



State of  
New Hampshire

# HOUSE RECORD

## First Year of the 166<sup>th</sup> General Court Calendar and Journal of the 2019 Session

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Vol. 41

Concord, N.H.

Thursday, March 7, 2019

No. 8

## HOUSE JOURNAL NO. 7 (Cont'd)

Thursday, February 28, 2019

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

## HOUSE JOURNAL NO. 8

Thursday, March 7, 2019

The House assembled at 9:00 a.m., the hour to which it stood adjourned, and was called to order by the Speaker. Prayer was offered by Guest Chaplain, Veeramani Ranganathan, co-founder of the Hindu Temple of New Hampshire.

May the Lord protect and nourish us both. May he bless us with the bliss of knowledge. May we strive together. May what we study be well-studied. May we not quarrel with each other. May there be peace, peace and peace everywhere. May all be happy. May all enjoy health and freedom from disease. May all enjoy prosperity. May none suffer. May there be peace, peace and peace for all.

Representative Andrew Renzullo, member from Hudson, led the Pledge of Allegiance.

The member from Walpole, Representative Lucy Weber, led the singing of the National Anthem.

### LEAVES OF ABSENCE

Reps. Berrien, Doherty, Dontonville, Ellison, Klose, Megan Murray, Nordgren, Sanborn, Varney, Warner and Webb, the day, illness.

Reps. Fowler, Harvey, Higgins, McWilliams, Merlino, Myler, Pimentel, Ruprecht, Suzanne Smith, Southworth, St. Clair, Swinburne and Viens, the day, important business.

### INTRODUCTION OF GUESTS

Cameron Hall and Josh Relente, students at Newport Middle High School, Pages for the day.

Jayne Somero and Beth Wirkkala, wife and sister of Rep. Somero. Kylee Rock, guest of Rep. Aron. Lew Feldstein, Burnadette Hallleran, Padma Kunapareddy, Nikhil Vootkur, Archana Dubey, Ganeshbabu Sivalingam, Ashok Kakadia, Deepa Mangalot, Deepa Jacob, Barindar Aluwalia, guests of Rep. Mangipudi. Girl Scouts of the Girls Rock the Capitol group, guests of the New Hampshire House women legislators.

### RESOLUTION

A RESOLUTION affirming revenue estimates for fiscal years 2019, 2020, and 2021.

SPONSORS: Rep. Almy, Graf. 13

### STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Seventeen*

A RESOLUTION affirming revenue estimates for fiscal years 2019, 2020, and 2021.

Whereas, the House Ways and Means Committee has considered what the unrestricted revenue estimates should be for fiscal years 2019, 2020, 2021 and has presented those estimates to the House of Representatives; now, therefore, be it

Resolved by the House of Representatives:

That the House wishes to go on record as affirming the following revenue estimates for fiscal years 2019, 2020, and 2021.

|                                     | FY 2019        |                | FY 2020        | FY 2021        |
|-------------------------------------|----------------|----------------|----------------|----------------|
| GEN'L & EDUCATION TRUST FUND:       | Official       | Committee      | Committee      | Committee      |
| (Dollars in Millions)               | Estimate       | Estimate       | Estimate       | Estimate       |
| Business Profits Tax                | \$392.300      | \$514.500      | \$472.100      | \$461.000      |
| <u>Business Enterprise Tax</u>      | <u>261.700</u> | <u>318.700</u> | <u>292.400</u> | <u>285.600</u> |
| Subtotal                            | 654.000        | 833.200        | 764.500        | 746.600        |
| Meals & Rooms Tax                   | 346.500        | 350.000        | 364.900        | 383.100        |
| Tobacco Tax                         | 214.500        | 203.100        | 198.000        | 193.100        |
| Liquor Sales                        | 146.900        | 133.600        | 129.500        | 131.600        |
| Interest & Dividends Tax            | 98.000         | 100.700        | 101.700        | 101.700        |
| Insurance Tax                       | 117.500        | 122.300        | 125.100        | 127.100        |
| Communications Tax                  | 40.700         | 41.300         | 37.600         | 34.200         |
| Real Estate Transfer Tax            | 164.300        | 157.000        | 159.400        | 160.200        |
| Court Fines & Fees                  | 13.200         | 12.700         | 12.900         | 12.700         |
| Securities Revenue                  | 46.500         | 43.000         | 43.500         | 43.500         |
| Utility Consumption Tax             | 3.000          | 3.000          | 0.000          | 0.000          |
| Beer Tax                            | 13.200         | 13.000         | 13.100         | 13.100         |
| Other                               | 74.800         | 68.800         | 68.400         | 71.900         |
| Lottery Transfers                   | 88.000         | 96.000         | 96.000         | 96.000         |
| Tobacco Settlement                  | 35.000         | 40.000         | 39.700         | 39.200         |
| Utility Property Tax                | 43.400         | 39.600         | 40.100         | 40.500         |
| Statewide Property Tax              | 363.100        | 363.100        | 363.100        | 363.100        |
| Medicaid Recoveries                 | 9.100          | 3.800          | 3.600          | 3.200          |
| TOTAL GEN'L & EDUCATION TRUST FUNDS | \$2,471.700    | \$2,624.200    | \$2,561.100    | \$2,560.800    |
|                                     | FY 2019        |                | FY 2020        | FY 2021        |
| HIGHWAY FUNDS:                      | Official       | Committee      | Committee      | Committee      |
| (Dollars in Millions)               | Estimate       | Estimate       | Estimate       | Estimate       |
| Road Toll                           | \$126.300      | \$129.000      | \$130.200      | \$132.300      |
| Motor Vehicle Fees                  | 115.700        | 120.000        | 120.200        | 114.600        |
| Miscellaneous                       | <u>0.200</u>   | <u>0.100</u>   | <u>0.200</u>   | <u>0.200</u>   |
| TOTAL HIGHWAY FUNDS                 | \$242.200      | \$249.100      | \$250.600      | \$247.100      |
|                                     | FY 2019        |                | FY 2020        | FY 2021        |
| FISH AND GAME FUNDS:                | Official       | Committee      | Committee      | Committee      |
| (Dollars in Millions)               | Estimate       | Estimate       | Estimate       | Estimate       |
| Fish & Game Licenses                | \$9.600        | \$9.600        | \$9.700        | \$9.700        |
| Fines & Miscellaneous               | <u>1.800</u>   | <u>1.800</u>   | <u>3.200</u>   | <u>3.200</u>   |
| TOTAL FISH & GAME FUNDS             | \$11.400       | \$11.400       | \$12.900       | \$12.900       |

Rep. Almy moved Ought to Pass and offered floor amendment (0806h).

#### Floor Amendment (0806h)

Amend the resolution by replacing all after the resolving clause with the following:

That the house of representatives affirms the following revenue estimates for fiscal years 2019, 2020, and 2021.

|                                | FY 2019        |                | FY 2020        | FY 2021        |
|--------------------------------|----------------|----------------|----------------|----------------|
| GEN'L & EDUCATION TRUST FUND:  | Official       | Committee      | Committee      | Committee      |
| (Dollars in Millions)          | Estimate       | Estimate       | Estimate       | Estimate       |
| Business Profits Tax           | \$392.300      | \$514.500      | \$481.500      | \$466.100      |
| <u>Business Enterprise Tax</u> | <u>261.700</u> | <u>318.700</u> | <u>298.300</u> | <u>288.700</u> |
| Subtotal                       | 654.000        | 833.200        | 779.800        | 754.800        |
| Meals & Rooms Tax              | 346.500        | 350.000        | 364.900        | 383.100        |
| Tobacco Tax                    | 214.500        | 203.100        | 198.000        | 193.100        |
| Liquor Sales                   | 146.900        | 133.600        | 129.500        | 131.600        |
| Interest & Dividends Tax       | 98.000         | 100.700        | 101.700        | 101.700        |
| Insurance Tax                  | 117.500        | 122.300        | 125.100        | 127.100        |
| Communications Tax             | 40.700         | 41.300         | 37.600         | 34.200         |
| Real Estate Transfer Tax       | 164.300        | 157.000        | 159.400        | 160.200        |
| Court Fines & Fees             | 13.200         | 12.700         | 12.900         | 12.700         |
| Securities Revenue             | 46.500         | 43.000         | 43.500         | 43.500         |
| Utility Consumption Tax        | 3.000          | 3.000          | 0.000          | 0.000          |

|                         |             |             |             |             |
|-------------------------|-------------|-------------|-------------|-------------|
| Beer Tax                | 13.200      | 13.000      | 13.100      | 13.100      |
| Other                   | 74.800      | 68.800      | 68.400      | 71.900      |
| Lottery Transfers       | 88.000      | 96.000      | 96.000      | 96.000      |
| Tobacco Settlement      | 35.000      | 40.000      | 39.70       | 39.200      |
| Utility Property Tax    | 43.400      | 39.600      | 40.100      | 40.500      |
| Statewide Property Tax  | 363.100     | 363.100     | 363.100     | 363.100     |
| Medicaid Recoveries     | 9.100       | 3.800       | 3.600       | 3.200       |
| TOTAL GEN'L & EDUCATION |             |             |             |             |
| TRUST FUNDS             | \$2,471.700 | \$2,624.200 | \$2,576.400 | \$2,569.000 |
|                         | FY 2019     |             | FY 2020     | FY 2021     |
| HIGHWAY FUNDS:          | Official    | Committee   | Committee   | Committee   |
| (Dollars in Millions)   | Estimate    | Estimate    | Estimate    | Estimate    |
| Road Toll               | \$126.300   | \$129.000   | \$130.200   | \$132.300   |
| Motor Vehicle Fees      | 115.700     | 120.000     | 120.200     | 114.600     |
| Miscellaneous           | 0.200       | 0.100       | 0.200       | 0.200       |
| TOTAL HIGHWAY FUNDS     | \$242.200   | \$249.100   | \$250.600   | \$247.100   |
|                         | FY 2019     |             | FY 2020     | FY 2021     |
| FISH AND GAME FUNDS:    | Official    | Committee   | Committee   | Committee   |
| (Dollars in Millions)   | Estimate    | Estimate    | Estimate    | Estimate    |
| Fish & Game Licenses    | \$9.600     | \$9.600     | \$9.700     | \$9.700     |
| Fines & Miscellaneous   | 1.800       | 1.800       | 3.200       | 3.200       |
| TOTAL FISH & GAME FUNDS | \$11.400    | \$11.400    | \$12.900    | \$12.900    |

Rep. Almy spoke in favor.

Floor amendment (0806h) adopted.

Motion of Ought to Pass as Amended adopted.

#### MOTION TO LAY ON THE TABLE

Rep. Almy moved that **HR 8**, affirming revenue estimates for fiscal years 2019, 2020, and 2021, be laid on the table. Motion adopted.

#### CONSENT CALENDAR

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

**HB 160**, relative to the adoption of budgets and special assessments by condominium associations, removed by Rep. Prudhomme-O'Brien.

**HB 597-FN**, relative to sales of beverages and wine hosted by other licensees, removed by Rep. Williams.

**HB 694-FN**, establishing a take-back program for illegal controlled drugs, removed by Rep. Dolan.

**HB 132-FN**, relative to net neutrality, removed by Rep. Abramson.

Consent Calendar adopted.

**HB 203**, relative to options in cable television franchise products. **INEXPEDIENT TO LEGISLATE.**

Rep. Richard Abel for Commerce and Consumer Affairs. This bill would require cable system television operators to offer a basic tier of programming and an economy-customer option that allows subscribers to choose a limited number of additional channels a la carte. The committee felt that this might be an attractive option for many consumers but is impractical at the state level since all programming matters are preempted by federal law. For this reason, the committee recommends the bill as Inexpedient to Legislate. Vote 20-0.

**HB 367-FN**, establishing a state bank. **INEXPEDIENT TO LEGISLATE.**

Rep. Greg Indruk for Commerce and Consumer Affairs. This bill would establish a state-owned bank. The bank would be authorized to receive deposits of public funds and certain private funds, pay interest on public deposits and make, purchase, guarantee, modify or purchase participation interest in certain types of loans, with bank income returned to the state's General Fund at year end. While several members of the committee find merit in the idea of establishing a state bank, this bill was overwhelmingly deemed Inexpedient to Legislate due, in considerable part, to its lack of detail, particularly with regard to a capitalization funding mechanism, the needs of which have been estimated to be in a range between \$50 million to \$63 million. Further questions remain with regard to the bank's constitutionality, business model, potential conflict with other agencies and institutions, incentive structure and prudential model. It is not clear this bill adequately addresses these issues, even considering its provisions establishing an advisory committee. Still further, given the existence of quasi-governmental development agencies, such as the Business Finance Authority, the NH Housing Authority and the Municipal Bond Bank, the actual need for such a bank is unclear. The committee respects the efforts and intentions of the sponsors, but much more research and work will be needed to craft legislation to adequately address the large undertaking proposed here. Vote 17-2.

**HB 402**, relative to required notice of mortgage funding at a construction jobsite. **OUGHT TO PASS.**

Rep. Greg Indruk for Commerce and Consumer Affairs. This bill repeals a requirement that a mortgagor post the anticipated funding date for related construction mortgage requisitions at a construction job site. The committee found this requirement to be unnecessary and duplicative, as the name, address and telephone number of any institution providing construction funds, including through refinancing, must already be conspicuously posted at the job site for which the funds were secured. Testimony indicated that the posting requirement repealed in this bill is often ignored, may slow payments to subcontractors and can be unduly burdensome to mortgagors. Vote 19-0.

**HB 485-FN**, creating a one-day license for alcoholic beverages served at dinners hosted at farms. **INEXPEDIENT TO LEGISLATE.**

Rep. Constance Van Houten for Commerce and Consumer Affairs. This bill would allow the Liquor Commission to issue a one-day special license to the owner or manager of a farm to have a dinner serving New Hampshire made beverages and wine. The majority of the committee is supportive of the bill's farm-to-table dinner concept, one that would allow New Hampshire farmers and vintners and micro-brewers to co-operate to their mutual benefit. The committee, however, believes that the bill is in need of work that might best be affected within the context of a tourism study bill currently before the committee. Vote 20-0.

**HB 533**, relative to training for servers of alcohol. **INEXPEDIENT TO LEGISLATE.**

Rep. Christy Bartlett for Commerce and Consumer Affairs. This bill requires a specific Liquor Commission training program for all persons who serve alcohol. The committee considered testimony from various points of view on this bill. Though, we understand the intent of the sponsors, the committee felt that there was no provision for the additional expense that would be incurred by the Liquor Commission. The commission currently offers 103 classes annually. To track, certify and enforce for all of the employees who serve involving 5,400 licensees would be onerous. There are currently a variety of training courses available to businesses that serve alcohol. The testimony from representatives of the industry is that the vast majority of these businesses already require their servers to complete a course because the insurance carriers providing liquor liability coverage require it. Vote 19-0.

**HB 642**, defining some ciders as specialty beers. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jason Osborne for Commerce and Consumer Affairs. The bill as introduced was to allow hard cider beverage manufacturers to produce cider that has an alcohol content greater than 6%. The amendment addresses a possible conflict with cider wine producers who sell through the state liquor stores. The bill, with the amendment, allows beverage manufacturers to produce and sell a specialty cider with an alcohol content of up to 12% not more than twice a year. Vote 19-0.

**Amendment (0390h)**

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

AN ACT defining specialty cider.

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

1 New Paragraph; Specialty Cider; Definitions. Amend RSA 175:1 by inserting after paragraph LXIV-a the following new paragraph:

LXIV-aa. "Specialty cider" means either the naturally fermented expressed juice of apples or the fermented expressed juice of apples to which activated yeast is added, either of which contains not less than 8 percent and not more than 12 percent alcohol by volume at 60 degrees Fahrenheit. Specialty cider may contain flavoring, coloring, or related ingredients and may be carbonated or fermented in a sealed container to produce a sparkling beverage or liquor. Specialty cider shall not include cider as defined in RSA 434:40-a

2 Beverage; Definitions. Amend RSA 175:1, VIII to read as follows:

VIII. "Beverage" means any beer, wine, similar fermented malt or vinous liquors and fruit juices, and any other liquid intended for human consumption as a beverage having an alcoholic content of not less than 1/2 of one percent by volume and not more than 6 percent alcohol by volume at 60 degrees Fahrenheit and specialty beer as defined in RSA 175:1, LXIV-a. The commission may approve any fermented malt beverage or mead greater than 6 percent but not to exceed 8 percent or any cider greater than 6 percent **or any specialty cider greater than 8 percent and not to exceed 12 percent alcohol by volume at 60 degrees Fahrenheit.**

3 New Paragraph; Beverage Manufacturer License; Specialty Cider. Amend RSA 178:12 by inserting after paragraph XII the following new paragraph:

XIII. The holder of a beverage manufacturer's license may produce a "specialty cider" as defined in RSA 175:1, LXIV-aa. Such specialty cider may be produced and sold not more than twice in any licensing year. A beverage manufacturer that chooses to manufacture a specialty cider shall:

(a) Provide 30 days advanced notice to the commission of the intent to produce a specialty cider.

(b) Provide the commission with an estimated quantity of specialty cider to be produced and shall report to the commission the production of specialty cider separately from other beverages produced.

(c) Not produce more than 1,000 cases holding 24 12-ounce containers, or the equivalent, in a licensing year.

(d) Notify the commission after the production of specialty cider has ended during a licensing year.  
4 Effective Date. This act shall take effect upon its passage.

#### AMENDED ANALYSIS

This bill defines specialty ciders and makes provisions regarding the manufacture of specialty ciders.

**HB 649-FN**, relative to consumer credit corrections, consumer credit protection from fraud, and consumer credit regulatory reform. **OUGHT TO PASS.**

Rep. Kermit Williams for Commerce and Consumer Affairs. This bill was a request from the Banking Department and stems from an ongoing review of their statutes for efficiency and cleanup. The changes are house-keeping in nature, with a focus on permitting the Banking Commissioner to create rules for parts of the statute that are not currently in use rather than requiring rules to be written. This allows the commissioner to not write rules that won't be used, while maintaining the ability to add those rules if the need arises. Vote 18-1.

**HB 725-FN**, including Medicaid care organizations under the managed contractor requirements for provider care law. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Kristina Fargo for Commerce and Consumer Affairs. This bill, with the amendment, will amend RSA 126-A:5 Public Health, to add prescribed time frames for Managed Care Organizations (MCO) to process credentialing applications from providers. It also adopts the claims definitions established under the Medicaid program for prompt payment. Providers have historically had challenges with Medicaid MCO's not following consistent processes regarding the credentialing of new providers and with a lack of prompt payment for claims. This has been significantly more difficult for small non-profit providers who have not been paid either timely or, in some cases, at all. Vote 19-1.

#### Amendment (0487h)

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

AN ACT relative to certain standards for managed care organizations.

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

1 New Subparagraphs; Medicaid Managed Care; Standards for Managed Care Organizations. Amend RSA 126-A:5, XIX by inserting after subparagraph (i) the following new subparagraphs:

(j)(1) Managed care organizations shall process credentialing applications from all types of providers within the following prescribed time frames:

(A) For primary care physicians, within 30 calendar days of receipt of clean and complete credentialing applications.

(B) For specialty care providers, within 45 calendar days of receipt of clean and complete credentialing applications.

(2) For the purposes of subparagraph (1), the start time begins when the managed care organization has received a provider's clean and complete application, and ends on the date of the provider's written notice of network status.

(3) For the purposes of this subparagraph, a "clean and complete" application is a claim that is signed and appropriately dated by the provider, and includes:

(A) Evidence of the provider's New Hampshire Medicaid identification; and

(B) Other applicable information to support the provider application, including provider explanations related to quality and clinical competence satisfactory to the managed care organization.

(4) If the managed care organization does not process a provider's credentialing application within the time frames set forth in this subparagraph, the managed care organization shall pay the provider retroactive to 30 calendar days or 45 calendar days after receipt of the provider's clean and complete application, depending on the prescribed time frame for the appropriate provider.

(5) Nothing in this subparagraph shall preclude the commissioner from administering the applicable contract requirements with the managed care organization as necessary to allow for exceptions to credentialing standards under this subparagraph.

(k)(1) For the purposes of this subparagraph regarding claims quality assurance standards, the commissioner shall adopt the claims definitions established by the Centers for Medicare and Medicaid Services under the Medicaid program which are as follows:

(A) "Clean claim" means a claim that does not have any defect, impropriety, lack of any required substantiating documentation, or particular circumstance requiring special treatment that prevents timely payment.

(B) "Incomplete claim" means a claim that is denied for the purpose of obtaining additional information from the provider. The managed care organization shall pay or deny 95 percent of clean claims within 30 days of receipt, or receipt of additional information. The managed care organization shall pay 99 percent of clean claims within 90 days of receipt.

(2) Nothing in this subparagraph shall preclude the commissioner from administering the applicable contract requirements with the managed care organization as necessary to allow for exceptions to claims quality assurance standards under this subparagraph.

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

#### AMENDED ANALYSIS

This bill establishes certain credentialing standards and claims quality assurance standards for managed care organizations for the purposes of the Medicaid program.

**HB 315**, repealing the authority to share voter information or data with other sites. **OUGHT TO PASS WITH AMENDMENT.**

Rep. William Pearson for Election Law. This bill repeals a 2016 session law that prescribes Kansas's Interstate Voter Registration Crosscheck Program (IVRCP) as the program to be used in New Hampshire to verify voter registration against other participating states (Chapter 175:2, Laws of 2016). The committee is confident in the Secretary of State's ability to preserve the integrity of New Hampshire's elections and believes RSA 656:41, which authorizes the Secretary of State to enter similar programs at his or her discretion, to be a helpful tool for that purpose. Vote 20-0.

#### Amendment (0516h)

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

AN ACT relative to the Interstate Voter Registration Crosscheck Program.

Amend the bill by replacing section 1 with the following:

1 Repeal. 2016, 175:2, relative to the Interstate Voter Registration Crosscheck Program, is repealed.

#### AMENDED ANALYSIS

This bill repeals the authorization of the secretary of state to enter into an agreement to share voter information and data through the Interstate Voter Registration Crosscheck Program.

**HB 531**, relative to the delivery of absentee ballots cast by elderly or disabled citizens. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Connie Lane for Election Law. This bill expands the list of people who can deliver absentee ballots to the town or city clerk and requires that certain persons assisting with the completion of absentee ballots sign the outer envelope of the ballot. The bill allows the following family members to deliver the absentee ballot to town or city clerk: a voters spouse, parent, sibling, child, grandchild, father-in-law, mother-in-law, son-in-law, daughter-in-law, stepparent, and stepchild; it also allows the licensed administrator of a licensed nursing home (or the administrator's written designee) or a licensed residential care facility (or the administrator's written designee) to deliver absentee ballots to the town or city clerk. The bill adds a provision requiring that the person assisting a blind person or voter with a disability who is unable to mark his or her ballot shall endorse the outer envelope of the absentee ballot. Vote 20-0.

#### Amendment (0573h)

Amend RSA 657:17, I as inserted by section 1 of the bill by replacing it with the following:

**I.** After marking the ballot, the voter or the person assisting a blind voter or voter with a disability who is unable to mark his or her ballot shall enclose and seal the same in an inner envelope. The voter shall execute the affidavit on the envelope. A person assisting a blind voter or voter with a disability who needs assistance executing the affidavit shall sign a statement on the affidavit envelope acknowledging the assistance. The voter or the person assisting the blind voter or voter with a disability who needs assistance shall enclose and seal the inner envelope with the affidavit in an outer envelope. The voter **or the person assisting a blind voter or voter with a disability who is unable to mark his or her ballot** shall then endorse on the outer envelope his or her name, address, and voting place and shall mail the envelope, affixing postage, or personally deliver it or have it delivered by the voter's ~~[spouse, parent, sibling, or child]~~ **delivery agent** to the city or town clerk from whom ~~[it]~~ **the absentee ballot** was sent. **As used in this section, "delivery agent" means the voter's spouse, parent, sibling, child, grandchild, father-in-law, mother-in-law, son-in-law, daughter-in-law, stepparent, stepchild, or, if the voter is a resident of a nursing home as defined in RSA 151-A:1, IV, the nursing home administrator, licensed pursuant to RSA 151-A:2, or a nursing home staff member designated in writing by the administrator to deliver ballots, or, if the voter is a resident of a residential care facility licensed pursuant to RSA 151:2, I(e) and described in RSA 151:9, VII(a)(1) and (2), the residential care facility administrator, or a residential care facility staff member designated in writing by the administrator to deliver ballots.**

**HB 593**, relative to updating official voter checklists. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Betty Gay for Election Law. When NH voters die out of state, many states fail to notify the NH Secretary of State. To keep the voter checklist up to date, this bill with the amendment requires the Supervisors of the

Checklist to send appropriately worded “30-day letters” to the family or friends of the voters at their last known address, when their “out-of-state” death has been brought to their attention. When there is no response within 30 days to the letter they have sent to the voter who appears to have died, the Supervisors of the Checklist will remove that voter’s name. Vote 20-0.

**Amendment (0473h)**

Amend the bill by replacing section 1 with the following:

1 New Sections; Unofficial Reports of Death. Amend RSA 654 by inserting after section 37 the following new sections:

654:37-a Unofficial Reports of Death. If the supervisors of the checklist learn of the death of a voter but do not receive notice as outlined in RSA 654:37, they shall mail to the last known address of the voter a 30-day letter specifically for updating the checklist upon the death of a voter. Such letter shall include the contact information for the supervisors’ of the checklist to which a response may be sent. If there is no response within 30 days, the supervisors will remove that voter’s name from the checklist. If there is a response confirming the death within 30 days, the supervisors may remove the voter’s name upon receipt of the confirmation of death.

**HB 283**, relative to the age rabbits can be transferred. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Peter Bixby for Environment and Agriculture. This bill changes the minimum age of transfer for rabbits from four weeks to eight weeks. This is warranted because determining the sex of a four-week-old rabbit is difficult. New rabbit owners have not been able to separate the males from the females, resulting in unwanted litters of rabbits. They often end up in animal shelters which are being overwhelmed by young rabbits. The amendment fixes a typo in the bill. Vote 20-0.

**Amendment (0686h)**

Amend the bill by replacing section 1 with the following:

1 Sale of Rabbits. Amend RSA 437:15 to read as follows:

437:15 Sale or Gift. Rabbits younger than [4] 8 weeks of age shall not be sold or offered for sale; raffled; or offered or given as a prize, premium, or advertising device.

**HB 313**, establishing a study committee on the authority and duties of the board of veterinary medicine. **INEXPEDIENT TO LEGISLATE.**

Rep. Sherry Dutzy for Environment and Agriculture. Numerous individuals testified to the committee about problems with the Board of Veterinary Medicine such as conflicts of interest, lack of transparency, unresponsiveness, etc. Although the committee was concerned, it felt it was not a legislative matter and should be addressed through the Attorney General’s Office. Later it was learned that HB 2 will address this issue by moving all licensure boards under the auspices of the Office of Professional Licensure which will provide residents with another avenue of redress. Vote 20-0.

**HB 331**, relative to the duties of a veterinarian. **INEXPEDIENT TO LEGISLATE.**

Rep. Jane Beaulieu for Environment and Agriculture. This bill would allow veterinarians to make decisions regarding rabies vaccines for companion animals. According to the NH State Veterinarian, all companion animals must be vaccinated. It is a public health issue. A rabies immunization exemption may be issued where illness or a veterinary medical condition warrants. Vote 20-0.

**HB 426**, establishing a committee to study allowing town clerks to accept proof of certain exemptions from the rabies vaccine for the purpose of registering dogs. **INEXPEDIENT TO LEGISLATE.**

Rep. Megan Murray for Environment and Agriculture. This bill would have established a committee to study exemptions from rabies vaccines on the basis of titer testing. Supporters were concerned about adverse vaccine reactions. The State Veterinarian testified that current science does not support alternatives to rabies vaccines. Vote 20-0.

**HB 487-FN**, establishing a registry for the deaf, hard of hearing, and deaf/blind in the department of health and human services. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Mark Pearson for Health, Human Services and Elderly Affairs. Committee hearings, the expertise of the New Hampshire Commission on Deafness and Hearing Loss, and further investigation all indicate there is no good data as to how many deaf, hard-of-hearing, or deaf/blind persons reside in our state. This bill requires physicians and other licensed or certified health care providers who are qualified by training to make the diagnosis and who then make the diagnoses that a person is deaf, hard-of-hearing, or deaf/blind to report to all new cases of this diagnosis to the Department of Health and Human Services. This information will enable positive responses to genuine need to be made of the basis of facts, not guess work. Vote 21-0.

**Amendment (0674h)**

Amend RSA 125-Q:5, I and II as inserted by section 1 of the bill by replacing them with the following:

I. There shall be established a state registry in the department of health and human services which shall include a record of all reported cases of persons who are deaf, hard of hearing, and deaf/blind in New Hampshire

and other information relevant and appropriate to conduct thorough and complete analysis of this condition, and to facilitate planning for services to persons who are deaf, hard of hearing, or deaf/blind and their families. The department may enter into an agreement with an appropriate entity for the management of the registry; provided, that any records and data submitted to the department pursuant to this subdivision shall be the property of the department.

II. All physicians and other licensed or certified health care providers who are qualified by training to make the diagnosis and who then make the diagnosis that a person of any age is deaf, hard of hearing, or deaf/blind shall report all new cases of this diagnosis to the department in a form and manner prescribed by the commissioner. The report shall be in writing and shall include the provider submitting the report's name and address, the deaf or hard of hearing or deaf/blind person's date of birth, gender, zip code at birth residence, zip code of present residence, specific diagnosis, and other information the department deems necessary. The department shall assign a unique identification code to identify the person who is deaf, hard of hearing, or deaf/blind. The code shall not include the name or address of the person.

Amend RSA 125-Q:6, I-III as inserted by section 1 of the bill by replacing them with the following:

I. Definitions of the terms "deaf," "hard of hearing," and "deaf-blind."

II. Procedures for reporting cases of persons who are deaf, hard of hearing, or deaf/blind under RSA 125-Q:5.

III. Content of all forms required under this subdivision.

IV. Confidentiality of records and information reported pursuant to this subdivision.

**HB 631**, establishing a deaf child's bill of rights and an advisory council on the education of deaf children. **ought to pass with amendment.**

Rep. Mark Pearson for Health, Human Services and Elderly Affairs. This bill does two things. First, it underscores the deaf child's rights. While various laws about disability speak to individuals' rights in general and some speak to those of deaf persons more specifically, the listing of rights in this bill brings everything together in one place and with special reference to deaf children. Second, it authorizes an advisory council on the education of deaf children. It is because the long-existing New Hampshire Commission on Deafness and Hearing Loss is concerned with a wide range of hearing issues, that the commission believes that a separate advisory council, in regular conversation with the commission would give the education of deaf children the attention it deserves. Vote 21-0.

#### **Amendment (0638h)**

Amend RSA 186-C:31, VI(c) as inserted by section 1 of the bill by replacing it with the following:

(c) English-or other spoken language-based manual or sign systems; or

Amend the introductory paragraph of RSA 186-C:34 as inserted by section 1 of the bill by replacing it with the following:

186-C:34 Rulemaking. The department of education and the department of health and human services shall adopt rules under RSA 541-A to implement this chapter. At a minimum, such rules shall address:

**HB 502**, establishing a committee to study the will of Benjamin Thompson and whether the university of New Hampshire is in compliance therewith. **INEXPEDIENT TO LEGISLATE.**

Rep. Jason Janvrin for Judiciary. The committee heard testimony from the University of New Hampshire and others and concluded the matter is better litigated in the Probate Division of the Circuit Court than in the General Court. Vote 19-0.

**HB 527**, relative to allodial title and violations of the oath of office. **INEXPEDIENT TO LEGISLATE.**

Rep. Timothy Horrigan for Judiciary. Allodial title is a concept which does not exist under English common law or under New Hampshire common law. "Allodium" means that the landowner is the ultimate authority over a piece of land. Throughout New Hampshire's history, however, the state has always had the authority to levy property taxes and to regulate land use. Finally, the proposed procedures for punishing officials who violate allodial title rights are unconstitutional and lack due process. Vote 18-2.

