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HOUSE RECORD

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Concord, N.H.

Thursday, March 14, 2019

No. 9

HOUSE JOURNAL NO. 8 (Cont'd)

Thursday, March 7, 2019

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

HOUSE JOURNAL NO. 9

Thursday, March 14, 2019

The House assembled at 1:00 p.m., the hour to which it stood adjourned, and was called to order by the Speaker.

Prayer was offered by the House Clerk, Paul C. Smith

O Creator of the Universe, Thou hast blessed us with life, the seasons, the tides, the sun, and the air and we are truly thankful for these gifts. Thou hast blessed us with the wisdom, strength, and fortune to serve the citizens of this state in this chamber. Thou has blessed us with the fortune of conviction to do what we believe right for our people and our state. We ask Thy blessing on this assembly, on the Speaker, and on the staff of the House that works for the love of the institution. Finally, we ask Thy blessing on all the peoples of this great Earth, our brothers and sisters in humanity, that they may enjoy light, ineffable and eternal. Amen.

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

The National Anthem was sung by Marina Altschiller, daughter of Representative Altschiller.

LEAVES OF ABSENCE

Reps. Ellison, Furbush, Hopper, Kittredge, L'Heureux, Massimilla, Nelson, O'Brien and Pantelakos, the day, illness.

Reps. Belanger, Bixby, Crawford, Fargo, Fenton, Frost, Gourgue, Guthrie, Harvey, Higgins, Jeudy, Kolodziej, Ley, Mackie, Merlino, Morrison, O'Connor, Plumer, Prout, Rodd, Shaw, Timothy Smith, St. Clair, Treleaven, Verville and Walsh, the day, important business.

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

Reps. Cordelli and Hall, death in the family.

INTRODUCTION OF GUESTS

Brady Altschiller, student at Berwick Academy, Page for the day.

Viola Katusiime, Maggie Fogarty, and Jonathan Hopkins, guests of Rep. Schultz.

CONSENT CALENDAR

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

HB 314, relative to the submission of evidence prior to hearings in divorce cases, removed by Rep. Yokela.

HB 241-L, relative to the homestead exemption, removed by Rep. Marple.

HB 415, relative to the official ballot referendum form of town meetings, removed by Rep. Warden.

HB 507-FN-A-L, relative to registration of commercial motor vehicles and operator's/drivers' licenses, removed by Rep. Marple.

Consent Calendar adopted.

HB 150-FN, relative to the penalty for failure to file the financial disclosure form required under RSA 15-A. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Carol McGuire for Executive Departments and Administration. Current law requires officials of the state, including all elected positions, agency heads and those designated by agency heads, and anyone appointed (by the Governor and Council, the Speaker or the Senate President) to any board, committee, commission, or authority, to file reports of financial interest. The Secretary of State maintains the lists of those so designated, and about one third of those required to file haven't. As introduced, this bill adds a civil penalty to encourage compliance, but many volunteers serving on advisory or other boards were concerned that a fine of up to \$5,000, plus late fees, would prohibit serving. The committee amendment maintains the responsibility of the Attorney General to review these filings, but reduces the fine to \$50, and ensures it only applies after providing notice and 30 days for compliance. The Attorney General's representative reported that when they have investigated noncompliance or late filing in the past, most people were surprised that it applied to them, and then complied. The ED&A Committee is concerned that the list of people who are required to file these statements of financial interests is too broad, and not kept up to date. The committee plans to examine the requirement, the list of those who should file financial statements, and how it is kept up to date, over the summer and fall, which it can do without a bill in front of it. In fact, the initial data as we attempt to enforce this law should be enlightening. Vote 20-0.

Amendment (0507h)

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

AN ACT relative to statements of financial interests filed by state officials.

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

1 Statements of Financial Interests; Penalty; Examination of Disclosures. Amend RSA 15-A:7 and 15-A:8 to read as follows:

15-A:7 Penalty.

I. Any person who knowingly fails to comply with the provisions of this chapter or knowingly files a false statement shall be guilty of a misdemeanor.

II. The attorney general shall notify any person who fails to file the statement of financial interests within the deadline prescribed by RSA 15-A:6. Any person who fails to file within 30 days of receiving such notice shall be assessed an administrative fine of \$50.

III. It shall be an absolute defense in any prosecution under this chapter that the person acted in reliance upon an advisory opinion on the subject issued under RSA 14-B:3, I(c) or RSA 21-G:30, I(c).

15-A:8 Examination of Disclosures. The attorney general ~~may~~ **shall** examine the statements of financial interests which are made under this chapter to the secretary of state and compel such disclosures to be made to comply with the law.

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

AMENDED ANALYSIS

This bill directs the attorney general to contact any person who fails to file a statement of financial interests required under RSA 15-A and establishes a \$50 late fee for the failure to file in a timely manner. The bill also directs the attorney general to review disclosures made under RSA 15-A and compel compliance with the filing requirement.

HB 615, relative to the regulation of pharmacies and pharmacists. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Gary Merchant for Executive Departments and Administration. This bill, with the amendment, makes statutory changes that will allow the NH Board of Pharmacy to move licensing renewals of various entities licensed by the board from annual to biennial renewal and a more efficient use of board resources. In addition to license renewal, the bill repeals laws created in 1921 that are no longer relevant to the practice of pharmacy. It prohibits a third party from completing and signing an application for a permit or license. It allows the board to license new types of entities in the pharmacy supply chain that includes manufacturers, distributors, brokers, and third-party logistic providers. It clarifies the law regarding a registered nurse or physician assistant preparing an intravenous solution to administer to a patient. And, finally, it eliminates the position of Board Treasurer as the Office of Professional Licensure and Certification now handles board finances. Vote 20-0.

Amendment (0773h)

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

1 Pharmacy Board. Amend RSA 318:5, I to read as follows:

I. The board shall have a president, vice-president, **and a** secretary, ~~[and a treasurer]~~ who shall be elected from among their number annually in the month of September.

2 New Paragraph; Rulemaking. Amend RSA 318:5-a by inserting after paragraph XIX the following new paragraph:

XX. The standards and procedures for licensure of drug or device distribution agents.

3 Impersonating an Applicant. Amend RSA 318:20 to read as follows:

318:20 Impersonating Applicant.

I. No one shall impersonate an applicant before the board of pharmacy applying for licensure under the provisions of this chapter.

II. No third party shall sign an application, complete an application, call to check on the status of an application, or submit an application and documentation on behalf of an applicant.

III. No third party shall complete an online renewal, paper renewal, or make any changes or updates to an original application on behalf of an applicant.

IV. Authorization and release forms shall not be accepted as a form of release.

4 Application Fee for Pharmacist License. Amend RSA 318:23 to read as follows:

318:23 Application Fee for Pharmacist License. Each person applying for a license to practice the profession of pharmacy in this state by way of examination shall pay a reasonable application fee to be established by the pharmacy board. This fee shall include the cost of ~~[standard examination forms, the cost of administering the examination, and the cost of]~~ investigating the applicant's qualifications to become a pharmacist in this state.

