. Jonathan Mackie for the Minority of Labor, Industrial and Rehabilitative Services. This bill removes an important tool for an employer to assess a potential employee. It can also be a negative for the potential employee. When an employer sees that an employee has been paid more than they were intending to offer, a higher offer is often made. This is because they see that previous employers have valued the employee highly.

Majority Amendment (0202h)

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

1 New Section; Discrimination in the Workplace; Salary History. Amend RSA 275 by inserting after section 41-d the following new section:

275:41-e Salary History.

I. No employer shall inquire about a prospective employee's wage or salary history before an offer of employment with compensation has been negotiated and made to the prospective employee, unless a prospective employee has voluntarily disclosed such information.

II. No employer shall use an employee's prior wage and salary history as a defense to any action alleging wage or salary discrimination under state law.

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

Majority committee amendment adopted.

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

Rep. O'Day spoke against.

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

Rep. Bershtein requested a roll call; sufficiently seconded.

YEAS 212 - NAYS 139**YEAS - 212
BELKNAP**

Huot, David

Viens, Harry

Buco, Thomas
Kanzler, HarrisonBurroughs, Anita
Ticehurst, Susan**CARROLL**Butler, Edward
Woodcock, Stephen

DesMarais, Edith

CHESHIREAbbott, Michael
Eaton, Daniel
Harvey, Cathryn
Morrill, David
Tatro, Bruce
Weber, LucyAmes, Richard
Faulkner, Barry
Ley, Douglas
Parkhurst, Henry
Thompson, CraigBerch, Paul
Fenton, Donovan
Mann, John
Schapiro, Joe
Von Plinsky, SparkyBordenet, John
Gomarlo, Jennie
Meader, David
Swinburne, Sandy
Pearson, William**COOS**Hatch, William
Tucker, Edith

Laflamme, Larry

Moynihan, Wayne

Noel, Henry

GRAFTONAbel, Richard
Diggs, Francesca
Ford, Susan
Massimilla, Linda
Osborne, Richard
Smith, SuzanneAdjutant, Joshua
Dontonville, Roger
French, Elaine
Mulligan, Mary Jane
Ruprecht, Dennis
Sykes, GeorgeAlmy, Susan
Egan, Timothy
Josephson, Timothy
Muscatel, Garrett
Stavis, Laurel
Weston, JoyceCampion, Polly
Fellows, Sallie
Maes, Kevin
Nordgren, Sharon
Stringham, Jerry**HILLSBOROUGH**Bouldin, Amanda
Beaulieu, Jane
Bosman, James
Connors, Erika
Desjardin, Kathy
Davis, Fred
Hall, Brett
Herbert, Christopher
King, Mark
Long, Patrick
Mombourquette, Donna
Nutting-Wong, Allison
Pickering, Daniel
Newman, Ray
Shaw, Barbara
Stack, Kathryn
Toomey, Dan
Thomas, WendyBouldin, Andrew
Bergeron, Paul
Bouchard, Donald
Cornell, Patricia
DiSilvestro, Linda
Freitas, Mary
Hamer, Heidi
Indruk, Greg
Klee, Patricia
Mangipudi, Latha
Mullen, Sue
O'Brien, Michael
Piedra, Israel
Riel, Cole
Snow, Kendall
Stevens, Deb
Vail, Suzanne
Wilhelm, MatthewBackus, Robert
Bernet, Jennifer
Cleaver, Skip
Cote, David
Dutzy, Sherry
Goley, Jeffrey
Harriott-Gathright, Linda
Schmidt, Janice
Klein-Knight, Nicole
Martin, Joelle
Murphy, Nancy
Pedersen, Michael
Porter, Marjorie
Rung, Rosemarie
Sofikitis, Catherine
Smith, Timothy
Van Houten, Constance
Williams, KermitBaroody, Benjamin
Bordy, William
Cohen, Bruce
Dargie, Paul
Espitia, Manny
Griffith, Willis
Heath, Mary
Jack, Martin
Langley, Diane
McGhee, Kat
Nutter-Upham, Frances
Petrigno, Peter
Query, Joshua
Newman, Sue
St. John, Michelle
Telerski, Laura
Vann, Ivy
Woodbury, David**MERRIMACK**Bartlett, Christy
Karrick, David
McWilliams, Rebecca
Richards, Beth
Schultz, Kristina
Walz, Mary BethCarson, Clyde
Lane, Connie
Moffett, Howard
Saunderson, George
Soucy, Timothy
Wazir, SafiyaDoherty, David
Luneau, David
Myler, Mel
Schamberg, Thomas
Turcotte, Alan
Wells, KennethEllison, Arthur
MacKay, James
Pimentel, Roderick
Schuett, Dianne
Wallner, Mary Jane
Woods, Gary**ROCKINGHAM**Altschiller, Debra
Cahill, Michael
Desilets, Joel
Gay, Betty
Murray, Kate
Malloy, Dennis
Read, Ellen
Warner, AnneBerrien, Skip
Cali-Pitts, Jacqueline
DiLorenzo, Charlotte
Gilman, Julie
Loughman, Tom
McConnell, Liz
Somssich, PeterBunker, Lisa
Coursin, David
Edgar, Michael
Grossman, Gaby
Lovejoy, Patricia
Meuse, David
Vallone, MarkBushway, Patricia
Cushing, Robert Renny
Eisner, Mary
Grote, Jaci
Maggiore, Jim
O'Connor, John
Ward, Gerald**STRAFFORD**Bixby, Peter
Fargo, Kristina
Higgins, PegCannon, Gerri
Fontneau, Timothy
Horriggan, TimothyChase, Wendy
Gourgue, Amanda
Keans, SandraConley, Casey
Grassie, Chuck
Kenney, Cam

Levesque, Cassandra
Rich, Cecilia
Vincent, Kenneth

Smith, Marjorie
Sandler, Catt
Wall, Janet

Opderbecke, Linn
Spang, Judith

Schmidt, Peter
Treleaven, Susan

SULLIVAN

Cloutier, John
Oxenham, Lee

Laware, Thomas
Sullivan, Brian

Merchant, Gary
Tanner, Linda

O'Hearne, Andrew

NAYS - 139

BELKNAP

Aldrich, Glen
Fields, Dennis
Mackie, Jonathan
Tilton, Franklin

Bean, Harry
Howard, Raymond
Plumer, John
Varney, Peter

Comtois, Barbara
Jurius, Deanna
Spanos, Peter

Feeney, George
Lang, Timothy
Sylvia, Michael

CARROLL

Avellani, Lino
Marsh, William

Comeau, Ed

Cordelli, Glenn

Crawford, Karel

CHESHIRE

Hunt, John

O'Day, John

COOS

Craig, Kevin

GRAFTON

Gordon, Edward

Hennessey, Erin

Migliore, Vincent Paul

HILLSBOROUGH

Lekas, Alicia
Boehm, Ralph
Erf, Keith
Graham, John
Hopper, Gary
Leishman, Peter
Nunez, Hershel
Prout, Andrew
Rice, Kimberly
Trento, Michael

Griffin, Barbara
Burns, Charles
Fedolfi, Jim
Greene, Bob
L'Heureux, Robert
Marzullo, JP
Panasiti, Reed
Ober, Russell
Sanborn, Laurie
Ulery, Jordan

Barry, Richard
Burt, John
Gagne, Larry
Gunski, Michael
Ober, Lynne
McLean, Mark
Plett, Fred
Radhakrishnan, Julie
Somero, Paul
Warden, Mark

Belanger, James
Danielson, David
Gould, Linda
Hinch, Richard
Lascelles, Richard
Notter, Jeanine
Proulx, Mark
Renzullo, Andrew
Lekas, Tony
Whittemore, James

MERRIMACK

Allard, James
Horn, Werner
Pearl, Howard
Yakubovich, Michael

Forsythe, Robert
Kotowski, Frank
Seaworth, Brian

Fulweiler, Joyce
Marple, Richard
Testerman, Dave

Hill, Gregory
McGuire, Carol
Walsh, Thomas

ROCKINGHAM

Abbas, Daryl
Baldasaro, Al
Costable, Michael
Dolan, Tom
Harb, Robert
Janigian, John
Kolodziej, Walter
McKinney, Betsy
Morrison, Sean
Potucek, John
Pearson, Stephen
Verville, Kevin
Yokela, Josh

Abrami, Patrick
Barnes, Arthur
Davis, Dan
Doucette, Fred
Hobson, Deborah
Janvrin, Jason
Love, David
McMahon, Charles
Owens, Becky
Pratt, Kevin
Sytek, John
Webb, James

Abramson, Max
Bershtein, Alan
Thomas, Douglas
Edwards, Jess
Hoelzel, Kathleen
Katsakiores, Phyllis
Griffin, Mary
Melvin, Charles
Packard, Sherman
Prudhomme-O'Brien, Katherine
Torosian, Peter
Welch, David

Acton, Dennis
Chirichiello, Brian
DeSimone, Debra
Fowler, William
Osborne, Jason
Khan, Aboul
Pearson, Mark
Milz, David
Piemonte, Tony
Roy, Terry
True, Chris
Weyler, Kenneth

STRAFFORD

Hayward, Peter
Perreault, Mona

Horgan, James
Pitre, Joseph

Kittredge, Mac
Beaudoin, Steven

McNally, Jody
Wuelper, Kurt

SULLIVAN

Aron, Judy

Callum, John

Rollins, Skip

Stapleton, Walter

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

CLERK'S NOTE

A Representative voted twice by pushing his neighbors' button by mistake. The extra vote was removed.