**HB 566**, relative to the release of recordings from security cameras in civil proceedings. **INEXPEDIENT TO LEGISLATE.**

Rep. Charlotte DiLorenzo for Judiciary. This bill is not necessary because parties in civil actions may subpoena recordings from those in possession of the recordings. Vote 20-0.

**HB 238**, establishing a task force on applications of microgrids in electricity supply. **INEXPEDIENT TO LEGISLATE.**

Rep. Peter Somssich for Science, Technology and Energy. The committee was offered two bills addressing the issue of microgrids. In order to simplify the process, the sponsor of this bill agreed to merge the issues addressed in this bill with that of another bill, HB 183. Since the main issue addressed by this bill was to study the applications of microgrids, while HB 183 addressed the issue of obstacles that prevent microgrid use, both of these concerns are being addressed by way of an amendment to HB 183 which calls for a committee to study both the obstacles and applications related to microgrids. Vote 20-0.

**HB 577**, relative to call blocking in an automated telephone dialing system. **OUGHT TO PASS.**

Rep. Rebecca McWilliams for Science, Technology and Energy. The intention of this bill is to mandate "Truth in Caller ID" to provide accurate identification information for all incoming calls, and to clarify that misleading, inaccurate, or deceptive information regarding incoming calls is a violation of the statute. While the enforcement mechanism will likely need to come from the federal government, this bill provides direction for NH telephone providers to move forward and implement new technology to provide accurate information on incoming calls to NH phone service users. Vote 16-3.

**HB 236-FN**, relative to the penalties for passing a school bus. **INEXPEDIENT TO LEGISLATE.**

Rep. Casey Conley for Transportation. The majority believes the sponsor raises valid points with this bill. However, it closely mirrors two other bills, and the committee plans to consider amending one bill to include aspects of all three into a single bill for the House to consider. As such, this bill is no longer needed. Vote 19-0.

**HB 444**, relative to penalties for passing a school bus for the third or subsequent offense. **INEXPEDIENT TO LEGISLATE.**

Rep. Laura Telerski for Transportation. The committee heard three bills related to the penalties for passing a school bus. The majority believes this is a valid issue but will consider amending one bill to advance the issue. Therefore, this bill is no longer needed. Vote 19-0.

**HB 467-FN**, relative to posting notices at division of motor vehicle records. **INEXPEDIENT TO LEGISLATE.**

Rep. Suzanne Vail for Transportation. This bill would require the Division of Motor Vehicles (DMV) to post notices that tell people they do not have to register their automobiles. The DMV opposes this bill because posting such signs conflicts with motor vehicle registration statutes. It would cause confusion and extended wait times and cost the state and municipalities registration revenue. Vote 19-0.

**HB 595-FN**, relative to the administration of the tobacco tax. **OUGHT TO PASS.**

Rep. Richard Ames for Ways and Means. This bill recodifies but makes no substantive changes in our existing tobacco tax law. The recodification, made necessary by multiple complex amendments made to the original law over many years, will provide a clear and easily accessible tobacco tax code for use by all stakeholders. The bill was requested and developed by the Department of Revenue Administration. It was supported without opposition at public hearing and during a subcommittee review. Vote 17-0.

#### REGULAR CALENDAR

**HB 249**, permitting restaurant owners to allow dogs in restaurants. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Christopher Herbert for the Majority of Commerce and Consumer Affairs. Under current law restaurant owners may have their own companion dog in their own restaurant if a notice is posted and the dog is removed when a patron with a service animal enters the premises. This bill amends this law to permit restaurant owners to allow dogs in restaurants if a sign is posted explaining their policy. The majority recommends Inexpedient to Legislate because the proposed law does not meet the minimum standards for outlining the responsibilities of restaurant owners to secure the personal safety of their customers or the safety of the food served. Additionally, service dogs working for their owners can be disoriented by the presence of untrained dogs. The Appalachian Mountain Club system was not interested in supporting this proposal. Vote 14-6.

Rep. Mark Warden for the Minority of Commerce and Consumer Affairs. Restaurants are already heavily regulated by local and state laws. This bill would give business owners more freedom to operate their enterprises as they deem appropriate to serve their clients and the public. The bill simply allows a restaurant owner to allow dogs inside his or her place of business. Such dogs shall not be allowed in food preparation or production areas. Federal law currently mandates owners to allow service dogs in the establishment; this would allow them to permit other dogs with their owners on the premises only if the business so chooses. It is an enabling and pro-choice measure.

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

Rep. Rogers spoke against.

Rep. Williams spoke in favor and yielded to questions.

#### MOTION TO LAY ON THE TABLE

Rep. Butler moved that **HB 249**, permitting restaurant owners to allow dogs in restaurants, be laid on the table. Motion adopted.

#### REGULAR CALENDAR CONT'D

**HB 359**, relative to warning labels on prescription drugs containing opiates. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Garrett Muscatel for the Majority of Commerce and Consumer Affairs. As amended, this bill requires warning labels to be placed on bottles or containers of prescription drugs containing opioids, one sticker on the cap

identifying the drug as an opioid, and a second label detailing the risk of overdose, addiction, and death associated with opioid abuse. The committee heard that 30% of individuals using prescription opioids were not aware that they were taking opioids. This bill aims to ensure that patients are aware they are taking this powerful class of drugs. This bill is also intended to reduce the unintended use of opioids and is in response to multiple cases of accidental relapses by individuals in recovery which resulted in overdose. The original version of the bill required a red cap on the medication, but it was felt that a sticker on the cap or dispenser with the word "opioid" was adequate. Experience with similar legislation in other states has shown this legislation to have a positive impact. The majority of the committee believes that this bill will save lives. It is vital that all patients who are prescribed opioids are aware so that they can avoid accidental use and death. Vote 12-6.

Rep. John Hunt for the Minority of Commerce and Consumer Affairs. There is no guarantee that a consumer will know what a red sticker means. However, the minority is very concerned that it would make it very easy for those who do know what a red sticker means to easily identify what to steal out of a medicine cabinet. In addition, someone who sees opiates being prepared or sold at the counter, will know who is taking an opiate. Do patients really not know, or were they not told, that the prescription is an opiate?

#### **Majority Amendment (0344h)**

Amend RSA 318-B:16-a as inserted by section 1 of the bill by replacing it with the following:

318-B:16-a Controlled Drugs Containing Opiates; Warning Label Required. Any controlled drug containing opiates dispensed by a health care provider or pharmacy shall have a red sticker with the word "opioid" in easily legible font placed on the cap or dispenser and shall have a warning label disclosing that the drug is an opiate and explaining the risks of addiction and death.

#### **AMENDED ANALYSIS**

This bill requires any drug which contains an opiate dispensed by a health care provider or pharmacy to have a red sticker on the cap or dispenser and a warning label regarding the risks of the drug.

Majority committee amendment adopted.

Majority committee report adopted and ordered to third reading.

**HB 473**, allowing hobby distillation of liquors. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Constance Van Houten for the Majority of Commerce and Consumer Affairs. Current law allows for the hobby distillation and brewing of beer and wine, other than fortified wine, for personal or family use. The home distillation of spirits, however, requires a permit from the federal Alcohol and Tobacco Tax and Trade Bureau. Hobby distillation of spirits is, therefore, prohibited by federal law. Vote 12-6.

Rep. Michael Costable for the Minority of Commerce and Consumer Affairs. The minority on the committee disagrees with the Inexpedient to Legislate recommendation and believe that this bill ought to pass as written. The singular reason we heard opposition to allowing hobby distilling was that it is currently against federal regulations. The minority does not believe that is a valid enough argument for several reasons and has three major reasons for this. 1. The Legislature holds the authority and sovereign right to make or take laws in this state regardless of the federal government. 2. We currently have laws that contradict federal regulations and laws (for example: marijuana decriminalization). 3. State legislators are closer, more accountable and more responsive to the people of NH than any federal agency. Both sides of the argument acknowledge that neither the Bureau of Alcohol, Tobacco, Firearms and Explosives nor the Liquor Commission are enforcing the prohibition. We heard that as soon as the Federal government allows it, New Hampshire would too, but experience has shown that with these types of laws it is the state that must act first in order for the federal government to follow. The state should not be preventing a Granite Stater from turning a bad batch of wine (which they can legally produce now) into a good batch of brandy.

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

Rep. Boehm spoke against.

Rep. Van Houten spoke in favor.

On a division vote, with 178 members having voted in the affirmative, and 171 in the negative, the majority committee report was adopted.

**HB 604**, establishing a commission to assess benefits and costs of a "health care for all" program for New Hampshire. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Garrett Muscatel for the Majority of Commerce and Consumer Affairs. As amended, this bill establishes a commission to study the benefits and costs of a "health care for all" program for New Hampshire. The amendment specifically includes the study of the creation of a health access corporation and the creation of a single-payer compact for the New England states. The committee heard that the U.S. health care system is inefficient, fragmented, and inaccessible for a broad cross-section of our society. The commission established in this bill will study ways in which the state can make health care more affordable and accessible for the

residents of our state, study a range of programs with differing public-private relationships and assess possible savings to the state and its employers. There is a lack of information about the viability, costs, and benefits of these programs, and this commission will provide valuable information for the state to consider how to ensure accessible, affordable, and high quality health care for all Granite Staters. Vote 12-7.

Rep. Laurie Sanborn for the Minority of Commerce and Consumer Affairs. The minority strongly supports the concept of studying ways to make health care and health insurance more affordable, but is equally concerned with preserving the superior, accessible, high quality health care we have today in New Hampshire and New England. Countries with single payer government insurance have notoriously long wait times for doctors' appointments and treatments, with life threatening consequences. We do not believe a single payer, publicly (tax payer) funded system - which this bill seeks to study - will improve costs, access or quality.

#### **Majority Amendment (0643h)**

Amend RSA 126-A:78, I(5) as inserted by section 2 of the bill by replacing it with the following:

(5) Two public members who shall represent New Hampshire patients, one appointed by the speaker of the house of representatives and one appointed by the president of the senate.

Amend RSA 126-A:78, II(a)(1)-(5) as inserted by section 2 of the bill by replacing them with the following:

(1) How such a system would affect the number of citizens who are protected with insurance.

(2) The impact on the state budget of a system that funnels all health care money through a single pipeline.

(3) The amount of money which would be saved for employers and state residents by such a publicly funded system.

(4) How a publicly funded system would improve targeted health indicators for New Hampshire such as cancer deaths and drug-related deaths.

(5) The creation of a health access corporation and health access fund which would use a market oriented approach to contract with health insurers to provide needed coverage for those who lack it.

(6) The feasibility of New England states entering into a compact for a single payer health care program.

(7) Other issues that would be related to a single pipeline system.

Majority committee amendment adopted.

Majority committee report adopted and ordered to third reading.

#### **HB 455-FN, relative to the penalty for capital murder. OUGHT TO PASS.**

Rep. David Welch for Criminal Justice and Public Safety. This bill repeals our death penalty and replaces it with "life without the possibility of parole." New Hampshire is one of the safest states in our union and we have not had an execution in 80 years. With the passage of this bill there is no possibility of a fatal mistake by our judicial system. There is no proof that the death penalty serves as a deterrent. Vote 11-6.

Reps. Danielson, Wazir and Cushing spoke in favor.

Rep. Notter spoke against.

Rep. Welch spoke in favor and yielded to questions.

Rep. Wuelper spoke against and yielded to questions.

Rep. Somssich requested a roll call; sufficiently seconded.

#### **YEAS 279 - NAYS 88**

#### **YEAS - 279**

#### **BELKNAP**

Aldrich, Glen  
Huot, David  
Sylvia, Michael

Comtois, Barbara  
Lang, Timothy

Feeney, George  
Mackie, Jonathan

Howard, Raymond  
Plumer, John

#### **CARROLL**

Buco, Thomas  
Cordelli, Glenn  
Marsh, William

Burroughs, Anita  
DesMarais, Edith  
Nelson, Bill

Butler, Edward  
Kanzler, Harrison  
Ticehurst, Susan

Comeau, Ed  
Knirk, Jerry  
Woodcock, Stephen

#### **CHESHIRE**

Abbott, Michael  
Eaton, Daniel  
Ley, Douglas  
O'Day, John  
Thompson, Craig

Ames, Richard  
Faulkner, Barry  
Mann, John  
Parkhurst, Henry  
Von Plinsky, Sparky

Berch, Paul  
Fenton, Donovan  
Meader, David  
Schapiro, Joe  
Pearson, William

Bordenet, John  
Gomarlo, Jennie  
Morrill, David  
Tatro, Bruce  
Weber, Lucy

#### **COOS**

Craig, Kevin  
Merner, Troy  
Thomas, Yvonne

Fothergill, John  
Moynihan, Wayne

Hatch, William  
Noel, Henry

Laflamme, Larry  
Tucker, Edith

**GRAFTON**

Abel, Richard  
Diggs, Francesca  
French, Elaine  
Maes, Kevin  
Muscatel, Garrett  
Sykes, George

Adjutant, Joshua  
Egan, Timothy  
Gordon, Edward  
Massimilla, Linda  
Osborne, Richard  
Weston, Joyce

Almy, Susan  
Fellows, Sallie  
Hennessey, Erin  
Migliore, Vincent Paul  
Stavis, Laurel

Campion, Polly  
Ford, Susan  
Josephson, Timothy  
Mulligan, Mary Jane  
Stringham, Jerry

**HILLSBOROUGH**

Lekas, Alicia  
Backus, Robert  
Bergeron, Paul  
Bouchard, Donald  
Cleaver, Skip  
Cote, David  
Dutzy, Sherry  
Freitas, Mary  
Gunski, Michael  
Heath, Mary  
Schmidt, Janice  
Klee, Patricia  
Ober, Lynne  
Mangipudi, Latha  
Mombourquette, Donna  
Nutter-Upham, Frances  
Petrigno, Peter  
Porter, Marjorie  
Radhakrishnan, Julie  
Newman, Sue  
St. John, Michelle  
Smith, Timothy  
Vail, Suzanne  
Warden, Mark  
Woodbury, David

Bouldin, Amanda  
Balch, Chris  
Bernet, Jennifer  
Burns, Charles  
Cohen, Bruce  
Danielson, David  
Espitia, Manny  
Gould, Linda  
Hall, Brett  
Herbert, Christopher  
Jack, Martin  
Klein-Knight, Nicole  
Langley, Diane  
Martin, Joelle  
Mullen, Sue  
Nutting-Wong, Allison  
Pickering, Daniel  
Prout, Andrew  
Rice, Kimberly  
Shaw, Barbara  
Stack, Kathryn  
Telerski, Laura  
Van Houten, Constance  
Whittemore, James

Bouldin, Andrew  
Baroody, Benjamin  
Bordy, William  
Burt, John  
Connors, Erika  
Dargie, Paul  
Davis, Fred  
Greene, Bob  
Hamer, Heidi  
Hopper, Gary  
Judy, Jean  
Komi, Richard  
Leishman, Peter  
Marzullo, JP  
Murphy, Nancy  
O'Brien, Michael  
Piedra, Israel  
Query, Joshua  
Riel, Cole  
Snow, Kendall  
Stevens, Deb  
Toomey, Dan  
Vann, Ivy  
Wilhelm, Matthew

Griffin, Barbara  
Beaulieu, Jane  
Bosman, James  
Chretien, Jacqueline  
Cornell, Patricia  
Desjardin, Kathy  
Fedolli, Jim  
Griffith, Willis  
Harriott-Gathright, Linda  
Indruk, Greg  
King, Mark  
L'Heureux, Robert  
Long, Patrick  
McGhee, Kat  
Nunez, Hershel  
Pedersen, Michael  
Plett, Fred  
Newman, Ray  
Rung, Rosemarie  
Sofikitis, Catherine  
Lekas, Tony  
Ulery, Jordan  
Thomas, Wendy  
Williams, Kermit

**MERRIMACK**

Bartlett, Christy  
Fulweiler, Joyce  
Luneau, David  
Richards, Beth  
Schamberg, Thomas  
Turcotte, Alan  
Wells, Kenneth

Carson, Clyde  
Karrick, David  
MacKay, James  
Rodd, Beth  
Schultz, Kristina  
Wallner, Mary Jane  
Wolf, Dan

Ebel, Karen  
Kotowski, Frank  
McGuire, Carol  
Rogers, Katherine  
Seaworth, Brian  
Walz, Mary Beth  
Woods, Gary

Fox, Samantha  
Lane, Connie  
Moffett, Howard  
Saunderson, George  
Soucy, Timothy  
Wazir, Safiya  
Yakubovich, Michael

**ROCKINGHAM**

Abrami, Patrick  
Barnes, Arthur  
Cahill, Michael  
Cushing, Robert Renny  
Edgar, Michael  
Gilman, Julie  
Hoelzel, Kathleen  
Katsakiores, Phyllis  
Love, David  
Malloy, Dennis  
Meuse, David  
Roy, Terry  
Yokela, Josh

Abramson, Max  
Bershtein, Alan  
Cali-Pitts, Jacqueline  
Davis, Dan  
Edwards, Jess  
Grossman, Gaby  
Osborne, Jason  
Khan, Aboul  
Lovejoy, Patricia  
McBeath, Rebecca  
O'Connor, John  
Somssich, Peter

Acton, Dennis  
Bunker, Lisa  
Costable, Michael  
DiLorenzo, Charlotte  
Eisner, Mary  
Grote, Jaci  
Janvrin, Jason  
Le, Tamara  
Maggiore, Jim  
McConnell, Liz  
Owens, Becky  
Ward, Gerald

Altschiller, Debra  
Bushway, Patricia  
Coursin, David  
Doucette, Fred  
Gay, Betty  
Hobson, Deborah  
Murray, Kate  
Loughman, Tom  
Major, Norman  
McMahon, Charles  
Read, Ellen  
Welch, David

**STRAFFORD**

Bixby, Peter  
Ellis, Donna  
Gourgue, Amanda  
Keans, Sandra  
Opderbecke, Linn  
Sandler, Catt  
Vincent, Kenneth

Cannon, Gerri  
Fargo, Kristina  
Grassie, Chuck  
Kenney, Cam  
Schmidt, Peter  
Spang, Judith  
Wall, Janet

Chase, Wendy  
Fontneau, Timothy  
Harrington, Michael  
Levesque, Cassandra  
Rich, Cecilia  
Towne, Matthew

Conley, Casey  
Frost, Sherry  
Horrigan, Timothy  
Smith, Marjorie  
Salloway, Jeffrey  
Treleven, Susan

**SULLIVAN**

Cloutier, John  
Oxenham, Lee

Laware, Thomas  
Sullivan, Brian

Lucas, Gates  
Tanner, Linda

Merchant, Gary

**NAYS - 88  
BELKNAP**

Bean, Harry  
Tilton, Franklin

Fields, Dennis

Jurius, Deanna

Spanos, Peter

**CARROLL**

Avellani, Lino

Crawford, Karel

MacDonald, John

**CHESHIRE**

Hunt, John

**COOS**

Furbush, Michael

**GRAFTON**

Ladd, Rick

**HILLSBOROUGH**

Alexander, Joe  
Camarota, Linda  
Gagne, Larry  
Lascelles, Richard  
Proulx, Mark  
Trento, Michael

Barry, Richard  
DiSilvestro, Linda  
Goley, Jeffrey  
McLean, Mark  
Ober, Russell

Belanger, James  
Erf, Keith  
Graham, John  
Notter, Jeanine  
Renzullo, Andrew

Boehm, Ralph  
Flanagan, Jack  
Hinch, Richard  
Panasiti, Reed  
Somero, Paul

**MERRIMACK**

Allard, James  
Pearl, Howard

Hill, Gregory  
Schuett, Dianne

Horn, Werner  
Testerman, Dave

Marple, Richard  
Walsh, Thomas

**ROCKINGHAM**

Abbas, Daryl  
Desilets, Joel  
Green, Dennis  
Kolodziej, Walter  
McKinney, Betsy  
Packard, Sherman  
Prudhomme-O'Brien, Katherine  
Torosian, Peter  
Weyler, Kenneth

Baldasaro, Al  
DeSimone, Debra  
Guthrie, Joseph  
Lundgren, David  
Melvin, Charles  
Piemonte, Tony  
Pearson, Stephen  
True, Chris

Chirichiello, Brian  
Dolan, Tom  
Harb, Robert  
Griffin, Mary  
Milz, David  
Potucek, John  
Spillane, James  
Vallone, Mark

Thomas, Douglas  
Elliott, Robert  
Janigian, John  
Pearson, Mark  
Morrison, Sean  
Pratt, Kevin  
Sytek, John  
Wallace, Scott

**STRAFFORD**

Hayward, Peter  
Perreault, Mona  
Wuelper, Kurt

Horgan, James  
Pitre, Joseph

Kittredge, Mac  
Rooney, Abigail

McNally, Jody  
Beaudoin, Steven

**SULLIVAN**

Aron, Judy  
Stapleton, Walter

Callum, John  
Smith, Steven

O'Hearne, Andrew

Rollins, Skip

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

**MOTION TO PRINT DEBATE**

Rep. Baldasaro moved that the debate on **HB 455-FN**, relative to the penalty for capital murder, be printed in the Permanent Journal.

Motion adopted.

**DEBATE ON HB 455-FN**

**Rep. Danielson:** Thank you, Mister Speaker and good morning. My purpose this morning is to ask you to vote green on HB 455 or to repeal the death penalty. Many of us when we have children come in here to visit, when they come in, many of them ask the question, what's the most difficult thing you have to do? I'm not sure how you answer, but my response usually is the head and heart bill. The bill that comes in with your heart and you know whether it's right or wrong, you know it, but on the other hand, can you afford it? You go through that and I try to explain it's like an allowance. I hope I get close, but that is one of those decisions. So today when I go through my explanation, I realize that many of you are going through that right now. How should I decide on this bill? Should I vote to repeal or not? And, it's a gut decision and I realize that. So, I'm not going to fault anyone if you make the decision that is not in support of mine. However, when I was elected 8 years ago, I was an ardent supporter of the death penalty until a very well-known conservative Republican, who you would recognize immediately asked me where I stood on the death penalty. I answered

I support it. He then asked if I was pro-life and I was surprise that he asked because he knows me, and he knows my family and he knows that we would have multiple reasons to say yes, so I answered yes. His next question was the one that got me. How do you reconcile those two positions? That's what I meant earlier. It was a gut decision and quite frankly it took me aback. It took me over two weeks for me to think about it, pray about it, ask questions about it and I came to the conclusion that I could not reconcile those two positions. I could not say I was pro-life on one hand and not on another and so that's way today I am saying I would like us to repeal the death penalty. When I was appointed to the Finance Committee and I know there are arguments here and that's okay, but when I was appointed to the Finance Committee, I learned that we spend approximately, have spent \$5.5 million in defense of our position with the inmate that we now have over in the state prison, who is awaiting the death penalty. I also learned that it cost about \$42-\$43,000 per year to pay for an incarcerated inmate. You can do the math. If we continue to do this at \$5.5 million after ten years, it's going to be a long time before we reach the payoff, if you will. So, again, it just doesn't make sense from a finance, from my perspective. It does not make sense from a financial perspective. So, on one hand we have the gut decision that we have to make. On the other hand, I would suggest to you that if you think of the financial side, you would consider that as well, but ultimately what I would ask you to do is please vote to repeal the death penalty this morning and I thank you very much for your attention. Mister Speaker, I will not take any questions.

**Speaker Shurtleff:** Thank you. The Chair recognizes the member from Concord, Rep. Wazir to speak for the recommendation.

**Rep. Wazir:** Thank you, Mister Speaker. I'm speaking in favor of HB 455 that will repeal the death penalty in New Hampshire. I would like to speak to you in opposition to this type of state sponsored violence. As many of you know, I grew up in a part of the world in which there is much violence by countries against their own people. Anyone who watches the news hears about the type of violence that occurs. My family fled violence from Afghanistan. The top four countries where death penalty execution occurs, often by hanging and firing squads, are Iran, Saudi Arabia, Iraq and Pakistan. They accounted for 84% of the confirmed state execution in 2016 and 2017. The United States dropped to the eighth place on this terrible list of 2017 just below Somalia. The United States has absolutely no need for a capital punishment and New Hampshire should remove itself from a terrible list of states that use the death penalty. We have such an amazing state motto, Live Free or Die. Let's put the emphasis on living. Now is the time to end this terrible punishment in favor of life without parole. I count myself as a truly blessed person. I live in an amazing country founded on ideas of equal treatment under the law, however, national studies show that death penalty is often used against the poor and people of color. I'm greatly impressed with the words of attorney Brian Stevenson, Director of the Equal Justice Initiative. Brian Stevenson has said this, "When you have a system so compromised by error and so weighted against the poor and people of color, I don't think you deserve to kill people." Taking someone's life requires a kind of perfect judgement. If you take someone's life you don't have the ability to recover from that. Stevenson calls for human dignity. I agree that dignity is essential, and we must stop the death penalty and to take back that dignity. New Hampshire is better than this. The fact that no one has been executed in 80 years says that. New Hampshire can live without the death penalty and I urge you, my colleagues, to vote on this HB 455. Thank you and I will not take any questions.

**Speaker Shurtleff:** The Chair recognizes the member from Merrimack, Rep. Notter.

**Rep. Notter:** Thank you, Mister Speaker. I rise in opposition to the committee report of Ought to Pass on HB 455. This does not mean that I think every killer should get the death penalty, only the worst of the worst. Since the year 1734, 24 people have been executed in New Hampshire and the last one was in 1939. This goes to show that the current law, which covers limited situations of murder is working. So, why change it? In 2011 I co-sponsored the Kim Cates Bill that made a slight expansion to the state's death penalty law to include home invasion murders. Every time we debate the death penalty I feel compelled to remind the House what happened to Kim Cates and I will also remind you of Officer Briggs. My husband works with Dave Cates whose wife Kim was brutally murdered in the wee hours of the morning, October 4, 2009. Their daughter Jaimie was 11 years old at the time and she was also attacked and left for dead. That she survived is nothing short of a miracle. Dave was away on travel the week of the murder. The thugs that broke into the home went into the basement, cut the power and made their way down the hall by the light of a cellphone. The master bedroom was at the far end of the house. Kim was about my height, but she weighed 30 pounds less than I do right now and I'm not a very big person. She pleaded with the killers saying, "You don't have to do this," but they hacked away, and she kicked and held up her arms in a defensive manner, fighting against the inevitable. The autopsy showed that she was alive for most of the attack, feeling every slash and blow. After reading the transcripts and following the trials, I believe that life in prison is not justice for a heinous crime such as this. Jaimie was sleeping in her mom's room that night and awoke to the horrific sounds of the attack. She jumped off the bed but was caught by one of the killers who stabbed her, slashed her face and cut off part of her foot. She was thrown across the room where she lay still and pretended to be dead. The air coming out through the opening of Kim's chest made an eerie sound. One of the killers finished her off

while the other walked over to where Jaimie lay crumpled on the floor. This brave 11-year-old child didn't make a sound as she was kicked and stabbed one more time. The lights were turned back on and the friends laughed at the sight of Kim's eye hanging from the socket and at her exposed private parts. To get to the phone which was in the kitchen, Jaimie grievously wounded, had a long way to crawl through the master bedroom, past her mother drenched in blood and gore, past the den, the bathroom, her room and then the living room. Somehow, she made it and called 911. She barely got the words out, "They killed my mommy" before she passed out. A heroic police officer injured his shoulder breaking down the door to get to Jaimie and he saved her life. Five months after the incident, which Dave began calling it, we were invited over to remember Kim. I remember hearing Jaimie say in her young voice, "Today is mommy's birthday" and that was nine years ago today, March 7, 2010. People all over the country were shocked by the murder. Nancy Grace was just one of the TV hosts that followed this story on her show. Even today college students read about it in case study, including my daughter-in-law on the West Coast. The shock affected people who were not even related to the case. I remember standing with Kim and my friend Nancy Morin at Canobie Lake Park while our kids squirted water at every one who crossed their path. Now, Nancy's daughter Elizabeth is the same age as Jaimie and Elizabeth was vicariously traumatized by the incident and slept in her parents' room for a whole year until the doctor prescribed her medication. Nancy Morin who is also my constituent came to the New Hampshire State House to testify for the first time in her life in 2011 to help pass the Kim Cates law. Dave himself came up here to testify. He sat right there in section three and did his best to avoid media attention. He testified so no other family would have to suffer injustice like his family. We should not rip this law from the books. Before I close I want to point out that some of our colleagues wear a round pin with the number 83 in the center. Manchester Officer Michael Briggs' badge number was 83. He was shot to death in the line of duty in 2006 leaving his wife a widow and his two young children fatherless. His family has been in the gallery watching the proceedings when a repeal of the death penalty has been debated in previous terms. I haven't forgotten Officer Briggs and I hope you won't either. Today I learned that he was a marine. When a criminal is serving a lifetime in prison, if they kill somebody in jail, there is nothing they can add to the sentence. It's like giving them a license to kill. When a murderer is in prison for killing a cop, they're considered a jailhouse hero. I advocate for innocent lives, but if you believe in justice for victims of heinous crimes, please vote no on HB 455. Thank you.

**Speaker Shurtleff:** Will the member yield to a question? The member does not yield. The Chair recognizes the member from Kingston, Rep. Welch.

**Rep. Welch:** Thank you, Mister Speaker. Mister Speaker, over the past 16 terms I have supported the death penalty and I supported it for the reasons you just heard. All that time I was up here I was voting pro-life and pro-death. I've changed my position and I want to explain why. Two years, two months and seven days ago, excuse me, I lost my wife and the grief of the experience since then has been horrible and it has not diminished. In June of last year, I got baptized and then I co-sponsored this bill to repeal the death penalty. I don't expect to change anybody's mind today, but I felt as if I owed an explanation as to why I have changed. An inmate on death row has loved ones that care for him in spite of what he has done. The victims' family goes through grief similar to what I went through. When that inmate is put to death, there is another family going through the grief and they are innocent. Both families are innocent, and they are both going through the same thing. I just don't think it's a good policy for our government to execute people. A much worse penalty is living there the rest of their lives. Thank you.

**Speaker Shurtleff:** Will my friend from Kingston yield to a question? Rep. Horn you may inquire.

**Rep. Horn:** Thank you, Mister Speaker. Thank you to the Representative for taking my question. You always have my prayers as you continue to cope. My question is about coping. When somebody has had a family member murdered, and they are in jail, the parole process requires notification to the victim's families that a parole hearing is coming up. Are you aware of the affect and what is the effect on a family that has to see that notification over and over again?

**Rep. Welch:** Obviously I can't know the answer, but my suspicion is that family starts the grief process all over again and it's hard for the victims to face that.

**Speaker Shurtleff:** Will the member yield to another question? The member may inquire.

**Rep. Kotowski:** Thank you, Mister Speaker. Thank you, my friend, from Kingston. I have a question that is difficult for even me to answer because I went through the same thing that you did recently. You mentioned that you had been baptized not too long ago and I recall my faith and what I was taught over time. You believe that the commandment that says, "Thou shalt not kill" is appropriate for this legislature to override?

**Rep. Welch:** Obviously I do believe in the ten commandments, all of them, and I hope to live up to them, so I agree with you.

**Speaker Shurtleff:** The Chair recognizes the member from Stratford, Rep. Wuelper to speak against the recommendation.

**Rep. Wuelper:** Thank you, Mister Speaker. Mister Speaker I rise in support in opposition to the committee report and in support of the death penalty. I do that on the reasons that have been enunciated before. Two reasons, one is justice. Justice. I don't believe you can have justice. You can have equal treatment under the

law. Unless we are willing to stand and say there are some crimes so heinous that they deserve the maximum punishment. I believe that the actions of those criminals who are offered the alternative between the death penalty and life in prison speak eloquently to the fact that the death penalty is in fact the maximum punishment and therefore we are almost required to have it in order to have a punishment that fits certain crimes. One of which you heard about this morning. So, I support the death penalty on the basis of justice. I serve the same God you heard referenced here just a moment ago. I believe in the same commandment. I believe that our God has been explicit in how we should proceed in this case. I believe that is an old testament commandment and it's a new testament commandment as well. I can quote you chapter and verse, oh maybe I will. So, in the ten commandments where it says, "Thou shalt not kill," he is talking to individuals he is not talking to society. In the new testament, he says, "The state does not bear his sword in vain but to be an avenger for the Lord and to do justice," and if one should do good, one should not fear such things, but if one does evil that's why this government bears the sword. I urge you to vote in support of the death penalty.