5 Renewal of License. Amend RSA 318:25 to read as follows:

318:25 ~~[Relicensure]~~ **Renewal of License.** Pharmacist licenses shall expire ~~[annually]~~ **biennially in even-numbered years** at midnight on December 31. Every licensed pharmacist who wishes to continue to practice the profession of pharmacy shall:

I. ~~[Annually reapply for licensure as of January 1]~~ **Biennially, in even-numbered years, apply for license renewal no later than midnight on December 31;**

II. Pay a reasonable fee established by the board;

III. Satisfy any continuing education requirements established by the board; and

IV. Provide such data relating to his practice, residence, and status as deemed necessary by the board.

6 Impaired Pharmacist Program; Biennial License. Amend RSA 318:29-a, VI(b) to read as follows:

(b) The board may allocate an amount determined by the board from each pharmacist ~~[annual]~~ **biennial** license renewal fee it collects to provide funding for the impaired pharmacist program as set forth in subparagraph VI(a).

7 Pharmacy Permit Renewal. Amend RSA 318:38, II to read as follows:

II. All pharmacy permits shall expire when there is a change of ownership of the pharmacy or at midnight on December 31 ~~[of each]~~ **biennially in each odd-numbered** year. Every pharmacy that wishes to continue to operate as such shall renew its permit ~~[annually as of January 1]~~ **no later than December 15 biennially in odd-numbered years** or immediately when the permit expires for any other reason. It shall be deemed a violation of the provisions of this chapter for any pharmacy to be open or operated beyond the expiration date of its permit.

8 New Subparagraph; Dealing in or Possessing Prescription Drugs; Dental Hygienists. Amend RSA 318:42, II by inserting after subparagraph (b) the following new subparagraph:

(c) Nothing in this section shall prohibit a dental hygienist from possessing, administering, dispensing, or prescribing of a fluoride supplement, topically applied fluoride, and chlorhexidine gluconate oral rinse pursuant to RSA 317-A:21-c, I(g).

9 Dealing in or Possessing Prescription Drugs; Registered Nurse, Physician Assistant. Amend RSA 318:42, VIII to read as follows:

VIII. A registered nurse or physician assistant from:

(a) Making dilutions from concentrated solutions or pre-weighed or pre-measured packets.

(b) Adding prepared sterile additives.

(c) **Reconstituting or diluting medications following manufacturers specific directions.**

(d) Entering an institutional pharmacy in an institutional setting specially designated for this purpose by the institution in the absence of a pharmacist to obtain those drugs needed in an emergency situation.

10 Renewal; License of Manufacturers and Wholesalers. Amend RSA 318:51-a, I to read as follows:

I. No person shall manufacture legend drugs or controlled drugs as that term is defined in RSA 318-B:1, VI and no person as a wholesaler, distributor, or reverse distributor shall supply the same without first having obtained a license to do so from the board. Such license shall expire ~~[annually]~~ **biennially** on June 30 **of every even-numbered year**. An application together with a reasonable fee as established by the board shall be filed ~~[annually on or before July 1]~~ **biennially by midnight on June 30 of every even-numbered year**.

11 Renewal; License for Limited Retail Drug Distributors. Amend RSA 318:51-b, I to read as follows:

I. No person shall operate as a limited retail drug distributor, as defined in RSA 318:1, VII-a, without first having obtained a license to do so from the board. Such license shall expire ~~[annually]~~ **biennially** on June 30 **of each odd-numbered year**. An application together with a reasonable fee as established by the board shall be filed ~~[annually on or before July 1]~~ **biennially by midnight June 15 of every odd-numbered year**.

12 Renewal; License of Outsourcing Facilities. Amend RSA 318:51-c, I to read as follows:

I. No person shall compound legend drugs or controlled drugs, as defined in RSA 318-B:1, VI, and no person acting as or employed by an outsourcing facility shall supply such drugs, without first having obtained a license from the board. Such license shall expire ~~[annually]~~ **biennially** on June 30 **of each odd-numbered year**. An application together with a fee established by the board shall be filed ~~[annually on or before July 1]~~ **biennially by June 15 of every odd-numbered year**.

13 Renewal; License of Research Organizations. Amend RSA 318:51-f, I to read as follows:

I. No research organization shall procure or conduct research operations with prescription drugs by researchers without first having obtained a license from the board. Such license shall expire ~~[annually]~~ **biennially** on June 30 **of each odd-numbered year**. An application together with a reasonable fee as established by the board shall be filed ~~[annually on or before July 1]~~ **biennially by June 15 of every odd-numbered year**.

14 New Section; Drug or Device Distribution Agents. Amend RSA 318 by inserting after section 51-f the following new section:

318:51-g Licensure of Drug or Device Distribution Agents.

I. No person shall act as a prescription drug or device distribution agent, which includes controlled drugs as the term is defined in RSA 318-B:1, VI, without first having obtained a license to do so from the board.

II. Any person licensed pursuant to this section shall be subject to the provisions of RSA 318:29.

III. For purposes of this section:

(a) A drug or device distribution agent shall include virtual manufacturers, virtual wholesaler distributors, jobbers or brokers (including sales/marketing offices), and third-party logistics companies, and any other agent involved in the handling or distribution of prescription drugs, medical gases, or prescription medical devices or equipment in the supply chain that affects the pedigree of the products.

(b) "Broker or jobber" is any party that mediates between a buyer and a seller for the sale or shipment of prescription drugs, gases, equipment or devices.

(c) "Pedigree" is a document or an electronic file containing information that records each distribution of any given prescription drug, medical gas, or prescription medical device or equipment.

(d) "Third-party logistics provider" is a person that contracts with a wholesale distributor or a manufacturer to provide or coordinate warehousing, wholesale distribution, or other services on behalf of a manufacturer, but does not take title to the prescription drug, gas, device or equipment.

(e) "Virtual manufacturer" is anyone that owns the NDA or ANDA for a prescription drug, gas, device or equipment that contracts with others for the actual manufacturing.

(f) "Virtual wholesale distributor" is anyone engaged in wholesale distribution of prescription drugs, gases, devices or equipment.

15 Repeals. The following are repealed:

I. RSA 318:45, relative to certain sales permitted.

II. RSA 318:46 and 318:47, relative to keeping and inspection of a record book.

III. RSA 318:47-e, relative to procedures for dispensing emergency contraception.

IV. RSA 318:51-a, V(b)(4), relative notification by manufacturers and wholesalers of corporate changes.

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

HB 665-FN, relative to New Hampshire cost-of-living information. **INEXPEDIENT TO LEGISLATE.**

Rep. Sallie Fellows for Executive Departments and Administration. This bill requires the Office of Strategic Initiatives to annually report cost of living data for the state and each county. In 2018, HB 1817 authorized a new position of State Demographer within the Office of Strategic Initiatives beginning July 1, 2019. The committee believes this bill is not needed. We anticipate that data compiled by the State Demographer will include the cost of housing, transportation, child care and other elements that are needed to understand the cost of living for specific populations such as families with children, singles, and retirees. Vote 18-1.

HB 621-FN, establishing a commission on aging. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Polly Campion for Health, Human Services and Elderly Affairs. This bill, as amended, builds upon the value and importance of the state committee on aging (SCOA) which is charged with assisting and advising the department of health and human services on problems impacting older adults. This legislation would act to reconstitute the committee into a commission incorporating its original charge and duties while providing a statewide platform and stronger voice to effect public policy for NH's aging population. Demographic trends indicate that by 2030, one in three people in NH will be over the age of 60, an increase of almost 40 percent from 2012. As the nation's second oldest state, NH is uniquely situated to develop new and innovative ways to support our aging population and benefit from the wisdom and experience of older NH residents. The commission's duties include reviewing and recommending proposals for rules, legislation, waivers, operations and other policies, as well as encouraging the development of coordinated interdepartmental goals among state departments and nongovernmental organizations as they relate to older adults. Commission members will include a range of public and private members, including, but not limited to, the NH departments of transportation, employment security, and health and human services, housing authority, business leaders, service providers, older Granite Staters and caregivers. Vote 20-0.