HB 253, relative to criminal records checks in the employee application process. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Michael Cahill for the Majority of Labor, Industrial and Rehabilitative Services. The majority view is that the bill removes the question of criminal record on applications for employment. This allows applicants, who are otherwise qualified, an opportunity to discuss any prior record and what they've done toward their rehabilitation with the employer. The hiring decision is, as is in all other cases, up to the employer. Vote 12-8. Rep. Jonathan Mackie for the Minority of Labor, Industrial and Rehabilitative Services. While the intent, to help people with a criminal record obtain jobs is a good one, this way of doing it creates other problems. It will put the job applicant in an uncomfortable position. They know the criminal record question will come up at some point during the interview and will have to answer it face to face. A better way to handle the criminal record question would be to only allow the question to be on a job application if the applicant was also given space to explain their criminal record if so desired.

Majority Amendment (0246h)

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

1 New Chapter; Use of Criminal Records in Employment Decisions. Amend RSA by inserting after chapter 275-G the following new chapter:

CHAPTER 275-H

USE OF CRIMINAL RECORDS IN EMPLOYMENT DECISIONS

275-H:1 Definitions. In this chapter:

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

II. "Applicant" means a person who applies for employment for a wage, salary, fee, or payment to perform work for an employer, but excludes any person applying for employment in the domestic service of any family or person at the person's home.

III. "Employer" means any individual, partnership, association, corporation, or governmental agency or instrumentality employing any person. "Employer" shall not include:

(a) Any bank holding company, financial holding company, bank, savings bank, savings and loan association, credit union, or trust company, or any subsidiary or affiliate thereof, that is chartered by any state or the United States.

(b) Any state or local government agency which requires use of the employee's or applicant's criminal history or criminal background.

275-H:2 Prohibition on Questions Relating to Criminal Records.

I. Except as provided in paragraph II, no employer shall include a question on any application for employment, as to whether the applicant has ever been arrested, charged with, or convicted of any crime or violation, or adjudicated as a juvenile delinquent, except when the applicant is applying for:

(a) A position with, or related to, a law enforcement agency.

(b) A position that requires a standard fidelity bond or equivalent bond, where the applicant's conviction of a crime would disqualify the applicant from obtaining such a bond.

(c) Any other position that requires automatic disqualification of an applicant with a criminal history pursuant to federal or state law.

(d) A position with an employer who is contractually prohibited from employing any person with a criminal record.

II. An employer may inquire about an applicant's criminal history during an employment interview.

275-H:3 Penalty. Any employer who violates RSA 275-H:2 may be subject to a civil penalty not to exceed \$2,500, to be imposed by the commissioner in accordance with the procedures established in RSA 273:11-a. Any person aggrieved by the commissioner's assessment of such penalty may appeal in accordance with RSA 273:11-c.

2 Effective Date. This act shall take effect January 1, 2020.

Majority committee amendment adopted.

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

Rep. Cahill spoke in favor and yielded to questions.

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

YEAS 213 - NAYS 142

YEAS - 213

BELKNAP

Huot, David

CARROLL

Burroughs, Anita
Ticehurst, Susan

Butler, Edward
Woodcock, Stephen

DesMarais, Edith

Kanzler, Harrison

CHESHIRE

Abbott, Michael
Eaton, Daniel
Harvey, Cathryn
Morrill, David
Tatro, Bruce
Weber, Lucy

Ames, Richard
Faulkner, Barry
Ley, Douglas
Parkhurst, Henry
Thompson, Craig

Berch, Paul
Fenton, Donovan
Mann, John
Schapiro, Joe
Von Plinsky, Sparky

Bordenet, John
Gomarlo, Jennie
Meader, David
Swinburne, Sandy
Pearson, William

COOS

Hatch, William
Tucker, Edith

Laflamme, Larry

Moynihan, Wayne

Noel, Henry

GRAFTON

Abel, Richard
Diggs, Francesca
Ford, Susan
Massimilla, Linda
Osborne, Richard
Smith, Suzanne

Adjutant, Joshua
Dontonville, Roger
French, Elaine
Mulligan, Mary Jane
Ruprecht, Dennis
Sykes, George

Almy, Susan
Egan, Timothy
Josephson, Timothy
Muscatel, Garrett
Stavis, Laurel
Weston, Joyce

Campion, Polly
Fellows, Sallie
Maes, Kevin
Nordgren, Sharon
Stringham, Jerry

HILLSBOROUGH

Alexander, Joe
Baroody, Benjamin
Bordy, William
Cohen, Bruce
Dargie, Paul
Espitia, Manny
Griffith, Willis
Heath, Mary
Schmidt, Janice
Klein-Knight, Nicole
Mangipudi, Latha
Mullen, Sue
O'Brien, Michael
Piedra, Israel
Radhakrishnan, Julie
Shaw, Barbara
Stack, Kathryn
Toomey, Dan
Thomas, Wendy

Bouldin, Amanda
Beaulieu, Jane
Bosman, James
Connors, Erika
Desjardin, Kathy
Davis, Fred
Hall, Brett
Herbert, Christopher
Jack, Martin
Langley, Diane
Martin, Joelle
Murphy, Nancy
Pedersen, Michael
Porter, Marjorie
Riel, Cole
Snow, Kendall
Stevens, Deb
Vail, Suzanne
Wilhelm, Matthew

Bouldin, Andrew
Bergeron, Paul
Bouchard, Donald
Cornell, Patricia
DiSilvestro, Linda
Freitas, Mary
Hamer, Heidi
Hopper, Gary
King, Mark
Leishman, Peter
McGhee, Kat
Nutter-Upham, Frances
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Cote, David
Dutzy, Sherry
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Harriott-Gathright, Linda
Indruk, Greg
Klee, Patricia
Long, Patrick
Mombourquette, Donna
Nutting-Wong, Allison
Pickering, Daniel
Newman, Ray
Newman, Sue
St. John, Michelle
Telerski, Laura
Vann, Ivy
Woodbury, David

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Luneau, David
Myler, Mel
Saunderson, George
Soucy, Timothy
Wells, Kenneth

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Horn, Werner
MacKay, James
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Schamberg, Thomas
Wallner, Mary Jane
Woods, Gary

Doherty, David
Karrick, David
McWilliams, Rebecca
Richards, Beth
Schuett, Dianne
Walz, Mary Beth

Ellison, Arthur
Lane, Connie
Moffett, Howard
Rogers, Katherine
Schultz, Kristina
Wazir, Safiya

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Berrien, Skip
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DiLorenzo, Charlotte
Grossman, Gaby
Lovejoy, Patricia
Meuse, David
Ward, Gerald

Bunker, Lisa
Coursin, David
Edgar, Michael
Grote, Jaci
Maggiore, Jim
Read, Ellen
Warner, Anne

Bushway, Patricia
Cushing, Robert Renny
Eisner, Mary
Murray, Kate
Malloy, Dennis
Somssich, Peter

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Higgins, Peg
Levesque, Cassandra
Salloway, Jeffrey
Vincent, Kenneth

Cannon, Gerri
Fontneau, Timothy
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Sandler, Catt
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Rich, Cecilia
Treleaven, Susan

SULLIVAN

Cloutier, John
Sullivan, Brian

Merchant, Gary
Tanner, Linda

O'Hearne, Andrew

Oxenham, Lee

NAYS - 142**BELKNAP**

Aldrich, Glen
Fields, Dennis
Mackie, Jonathan
Tilton, Franklin

Bean, Harry
Howard, Raymond
Plumer, John
Varney, Peter

Comtois, Barbara
Jurius, Deanna
Spanos, Peter
Viens, Harry

Feeney, George
Lang, Timothy
Sylvia, Michael

CARROLL

Avellani, Lino
Marsh, William

Comeau, Ed
Nelson, Bill

Cordelli, Glenn

Crawford, Karel

CHESHIRE

Hunt, John

O'Day, John

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Craig, Kevin

GRAFTON

Gordon, Edward

Hennessey, Erin

Migliore, Vincent Paul

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Lekas, Alicia
Boehm, Ralph
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Graham, John
L'Heureux, Robert
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Plett, Fred
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Lekas, Tony
Whittemore, James

Griffin, Barbara
Burns, Charles
Fedolfi, Jim
Greene, Bob
Ober, Lynne
Notter, Jeanine
Proulx, Mark
Rice, Kimberly
Trento, Michael

Barry, Richard
Burt, John
Gagne, Larry
Gunski, Michael
Lascelles, Richard
Nunez, Hershel
Prout, Andrew
Sanborn, Laurie
Ulery, Jordan

Belanger, James
Danielson, David
Gould, Linda
Hinch, Richard
Marzullo, JP
Panasiti, Reed
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Somero, Paul
Warden, Mark

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Allard, James
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Forsythe, Robert
McGuire, Carol
Turcotte, Alan

Hill, Gregory
Pearl, Howard
Walsh, Thomas

Kotowski, Frank
Seaworth, Brian
Yakubovich, Michael

ROCKINGHAM

Abbas, Daryl
Baldasaro, Al
Costable, Michael
Dolan, Tom
Gay, Betty
Hobson, Deborah
Janvrin, Jason
Love, David
McMahon, Charles
O'Connor, John
Potucek, John
Pearson, Stephen
Verville, Kevin
Yokela, Josh