**Speaker Shurtleff:** Will the member yield to a question? Rep. Gagne, you are recognized.

**Rep. Gagne:** Thank you, Mister Speaker. Thank you for taking my question. If this bill were to pass to repeal the death penalty, would it also repeal the death penalty on the unborn child?

**Rep. Wuelper:** No, unfortunately the unborn child is not protected by law the way the rest of our human race is, and it should be, but it's not.

**Speaker Shurtleff:** The Chair recognizes the last speaker, Rep. Cushing, the member from Hampton to speak for the recommendation.

**Rep. Cushing:** Thank you, Mister Speaker and members of the House. It's been 185 years since Governor William Badger first asked the legislature to abolish the death penalty in the State of New Hampshire and I know that for many of us over the past few decades, every biennium, this topic comes up. I am also aware of the fact that a third of the people sitting in this chamber, it's the first time that they will vote on capital punishment. I want to echo the statements of previous speakers in recognizes how enormously complicated this simple bill is and acknowledge that there are people who come to their position on this particular bill after some deep soul searching. At the end of the day I respect everyone for their position on this and I also know that the reason we are having a discussion about the death penalty in New Hampshire in 2019 is because people are murdered. Unlike the member from Concord who grew up under the rule of the Taliban where people were put to death for apostasy and other rules, we only put people to death, we only have the death penalty because people are murdered. I want to speak about that. There are a lot of reasons why I think the death penalty is wrong. I know my friends who are strong libertarians don't trust the government to collect taxes or plow snow and they certainly don't want to give the government the power to kill an incapacitated prisoner. I feel in my heart those who embrace consistent life ethic, a seamless garment ethic. I know people who, having listened to the testimony of survivors of death row who came to this chamber and talked about what happened to them, realize that this is a system that is operated by flawed human beings that requires perfection. We don't have that to do. I've listened to the discussions of members of law enforcement who tell us that it really doesn't work for law enforcement. At the end of the day I take the position in opposition because I don't think that the death penalty works for victims of crimes, for survivors of victims of crime. I am one of a number of people in this chamber who know what it is like to have a loved one taken by homicide. A few decades ago, my parents planted a garden in the backyard of their family home. The same thing they had done for 35 seasons before and that evening when the Boston Celtics game was on there was a knock at the door and my dad answered it and he was greeted by two shotgun blasts that turned his chest into hamburger and killed him in front of my mother's eyes. Eight years ago, in a hauntingly similar crime my brother-in-law was murdered by seven shots fired from a FN-Five Seven military assault pistol. So, when I think about what you do in the aftermath of murder, it's not an intellectual exercise, it's part of who I am. Nothing prepares you to have a family member murdered and quite frankly, the first thing you don't think about is what to do with the killer. You try to figure out what to do with the empty chair at the kitchen table. What to do with the emptiness in your heart and you go through a whole process that lasts forever of trying to regain control over your life. I had something happen to me a few days after my father's killers were arrested. It was a long period of time before my father's killers were identified and apprehended and that was part of the dead zone and my heart always goes out to those families of unsolved homicides. In My case, my family's case, we were fortunate to find out who the killers were. After they were arrested, an old family friend of mine came up to me in the corner grocery store and said, "Hey Renny, I really hope that they fry the person so that you and your family can get some peace." I didn't know how to respond at the time because this is a guy who knew me his, my whole life and I knew he was trying to give me some comfort for this saying there should be an execution, but I couldn't respond because my whole life I had opposed the death penalty and he knew it. I had to think about that and I realized that I live in a society where there is this wildly held belief that all family members of murder victims want the death penalty, that they need it in order to find closure or some kind of healing. He was assuming that because my dad had been murdered that I had changed my position on the death penalty. I thought about that and I realized that if what he expected became true, if I changed

my position on the death penalty because my father was murdered, that would only give more power to the killers because not only would my father be taken from me, but so too would the values that he gave me. I think it's that way for society as it is for individuals. If we let those who kill turn us into killers, then evil triumphs and we all lose. I know sometimes that when I speak in opposition to the death penalty people think that I must be some kind of psycho or some kind of saint. That happens oftentimes when people will say that I didn't really love your father or your brother. People say that you didn't love your loved one otherwise you would want the person put to death, but I don't do that. The notion that what I should want and what all murder victim's families told that what they should want in order to be good victims, is to have the killer of their loved one taken from a jail cell, strapped onto a gurney, have a needle put in their arm and pumped full of poison until the killer dies, until you fill another empty coffin. That does nothing to bring back our loved one. All it does is it widens the circle of violence. I know that for many people the most, I do know one thing about murder victim's family members. When you talk about the heinous murders, you talk about the worse murders. Well, the worst murder is the murder of your own loved one and that's true. What I don't like about the death penalty is that it ends up creating a hierarchy of victims, you know, like some victims are maybe worth more so you want to put the person to death. How that translates is we live in a state where there are, we spend \$5 million on one homicide case and at the same time there are 128 unsolved murders in the State of New Hampshire and later this year we are going to take up legislation that hopefully will fund the cold case homicide unit. Because if you are one of the 128 family members whose murder has not been solved and you see the state spending a lot of resources on one particular case and nothing on yours, you have to ask why. The reason is that we make values in judgement. I know that this is a very difficult vote and I just simply would say that New Hampshire can live without the death penalty. You can be both pro-victim and anti-death penalty at the same time and I would urge you to support passage of HB 455. Thank you.

**Speaker Shurtleff:** The question before the House is the recommendation of Ought to Pass on HB 455. This will be a division vote. Members will kindly take their seats. A roll call has been requested. Is that sufficiently seconded? It is sufficiently seconded. This will be a roll call vote. The question before the House is the recommendation of Ought to Pass on HB 455. The Chair recognizes Rep. Baldasaro for a parliamentary inquiry.

**Rep. Baldasaro:** Thank you, Mister Speaker. I don't know if you noticed, I wore my marine tie for Officer Briggs today.

**Speaker Shurtleff:** Semper Fi Marine.

**Rep. Baldasaro:** Oorah. Thank you, Mister Speaker. Mister Speaker, if I know that there is a lot of emotions in this bill and that we as legislators have to keep our emotions outside the door and do what is right for the State of New Hampshire. And, Mister Speaker, if I believe that Officer Briggs and home invasions killers should be put to death and they deserve everything that did to the family or that officer. And, Mister Speaker if I know that every officer that goes to work during the day deserves to go home at night and that by having the death penalty on the books, has been a deterrent in my opinion throughout the years to ensure that there would not be any attack here in New Hampshire like many other states on our police, would I then push the red button so another motion can be made? Thank you.

**Speaker Shurtleff:** The question before the House the recommendation that the bill Ought to Pass. The Chair recognizes Rep. Rodd for a parliamentary inquiry.

**Rep. Rodd:** Thank you, Mister Speaker and colleagues. If I know that in the past fifty years, one out of ten people have been exonerated because of poor representation, false science and prosecutorial misuse. And, if I know that 40 years of studies on the death penalty shows that it has no deterrent effect on future murders. And, if I know that the death penalty appeals process causes years of additional harm to the families of murder victims while executions fail to offer healing or closure and that the death penalty precludes the possibility of rehabilitation and redemption and that life in prison without parole is a harsh and just sentence and it safeguards society against people who are harmful, would I now then fight against vengeance because vengeance begets vengeance and push the green button to repeal the death penalty in New Hampshire? Thank you.

**Speaker Shurtleff:** This is a roll call vote. The question before the House is the recommendation that the bill Ought to Pass. If you are in favor, you'll press the green button. If you are opposed, you'll press the red button. Voting stations will be open for 30 seconds. Have all members present had an opportunity to vote? The House will be attentive to the state of the vote. With 279 members voting Yea and 88 voting Nay, the recommendation is adopted.

## REGULAR CALENDAR CONT'D

**HB 486**, relative to department of corrections procedures concerning the requirement for restoration of the voting rights of felons. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Beth Rodd for Criminal Justice and Public Safety. This bill clarifies the voting rights of felons who are on parole or probation and defines their status as "final discharge." Felons on probation or parole have the right to vote and this bill clarifies that as well as the training needs of parole and probation officers who will be required to educate persons under their supervision of their rights and responsibilities. The Department of Corrections supports this bill. Vote 18-2.

**Amendment (0361h)**

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

1 Probationers and Parolees; Qualification and Certification of Probation-Parole Officers. Amend RSA 504-A:12-a to read as follows:

504-A:12-a Qualification and Certification of Probation-Parole Officers. Every probation-parole officer shall meet the educational and training standards for employment as a probation-parole officer as established by the police standards and training council under RSA 106-L:6, and shall be certified by the council as being qualified to be a probation-parole officer. ***The educational standards for training as a probation-parole officer shall include instruction concerning the rights lost and rights retained pursuant to RSA 607-A by an individual convicted of a felony.***

2 Uniform Act on Status of Convicted Persons; Rights Lost. Amend RSA 607-A:2, I to read as follows:

I. **(a)** A person sentenced for a felony, from the time of his or her sentence until his or her final discharge, may not:

~~[(a)]~~ **(1)** Vote in an election, but if execution of sentence is suspended with or without the defendant being placed on probation or he or she is paroled after commitment to imprisonment, ***the correctional facility shall provide the offender written notice that*** he or she may vote during the period of the suspension or parole; or

~~[(b)]~~ **(2)** Seek the nomination of a political party or become a candidate for or hold public office.

**(b) In this paragraph, “final discharge” means the release of a prisoner from incarceration. A person who is on probation or parole shall be considered to be finally discharged for the purpose of this section.**

**AMENDED ANALYSIS**

This bill requires the commissioner of the department of corrections to ensure that probation-parole officers receive instruction on the current state of the law regarding the rights of individuals who have attained final discharge of their sentence, defines “final discharge” for the purpose of restoration of voting rights, and authorizes the commissioner of the department of corrections to conduct an inquiry into the information disseminated by probation-parole officers to individuals who have attained final discharge of their sentence relating to rights retained and rights lost.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

**HB 275, relative to school nurse certification. WITHOUT RECOMMENDATION**

**Statement in support of Ought to Pass:** This bill simply reverts the requirements for school nurses back to the standards that were required prior to the passing of the more current restrictive requirements. This bill would require school nurses to be registered and licensed in the State of New Hampshire. Currently, statute requires nurses to be certified by the Department and to either have the four-year degree with three years of pediatric experience or like experience or to be working toward a four-year degree. These job requirements result in unforeseen financial and other burdens on school districts. Registered nurses currently working in schools are familiar with unique health issues among their students and they are caring professionals working collaboratively and effectively with parents, community clinics, and doctors. Requiring nurses to have a four-year degree is costly; and without any state funding, this is an unfunded, costly mandate.

Rep. Rick Ladd

**Statement in support of Inexpedient to Legislate:** School Nurses represent an extremely important population in our schools. Requiring certification through the Department of Education (DOE) assures that highly qualified nurses with continuing education requirements are in a position to support our most medically fragile students and approach life altering or life-threatening situations with confidence and skill. This bill was overwhelmingly supported by the NH School Nurses Association.

Rep. Sue Mullen

Rep. Ladd moved Ought to Pass.

**MOTION TO LAY ON THE TABLE**

Rep. Luneau moved that **HB 275**, relative to school nurse certification, be laid on the table.

On a division vote, with 212 members having voted in the affirmative, and 144 in the negative, the motion was adopted.

**REGULAR CALENDAR CONT'D****HB 383, relative to nondiscrimination in public and nonpublic schools. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Linda Tanner for the Majority of Education. As amended, this bill offers non-discrimination protections as defined in New Hampshire statutes for any person in approved school tuition programs, public, or non-public schools that receives public funds. Our public schools accept every student without discrimination. This extends that protection to those schools accepting public funds. Vote 12-7.

Rep. Glenn Cordelli for the Minority of Education. This bill is well intentioned but raises potential problems with no answers. It expands protections against “unlawful” discrimination including gender identity and disabilities to any non-public school, or schools that accept students via tuition agreements. What are the implications for religious private schools? What are the implications for private schools that possibly do not have the facilities to accommodate some children with certain disabilities? The bill also places the responsibility to ensure there is not discrimination on our state Board of Education. How are they going to perform this responsibility? How are they going to ensure no discrimination if a school in Vermont or Maine that has a tuition agreement with a New Hampshire district? Again, well intentioned, but the bill raises questions, but provides no answers.

#### Majority Amendment (0285h)

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

AN ACT relative to the prohibition on unlawful discrimination in public and nonpublic schools.

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

1 New Subparagraph; Pupils; Change of School or Assignment; School Tuition Programs; Unlawful Discrimination Prohibited. Amend RSA 193:3, VII by inserting after subparagraph (d) the following new subparagraph:

(e) Ensure that there shall be no unlawful discrimination in any approved school tuition program, public school, or nonpublic school, that receives public funds, against any person on the basis of sex, gender identity, race, color, marital status, physical or mental disability, religious creed, or national origin or denial of the benefits in educational programs, activities, and employment practices.

2 Duties of the State Board of Education. Amend RSA 21-N:11, XXXIII to read as follows:

XXXIII. Discrimination. Ensure that there shall be no unlawful discrimination in any public school, ***private school, or approved school tuition program, that receives public funds***, against any person on the basis of sex, ***gender identity***, race, ***religious*** creed, color, marital status, ***physical or mental disability***, or national origin in educational programs, and that there shall be no denial to any person on the basis of sex, ***gender identity***, race, ***religious*** creed, color, marital status, ***mental or physical disability***, national origin, or economic status of the benefits of educational programs or activities.

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

#### AMENDED ANALYSIS

This bill prohibits discrimination on the basis of sex, gender identity, race color, marital status, physical or mental disability, religious creed, or national origin in any public school, nonpublic school, or approved school tuition program.

Majority committee amendment adopted.

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

Rep. Cordelli spoke against and yielded to questions.

Rep. Tanner spoke in favor.

On a division vote, with 203 members having voted in the affirmative, and 161 in the negative, the majority committee report was adopted and ordered to third reading.

**HB 545**, prohibiting law enforcement officers from questioning a minor at school without a parent or guardian present. **INEXPEDIENT TO LEGISLATE.**

Rep. Sue Mullen for Education. This bill would prevent law enforcement officers from questioning a minor at school without a parent or guardian present. The committee recognizes the importance of school administration in conjunction with local school resource officers having the freedom to conduct an investigation in a timely manner. Requiring parents or guardians to be in attendance would hamper a school's ability to gather information. Vote 17-2.

Rep. Barbara Griffin spoke against and yielded to questions.

Rep. Mullen spoke in favor.

Rep. Horn requested a roll call; sufficiently seconded.

#### YEAS 207 - NAYS 162

#### YEAS - 207

#### BELKNAP

Fields, Dennis  
Tilton, Franklin

Huot, David

Lang, Timothy

Spanos, Peter

#### CARROLL

Buco, Thomas  
DesMarais, Edith  
Woodcock, Stephen

Burroughs, Anita  
Kanzler, Harrison

Butler, Edward  
Knirk, Jerry

Crawford, Karel  
Ticehurst, Susan

**CHESHIRE**

Abbott, Michael  
Eaton, Daniel  
Ley, Douglas  
Schapiro, Joe  
Pearson, William

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

Berch, Paul  
Fenton, Donovan  
Meader, David  
Thompson, Craig

Bordenet, John  
Gomarlo, Jennie  
Morrill, David  
Von Plinsky, Sparky

**COOS**

Hatch, William  
Thomas, Yvonne

Laflamme, Larry

Moynihan, Wayne

Noel, Henry

**GRAFTON**

Abel, Richard  
Fellows, Sallie  
Ladd, Rick  
Muscatel, Garrett  
Sykes, George

Almy, Susan  
Ford, Susan  
Maes, Kevin  
Osborne, Richard  
Weston, Joyce

Campion, Polly  
Hennessey, Erin  
Massimilla, Linda  
Stavis, Laurel

Egan, Timothy  
Josephson, Timothy  
Mulligan, Mary Jane  
Stringham, Jerry

**HILLSBOROUGH**

Bouldin, Amanda  
Baroody, Benjamin  
Bernet, Jennifer  
Chretien, Jacqueline  
Cornell, Patricia  
DiSilvestro, Linda  
Goley, Jeffrey  
Herbert, Christopher  
Jeudy, Jean  
Komi, Richard  
Martin, Joelle  
Murphy, Nancy  
Pedersen, Michael  
Porter, Marjorie  
Rung, Rosemarie  
Somero, Paul  
Vail, Suzanne  
Wilhelm, Matthew

Bouldin, Andrew  
Barry, Richard  
Bordy, William  
Cleaver, Skip  
Cote, David  
Dutzy, Sherry  
Griffith, Willis  
Indruk, Greg  
King, Mark  
Leishman, Peter  
McGhee, Kat  
Nutter-Upham, Frances  
Petrigno, Peter  
Query, Joshua  
Newman, Sue  
St. John, Michelle  
Van Houten, Constance  
Williams, Kermit

Backus, Robert  
Beaulieu, Jane  
Bosman, James  
Cohen, Bruce  
Dargie, Paul  
Espitia, Manny  
Hamer, Heidi  
Schmidt, Janice  
Klee, Patricia  
Long, Patrick  
Mombourquette, Donna  
Nutting-Wong, Allison  
Pickering, Daniel  
Newman, Ray  
Shaw, Barbara  
Stack, Kathryn  
Vann, Ivy  
Woodbury, David

Balch, Chris  
Bergeron, Paul  
Bouchard, Donald  
Connors, Erika  
Desjardin, Kathy  
Freitas, Mary  
Heath, Mary  
Jack, Martin  
Klein-Knight, Nicole  
Mangipudi, Latha  
Mullen, Sue  
O'Brien, Michael  
Piedra, Israel  
Riel, Cole  
Snow, Kendall  
Telerski, Laura  
Thomas, Wendy

**MERRIMACK**

Bartlett, Christy  
Fulweiler, Joyce  
MacKay, James  
Schamberg, Thomas  
Wallner, Mary Jane  
Wolf, Dan

Carson, Clyde  
Karrick, David  
Richards, Beth  
Schuett, Dianne  
Walz, Mary Beth  
Woods, Gary

Ebel, Karen  
Lane, Connie  
Rogers, Katherine  
Schultz, Kristina  
Wazir, Safiya

Fox, Samantha  
Luneau, David  
Saunderson, George  
Soucy, Timothy  
Wells, Kenneth

**ROCKINGHAM**

Abbas, Daryl  
Cahill, Michael  
Gilman, Julie  
Janigian, John  
Lovejoy, Patricia  
Malloy, Dennis  
Meuse, David  
Ward, Gerald

Altschiller, Debra  
Coursin, David  
Grossman, Gaby  
Murray, Kate  
Lundgren, David  
McBeath, Rebecca  
Read, Ellen

Bunker, Lisa  
Edgar, Michael  
Grote, Jaci  
Le, Tamara  
Maggiore, Jim  
McConnell, Liz  
Somssich, Peter

Bushway, Patricia  
Eisner, Mary  
Harb, Robert  
Loughman, Tom  
Major, Norman  
McKinney, Betsy  
Vallone, Mark

**STRAFFORD**

Bixby, Peter  
Ellis, Donna  
Grassie, Chuck  
Kittredge, Mac  
Rich, Cecilia  
Treleven, Susan

Cannon, Gerri  
Fargo, Kristina  
Horgan, James  
Levesque, Cassandra  
Salloway, Jeffrey  
Vincent, Kenneth

Chase, Wendy  
Fontneau, Timothy  
Horrigan, Timothy  
Opderbecke, Linn  
Sandler, Catt  
Wall, Janet

Conley, Casey  
Gourgue, Amanda  
Kenney, Cam  
Schmidt, Peter  
Towne, Matthew

**SULLIVAN**

Cloutier, John  
Stapleton, Walter

Merchant, Gary  
Sullivan Brian

O'Hearne, Andrew  
Tanner, Linda

Oxenham, Lee

**NAYS - 162****BELKNAP**

Aldrich, Glen  
Howard, Raymond  
Sylvia, Michael

Bean, Harry  
Jurius, Deanna

Comtois, Barbara  
Mackie, Jonathan

Feeney, George  
Plumer, John

**CARROLL**

Avellani, Lino  
Marsh, William

Comeau, Ed  
Nelson, Bill

Cordelli, Glenn

MacDonald, John

**CHESHIRE**

Hunt, John

O'Day, John

Parkhurst, Henry

**COOS**

Craig, Kevin  
Tucker, Edith

Fothergill, John

Furbush, Michael

Merner, Troy

**GRAFTON**

Adjutant, Joshua  
Migliore, Vincent Paul

Diggs, Francesca

French, Elaine

Gordon, Edward

**HILLSBOROUGH**

Lekas, Alicia  
Boehm, Ralph  
Danielson, David  
Flanagan, Jack  
Greene, Bob  
Hinch, Richard  
Langley, Diane  
Notter, Jeanine  
Proulx, Mark  
Renzullo, Andrew  
Lekas, Tony  
Ulery, Jordan

Alexander, Joe  
Burns, Charles  
Erf, Keith  
Gagne, Larry  
Gunski, Michael  
Hopper, Gary  
Lascelles, Richard  
Nunez, Hershel  
Prout, Andrew  
Rice, Kimberly  
Smith, Timothy  
Warden, Mark

Griffin, Barbara  
Burt, John  
Davis, Fred  
Gould, Linda  
Hall, Brett  
L'Heureux, Robert  
Marzullo, JP  
Panasiti, Reed  
Ober, Russell  
Sofikitis, Catherine  
Toomey, Dan  
Whittemore, James

Belanger, James  
Camarota, Linda  
Fedolfi, Jim  
Graham, John  
Harriott-Gathright, Linda  
Ober, Lynne  
McLean, Mark  
Plett, Fred  
Radhakrishnan, Julie  
Stevens, Deb  
Trento, Michael

**MERRIMACK**

Allard, James  
Kotowski, Frank  
Pearl, Howard  
Turcotte, Alan

Buchanan, Ryan  
Marple, Richard  
Rodd, Beth  
Walsh, Thomas

Hill, Gregory  
McGuire, Carol  
Seaworth, Brian  
Yakubovich, Michael

Horn, Werner  
Moffett, Howard  
Testerman, Dave

**ROCKINGHAM**

Abrami, Patrick  
Barnes, Arthur  
Costable, Michael  
Desilets, Joel  
Doucette, Fred  
Green, Dennis  
Osborne, Jason  
Kolodziej, Walter  
McMahon, Charles  
O'Connor, John  
Potucek, John  
Pearson, Stephen  
True, Chris  
Weyler, Kenneth

Abramson, Max  
Bershtein, Alan  
Cushing, Robert Renny  
DeSimone, Debra  
Edwards, Jess  
Guthrie, Joseph  
Janvrin, Jason  
Love, David  
Melvin, Charles  
Owens, Becky  
Pratt, Kevin  
Spillane, James  
Verville, Kevin  
Yokela, Josh

Acton, Dennis  
Cali-Pitts, Jacqueline  
Davis, Dan  
DiLorenzo, Charlotte  
Elliott, Robert  
Hobson, Deborah  
Katsakiores, Phyllis  
Griffin, Mary  
Milz, David  
Packard, Sherman  
Prudhomme-O'Brien, Katherine  
Sytek, John  
Wallace, Scott

Baldasaro, Al  
Chirichiello, Brian  
Thomas, Douglas  
Dolan, Tom  
Gay, Betty  
Hoelzel, Kathleen  
Khan, Aboul  
Pearson, Mark  
Morrison, Sean  
Piemonte, Tony  
Roy, Terry  
Torosian, Peter  
Welch, David

**STRAFFORD**

Frost, Sherry  
Smith, Marjorie  
Rooney, Abigail

Harrington, Michael  
McNally, Jody  
Beaudoin, Steven

Hayward, Peter  
Perreault, Mona  
Spang, Judith

Keans, Sandra  
Pitre, Joseph  
Wuelper, Kurt

**SULLIVAN**

Aron, Judy  
Rollins, Skip

Callum, John  
Smith, Steven

Laware, Thomas

Lucas, Gates

and the committee report was adopted.

**CACR 5**, relating to the right to vote. Providing that 17 year olds who will be eligible to vote in the general election be permitted to vote on that election's primary election. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Wayne Moynihan for the Majority of Election Law. This CACR modestly expands the voter registration privileges already extended to 17-year-olds by law in 2016. If voters adopted this CACR, the change would empower 17-year-olds to both register and then to vote in a primary, if they will be 18 years old by the day of the general election. To allow this, the NH Constitution must be amended. Almost half of the other US states, including Maine and Vermont, do allow 17-year-olds to vote in primaries if they will be 18 by the

time of the general election. We know that allowing 17-year-olds to vote in primaries does not violate the U. S. Constitution. However, prior efforts to allow them to so vote were determined to be impermissible by the current wording of Part One, Article 11 of the NH Constitution. Enabling citizens who can vote in a general election to vote in the related primary elections is only fair. Furthermore enabling 17-year-olds to vote in a primary, while they are still in school, will generate excitement and interest among their peers. Excitement about the first meaningful vote would likely cause the impact necessary to create the habit of voting. Developing the habit of voting has been deemed to be a key to future citizen awareness, activism, and personal participation. Vote 16-3.

Rep. Kathleen Hoelzel for the Minority of Election Law. This issue has been brought before us three times in past ten years. Amending the state constitution to allow 17-year-olds to vote in primaries, would lead one to believe that this will encourage that person to continue voting throughout life. No data has been submitted that shows that to be true. However, consider that this person is then turned away at the next election because it is not the general election but is the town or city election and he or she has not yet turned 18 years old. This could be disenfranchising to a young 17-year-old. One source reports that only 13 of our 50 states allow 17-year-olds to vote in primaries. Implementation and enforcement are also issues that will need to be addressed. It is the responsibility of parents and our communities to show children the value of their vote.

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

On a division vote, with 217 members having voted in the affirmative, and 151 in the negative, the majority committee report failed lacking the necessary three-fifths vote.

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

On a division vote, with 164 members having voted in the affirmative, and 205 in the negative, the minority committee report failed.

#### MOTION TO LAY ON THE TABLE

Rep. Ley moved that **CACR 5**, relating to the right to vote. Providing that 17 year olds who will be eligible to vote in the general election be permitted to vote on that election's primary election, be laid on the table. Motion adopted.

#### REGULAR CALENDAR CONT'D

**CACR 6**, relating to elections. Providing that any inhabitant who so desires may vote by absentee ballot in primary and general elections. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. William Pearson for the Majority of Election Law. This constitutional amendment will allow voters to vote via an absentee ballot without needing to provide an excuse. Part 1, Article 11 of the state constitution requires that the legislature "provide by law for voting by qualified voters who . . . are absent for the city or town of which they are inhabitants, or who by reason of physical disability are unable to vote in person." Among other excuses, the legislature has used this language to justify absentee voting for voters who will be present in their voting district but will not be able to leave their homes due to religious observances. This amendment follows the practice adopted in 28 other states and the District of Columbia by allowing qualified voters to request an absentee ballot without also needing to provide an excuse for doing so. The majority believes that the current absentee ballot procedures are robust enough to prevent fraud. Furthermore, the majority trusts that New Hampshire voters will continue to celebrate their participation in the electoral process without the requirement that they provide an excuse to access an absentee ballot. Vote 12-7.

Rep. Timothy Lang for the Minority of Election Law. New Hampshire has a proud tradition of citizen involvement in elections with well over 50% of citizens participating and our state generally finishing in the top 3 states nationwide for voter participation. While the minority agrees in concept with the underlying principles of increasing voter ballot access, there are issues with this CACR. When considering voter access, keep in mind the delicate balance and tension between increasing the ease of voting with the absolute need for election integrity. This CACR is all about the ease of voting, with no thought to election integrity. As we have seen in just this past 2018 election cycle in other states, abuse of the absentee ballot system has caused grief, and fraud by way of 'ballot harvesting,' no voter identification, or inappropriately registering voters. The NH Secretary of State agrees that this change to the absentee ballot access will increase the NH risk for these types of abuses. The minority also believes that changing NH to a 'no excuse' absentee ballot state, without compensating controls, puts our election integrity at risk, which will further undermine citizens confidence in the election process and government.

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

Rep. Lang spoke against.

Rep. William Pearson spoke in favor.

On a division vote, with 208 members having voted in the affirmative, and 158 in the negative, the majority committee report failed lacking the necessary three-fifths vote.

**MOTION TO LAY ON THE TABLE**

Rep. Ley moved that **CACR 6**, relating to elections. Providing that any inhabitant who so desires may vote by absentee ballot in primary and general elections, be laid on the table.

On a division vote, with 222 members having voted in the affirmative, and 146 in the negative, the motion was adopted.

**REGULAR CALENDAR CONT'D**

**HB 105-FN**, relative to domicile residency, voter registration, and investigation of voter verification letters. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Edith DesMarais for the Majority of Election Law. The right to vote and high voter participation are critical for our democracy. NH's tradition of both is important to protect. This bill modifies forms and procedures for voter registration. The instructions to voters that were adopted last year describing "verifiable actions of domicile," have been determined to require a college degree to understand because they are convoluted and confusing. We heard testimony about people leaving the polls without voting. This confusion created unnecessary barriers for citizens seeking to exercise their constitutional right to vote including the elderly, young adults, and the homeless. NH has never had significant voter fraud issues and in fact is known for its integrity. The majority feels returning to the more straightforward voter registration process will eliminate problems created by the changes for many eligible voters and also for our hardworking election officials. Vote 12-8.

Rep. Timothy Lang for the Minority of Election Law. The basis for this bill is to undo all the changes to the election laws created by SB 3, which was signed into law in 2018. These changes in election law are currently under judicial review by way of a lawsuit. By proceeding forward with this bill, repealing those changes, this issue becomes a political football, to be tossed around by the party in the Majority. The minority of the committee believes we should let the court case(s) play out, let the courts come down with a judicial ruling, then if needed, submit a bill; but let's not play political games with citizen's voting rights today.

**MOTION TO LAY ON THE TABLE**

Rep. Baldasaro moved that **HB 105-FN**, relative to domicile residency, voter registration, and investigation of voter verification letters, be laid on the table.

Rep. Ley requested a roll call; sufficiently seconded.