Amendment (0714h)

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

AN ACT establishing the state commission on aging.

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

1 Legislative Intent and Purpose. The legislative intent and purpose of the act is to fully acknowledge and promote the value and importance of the state committee on aging (SCOA), established in RSA 161-F:7 in addressing the independence, health, and wellbeing of New Hampshire's aging population. Building on the success of SCOA achieved over the past decades, this act would reconstitute the committee into a commission incorporating its original charge and duties yet expanding them to a statewide platform to gain a stronger voice in effectuating public policy for New Hampshire's aging citizens. Bringing both their experience and dedication, it is also the legislative intent that current members serving on SCOA shall continue their membership and be appointed to serve on the state commission on aging coterminous with their remaining term on SCOA.

2 New Chapter; State Commission on Aging. Amend RSA by inserting after chapter 19-O the following new chapter:

CHAPTER 19-P
STATE COMMISSION ON AGING

19-P:1 State Commission on Aging Established; Membership.

I. There is established a state commission on aging to advise the governor and the general court on policy and planning related to aging.

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

(a) Two members of the house of representatives, appointed by the speaker of the house of representatives, and one member of the senate, appointed by the president of the senate.

(b) The commissioner of the department of health and human services, or designee.

(c) The commissioner of the department of labor, or designee.

(d) The commissioner of the department of employment security, or designee.

(e) The commissioner of the department of safety, or designee.

(f) The commissioner of the department of transportation, or designee.

(g) The attorney general, or designee.

(h) The executive director of the New Hampshire housing finance authority, or designee.

(i) The long-term care ombudsman, or designee.

(j) Fifteen members of the public, including at least one member from each county, including representatives of the business community, health care, technology and innovation, municipal leaders, the aging network, advocacy organizations, caregivers, and direct service providers focused on the older adult population, appointed by the governor.

III. The commission may solicit information and participation from other state agency representatives or members of the public as determined necessary by the commission.

IV. The members appointed pursuant to subparagraph (j) shall serve 2-year terms; provided that initially such members shall serve staggered terms and no such member shall serve more than 2 consecutive terms. Legislative members shall receive mileage at the legislative rate when attending to the duties of the commission. The first named member of the house of representatives shall convene the organizational meeting of the commission on or before 45 days of passage of this chapter for the purpose of electing officers serving on the commission. Thirteen members shall constitute a quorum. If any member is absent without previously being excused by the chairperson for 3 or more regular meetings, the member may be removed upon a majority vote of the commission.

V. The commission shall be authorized to select and hire select an executive director by a vote of a majority of the members. The executive director shall be in the classified service of the state and shall perform such duties as the commission may require. The governor is authorized to draw a warrant for the amount necessary to pay for the executive director position and related office expenditures authorized in this paragraph out of any money in the treasury not otherwise appropriated. The commission shall hold no fewer than 9 regular meetings per year.

19-P:2 Duties. The commission's duties shall include, but not be limited to:

I. Reviewing and recommending proposals for rules, legislation, waivers, operations, and other policies.

II. Reviewing and providing input relative to state planning efforts across agencies, including the state plan on aging, the mental health plan, and transportation and safety.

III. Formulating or helping to formulate, reviewing, and evaluating policy proposals, considering fiscal, program, provider, and recipient impact, and making recommendations accordingly.

IV. Encouraging the development of coordinated interdepartmental goals and objectives and the coordinating programs, services, and facilities among all state departments and nongovernmental organizations as they relate to older adults.

V. Identifying and recommending ways in which the state can support local and community efforts, through educational programs or otherwise, to promote healthy aging.

VI. Identifying and recommending ways in which the state can partner with nongovernmental organizations to promote healthy aging.

VII. Promoting the skills, talents, and energy older Granite Staters can offer to make New Hampshire a better place to live for everyone.

VIII. Assisting in the implementation of the state plan on aging.

IX. Making a continuing assessment of problems relating to older adults.

X. Advocating solutions to provide better integration of older persons into the social and economic life of the state.

XI. Soliciting the cooperation and help of the various groups concerned with the problems facing older adults.

XII. Obtaining from such groups their views, experience, assistance, and recommendations in the preparation and direction of future planning and administrative and legislative action as the commission may from time to time deem necessary and advisable.

XIII. Requesting from governmental agencies within the state, subject to available resources, in making available such information, suggestions, and statistics to enable the commission to perform its functions.

XIV. Other matters the commission deems necessary related to aging.

19-P:3 Reports. The commission shall submit an annual report to the governor, speaker of the house of representatives, president of the senate, chairpersons of the house and senate committees having jurisdiction over finance and health and human services, and chairperson of the fiscal committee of the general court by November 1 of each year, commencing on November 1, 2019, regarding the activities of the commission.

19-P:4 Establishment and Support of Programs by a Municipality. Any city, county, or town may establish programs for the aged, and such programs may be administered by appropriate existing offices or departments, or new offices or departments, of such governmental units. A city, county, or town may raise and appropriate funds for the administration of these programs. Any city, county, or town, with the advice of the state commission on aging, may raise the appropriate funds to assist or fund, in whole or in part, nonprofit corporations or agencies in administering programs for the aged.

3 Duties of the Oversight Committee; Cross Reference Changed. Amend RSA 126-A:15, IV to read as follows:

IV. Directly or through an ancillary body, the oversight committee shall serve as the legislative liaison for the state [~~committee~~] **commission** on aging, established under [~~RSA 161-F:7~~] **RSA 19-P:1**, and shall consider the major problems facing elderly citizens.

4 Repeal. The subdivision heading preceeding RSA 161-F:7, and RSA 161-F:7 through RSA 161-F:9, relative to the establishment of the state committee on aging, are repealed.

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

AMENDED ANALYSIS

This bill establishes the state commission on aging and repeals the current state committee on aging.

HB 736, reestablishing the commission to study environmentally-triggered chronic illness. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Mark Pearson for Health, Human Services and Elderly Affairs. While not all illnesses have environmental causes, some do. A similar commission was established in the last session with a one-session lifespan so that decisions about compassionate care of our citizens and about environmentally degraded places can more fully take place in a fact-driven way. Good initial work was accomplished, but then the commission ceased to exist. This bill revives the commission, so the work can continue. To prevent further stops and starts, the new commission would not end until 2027. The amendment addresses a few minor concerns of the Department of Health and Human Services, which, with the Department of Environmental Services, will be implementing various joint projects that they, with the commission, may propose. Vote 20-0.

Amendment (0734h)

Amend RSA 126-A:73-a, II(a)(10) and (11) as inserted by section 2 of the bill by replacing them with the following:

(10) Two community members with backgrounds in environmental science and/or public health, nominated by the senators on the commission, one of whom shall be appointed by the president of the senate and one of whom shall be appointed by the speaker of the house of representatives.

Amend RSA 126-A:73-a, III(b) as inserted by section 2 of the bill by replacing it with the following:

(b) The commission shall solicit information from any person or entity the commission deems relevant to its study. State agency participation, if existing resources are shown to be insufficient, may be based upon additional appropriations recommended by the commission and approved by the general court.