Abrami, Patrick
Barnes, Arthur
Davis, Dan
Doucette, Fred
Green, Dennis
Hoelzel, Kathleen
Katsakiores, Phyllis
Griffin, Mary
Melvin, Charles
Owens, Becky
Pratt, Kevin
Sytek, John
Webb, James

Abramson, Max
Bershtein, Alan
Thomas, Douglas
Edwards, Jess
Guthrie, Joseph
Osborne, Jason
Khan, Aboul
Pearson, Mark
Milz, David
Packard, Sherman
Prudhomme-O'Brien, Katherine
Torosian, Peter
Welch, David

Acton, Dennis
Chirichiello, Brian
DeSimone, Debra
Fowler, William
Harb, Robert
Janigian, John
Kolodziej, Walter
McKinney, Betsy
Morrison, Sean
Piemonte, Tony
Roy, Terry
True, Chris
Weyler, Kenneth

STRAFFORD

Hayward, Peter
Perreault, Mona

Horgan, James
Pitre, Joseph

Kittredge, Mac
Beaudoin, Steven

McNally, Jody
Wuelper, Kurt

SULLIVAN

Aron, Judy
Stapleton, Walter

Callum, John

Laware, Thomas

Rollins, Skip

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

HB 272, relative to temporary workers. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Janice Schmidt for the Majority of Labor, Industrial and Rehabilitative Services. The majority of the committee felt this bill provided useful guidance to temporary employment agencies. Most agencies already follow the best practices laid out in the bill. The bill was drafted with the assistance of the NH Labor Department. The amendment made minor changes that provided greater clarity. Vote 12-8.

Rep. Brian Seaworth for the Minority of Labor, Industrial and Rehabilitative Services. This bill would require that extensive written notices be provided to temporary workers serving an employer. While such notices are already industry best practice, mandating these procedures may cause an undue expense and burden on an employer. This is a significant industry in NH that could take their business outside of the state.

Majority Amendment (0293h)

Amend RSA 275:79 as inserted by section 1 of the bill by replacing it with the following:
275:79 Notices and Disclosures.

I. Written notices and disclosures required in this section shall be written in English and any other language generally used in the locale of the temporary services company or its clients. Copies of notices required in this section shall be kept on file for one year by the temporary services company and shall be made available for inspection by any affected temporary worker, who shall be provided copies of such notices, without charge, within 10 days of their request. Any notice required by this section may be transmitted electronically provided the temporary worker has agreed to receive notices in such manner.

II. A temporary service company shall, prior to the temporary work assignment start date, provide the following written notifications to each temporary worker the company employs or procures on behalf of a client or client company for the purpose of staffing a temporary work assignment:

(a) The legal name, business address, and local phone number of the employer of record.

(b) The name and contact information of the person, representative, or agent designated by the employer of record to whom the temporary worker is required to report injuries, illnesses, absences, safety violations, workplace discrimination, sexual harassment, or other concerns related to working conditions at a temporary work assignment.

(c) The specific terms and conditions of the temporary worker's employment in a new temporary work assignment, including a written description of any minimum attendance requirements, codes of conduct, performance standards, or other employer requirements and the consequences of non-compliance.

(d) The full name and address of the client company or client to which the temporary worker is assigned, the exact address of the work site, and the name and phone number of the work site supervisor or manager to whom the temporary employee shall report.

(e) The title of the person at the client company's work site who is designated to provide a job safety orientation and any training required to safely perform the work assignment, if different from subparagraph (d).

(f) A detailed description of the work to be performed by the temporary worker, including any requirements for special training, attire, accessories, tools, or safety equipment.

(g) The expected duration of the assignment, including the start date and, if known, the expected end date, time of day work will begin and end, the schedule of days on which the work will be performed, whether there is mandatory overtime or an expectation of overtime work, and that the temporary work assignment is subject to early termination or extension depending on the business needs of the client.

(h) That the client supervisor, manager, or employee designated in subparagraph (d) or (e) to provide job safety orientation and training will, prior to the commencement of work, provide a description of the work site hazards to which the temporary worker may become exposed, including any hazardous materials which the worker may be required to use or handle during the course of a job assignment. This subparagraph shall not apply to a professional employee, as defined in 29 U.S.C. section 152; or to employees who are secretaries or administrative assistants whose main or primary duties are described by the United States Department of Labor, Bureau of Labor Statistics, as involving one or more of the following: drafting or revising correspondence, scheduling appointments, creating, organizing, and maintaining paper and electronic files, and providing information to callers or visitors.

(i) Whether a meal is provided, either by the temporary services company or its client, and the cost of the meal, if any.

III. A temporary service company arranging the placement of a temporary worker in a job advertised or promoted as "temp-to-hire" shall notify the worker of the typical length of continuous temporary employment before an offer of direct hire is made and of any specific or special qualifications the temporary worker must demonstrate to be considered eligible for direct hire by the client company.

IV. All advertisements by a temporary service company shall contain the correct business name of the temporary service company and at least one of the following:

(a) The street address of the company's place of business; or

(b) The telephone number of the company at its place of business.

V. The department of labor shall provide employers with a form that satisfies the notice and disclosure requirements of this section. Employers may use that form or any other form that meets the requirements of this section.

Amend the bill by replacing section 2 with the following:

2 Effective Date. This act shall take effect January 1, 2020.

Majority committee amendment adopted.

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

YEAS 204 - NAYS 140**YEAS - 204
BELKNAP**

Huot, David

Buco, Thomas
Kanzler, HarrisonBurroughs, Anita
Ticehurst, Susan**CARROLL**Butler, Edward
Woodcock, Stephen

DesMarais, Edith

CHESHIREAbbott, Michael
Eaton, Daniel
Harvey, Cathryn
Morrill, David
Tatro, BruceAmes, Richard
Faulkner, Barry
Ley, Douglas
Parkhurst, Henry
Von Plinsky, SparkyBerch, Paul
Fenton, Donovan
Mann, John
Schapiro, Joe
Pearson, WilliamBordenet, John
Gomarlo, Jennie
Meader, David
Swinburne, Sandy
Weber, Lucy**COOS**Hatch, William
Tucker, Edith

Laflamme, Larry

Moynihan, Wayne

Noel, Henry

GRAFTONAdjutant, Joshua
Dontonville, Roger
French, Elaine
Mulligan, Mary Jane
Stavis, LaurelAlmy, Susan
Egan, Timothy
Josephson, Timothy
Muscatel, Garrett
Stringham, JerryCampion, Polly
Fellows, Sallie
Maes, Kevin
Osborne, Richard
Smith, SuzanneDiggs, Francesca
Ford, Susan
Massimilla, Linda
Ruprecht, Dennis
Sykes, George**HILLSBOROUGH**Bouldin, Amanda
Beaulieu, Jane
Bosman, James
Connors, Erika
Desjardin, Kathy
Davis, Fred
Hall, Brett
Herbert, Christopher
King, Mark
Leishman, Peter
Mombourquette, Donna
Nutting-Wong, Allison
Pickering, Daniel
Newman, Ray
Newman, Sue
Stack, Kathryn
Toomey, Dan
Thomas, WendyBouldin, Andrew
Bergeron, Paul
Bouchard, Donald
Cornell, Patricia
DiSilvestro, Linda
Freitas, Mary
Hamer, Heidi
Indruk, Greg
Klee, Patricia
Mangipudi, Latha
Mullen, Sue
O'Brien, Michael
Piedra, Israel
Radhakrishnan, Julie
Shaw, Barbara
Stevens, Deb
Vail, Suzanne
Wilhelm, MatthewBackus, Robert
Bernet, Jennifer
Cleaver, Skip
Cote, David
Dutzy, Sherry
Goley, Jeffrey
Harriott-Gathright, Linda
Schmidt, Janice
Klein-Knight, Nicole
Martin, Joelle
Murphy, Nancy
Pedersen, Michael
Porter, Marjorie
Riel, Cole
Snow, Kendall
Smith, Timothy
Van Houten, Constance
Williams, KermitBaroody, Benjamin
Bordy, William
Cohen, Bruce
Dargie, Paul
Espitia, Manny
Griffith, Willis
Heath, Mary
Jack, Martin
Langley, Diane
McGhee, Kat
Nutter-Upham, Frances
Petrigno, Peter
Query, Joshua
Rung, Rosemarie
St. John, Michelle
Telerski, Laura
Vann, Ivy
Woodbury, David**MERRIMACK**Bartlett, Christy
Fulweiler, Joyce
MacKay, James
Pimentel, Roderick
Schamberg, Thomas
Turcotte, Alan
Woods, GaryCarson, Clyde
Karrick, David
McWilliams, Rebecca
Richards, Beth
Schuett, Dianne
Walz, Mary BethDoherty, David
Lane, Connie
Moffett, Howard
Rogers, Katherine
Schultz, Kristina
Wazir, SafiyaEllison, Arthur
Luneau, David
Myler, Mel
Saunderson, George
Soucy, Timothy
Wells, Kenneth**ROCKINGHAM**Altschiller, Debra
Cahill, Michael
DiLorenzo, Charlotte
Grossman, Gaby
Lovejoy, Patricia
Meuse, David
Ward, GeraldBerrien, Skip
Cali-Pitts, Jacqueline
Edgar, Michael
Grote, Jaci
Maggiore, Jim
Read, Ellen
Warner, AnneBunker, Lisa
Coursin, David
Eisner, Mary
Murray, Kate
Malloy, Dennis
Somssich, PeterBushway, Patricia
Cushing, Robert Renny
Gilman, Julie
Loughman, Tom
McConnell, Liz
Vallone, Mark**STRAFFORD**Bixby, Peter
Fargo, Kristina
Higgins, Peg
Levesque, Cassandra
Salloway, Jeffrey
Vincent, KennethCannon, Gerri
Fontneau, Timothy
Horrigan, Timothy
Opderbecke, Linn
Sandler, Catt
Wall, JanetChase, Wendy
Gourgue, Amanda
Keans, Sandra
Schmidt, Peter
Spang, JudithConley, Casey
Grassie, Chuck
Kenney, Cam
Rich, Cecilia
Treleaven, Susan