**YEAS 153 - NAYS 212****YEAS - 153****BELKNAP**

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

Bean, Harry  
Howard, Raymond  
Plumer, John

Comtois, Barbara  
Jurius, Deanna  
Spanos, Peter

Feeney, George  
Lang, Timothy  
Sylvia, Michael

**CARROLL**

Avellani, Lino  
MacDonald, John

Comeau, Ed  
Marsh, William

Cordelli, Glenn  
Nelson, Bill

Crawford, Karel

**CHESHIRE**

Hunt, John

O'Day, John

**COOS**

Craig, Kevin

Fothergill, John

Furbush, Michael

Merner, Troy

**GRAFTON**

Gordon, Edward

Hennessey, Erin

Ladd, Rick

Migliore, Vincent Paul

**HILLSBOROUGH**

Lekas, Alicia  
Belanger, James  
Camarota, Linda  
Flanagan, Jack  
Greene, Bob  
L'Heureux, Robert  
McLean, Mark  
Plett, Fred  
Renzullo, Andrew  
Trento, Michael

Alexander, Joe  
Boehm, Ralph  
Danielson, David  
Gagne, Larry  
Gunski, Michael  
Ober, Lynne  
Notter, Jeanine  
Proulx, Mark  
Rice, Kimberly  
Ulery, Jordan

Griffin, Barbara  
Burns, Charles  
Erf, Keith  
Gould, Linda  
Hinch, Richard  
Lascelles, Richard  
Nunez, Hershel  
Prout, Andrew  
Somero, Paul  
Whittemore, James

Barry, Richard  
Burt, John  
Fedolfi, Jim  
Graham, John  
Hopper, Gary  
Marzullo, JP  
Panasiti, Reed  
Ober, Russell  
Lekas, Tony

**MERRIMACK**

Allard, James  
Marple, Richard  
Walsh, Thomas

Hill, Gregory  
McGuire, Carol  
Wolf, Dan

Horn, Werner  
Pearl, Howard  
Yakubovich, Michael

Kotowski, Frank  
Testerman, Dave

**ROCKINGHAM**

Abbas, Daryl  
Baldasaro, Al  
Costable, Michael  
DeSimone, Debra  
Elliott, Robert  
Harb, Robert  
Janigian, John  
Kolodziej, Walter  
Pearson, Mark  
Melvin, Charles  
Owens, Becky  
Pratt, Kevin  
Spillane, James  
Verville, Kevin  
Yokela, Josh

Abrami, Patrick  
Barnes, Arthur  
Davis, Dan  
Dolan, Tom  
Gay, Betty  
Hobson, Deborah  
Janvrin, Jason  
Love, David  
Major, Norman  
Milz, David  
Packard, Sherman  
Prudhomme-O'Brien, Katherine  
Sytek, John  
Wallace, Scott

Abramson, Max  
Bershtein, Alan  
Thomas, Douglas  
Doucette, Fred  
Green, Dennis  
Hoelzel, Kathleen  
Katsakiores, Phyllis  
Lundgren, David  
McKinney, Betsy  
Morrison, Sean  
Piemonte, Tony  
Roy, Terry  
Toriosian, Peter  
Welch, David

Acton, Dennis  
Chirichiello, Brian  
Desilets, Joel  
Edwards, Jess  
Guthrie, Joseph  
Osborne, Jason  
Khan, Aboul  
Griffin, Mary  
McMahon, Charles  
O'Connor, John  
Potucek, John  
Pearson, Stephen  
True, Chris  
Weyler, Kenneth

**STRAFFORD**

Harrington, Michael  
McNally, Jody  
Wuelper, Kurt

Hayward, Peter  
Perreault, Mona

Horgan, James  
Rooney, Abigail

Kittredge, Mac  
Beaudoin, Steven

**SULLIVAN**

Aron, Judy  
Rollins, Skip

Callum, John  
Stapleton, Walter

Laware, Thomas  
Smith, Steven

Lucas, Gates

**NAYS - 212  
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  
Ley, Douglas  
Parkhurst, Henry  
Pearson, William

Ames, Richard  
Faulkner, Barry  
Mann, John  
Schapiro, Joe  
Weber, Lucy

Berch, Paul  
Fenton, Donovan  
Meader, David  
Tatro, Bruce

Bordenet, John  
Gomarlo, Jennie  
Morrill, David  
Thompson, Craig

**COOS**

Hatch, William  
Tucker, Edith

Laflamme, Larry  
Thomas, Yvonne

Moynihan, Wayne

Noel, Henry

**GRAFTON**

Abel, Richard  
Diggs, Francesca  
French, Elaine  
Mulligan, Mary Jane  
Stringham, Jerry

Adjutant, Joshua  
Egan, Timothy  
Josephson, Timothy  
Muscatel, Garrett  
Sykes, George

Almy, Susan  
Fellows, Sallie  
Maes, Kevin  
Osborne, Richard  
Weston, Joyce

Campion, Polly  
Ford, Susan  
Massimilla, Linda  
Stavis, Laurel

**HILLSBOROUGH**

Bouldin, Amanda  
Baroody, Benjamin  
Bordy, William  
Cleaver, Skip  
Cote, David  
Dutzy, Sherry  
Goley, Jeffrey  
Harriott-Gathright, Linda  
Schmidt, Janice  
Klee, Patricia  
Leishman, Peter  
McGhee, Kat

Bouldin, Andrew  
Beaulieu, Jane  
Bosman, James  
Cohen, Bruce  
Dargie, Paul  
Espitia, Manny  
Griffith, Willis  
Heath, Mary  
Jack, Martin  
Klein-Knight, Nicole  
Long, Patrick  
Mombourquette, Donna

Backus, Robert  
Bergeron, Paul  
Bouchard, Donald  
Connors, Erika  
Desjardin, Kathy  
Davis, Fred  
Hall, Brett  
Herbert, Christopher  
Judy, Jean  
Komi, Richard  
Mangipudi, Latha  
Mullen, Sue

Balch, Chris  
Bernet, Jennifer  
Chretien, Jacqueline  
Cornell, Patricia  
DiSilvestro, Linda  
Freitas, Mary  
Hamer, Heidi  
Indruk, Greg  
King, Mark  
Langley, Diane  
Martin, Joelle  
Murphy, Nancy

Nutter-Upham, Frances  
 Petrigno, Peter  
 Query, Joshua  
 Rung, Rosemarie  
 Sofikitis, Catherine  
 Smith, Timothy  
 Van Houten, Constance  
 Williams, Kermit

Nutting-Wong, Allison  
 Pickering, Daniel  
 Newman, Ray  
 Newman, Sue  
 St. John, Michelle  
 Teterski, Laura  
 Vann, Ivy  
 Woodbury, David

O'Brien, Michael  
 Piedra, Israel  
 Radhakrishnan, Julie  
 Shaw, Barbara  
 Stack, Kathryn  
 Toomey, Dan  
 Thomas, Wendy

Pedersen, Michael  
 Porter, Marjorie  
 Riel, Cole  
 Snow, Kendall  
 Stevens, Deb  
 Vail, Suzanne  
 Wilhelm, Matthew

### MERRIMACK

Bartlett, Christy  
 Fox, Samantha  
 Luneau, David  
 Rodd, Beth  
 Schuett, Dianne  
 Wallner, Mary Jane  
 Woods, Gary

Buchanan, Ryan  
 Fulweiler, Joyce  
 MacKay, James  
 Rogers, Katherine  
 Schultz, Kristina  
 Walz, Mary Beth

Carson, Clyde  
 Karrick, David  
 Moffett, Howard  
 Saunderson, George  
 Soucy, Timothy  
 Wazir, Safiya

Ebel, Karen  
 Lane, Connie  
 Richards, Beth  
 Schamberg, Thomas  
 Turcotte, Alan  
 Wells, Kenneth

### ROCKINGHAM

Altschiller, Debra  
 Cali-Pitts, Jacqueline  
 Edgar, Michael  
 Grote, Jaci  
 Lovejoy, Patricia  
 McConnell, Liz  
 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

Cahill, Michael  
 DiLorenzo, Charlotte  
 Grossman, Gaby  
 Loughman, Tom  
 McBeath, Rebecca  
 Somssich, Peter

### STRAFFORD

Bixby, Peter  
 Ellis, Donna  
 Gourgue, Amanda  
 Kenney, Cam  
 Schmidt, Peter  
 Spang, Judith  
 Wall, Janet

Cannon, Gerri  
 Fargo, Kristina  
 Grassie, Chuck  
 Levesque, Cassandra  
 Rich, Cecilia  
 Towne, Matthew

Chase, Wendy  
 Fontneau, Timothy  
 Horrigan, Timothy  
 Smith, Marjorie  
 Salloway, Jeffrey  
 Treleven, Susan

Conley, Casey  
 Frost, Sherry  
 Keans, Sandra  
 Opderbecke, Linn  
 Sandler, Catt  
 Vincent, Kenneth

### SULLIVAN

Cloutier, John  
 Sullivan, Brian

Merchant, Gary  
 Tanner, Linda

O'Hearne, Andrew

Oxenham, Lee

and the motion failed.

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

Rep. Lang spoke against.

Rep. DesMarais spoke in favor.

Rep. Avellani requested a roll call; sufficiently seconded.

### YEAS 209 - NAYS 155

### YEAS - 209

### 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  
 Ley, Douglas  
 Parkhurst, Henry  
 Von Plinsky, Sparky

Ames, Richard  
 Faulkner, Barry  
 Mann, John  
 Schapiro, Joe  
 Pearson, William

Berch, Paul  
 Fenton, Donovan  
 Meader, David  
 Tatrow, Bruce  
 Weber, Lucy

Bordenet, John  
 Gomarolo, Jennie  
 Morrill, David  
 Thompson, Craig

### COOS

Hatch, William  
 Tucker, Edith

Laflamme, Larry  
 Thomas, Yvonne

Moynihan, Wayne

Noel, Henry

### GRAFTON

Abel, Richard  
 Egan, Timothy

Almy, Susan  
 Fellows, Sallie

Campion, Polly  
 Ford, Susan

Diggs, Francesca  
 French, Elaine

Josephson, Timothy  
Muscatel, Garrett  
Sykes, George

Maes, Kevin  
Osborne, Richard  
Weston, Joyce

Massimilla, Linda  
Stavis, Laurel

Mulligan, Mary Jane  
Stringham, Jerry

### HILLSBOROUGH

Bouldin, Amanda  
Baroody, Benjamin  
Bordy, William  
Cleaver, Skip  
Cote, David  
Dutzy, Sherry  
Goley, Jeffrey  
Harriott-Gathright, Linda  
Schmidt, Janice  
Klee, Patricia  
Leishman, Peter  
McGhee, Kat  
Nutter-Upham, Frances  
Petrigno, Peter  
Query, Joshua  
Rung, Rosemarie  
St. John, Michelle  
Telerski, Laura  
Vann, Ivy  
Woodbury, David

Bouldin, Andrew  
Beaulieu, Jane  
Bosman, James  
Cohen, Bruce  
Dargie, Paul  
Espitia, Manny  
Griffith, Willis  
Heath, Mary  
Jack, Martin  
Klein-Knight, Nicole  
Long, Patrick  
Mombourquette, Donna  
Nutting-Wong, Allison  
Pickering, Daniel  
Newman, Ray  
Newman, Sue  
Stack, Kathryn  
Toomey, Dan  
Thomas, Wendy

Backus, Robert  
Bergeron, Paul  
Bouchard, Donald  
Connors, Erika  
Desjardin, Kathy  
Davis, Fred  
Hall, Brett  
Herbert, Christopher  
Judy, Jean  
Komi, Richard  
Mangipudi, Latha  
Mullen, Sue  
O'Brien, Michael  
Piedra, Israel  
Radhakrishnan, Julie  
Snow, Kendall  
Stevens, Deb  
Vail, Suzanne  
Wilhelm, Matthew

Balch, Chris  
Bernet, Jennifer  
Chretien, Jacqueline  
Cornell, Patricia  
DiSilvestro, Linda  
Freitas, Mary  
Hamer, Heidi  
Indruk, Greg  
King, Mark  
Langley, Diane  
Martin, Joelle  
Murphy, Nancy  
Pedersen, Michael  
Porter, Marjorie  
Riel, Cole  
Sofikitis, Catherine  
Smith, Timothy  
Van Houten, Constance  
Williams, Kermit

### MERRIMACK

Bartlett, Christy  
Fulweiler, Joyce  
MacKay, James  
Rogers, Katherine  
Schultz, Kristina  
Walz, Mary Beth

Carson, Clyde  
Karrick, David  
Moffett, Howard  
Saunderson, George  
Soucy, Timothy  
Wazir, Safiya

Ebel, Karen  
Lane, Connie  
Richards, Beth  
Schamberg, Thomas  
Turcotte, Alan  
Wells, Kenneth

Fox, Samantha  
Luneau, David  
Rodd, Beth  
Schuett, Dianne  
Wallner, Mary Jane  
Woods, Gary

### ROCKINGHAM

Altschiller, Debra  
Cali-Pitts, Jacqueline  
Edgar, Michael  
Grote, Jaci  
Lovejoy, Patricia  
McConnell, Liz  
Ward, Gerald

Bunker, Lisa  
Coursin, David  
Eisner, Mary  
Murray, Kate  
Maggiore, Jim  
Meuse, David

Bushway, Patricia  
Cushing, Robert Renny  
Gilman, Julie  
Le, Tamara  
Malloy, Dennis  
Somssich, Peter

Cahill, Michael  
DiLorenzo, Charlotte  
Grossman, Gaby  
Loughman, Tom  
McBeath, Rebecca  
Vallone, Mark

### STRAFFORD

Bixby, Peter  
Ellis, Donna  
Gourgue, Amanda  
Kenney, Cam  
Schmidt, Peter  
Spang, Judith  
Wall, Janet

Cannon, Gerri  
Fargo, Kristina  
Grassie, Chuck  
Levesque, Cassandra  
Rich, Cecilia  
Towne, Matthew

Chase, Wendy  
Fontneau, Timothy  
Horrigan, Timothy  
Smith, Marjorie  
Salloway, Jeffrey  
Treleaven, Susan

Conley, Casey  
Frost, Sherry  
Keans, Sandra  
Opderbecke, Linn  
Sandler, Catt  
Vincent, Kenneth

### SULLIVAN

Cloutier, John  
Sullivan Brian

Merchant, Gary  
Tanner, Linda

O'Hearne, Andrew

Oxenham, Lee

### NAYS - 155

#### BELKNAP

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

Bean, Harry  
Howard, Raymond  
Plumer, John

Comtois, Barbara  
Jurius, Deanna  
Spanos, Peter

Feeney, George  
Lang, Timothy  
Sylvia, Michael

#### CARROLL

Avellani, Lino  
MacDonald, John

Comeau, Ed  
Marsh, William

Cordelli, Glenn  
Nelson, Bill

Crawford, Karel

### CHESHIRE

Hunt, John

O'Day, John

### COOS

Craig, Kevin

Fothergill, John

Furbush, Michael

Merner, Troy

**GRAFTON**

|                |                 |            |                        |
|----------------|-----------------|------------|------------------------|
| Gordon, Edward | Hennessey, Erin | Ladd, Rick | Migliore, Vincent Paul |
|----------------|-----------------|------------|------------------------|

**HILLSBOROUGH**

|                   |                  |                    |                |
|-------------------|------------------|--------------------|----------------|
| Lekas, Alicia     | Alexander, Joe   | Griffin, Barbara   | Barry, Richard |
| Belanger, James   | Boehm, Ralph     | Burns, Charles     | Burt, John     |
| Camarota, Linda   | Danielson, David | Erf, Keith         | Fedolfi, Jim   |
| Flanagan, Jack    | Gagne, Larry     | Gould, Linda       | Graham, John   |
| Greene, Bob       | Gunski, Michael  | Hinch, Richard     | Hopper, Gary   |
| L'Heureux, Robert | Ober, Lynne      | Lascelles, Richard | Marzullo, JP   |
| McLean, Mark      | Notter, Jeanine  | Nunez, Hershel     | Panasiti, Reed |
| Plett, Fred       | Proulx, Mark     | Prout, Andrew      | Ober, Russell  |
| Renzullo, Andrew  | Rice, Kimberly   | Shaw, Barbara      | Somero, Paul   |
| Lekas, Tony       | Trento, Michael  | Ulery, Jordan      | Warden, Mark   |
| Whittemore, James |                  |                    |                |

**MERRIMACK**

|                 |                |                     |                 |
|-----------------|----------------|---------------------|-----------------|
| Allard, James   | Hill, Gregory  | Horn, Werner        | Kotowski, Frank |
| Marple, Richard | McGuire, Carol | Pearl, Howard       | Seaworth, Brian |
| Testerman, Dave | Walsh, Thomas  | Yakubovich, Michael |                 |

**ROCKINGHAM**

|                   |                              |                      |                     |
|-------------------|------------------------------|----------------------|---------------------|
| Abbas, Daryl      | Abrami, Patrick              | Abramson, Max        | Acton, Dennis       |
| Baldasaro, Al     | Barnes, Arthur               | Bershtein, Alan      | Chirichiello, Brian |
| Costable, Michael | Davis, Dan                   | Thomas, Douglas      | Desilets, Joel      |
| DeSimone, Debra   | Dolan, Tom                   | Doucette, Fred       | Edwards, Jess       |
| Elliott, Robert   | Gay, Betty                   | Green, Dennis        | Guthrie, Joseph     |
| Harb, Robert      | Hobson, Deborah              | Hoelzel, Kathleen    | Osborne, Jason      |
| Janigian, John    | Janvrin, Jason               | Katsakiores, Phyllis | Khan, Aboul         |
| Kolodziej, Walter | Love, David                  | Lundgren, David      | Griffin, Mary       |
| Pearson, Mark     | Major, Norman                | McKinney, Betsy      | McMahon, Charles    |
| Melvin, Charles   | Milz, David                  | Morrison, Sean       | O'Connor, John      |
| Owens, Becky      | Packard, Sherman             | Piemonte, Tony       | Potucek, John       |
| Pratt, Kevin      | Prudhomme-O'Brien, Katherine | Roy, Terry           | Pearson, Stephen    |
| Spillane, James   | Sytek, John                  | Torosian, Peter      | True, Chris         |
| Verville, Kevin   | Wallace, Scott               | Welch, David         | Weyler, Kenneth     |
| Yokela, Josh      |                              |                      |                     |

**STRAFFORD**

|                     |                 |                 |                  |
|---------------------|-----------------|-----------------|------------------|
| Harrington, Michael | Hayward, Peter  | Horgan, James   | Kittredge, Mac   |
| McNally, Jody       | Perreault, Mona | Rooney, Abigail | Beaudoin, Steven |
| Wuelper, Kurt       |                 |                 |                  |

**SULLIVAN**

|               |                   |                |              |
|---------------|-------------------|----------------|--------------|
| Aron, Judy    | Callum, John      | Laware, Thomas | Lucas, Gates |
| Rollins, Skip | Stapleton, Walter | Smith, Steven  |              |

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

**HB 106**, relative to the terms “resident,” “inhabitant,” “residence,” and “residency.” **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Wayne Moynihan for the Majority of Election Law. This bill amends the general statutory definitions of “resident or inhabitant” and “residence or residency” to include an intent to maintain a principle place of physical presence for the indefinite future. The bill restores language removed from the law in 2018 and eliminates the related exposure to criminal charges that those changes associated with registering to vote and voting. This bill removes the constitutionally suspect changes made to these definitions, which compel certain constitutionally-eligible voters, who make their home in NH at the time of an election, but who may have plans to leave NH in the future, to have to pay car registration fees and driver’s license fees to the state within 60 days of registering to vote. This places a cost upon the exercise of the constitutional right to vote. Among others, the inhabitants subject to these definitions are those with multi-year but not permanent contracts, such as medical residents, professors, and college students who have right to vote here because they are living here. The revised definitions created what amounts to a poll tax, and this bill eliminates that. Most states have policies that do not link the right to vote to motor vehicle fees. This bill changes the modifications that were made to this state last session and restores this element of NH’s long-standing voter registration policy. Vote 12-8.

Rep. Peter Hayward for the Minority of Election Law. Inserting the unnecessary phrase “for the indefinite future” renders an otherwise clear statement meaningless. Indefinite future can mean; seconds, weeks, or months. An intent to become a resident could be a whim with no measure to determine qualification. For this reason the minority recommends Inexpedient to Legislate.

The question being adoption of the majority committee report of Ought to Pass.  
 Rep. Hayward spoke against.  
 Rep. Moynihan spoke in favor.  
 Rep. Porter requested a roll call; sufficiently seconded.

**YEAS 213 - NAYS 154****YEAS - 213****BELKNAP**

Huot, David

**CARROLL**Buco, Thomas  
Kanzler, HarrisonBurroughs, Anita  
Knirk, JerryButler, Edward  
Ticehurst, SusanDesMarais, Edith  
Woodcock, Stephen**CHESHIRE**Abbott, Michael  
Eaton, Daniel  
Ley, Douglas  
Parkhurst, Henry  
Von Plinsky, SparkyAmes, Richard  
Faulkner, Barry  
Mann, John  
Schapiro, Joe  
Pearson, WilliamBerch, Paul  
Fenton, Donovan  
Meador, David  
Tatro, Bruce  
Weber, LucyBordenet, John  
Gomarlo, Jennie  
Morrill, David  
Thompson, Craig**COOS**Hatch, William  
Tucker, EdithLaflamme, Larry  
Thomas, Yvonne

Moynihan, Wayne

Noel, Henry

**GRAFTON**Abel, Richard  
Diggs, Francesca  
French, Elaine  
Mulligan, Mary Jane  
Stringham, JerryAdjutant, Joshua  
Egan, Timothy  
Josephson, Timothy  
Muscatel, Garrett  
Sykes, GeorgeAlmy, Susan  
Fellows, Sallie  
Maes, Kevin  
Osborne, Richard  
Weston, JoyceCampion, Polly  
Ford, Susan  
Massimilla, Linda  
Stavis, Laurel**HILLSBOROUGH**Bouldin, Amanda  
Baroody, Benjamin  
Bordy, William  
Cleaver, Skip  
Cote, David  
Dutzy, Sherry  
Goley, Jeffrey  
Harriott-Gathright, Linda  
Schmidt, Janice  
Klee, Patricia  
Leishman, Peter  
McGhee, Kat  
Nutter-Upham, Frances  
Petrigno, Peter  
Query, Joshua  
Rung, Rosemarie  
Sofikitis, Catherine  
Smith, Timothy  
Van Houten, Constance  
Williams, KermitBouldin, Andrew  
Beaulieu, Jane  
Bosman, James  
Cohen, Bruce  
Dargie, Paul  
Espitia, Manny  
Griffith, Willis  
Heath, Mary  
Jack, Martin  
Klein-Knight, Nicole  
Long, Patrick  
Mombourquette, Donna  
Nutting-Wong, Allison  
Pickering, Daniel  
Newman, Ray  
Newman, Sue  
St. John, Michelle  
Telerski, Laura  
Vann, Ivy  
Woodbury, DavidBackus, Robert  
Bergeron, Paul  
Bouchard, Donald  
Connors, Erika  
Desjardin, Kathy  
Davis, Fred  
Hall, Brett  
Herbert, Christopher  
Judy, Jean  
Komi, Richard  
Mangipudi, Latha  
Mullen, Sue  
O'Brien, Michael  
Piedra, Israel  
Radhakrishnan, Julie  
Shaw, Barbara  
Stack, Kathryn  
Toomey, Dan  
Thomas, WendyBalch, Chris  
Bernet, Jennifer  
Chretien, Jacqueline  
Cornell, Patricia  
DiSilvestro, Linda  
Freitas, Mary  
Hamer, Heidi  
Indruk, Greg  
King, Mark  
Langley, Diane  
Martin, Joelle  
Murphy, Nancy  
Pedersen, Michael  
Porter, Marjorie  
Riel, Cole  
Snow, Kendall  
Stevens, Deb  
Vail, Suzanne  
Wilhelm, Matthew**MERRIMACK**Bartlett, Christy  
Fox, Samantha  
Luneau, David  
Rodd, Beth  
Schuett, Dianne  
Wallner, Mary Jane  
Woods, GaryBuchanan, Ryan  
Fulweiler, Joyce  
MacKay, James  
Rogers, Katherine  
Schultz, Kristina  
Walz, Mary BethCarson, Clyde  
Karrick, David  
Moffett, Howard  
Saunderson, George  
Soucy, Timothy  
Wazir, SafiyaEbel, Karen  
Lane, Connie  
Richards, Beth  
Schamberg, Thomas  
Turcotte, Alan  
Wells, Kenneth**ROCKINGHAM**Altschiller, Debra  
Cali-Pitts, Jacqueline  
Edgar, Michael  
Grote, Jaci  
Lovejoy, Patricia  
McConnell, Liz  
Vallone, MarkBunker, Lisa  
Coursin, David  
Eisner, Mary  
Murray, Kate  
Maggiore, Jim  
Meuse, David  
Ward, GeraldBushway, Patricia  
Cushing, Robert Renny  
Gilman, Julie  
Le, Tamara  
Malloy, Dennis  
Read, EllenCahill, Michael  
DiLorenzo, Charlotte  
Grossman, Gaby  
Loughman, Tom  
McBeath, Rebecca  
Somssich, Peter

**STRAFFORD**

Bixby, Peter  
Ellis, Donna  
Gourgue, Amanda  
Kenney, Cam  
Schmidt, Peter  
Spang, Judith  
Wall, Janet

Cannon, Gerri  
Fargo, Kristina  
Grassie, Chuck  
Levesque, Cassandra  
Rich, Cecilia  
Towne, Matthew

Chase, Wendy  
Fontneau, Timothy  
Horrigan, Timothy  
Smith, Marjorie  
Salloway, Jeffrey  
Treleaven, Susan

Conley, Casey  
Frost, Sherry  
Keans, Sandra  
Opderbecke, Linn  
Sandler, Catt  
Vincent, Kenneth

**SULLIVAN**

Cloutier, John  
Sullivan Brian

Merchant, Gary  
Tanner, Linda

O'Hearne, Andrew

Oxenham, Lee

**NAYS - 154****BELKNAP**

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

Bean, Harry  
Howard, Raymond  
Plumer, John

Comtois, Barbara  
Jurius, Deanna  
Spanos, Peter

Feeney, George  
Lang, Timothy  
Sylvia, Michael

**CARROLL**

Avellani, Lino  
MacDonald, John

Comeau, Ed  
Marsh, William

Cordelli, Glenn

Crawford, Karel

**CHESHIRE**

Hunt, John

O'Day, John

**COOS**

Craig, Kevin

Fothergill, John

Furbush, Michael

Merner, Troy

**GRAFTON**

Gordon, Edward

Hennessey, Erin

Ladd, Rick

Migliore, Vincent Paul

**HILLSBOROUGH**

Lekas, Alicia  
Belanger, James  
Camarota, Linda  
Flanagan, Jack  
Greene, Bob  
L'Heureux, Robert  
McLean, Mark  
Plett, Fred  
Renzullo, Andrew  
Trento, Michael

Alexander, Joe  
Boehm, Ralph  
Danielson, David  
Gagne, Larry  
Gunski, Michael  
Ober, Lynne  
Notter, Jeanine  
Proulx, Mark  
Rice, Kimberly  
Ulery, Jordan

Griffin, Barbara  
Burns, Charles  
Erf, Keith  
Gould, Linda  
Hinch, Richard  
Lascelles, Richard  
Nunez, Hershel  
Prout, Andrew  
Somero, Paul  
Warden, Mark

Barry, Richard  
Burt, John  
Fedolfi, Jim  
Graham, John  
Hopper, Gary  
Marzullo, JP  
Panasiti, Reed  
Ober, Russell  
Lekas, Tony  
Whittemore, James

**MERRIMACK**

Allard, James  
Marple, Richard  
Testerman, Dave

Hill, Gregory  
McGuire, Carol  
Walsh, Thomas

Horn, Werner  
Pearl, Howard  
Wolf, Dan

Kotowski, Frank  
Seaworth, Brian  
Yakubovich, Michael

**ROCKINGHAM**

Abbas, Daryl  
Baldasaro, Al  
Costable, Michael  
DeSimone, Debra  
Elliott, Robert  
Hobson, Deborah  
Janvrin, Jason  
Love, David  
Major, Norman  
Melvin, Charles  
Owens, Becky  
Pratt, Kevin  
Spillane, James  
Verville, Kevin  
Yokela, Josh

Abrami, Patrick  
Barnes, Arthur  
Davis, Dan  
Dolan, Tom  
Gay, Betty  
Hoelzel, Kathleen  
Katsakiores, Phyllis  
Lundgren, David  
McBride, Everett  
Milz, David  
Packard, Sherman  
Prudhomme-O'Brien, Katherine  
Sytek, John  
Wallace, Scott

Abramson, Max  
Bershtein, Alan  
Thomas, Douglas  
Doucette, Fred  
Guthrie, Joseph  
Osborne, Jason  
Khan, Aboul  
Griffin, Mary  
McKinney, Betsy  
Morrison, Sean  
Piemonte, Tony  
Roy, Terry  
Torosian, Peter  
Welch, David

Acton, Dennis  
Chirichiello, Brian  
Desilets, Joel  
Edwards, Jess  
Harb, Robert  
Janigian, John  
Kolodziej, Walter  
Pearson, Mark  
McMahon, Charles  
O'Connor, John  
Potucek, John  
Pearson, Stephen  
True, Chris  
Weyler, Kenneth

**STRAFFORD**

Harrington, Michael  
McNally, Jody  
Wuelper, Kurt

Hayward, Peter  
Perreault, Mona

Horgan, James  
Rooney, Abigail

Kittredge, Mac  
Beaudoin, Steven

**SULLIVAN**

Aron, Judy  
Rollins, Skip

Callum, John  
Stapleton, Walter

Laware, Thomas  
Smith, Steven

Lucas, Gates

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

The House recessed at 11:55 a.m.

**RECESS**

The House reconvened at 1:15 p.m.

**(Speaker Shurtleff in the Chair)**

**REGULAR CALENDAR CONT'D**

**HB 202**, relative to requirements for presidential primary candidates. **INEXPEDIENT TO LEGISLATE.** Rep. William Pearson for Election Law. This bill will require individuals seeking to file their candidacy for the New Hampshire First in the Nation Presidential Primary to also publish the federal tax returns for the previous five years. The committee sees the addition of such a requirement for presidential candidates as being constitutionally problematic - as did the 25 other states that have recently seen similar legislation. The committee believes that New Hampshire has a proud tradition of hosting a competitive and participatory primary for both candidates and voters - and believes that this legislation is contrary to that spirit. Vote 19-0. Rep. Meuse spoke against and yielded to questions.

Rep. William Pearson spoke in favor.