Amend RSA 126-A:73-a, V as inserted by section 2 of the bill by replacing it with the following:

V. The commission may form subcommittees or appoint technical committees composed of commission members and nonmembers to advance the goals of this section.

VI. The commission shall submit interim reports on November 1 of each year beginning November 1, 2020 containing its findings and any recommendations for proposed legislation and a final report on or before November 1, 2027 to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library.

Amend RSA 126-A:76, III as inserted by section 5 of the bill by replacing it with the following:

III. On or before September 1, [2018] **2019, and annually thereafter**, the commissioners of the department of environmental services and the department of health and human services shall submit a report regarding the data sharing practices required under paragraph I to the speaker of the house of representatives, the senate president, the state library, and the commission to study environmentally-triggered chronic illness[~~established in RSA 126-A:73~~]. The report shall include ~~[a description and estimate of the cost to perform a]~~ **results of the** 2-way pilot project between the departments on arsenic in drinking water, where both health effects and environmental data exist.

HB 155, relative to procedures for determining and disclosing exculpatory evidence in a police officer's personnel file. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Paul Berch for Judiciary. This legislation codifies the law regarding the disclosure of exculpatory evidence by the prosecutor and regulates the use of the Exculpatory Evidence Schedule. While providing that the schedule itself shall be a public record under the Right-to-Know law, it sets forth due process protections for affected law enforcement officers, enhancing both accountability and transparency. This legislation received the unanimous support of the Judiciary Committee. Vote 19-0.

Amendment (0746h)

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

1 New Subdivision; Disclosure of Exculpatory Evidence. Amend RSA 105 by inserting after section 13-c the following new subdivision:

Disclosure of Exculpatory Evidence

105:13-d Disclosure of Exculpatory Evidence.

I. In this subdivision:

(a) "Exculpatory evidence" means any information required to be disclosed to the defendant in a criminal case under the federal constitution or the state constitution.

(b) "Personnel file" includes all employment records and any related internal affairs investigations.

II. The prosecutor shall have access to the complete personnel file of any police officer who may be a witness for either party in any criminal case for the purpose of determining the existence of potentially exculpatory evidence. If the prosecutor cannot determine whether such evidence is exculpatory, he or she shall petition the court for an in camera review of the evidence. No prosecutor who reviews a police officer's personnel file shall disclose any information obtained as a result of the review, except as required in this paragraph or to the extent necessary to comply with the federal constitution or state constitution. Only those portions of the file which the prosecutor or court determines to be relevant in the case as exculpatory evidence shall be released to a defendant in accordance with all applicable rules regarding evidence in criminal cases. The remainder of the file shall be returned to the police department employing or that employed the officer. The remainder of the file shall be, unless otherwise provided by law, subject to RSA 91-A and any applicable exemptions, including the exemption for personnel information whose disclosure would constitute an invasion of privacy under RSA 91-A:5, IV.

III.(a) When the head of a law enforcement agency determines that a police officer's personnel file may contain potentially exculpatory evidence, he or she shall notify the police officer of that determination. The police officer shall have the opportunity to challenge the disciplinary finding or other administrative action resulting from the potentially exculpatory evidence through available contractual, administrative, and legal means. However, the pendency of such challenge shall not prevent the disclosure of the potentially exculpatory evidence in a criminal proceeding in which an officer is a potential witness. Nothing in this section shall be construed as limiting the due process protections provided to police officers concerning placement on the exculpatory evidence schedule, including:

(1) The requirement that the head of the law enforcement agency provide notice to the officer concerning placement on the schedule;

(2) The requirement that the head of the law enforcement agency afford the officer the opportunity to present evidence which the officer believes demonstrates why placement on the schedule is not warranted;

(3) The requirement that placement on the schedule can only occur after a finding of sustained finding of misconduct by the head of the law enforcement agency after investigation; and

(4) The protocol for removal of an officer's name from the schedule where a sustained finding of misconduct has been overturned.

(b) Nothing in this section shall be construed as limiting a police officer's ability to file a declaratory judgment action under RSA 491:22 seeking a court order removing the officer's name from the exculpatory evidence schedule.

IV. The duty to disclose exculpatory evidence that should have been disclosed prior to trial shall be an ongoing duty that extends beyond a finding of guilt.

V. The exculpatory evidence schedule maintained by the department of justice shall be a public record for purpose of RSA 91-A.

105:13-e Termination Prohibited. No police officer shall have his or her employment terminated based solely on a determination that the officer has potentially exculpatory evidence in his or her personnel file which may need to be disclosed to a criminal defendant. Nothing in this section shall prohibit the employing authority from terminating a police officer's employment based on conduct that is the subject of the exculpatory evidence.

2 Repeal. RSA 105:13-b, relative to confidentiality of police personnel files, is repealed.

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

HB 286-L, relative to free inspection of records under the right-to-know law. **OUGHT TO PASS.**

Rep. Michael Sylvia for Judiciary. This bill clarifies the legislative intent to provide for free inspection of governmental records. No cost or fee shall be charged for the inspection of existing governmental records where there is no other statutory fee set. Recent court rulings necessitated this clarification. Vote 20-0.

HB 396-FN-L, relative to delay or denial of records under the right-to-know law. **OUGHT TO PASS.**

Rep. Charlotte DiLorenzo for Judiciary. This bill requires a public body or agency to provide written explanation for a delay when it is unable to make a governmental record available for immediate inspection and copying or denying inspection or copying of any record in whole or in part due to a specified exemption pursuant to RSA 91-A. The existing law does state that when record requests are denied, the denial must be "in writing with reason," however this language is too vague. This bill is needed to make it clear that if there is a delay in providing records, this bill imposes a slight burden on the public body or agency of providing the reason for delay in writing. If there is no delay, then there is no need to write anything down. The written reason also allows the requesting party to challenge the reason for delay. Vote 19-1.

HB 465-FN, relative to jury trials in consumer protection act cases. **INEXPEDIENT TO LEGISLATE.**

Rep. Joe Alexander for Judiciary. This bill gives the plaintiff a right to request a jury trial for consumer protection act cases. If the court found for the plaintiff, the recovery would be in the form of damages or \$1,000, whichever is greater. The committee considered testimony and concluded that this bill is inappropriate under our current system. With 97 consumer protection act cases brought forward since 2017, a jury trial for each and every case could have placed a significant burden on the courts. With a jury trial estimated to cost \$2,258 in FY 2020 and \$2,273 in FY 2021, the committee decided that this legislation is not needed and cost effective to resolving disputes over the consumer protection act. Vote 20-0.

HB 584, relative to the procedures governing possessory actions against tenants. **INEXPEDIENT TO LEGISLATE.**

Rep. Charlotte DiLorenzo for Judiciary. As amended, this bill attempts to clarify the procedures for summary possession actions against tenants and for entering the action in superior court if the title to the premises is in question. As written in this bill, a property purchased in a foreclosure sale could be subject to title and ownership verification in superior court should the tenant raise a question of ownership as an affirmative defense to possessory eviction. A reading of this bill could leave one with the impression that current law does not require proof of ownership in these cases. There is a specific, required district division affidavit of ownership form (NHJB 2771-D) which the property owner must execute and file with the court to make clear that the person seeking the eviction owns the property and is entitled to take possession of the premises. Banking industry opponents of this bill feel that the bill will have unintended consequences and that this bill creates more problems than it solves. Property owners feel that this bill as written jeopardizes the financial health of their businesses because the court has the power to waive tenant payment of rent (use and occupancy) while the superior court action is being litigated and thus deprive the owner of income from the property. Vote 19-1.