SULLIVANCloutier, John
Sullivan, BrianMerchant, Gary
Tanner, Linda

O'Hearne, Andrew

Oxenham, Lee

NAYS - 140**BELKNAP**Aldrich, Glen
Fields, Dennis
Mackie, Jonathan
Tilton, FranklinBean, Harry
Howard, Raymond
Plumer, John
Varney, PeterComtois, Barbara
Jurius, Deanna
Spanos, Peter
Viens, HarryFeeney, George
Lang, Timothy
Sylvia, Michael**CARROLL**Avellani, Lino
Marsh, WilliamComeau, Ed
Nelson, Bill

Cordelli, Glenn

Crawford, Karel

CHESHIRE**COOS****GRAFTON**

Gordon, Edward

Hennessey, Erin

Migliore, Vincent Paul

HILLSBOROUGHLekas, Alicia
Belanger, James
Erf, Keith
Graham, John
Hopper, Gary
McLean, Mark
Plett, Fred
Renzullo, Andrew
Lekas, Tony
Whittemore, JamesAlexander, Joe
Boehm, Ralph
Fedolli, Jim
Greene, Bob
Ober, Lynne
Notter, Jeanine
Proulx, Mark
Rice, Kimberly
Trento, MichaelGriffin, Barbara
Burt, John
Gagne, Larry
Gunski, Michael
Lascelles, Richard
Nunez, Hershel
Prout, Andrew
Sanborn, Laurie
Ulery, JordanBarry, Richard
Danielson, David
Gould, Linda
Hinch, Richard
Marzullo, JP
Panasiti, Reed
Ober, Russell
Somero, Paul
Warden, Mark**MERRIMACK**Allard, James
Kotowski, Frank
Seaworth, BrianForsythe, Robert
Marple, Richard
Testerman, DaveHill, Gregory
McGuire, Carol
Yakubovich, MichaelHorn, Werner
Pearl, Howard**ROCKINGHAM**Abbas, Daryl
Baldasaro, Al
Costable, Michael
DeSimone, Debra
Gay, Betty
Hobson, Deborah
Janvrin, Jason
Love, David
McMahon, Charles
Owens, Becky
Pratt, Kevin
Sytek, John
Webb, JamesAbrami, Patrick
Barnes, Arthur
Davis, Dan
Dolan, Tom
Green, Dennis
Hoelzel, Kathleen
Katsakiores, Phyllis
Griffin, Mary
Melvin, Charles
Packard, Sherman
Prudhomme-O'Brien, Katherine
Torosian, Peter
Welch, DavidAbramson, Max
Bershtein, Alan
Thomas, Douglas
Doucette, Fred
Guthrie, Joseph
Osborne, Jason
Khan, Aboul
Pearson, Mark
Milz, David
Piemonte, Tony
Roy, Terry
True, Chris
Weyler, KennethActon, Dennis
Chirichiello, Brian
Desilets, Joel
Edwards, Jess
Harb, Robert
Janigian, John
Kolodziej, Walter
McKinney, Betsy
O'Connor, John
Potucek, John
Pearson, Stephen
Verville, Kevin
Yokela, Josh**STRAFFORD**Hayward, Peter
Perreault, MonaHorgan, James
Pitre, JosephKittredge, Mac
Beaudoin, StevenMcNally, Jody
Wuelper, Kurt**SULLIVAN**Aron, Judy
Stapleton, Walter

Callum, John

Laware, Thomas

Rollins, Skip

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

HB 419, relative to the position of house clerk. OUGHT TO PASS.

Rep. Sherry Frost for Legislative Administration. This nonpartisan bill is housekeeping measure that allows for parity between the statutory language addressing the compensation of the Senate and House Clerks. The additional language added in the bill, allowing for the Clerk to be eligible for fringe benefits, codifies the existing practice and allows for things such as buying back time in the retirement system. Again, this bill simply amends the existing language of the House Clerk statute to read the same as the statute regarding the Senate Clerk. Vote 12-2. Committee report adopted and ordered to third reading.

HB 143, relative to incompatibility of offices. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. James Belanger for the Majority of Municipal and County Government. This bill provides that a member of a board that hears appeals of decisions made by another committee, board, or official shall not serve on both entities. Some say that if a zoning board hears an appeal from a planning board decision, the member serving on both boards simply needs to recuse themselves from the appeal hearing. Although that sounds reasonable, the member is still a member in good standing of both and has made personal relationships with members which certainly influence decisions. A defendant in a case is not also allowed to serve on a jury hearing a case, recused or not. There are current statutes dealing with incompatible offices with good intent, and this provision needs to be added. Personal relationships with the jury gives the defendant an unfair advantage in appeals and should not be permitted. Vote 14-5.

Rep. Julie Gilman for the Minority of Municipal and County Government. This bill is well intentioned, but creates conflicts instead of solving them. It states that a person shall not serve on two boards if one is appealable to the other, in direct conflict with RSA 673:7 (planning board members serving on other boards). That statute currently allows two planning board members to serve on more than one land use board, including zoning boards. Further, there are concerns that small towns have difficulty filling volunteer positions and this bill will bind them.

MOTION TO RECOMMIT

Rep. Carson moved that **HB 143**, relative to incompatibility of offices, be recommitted to the Committee on Municipal and County Government.

Motion adopted.

REGULAR CALENDAR CONT'D

HB 206-FN-A-L, eliminating timber taxes for certain properties. **INEXPEDIENT TO LEGISLATE.**

Rep. Donna Mombourquette for Municipal and County Government. This bill exempts residential owners of land not in current use from the requirement to file an intent to cut or be subject to normal yield taxes on timber. Prior to a 1942 Constitutional Amendment, standing timber was taxed as part of the value of the real estate. Today, timber is only taxed when cut and sold. RSA 79:1 II and 79:2 exempts property owners from filing intent to cut and taxing timber for up to 10,000 board feet, 20 cords of fire wood for personal use and land conversion (requiring all filed permits for this purpose), Christmas trees and ornamental trees (those within striking distance of a home) and any amount of firewood needed for maple syrup production. Testimony also indicated an indeterminable loss of revenue to municipalities attributable to cutting that would be further exempted by this bill. The committee's decision was that the bill is not necessary. Vote 18-0.

Committee report adopted.

HB 210-FN, relative to civil actions against public officials in cities or towns. **WITHOUT RECOMMENDATION**
Statement in support of Ought to Pass with Amendment: Members heard testimony about numerous cases where public officials had knowingly given wrong information, made a wrong determination, and taken other actions against individuals and businesses in our state. In addition, we've been told of countless instances where marital masters, city managers, town managers, and even land use boards have acted to block competition in the marketplace, in violation of the state and federal constitutions and state law. We feel that those public officials who knowingly abuse their official position do so with no potential accountability. This bill would simply allow a judge to fine a public official up to \$500 for knowingly violating a court injunction. Abuses and lawsuits against municipalities may be curtailed with the threat of a potential fine.

Rep. Max Abramson

Statement in support of Inexpedient to Legislate: The intent of HB 210 is clear: permit legal action by an aggrieved party against a public official(s) who, in the enactment or enforcement of an ordinance, bylaw, or regulation, knowingly violated their authority. The action would be permitted by amending RSA 31 and RSA 47. While the intent is clear the specific actions and enforcement give rise to serious flaws in the proposed amendment. Evidence of the need for the amendment was provided by citing problems with land use boards. Redress for the aggrieved of land use board decision is already provided by state statutes. This bill seems like an attempt to solve a problem for which solutions already exist. This bill proposes to levy fines up to \$500 plus attorney fees. The total fine with attorney fees could well exceed \$500. This bill also expands the potential for baseless lawsuits filed against individuals and/or the municipality. Municipalities are faced with low numbers of volunteers to fill such vital responsibilities as select board, planning board and zoning board of adjustments members. The risk of baseless lawsuits and significant fines against these well-intended volunteers may in itself be enough to convince otherwise qualified volunteers not to run for public office. The bill reads "No public funds shall be used to defend or reimburse any public official or town...." How can a town defend itself without public funds? The amendment fails to clarify how a split vote on a select board renders the board and/or individual members of the board liable. For these reasons 9 members of the committee voted ITL.

Rep. Jim Maggiore

Rep. Abramson moved Ought to Pass and offered committee amendment (0045h).