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

**YEAS 291 - NAYS 72****YEAS - 291****BELKNAP**

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

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

Comtois, Barbara  
Huot, David  
Plumer, John

Feeney, George  
Jurius, Deanna  
Spanos, Peter

**CARROLL**

Avellani, Lino  
Cordelli, Glenn  
Knirk, Jerry  
Ticehurst, Susan

Burroughs, Anita  
Crawford, Karel  
MacDonald, John  
Woodcock, Stephen

Butler, Edward  
DesMarais, Edith  
Marsh, William

Comeau, Ed  
Kanzler, Harrison  
Nelson, Bill

**CHESHIRE**

Abbott, Michael  
Eaton, Daniel  
Ley, Douglas  
Tatro, Bruce

Ames, Richard  
Faulkner, Barry  
Mann, John  
Pearson, William

Berch, Paul  
Gomarlo, Jennie  
O'Day, John  
Weber, Lucy

Bordenet, John  
Hunt, John  
Parkhurst, Henry

**COOS**

Craig, Kevin  
Merner, Troy

Fothergill, John  
Moynihan, Wayne

Furbush, Michael  
Noel, Henry

Laflamme, Larry  
Thomas, Yvonne

**GRAFTON**

Almy, Susan  
French, Elaine  
Maes, Kevin  
Osborne, Richard  
Sykes, George

Campion, Polly  
Gordon, Edward  
Massimilla, Linda  
Stavis, Laurel  
Weston, Joyce

Fellows, Sallie  
Hennessey, Erin  
Migliore, Vincent Paul  
Stringham, Jerry

Ford, Susan  
Ladd, Rick  
Muscatel, Garrett  
Smith, Suzanne

**HILLSBOROUGH**

Lekas, Alicia  
Griffin, Barbara  
Barry, Richard  
Boehm, Ralph  
Burt, John  
Cornell, Patricia  
DiSilvestro, Linda  
Freitas, Mary  
Graham, John  
Heath, Mary  
Indruk, Greg  
L'Heureux, Robert  
Leishman, Peter

Alexander, Joe  
Backus, Robert  
Belanger, James  
Bosman, James  
Camarota, Linda  
Cote, David  
Erf, Keith  
Gagne, Larry  
Greene, Bob  
Herbert, Christopher  
Jack, Martin  
Ober, Lynne  
Long, Patrick

Bouldin, Amanda  
Balch, Chris  
Bergeron, Paul  
Bouchard, Donald  
Cohen, Bruce  
Danielson, David  
Fedolli, Jim  
Goley, Jeffrey  
Gunski, Michael  
Hinch, Richard  
Jeudy, Jean  
Langley, Diane  
Martin, Joelle

Bouldin, Andrew  
Baroody, Benjamin  
Bernet, Jennifer  
Burns, Charles  
Connors, Erika  
Desjardin, Kathy  
Flanagan, Jack  
Gould, Linda  
Harriott-Gathright, Linda  
Hopper, Gary  
Komi, Richard  
Lascelles, Richard  
Marzullo, JP

McGhee, Kat  
 Notter, Jeanine  
 Panasiti, Reed  
 Piedra, Israel  
 Prout, Andrew  
 Rice, Kimberly  
 Somero, Paul  
 Telerski, Laura  
 Van Houten, Constance

McLean, Mark  
 Nunez, Hershel  
 Pedersen, Michael  
 Plett, Fred  
 Ober, Russell  
 Riel, Cole  
 St. John, Michelle  
 Toomey, Dan  
 Warden, Mark

Mombourquette, Donna  
 Nutting-Wong, Allison  
 Petrigno, Peter  
 Porter, Marjorie  
 Radhakrishnan, Julie  
 Shaw, Barbara  
 Stevens, Deb  
 Trento, Michael  
 Whittemore, James

Mullen, Sue  
 O'Brien, Michael  
 Pickering, Daniel  
 Proulx, Mark  
 Renzullo, Andrew  
 Snow, Kendall  
 Lekas, Tony  
 Ulery, Jordan  
 Williams, Kermit

### MERRIMACK

Allard, James  
 Fulweiler, Joyce  
 Lane, Connie  
 McGuire, Carol  
 Rodd, Beth  
 Schuett, Dianne  
 Turcotte, Alan  
 Wolf, Dan

Bartlett, Christy  
 Hill, Gregory  
 Luneau, David  
 Moffett, Howard  
 Rogers, Katherine  
 Seaworth, Brian  
 Wallner, Mary Jane  
 Woods, Gary

Carson, Clyde  
 Horn, Werner  
 MacKay, James  
 Pearl, Howard  
 Saunderson, George  
 Soucy, Timothy  
 Walsh, Thomas  
 Yakubovich, Michael

Ebel, Karen  
 Kotowski, Frank  
 Marple, Richard  
 Richards, Beth  
 Schamberg, Thomas  
 Testerman, Dave  
 Walz, Mary Beth

### ROCKINGHAM

Abbas, Daryl  
 Baldasaro, Al  
 Cahill, Michael  
 Cushing, Robert Renny  
 DeSimone, Debra  
 Edgar, Michael  
 Gilman, Julie  
 Harb, Robert  
 Janigian, John  
 Khan, Aboul  
 Lundgren, David  
 McBeath, Rebecca  
 Melvin, Charles  
 Owens, Becky  
 Pratt, Kevin  
 Spillane, James  
 Verville, Kevin  
 Weyler, Kenneth

Abrami, Patrick  
 Barnes, Arthur  
 Cali-Pitts, Jacqueline  
 Davis, Dan  
 DiLorenzo, Charlotte  
 Edwards, Jess  
 Green, Dennis  
 Hobson, Deborah  
 Janvrin, Jason  
 Loughman, Tom  
 Griffin, Mary  
 McBride, Everett  
 Milz, David  
 Packard, Sherman  
 Prudhomme-O'Brien, Katherine  
 Sytek, John  
 Wallace, Scott

Abramson, Max  
 Bershtein, Alan  
 Chirichiello, Brian  
 Thomas, Douglas  
 Dolan, Tom  
 Elliott, Robert  
 Grote, Jaci  
 Hoelzel, Kathleen  
 Murray, Kate  
 Love, David  
 Pearson, Mark  
 McKinney, Betsy  
 Morrison, Sean  
 Piemonte, Tony  
 Roy, Terry  
 Torosian, Peter  
 Ward, Gerald

Acton, Dennis  
 Bushway, Patricia  
 Costable, Michael  
 Desilets, Joel  
 Doucette, Fred  
 Gay, Betty  
 Guthrie, Joseph  
 Osborne, Jason  
 Katsakiores, Phyllis  
 Lovejoy, Patricia  
 Malloy, Dennis  
 McMahon, Charles  
 O'Connor, John  
 Potucek, John  
 Pearson, Stephen  
 True, Chris  
 Welch, David

### STRAFFORD

Cannon, Gerri  
 Fontneau, Timothy  
 Kenney, Cam  
 Opderbecke, Linn  
 Rooney, Abigail  
 Wall, Janet

Chase, Wendy  
 Harrington, Michael  
 Kittredge, Mac  
 Schmidt, Peter  
 Beaudoin, Steven  
 Wuelper, Kurt

Ellis, Donna  
 Hayward, Peter  
 Smith, Marjorie  
 Perreault, Mona  
 Salloway, Jeffrey

Fargo, Kristina  
 Horgan, James  
 McNally, Jody  
 Rich, Cecilia  
 Sandler, Catt

### SULLIVAN

Aron, Judy  
 Lucas, Gates  
 Stapleton, Walter

Callum, John  
 Merchant, Gary  
 Smith, Steven

Cloutier, John  
 O'Hearne, Andrew  
 Sullivan Brian

Laware, Thomas  
 Rollins, Skip  
 Tanner, Linda

### NAYS - 72

### CHESHIRE

Fenton, Donovan  
 Thompson, Craig

Meader, David  
 Von Plinsky, Sparky

Morrill, David

Schapiro, Joe

### COOS

### GRAFTON

Abel, Richard  
 Josephson, Timothy

Adjutant, Joshua  
 Mulligan, Mary Jane

Diggs, Francesca

Egan, Timothy

### HILLSBOROUGH

Beaulieu, Jane  
 Dargie, Paul  
 Hall, Brett  
 Klein-Knight, Nicole  
 Query, Joshua  
 Sofikitis, Catherine  
 Vann, Ivy

Bordy, William  
 Dutzy, Sherry  
 Schmidt, Janice  
 Mangipudi, Latha  
 Newman, Ray  
 Stack, Kathryn  
 Thomas, Wendy

Chretien, Jacqueline  
 Espitia, Manny  
 King, Mark  
 Murphy, Nancy  
 Rung, Rosemarie  
 Smith, Timothy  
 Wilhelm, Matthew

Cleaver, Skip  
 Griffith, Willis  
 Klee, Patricia  
 Nutter-Upham, Frances  
 Newman, Sue  
 Vail, Suzanne  
 Woodbury, David

**MERRIMACK**

Buchanan, Ryan  
Wazir, Safiya

Fox, Samantha  
Wells, Kenneth

Karrick, David

Schultz, Kristina

**ROCKINGHAM**

Altschiller, Debra  
Grossman, Gaby  
Meuse, David  
Yokela, Josh

Bunker, Lisa  
Le, Tamara  
Read, Ellen

Coursin, David  
Maggiore, Jim  
Somssich, Peter

Eisner, Mary  
McConnell, Liz  
Vallone, Mark

**STRAFFORD**

Bixby, Peter  
Horrigan, Timothy  
Towne, Matthew

Conley, Casey  
Keans, Sandra  
Treleven, Susan

Gourgue, Amanda  
Levesque, Cassandra  
Vincent, Kenneth

Grassie, Chuck  
Spang, Judith

**SULLIVAN**

Oxenham, Lee

and the committee report was adopted.

**HB 556**, allowing municipalities to process absentee ballots prior to election day. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Connie Lane for the Majority of Election Law. The purpose of this bill is to streamline the procedure for processing absentee ballots by addressing some of the bottlenecks that slow down the processing. The growing number of voters utilizing absentee ballots and the turnover in staff at the polls has increased the amount of time that it takes to process absentee ballots, making it difficult to complete the task on Election Day. This bill, with the amendment, creates an optional process that, after at least 48-hours' notice has been posted, allows the moderator to schedule one session to partially process absentee ballots prior to Election Day. The session cannot occur more than 7 days prior to the date of the election nor prior to the certification of the checklist by the Supervisors of the Checklist. The bill addresses the preparation of the processing site, insuring that it is protected and ensures that those ballots that are processed are secured. Vote 12-8.

Rep. Timothy Lang for the Minority of Election Law. The minority believes this bill is about making it easier on the government, yet harder for the NH citizens wishing to participate in the election process. This bill's goal is to allow moderators and at least 3 other election officials to process absentee ballots prior to election day. It should be noted that as part of the absentee ballot processing procedure, both NH citizens and other interested parties are allowed to be observers and challengers in the absentee ballot processing procedure, to ensure no shenanigans happens, and to challenge ballots they deem to be inappropriate. This bill would make it necessary for voters/observers who wish to participate in the processing of absentee ballots to potentially take 2 days off of work to do so. Notice of this 'pre-processing' of absentee ballots is a mere 48 hours, so a notice on a Friday would suffice for processing on Monday, giving citizens not enough time to get 'off' from work and other interested parties not enough time to coordinate observers of the 'pre-processing' of ballots. Additionally, the state's Attorney General's office would have another day to send staff to towns to observe and validate that proper election processes are being followed. The current process already allows Moderators to start processing absentee ballots (upon notice) starting 2 hours after the polls open. While this as an arduous process, it is manageable with more officials present on election day.

**Majority Amendment (0453h)**

Amend the bill by replacing section 1 with the following:

1 Election Procedure; Processing Absentee Ballots; Death of a Voter. Amend RSA 659:48 to read as follows:

659:48 Death of a Voter. If the officers charged with the duty of processing absentee ballots are cognizant of the fact that the voter has died prior to the ***time that absentee ballots are to begin being processed in accordance with RSA 659:55-a, or prior to the*** opening of the polls, they shall not open the envelope containing the absentee ballot.

Amend RSA 659:55-a, I as inserted by section 4 of the bill by replacing it with the following:

I. The moderator, or his or her designee, may begin the processing of absentee ballots prior to the opening of the polls provided that the clerk shall post, in an appropriate place and prior to election day, notice of the time and place of the processing. Such notice shall be posted in 2 appropriate places, one of which may be the public body's Internet website, if such exists, or shall be printed in a newspaper of general circulation in the city or town at least 48 hours, excluding Sundays and legal holidays, prior to such meeting. The partial processing of absentee ballots prior to an election shall not occur more than 7 days prior to the date of the election nor prior to the certification of the checklist by the supervisors of the checklist in accordance with RSA 654:29. The moderator shall be assisted by at least 3 other election officers as defined under RSA 652:14. Under no circumstances shall absentee ballots be counted prior to the opening of the polls.

Majority committee amendment adopted.

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

Rep. Lang spoke against and yielded to questions.

Rep. Lane spoke in favor.

Majority committee report adopted and ordered to third reading.

**HB 611-FN**, allowing voters to vote by absentee ballot. **MAJORITY: OUGHT TO PASS. MINORITY: IN-EXPEDIENT TO LEGISLATE.**

Rep. Connie Lane for the Majority of Election Law. This bill allows eligible New Hampshire voters to request an absentee ballot without also requiring them to provide an excuse for doing so. The minority has objected to the bill, stating that changes to absentee ballot provisions must be adopted only by amending the New Hampshire constitution. New Hampshire statutes, however, already extend absentee voting to persons who will presumably be located within their voting districts but are unable to leave their homes due to religious obligations, an excuse not enumerated in Part 1, Art. 11 of the New Hampshire Constitution. The minority also expressed concern that the bill does not address the security of these absentee ballots. Since the current absentee ballot procedures are secure and there is nothing in the bill that would require additional security, there is no need to include new measures in this bill. The majority of the committee believes this statutory change respects the New Hampshire Constitution and that the existing security procedures are sufficient. Vote 12-8.

Rep. Timothy Lang for the Minority of Election Law. New Hampshire has a proud tradition of citizen involvement in elections with well over 50% of citizens participating and our state generally finishing in the top 3 states nationwide for voter participation. While the minority agrees in concept with the underlying principles of increasing voter ballot access, there are issues with this bill. First and foremost, the reasons for absentee voting are outlined in the NH Constitution under Part 1, Article 11. This bill seeks to change what is outlined in the constitution, by way of a bill, which makes the change unconstitutional on its face. Additionally, if you could overcome the unconstitutional issues of this bill, when considering voter access, you must keep in mind the delicate balance and tension between increasing the ease of voting, with the need for election integrity. This bill is all about the ease of voting side with no compensating controls for the election integrity side of that delicate balance. As we have seen in this past 2018 election cycle in other states, abuse of the absentee ballot system has caused grief, and fraud by way of 'ballot harvesting,' no voter identification, or inappropriately registering voters. The NH Secretary of State agrees that this change to absentee ballot access will increase the risk in NH for these types of abuse. The minority also believes that changing NH to a 'no excuse' absentee ballot state, without compensating controls, the integrity of our elections will be put at risk, which will further undermine citizens' confidence in the election process and government.

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

Rep. Lang spoke against.

Rep. Lane spoke in favor.

Rep. Wuelper requested a roll call; sufficiently seconded.

## YEAS 198 - NAYS 163

### YEAS - 198 BELKNAP

Huot, David

### CARROLL

Burroughs, Anita  
Knirk, Jerry

Butler, Edward  
Ticehurst, Susan

DesMarais, Edith  
Woodcock, Stephen

Kanzler, Harrison

### CHESHIRE

Abbott, Michael  
Eaton, Daniel  
Ley, Douglas  
Parkhurst, Henry  
Von Plinsky, Sparky

Ames, Richard  
Faulkner, Barry  
Mann, John  
Schapiro, Joe  
Pearson, William

Berch, Paul  
Fenton, Donovan  
Meador, David  
Tatro, Bruce  
Weber, Lucy

Bordenet, John  
Gomarlo, Jennie  
Morrill, David  
Thompson, Craig

### COOS

Hatch, William  
Tucker, Edith

Laflamme, Larry  
Thomas, Yvonne

Moynihan, Wayne

Noel, Henry

### GRAFTON

Abel, Richard  
Diggs, Francesca  
French, Elaine  
Mulligan, Mary Jane  
Stringham, Jerry

Adjutant, Joshua  
Egan, Timothy  
Josephson, Timothy  
Muscatel, Garrett  
Smith, Suzanne

Almy, Susan  
Fellows, Sallie  
Maes, Kevin  
Osborne, Richard  
Sykes, George

Campion, Polly  
Ford, Susan  
Massimilla, Linda  
Stavis, Laurel  
Weston, Joyce

**HILLSBOROUGH**

Bouldin, Amanda  
 Beaulieu, Jane  
 Bosman, James  
 Cohen, Bruce  
 Dargie, Paul  
 Espitia, Manny  
 Griffith, Willis  
 Herbert, Christopher  
 King, Mark  
 Long, Patrick  
 Mombourquette, Donna  
 Nutting-Wong, Allison  
 Pickering, Daniel  
 Newman, Ray  
 Newman, Sue  
 Stack, Kathryn  
 Toomey, Dan  
 Thomas, Wendy

Bouldin, Andrew  
 Bergeron, Paul  
 Bouchard, Donald  
 Connors, Erika  
 Desjardin, Kathy  
 Davis, Fred  
 Hall, Brett  
 Indruk, Greg  
 Klee, Patricia  
 Mangipudi, Latha  
 Mullen, Sue  
 O'Brien, Michael  
 Piedra, Israel  
 Radhakrishnan, Julie  
 Snow, Kendall  
 Stevens, Deb  
 Vail, Suzanne  
 Wilhelm, Matthew

Balch, Chris  
 Bernet, Jennifer  
 Chretien, Jacqueline  
 Cornell, Patricia  
 DiSilvestro, Linda  
 Freitas, Mary  
 Harriott-Gathright, Linda  
 Schmidt, Janice  
 Klein-Knight, Nicole  
 Martin, Joelle  
 Murphy, Nancy  
 Pedersen, Michael  
 Porter, Marjorie  
 Riel, Cole  
 Sofikitis, Catherine  
 Smith, Timothy  
 Van Houten, Constance  
 Williams, Kermit

Baroody, Benjamin  
 Bordy, William  
 Cleaver, Skip  
 Cote, David  
 Dutzy, Sherry  
 Goley, Jeffrey  
 Heath, Mary  
 Jeudy, Jean  
 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  
 Karrick, David  
 Moffett, Howard  
 Schamberg, Thomas  
 Turcotte, Alan  
 Woods, Gary

Carson, Clyde  
 Lane, Connie  
 Richards, Beth  
 Schuett, Dianne  
 Walz, Mary Beth

Ebel, Karen  
 Luneau, David  
 Rogers, Katherine  
 Schultz, Kristina  
 Wazir, Safiya

Fox, Samantha  
 MacKay, James  
 Saunderson, George  
 Soucy, Timothy  
 Wells, Kenneth

**ROCKINGHAM**

Altschiller, Debra  
 Cushing, Robert Renny  
 Gilman, Julie  
 Murray, Kate  
 Malloy, Dennis  
 Read, Ellen

Bunker, Lisa  
 DiLorenzo, Charlotte  
 Grossman, Gaby  
 Le, Tamara  
 McBeath, Rebecca  
 Somssich, Peter

Bushway, Patricia  
 Edgar, Michael  
 Grote, Jaci  
 Loughman, Tom  
 McConnell, Liz  
 Vallone, Mark

Coursin, David  
 Eisner, Mary  
 Guthrie, Joseph  
 Maggiore, Jim  
 Meuse, David  
 Ward, Gerald

**STRAFFORD**

Bixby, Peter  
 Ellis, Donna  
 Grassie, Chuck  
 Opderbecke, Linn  
 Sandler, Catt  
 Vincent, Kenneth

Cannon, Gerri  
 Fargo, Kristina  
 Horrigan, Timothy  
 Schmidt, Peter  
 Spang, Judith  
 Wall, Janet

Chase, Wendy  
 Fontneau, Timothy  
 Kenney, Cam  
 Rich, Cecilia  
 Towne, Matthew

Conley, Casey  
 Gourgue, Amanda  
 Levesque, Cassandra  
 Salloway, Jeffrey  
 Treleaven, Susan

**SULLIVAN**

Cloutier, John  
 Sullivan Brian

Merchant, Gary  
 Tanner, Linda

O'Hearne, Andrew

Oxenham, Lee

**NAYS - 163****BELKNAP**

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

Bean, Harry  
 Howard, Raymond  
 Plumer, John

Comtois, Barbara  
 Jurius, Deanna  
 Spanos, Peter

Feeney, George  
 Lang, Timothy  
 Sylvia, Michael

**CARROLL**

Avellani, Lino  
 Crawford, Karel

Buco, Thomas  
 MacDonald, John

Comeau, Ed  
 Marsh, William

Cordelli, Glenn  
 Nelson, Bill

**CHESHIRE****COOS**

Hunt, John

O'Day, John

Craig, Kevin

Fothergill, John

Furbush, Michael

Merner, Troy

**GRAFTON**

Gordon, Edward

Hennessey, Erin

Ladd, Rick

Migliore, Vincent Paul

**HILLSBOROUGH**

Lekas, Alicia  
 Barry, Richard  
 Camarota, Linda  
 Flanagan, Jack

Alexander, Joe  
 Belanger, James  
 Danielson, David  
 Gagne, Larry

Griffin, Barbara  
 Boehm, Ralph  
 Erf, Keith  
 Gould, Linda

Backus, Robert  
 Burt, John  
 Fedolfi, Jim  
 Graham, John

Greene, Bob  
Jack, Martin  
Leishman, Peter  
Nunez, Hershel  
Prout, Andrew  
Shaw, Barbara  
Ulery, Jordan

Gunski, Michael  
L'Heureux, Robert  
Marzullo, JP  
Panasiti, Reed  
Ober, Russell  
Somero, Paul  
Warden, Mark

Hinch, Richard  
Ober, Lynne  
McLean, Mark  
Plett, Fred  
Renzullo, Andrew  
Lekas, Tony  
Whittemore, James

Hopper, Gary  
Lascelles, Richard  
Notter, Jeanine  
Proulx, Mark  
Rice, Kimberly  
Trento, Michael

### MERRIMACK

Allard, James  
Kotowski, Frank  
Rodd, Beth  
Wolf, Dan

Fulweiler, Joyce  
Marple, Richard  
Seaworth, Brian  
Yakubovich, Michael

Hill, Gregory  
McGuire, Carol  
Testerman, Dave

Horn, Werner  
Pearl, Howard  
Walsh, Thomas

### ROCKINGHAM

Abbas, Daryl  
Baldasaro, Al  
Cali-Pitts, Jacqueline  
Thomas, Douglas  
Doucette, Fred  
Green, Dennis  
Osborne, Jason  
Khan, Aboul  
Pearson, Mark  
Melvin, Charles  
Owens, Becky  
Pratt, Kevin  
Spillane, James  
Verville, Kevin  
Yokela, Josh

Abrami, Patrick  
Barnes, Arthur  
Chirichiello, Brian  
Desilets, Joel  
Edwards, Jess  
Harb, Robert  
Janigian, John  
Love, David  
McBride, Everett  
Milz, David  
Packard, Sherman  
Prudhomme-O'Brien, Katherine  
Sytek, John  
Wallace, Scott

Abramson, Max  
Bershtein, Alan  
Costable, Michael  
DeSimone, Debra  
Elliott, Robert  
Hobson, Deborah  
Janvrin, Jason  
Lundgren, David  
McKinney, Betsy  
Morrison, Sean  
Piemonte, Tony  
Roy, Terry  
Torosian, Peter  
Welch, David

Acton, Dennis  
Cahill, Michael  
Davis, Dan  
Dolan, Tom  
Gay, Betty  
Hoelzel, Kathleen  
Katsakiores, Phyllis  
Griffin, Mary  
McMahon, Charles  
O'Connor, John  
Potucek, John  
Pearson, Stephen  
True, Chris  
Weyler, Kenneth

### STRAFFORD

Harrington, Michael  
Kittredge, Mac  
Rooney, Abigail

Hayward, Peter  
Smith, Marjorie  
Beaudoin, Steven

Horgan, James  
McNally, Jody  
Wuelper, Kurt

Keans, Sandra  
Perreault, Mona

### SULLIVAN

Aron, Judy  
Rollins, Skip

Callum, John  
Stapleton, Walter

Laware, Thomas  
Smith, Steven

Lucas, Gates

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

**HB 629-FN-L**, establishing a state defined contribution retirement plan for state and political subdivision members of the retirement system. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Kristina Schultz for the Majority of Executive Departments and Administration. Research shows that Defined Contribution (DC) retirement plans are more expensive to administer and may not deliver sound and reliable benefits as consistently or inexpensively as Defined Benefit (DB) retirement plans. Given that a recent report provided by Boston College's Center for Retirement Research, at the request of the 2017 Decennial Retirement Commission, shows New Hampshire's pension costs are well below the national average, switching to a DC plan will only exacerbate increases to employer costs. In fact, this bill's fiscal note says making this change will increase the unfunded actuarial accrued liability (UAAL) of the NH Retirement System (NHRS) by \$1.9 billion. The current UAAL, which makes up the bulk of employer payments, will be paid off in 2039. Employer costs after that time will be next to nothing and much less expensive than any DC plan, including the one proposed in this bill. A DC plan is the wrong policy fix for the NHRS. The correct course of action is to maintain the current DB plan, as independent actuaries have demonstrated that with sound contribution rates and smart investment decisions, the UAAL will be paid off during the remaining 21 years of the amortization period and the normal pension cost is an affordable way to provide public employees with retirement security. Vote 13-6.

Rep. Carol McGuire for the Minority of Executive Departments and Administration. This bill establishes a basic defined contribution retirement plan similar to the 401(k) plans most private companies use. The advantages of a defined contribution plan are, for the employer, simply that contributions *are* defined; once paid, the taxpayers are not ever going to be liable for the mistakes of the past, as we are now, ten years into a thirty-year mortgage to pay off the errors of the 1990's. For the employee, the benefits are that the plan funds belong to them: they can take them along to another job, and, when retired, spread the funds to support their retirement plans, including increases to cover inflation. The costs cited are overwhelming due to the transition costs on the current defined benefit plan. The defined contribution plan costs about the same to fund the current benefits and can never accumulate unfunded liabilities.

The question being adoption of the majority committee report of Inexpedient to Legislate.  
Rep. Notter requested a roll call; sufficiently seconded.

**YEAS 224 - NAYS 137****YEAS - 224  
BELKNAP**

Huot, David

Buco, Thomas  
DesMarais, Edith  
Ticehurst, SusanAbbott, Michael  
Eaton, Daniel  
Ley, Douglas  
Parkhurst, Henry  
Von Plinsky, SparkyHatch, William  
Noel, HenryAbel, Richard  
Diggs, Francesca  
French, Elaine  
Massimilla, Linda  
Stavis, LaurelBouldin, Amanda  
Baroody, Benjamin  
Bordy, William  
Cleaver, Skip  
Dargie, Paul  
Espitia, Manny  
Griffith, Willis  
Herbert, Christopher  
Judy, Jean  
Langley, Diane  
Martin, Joelle  
Mullen, Sue  
O'Brien, Michael  
Piedra, Israel  
Newman, Ray  
Newman, Sue  
St. John, Michelle  
Telerski, Laura  
Vann, Ivy  
Woodbury, DavidBurroughs, Anita  
Kanzler, Harrison  
Woodcock, StephenAmes, Richard  
Faulkner, Barry  
Mann, John  
Schapiro, Joe  
Pearson, WilliamLaflamme, Larry  
Tucker, EdithAdjutant, Joshua  
Egan, Timothy  
Gordon, Edward  
Mulligan, Mary Jane  
Smith, SuzanneBouldin, Andrew  
Beaulieu, Jane  
Bosman, James  
Connors, Erika  
Desjardin, Kathy  
Davis, Fred  
Hall, Brett  
Indruk, Greg  
King, Mark  
Leishman, Peter  
McGhee, Kat  
Murphy, Nancy  
Pedersen, Michael  
Porter, Marjorie  
Radhakrishnan, Julie  
Shaw, Barbara  
Stack, Kathryn  
Toomey, Dan  
Thomas, Wendy**CARROLL**Butler, Edward  
Knirk, Jerry**CHESHIRE**Berch, Paul  
Fenton, Donovan  
Meador, David  
Tatro, Bruce  
Weber, Lucy**COOS**Merner, Troy  
Thomas, Yvonne**GRAFTON**Almy, Susan  
Fellows, Sallie  
Josephson, Timothy  
Muscatel, Garrett  
Sykes, George**HILLSBOROUGH**Backus, Robert  
Bergeron, Paul  
Bouchard, Donald  
Cornell, Patricia  
DiSilvestro, Linda  
Freitas, Mary  
Harriott-Gathright, Linda  
Schmidt, Janice  
Klee, Patricia  
Long, Patrick  
McLean, Mark  
Nutter-Upham, Frances  
Petrigno, Peter  
Proulx, Mark  
Riel, Cole  
Snow, Kendall  
Stevens, Deb  
Vail, Suzanne  
Wilhelm, MatthewCrawford, Karel  
MacDonald, JohnBordenet, John  
Gomarlo, Jennie  
Morrill, David  
Thompson, Craig

Moynihan, Wayne

Campion, Polly  
Ford, Susan  
Maes, Kevin  
Osborne, Richard  
Weston, JoyceBalch, Chris  
Bernet, Jennifer  
Chretien, Jacqueline  
Cote, David  
Dutzy, Sherry  
Goley, Jeffrey  
Heath, Mary  
Jack, Martin  
Klein-Knight, Nicole  
Mangipudi, Latha  
Mombourquette, Donna  
Nutting-Wong, Allison  
Pickering, Daniel  
Query, Joshua  
Rung, Rosemarie  
Sofikitis, Catherine  
Smith, Timothy  
Van Houten, Constance  
Williams, Kermit**MERRIMACK**Carson, Clyde  
Karrick, David  
Moffett, Howard  
Saunderson, George  
Soucy, Timothy  
Wazir, SafiyaEbel, Karen  
Lane, Connie  
Richards, Beth  
Schamberg, Thomas  
Turcotte, Alan  
Wells, Kenneth**ROCKINGHAM**Abbas, Daryl  
Cahill, Michael  
DiLorenzo, Charlotte  
Gilman, Julie  
Le, Tamara  
Maggiore, Jim  
McConnell, Liz  
Pratt, Kevin  
Vallone, MarkAltschiller, Debra  
Cali-Pitts, Jacqueline  
Dolan, Tom  
Grossman, Gaby  
Loughman, Tom  
Malloy, Dennis  
McMahon, Charles  
Read, Ellen  
Ward, GeraldBunker, Lisa  
Coursin, David  
Edgar, Michael  
Grote, Jaci  
Lovejoy, Patricia  
McBeath, Rebecca  
Meuse, David  
Pearson, StephenBushway, Patricia  
Cushing, Robert Renny  
Eisner, Mary  
Murray, Kate  
Pearson, Mark  
McBride, Everett  
Morrison, Sean  
Somssich, Peter

**STRAFFORD**

Bixby, Peter  
Ellis, Donna  
Grassie, Chuck  
Levesque, Cassandra  
Rich, Cecilia  
Towne, Matthew

Cannon, Gerri  
Fargo, Kristina  
Horriggan, Timothy  
Smith, Marjorie  
Salloway, Jeffrey  
Treleaven, Susan

Chase, Wendy  
Fontneau, Timothy  
Keans, Sandra  
Opderbecke, Linn  
Sandler, Catt  
Vincent, Kenneth

Conley, Casey  
Gourgue, Amanda  
Kenney, Cam  
Schmidt, Peter  
Spang, Judith  
Wall, Janet

**SULLIVAN**

Cloutier, John  
Sullivan Brian

Merchant, Gary  
Tanner, Linda

O'Hearne, Andrew

Oxenham, Lee

**NAYS - 137****BELKNAP**

Aldrich, Glen  
Fields, Dennis  
Plumer, John

Bean, Harry  
Howard, Raymond  
Spanos, Peter

Comtois, Barbara  
Jurius, Deanna  
Sylvia, Michael

Feeney, George  
Mackie, Jonathan  
Tilton, Franklin

**CARROLL**

Avellani, Lino  
Nelson, Bill

Comeau, Ed

Cordelli, Glenn

Marsh, William

**CHESHIRE**

Hunt, John

O'Day, John

**COOS**

Craig, Kevin

Fothergill, John

Furbush, Michael

**GRAFTON**

Hennessey, Erin

Ladd, Rick

Migliore, Vincent Paul

Stringham, Jerry

**HILLSBOROUGH**

Lekas, Alicia  
Belanger, James  
Danielson, David  
Gagne, Larry  
Gunski, Michael  
Ober, Lynne  
Nunez, Hershel  
Ober, Russell  
Lekas, Tony  
Whittemore, James

Alexander, Joe  
Boehm, Ralph  
Erf, Keith  
Gould, Linda  
Hinch, Richard  
Lascelles, Richard  
Panasiti, Reed  
Renzullo, Andrew  
Trento, Michael

Griffin, Barbara  
Burt, John  
Fedolfi, Jim  
Graham, John  
Hopper, Gary  
Marzullo, JP  
Plett, Fred  
Rice, Kimberly  
Ulery, Jordan

Barry, Richard  
Camarota, Linda  
Flanagan, Jack  
Greene, Bob  
L'Heureux, Robert  
Notter, Jeanine  
Prout, Andrew  
Somero, Paul  
Warden, Mark

**MERRIMACK**

Allard, James  
Marple, Richard  
Testerman, Dave

Hill, Gregory  
McGuire, Carol  
Walsh, Thomas

Horn, Werner  
Pearl, Howard  
Yakubovich, Michael

Kotowski, Frank  
Seaworth, Brian

**ROCKINGHAM**

Abrami, Patrick  
Barnes, Arthur  
Davis, Dan  
Doucette, Fred  
Green, Dennis  
Hoelzel, Kathleen  
Katsakiores, Phyllis  
Griffin, Mary  
O'Connor, John  
Potucek, John  
Sytek, John  
Welch, David

Abramson, Max  
Bershtein, Alan  
Thomas, Douglas  
Edwards, Jess  
Guthrie, Joseph  
Osborne, Jason  
Khan, Aboul  
McKinney, Betsy  
Owens, Becky  
Prudhomme-O'Brien, Katherine  
Tosorian, Peter  
Weyler, Kenneth

Acton, Dennis  
Chirichiello, Brian  
Desilets, Joel  
Elliott, Robert  
Harb, Robert  
Janigian, John  
Love, David  
Melvin, Charles  
Packard, Sherman  
Roy, Terry  
True, Chris  
Yokela, Josh

Baldasaro, Al  
Costable, Michael  
DeSimone, Debra  
Gay, Betty  
Hobson, Deborah  
Janvrin, Jason  
Lundgren, David  
Milz, David  
Piemonte, Tony  
Spillane, James  
Verville, Kevin

**STRAFFORD**

Harrington, Michael  
McNally, Jody  
Wuelper, Kurt

Hayward, Peter  
Perreault, Mona

Horgan, James  
Rooney, Abigail

Kittredge, Mac  
Beaudoin, Steven

**SULLIVAN**

Aron, Judy  
Rollins, Skip

Callum, John  
Stapleton, Walter

Laware, Thomas  
Smith, Steven

Lucas, Gates

and the majority committee report was adopted.