HB 708-FN, relative to electronic transcripts for appeals to the supreme court. **INEXPEDIENT TO LEGISLATE.**

Rep. Timothy Horrigan for Judiciary. Currently, the state supreme court requires parties to file multiple copies of a transcript of relevant lower court hearings. Their transcripts must be prepared by an approved professional court reporter. In his testimony before the committee the prime sponsor revealed that he was actually thinking of audio recordings of court proceedings rather than text transcripts. He stated that he tried a few years ago to have an audio CD introduced in lieu of an official transcript while appealing a traffic case pro se. The supreme court refused to accept his case. The majority feels that this bill is unnecessary and also infringes on the independence of our Judiciary. The supreme court is already free to accept electronic text transcripts (or even audio recordings) as evidence. Finally, this bill would impose a \$25 surcharge on top of the existing court fees. It is unclear who would get the extra money. Vote 19-1.

HB 178, establishing a minimum wage. **INEXPEDIENT TO LEGISLATE.**

Rep. Janice Schmidt for Labor, Industrial and Rehabilitative Services. The committee chose to focus its attention on one of the other two bills that address state minimum wage. We therefore recommend this bill as Inexpedient to Legislate. Vote 19-0.

HB 406, relative to reporting and investigation of serious injuries and death in the workplace. **OUGHT TO PASS.**

Rep. Dan Toomey for Labor, Industrial and Rehabilitative Services. The committee felt that incidents of serious injury and death should be reported to the Department of Labor and the place of employment should be inspected by the department. It was especially important for public employees since they are not covered by OSHA. Vote 18-1.

HB 724-FN, relative to certain rights of employees. **INEXPEDIENT TO LEGISLATE.**

Rep. William Bordy for Labor, Industrial and Rehabilitative Services. The committee believes that the majority of the items in this bill are covered by other bills before the committee, specifically the credit checks and minimum wage. In addition, the work schedule notification requirement is not workable for many employers. Vote 19-0.

HB 128, relative to a property tax exemption for disabled veterans. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Clyde Carson for Municipal and County Government. This bill as amended replaces the original bill with a study committee. The purpose of the committee is to study all current and proposed veteran real estate tax credits and exemptions. It will examine how many veterans benefit, how many do not, and the total cost to municipalities. The committee shall also consider if another form of payment that benefits all veterans might replace all or some of them. Vote 19-0.

Amendment (0617h)

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

AN ACT establishing a committee to study veterans property tax credits and exemptions.

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

1 Committee Established. There is established a committee to study the use of property tax credits and exemptions to recognize the service of New Hampshire veterans.

2 Membership and Compensation.

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

(a) Three members of the house of representatives, 2 of whom shall be members of the municipal and county government committee and one of whom shall be a member of the state-federal relations and veterans affairs committee, appointed by the speaker of the house of representatives.

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

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

3 Duties. The committee shall:

I. Study the property tax credits and exemptions available to veterans in New Hampshire, including the standard and optional veteran's tax credit under RSA 72:28, the all veterans tax credit under RSA 72:28-b, the optional tax credit for combat service under RSA 72:28-c, the tax credit for service-connected total disability under RSA 72:35, and the exemption for certain disabled veterans under RSA 72:36-a.

II. Review the eligibility criteria for each credit or exemption, the amount of the credit or exemption, the cost to the municipality of adopting or granting the credit or exemption, and the number of veterans who benefit.

III. Consider whether legislative amendment of existing veterans' tax credits or exemptions is warranted and whether alternative means of providing property tax relief to veterans is appropriate.

IV. Solicit information from any individual or entity the committee deems relevant to its study, including the state office of veterans services, the department of revenue administration, and the New Hampshire Municipal Association.

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

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

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

AMENDED ANALYSIS

This bill establishes a committee to study property tax credits and exemptions available to New Hampshire veterans.

HB 215, requiring the legislative body to approve the appointment of town managers and prohibiting town managers from hiring contractors to perform the duties of town managers. **INEXPEDIENT TO LEGISLATE.** Rep. Bruce Tatro for Municipal and County Government. This bill allows cities and towns to require that the hiring of a town manager be approved by the legislative body. It also prevents a town manager or elected official from hiring subcontractors to help with any aspect of their positions. If a lawyer or other expert is needed to make an informed decision, this bill prevents the town manager from hiring them. The committee recommends Inexpedient to Legislate. Vote 17-1.

HB 553, relative to the amendment of petitioned warrant articles. **INEXPEDIENT TO LEGISLATE.** Rep. Tom Dolan for Municipal and County Government. This bill requires that in SB 2 towns a quorum of 50% or more of the number of voters who cast ballots during the second session of the previous annual meeting be present at the deliberative session in order to amend a petitioned warrant article. The quorum requirement would effectively eliminate the ability of the legislative body to amend warrant articles at the deliberative session. The committee recommends it be found Inexpedient to Legislate. Vote 19-0.

HB 635-L, enabling a payment in lieu of taxes for a combined heat and power agricultural facility. **OUGHT TO PASS.**

Rep. Mac Kittredge for Municipal and County Government. This bill authorizes municipalities to enter into a voluntary agreement with a combined heat and power agricultural facility to make payment in lieu of taxes. This enabling legislation provides a creative way to encourage business and support local employment in our agricultural sector. This plan is well thought out, with minimal impact on existing legislation, and provides for well thought out concerns about environmental impact. In short, a win-win for business enterprise and municipal growth. Vote 19-0.

HB 140, establishing a commission to study the licensing of drivers from foreign countries. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Laura Telerski for Transportation. This bill, as amended, establishes a commission to study licensing of drivers from foreign countries. There are many questions to be answered such as how to deal with reciprocity with other nations, how many seek licenses but hit roadblocks and can't be licensed, and how they can use their license here if it is issued in another language. Vote 18-1.

Amendment (0687h)

Amend RSA 263:39-b, II as inserted by section 1 of the bill by inserting after paragraph (g) the following new paragraph:

(h) One representative of the New Hampshire College and University Council, appointed by the organization.

HB 391, relative to permits for vehicle registration. **OUGHT TO PASS.**

Rep. Michael O'Brien for Transportation. This bill would require residents who seek a registration permit to provide a current government-issued photo identification. This bill has the support of the Division of Motor Vehicles (DMV) and the NH City and Town Clerks' Association and is intended to prevent fraud when vehicles are registered. Vote 19-0.

REGULAR CALENDAR

HB 160, relative to the adoption of budgets and special assessments by condominium associations. **INEXPEDIENT TO LEGISLATE.**

Rep. Kermit Williams for Commerce and Consumer Affairs. The committee believes that it is necessary to balance the right of a condominium association's residents to overturn a proposed annual budget with the challenges faced by the volunteer members of an association's board of directors when creating and managing that budget. This bill would allow a vote of 25% of the residents to defeat a proposed budget and require the board to either work with a default budget or come up with a new proposal. Current law, just implemented in 2016, calls for 2/3rds of the residents to vote against the budget to overturn it. Prior to that change, residents had no vote on a budget unless it was called for in the association's operating documents. We believe this new right for residents should be in place for a few more years before there is sufficient experience to judge whether changes are necessary. Vote 20-0.

Rep. Webb spoke against.

Rep. Williams spoke in favor.