Amendment (0045h)

Amend the introductory paragraph of RSA 31:129-a, I as inserted by section 1 of the bill by replacing it with the following:

I. Any person, entity, or organization who is aggrieved by the enactment or enforcement of an ordinance, bylaw, or regulation in violation of the authority of a town set forth in RSA 31 may file suit in the superior court in the county in which the ordinance, bylaw, or regulation was enacted or enforced against any such person, entity, or organization. Upon such filing, the superior court shall schedule a hearing on the matter as soon as is practicable. After a hearing on the merits, if the court finds in favor of the petitioner, the court shall:

Amend the introductory paragraph of RSA 47:21-a, I as inserted by section 2 of the bill by replacing it with the following:

I. Any person, entity, or organization who is aggrieved by the enactment or enforcement of an ordinance, bylaw, or regulation in violation of the authority of a city set forth in RSA 47 or RSA 31 may file suit in the superior court in the county in which the ordinance, bylaw, or regulation was enacted or enforced against any such person, entity, or organization. Upon such filing, the superior court shall schedule a hearing on the matter as soon as is practicable. After a hearing on the merits, if the court finds in favor of the petitioner, the court shall:

On a division vote, with 219 members having voted in the affirmative, and 108 in the negative, the committee amendment was adopted.

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

Reps. Maggiore and Carson spoke against.

Reps. Abramson, Belanger and McLean spoke in favor.

Rep. Tony Lekas requested a roll call; sufficiently seconded.

YEAS 123 - NAYS 222**YEAS - 123****BELKNAP**

Aldrich, Glen
Fields, Dennis
Mackie, Jonathan
Tilton, Franklin

Bean, Harry
Howard, Raymond
Plumer, John
Varney, Peter

Comtois, Barbara
Jurius, Deanna
Spanos, Peter

Feeney, George
Lang, Timothy
Sylvia, Michael

CARROLL

Avellani, Lino
Marsh, William

Comeau, Ed
Nelson, Bill

Cordelli, Glenn

Crawford, Karel

CHESHIRE

O'Day, John

COOS

Craig, Kevin

GRAFTON

Hennessey, Erin

Migliore, Vincent Paul

HILLSBOROUGH

Lekas, Alicia
Boehm, Ralph
Gagne, Larry
Gunski, Michael
Lascelles, Richard
Nunez, Hershel
Prout, Andrew
Trento, Michael

Alexander, Joe
Burt, John
Gould, Linda
Hinch, Richard
Marzullo, JP
Panasiti, Reed
Rice, Kimberly
Ulery, Jordan

Barry, Richard
Erf, Keith
Graham, John
Hopper, Gary
McLean, Mark
Plett, Fred
Somero, Paul
Warden, Mark

Belanger, James
Fedolfi, Jim
Greene, Bob
Ober, Lynne
Notter, Jeanine
Proulx, Mark
Lekas, Tony
Whittemore, James

MERRIMACK

Forsythe, Robert
McGuire, Carol
Walsh, Thomas

Hill, Gregory
Pearl, Howard
Yakubovich, Michael

Horn, Werner
Seaworth, Brian

Marple, Richard
Testerman, Dave

ROCKINGHAM

Abbas, Daryl
Baldasaro, Al
Costable, Michael
DeSimone, Debra
Green, Dennis
Osborne, Jason
Griffin, Mary
Melvin, Charles
Packard, Sherman

Abrami, Patrick
Bershtein, Alan
Davis, Dan
Doucette, Fred
Guthrie, Joseph
Katsakiores, Phyllis
Pearson, Mark
Milz, David
Piemonte, Tony

Abramson, Max
Cali-Pitts, Jacqueline
Thomas, Douglas
Edwards, Jess
Hobson, Deborah
Kolodziej, Walter
McKinney, Betsy
O'Connor, John
Potucek, John

Acton, Dennis
Chirichiello, Brian
Desilets, Joel
Gay, Betty
Hoelzel, Kathleen
Love, David
McMahon, Charles
Owens, Becky
Pratt, Kevin

Prudhomme-O'Brien, Katherine
Torosian, Peter
Welch, David

Roy, Terry
True, Chris
Weyler, Kenneth

Pearson, Stephen
Verville, Kevin
Yokela, Josh

Sytek, John
Webb, James

STRAFFORD

Hayward, Peter
Pitre, Joseph

Kittredge, Mac
Beaudoin, Steven

McNally, Jody
Wuelper, Kurt

Perreault, Mona

SULLIVAN

Aron, Judy

Callum, John

Laware, Thomas

NAYS - 222

BELKNAP

Huot, David

Viens, Harry

CARROLL

Buco, Thomas
Ticehurst, Susan

Burroughs, Anita
Woodcock, Stephen

DesMarais, Edith

Kanzler, Harrison

CHESHIRE

Abbott, Michael
Eaton, Daniel
Harvey, Cathryn
Meader, David
Swinburne, Sandy
Pearson, William

Ames, Richard
Faulkner, Barry
Hunt, John
Morrill, David
Tatro, Bruce
Weber, Lucy

Berch, Paul
Fenton, Donovan
Ley, Douglas
Parkhurst, Henry
Thompson, Craig

Bordenet, John
Gomarlo, Jennie
Mann, John
Schapiro, Joe
Von Plinsky, Sparky

COOS

Hatch, William
Tucker, Edith

Laflamme, Larry
Thomas, Yvonne

Moynihan, Wayne

Noel, Henry

GRAFTON

Abel, Richard
Diggs, Francesca
Ford, Susan
Maes, Kevin
Nordgren, Sharon
Stringham, Jerry

Adjutant, Joshua
Dontonville, Roger
French, Elaine
Massimilla, Linda
Osborne, Richard
Smith, Suzanne

Almy, Susan
Egan, Timothy
Gordon, Edward
Mulligan, Mary Jane
Ruprecht, Dennis
Sykes, George

Campion, Polly
Fellows, Sallie
Josephson, Timothy
Muscatel, Garrett
Stavis, Laurel

HILLSBOROUGH

Bouldin, Amanda
Baroody, Benjamin
Bosman, James
Cohen, Bruce
Danielson, David
Dutzy, Sherry
Goley, Jeffrey
Harriott-Gathright, Linda
Schmidt, Janice
Klein-Knight, Nicole
Mangipudi, Latha
Mullen, Sue
O'Brien, Michael
Piedra, Israel
Radhakrishnan, Julie
Newman, Sue
St. John, Michelle
Telerski, Laura
Vann, Ivy
Woodbury, David

Bouldin, Andrew
Beaulieu, Jane
Bouchard, Donald
Connors, Erika
Dargie, Paul
Espitia, Manny
Griffith, Willis
Heath, Mary
Jack, Martin
Langley, Diane
Martin, Joelle
Murphy, Nancy
Pedersen, Michael
Porter, Marjorie
Renzullo, Andrew
Shaw, Barbara
Stack, Kathryn
Toomey, Dan
Thomas, Wendy

Griffin, Barbara
Bergeron, Paul
Burns, Charles
Cornell, Patricia
Desjardin, Kathy
Davis, Fred
Hall, Brett
Herbert, Christopher
King, Mark
Leishman, Peter
McGhee, Kat
Nutter-Upham, Frances
Petrigno, Peter
Query, Joshua
Riel, Cole
Snow, Kendall
Stevens, Deb
Vail, Suzanne
Wilhelm, Matthew

Backus, Robert
Bordy, William
Cleaver, Skip
Cote, David
DiSilvestro, Linda
Freitas, Mary
Hamer, Heidi
Indruk, Greg
Klee, Patricia
Long, Patrick
Mombourquette, Donna
Nutting-Wong, Allison
Pickering, Daniel
Newman, Ray
Rung, Rosemarie
Sofikitis, Catherine
Smith, Timothy
Van Houten, Constance
Williams, Kermit

MERRIMACK

Allard, James
Ellison, Arthur
Lane, Connie
Moffett, Howard
Rogers, Katherine
Schultz, Kristina
Wells, Kenneth

Bartlett, Christy
Fulweiler, Joyce
Luneau, David
Pimentel, Roderick
Saunderson, George
Soucy, Timothy
Woods, Gary

Carson, Clyde
Karrick, David
MacKay, James
Richards, Beth
Schamberg, Thomas
Turbotte, Alan

Doherty, David
Kotowski, Frank
McWilliams, Rebecca
Rodd, Beth
Schuett, Dianne
Walz, Mary Beth

ROCKINGHAM

Altschiller, Debra
Bushway, Patricia
DiLorenzo, Charlotte
Gilman, Julie

Barnes, Arthur
Cahill, Michael
Dolan, Tom
Grossman, Gaby

Berrien, Skip
Coursin, David
Edgar, Michael
Grote, Jaci

Bunker, Lisa
Cushing, Robert Renny
Eisner, Mary
Harb, Robert

Janigian, John
Lovejoy, Patricia
Meuse, David
Ward, Gerald

Janvrin, Jason
Maggiore, Jim
Read, Ellen
Warner, Anne

Murray, Kate
Malloy, Dennis
Somssich, Peter

Khan, Aboul
McConnell, Liz
Vallone, Mark

STRAFFORD

Bixby, Peter
Fargo, Kristina
Higgins, Peg
Smith, Marjorie
Salloway, Jeffrey
Vincent, Kenneth

Cannon, Gerri
Fontneau, Timothy
Horrigan, Timothy
Opderbecke, Linn
Sandler, Catt
Wall, Janet

Chase, Wendy
Gourgue, Amanda
Keans, Sandra
Schmidt, Peter
Spang, Judith

Conley, Casey
Grassie, Chuck
Kenney, Cam
Rich, Cecilia
Treleaven, Susan

SULLIVAN

Cloutier, John
Rollins, Skip

Merchant, Gary
Stapleton, Walter

O'Hearne, Andrew
Sullivan, Brian

Oxenham, Lee
Tanner, Linda

and the motion failed.

MOTION TO LAY ON THE TABLE

Rep. Baldasaro moved that **HB 210-FN**, relative to civil actions against public officials in cities or towns, be laid on the table.