**HB 158-FN**, relative to induced termination of pregnancy statistics. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Lucy Weber for the Majority of Health, Human Services and Elderly Affairs. This bill is the latest in a long series of bills which would require the State of New Hampshire to collect data on induced terminations of pregnancies. While it is true that 47 other states collect data about these procedures, the majority of the committee remain unconvinced that it is necessary to collect this data, and further believe that the intrusion into private medical decision-making involved in the data collection far outweighs any utility of the data collected. As introduced the bill would require providers to submit reports identifying patients by a confidential number and would require reporting of the patient's use or non-use of contraception and the type of contraception if used, patient's age, gestational age of the fetus, date of termination, and method of termination. The patient's residence would be identified by municipality, if the municipality has a population of over 20,000, and by county for those residing in smaller cities or towns. The information would be submitted, not to the Department of Health and Human Services, but to the Division of Vital Records Administration in the Secretary of State's Office. A similar bill was defeated by the House last session. Since then, the majority has become increasingly concerned by the ongoing advances in technology which enable the unauthorized re-identification of patients from aggregated patient data. Finally, the majority finds it instructive that in November of 2018, over 80% of NH voters approved a constitutional amendment which defines as essential "an individual's right to live free from governmental intrusion in private or personal information." Vote 12-8.

Rep. Walter Stapleton for the Minority of Health, Human Services and Elderly Affairs. New Hampshire is one of only three states that do not report termination of pregnancy statistics to the National Center for Disease Control. The minority asserts that New Hampshire should join the 47 states that do collect and report abortion statistics, to have a clear understanding of how, and to what extent, gestational and reproductive health in New Hampshire is being affected. The bill, with amendment, would have addressed the individual privacy concerns by limiting reporting of these statistics to only the aggregate numbers, and data collection under prescribed criteria and control to assure privacy integrity.

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

Reps. Notter, Stapleton and Jurius spoke against.

Rep. Weber spoke in favor.

Rep. Notter requested a roll call; sufficiently seconded.

**YEAS 218 - NAYS 144**

**YEAS - 218  
BELKNAP**

Huot, David

**CARROLL**

Burroughs, Anita  
Knirk, Jerry

Butler, Edward  
Ticehurst, Susan

DesMarais, Edith  
Woodcock, Stephen

Kanzler, Harrison

**CHESHIRE**

Abbott, Michael  
Eaton, Daniel  
Ley, Douglas  
Parkhurst, Henry  
Von Plinsky, Sparky

Ames, Richard  
Faulkner, Barry  
Mann, John  
Schapiro, Joe  
Pearson, William

Berch, Paul  
Fenton, Donovan  
Meador, David  
Tatro, Bruce  
Weber, Lucy

Bordenet, John  
Gomarlo, Jennie  
Morrill, David  
Thompson, Craig

**COOS**

Hatch, William  
Tucker, Edith

Laflamme, Larry  
Thomas, Yvonne

Moynihan, Wayne

Noel, Henry

**GRAFTON**

Abel, Richard  
Diggs, Francesca  
French, Elaine  
Maes, Kevin  
Osborne, Richard  
Sykes, George

Adjutant, Joshua  
Egan, Timothy  
Gordon, Edward  
Massimilla, Linda  
Stavis, Laurel  
Weston, Joyce

Almy, Susan  
Fellows, Sallie  
Hennessey, Erin  
Mulligan, Mary Jane  
Stringham, Jerry

Campion, Polly  
Ford, Susan  
Josephson, Timothy  
Muscatel, Garrett  
Smith, Suzanne

**HILLSBOROUGH**

Bouldin, Amanda  
Beaulieu, Jane  
Bosman, James  
Cohen, Bruce  
Danielson, David

Backus, Robert  
Bergeron, Paul  
Bouchard, Donald  
Connors, Erika  
Dargie, Paul

Balch, Chris  
Bernet, Jennifer  
Chretien, Jacqueline  
Cornell, Patricia  
Desjardin, Kathy

Baroody, Benjamin  
Bordy, William  
Cleaver, Skip  
Cote, David  
DiSilvestro, Linda

Dutzy, Sherry  
 Goley, Jeffrey  
 Harriott-Gathright, Linda  
 Schmidt, Janice  
 Klee, Patricia  
 Long, Patrick  
 Mombourquette, Donna  
 Nutting-Wong, Allison  
 Pickering, Daniel  
 Prout, Andrew  
 Radhakrishnan, Julie  
 Shaw, Barbara  
 Stack, Kathryn  
 Toomey, Dan  
 Thomas, Wendy

Espitia, Manny  
 Graham, John  
 Heath, Mary  
 Jack, Martin  
 Klein-Knight, Nicole  
 Mangipudi, Latha  
 Mullen, Sue  
 O'Brien, Michael  
 Piedra, Israel  
 Query, Joshua  
 Riel, Cole  
 Snow, Kendall  
 Stevens, Deb  
 Vail, Suzanne  
 Wilhelm, Matthew

Davis, Fred  
 Griffith, Willis  
 Herbert, Christopher  
 Jeudy, Jean  
 Langley, Diane  
 Martin, Joelle  
 Murphy, Nancy  
 Pedersen, Michael  
 Porter, Marjorie  
 Newman, Ray  
 Rung, Rosemarie  
 Sofikitis, Catherine  
 Smith, Timothy  
 Van Houten, Constance  
 Williams, Kermit

Freitas, Mary  
 Hall, Brett  
 Indruk, Greg  
 King, Mark  
 Leishman, Peter  
 McGhee, Kat  
 Nutter-Upham, Frances  
 Petrigno, Peter  
 Proulx, Mark  
 Ober, Russell  
 Newman, Sue  
 St. John, Michelle  
 Telerski, Laura  
 Vann, Ivy  
 Woodbury, David

### MERRIMACK

Bartlett, Christy  
 Fox, Samantha  
 Luneau, David  
 Rodd, Beth  
 Schuett, Dianne  
 Wallner, Mary Jane  
 Wolf, Dan

Buchanan, Ryan  
 Fulweiler, Joyce  
 MacKay, James  
 Rogers, Katherine  
 Schultz, Kristina  
 Walz, Mary Beth  
 Woods, Gary

Carson, Clyde  
 Karrick, David  
 Moffett, Howard  
 Saunderson, George  
 Soucy, Timothy  
 Wazir, Safiya

Ebel, Karen  
 Lane, Connie  
 Richards, Beth  
 Schamberg, Thomas  
 Turcotte, Alan  
 Wells, Kenneth

### ROCKINGHAM

Altschiller, Debra  
 Cali-Pitts, Jacqueline  
 Edgar, Michael  
 Grote, Jaci  
 Lovejoy, Patricia  
 McKinney, Betsy  
 Vallone, Mark

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

Bushway, Patricia  
 Cushing, Robert Renny  
 Gilman, Julie  
 Le, Tamara  
 McBeath, Rebecca  
 Read, Ellen  
 Yokela, Josh

Cahill, Michael  
 DiLorenzo, Charlotte  
 Grossman, Gaby  
 Loughman, Tom  
 McConnell, Liz  
 Somssich, Peter

### STRAFFORD

Bixby, Peter  
 Ellis, Donna  
 Grassie, Chuck  
 Levesque, Cassandra  
 Rich, Cecilia  
 Towne, Matthew

Cannon, Gerri  
 Fargo, Kristina  
 Horrigan, Timothy  
 Smith, Marjorie  
 Salloway, Jeffrey  
 Treleaven, Susan

Chase, Wendy  
 Fontneau, Timothy  
 Keans, Sandra  
 Operbecke, Linn  
 Sandler, Catt  
 Vincent, Kenneth

Conley, Casey  
 Gourgue, Amanda  
 Kenney, Cam  
 Schmidt, Peter  
 Spang, Judith  
 Wall, Janet

### SULLIVAN

Cloutier, John  
 Sullivan Brian

Merchant, Gary  
 Tanner, Linda

O'Hearne, Andrew

Oxenham, Lee

### NAYS - 144

#### BELKNAP

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

Bean, Harry  
 Howard, Raymond  
 Plumer, John

Comtois, Barbara  
 Jurius, Deanna  
 Spanos, Peter

Feeney, George  
 Lang, Timothy  
 Sylvia, Michael

#### CARROLL

Avellani, Lino  
 Marsh, William

Comeau, Ed  
 Nelson, Bill

Cordelli, Glenn

MacDonald, John

#### CHESHIRE

Hunt, John

O'Day, John

#### COOS

Craig, Kevin

Fothergill, John

Furbush, Michael

Merner, Troy

#### GRAFTON

Ladd, Rick

Migliore, Vincent Paul

#### HILLSBOROUGH

Lekas, Alicia  
 Belanger, James  
 Camarota, Linda  
 Gagne, Larry

Alexander, Joe  
 Boehm, Ralph  
 Erf, Keith  
 Gould, Linda

Griffin, Barbara  
 Burns, Charles  
 Fedolfi, Jim  
 Greene, Bob

Barry, Richard  
 Burt, John  
 Flanagan, Jack  
 Gunski, Michael

Hinch, Richard  
 Lascelles, Richard  
 Nunez, Hershel  
 Rice, Kimberly  
 Ulery, Jordan

Hopper, Gary  
 Marzullo, JP  
 Panasiti, Reed  
 Somero, Paul  
 Warden, Mark

L'Heureux, Robert  
 McLean, Mark  
 Plett, Fred  
 Lekas, Tony  
 Whittemore, James

Ober, Lynne  
 Notter, Jeanine  
 Renzullo, Andrew  
 Trento, Michael

### MERRIMACK

Allard, James  
 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  
 Elliott, Robert  
 Harb, Robert  
 Janigian, John  
 Love, David  
 Maggiore, Jim  
 Milz, David  
 Packard, Sherman  
 Prudhomme-O'Brien, Katherine  
 Sytek, John  
 Wallace, Scott

Abrami, Patrick  
 Barnes, Arthur  
 Davis, Dan  
 Dolan, Tom  
 Gay, Betty  
 Hobson, Deborah  
 Janvrin, Jason  
 Lundgren, David  
 McBride, Everett  
 Morrison, Sean  
 Piemonte, Tony  
 Roy, Terry  
 Torosian, Peter  
 Welch, David

Abramson, Max  
 Bershtein, Alan  
 Thomas, Douglas  
 Doucette, Fred  
 Green, Dennis  
 Hoelzel, Kathleen  
 Katsakiores, Phyllis  
 Griffin, Mary  
 McMahon, Charles  
 O'Connor, John  
 Potucek, John  
 Pearson, Stephen  
 True, Chris  
 Weyler, Kenneth

Acton, Dennis  
 Chirichiello, Brian  
 Desilets, Joel  
 Edwards, Jess  
 Guthrie, Joseph  
 Osborne, Jason  
 Khan, Aboul  
 Pearson, Mark  
 Melvin, Charles  
 Owens, Becky  
 Pratt, Kevin  
 Spillane, James  
 Verville, Kevin

### STRAFFORD

Harrington, Michael  
 McNally, Jody  
 Wuelper, Kurt

Hayward, Peter  
 Perreault, Mona

Horgan, James  
 Rooney, Abigail

Kittredge, Mac  
 Beaudoin, Steven

### SULLIVAN

Aron, Judy  
 Rollins, Skip

Callum, John  
 Stapleton, Walter

Laware, Thomas  
 Smith, Steven

Lucas, Gates

and the majority committee report was adopted.

**HB 364**, permitting qualifying patients and designated caregivers to cultivate cannabis for therapeutic use. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.** Rep. Dennis Acton for the Majority of Health, Human Services and Elderly Affairs. This bill adds to the therapeutic cannabis law the capability for qualifying patients and care givers to grow small amounts of cannabis for medical use. The majority agrees with the goals of reducing long drive times for patients and care givers and reducing the high out-of-pocket cost of access to care. The amendment restricts the number of allowable plants to three mature plants, three immature plants and 12 seedlings to ensure an adequate and continuous supply. The maximum allowable usable cannabis is set at 8 ounces. A qualified patient is allowed to gift cannabis to another qualifying patient if there is nothing of value transferred in return and the gift will not cause the receiving patient to exceed his or her allowable amount. A care giver may grow cannabis for one patient only. Vote 17-4.

Rep. William Marsh for the Minority of Health, Human Services and Elderly Affairs. Law enforcement feels that allowing home cultivation, in the absence of full legalization of cannabis, would complicate their law enforcement efforts. The alternative treatment centers are concerned home cultivation will reduce demand and compromise their business model. Full legalization would render this bill unnecessary. Consequently, while we realize the good intentions behind this bill, we feel this bill, at this time, is inexpedient to legislate.

### Majority Amendment (0689h)

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

AN ACT permitting qualifying patients and designated caregivers to cultivate cannabis for therapeutic use and permitting qualifying patients and designated caregivers to donate excess cannabis to other qualifying patients.

Amend RSA 126-X:2, II-a(a)(1) as inserted by section 6 of the bill by replacing it with the following:

**(1) Eight ounces of usable cannabis;**

Amend RSA 126-X:2, II-a(a)(3) as inserted by section 6 of the bill by replacing it with the following:

**(3) Three mature cannabis plants, 3 immature cannabis plants and 12 seedlings, where the plants are not subject to public view, including to view from another private property, without the use of optical aids, with a total canopy of no more than 50 square feet.**

Amend RSA 126-X:2, II-b(a)(1) as inserted by section 6 of the bill by replacing it with the following:

**(1) Eight ounces of usable cannabis;**

Amend RSA 126-X:2, II-b(a)(3) as inserted by section 6 of the bill by replacing it with the following:

**(3) Three mature cannabis plants, 3 immature cannabis plants and 12 seedlings, where the plants are not subject to public view, including to view from another private property, without the use of optical aids, with a total canopy of no more than 50 square feet.**

Amend RSA 126-X:2, II-c as inserted by section 6 of the bill by replacing it with the following:

II-c.(a) A qualifying patient shall not be subject to arrest by state or local law enforcement, or prosecution or penalty under state or municipal law, for giving cannabis to a qualifying patient or a visiting qualifying patient where nothing of value is transferred in return, or for offering to do the same if the person giving the cannabis does not knowingly cause the recipient to possess more cannabis than is permitted under this section.

(b) A designated caregiver shall not be subject to arrest by state or local law enforcement, or prosecution or penalty under state or municipal law, for giving cannabis to a qualifying patient or a visiting qualifying patient or for offering to do the same if:

(1) The designated caregiver's qualifying patient or qualifying patients consent to the gift, if they are alive;

(2) Nothing of value is transferred in return for the medical cannabis; and

(3) The person giving the cannabis does not knowingly cause the recipient to possess more cannabis than is permitted under this section.

Amend RSA 126-X:2, XV as inserted by section 7 of the bill by replacing it with the following:

XV. A laboratory, **and the employees thereof**, which conducts testing of cannabis [~~required under rules for~~] **delivered to it by** alternative treatment centers, [~~adopted under this chapter, and the employees thereof~~] **qualifying patients, or designated caregivers**, shall not be subject to arrest by state or local law enforcement, prosecution or penalty under state or municipal law, or search, for acting pursuant to this chapter and department rules to possess cannabis on the premises of the laboratory for the purposes of testing, and, in the case of a laboratory employee, denied any right or privilege for working for such a laboratory.

Amend the bill by inserting after section 15 the following and renumbering the original section 16 to read as 17:

16 Use of Cannabis for Therapeutic Purposes; Protections. Amend RSA 126-X:2, XIV(b) and (c) to read as follows:

(b) The person may notify local law enforcement and request that they dispose of the cannabis; ~~or~~

(c) The person may dispose of the cannabis, after mixing the cannabis with other ingredients such as soil to render it unusable; **or**

**(d) The person may give the cannabis to a qualifying patient or a visiting qualifying patient, provided that:**

**(1) The person giving away the cannabis does not knowingly cause the recipient to exceed his or her possession limit;**

**(2) If the person giving away the cannabis was a designated caregiver of a qualifying patient who continues to qualify under the program, the qualifying patient consents to the cannabis being given away.**

#### AMENDED ANALYSIS

This bill permits qualifying patients and designated caregivers to cultivate cannabis for therapeutic use. This bill also permits qualifying patients and designated caregivers to donate excess cannabis to other qualifying patients. Majority committee amendment adopted.

Majority committee report adopted and ordered to third reading.

#### **HB 511-FN, relative to vaping. OUGHT TO PASS WITH AMENDMENT.**

Rep. William Marsh for Health, Human Services and Elderly Affairs. This bill does three very simple things. Since vaping is an epidemic amongst youth, according to the Surgeon General, and since it is an epidemic in New Hampshire schools, it bans vaping by under 18-year olds and on public school campuses. Since vape products derived from cannabis are available online and in adjacent states, it bans their use by under 18-year olds. Last, it clarifies that vaping falls under the indoor smoking act. The amendment clarifies language and bans vaping products not containing nicotine or cannabis at the request of the Department of Health and Human Services. Vape shops requested an exemption from the indoor smoking act - the committee referred that concern to Commerce to be included in a different bill. Vote 20-0.

#### **Amendment (0459h)**

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

1 Youth Access to and Use of Tobacco Products; Definitions. Amend RSA 126-K:2, II-a to read as follows:

II-a. **"Device" means any product composed of a mouthpiece, a heating element, a battery, and electronic circuits designed or used to deliver any aerosolized or vaporized substance including, but not limited to, nicotine or cannabis. Device may include, but is not limited to, hookah, e-cigarette, e-cigar, e-pipe, vape pen, e-hookah.**

**II-b.** “E-cigarette” means any electronic smoking device composed of a mouthpiece, a heating element, a battery, and electronic circuits that provides a vapor of pure nicotine mixed with propylene glycol to the user as the user simulates smoking. This term shall include such devices whether they are manufactured as e-cigarettes, e-cigars, or e-pipes, or under any other product name.

**II-c. “E-liquid” means any liquid, oil, or wax product containing, but not limited to, nicotine or cannabis intended for use in devices used for inhalation.**

2 Youth Access to and Use of Tobacco Products. Amend the introductory paragraph of RSA 126-K:3, I to read as follows:

I. For the purposes of this chapter, any person responsible for monitoring sales from a tobacco vending machine or any person making the sale of tobacco products, e-cigarettes, or ~~[liquid nicotine]~~ **e-liquid** which vending machine or other sale is to be made to any person who does not appear to be at least 18 years of age, shall require the purchaser to furnish any of the following documentation that such person is 18 years of age or over:

3 Youth Access to and Use of Tobacco Products. Amend the introductory paragraph of RSA 126-K:3, III to read as follows:

III. The establishment of all of the following facts by a person responsible for monitoring sales from a vending machine or a person or sampler making a sale or distribution of tobacco products, e-cigarettes, or ~~[liquid nicotine]~~ **e-liquid** to a person under 18 years of age shall constitute prima facie evidence of innocence and a defense to any prosecution for such sale:

4 Youth Access to and Use of Tobacco Products. Amend the section heading and paragraph I of RSA 126-K:4 to read as follows:

126-K:4 Sale and Distribution of Tobacco Products, E-cigarettes, or ~~[Liquid Nicotine]~~ **E-Liquid** to Minors Prohibited.

I. No person shall sell, give, or furnish or cause or allow or procure to be sold, given, or furnished tobacco products, e-cigarettes, or ~~[liquid nicotine]~~ **e-liquid** to a minor. The prohibition established by this paragraph shall not be deemed to prohibit minors employed by any manufacturer, wholesaler, sub-jobber, vending machine operator, sampler, or retailer from performing the necessary handling of tobacco products, e-cigarettes, or liquid nicotine during the duration of their employment.

5 Youth Access to and Use of Tobacco Products, Devices, E-cigarettes, or E-liquids. Amend the section heading and paragraphs I and II of RSA 126-K:6 to read as follows:

126-K:6 Possession and Use of Tobacco Products, E-cigarettes, or ~~[Liquid Nicotine]~~ **E-liquid** by Minors.

I. No person under ~~[18 years of age]~~ **The legal age as defined in RSA 126-X:1** shall purchase, attempt to purchase, possess, or use any tobacco product, e-cigarette, **device**, or ~~[liquid nicotine]~~ **e-liquid except as allowed in RSA 126-X.**

II. The prohibition on possession of tobacco products, **devices**, e-cigarettes, or ~~[liquid nicotine]~~ **e-liquid** shall not be deemed to prohibit minors employed by any manufacturer, wholesaler, sub-jobber, vending machine operator, sampler, or retailer from performing the necessary handling of tobacco products, **devices**, e-cigarettes, or ~~[liquid nicotine]~~ **e-liquids** during the duration of their employment.

6 Youth Access to and Use of Tobacco Products, E-cigarettes, Devices or E-Liquids on Public Educational Facility Grounds Prohibited. Amend the section heading and paragraph I of RSA 126-K:7 to read as follows:

126-K:7 Use of Tobacco Products, **Devices**, E-cigarettes, or ~~[Liquid Nicotine]~~ **E-liquids** on Public Educational Facility Grounds Prohibited.

I. No person shall use any tobacco product, **device**, e-cigarette, or ~~[liquid nicotine]~~ **e-liquid** in any public educational facility or on the grounds of any public educational facility.

7 Youth Access to and Use of Tobacco Products. Amend RSA 126-K:8, I to read as follows:

I. No person shall sell, give, or furnish tobacco products, e-cigarettes, or ~~[liquid nicotine]~~ **e-liquid** to a minor who has a note from an adult requesting such sale, gift, or delivery.

8 Indoor Smoking Act; Definitions. Amend RSA 155:65, XV to read as follows:

XV. “Smoking” means having in one’s possession a lighted cigarette, cigar, or pipe, or any device designed to produce the effect of smoking, **including devices as defined in RSA 126-K:2, II-a.**

9 Repeal. RSA 126-K:2, III-a, relative to definition of liquid nicotine, is repealed.

10 Effective Date. This act shall take effect January 1, 2020.  
Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment.  
Rep. Weber offered floor amendment (0680h).

#### Floor Amendment (0680h)

Amend RSA 126-K:6, I as inserted by section 5 of the bill by replacing it with the following:

I. No ~~[person under 18 years of age]~~ **minor** shall purchase, attempt to purchase, possess, or use any tobacco product, e-cigarette, **device**, or ~~[liquid nicotine]~~ **e-liquid except as allowed in RSA 126-X.**

Rep. Weber spoke in favor.

Floor amendment (0680h) adopted.

Committee report adopted and ordered to third reading.

**HB 638**, requiring health care providers to provide an opioid disclosure form to patients for whom an opioid is prescribed. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. James MacKay for the Majority of Health, Human Services and Elderly Affairs. This legislation would require that a health care provider shall require a patient to sign a disclosure form that informs them as to the dangers of addiction when using opioid prescriptions and that they should only be used for severe pain. It also requires use of alternative medications and the committee felt it represents an unnecessary mandate that interferes with the scope of practice certified by health care procedures. In fact, such a form does already exist and is included in Administrative Rules. This form should stay as a rule where it can be easily changed as practice requires and not in legislation which is more difficult to change. Vote 12-6.

Rep. William Marsh for the Minority of Health, Human Services and Elderly Affairs. This bill, as amended, would simply move from the administrative rules to the statutes rules MED 502-04(h) and 502-05(f). No additional work would be required of prescribers. The minority recognizes the great work done by the New Hampshire Medical Society and others in reducing opioid prescriptions in NH by 30 to 50 percent by means of these rules. Given that the Joint Commission for the Accreditation of Hospitals stated in 2000 that "there is no evidence that addiction is a significant issue when persons are given opioids for pain control," the minority finds that moving this requirement from the rules to the statutes where it cannot be easily changed by "the experts" is advisable.

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

Rep. Marsh spoke against and yielded to questions.

Rep. Schapiro spoke in favor.

On a division vote, with 198 members having voted in the affirmative, and 156 in the negative, the majority committee report was adopted.

**HB 691-FN**, relative to blood testing for individuals exposed to perfluorinated chemicals in private or public water supplies. **INEXPEDIENT TO LEGISLATE.**

Rep. Jerry Knirk for Health, Human Services and Elderly Affairs. This bill would mandate that the Department of Health and Human Services pay for blood testing for perfluorinated chemicals in a number of situations, including a catch-all situation which would allow anybody in the state to request that the state pay for their testing. This test is a very expensive laboratory research test, not a clinical test. The cost to the department would be prohibitive. Self-selected voluntary testing is not a good method to gather valid epidemiologic data. Although we have data regarding the potential risks of several diseases with pre-exposure, we do not have data as to the direct health implications of specific blood levels. Providing data to individuals when the implications are unknown can lead to unnecessary anxiety and over testing which may be more harmful than the underlying exposure. The issue is not being ignored as the Department of Environmental Services is already investigating the problem statewide. Vote 16-5.

Rep. Knirk spoke in favor.

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

## YEAS 241 - NAYS 117

### YEAS - 241

#### BELKNAP

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

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

Comtois, Barbara  
Huot, David  
Plumer, John

Feeney, George  
Jurius, Deanna  
Spanos, Peter

#### CARROLL

Avellani, Lino  
Comeau, Ed  
Kanzler, Harrison  
Ticehurst, Susan

Buco, Thomas  
Cordelli, Glenn  
Knirk, Jerry  
Woodcock, Stephen

Burroughs, Anita  
Crawford, Karel  
MacDonald, John

Butler, Edward  
DesMarais, Edith  
Marsh, William

#### CHESHIRE

Abbott, Michael  
Faulkner, Barry  
Meador, David  
Tatro, Bruce

Ames, Richard  
Gomarlo, Jennie  
Morrill, David  
Pearson, William

Berch, Paul  
Hunt, John  
O'Day, John  
Weber, Lucy

Bordenet, John  
Ley, Douglas  
Schapiro, Joe

#### COOS

Craig, Kevin  
Laflamme, Larry

Fothergill, John  
Merner, Troy

Furbush, Michael  
Moynihan, Wayne

Hatch, William  
Thomas, Yvonne

**GRAFTON**

Almy, Susan  
Ford, Susan  
Massimilla, Linda  
Stringham, Jerry

Campion, Polly  
Gordon, Edward  
Migliore, Vincent Paul  
Smith, Suzanne

Egan, Timothy  
Hennessey, Erin  
Muscatel, Garrett  
Sykes, George

Fellows, Sallie  
Maes, Kevin  
Osborne, Richard  
Weston, Joyce

**HILLSBOROUGH**

Lekas, Alicia  
Backus, Robert  
Boehm, Ralph  
Cleaver, Skip  
Danielson, David  
Fedolfi, Jim  
Gould, Linda  
Harriott-Gathright, Linda  
Indruk, Greg  
Lascelles, Richard  
Nunez, Hershel  
Pickering, Daniel  
Prout, Andrew  
Snow, Kendall  
Trento, Michael  
Williams, Kermit

Alexander, Joe  
Barry, Richard  
Burns, Charles  
Connors, Erika  
Dargie, Paul  
Freitas, Mary  
Graham, John  
Heath, Mary  
Jack, Martin  
Marzullo, JP  
Nutting-Wong, Allison  
Piedra, Israel  
Ober, Russell  
Somero, Paul  
Ulery, Jordan  
Woodbury, David

Bouldin, Amanda  
Belanger, James  
Burt, John  
Cornell, Patricia  
Desjardin, Kathy  
Gagne, Larry  
Greene, Bob  
Herbert, Christopher  
Judy, Jean  
McLean, Mark  
O'Brien, Michael  
Plett, Fred  
Rice, Kimberly  
Lekas, Tony  
Van Houten, Constance

Griffin, Barbara  
Bergeron, Paul  
Chretien, Jacqueline  
Cote, David  
Erf, Keith  
Goley, Jeffrey  
Gunski, Michael  
Hopper, Gary  
Ober, Lynne  
Mombourquette, Donna  
Panasiti, Reed  
Porter, Marjorie  
Shaw, Barbara  
Smith, Timothy  
Whittemore, James

**MERRIMACK**

Allard, James  
Horn, Werner  
MacKay, James  
Rogers, Katherine  
Soucy, Timothy  
Wolf, Dan

Bartlett, Christy  
Karrick, David  
Marple, Richard  
Saunderson, George  
Testerman, Dave  
Woods, Gary

Carson, Clyde  
Kotowski, Frank  
McGuire, Carol  
Schuett, Dianne  
Wallner, Mary Jane  
Yakubovich, Michael

Hill, Gregory  
Lane, Connie  
Pearl, Howard  
Seaworth, Brian  
Walsh, Thomas

**ROCKINGHAM**

Abbas, Daryl  
Bunker, Lisa  
Davis, Dan  
Dolan, Tom  
Guthrie, Joseph  
Janigian, John  
Kolodziej, Walter  
Griffin, Mary  
McKinney, Betsy  
O'Connor, John  
Potucek, John  
Pearson, Stephen  
Torosian, Peter  
Ward, Gerald

Abrami, Patrick  
Cahill, Michael  
Thomas, Douglas  
Doucette, Fred  
Harb, Robert  
Murray, Kate  
Love, David  
Pearson, Mark  
Melvin, Charles  
Owens, Becky  
Pratt, Kevin  
Somssich, Peter  
True, Chris  
Welch, David

Baldasaro, Al  
Chirichiello, Brian  
Desilets, Joel  
Gilman, Julie  
Hoelzel, Kathleen  
Katsakiores, Phyllis  
Lovejoy, Patricia  
McBeath, Rebecca  
Milz, David  
Packard, Sherman  
Prudhomme-O'Brien, Katherine  
Spillane, James  
Verville, Kevin  
Weyler, Kenneth

Bershtein, Alan  
Coursin, David  
DeSimone, Debra  
Green, Dennis  
Osborne, Jason  
Khan, Aboul  
Lundgren, David  
McBride, Everett  
Morrison, Sean  
Piemonte, Tony  
Roy, Terry  
Sytek, John  
Wallace, Scott  
Yokela, Josh

**STRAFFORD**

Bixby, Peter  
Fontneau, Timothy  
Kittredge, Mac  
Perreault, Mona  
Spang, Judith

Cannon, Gerri  
Harrington, Michael  
McNally, Jody  
Rooney, Abigail  
Vincent, Kenneth

Chase, Wendy  
Hayward, Peter  
Opderbecke, Linn  
Beaudoin, Steven  
Wall, Janet

Ellis, Donna  
Horgan, James  
Schmidt, Peter  
Sandler, Catt  
Wuelper, Kurt

**SULLIVAN**

Aron, Judy  
Lucas, Gates  
Rollins, Skip  
Tanner, Linda

Callum, John  
Merchant, Gary  
Stapleton, Walter

Cloutier, John  
O'Hearne, Andrew  
Smith, Steven

Laware, Thomas  
Oxenham, Lee  
Sullivan Brian

**NAYS - 117  
CHESHIRE**

Eaton, Daniel  
Von Plinsky, Sparky

Mann, John

Parkhurst, Henry

Thompson, Craig

**COOS**

Noel, Henry

Tucker, Edith

**GRAFTON**

Abel, Richard  
Josephson, Timothy

Adjutant, Joshua  
Ladd, Rick

Diggs, Francesca  
Mulligan, Mary Jane

French, Elaine  
Stavis, Laurel

**HILLSBOROUGH**

|                      |                      |                    |                       |
|----------------------|----------------------|--------------------|-----------------------|
| Balch, Chris         | Baroody, Benjamin    | Beaulieu, Jane     | Bernet, Jennifer      |
| Bordy, William       | Bosman, James        | Bouchard, Donald   | Camarota, Linda       |
| Cohen, Bruce         | DiSilvestro, Linda   | Dutzy, Sherry      | Espitia, Manny        |
| Davis, Fred          | Flanagan, Jack       | Griffith, Willis   | Hall, Brett           |
| Hinch, Richard       | Schmidt, Janice      | King, Mark         | Klee, Patricia        |
| Klein-Knight, Nicole | L'Heureux, Robert    | Langley, Diane     | Leishman, Peter       |
| Long, Patrick        | Mangipudi, Latha     | Martin, Joelle     | McGhee, Kat           |
| Mullen, Sue          | Murphy, Nancy        | Notter, Jeanine    | Nutter-Upham, Frances |
| Pedersen, Michael    | Petrigno, Peter      | Query, Joshua      | Newman, Ray           |
| Radhakrishnan, Julie | Renzullo, Andrew     | Riel, Cole         | Rung, Rosemarie       |
| Newman, Sue          | Sofikitis, Catherine | St. John, Michelle | Stack, Kathryn        |
| Stevens, Deb         | Telerski, Laura      | Toomey, Dan        | Vail, Suzanne         |
| Vann, Ivy            | Thomas, Wendy        | Wilhelm, Matthew   |                       |

**MERRIMACK**

|                   |                |                  |                   |
|-------------------|----------------|------------------|-------------------|
| Buchanan, Ryan    | Fox, Samantha  | Fulweiler, Joyce | Luneau, David     |
| Moffett, Howard   | Richards, Beth | Rodd, Beth       | Schamberg, Thomas |
| Schultz, Kristina | Turcotte, Alan | Walz, Mary Beth  | Wazir, Safiya     |
| Wells, Kenneth    |                |                  |                   |

**ROCKINGHAM**

|                        |                       |                      |                   |
|------------------------|-----------------------|----------------------|-------------------|
| Abramson, Max          | Acton, Dennis         | Altschiller, Debra   | Bushway, Patricia |
| Cali-Pitts, Jacqueline | Cushing, Robert Renny | DiLorenzo, Charlotte | Edgar, Michael    |
| Edwards, Jess          | Eisner, Mary          | Elliott, Robert      | Gay, Betty        |
| Grossman, Gaby         | Grote, Jaci           | Hobson, Deborah      | Janvrin, Jason    |
| Le, Tamara             | Loughman, Tom         | Maggiore, Jim        | Malloy, Dennis    |
| McConnell, Liz         | McMahon, Charles      | Meuse, David         | Read, Ellen       |
| Vallone, Mark          |                       |                      |                   |

**STRAFFORD**

|                   |                 |                   |                     |
|-------------------|-----------------|-------------------|---------------------|
| Conley, Casey     | Fargo, Kristina | Gourgue, Amanda   | Grassie, Chuck      |
| Horrigan, Timothy | Keans, Sandra   | Kenney, Cam       | Levesque, Cassandra |
| Smith, Marjorie   | Rich, Cecilia   | Salloway, Jeffrey | Towne, Matthew      |
| Treleaven, Susan  |                 |                   |                     |

and the committee report was adopted.