On a division vote, with 295 members having voted in the affirmative, and 50 in the negative, the committee report was adopted.

HB 597-FN, relative to sales of beverages and wine hosted by other licensees. **OUGHT TO PASS.**

Rep. Kermit Williams for Commerce and Consumer Affairs. This bill would allow a New Hampshire wine maker who serves consumers at their facility to invite a New Hampshire nano brewery to sell their products at the wine maker's location for a day. It would also allow a similar invitation from a nano brewery to a wine

maker. Each licensee would serve their own products, collect their own payments, pay their own taxes, and provide their own reports to the Liquor Commission. The bill will increase collaboration among small New Hampshire licensees and provide more choice for consumers. Vote 18-1.

Rep. Williams offered floor amendment (0780h).

Floor Amendment (0780h)

Amend RSA 178:12-a:VIII(c) as inserted by section 1 of the bill by replacing it with the following:

(c) Sample sizes shall be limited to one 16-ounce glass per person if no food is available and 2 16-ounce glasses if food is available.

Amend the bill by replacing section 2 with the following:

2 New Paragraph; Wine Manufacturers; Samples. Amend RSA 178:8 by inserting after paragraph VII the following new paragraph:

VIII. For an additional annual fee of \$120, any wine manufacturer licensee may transport its products to a nano brewery licensed under RSA 178:12-a, for the purpose of sampling or selling its products. Samples may be sold or given away. Retail sales made at the nano brewery shall be limited to products in their unopened original containers and to customers and persons of legal drinking age. Wine manufacturers shall be subject to the following additional limitations under this section:

(a) Wine manufacturer licensees shall be limited to one sampling event per day.

(b) Sampling and sales of the wine manufacturer licensee's products shall conform to the normal business hours of the nano brewery licensee.

(c) Sample sizes shall be limited to one 4-ounce glass per person if no food is available and 2 4-ounce glasses if food is available.

(d) Wine manufacturer licensee products brought to a sampling event shall be brought to the nano brewery on the day of the event and all such products shall be removed at the end of the event.

(e) Wine manufacturer licensees shall notify the commission of date, times, and location of each sampling event not less than 5 days before each event.

Rep. Williams spoke in favor.

Floor amendment (0780h) adopted.

Committee report adopted and ordered to third reading.

HB 446, relative to initiating amendments and corrections to birth records. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Gerri Cannon for Health, Human Services and Elderly Affairs. Currently, NH birth certificates can be changed by court order for a variety of reasons, including changing gender and name information for people who have had a sex change operation. The current policy does not consider situations where the applicant may not have had, or completed, expensive and risky surgical procedures, but has been determined to be the sex they identify as by their medical professionals. As amended, HB 446 allows transgender men, women and people who don't identify as either male or female to change their name and sex information on their birth certificate. The applicant must secure a notarized statement from their licensed healthcare provider, stating that the applicant has been under their care and that in the health care provider's opinion the individual is (1) male, (2) female or (3) neither male nor female and is reasonably expected to continue as such for the foreseeable future. This document would be submitted directly to a city or town clerk for processing as defined in RSA 5-C:85, by the same procedure used for other amendments to a birth certificate. A new birth certificate will be issued, but the original birth certificate will be retained as a permanent record of the amendment. Vote 16-3.

Amendment (0801h)

Amend the bill by replacing section 1 with the following:

1 Vital Records; Initiating Amendments and Corrections to Birth Records; Gender Identity. RSA 5-C:87, V is repealed and reenacted to read as follows:

V. If an individual requests a birth record reflecting a sex designation other than that which was assigned at birth, a new birth record shall be prepared to reflect a change in the individual's sex upon receipt of a notarized certification affirming the individual's sex designation by a licensed and qualified health care provider.

(a) The notarized certification shall be signed by a licensed and qualified health care provider under the penalty of unsworn falsification pursuant to RSA 641:3. It shall provide that the named individual is currently or was previously under the signing health care provider's care, and that in the health care provider's professional opinion the individual's sex is (1) male, (2) female, or (3) neither male nor female, and can be reasonably expected to continue as such for the foreseeable future.

(b) The application shall be signed by the applicant under the penalty of unsworn falsification pursuant to RSA 641:3. This signature shall certify that the request for change of sex is for the purpose of ensuring that the applicant's birth record accurately reflects the applicant's sex, and that the request is not for any fraudulent or unlawful purpose.

(c) The individual shall surrender any prior birth record issued by the state of New Hampshire in the individual's possession. The original birth record shall be retained by the city or town of birth. The clerk of the city or town shall submit the individual's application, the health care provider's certification, and a copy of the original birth record to the state registrar for review and issuance of a new birth record. Upon issuance of the new birth record, the clerk of the city or town shall indicate on the original birth record that it has been revised in accordance with this paragraph.

(d) The town or city clerk may charge a \$50 fee for updating a birth record pursuant to this paragraph.

(e) In this paragraph, "licensed and qualified health care provider" means a treating and licensed physician, psychologist, advanced practice registered nurse, clinical social worker, or clinical mental health counselor.

AMENDED ANALYSIS

This bill provides a procedure for an individual to obtain a new birth certificate to reflect a sex designation other than that which was assigned at birth.

Committee amendment adopted.

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

Reps. Notter and Stapleton spoke against.

Rep. Cannon spoke in favor.

Rep. Notter requested a roll call; sufficiently seconded.

YEAS 224 - NAYS 125

YEAS - 224 BELKNAP

Fields, Dennis

Huot, David

CARROLL

Burroughs, Anita
Knirk, Jerry

Butler, Edward
Ticehurst, Susan

DesMarais, Edith
Woodcock, Stephen

Kanzler, Harrison

CHESHIRE

Abbott, Michael
Faulkner, Barry
Morrill, David
Tatro, Bruce
Weber, Lucy

Ames, Richard
Gomarlo, Jennie
Parkhurst, Henry
Thompson, Craig

Bordenet, John
Mann, John
Schapiro, Joe
Von Plinsky, Sparky

Eaton, Daniel
Meador, David
Swinburne, Sandy
Pearson, William

COOS

Laflamme, Larry
Thomas, Yvonne

Moynihan, Wayne

Noel, Henry

Tucker, Edith

GRAFTON

Abel, Richard
Diggs, Francesca
Ford, Susan
Maes, Kevin
Osborne, Richard
Smith, Suzanne

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

Almy, Susan
Egan, Timothy
Hennessey, Erin
Muscatel, Garrett
Stavis, Laurel
Weston, Joyce

Campion, Polly
Fellows, Sallie
Josephson, Timothy
Nordgren, Sharon
Stringham, Jerry

HILLSBOROUGH

Bouldin, Amanda
Baroody, Benjamin
Bordy, William
Cleaver, Skip
Cote, David
Dutzy, Sherry
Goley, Jeffrey
Herbert, Christopher
King, Mark
Langley, Diane
Mangipudi, Latha
Mullen, Sue
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
Indruk, Greg
Klee, Patricia
Leishman, Peter
Martin, Joelle
Murphy, Nancy
Pickering, Daniel
Newman, Ray
Newman, Sue
Stack, Kathryn
Toomey, Dan
Thomas, Wendy

Backus, Robert
Bergeron, Paul
Bouchard, Donald
Connors, Erika
Desjardin, Kathy
Davis, Fred
Hamer, Heidi
Schmidt, Janice
Klein-Knight, Nicole
Long, Patrick
McGhee, Kat
Nutting-Wong, Allison
Plett, Fred
Radhakrishnan, Julie
Snow, Kendall
Stevens, Deb
Vail, Suzanne
Wilhelm, Matthew