Motion failed.

Rep. Carson moved Inexpedient to Legislate.

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

On a division vote, with 226 members having voted in the affirmative, and 121 in the negative, the motion was adopted.

HB 288, relative to notice of county convention meetings. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Marjorie Porter for the Majority of Municipal and County Government. This bill sought to solve the problem of how to notice county convention meetings in counties where not all towns are covered by a "newspaper of general circulation," as required by current statute. The committee recognizes this can be a problem; however, the majority found the solutions offered by the bill to be unworkable and/or costly. Vote 18-1.

Rep. Max Abramson for the Minority of Municipal and County Government. The minority would like to have seen a simple requirement that all cities and towns within a county receive notices. Work done by the county delegation should not be ruled invalid by the court merely because one town government failed to post proper notice. Majority committee report adopted.

HB 334-L, relative to disposition of certain municipal records. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Kevin Pratt for Municipal and County Government. This bill requires that municipal police non-criminal internal affairs investigations be retained for a minimum of 20 years, clarifying the set amount of time before such records can be destroyed. This is in keeping with other municipal records. Vote 17-2.

Amendment (0061h)

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

1 Disposition of Municipal Records; Disposition and Retention Schedule. Amend RSA 33-A:3-a, CVIII to read as follows:

CVIII. Police, non-criminal-internal affairs investigations: ~~[as required by attorney general and union contract and town personnel rules]~~ ***retirement or termination of subject officer plus 20 years, except that the municipality shall follow the retention period for non-criminal internal affairs investigations set forth in a union or collective bargaining agreement already in effect on July 1, 2019.***

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

Committee amendment adopted.

Committee report adopted and ordered to third reading.

HB 392-FN-L, requiring the northern New Hampshire correctional facility to make a payment in lieu of taxes to the city of Berlin. **INEXPEDIENT TO LEGISLATE.**

Rep. Paul Dargie for Municipal and County Government. Requiring that the Northern New Hampshire Correctional Facility make a payment in lieu of taxes to the city of Berlin will set a bad precedent. Berlin does need financial relief, but this is an inappropriate mechanism. Vote 18-0.

Committee report adopted.

HB 407-FN, clarifying the non taxability of certain telecommunications devices and equipment. **OUGHT TO PASS.**

Rep. James Belanger for Municipal and County Government. This bill clarifies what the NH Supreme Court determined in a case called *Direct TV v. Town of New Hampton*. In that case the court determined that antennas which cannot be readily utilized by other similar businesses are equipment, and not taxable property. Such antennas designed to receive and transmit for one company cannot be used by a competing company, and is therefore propriety equipment. For example, Verizon antennas cannot be used by T-Mobile, etc. Testimony at

the hearing on this bill showed that some assessors never considered these antennas as property while others stopped assessing them as taxable after the NH Supreme Court decision. This bill will make it clear to municipalities that ignore the Supreme Court decision that this hardware is equipment and not property. Vote 18-0. Committee report adopted and referred to the Committee on Ways and Means.

HB 636-FN-A-L, relative to state reimbursement of town and city property tax credits and exemptions. **INEXPEDIENT TO LEGISLATE.**

Rep. Marjorie Porter for Municipal and County Government. When municipalities grant property tax exemptions and credits to some property owners for whatever reason, the remaining property owners must pick up the cost. This bill sets up a system whereby municipalities would be reimbursed by the state for the total cost of tax exemptions and credits granted, thereby relieving the burden on those taxpayers. The committee is sympathetic to the intent of the bill - property tax relief - but finds this system unworkable. The estimated \$53 million cost to the State is prohibitive, and there is nothing in the bill to prevent municipalities from granting the maximum allowable exemptions and credits, driving that cost even higher. Vote 18-0. Committee report adopted.

HB 635-L, enabling a payment in lieu of taxes for a combined heat and power agricultural facility. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Fred Plett for the Majority of Science, Technology and Energy. This bill is enabling legislation to allow the City of Berlin to establish a payment in lieu of taxes voluntarily to provide certainty of taxes for several years for an agricultural facility that just happens to use a combined heat and power technology. There is no power purchase agreement to the committee's knowledge. All electricity, heat, and exhaust will be used in greenhouses to grow produce. It came to the committee due to the combined heat and power application, but the thrust of the bill is to enable a payment in lieu of taxes to provide a certain cash flow for the agricultural facility, which could enable financing. This is an important economic development tool for the City of Berlin. The majority saw no reason to stand in the way. Vote 13-4.

Rep. James Webb for the Minority of Science, Technology and Energy. The minority of the committee has concerns with enabling communities by statute to enter into payment in lieu of taxes (PILOT) agreements. The minority believes that if, as appears likely, the PILOT for the proposed combined heat and power project results in less tax revenue, this result will be an additional tax burden on the other property taxpayers. Although this particular bill is proposed to benefit a particular project in the City of Berlin, the minority believes it could apply to any other New Hampshire municipality.

Majority committee report adopted and referred to the Committee on Municipal and County Government.

HB 391, relative to permits for vehicle registration. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Michael O'Brien for the Majority of Transportation. This bill requires residents who seek a registration permit to provide a current government-issued photo identification card. This bill has the support of the Division of Motor Vehicles (DMV) and the NH Town Clerks' Association, and is intended to prevent fraud when vehicles are registered. Vote 14-4.

Rep. Casey Conley for the Minority of Transportation. Proponents of this bill argue the bill will help prevent fraud during motor vehicle registrations. The minority believes that because many motor vehicle registrations do not occur in person, this bill will have limited effect and will create an inconsistency depending on how the transaction takes place.

MOTION TO RECOMMIT

Rep. Sykes moved that **HB 391**, relative to permits for vehicle registration, be recommitted to the Committee on Transportation.

On a division vote, with 209 members having voted in the affirmative, and 132 in the negative, the motion was adopted.

HB 401-FN, relating to youth operator's licenses. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Nicole Klein-Knight for the Majority of Transportation. This legislation would allow youth operating vehicles to get a waiver to drive during the currently restricted times of 1:00 a.m. to 4:00 a.m. The majority felt that this should not pass due to public safety concerns for minors and others on the road. The State of New Hampshire has previously amended the current law to give minors more driving time, unlike other states where the driving curfew is already stricter. Vote 13-7.

Rep. Peter Torosian for the Minority of Transportation. The minority feels passage of this bill has merit for youth operators that have jobs that require them to work late night shifts, and for youth that are volunteer fire fighters that may be called out to respond to public emergencies in the middle of the night. Under this bill they could obtain approval from the Director of the Division of Motor Vehicles to drive late night hours when needed. Majority committee report adopted.

HB 185-FN-A-L, relative to contingently reducing the rate of the interest and dividends tax and repealing the tax in 5 years. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Jerry Stringham for the Majority of Ways and Means. This bill increases exemptions for interest and dividend (I&D) tax and repeals the tax in its entirety over 5 years. The majority concluded that the bill provides no offsetting revenue sources to fund government with the phased in reductions to the I&D tax, a major source of state revenue. The total financial impact is substantial with only limited and inadequate contingencies. The Department of Revenue Administration indicated that they could not determine the total cost of the bill as applicability dates in the bill were not specified. Vote 11-8.

Rep. Alan Bershtein for the Minority of Ways and Means. Passage of this bill would assist seniors and disabled people who may rely on interest and dividend income to meet their monthly obligations. Elimination of the interest and dividend tax encourages the business community and high wealth individuals to remain in or relocate to NH. The bill provides for a responsible method of phasing out the tax, provided that predefined revenue targets are attained.

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

Rep. Bershtein spoke against.

Rep. Stringham spoke in favor.

Rep. McGuire requested a roll call; sufficiently seconded.

YEAS 207 - NAYS 134

YEAS - 207

BELKNAP

Huot, David

Lang, Timothy

CARROLL

Buco, Thomas
Ticehurst, Susan

Burroughs, Anita
Woodcock, Stephen

DesMarais, Edith

Kanzler, Harrison

CHESHIRE

Abbott, Michael
Eaton, Daniel
Harvey, Cathryn
Morrill, David
Tatro, Bruce
Weber, Lucy

Ames, Richard
Faulkner, Barry
Ley, Douglas
Parkhurst, Henry
Thompson, Craig

Berch, Paul
Fenton, Donovan
Mann, John
Schapiro, Joe
Von Plinsky, Sparky

Bordenet, John
Gomarlo, Jennie
Meador, David
Swinburne, Sandy
Pearson, William

COOS

Hatch, William
Tucker, Edith

Laflamme, Larry
Thomas, Yvonne

Moynihan, Wayne

Noel, Henry

GRAFTON

Abel, Richard
Diggs, Francesca
Ford, Susan
Massimilla, Linda
Osborne, Richard
Sykes, George

Adjutant, Joshua
Dontonville, Roger
French, Elaine
Mulligan, Mary Jane
Ruprecht, Dennis

Almy, Susan
Egan, Timothy
Josephson, Timothy
Muscatel, Garrett
Stavis, Laurel

Campion, Polly
Fellows, Sallie
Maes, Kevin
Nordgren, Sharon
Stringham, Jerry

HILLSBOROUGH

Bouldin, Amanda
Beaulieu, Jane
Bosman, James
Cornell, Patricia
DiSilvestro, Linda
Freitas, Mary
Hamer, Heidi
Indruk, Greg
Klee, Patricia
Long, Patrick
Mombourquette, Donna
Nutting-Wong, Allison
Pickering, Daniel
Newman, Ray
Newman, Sue
St. John, Michelle
Telerski, Laura
Vann, Ivy
Woodbury, David