**HB 153**, relative to circumstances under which police officer disciplinary records shall be public documents. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Paul Berch for Judiciary. The bill would confirm that certain police reports, investigatory and disciplinary, are subject to disclosure under our Right-to-Know Law. Disclosure would be allowed for investigatory records relating to police discharge of a firearm that led to serious injury or death. It would also permit disclosure of disciplinary records, after final adjudication, if a law enforcement officer has been found guilty of sexual assault or a sustained finding of dishonesty has been made. This nonpartisan legislation promotes transparency and accountability. Vote 16-3.

**Amendment (0374h)**

Amend RSA 106-L:5-a as inserted by section 1 of the bill by replacing it with the following:

106-L:5-a Certain Records Subject to Right-to-Know Law.

I. In this section, "disciplinary records" mean complaints, charges or accusations of misconduct, replies to those complaints, charges, or accusations, and any other information or materials that have resulted in final disciplinary action.

II.(a) Upon completion of an investigation, any record which includes a finding that a law enforcement officer subject to this chapter discharged a firearm which led to death or serious injury shall be a public record under RSA 91-A.

(b) Any disciplinary record in which there has been a final adjudication of a matter involving a law enforcement officer subject to this chapter who was found guilty of sexual assault as defined in RSA 632-A, or in which there was a sustained finding of dishonesty by a law enforcement officer including perjury, false statements, filing false reports destruction, or falsifying or concealing evidence, shall be a public record under RSA 91-A.

III. Nothing in this section shall limit the ability of a public agency or public body, as defined in RSA 91-A:1-a, to withhold the names, addresses, dates of birth, and other personal information of victims or other private persons where disclosure of such information would constitute an invasion of privacy under RSA 91-A:5, IV.

**AMENDED ANALYSIS**

This bill makes certain records concerning law enforcement officers which have been subject to the right-to-know law.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

**HB 154**, prohibiting non-disclosure agreements in certain legal actions against a governmental body. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Paul Berch for the Majority of Judiciary. This bill would prohibit non-disparagement clauses in settlement agreements when a governmental unit is a party. It would bar agreements that prevent the parties from discussing the facts of the claim or action or which would prevent any party from criticizing any party to the settlement. It is limited to suits against a governmental unit, official, or employee in which the governmental unit has agreed to a settlement. This non-partisan bill promotes a citizen's right to know how well its government is performing its duties, thereby promoting transparency and accountability. This legislation was passed by a bipartisan majority of the committee. Vote 13-6.

Rep. Barbara Griffin for the Minority of Judiciary. This bill as proposed attempted to void non-disclosure agreements in settlement agreements with a governmental unit. The committee learned that current law requires disclosure of payment of funds by a public body. The amendment addresses a different statute to prohibit non-disparagement clauses in settlement agreements with a governmental unit. As proposed, this bill would specifically allow, after settlement, the parties to speak about the facts of the claim or negatively about each other, regardless of whether the negative statements are related to the facts of the claim. The minority is concerned that settlements will be discouraged, there are no permissible limits on the content of post-settlement statements, which themselves may create further legal issues.

#### **Majority Amendment (0345h)**

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

AN ACT prohibiting non-disparagement clauses in settlement agreements involving a governmental unit.

Amend the bill by replacing section 1 with the following:

1 Actions Against Governmental Units. Amend RSA 507:17 to read as follows:

507:17 Actions Against Governmental Units; Definition; Court Records.

I. "Governmental unit" means the state and any political subdivision within the state including any county, city, town, precinct, school district, chartered public school, school administrative unit, or departments or agencies thereof.

II. In any action *or claim* against a governmental unit *or any former or current elected official, appointed official, officer, or employee*, where the governmental unit has agreed to a settlement of such action *or claim*, the complete terms of the settlement and the decree of the court judgment shall be available as a matter of public record pursuant to RSA 91-A.

III. *A non-disparagement clause or other language which either prevents the parties from discussing the facts of the underlying claim or speaking negatively about each other shall not be included in any settlement agreement involving a governmental unit. Any such language included in a settlement agreement involving a governmental unit shall be unenforceable.*

IV. The court may redact the names of minor children or any other person the court determines to be entitled to privacy.

#### **AMENDED ANALYSIS**

This bill prohibits and renders unenforceable the inclusion of a non-disparagement clause in a settlement agreement involving a governmental unit.

Majority committee amendment adopted.

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

Rep. Barbara Griffin spoke against.

Rep. Berch spoke in favor.

Majority committee report adopted and ordered to third reading.

**HB 256-FN**, establishing reciprocity for notaries in adjacent states. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Edward Gordon for the Majority of Judiciary. This bill allows persons who serve as notaries in abutting states to serve as notaries public in New Hampshire. The amendment limits the ability of non-residents to serve as notaries public only if they are regularly employed in New Hampshire in a trade, business or practice. The amendment also clarifies the information to be provided on the affidavit when applying to the Secretary of State. Vote 16-3.

Rep. Timothy Horrihan for the Minority of Judiciary. The minority of the committee notes that non-residents of New Hampshire are already eligible to be appointed as Commissioner of Deeds who perform most of the functions of notaries public. Therefore, this bill is unnecessary. They also note that this bill makes no provision for termination of the appointment of non-resident notaries who stop working in New Hampshire.

#### **Majority Amendment (0098h)**

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

AN ACT establishing reciprocity for notaries in abutting states.

Amend the bill by replacing section 1 with the following:

1 Notary Public; Application; Nonresidents. Amend RSA 455:2 to read as follows:

455:2 Application. Any person applying to be a notary public shall be a resident of this state ***or be a resident of an abutting state who is regularly employed or carries on a trade, business, or practice in this state at the time of applying.*** The applicant shall sign a written statement under oath as to whether the applicant has ever been convicted of a crime that has not been annulled by a court, other than minor traffic violations. The applicant shall be endorsed for appointment by 2 notaries public and a registered voter of this state. ***A resident of an abutting state may be commissioned as a notary public in New Hampshire provided that the individual submits to the secretary of state: the notary application fee required under RSA 5:10 and an affidavit stating that the individual (i) is a resident of an abutting state, (ii) is a registered notary in such state, and (iii) is regularly employed or carries on a trade, business, or practice in New Hampshire.***

#### AMENDED ANALYSIS

This bill provides that a resident of an abutting state who is a registered notary in such state and who carries on a trade, business, or practice in New Hampshire may become a notary in New Hampshire. Majority committee amendment adopted.

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

Rep. Gordon spoke in favor and yielded to questions.

On a division vote, with 343 members having voted in the affirmative, and 2 in the negative, the majority committee report was adopted and ordered to third reading.

**HB 552-FN**, relative to transparency and standards for acquisition transactions in health care. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Marjorie Smith for the Majority of Judiciary. This bill, as amended, clarifies the standards for acquisition transactions involving health care charitable trusts and the review required by the director of charitable trusts. Across the nation, public and private hospitals are combining at a rate that shows no sign of slowing. Meanwhile, the public interest in access to, the quality of, and the cost of health care continues. Not-for-profit hospitals have a public obligation to deliver health care under terms that comply with the specific standards laid out in the language of the documents that created their charitable trust. When the board of a not-for-profit hospital chooses to enter into an arrangement with a for-profit hospital, they must explain how that merger protects the resources for which they were responsible. We have had a number of successful examples of what has happened in New Hampshire when such mergers occurred. The Endowment for Health was created as a result of the sale of Blue Cross Blue Shield. The purchase of the Portsmouth Hospital by HCA resulted in the creation of the Seacoast Health entity. These results and others came from the work of the Charitable Trusts Division of the Department of Justice. This bill clarifies the scope of the review authority of the Charitable Trusts Division, ensuring transparency and accountability, and recognizing that in a state as small as New Hampshire, with the reach of hospitals expanding geographically, changes in statewide access to hospital care is increasingly relevant. Vote 11-8.

Rep. Jason Janvrin for the Minority of Judiciary. The minority challenges why the Charitable Trust director should be concerned with statewide health care offerings when that task resides with Department of Health and Human Services and the director's only concern should be to evaluate whether a charitable trust is still meeting the purpose for when it was founded. The Charitable Trust director's office testified they do not have the expertise in their office to perform the analysis this bill would require. Therefore, the minority of the committee recommends Inexpedient to Legislate.

#### Majority Amendment (0475h)

Amend RSA 7:19-b, IV(b) as inserted by section 3 of the bill by replacing it with the following:

***(b) The director may seek input and advice from the commissioner of the department of health and human services and the insurance commissioner and may obtain from them confidential health care data and information in performing his or her functions under this section.***

Amend the bill by inserting after section 3 the following and renumbering the original section 4 to read as 5:

4 Applicability. This act shall apply only to notices filed with the director of charitable trusts on or after the effective date of this act.

Majority committee amendment adopted.

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

Rep. Janvrin spoke against.

Rep. Marjorie Smith spoke in favor.

Rep. Sylvia requested a roll call; sufficiently seconded.

**YEAS 207 - NAYS 148****YEAS - 207  
BELKNAP**

Huot, David

Buco, Thomas  
Kanzler, HarrisonAbbott, Michael  
Eaton, Daniel  
Mann, John  
Schapiro, Joe  
Pearson, WilliamHatch, William  
Thomas, YvonneAbel, Richard  
Diggs, Francesca  
French, Elaine  
Mulligan, Mary Jane  
Stringham, JerryBouldin, Amanda  
Baroody, Benjamin  
Bordy, William  
Cleaver, Skip  
Cote, David  
Dutzy, Sherry  
Griffith, Willis  
Herbert, Christopher  
Jeudy, Jean  
Langley, Diane  
Martin, Joelle  
Murphy, Nancy  
Pedersen, Michael  
Porter, Marjorie  
Riel, Cole  
Snow, Kendall  
Stevens, Deb  
Vail, Suzanne  
Wilhelm, MatthewBartlett, Christy  
Fulweiler, Joyce  
MacKay, James  
Rogers, Katherine  
Schultz, Kristina  
Walz, Mary BethAltschiller, Debra  
Cali-Pitts, Jacqueline  
Edgar, Michael  
Grote, Jaci  
Pearson, Mark  
McConnell, Liz  
Vallone, MarkBixby, Peter  
Ellis, Donna  
Grassie, ChuckBurroughs, Anita  
Knirk, JerryAmes, Richard  
Faulkner, Barry  
Meador, David  
Tatro, Bruce  
Weber, Lucy

Laflamme, Larry

Adjutant, Joshua  
Egan, Timothy  
Josephson, Timothy  
Muscatel, Garrett  
Smith, SuzanneBouldin, Andrew  
Beaulieu, Jane  
Bosman, James  
Cohen, Bruce  
Dargie, Paul  
Espitia, Manny  
Hall, Brett  
Indruk, Greg  
King, Mark  
Leishman, Peter  
McGhee, Kat  
Nutter-Upham, Frances  
Petrigno, Peter  
Query, Joshua  
Rung, Rosemarie  
Sofikitis, Catherine  
Smith, Timothy  
Van Houten, Constance  
Williams, KermitBuchanan, Ryan  
Karrick, David  
Moffett, Howard  
Saunderson, George  
Soucy, Timothy  
Wazir, SafiyaBunker, Lisa  
Coursin, David  
Eisner, Mary  
Murray, Kate  
Maggiore, Jim  
Meuse, David  
Ward, GeraldCannon, Gerri  
Fargo, Kristina  
Horrigan, Timothy**CARROLL**Butler, Edward  
Ticehurst, Susan**CHESHIRE**Berch, Paul  
Gomarlo, Jennie  
Morrill, David  
Thompson, Craig**COOS**

Moynihan, Wayne

**GRAFTON**Almy, Susan  
Fellows, Sallie  
Maes, Kevin  
Osborne, Richard  
Sykes, George**HILLSBOROUGH**Backus, Robert  
Bergeron, Paul  
Bouchard, Donald  
Connors, Erika  
Desjardin, Kathy  
Davis, Fred  
Harriott-Gathright, Linda  
Schmidt, Janice  
Klee, Patricia  
Long, Patrick  
Mombourquette, Donna  
Nutting-Wong, Allison  
Pickering, Daniel  
Newman, Ray  
Newman, Sue  
St. John, Michelle  
Telerski, Laura  
Vann, Ivy  
Woodbury, David**MERRIMACK**Carson, Clyde  
Lane, Connie  
Richards, Beth  
Schamberg, Thomas  
Turcotte, Alan  
Wells, Kenneth**ROCKINGHAM**Bushway, Patricia  
Cushing, Robert Renny  
Gilman, Julie  
Le, Tamara  
Malloy, Dennis  
Read, Ellen**STRAFFORD**Chase, Wendy  
Fontneau, Timothy  
Keans, SandraDesMarais, Edith  
Woodcock, StephenBordenet, John  
Ley, Douglas  
Parkhurst, Henry  
Von Plinsky, Sparky

Noel, Henry

Campion, Polly  
Ford, Susan  
Massimilla, Linda  
Stavis, Laurel  
Weston, JoyceBalch, Chris  
Bernet, Jennifer  
Chretien, Jacqueline  
Cornell, Patricia  
DiSilvestro, Linda  
Goley, Jeffrey  
Heath, Mary  
Jack, Martin  
Klein-Knight, Nicole  
Mangipudi, Latha  
Mullen, Sue  
O'Brien, Michael  
Piedra, Israel  
Radhakrishnan, Julie  
Shaw, Barbara  
Stack, Kathryn  
Toomey, Dan  
Thomas, WendyFox, Samantha  
Luneau, David  
Rodd, Beth  
Schuett, Dianne  
Wallner, Mary Jane  
Woods, GaryCahill, Michael  
DiLorenzo, Charlotte  
Grossman, Gaby  
Lovejoy, Patricia  
McBeath, Rebecca  
Somssich, PeterConley, Casey  
Gourgue, Amanda  
Kenney, Cam

Levesque, Cassandra  
Rich, Cecilia  
Treleven, Susan

Smith, Marjorie  
Salloway, Jeffrey  
Vincent, Kenneth

Opderbecke, Linn  
Sandler, Catt  
Wall, Janet

Schmidt, Peter  
Spang, Judith

### SULLIVAN

Cloutier, John  
Stapleton, Walter

Merchant, Gary  
Sullivan Brian

O'Hearne, Andrew  
Tanner, Linda

Oxenham, Lee

### NAYS - 148

### BELKNAP

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

Bean, Harry  
Howard, Raymond  
Plumer, John

Comtois, Barbara  
Jurius, Deanna  
Spanos, Peter

Feeney, George  
Lang, Timothy  
Sylvia, Michael

### CARROLL

Avellani, Lino  
MacDonald, John

Comeau, Ed  
Nelson, Bill

Cordelli, Glenn

Crawford, Karel

### CHESHIRE

Hunt, John

O'Day, John

### COOS

Craig, Kevin

Furbush, Michael

Merner, Troy

### GRAFTON

Gordon, Edward

Hennessey, Erin

Ladd, Rick

Migliore, Vincent Paul

### HILLSBOROUGH

Lekas, Alicia  
Belanger, James  
Camarota, Linda  
Flanagan, Jack  
Greene, Bob  
L'Heureux, Robert  
McLean, Mark  
Plett, Fred  
Renzullo, Andrew  
Trento, Michael

Alexander, Joe  
Boehm, Ralph  
Danielson, David  
Gagne, Larry  
Gunski, Michael  
Ober, Lynne  
Notter, Jeanine  
Proulx, Mark  
Rice, Kimberly  
Ulery, Jordan

Griffin, Barbara  
Burns, Charles  
Erf, Keith  
Gould, Linda  
Hinch, Richard  
Lascelles, Richard  
Nunez, Hershel  
Prout, Andrew  
Somero, Paul  
Warden, Mark

Barry, Richard  
Burt, John  
Fedolfi, Jim  
Graham, John  
Hopper, Gary  
Marzullo, JP  
Panasiti, Reed  
Ober, Russell  
Lekas, Tony  
Whittemore, James

### MERRIMACK

Allard, James  
Marple, Richard  
Testerman, Dave

Hill, Gregory  
McGuire, Carol  
Walsh, Thomas

Horn, Werner  
Pearl, Howard  
Wolf, Dan

Kotowski, Frank  
Seaworth, Brian  
Yakubovich, Michael

### ROCKINGHAM

Abbas, Daryl  
Baldasaro, Al  
Costable, Michael  
DeSimone, Debra  
Elliott, Robert  
Harb, Robert  
Janigian, John  
Kolodziej, Walter  
McKinney, Betsy  
Morrison, Sean  
Potucek, John  
Spillane, James  
Verville, Kevin  
Yokela, Josh

Abrami, Patrick  
Barnes, Arthur  
Davis, Dan  
Dolan, Tom  
Gay, Betty  
Hobson, Deborah  
Janvrin, Jason  
Love, David  
McMahon, Charles  
O'Connor, John  
Prudhomme-O'Brien, Katherine  
Sytek, John  
Wallace, Scott

Abramson, Max  
Bershtein, Alan  
Thomas, Douglas  
Doucette, Fred  
Green, Dennis  
Hoelzel, Kathleen  
Katsakiores, Phyllis  
Griffin, Mary  
Melvin, Charles  
Packard, Sherman  
Roy, Terry  
Torosian, Peter  
Welch, David

Acton, Dennis  
Chirichiello, Brian  
Desilets, Joel  
Edwards, Jess  
Guthrie, Joseph  
Osborne, Jason  
Khan, Aboul  
McBride, Everett  
Milz, David  
Piemonte, Tony  
Pearson, Stephen  
True, Chris  
Weyler, Kenneth

### STRAFFORD

Harrington, Michael  
McNally, Jody  
Wuelper, Kurt

Hayward, Peter  
Perreault, Mona

Horgan, James  
Rooney, Abigail

Kittredge, Mac  
Beaudoin, Steven

### SULLIVAN

Aron, Judy  
Rollins, Skip

Callum, John  
Smith, Steven

Laware, Thomas

Lucas, Gates

and the majority committee report was adopted and ordered to third reading.  
Rep. Marsh declared a conflict of interest and did not participate in the vote.

**HB 608**, expanding the law against discrimination based on gender identity to other areas of the law prohibiting discrimination. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Jason Janvrin for the Majority of Judiciary. This bill seeks to extend protection for transgender persons throughout the discrimination portion of all statutes. As amended, it will do that using the language found in RSA 354-A:2, XIV-e which was the same definition used in HB 1319 in 2018. The majority of the committee believes this is an extension of the Protection From Discrimination that passed both chambers of the General Court and was signed into law by the Governor. Vote 16-4.

Rep. Mark McLean for the Minority of Judiciary. The minority of the committee felt that the bill added yet another small group to an ever-growing patchwork of classes protected against discrimination. The continual addition of smaller and smaller groups is counterproductive and dilutes the stated intent of the bill. A better approach would be to eliminate the classes entirely and recognize the inherent dignity of all people.

#### **Majority Amendment (0218h)**

Amend RSA 21:53 as inserted by section 1 of the bill by replacing it with the following:

21:53 Gender Identity. "Gender identity" means a person's gender-related identity, appearance, or behavior, whether or not that gender-related identity, appearance, or behavior is different from that traditionally associated with the person's physiology or assigned sex at birth. Gender-related identity may be shown by providing evidence including, but not limited to, medical history, care or treatment of the gender-related identity, consistent and uniform assertion of the gender-related identity, or any other evidence that the gender-related identity is sincerely held as part of a person's core identity provided, however, that gender-related identity shall not be asserted for any improper purpose.

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 230 members having voted in the affirmative, and 122 in the negative, the majority committee report was adopted and ordered to third reading.

**HB 622-FN**, prohibiting collective bargaining agreements that require employees to join or contribute to a labor union. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Timothy Soucy for the Majority of Labor, Industrial and Rehabilitative Services. The majority of the committee still believes that Right to Work would not be beneficial to the State of New Hampshire. As stated previously, it would insert government into the employee and employer relationship. There is no data showing that businesses would relocate to NH if we were a Right to Work state. Finally, Right to Work has been defeated many times in this state. Vote 12-6.

Rep. Jack Flanagan for the Minority of Labor, Industrial and Rehabilitative Services. The minority feels that Right to Work legislation falls under the 1<sup>st</sup> Amendment; that is, freedom to associate or not associate be default. Additionally, the recent federal court *Janus* case already allows public employees to not join a union. Finally, this legislation makes union leadership more accountable to its members.

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

Rep. McGuire requested a roll call; sufficiently seconded.

#### **YEAS 214 - NAYS 135**

##### **YEAS - 214**

##### **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  
Eaton, Daniel  
Mann, John  
Schapiro, Joe  
Pearson, William

Ames, Richard  
Faulkner, Barry  
Meador, David  
Tatro, Bruce  
Weber, Lucy

Berch, Paul  
Gomarlo, Jennie  
Morrill, David  
Thompson, Craig

Bordenet, John  
Ley, Douglas  
Parkhurst, Henry  
Von Plinsky, Sparky

##### **COOS**

Hatch, William  
Noel, Henry

Laflamme, Larry  
Thomas, Yvonne

Merner, Troy

Moynihan, Wayne

##### **GRAFTON**

Abel, Richard  
Diggs, Francesca

Adjutant, Joshua  
Egan, Timothy

Almy, Susan  
Fellows, Sallie

Campion, Polly  
Ford, Susan

French, Elaine  
Mulligan, Mary Jane  
Stringham, Jerry

Josephson, Timothy  
Muscatel, Garrett  
Smith, Suzanne

Maes, Kevin  
Osborne, Richard  
Sykes, George

Massimilla, Linda  
Stavis, Laurel  
Weston, Joyce

### HILLSBOROUGH

Bouldin, Amanda  
Baroody, Benjamin  
Bordy, William  
Cleaver, Skip  
Cote, David  
Dutzy, Sherry  
Griffith, Willis  
Herbert, Christopher  
Jack, Martin  
Langley, Diane  
Martin, Joelle  
Murphy, Nancy  
Pedersen, Michael  
Porter, Marjorie  
Radhakrishnan, Julie  
Shaw, Barbara  
Stack, Kathryn  
Toomey, Dan  
Thomas, Wendy

Bouldin, Andrew  
Beaulieu, Jane  
Bosman, James  
Cohen, Bruce  
Dargie, Paul  
Espitia, Manny  
Hall, Brett  
Hopper, Gary  
King, Mark  
Leishman, Peter  
McGhee, Kat  
Nutter-Upham, Frances  
Petrigno, Peter  
Proulx, Mark  
Riel, Cole  
Snow, Kendall  
Stevens, Deb  
Vail, Suzanne  
Wilhelm, Matthew

Backus, Robert  
Bergeron, Paul  
Bouchard, Donald  
Connors, Erika  
Desjardin, Kathy  
Davis, Fred  
Harriott-Gathright, Linda  
Indruk, Greg  
Klee, Patricia  
Long, Patrick  
Mombourquette, Donna  
Nutting-Wong, Allison  
Pickering, Daniel  
Query, Joshua  
Rung, Rosemarie  
Sofikitis, Catherine  
Smith, Timothy  
Van Houten, Constance  
Williams, Kermit

Balch, Chris  
Bernet, Jennifer  
Chretien, Jacqueline  
Cornell, Patricia  
DiSilvestro, Linda  
Goley, Jeffrey  
Heath, Mary  
Schmidt, Janice  
Klein-Knight, Nicole  
Mangipudi, Latha  
Mullen, Sue  
O'Brien, Michael  
Piedra, Israel  
Newman, Ray  
Newman, Sue  
St. John, Michelle  
Telerski, Laura  
Vann, Ivy  
Woodbury, David

### MERRIMACK

Bartlett, Christy  
Fulweiler, Joyce  
MacKay, James  
Rogers, Katherine  
Schultz, Kristina  
Walz, Mary Beth

Buchanan, Ryan  
Karrick, David  
Moffett, Howard  
Saunderson, George  
Soucy, Timothy  
Wazir, Safiya

Carson, Clyde  
Lane, Connie  
Richards, Beth  
Schamberg, Thomas  
Turcotte, Alan  
Wells, Kenneth

Fox, Samantha  
Luneau, David  
Rodd, Beth  
Schuett, Dianne  
Wallner, Mary Jane  
Woods, Gary

### ROCKINGHAM

Altschiller, Debra  
Cahill, Michael  
DiLorenzo, Charlotte  
Grossman, Gaby  
Khan, Aboul  
Malloy, Dennis  
Meuse, David  
Vallone, Mark

Barnes, Arthur  
Cali-Pitts, Jacqueline  
Edgar, Michael  
Grote, Jaci  
Le, Tamara  
McBeath, Rebecca  
Morrison, Sean  
Ward, Gerald

Bunker, Lisa  
Coursin, David  
Eisner, Mary  
Janvrin, Jason  
Lovejoy, Patricia  
McConnell, Liz  
Read, Ellen  
Welch, David

Bushway, Patricia  
Cushing, Robert Renny  
Gilman, Julie  
Murray, Kate  
Maggiore, Jim  
McKinney, Betsy  
Somssich, Peter

### STRAFFORD

Bixby, Peter  
Ellis, Donna  
Grassie, Chuck  
Levesque, Cassandra  
Rich, Cecilia  
Vincent, Kenneth

Cannon, Gerri  
Fargo, Kristina  
Horrigan, Timothy  
Smith, Marjorie  
Sandler, Catt  
Wall, Janet

Chase, Wendy  
Fontneau, Timothy  
Keans, Sandra  
Opderbecke, Linn  
Spang, Judith

Conley, Casey  
Gourgue, Amanda  
Kenney, Cam  
Schmidt, Peter  
Treleaven, Susan

Cloutier, John  
Oxenham, Lee

Laware, Thomas  
Sullivan Brian

Merchant, Gary  
Tanner, Linda

O'Hearne, Andrew

### NAYS - 135

### BELKNAP

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

Bean, Harry  
Howard, Raymond  
Plumer, John

Comtois, Barbara  
Jurius, Deanna  
Spanos, Peter

Feeney, George  
Lang, Timothy  
Sylvia, Michael

### CARROLL

Avellani, Lino  
Marsh, William

Comeau, Ed  
Nelson, Bill

Cordelli, Glenn

MacDonald, John

### CHESHIRE

Hunt, John

O'Day, John

### COOS

Craig, Kevin

Furbush, Michael

**GRAFTON**

Gordon, Edward

Hennessey, Erin

Ladd, Rick

Migliore, Vincent Paul

**HILLSBOROUGH**

Lekas, Alicia  
 Belanger, James  
 Camarota, Linda  
 Flanagan, Jack  
 Greene, Bob  
 Ober, Lynne  
 Notter, Jeanine  
 Prout, Andrew  
 Somero, Paul  
 Warden, Mark

Alexander, Joe  
 Boehm, Ralph  
 Danielson, David  
 Gagne, Larry  
 Gunski, Michael  
 Lascelles, Richard  
 Nunez, Hershel  
 Ober, Russell  
 Lekas, Tony  
 Whittemore, James

Griffin, Barbara  
 Burns, Charles  
 Erf, Keith  
 Gould, Linda  
 Hinch, Richard  
 Marzullo, JP  
 Panasiti, Reed  
 Renzullo, Andrew  
 Trento, Michael

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

**MERRIMACK**

Allard, James  
 McGuire, Carol  
 Walsh, Thomas

Horn, Werner  
 Pearl, Howard  
 Wolf, Dan

Kotowski, Frank  
 Seaworth, Brian  
 Yakubovich, Michael

Marple, Richard  
 Testerman, Dave

**ROCKINGHAM**

Abbas, Daryl  
 Baldasaro, Al  
 Davis, Dan  
 Dolan, Tom  
 Green, Dennis  
 Osborne, Jason  
 Love, David  
 Melvin, Charles  
 Piemonte, Tony  
 Spillane, James  
 Verville, Kevin

Abrami, Patrick  
 Bershtein, Alan  
 Thomas, Douglas  
 Edwards, Jess  
 Harb, Robert  
 Janigian, John  
 Griffin, Mary  
 Milz, David  
 Potucek, John  
 Sytek, John  
 Wallace, Scott

Abramson, Max  
 Chirichiello, Brian  
 Desilets, Joel  
 Elliott, Robert  
 Hobson, Deborah  
 Katsakiores, Phyllis  
 McBride, Everett  
 O'Connor, John  
 Prudhomme-O'Brien, Katherine  
 Torosian, Peter  
 Weyler, Kenneth

Acton, Dennis  
 Costable, Michael  
 DeSimone, Debra  
 Gay, Betty  
 Hoelzel, Kathleen  
 Kolodziej, Walter  
 McMahon, Charles  
 Packard, Sherman  
 Roy, Terry  
 True, Chris  
 Yokela, Josh

**STRAFFORD**

Harrington, Michael  
 McNally, Jody  
 Wuelper, Kurt

Hayward, Peter  
 Perreault, Mona

Horgan, James  
 Rooney, Abigail

Kittredge, Mac  
 Beaudoin, Steven

**SULLIVAN**

Aron, Judy  
 Stapleton, Walter

Callum, John  
 Smith, Steven

Lucas, Gates

Rollins, Skip

and the majority committee report was adopted.

**HB 504**, relative to election-related amendments to the United States Constitution. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Timothy Smith for the Majority of Legislative Administration. This bill recognizes that the influence of money and gerrymandering have increasingly become highly corrupting factors in our political system – nationally, and locally – and calls on Congress to pass Constitutional amendments to help resolve these issues. The bill also calls for the General Court to hold a public hearing on the topic, so that we may directly hear from the public on this matter. The majority recognizes the extreme importance and urgency of these issues, and that holding a public hearing will help restore the public trust in our legislature. Vote 8-6.

Rep. Kimberly Rice for the Minority of Legislative Administration. The minority has concerns that this bill could lead to a violation of the right to free speech. We also heard that this bill suggests repeal of the 17th Amendment.

**MOTION TO LAY ON THE TABLE**

Rep. Baldasaro moved that **HB 504**, relative to election-related amendments to the United States Constitution, be laid on the table.

On a division vote, with 161 members having voted in the affirmative, and 183 in the negative, the motion failed.

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

On a division vote, with 200 members having voted in the affirmative, and 149 in the negative, the majority committee report was adopted and ordered to third reading.

**HB 650**, establishing a committee to study the economic challenges of employed persons serving in the New Hampshire legislature. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Matthew Wilhelm for the Majority of Legislative Administration. The goal of this committee is to study the economic impact and feasibility of the average New Hampshire citizen serving in our state's citizen legislature from 1975 to present, including workload and time commitment as well as economic factors including

wages, cost of living, and the growing need for childcare. The committee would also be charged with making recommendations for processes, tools, and technology that could bring efficiencies and innovations to the legislature and ensure equitable opportunities for New Hampshire citizens to serve on it and on its standing and statutory committees. Vote 7-4.