Balch, Chris
Bernet, Jennifer
Chretien, Jacqueline
Cornell, Patricia
DiSilvestro, Linda
Freitas, Mary
Heath, Mary
Jack, Martin
Komi, Richard
Murray, Megan
Mombourquette, Donna
Pedersen, Michael
Porter, Marjorie
Riel, Cole
Sofikitis, Catherine
Lekas, Tony
Van Houten, Constance
Williams, Kermit

MERRIMACK

Bartlett, Christy
Ebel, Karen
Lane, Connie
Moffett, Howard
Rogers, Katherine
Schultz, Kristina
Wallner, Mary Jane
Wolf, Dan

Buchanan, Ryan
Fox, Samantha
Luneau, David
Myler, Mel
Saunderson, George
Seaworth, Brian
Walz, Mary Beth
Woods, Gary

Carson, Clyde
Fulweiler, Joyce
MacKay, James
Pimentel, Roderick
Schamberg, Thomas
Soucy, Timothy
Wazir, Safiya

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

ROCKINGHAM

Abramson, Max
Bershtein, Alan
Cali-Pitts, Jacqueline
Edgar, Michael
Gay, Betty
Harb, Robert
Lovejoy, Patricia
McBride, Everett
Owens, Becky
Ward, Gerald

Acton, Dennis
Bunker, Lisa
Coursin, David
Edwards, Jess
Gilman, Julie
Murray, Kate
Maggiore, Jim
McConnell, Liz
Somssich, Peter
Warner, Anne

Altschiller, Debra
Bushway, Patricia
Cushing, Robert Renny
Eisner, Mary
Grossman, Gaby
Le, Tamara
Malloy, Dennis
McMahon, Charles
Sytek, John

Berrien, Skip
Cahill, Michael
DiLorenzo, Charlotte
Elliott, Robert
Grote, Jaci
Loughman, Tom
McBeath, Rebecca
Meuse, David
Vallone, Mark

STRAFFORD

Cannon, Gerri
Fontneau, Timothy
Kenney, Cam
Schmidt, Peter
Southworth, Thomas
Wall, Janet

Chase, Wendy
Grassie, Chuck
Levesque, Cassandra
Rich, Cecilia
Spang, Judith

Conley, Casey
Horrigan, Timothy
Smith, Marjorie
Salloway, Jeffrey
Towne, Matthew

Ellis, Donna
Keans, Sandra
Opderbecke, Linn
Sandler, Catt
Vincent, Kenneth

SULLIVAN

Cloutier, John
Oxenham, Lee

Lucas, Gates
Smith, Steven

Merchant, Gary
Sullivan, Brian

O'Hearne, Andrew
Tanner, Linda

NAYS - 125**BELKNAP**

Aldrich, Glen
Howard, Raymond
Sylvia, Michael

Bean, Harry
Jurius, Deanna
Tilton, Franklin

Comtois, Barbara
Beaudoin, Richard
Varney, Peter

Feeney, George
Spanos, Peter
Viens, Harry

CARROLL

Avellani, Lino
Marsh, William

Buco, Thomas

Comeau, Ed

MacDonald, John

CHESHIRE

Hunt, John

O'Day, John

COOS

Craig, Kevin

Merner, Troy

GRAFTON

Gordon, Edward

Ladd, Rick

Migliore, Vincent Paul

HILLSBOROUGH

Lekas, Alicia
Boehm, Ralph
Danielson, David
Gagne, Larry
Gunski, Michael
Lascelles, Richard
Nunez, Hershel
Renzullo, Andrew
Ulery, Jordan

Alexander, Joe
Burns, Charles
Erf, Keith
Gould, Linda
Harriott-Gathright, Linda
Marzullo, JP
Panasiti, Reed
Rice, Kimberly
Warden, Mark

Griffin, Barbara
Burt, John
Fedolfi, Jim
Graham, John
Hinch, Richard
McLean, Mark
Proulx, Mark
Sanborn, Laurie
Whittemore, James

Barry, Richard
Camarota, Linda
Flanagan, Jack
Greene, Bob
Ober, Lynne
Notter, Jeanine
Ober, Russell
Somero, Paul

MERRIMACK

Allard, James
Kotowski, Frank
Testerman, Dave

Hill, Gregory
Marple, Richard
Yakubovich, Michael

Horn, Werner
McGuire, Carol

Klose, John
Pearl, Howard

ROCKINGHAM

Abbas, Daryl
Chirichiello, Brian
DeClercq, Edward
Doucette, Fred
Hoelzel, Kathleen
Katsakiores, Phyllis
Pearson, Mark
Piemonte, Tony
Roy, Terry
True, Chris
Weyler, Kenneth

Abrami, Patrick
Costable, Michael
Desilets, Joel
Fowler, William
Osborne, Jason
Khan, Aboul
Melvin, Charles
Potucek, John
Pearson, Stephen
Wallace, Scott
Yokela, Josh

Baldasaro, Al
Davis, Dan
DeSimone, Debra
Green, Dennis
Janigian, John
Love, David
Milz, David
Pratt, Kevin
Spillane, James
Webb, James

Barnes, Arthur
Thomas, Douglas
Dolan, Tom
Hobson, Deborah
Janvrin, Jason
Griffin, Mary
Packard, Sherman
Prudhomme-O'Brien, Katherine
Torosian, Peter
Welch, David

STRAFFORD

Harrington, Michael
Perreault, Mona
Wuelper, Kurt

Hayward, Peter
Pitre, Joseph

Horgan, James
Rooney, Abigail

McNally, Jody
Beaudoin, Steven

SULLIVAN

Aron, Judy
Stapleton, Walter

Callum, John

Laware, Thomas

Rollins, Skip

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

HB 692-FN, relative to dental care for Medicaid recipients. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jeffrey Salloway for Health, Human Services and Elderly Affairs. The majority of the committee recognizes the critical importance of good oral health. As a necessary first step, this bill removes the prohibition against provision of adult dental services under medicaid. The amendment sets an effective date of July 1, 2019. This bill enables NH Medicaid to offer dental services but does not specify a plan for implantation. Vote 20-1.

Amendment (0748h)

Amend the bill by replacing all after section 1 with the following:

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

Committee amendment adopted.

Committee report adopted and ordered to third reading.

HB 694-FN, establishing a take-back program for illegal controlled drugs. **INEXPEDIENT TO LEGISLATE.**

Rep. Polly Campion for Health, Human Services and Elderly Affairs. This bill would have authorized municipalities, governmental entities and private entities to establish take-back programs for illegal drugs. The current well-established take-back program prohibits disposal of illicit substances in disposal units. Intermingling of these substances would likely result in hospitals and law enforcement to cease involvement in this successful program. While the committee recognizes the challenge in disposing of illicit substances, this legislation would not have sufficiently addressed existing legal and safety challenges and would have created significant other challenges for those running existing disposal programs. Vote 21-0.

MOTION TO LAY ON THE TABLE

Rep. Weber moved that **HB 694-FN**, establishing a take-back program for illegal controlled drugs, be laid on the table.

Motion adopted.

REGULAR CALENDAR CONT'D

HB 291, establishing a committee to study certain findings and other initiatives regarding end-of-life care.