Bouldin, Andrew
Bergeron, Paul
Bouchard, Donald
Cote, David
Dutzy, Sherry
Goley, Jeffrey
Harriott-Gathright, Linda
Schmidt, Janice
Klein-Knight, Nicole
Mangipudi, Latha
Mullen, Sue
O'Brien, Michael
Piedra, Israel
Radhakrishnan, Julie
Shaw, Barbara
Stack, Kathryn
Toomey, Dan
Thomas, Wendy

Backus, Robert
Bernet, Jennifer
Cleaver, Skip
Dargie, Paul
Espitia, Manny
Griffith, Willis
Heath, Mary
Jack, Martin
Langley, Diane
Martin, Joelle
Murphy, Nancy
Pedersen, Michael
Porter, Marjorie
Riel, Cole
Snow, Kendall
Stevens, Deb
Vail, Suzanne
Wilhelm, Matthew

Baroody, Benjamin
Bordy, William
Cohen, Bruce
Desjardin, Kathy
Davis, Fred
Hall, Brett
Herbert, Christopher
King, Mark
Leishman, Peter
McGhee, Kat
Nutter-Upham, Frances
Petrigno, Peter
Query, Joshua
Rung, Rosemarie
Sofikitis, Catherine
Smith, Timothy
Van Houten, Constance
Williams, Kermit

MERRIMACK

Bartlett, Christy
Fulweiler, Joyce
MacKay, James
Pimentel, Roderick
Saunderson, George
Soucy, Timothy
Woods, Gary

Carson, Clyde
Karrick, David
McWilliams, Rebecca
Richards, Beth
Schamberg, Thomas
Wallner, Mary Jane

Doherty, David
Lane, Connie
Moffett, Howard
Rodd, Beth
Schuett, Dianne
Walz, Mary Beth

Ellison, Arthur
Luneau, David
Myler, Mel
Rogers, Katherine
Schultz, Kristina
Wells, Kenneth

ROCKINGHAM

Altschiller, Debra
Cali-Pitts, Jacqueline
Edgar, Michael
Grote, Jaci
Malloy, Dennis
Somssich, Peter

Berrien, Skip
Coursin, David
Eisner, Mary
Murray, Kate
McConnell, Liz
Vallone, Mark

Bushway, Patricia
Cushing, Robert Renny
Gilman, Julie
Lovejoy, Patricia
Meuse, David
Ward, Gerald

Cahill, Michael
DiLorenzo, Charlotte
Grossman, Gaby
Maggiore, Jim
Read, Ellen
Warner, Anne

STRAFFORD

Bixby, Peter
Fargo, Kristina
Higgins, Peg
Levesque, Cassandra
Rich, Cecilia
Treleaven, Susan

Cannon, Gerri
Fontneau, Timothy
Horrigan, Timothy
Smith, Marjorie
Salloway, Jeffrey
Vincent, Kenneth

Chase, Wendy
Gourgue, Amanda
Keans, Sandra
Opderbecke, Linn
Sandler, Catt
Wall, Janet

Conley, Casey
Grassie, Chuck
Kenney, Cam
Schmidt, Peter
Spang, Judith

SULLIVAN

Cloutier, John
Sullivan, Brian

Merchant, Gary
Tanner, Linda

O'Hearne, Andrew

Oxenham, Lee

NAYS - 134**BELKNAP**

Aldrich, Glen
Fields, Dennis
Spanos, Peter
Viens, Harry

Bean, Harry
Howard, Raymond
Sylvia, Michael

Comtois, Barbara
Jurius, Deanna
Tilton, Franklin

Feeney, George
Mackie, Jonathan
Varney, Peter

CARROLL

Avellani, Lino
Marsh, William

Comeau, Ed

Cordelli, Glenn

Crawford, Karel

CHESHIRE**COOS****GRAFTON**

Gordon, Edward

Hennessey, Erin

Migliore, Vincent Paul

HILLSBOROUGH

Lekas, Alicia
Belanger, James
Danielson, David
Gould, Linda
Hinch, Richard
Marzullo, JP
Panasiti, Reed
Ober, Russell
Lekas, Tony

Alexander, Joe
Boehm, Ralph
Erf, Keith
Graham, John
Hopper, Gary
McLean, Mark
Plett, Fred
Renzullo, Andrew
Ulery, Jordan

Griffin, Barbara
Burns, Charles
Fedolfi, Jim
Greene, Bob
Ober, Lynne
Notter, Jeanine
Proulx, Mark
Rice, Kimberly
Whittemore, James

Barry, Richard
Burt, John
Gagne, Larry
Gunski, Michael
Lascelles, Richard
Nunez, Hershel
Prout, Andrew
Somero, Paul

MERRIMACK

Allard, James
Kotowski, Frank
Seaworth, Brian
Yakubovich, Michael

Forsythe, Robert
Marple, Richard
Testerman, Dave

Hill, Gregory
McGuire, Carol
Turcotte, Alan

Horn, Werner
Pearl, Howard
Walsh, Thomas

ROCKINGHAM

Abbas, Daryl
Baldasaro, Al
Costable, Michael
DeSimone, Debra
Gay, Betty
Hobson, Deborah
Janvrin, Jason
Griffin, Mary

Abrami, Patrick
Barnes, Arthur
Davis, Dan
Dolan, Tom
Green, Dennis
Hoelzel, Kathleen
Khan, Aboul
Pearson, Mark

Abramson, Max
Bershtein, Alan
Thomas, Douglas
Doucette, Fred
Guthrie, Joseph
Osborne, Jason
Kolodziej, Walter
McMahon, Charles

Acton, Dennis
Chirichiello, Brian
Desilets, Joel
Edwards, Jess
Harb, Robert
Janigian, John
Love, David
Melvin, Charles

Milz, David
Potucek, John
Pearson, Stephen
Verville, Kevin
Yokela, Josh

O'Connor, John
Pratt, Kevin
Sytek, John
Webb, James

Packard, Sherman
Prudhomme-O'Brien, Katherine
Torosian, Peter
Welch, David

Piemonte, Tony
Roy, Terry
True, Chris
Weyler, Kenneth

STRAFFORD

Hayward, Peter
Perreault, Mona

Horgan, James
Pitre, Joseph

Kittredge, Mac
Beaudoin, Steven

McNally, Jody
Wuelper, Kurt

SULLIVAN

Aron, Judy
Stapleton, Walter

Callum, John

Laware, Thomas

Rollins, Skip

and the majority committee report was adopted.

HB 438-FN, removing the exemption for premium cigars from the tobacco tax. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Tom Loughman for the Majority of Ways and Means. Brick and mortar premium cigar establishments are a small, niche business in New Hampshire with several locations near our border with Massachusetts. While most premium cigar sales are online, New Hampshire's physical establishments are made possible by this tax exemption. We heard testimony that these businesses would likely close their locations and move to an entirely online business model if this bill were to pass. It is likely the effect of this bill would neither curb cigar use through taxation nor increase revenues. Cigar users would likely buy these products online and in doing so, avoid this tax, as well as the existing business tax revenue we currently receive with these business currently operating physical locations. Vote 16-3.

Rep. Richard Ames for the Minority of Ways and Means. The minority believes there is no rational basis for the existing exemption of premium cigars from the tobacco tax. Premium cigars, like all other tobacco products, have seriously adverse effects on health and economic productivity. According to the written testimony of the NH Public Health Association, "cigar smoking leads directly to a substantial burden of head and neck cancers amongst users." The NH premium cigar tax exemption should be eliminated. Continuing to exempt premium cigars sends the wrong signal.

MOTION TO SPECIAL ORDER

Rep. Almy moved that **HB 438-FN**, removing the exemption for premium cigars from the tobacco tax. be made a Special Order as the first order of business on February 27, 2019.
Motion adopted.

SPECIAL ORDERED

Without objection, the Speaker made the remaining bills on today's calendar Special Orders for the Session of February 27, 2019.

REFERRAL DECLINED

Rep. Wallner, Chairman of the Committee on Finance, under the provisions of House Rule 46 (f), declined the referral of **HB 270**, relative to commencement of foreclosure by civil action.

RESOLUTION

Rep. Ley offered the following: **RESOLVED**, that the House now adjourn from the early session, that the business of the late session be in order at the present time, that the reading of bills be by title only and resolutions by caption only and that all bills ordered to third reading be read a third time by this resolution, and that all titles of bills be the same as adopted, and that they be passed at the present time, and when the House adjourns today it be to meet, Wednesday, February 27, 2019 at 10:00 a.m.
Motion adopted.

LATE SESSION

Third Reading and Final Passage

HB 361, relative to property settlement including animals.

HB 550-FN, extending foster care beyond age 18.

HB 149, relative to the apportionment of costs in cooperative school districts.

HB 171, establishing a commission to study equal access and opportunity for students with disabilities to participate in cocurricular activities.

HB 175, relative to the requirements for school building aid grants.

HB 181, relative to the house and senate members of the university system board of trustees.

HB 329, relative to review and adoption of school data security plans.

HB 356, relative to the retention of certain reports by institutions of higher learning.

HB 297, relative to political advertisements on behalf of political committees or advocacy organizations.

HB 429, establishing a committee to study ways to improve civic engagement in New Hampshire.