Rep. Bob Greene for the Minority of Legislative Administration. Given that roughly 56 study committees or commissions have been proposed this year alone, the cost for mileage adds up to a sizable amount. The probable outcome of this study will be what we already know: serving in the New Hampshire House is a commitment, not without a certain amount of sacrifice for many. Vacation and sick days are used up. Work schedules are rearranged, childcare secured, etc. We're a citizen legislature and paying members to study this is not fiscally prudent.

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

Rep. Greene spoke against and yielded to questions.

Rep. Wilhelm spoke in favor.

Rep. Edwards requested a roll call; sufficiently seconded.

### YEAS 203 - NAYS 141

#### YEAS - 203 BELKNAP

Huot, David                      Jurius, Deanna

#### CARROLL

Buco, Thomas                      Burroughs, Anita                      Butler, Edward                      DesMarais, Edith  
Kanzler, Harrison                      Knirk, Jerry                      Woodcock, Stephen

#### CHESHIRE

Abbott, Michael                      Ames, Richard                      Berch, Paul                      Bordenet, John  
Eaton, Daniel                      Faulkner, Barry                      Gomarlo, Jennie                      Ley, Douglas  
Mann, John                      Meader, David                      Morrill, David                      Schapiro, Joe  
Tatro, Bruce                      Thompson, Craig                      Pearson, William                      Weber, Lucy

#### COOS

Hatch, William                      Laflamme, Larry                      Moynihan, Wayne                      Noel, Henry

#### GRAFTON

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

#### HILLSBOROUGH

Alexander, Joe                      Bouldin, Amanda                      Bouldin, Andrew                      Backus, Robert  
Balch, Chris                      Baroody, Benjamin                      Beaulieu, Jane                      Bergeron, Paul  
Bernet, Jennifer                      Bordy, William                      Bosman, James                      Bouchard, Donald  
Chretien, Jacqueline                      Cleaver, Skip                      Cohen, Bruce                      Connors, Erika  
Cornell, Patricia                      Cote, David                      Dargie, Paul                      Desjardin, Kathy  
DiSilvestro, Linda                      Dutzy, Sherry                      Espitia, Manny                      Griffith, Willis  
Hall, Brett                      Harriott-Gathright, Linda                      Heath, Mary                      Herbert, Christopher  
Indruk, Greg                      Schmidt, Janice                      Jack, Martin                      King, Mark  
Klee, Patricia                      Klein-Knight, Nicole                      Langley, Diane                      Leishman, Peter  
Long, Patrick                      Mangipudi, Latha                      Martin, Joelle                      McGhee, Kat  
Mombourquette, Donna                      Mullen, Sue                      Murphy, Nancy                      Nutter-Upham, Frances  
Nutting-Wong, Allison                      O'Brien, Michael                      Pedersen, Michael                      Petrigno, Peter  
Pickering, Daniel                      Piedra, Israel                      Porter, Marjorie                      Query, Joshua  
Newman, Ray                      Radhakrishnan, Julie                      Riel, Cole                      Rung, Rosemarie  
Newman, Sue                      Sofikitis, Catherine                      St. John, Michelle                      Stack, Kathryn  
Stevens, Deb                      Smith, Timothy                      Telerski, Laura                      Toomey, Dan  
Vail, Suzanne                      Van Houten, Constance                      Vann, Ivy                      Thomas, Wendy  
Wilhelm, Matthew                      Williams, Kermit                      Woodbury, David

#### MERRIMACK

Bartlett, Christy                      Buchanan, Ryan                      Carson, Clyde                      Fox, Samantha  
Fulweiler, Joyce                      Karrick, David                      Lane, Connie                      Luneau, David  
MacKay, James                      Moffett, Howard                      Richards, Beth                      Rodd, Beth  
Rogers, Katherine                      Saunderson, George                      Schamberg, Thomas                      Schuett, Dianne  
Schultz, Kristina                      Soucy, Timothy                      Turcotte, Alan                      Wallner, Mary Jane  
Walz, Mary Beth                      Wazir, Safiya                      Wells, Kenneth                      Woods, Gary

**ROCKINGHAM**

Abbas, Daryl  
 Bushway, Patricia  
 Cushing, Robert Renny  
 Eisner, Mary  
 Murray, Kate  
 Malloy, Dennis  
 Morrison, Sean  
 Ward, Gerald

Acton, Dennis  
 Cahill, Michael  
 Desilets, Joel  
 Gilman, Julie  
 Le, Tamara  
 McBeath, Rebecca  
 Read, Ellen  
 Yokela, Josh

Altschiller, Debra  
 Cali-Pitts, Jacqueline  
 DiLorenzo, Charlotte  
 Grossman, Gaby  
 Lovejoy, Patricia  
 McConnell, Liz  
 Somssich, Peter

Bunker, Lisa  
 Coursin, David  
 Edgar, Michael  
 Grote, Jaci  
 Maggiore, Jim  
 Meuse, David  
 Vallone, Mark

**STRAFFORD**

Bixby, Peter  
 Ellis, Donna  
 Grassie, Chuck  
 Kenney, Cam  
 Schmidt, Peter  
 Treleaven, Susan

Cannon, Gerri  
 Fargo, Kristina  
 Hayward, Peter  
 Levesque, Cassandra  
 Rich, Cecilia  
 Vincent, Kenneth

Chase, Wendy  
 Fontneau, Timothy  
 Horrigan, Timothy  
 Smith, Marjorie  
 Sandler, Catt  
 Wall, Janet

Conley, Casey  
 Gourgue, Amanda  
 Keans, Sandra  
 Opderbecke, Linn  
 Spang, Judith

**SULLIVAN**

Cloutier, John  
 Oxenham, Lee

Lucas, Gates  
 Sullivan Brian

Merchant, Gary  
 Tanner, Linda

O'Hearne, Andrew

**NAYS - 141****BELKNAP**

Aldrich, Glen  
 Howard, Raymond  
 Spanos, Peter

Bean, Harry  
 Lang, Timothy  
 Sylvia, Michael

Comtois, Barbara  
 Mackie, Jonathan  
 Tilton, Franklin

Fields, Dennis  
 Plumer, John

**CARROLL**

Avellani, Lino  
 Nelson, Bill

Cordelli, Glenn  
 Ticehurst, Susan

MacDonald, John

Marsh, William

**CHESHIRE**

Hunt, John

O'Day, John

Parkhurst, Henry

**COOS**

Craig, Kevin

Furbush, Michael

Merner, Troy

Thomas, Yvonne

**GRAFTON**

Gordon, Edward  
 Migliore, Vincent Paul

Hennessey, Erin

Ladd, Rick

Massimilla, Linda

**HILLSBOROUGH**

Lekas, Alicia  
 Boehm, Ralph  
 Danielson, David  
 Gagne, Larry  
 Gunski, Michael  
 Ober, Lynne  
 Notter, Jeanine  
 Prout, Andrew  
 Shaw, Barbara  
 Trento, Michael

Griffin, Barbara  
 Burns, Charles  
 Erf, Keith  
 Gould, Linda  
 Hinch, Richard  
 Lascelles, Richard  
 Nunez, Hershel  
 Ober, Russell  
 Snow, Kendall  
 Ulery, Jordan

Barry, Richard  
 Burt, John  
 Fedolff, Jim  
 Graham, John  
 Hopper, Gary  
 Marzullo, JP  
 Panasiti, Reed  
 Renzullo, Andrew  
 Somero, Paul  
 Whittemore, James

Belanger, James  
 Camarota, Linda  
 Flanagan, Jack  
 Greene, Bob  
 L'Heureux, Robert  
 McLean, Mark  
 Proulx, Mark  
 Rice, Kimberly  
 Lekas, Tony

**MERRIMACK**

Allard, James  
 Marple, Richard  
 Walsh, Thomas

Hill, Gregory  
 Pearl, Howard  
 Wolf, Dan

Horn, Werner  
 Seaworth, Brian  
 Yakubovich, Michael

Kotowski, Frank  
 Testerman, Dave

**ROCKINGHAM**

Abrami, Patrick  
 Bershtein, Alan  
 DeSimone, Debra  
 Gay, Betty  
 Hobson, Deborah  
 Janvrin, Jason  
 Love, David  
 McMahon, Charles  
 Packard, Sherman  
 Prudhomme-O'Brien, Katherine  
 Sytek, John  
 Wallace, Scott

Abramson, Max  
 Costable, Michael  
 Dolan, Tom  
 Green, Dennis  
 Hoelzel, Kathleen  
 Katsakiores, Phyllis  
 Griffin, Mary  
 Melvin, Charles  
 Piemonte, Tony  
 Roy, Terry  
 Torosian, Peter  
 Welch, David

Baldasaro, Al  
 Davis, Dan  
 Doucette, Fred  
 Guthrie, Joseph  
 Osborne, Jason  
 Khan, Aboul  
 Pearson, Mark  
 Milz, David  
 Potucek, John  
 Pearson, Stephen  
 True, Chris  
 Weyler, Kenneth

Barnes, Arthur  
 Thomas, Douglas  
 Edwards, Jess  
 Harb, Robert  
 Janigian, John  
 Kolodziej, Walter  
 McBride, Everett  
 O'Connor, John  
 Pratt, Kevin  
 Spillane, James  
 Verville, Kevin

**STRAFFORD**

Harrington, Michael  
Perreault, Mona  
Wuelper, Kurt

Horgan, James  
Rooney, Abigail

Kittredge, Mac  
Beaudoin, Steven

McNally, Jody  
Salloway, Jeffrey

**SULLIVAN**

Aron, Judy  
Stapleton, Walter

Callum, John  
Smith, Steven

Laware, Thomas

Rollins, Skip

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

**HCR 1**, rescinding all requests by the New Hampshire legislature for a federal constitutional convention.  
**MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Matthew Wilhelm for the Majority of Legislative Administration. This concurrent resolution would rescind all previous calls for an Article V convention to ensure the security of our democracy for all Americans and the defense of the US Constitution against partisan political attacks. Because there is no way to limit a convention's focus to one issue, any section of the Constitution could be brought up for revision by an Article V convention, threatening the US Constitution, our democracy, and hard-fought civil rights and civil liberties. There are no historical precedents or even guidelines, including within the US Constitution itself, for such a convention. Therefore, some essential issues are unsettled, such as how delegates would be selected, what rules would govern the convention, how legal disputes would be resolved, what issues would be raised, how the American people would be represented, and, perhaps most importantly, if special interest and corporate money would be limited. Organizations and legal scholars from across the political spectrum are united in their opposition to an Article V convention, including organized labor, the League of Women Voters, the NAACP, and former Supreme Court Chief Justice Warren Burger. Vote 8-6.

Rep. Timothy Smith for the Minority of Legislative Administration. This bill has been introduced by the House before and defeated every time. This resolution would seek to completely abdicate a power expressly delegated to us by the federal constitution and rescind all historic applications to Congress for a convention to propose amendments under Article V of the US Constitution. To do so would go against the principles of states' rights. The findings in this bill's text contain many factual errors based on conspiracy theories. The minority recognizes the rich history of Article V, doesn't believe we should casually ignore ANY part of the US Constitution, recognizes that the objections of the majority are easily resolved, and would prefer to respect the work of previous legislatures which have attempted to check Congress through use of Article V.

**MOTION TO LAY ON THE TABLE**

Rep. Ley moved that **HCR 1**, rescinding all requests by the New Hampshire legislature for a federal constitutional convention, be laid on the table.

On a division vote, with 322 members having voted in the affirmative, and 22 in the negative, the motion was adopted.

**REGULAR CALENDAR CONT'D**

**HB 167**, allowing the town of Kingston to hold a bonfire event in 2019. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. James Belanger for the Majority of Municipal and County Government. This bill addresses concerns the town of Kingston has regarding their 325th anniversary celebration. They historically have held a bonfire event, but new restrictions on pollution control have put this event in jeopardy. Testimony from state officials appears to indicate that, with proper material preparation and the fact that this is a one-time event and not an annual one, the permit would likely have been granted. However, the town is unwilling to "test the waters" and wants a firm determination that this event will be allowed. The amendment offered to the committee ascertains that all safety precautions will be taken in order to comply with concerns by the permit issuing authority. Vote 14-4.

Rep. Susan Treleaven for the Minority of Municipal and County Government. The minority felt that the town, any town, should not be coming to the legislature for a one-time event, potentially using hazardous materials. As the town learned, had they changed materials used, they could have received a permit from local and state officials without a bill or law being passed.

**Majority Amendment (0022h)**

Amend the bill by replacing section 1 with the following:

1 Kingston; Bonfire Allowed. The town of Kingston may hold one bonfire event in 2019 consistent with any safety precautions required by the Kingston fire department in honor of the town's 325th anniversary. The bonfire may include one motor vehicle prepared to the satisfaction of the fire chief on top of the bonfire.

**AMENDED ANALYSIS**

This bill allows the town of Kingston to hold a bonfire event with a car on top of such bonfire in 2019. Majority committee amendment adopted.

Majority committee report adopted and ordered to third reading.

**HB 381**, repealing requirements for transfer of appropriations in Carroll county. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Marjorie Porter for the Majority of Municipal and County Government. This bill repeals RSA 24:13-d, which requires department heads in Belknap County to make a written request to the Belknap County delegation for any budget transfer of more than \$1000. As the county delegation already has the authority to require this form of notification under RSA 24:15, the committee felt RSA 24:13-a was redundant. The bill has the bipartisan support of the majority of the Carroll County delegation, who reported the current law was hindering their attempts to institute a more comprehensive budget-overview process. Vote 12-7.

Rep. James Belanger for the Minority of Municipal and County Government. In 2015, HB 526 set up the criteria for fund transfers in Carroll County. It set up the same process as is used in Hillsborough County, and has worked well since. A repeal would allow uncontrolled transfers without governing body approval or oversight. The current process was approved in the House and on a voice vote in the Senate. We should not change the system that was considered and adopted in 2015.

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

Rep. DesMarais spoke in favor.

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

### YEAS 194 - NAYS 141

#### YEAS - 194 BELKNAP

Huot, David

#### CARROLL

Burroughs, Anita  
Knirk, Jerry  
Woodcock, Stephen

Butler, Edward  
MacDonald, John

DesMarais, Edith  
Marsh, William

Kanzler, Harrison  
Ticehurst, Susan

#### CHESHIRE

Abbott, Michael  
Eaton, Daniel  
Mann, John  
Schapiro, Joe  
Pearson, William

Ames, Richard  
Faulkner, Barry  
Meador, David  
Tatro, Bruce  
Weber, Lucy

Berch, Paul  
Gomarlo, Jennie  
Morrill, David  
Thompson, Craig

Bordenet, John  
Ley, Douglas  
Parkhurst, Henry  
Von Plinsky, Sparky

#### COOS

Hatch, William  
Thomas, Yvonne

Laflamme, Larry

Moynihan, Wayne

Noel, Henry

#### GRAFTON

Abel, Richard  
Diggs, Francesca  
Josephson, Timothy  
Muscatel, Garrett  
Sykes, George

Adjutant, Joshua  
Fellows, Sallie  
Maes, Kevin  
Osborne, Richard  
Weston, Joyce

Almy, Susan  
Ford, Susan  
Massimilla, Linda  
Stavis, Laurel

Campion, Polly  
French, Elaine  
Mulligan, Mary Jane  
Stringham, Jerry

#### HILLSBOROUGH

Bouldin, Amanda  
Baroody, Benjamin  
Bosman, James  
Cohen, Bruce  
Dargie, Paul  
Espitia, Manny  
Hall, Brett  
Schmidt, Janice  
Klein-Knight, Nicole  
Mangipudi, Latha  
Mullen, Sue  
O'Brien, Michael  
Piedra, Israel  
Radhakrishnan, Julie  
Snow, Kendall  
Stevens, Deb  
Van Houten, Constance  
Williams, Kermit

Bouldin, Andrew  
Bergeron, Paul  
Bouchard, Donald  
Connors, Erika  
Desjardin, Kathy  
Davis, Fred  
Harriott-Gathright, Linda  
Jack, Martin  
Langley, Diane  
Martin, Joelle  
Murphy, Nancy  
Pedersen, Michael  
Porter, Marjorie  
Riel, Cole  
Sofikitis, Catherine  
Smith, Timothy  
Vann, Ivy  
Woodbury, David

Backus, Robert  
Bernet, Jennifer  
Chretien, Jacqueline  
Cornell, Patricia  
DiSilvestro, Linda  
Goley, Jeffrey  
Heath, Mary  
King, Mark  
Leishman, Peter  
McGhee, Kat  
Nutter-Upham, Frances  
Petrigno, Peter  
Query, Joshua  
Rung, Rosemarie  
St. John, Michelle  
Telerski, Laura  
Thomas, Wendy

Balch, Chris  
Bordy, William  
Cleaver, Skip  
Cote, David  
Dutzy, Sherry  
Griffith, Willis  
Indruk, Greg  
Klee, Patricia  
Long, Patrick  
Mombourquette, Donna  
Nutting-Wong, Allison  
Pickering, Daniel  
Newman, Ray  
Newman, Sue  
Stack, Kathryn  
Vail, Suzanne  
Wilhelm, Matthew

#### MERRIMACK

Bartlett, Christy  
Lane, Connie

Carson, Clyde  
Luneau, David

Fox, Samantha  
MacKay, James

Karrick, David  
Richards, Beth

Rogers, Katherine  
Schultz, Kristina  
Wazir, Safiya

Saunderson, George  
Soucy, Timothy  
Wells, Kenneth

Schamberg, Thomas  
Turcotte, Alan  
Woods, Gary

Schuett, Dianne  
Walz, Mary Beth

### ROCKINGHAM

Altschiller, Debra  
Cali-Pitts, Jacqueline  
Edgar, Michael  
Grote, Jaci  
Maggiore, Jim  
Meuse, David  
Ward, Gerald

Bunker, Lisa  
Coursin, David  
Eisner, Mary  
Murray, Kate  
Malloy, Dennis  
Read, Ellen

Bushway, Patricia  
Cushing, Robert Renny  
Gilman, Julie  
Le, Tamara  
McBeath, Rebecca  
Somssich, Peter

Cahill, Michael  
DiLorenzo, Charlotte  
Grossman, Gaby  
Lovejoy, Patricia  
McConnell, Liz  
Vallone, Mark

### STRAFFORD

Bixby, Peter  
Ellis, Donna  
Grassie, Chuck  
Levesque, Cassandra  
Rich, Cecilia  
Treleaven, Susan

Cannon, Gerri  
Fargo, Kristina  
Horrigan, Timothy  
Smith, Marjorie  
Salloway, Jeffrey  
Vincent, Kenneth

Chase, Wendy  
Fontneau, Timothy  
Keans, Sandra  
Opderbecke, Linn  
Sandler, Catt  
Wall, Janet

Conley, Casey  
Gourgue, Amanda  
Kenney, Cam  
Schmidt, Peter  
Spang, Judith

### SULLIVAN

Cloutier, John  
Sullivan Brian

Merchant, Gary  
Tanner, Linda

O'Hearne, Andrew

Oxenham, Lee

### NAYS - 141

#### BELKNAP

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

Bean, Harry  
Howard, Raymond  
Plumer, John

Comtois, Barbara  
Jurius, Deanna  
Spanos, Peter

Feeney, George  
Lang, Timothy  
Sylvia, Michael

#### CARROLL

Avellani, Lino

Buco, Thomas

Cordelli, Glenn

Nelson, Bill

### CHESHIRE

Hunt, John

O'Day, John

### COOS

Craig, Kevin

Furbush, Michael

Merner, Troy

### GRAFTON

Egan, Timothy  
Migliore, Vincent Paul

Gordon, Edward

Hennessey, Erin

Ladd, Rick

### HILLSBOROUGH

Lekas, Alicia  
Beaulieu, Jane  
Burt, John  
Gagne, Larry  
Gunski, Michael  
Ober, Lynne  
Notter, Jeanine  
Prout, Andrew  
Somero, Paul  
Whittemore, James

Alexander, Joe  
Belanger, James  
Camarota, Linda  
Gould, Linda  
Hinch, Richard  
Lascelles, Richard  
Nunez, Hershel  
Renzullo, Andrew  
Lekas, Tony

Griffin, Barbara  
Boehm, Ralph  
Danielson, David  
Graham, John  
Hopper, Gary  
Marzullo, JP  
Panasiti, Reed  
Rice, Kimberly  
Trento, Michael

Barry, Richard  
Burns, Charles  
Erf, Keith  
Greene, Bob  
L'Heureux, Robert  
McLean, Mark  
Proulx, Mark  
Shaw, Barbara  
Ulery, Jordan

### MERRIMACK

Allard, James  
Kotowski, Frank  
Testerman, Dave

Fulweiler, Joyce  
Marple, Richard  
Wolf, Dan

Hill, Gregory  
Pearl, Howard  
Yakubovich, Michael

Horn, Werner  
Seaworth, Brian

### ROCKINGHAM

Abbas, Daryl  
Baldasaro, Al  
Davis, Dan  
Dolan, Tom  
Green, Dennis  
Hoelzel, Kathleen

Abrami, Patrick  
Barnes, Arthur  
Thomas, Douglas  
Doucette, Fred  
Guthrie, Joseph  
Osborne, Jason

Abramson, Max  
Bershtein, Alan  
Desilets, Joel  
Edwards, Jess  
Harb, Robert  
Janigian, John

Acton, Dennis  
Costable, Michael  
DeSimone, Debra  
Gay, Betty  
Hobson, Deborah  
Janvrin, Jason

Katsakiores, Phyllis  
Griffin, Mary  
Melvin, Charles  
Packard, Sherman  
Prudhomme-O'Brien, Katherine  
Sytek, John  
Welch, David

Khan, Aboul  
Pearson, Mark  
Milz, David  
Piemonte, Tony  
Roy, Terry  
Torosian, Peter  
Weyler, Kenneth

Kolodziej, Walter  
McBride, Everett  
Morrison, Sean  
Potucek, John  
Pearson, Stephen  
True, Chris  
Yokela, Josh

Love, David  
McMahon, Charles  
O'Connor, John  
Pratt, Kevin  
Spillane, James  
Verville, Kevin

### STRAFFORD

Harrington, Michael  
McNally, Jody  
Wuelper, Kurt

Hayward, Peter  
Perreault, Mona

Horgan, James  
Rooney, Abigail

Kittredge, Mac  
Beaudoin, Steven

### SULLIVAN

Aron, Judy  
Rollins, Skip

Callum, John  
Stapleton, Walter

Laware, Thomas

Lucas, Gates

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

Rep. Buchanan declared a conflict and interest and did not participate in the vote.

**HB 382**, relative to private practice by the Carroll county attorney. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Paul Dargie for the Majority of Municipal and County Government. This bill requires the Carroll County Attorney to not directly or indirectly engage in the private practice of law. The case load in the county has grown to the point where it is a full time occupation. Vote 12-7.

Rep. James Belanger for the Minority of Municipal and County Government. This proposed bill has been before the Municipal and County Government Committee before. It was HB 1302 last year (2018) and was recommended Inexpedient to Legislate 16-0. It prohibits an attorney who owns a private practice from serving as a county attorney. In some counties, a county attorney is not busy 100% of the time and there should be no restriction on his private practice when there is nothing pending at the county level. Let the voters decide at election time if the person in that position is neglecting his/her job because of private practice.

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

Rep. Belanger spoke against.

Rep. Kanzler spoke in favor.

On a division vote, with 188 members having voted in the affirmative, and 140 in the negative, the majority committee report was adopted and ordered to third reading.

Rep. Buchanan declared a conflict of interest and did not participate in the vote.

**HB 403-L**, authorizing towns to utilize credit unions for town business. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Clyde Carson for the Majority of Municipal and County Government. This bill would allow towns to use credit unions for town business. The key concern surrounds trust funds. Credit unions do not provide the same protections and oversight that come with the institutions currently defined as banks in RSA 31:38 (a). Since there is no limit to the amount of money that a municipality could deposit in a credit union under this legislation, there is an increased risk to the municipality. Furthermore, the NH Credit Union Association testified that their members were not in favor of having this responsibility. For those reasons, the majority of the committee could not support this bill. Vote 11-8.

Rep. Max Abramson for the Minority of Municipal and County Government. The committee was first warned by a lobbyist from the banking industry that any money deposited into a credit union was only guaranteed up to \$250,000 by NCUA and was therefore unsafe. After the hearing, we discovered that the same money deposited into a private bank was only guaranteed up to \$250,000—the same amount—by FDIC or a private fund, and that credit union deposits were effectively identical in safety to bank deposits in that regard. Since many towns already do business with local credit unions that keep money in the community, the minority felt that many towns would actually benefit economically from being able to work with one or more local lending institutions, while enjoying greater security in deposits in the event of a national financial crisis. Those who issued the mortgages that helped build our traditional New England town centers, bridges, shops, Victorian houses, lumber mills, and historic buildings since colonial times should not be kept out of part of the lending business for the financial benefit of the large, foreign banking interests.

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

Rep. Abramson spoke against.

Rep. Carson spoke in favor.

Majority committee report adopted.

**HB 135**, relative to leased railroad property. **INEXPEDIENT TO LEGISLATE.**

Rep. Barry Faulkner for Public Works and Highways. The intent of this bill was to give notice to municipalities when state-owned railroad rights of way are leased to private parties. Existing state law requires such lessees to follow local zoning and other land use ordinances. Railroad-related uses, such as off-loading railroad cars, are regulated by either the Federal Railroad Administration or Surface Transportation Board, preempting local control. This bill is unnecessary and ineffective. Vote 15-0.

Rep. Cloutier spoke in favor.

Committee report adopted.

**HB 492-FN-L**, relative to rates for parking meters. **INEXPEDIENT TO LEGISLATE.**

Rep. John Graham for Public Works and Highways. The committee feels that the concept of allowing a municipality to increase the rate for parking meters to defray the costs of hosting a state facility sets a dangerous precedent. All of the testimony the committee heard dealt with the expenses incurred by the Town of Hampton as a result of the crowds visiting the state-owned beach. While the committee understands that Hampton may incur additional costs associated with summer crowds, the majority feels that adding a surcharge to the state-owned parking meters is not the way to approach the issue of covering these costs. Vote 16-4.

Rep. Bushway spoke against.

Rep. Graham spoke in favor.

Committee report adopted.

**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.

**MOTION TO LAY ON THE TABLE**

Rep. Abramson moved that **HB 515**, establishing a commission to evaluate the cost-effectiveness of toll collection on the New Hampshire turnpike system, be laid on the table.

Motion failed.

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

Rep. Abramson spoke against.

Rep. Edgar spoke in favor.

Committee report adopted.

**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, Thursday, March 14, 2019 at 1:00 p.m.

Motion adopted.

**LATE SESSION****Third Reading and Final Passage**

**HB 402**, relative to required notice of mortgage funding at a construction jobsite.

**HB 642**, defining specialty cider.

**HB 649-FN**, relative to consumer credit corrections, consumer credit protection from fraud, and consumer credit regulatory reform.

**HB 725-FN**, relative to certain standards for managed care organizations.

**HB 315**, relative to the Interstate Voter Registration Crosscheck Program.

**HB 531**, relative to the delivery of absentee ballots cast by elderly or disabled citizens.

**HB 593**, relative to updating official voter checklists.

**HB 283**, relative to the age rabbits can be transferred.

**HB 487-FN**, establishing a registry for the deaf, hard of hearing, and deaf/blind in the department of health and human services.

**HB 631**, establishing a deaf child's bill of rights and an advisory council on the education of deaf children.

**HB 577**, relative to call blocking in an automated telephone dialing system.

**HB 595-FN**, relative to the administration of the tobacco tax.

**HB 359**, relative to warning labels on prescription drugs containing opiates.

**HB 604**, establishing a commission to assess benefits and costs of a “health care for all” program for New Hampshire.

**HB 455-FN**, relative to the penalty for capital murder.

**HB 486**, relative to department of corrections procedures concerning the requirement for restoration of the voting rights of felons.

**HB 383**, relative to the prohibition on unlawful discrimination in public and nonpublic schools.

**HB 105-FN**, relative to domicile residency, voter registration, and investigation of voter verification letters.

**HB 106**, relative to the terms “resident,” “inhabitant,” “residence,” and “residency.”

**HB 556**, allowing municipalities to process absentee ballots prior to election day.

**HB 611-FN**, allowing voters to vote by absentee ballot.

**HB 364**, permitting qualifying patients and designated caregivers to cultivate cannabis for therapeutic use and permitting qualifying patients and designated caregivers to donate excess cannabis to other qualifying patients.

**HB 511-FN**, relative to vaping.

**HB 153**, relative to circumstances under which police officer disciplinary records shall be public documents.

**HB 154**, prohibiting non-disparagement clauses in settlement agreements involving a governmental unit.

**HB 256-FN**, establishing reciprocity for notaries in abutting states.

**HB 552-FN**, relative to transparency and standards for acquisition transactions in health care.

**HB 608**, expanding the law against discrimination based on gender identity to other areas of the law prohibiting discrimination.

**HB 504**, relative to election-related amendments to the United States Constitution.

**HB 650**, establishing a committee to study the economic challenges of employed persons serving in the New Hampshire legislature.

**HB 167**, allowing the town of Kingston to hold a bonfire event in 2019.

**HB 381**, repealing requirements for transfer of appropriations in Carroll county.

**HB 382**, relative to private practice by the Carroll county attorney.

### **SPECIAL ORDERED**

Without objection, the Speaker made the remaining bills on today’s calendar Special Orders for the Session of March 14, 2019.

### **UNANIMOUS CONSENT**

Rep. Schuett requested Unanimous Consent of the House regarding memorial remarks for the former member of the House, the Honorable Janet Fortnam and addressed the House.

### **MOMENT OF SILENCE**

A moment of silence was observed in honor and in memory of the former Representative from Pembroke, the Honorable Janet Fortnam.

### **MOTION TO PRINT REMARKS**

Rep. Baldasaro moved that the remarks made by Rep. Schuett during Unanimous Consent be printed in the Permanent Journal.

Motion adopted.

### **REMARKS**

**Rep. Schuett:** Thank you, Mister Speaker. I first knew the Honorable Janet Fortnam as my own State Representative, representing District 12 of Merrimack County at the turn of the century. In 1999-2000, it was comprised of Allentown and Pembroke. She served on the Resources, Recreation and Development Committee. This was a departure for Janet. She first was a flight attendant with the U.S. Air Force Military Air Transport Service and then became a stewardess with Northeast Airlines. Later, she completed her Master of Education and started a new career as a special education reading teacher. Janet was a Chapter Regent of the Daughters of the American Revolution and proudly related that one of her ancestors was among the first residents of Pembroke, establishing a homestead where the Plausawa Golf Course is now located. I got to know her very well as the founder and “Queen Mum” of the Pembroke Red Hats, of which I was a member. She was well known for tooling around Pembroke in her red PT Cruiser with the top down in her Red Hat regalia. After a couple of trial runs, Janet found the love of her life, Col. Robert Fortnam, a B-17 pilot and POW from World War II, who was active in retirement with the Honor Flights of New England and the New Hampshire Aviation Museum in Manchester and Janet supported him in that work. They were married for 21 years before Robert passed away in 2017. Janet left us the day before Valentine’s Day and will join Robert at the New Hampshire Veterans’ Cemetery tomorrow, leaving three children, six step-children, 8 grandchildren and ten step-grandchildren, all scattered across the country. I’m sure she would tell you that she lived her life to the fullest and we thank her for her service to our country, state and the Town of Pembroke. Please join me in a moment of silence in her memory.

**RECESS MOTION**

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

Motion adopted.

The House recessed at 5:15 p.m.

**RECESS**

**(Rep. Steven Smith in the Chair)**

**RESOLUTION**

Rep. Walsh offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, Senate Bills numbered 6 and 11 shall be by this resolution read a first and second time by the therein listed titles and referred to the therein designated committees.

Motion adopted.

**INTRODUCTION OF SENATE BILLS****First, second reading and referral**

**SB 6-FN-A-L**, relative to child protection staffing and making an appropriation therefor. (Children and Family Law)

**SB 11-FN-A**, relative to mental health services and making appropriations therefor. (Health, Human Services and Elderly Affairs)

**RECESS**