HB 617, establishing a committee to study recycling streams in New Hampshire.
HB 112, relative to the mechanical licensing board.
HB 115, relative to the regulation of private investigators, security guards, and bail recovery agents.
HB 259, relative to building code violations.
HB 287, relative to nepotism in state employment.
HB 303, relative to certification of building code compliance inspectors.
HB 328, repealing the New Hampshire film and television commission.
HB 343, relative to application of the state fire code to foster homes.
HB 138, relative to rules pertaining to marine species managed under the Magnusson-Stevens Fishery Conservation and Management Act.
HB 281, relative to flow devices designed to control beaver damming and minimize the risk of flooding behind an existing beaver dam.
HB 127, relative to the board of medicine and the medical review subcommittee.
HB 284, relative to biennial controlled substance inventories conducted under the Controlled Drug Act.
HB 353, establishing a committee to study whether non-attorney legal professionals could be licensed to engage in the limited practice of law in the family division of the circuit court while under the supervision of a licensed attorney.
HB 285, relative to filing and approval of rates and rating plans applicable to workers' compensation.
HB 122, allowing for gifts, grants, and donations on behalf of state and national legislative association events.
HB 214, repealing an obsolete provision for legislative mileage for attaches from Concord.
HB 453, making changes to the membership of the state house bicentennial commission, declaring June 2 - June 8 as New Hampshire State House Bicentennial Week, and declaring June 6 as New Hampshire Legislators' Homecoming Day.
HB 136, increasing the maximum period for the zoning board of adjustment to hold a public hearing.
HB 145, relative to the counting of secret ballots.
HB 146, relative to the counting of defective ballots.
HB 245, relative to the planning board's procedures on plats.
HB 243, adding members to the Pease development authority board of directors to represent Greenland.
HB 534-FN, relative to certain major state projects.
HB 162, repealing the requirement for the inspection of timber.
HB 188, amending the definition of headway speed.
HB 228, extending the commission to study the current statutes related to management of non-tidal public waterways and the construction or placement of structures within them.
HB 320-FN, authorizing Future In Sight to issue decals for multi-use decal number plates.
HB 372-FN, relative to motorist duties when approaching highway emergencies.
HB 428, relative to pedestrian control signals.
HB 354, establishing a committee to investigate whether modification should be made to the time frame for determining permanency pursuant to RSA 169-C:24-b.
HB 131, establishing a commission on mental health education and behavioral health and wellness programs.
HB 524, establishing a committee to study issues and impediments to starting, running, and growing home and commercial day care facilities in New Hampshire.
HB 587, relative to organ donation on a driver's license.
HB 410, allowing the department of environmental services to have access to enhanced 911 information.
HB 211, relative to inquiries by prospective employers concerning salary history.
HB 253, relative to criminal records checks in the employee application process.
HB 272, relative to temporary workers.
HB 419, relative to the position of house clerk.
HB 334-L, relative to disposition of certain municipal records.
HB 270, relative to commencement of foreclosure by civil action.

UNANIMOUS CONSENT

Rep. Lane requested Unanimous Consent of the House regarding memorial remarks for the former member from Concord, the Honorable Paul Henle and addressed the House alongside the Concord Delegation and the Committee on Ways and Means.

MOMENT OF SILENCE

A moment of silence was observed in honor and in memory of the former member from Concord, the Honorable Paul Henle.

MOTION TO PRINT REMARKS

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

REMARKS

Rep. Lane: Thank you, Mister Speaker. I am here with the Concord Delegation and the members of the Ways and Means Committee to honor the memory of Representative Paul Henle, whose seat I am now privileged to hold. As many of you know, Representative Henle fell ill with a brain injury last May during session and passed away on October 7, 2018. I first met Representative Henle in the fall of 2017 when I was exploring whether to run for the floterial seat then held by Representative Chip Rice. Ever the gentleman, Representative Henle, even though he did not know me, graciously met with me several times over the next few months to discuss running a campaign and serving as a State Representative. He told me of his unsuccessful campaigns for Senate and the House, as well as his successful ones here in Concord. His warmth, wit, dry humor, intelligence and dignity were apparent from the first few minutes that we spent together over a cup of coffee. I was also struck by his compassion and dedication to his constituents. He called me in late April to tell me that he was not going to run for re-election, urging me to run for his seat rather than the floterial, pointing out that it would be easier to canvas in one ward than in six! I tried to talk him out of retiring since his departure meant we would lose his expertise and passion about reforming NH's tax system. I felt strongly that we needed his voice. But he was resolute in his decision, telling me of his retirement plans and that he would help me over the summer with campaigning and introductions. Sadly, that was the last time I spoke with Representative Henle. I met Representative Henle's family at his memorial service shortly before the election in November, and they enthusiastically encouraged me to take up his work on Ways and Means and to serve his constituents well. They were obviously proud of his legislative work, and pleased that I had reached out to them. In preparing for today, I spoke with Representative Henle's widow, Blair, to see what she would like me to share with you. She laughed when remembering that Representative Henle was a stalwart Carroll County Democrat at a time when he said it took courage to be a Carroll County Democrat. Blair also shared that Representative Henle was proud of the fact that he instituted the Grover Cleveland Dinner in 1996, which I understand is still a fundraiser for the Carroll County Dems. She also mentioned that he was the recipient of the Jefferson Jackson Award in 2001. Finally, she told me of his love of music, both performing and writing it. I don't think many of us knew that he had performed in several bands and wrote a piece of music for a string quartet. Since being elected, I have heard Representative Henle praised by his colleagues on both sides of the aisle for his thoughtfulness and articulate presentation. Several people have mentioned his fondness of breakfasts at the Newell Post in Penacook, where he met regularly with legislators and constituents, a tradition that I have decided definitely to continue. I think Andy Volinsky's remembrance reflects well what many of you have told me about Representative Henle. He said, "I remember Paul for his kindly insistence on fairness and equity in terms of how we pay for critically important state services. It was to the point that he would break into his tax speech when we bumped into each other on the street in Concord. No ball game chatter, no discussion of the weather, just how we can do better." In closing, it is clear that Representative Henle was held in high regard by virtually everyone who worked with him. All of us will do well to follow his example, serving our constituents with quiet dignity, compassion, intelligence, and wit. I move to adopt a unanimous resolution that Representative Paul Henle be granted the highest praise and our profound thanks for his services to his State, Carroll County, the Town of Tamworth, and the city that he called home, and that expressions of our most heartfelt sympathy be extended to his family and that a copy of this Resolution be prepared for presentation to them. Thank you.

UNANIMOUS CONSENT

Rep. Rogers requested Unanimous Consent of the House regarding the one-year anniversary of the Parkland shooting in Florida and addressed the House.

MOMENT OF SILENCE

A moment of silence was observed in honor and in memory of the victims of the Parkland shooting in Florida.

MOTION TO PRINT REMARKS

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

Without objection, the Speaker ordered.

REMARKS

Rep. Rogers: Thank you, Mister Speaker. A year ago, on February 14, 2018, at Marjory Stoneman Douglas High School in Parkland, Florida, at 2:19 p.m., 17 people who had kissed their families goodbye that morning lost their lives on a day the world celebrated a holiday of love. I ask you all to join me in remembering; Alyssa Alhadeff, age 14, Scott Beigel, age 35, Martin Duque, age 14, Nicholas Dworet, age 17, Aaron Feis, age 37, Jaime Guttenberg, age 14, Chris Hixon, age 49, Luke Hoyer, age 15, Cara Loughran, age 14, Gina Montalto, age 14, Joaquin Oliver, age 17, Alaina Petty, age 14, Meadow Pollack, age 18, Helena Ramsay, age 17, Alex Schachter, age 14, Carmen Schentrup, age 16, and Peter Wang, age 15.

UNANIMOUS CONSENT

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

RECESS MOTION

Rep. Ley moved that the House stand in recess for the purposes of the introduction of bills and receiving Senate messages.

Motion adopted.

The House recessed at 5:15 p.m.

RECESS

(Rep. Schuett in the Chair)

RESOLUTION

Rep. Wall offered the following: RESOLVED, that late introduction having been approved by the House, and in accordance with the list in the possession of the Clerk, House Bill numbered 1 shall be by this resolution read a first and second time by the therein listed title, sent for printing and referred to the therein designated committee. Motion adopted.

INTRODUCTION OF HOUSE BILL**First, second reading and referral**

HB 1-A, making appropriations for the expenses of certain departments of the state for fiscal years ending June 30, 2020 and June 30, 2021. (Wallner, Merr. 10; Finance)

RECESS

(Rep. Myler in the Chair)

RESOLUTION

Rep. Luneau offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, Senate Bill numbered 1 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**

SB 1-FN, relative to family and medical leave.

RECESS

(Rep. Ley in the Chair)

RESOLUTION

Speaker Shurtleff offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, House Bill numbered 25 shall be by this resolution read a first and second time by the therein listed title, sent for printing and referred to the therein designated committee.

Motion adopted.

INTRODUCTION OF HOUSE BILL**First, second reading and referral**

HB 25-A, making appropriations for capital improvements. (Cloutier, Sull. 10; Watters, Dist 4; Public Works and Highways)

RECESS

(Rep. Ley in the Chair)

RESOLUTION

Speaker Shurtleff offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, Senate Bill numbered 242 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**

SB 242-FN, requiring notice and approval of certain actions to commence audits of collection liabilities arising under certain sales and use tax statutes and prohibiting New Hampshire remote sellers from disclosing private customer information to foreign taxing authorities in connection with the collection of certain sales and use taxes. (Ways and Means)

RECESS