MAJORITY: OUGHT TO PASS. MINORITY: OUGHT TO PASS WITH AMENDMENT.

Rep. Marjorie Smith for the Majority of Judiciary. It has been six years since the legislature last studied palliative care and associated quality of life. The majority of the committee agrees that it is time to evaluate the findings to see what recommendations have been followed and whether they proved effective. In addition, we have better understanding of the role of palliative care in easing the pain of individuals with disabilities having nothing to do with end of life issues. The majority believes that too often, when the phrase 'end of life' is used, some listeners translate that into suicide. The majority believes that these issues are complicated and that we have an obligation to evaluate what has transpired since the legislature last studied them. Vote 12-8. Rep. Barbara Griffin for the Minority of Judiciary. This bill proposes a five-member committee to study end of life issues; more specifically its purpose is to study laws in other states and consider further legislation that would address physician assisted suicide (PAS) calling it "end of life legislation." While the bill also references palliative care review, the public hearing and committee debate centered on the PAS issues drowning out attention to the palliative care issues. Public testimony and committee comments supported a conclusion that there are many unknown aspects to the different services of hospice and palliative care, to include the caring of those with chronic pain and serious and terminal illness. The bill also proposes review of the previous findings of a 2013 commission on palliative care but the addition of PAS review,

and resulting focus on PAS, overlooks the importance and breadth of the potential application of hospice and palliative care. The minority believes that the bill also sends a message of suicide being acceptable in a time where concerns on rising rates of suicide and work for suicide prevention are the focus of other bills and an existing Council on Suicide Prevention. Similar legislation has been before this body before and has been vetoed twice by Governor Hassan. The minority believes this bill should be amended to focus the committee work on palliative and hospice care for the populations dealing with not only end of life, but also complex health and disability issues.

Rep. Barbara Griffin offered the minority committee amendment (0767h).

Minority Amendment (0767h)

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

AN ACT establishing a committee to study certain findings regarding hospice and palliative care.

Amend the bill by replacing section 1 with the following:

1 Committee Established. There is established a committee to study certain findings regarding hospice and palliative care.

Amend the bill by replacing section 3 with the following:

3 Duties.

I. The committee shall:

(a) Review the findings of the commission to study palliative care and associated quality of life (2013, 225) and make a determination as to whether the commission's recommendations are being followed and whether the recommendations are effective.

(b) Review palliative care for other populations in addition to end-of-life, such as providing the long-term, whole-person benefits of palliative care for individuals living with life-long disability or chronic pain and complex health conditions.

II. The committee may solicit any information from any person or entity the committee deems relevant to its study.

AMENDED ANALYSIS

This bill establishes a committee to study certain findings and other initiatives regarding hospice and palliative care.

Rep. Barbara Griffin spoke in favor.

Rep. Kenney spoke against.

Rep. Marjorie Smith yielded to questions.

Rep. Barbara Griffin requested a roll call; sufficiently seconded.

YEAS 146 - NAYS 208

YEAS - 146

BELKNAP

Aldrich, Glen
Fields, Dennis
Beaudoin, Richard
Varney, Peter

Bean, Harry
Howard, Raymond
Spanos, Peter
Viens, Harry

Comtois, Barbara
Jurius, Deanna
Sylvia, Michael

Feeney, George
Lang, Timothy
Tilton, Franklin

CARROLL

Avellani, Lino
Marsh, William

Burroughs, Anita

Comeau, Ed

MacDonald, John

CHESHIRE

Hunt, John

O'Day, John

COOS

Craig, Kevin

Merner, Troy

GRAFTON

Gordon, Edward

Hennessey, Erin

Ladd, Rick

Migliore, Vincent Paul

HILLSBOROUGH

Lekas, Alicia
Boehm, Ralph
Danielson, David
Gagne, Larry
Gunski, Michael
Marzullo, JP
Panasiti, Reed
Renzullo, Andrew
Lekas, Tony
Warden, Mark

Alexander, Joe
Burns, Charles
Erf, Keith
Gould, Linda
Hinch, Richard
McLean, Mark
Plett, Fred
Rice, Kimberly
Toomey, Dan
Whittemore, James

Griffin, Barbara
Burt, John
Fedolfi, Jim
Graham, John
Ober, Lynne
Notter, Jeanine
Proulx, Mark
Sanborn, Laurie
Trento, Michael

Barry, Richard
Camarota, Linda
Flanagan, Jack
Greene, Bob
Lascelles, Richard
Nunez, Hershel
Ober, Russell
Somero, Paul
Ulery, Jordan

MERRIMACK

Allard, James
Marple, Richard
Testerman, Dave

Hill, Gregory
McGuire, Carol
Wolf, Dan

Horn, Werner
Pearl, Howard
Yakubovich, Michael

Kotowski, Frank
Seaworth, Brian

ROCKINGHAM

Abbas, Daryl
Baldasaro, Al
Costable, Michael
Desilets, Joel
Edwards, Jess
Green, Dennis
Osborne, Jason
Khan, Aboul
Pearson, Mark
Milz, David
Potucek, John
Pearson, Stephen
True, Chris
Weyler, Kenneth

Abrami, Patrick
Barnes, Arthur
Davis, Dan
DeSimone, Debra
Elliott, Robert
Harb, Robert
Janigian, John
Love, David
McBride, Everett
Owens, Becky
Pratt, Kevin
Spillane, James
Vallone, Mark

Abramson, Max
Bershtein, Alan
Thomas, Douglas
Dolan, Tom
Fowler, William
Hobson, Deborah
Janvrin, Jason
Lundgren, David
McMahon, Charles
Packard, Sherman
Prudhomme-O'Brien, Katherine
Sytek, John
Wallace, Scott

Acton, Dennis
Chirichiello, Brian
DeClercq, Edward
Doucette, Fred
Gay, Betty
Hoelzel, Kathleen
Katsakiores, Phyllis
Griffin, Mary
Melvin, Charles
Piemonte, Tony
Roy, Terry
Torosian, Peter
Welch, David

STRAFFORD

Harrington, Michael
Perreault, Mona
Salloway, Jeffrey

Hayward, Peter
Pitre, Joseph
Wuelper, Kurt

Horgan, James
Rooney, Abigail

McNally, Jody
Beaudoin, Steven

SULLIVAN

Aron, Judy
Rollins, Skip

Callum, John
Stapleton, Walter

Laware, Thomas
Smith, Steven

Lucas, Gates

**NAYS - 208
BELKNAP**

Huot, David

CARROLL

Buco, Thomas
Knirk, Jerry

Butler, Edward
Ticehurst, Susan

DesMarais, Edith
Woodcock, Stephen

Kanzler, Harrison

CHESHIRE

Abbott, Michael
Faulkner, Barry
Morrill, David
Tatro, Bruce
Weber, Lucy

Ames, Richard
Gomarlo, Jennie
Parkhurst, Henry
Thompson, Craig

Bordenet, John
Mann, John
Schapiro, Joe
Von Plinsky, Sparky

Eaton, Daniel
Meader, David
Swinburne, Sandy
Pearson, William

COOS

Hatch, William
Tucker, Edith

Laflamme, Larry
Thomas, Yvonne

Moynihan, Wayne

Noel, Henry

GRAFTON

Abel, Richard
Diggs, Francesca
Ford, Susan
Mulligan, Mary Jane
Ruprecht, Dennis
Sykes, George

Adjutant, Joshua
Dontonville, Roger
French, Elaine
Muscatel, Garrett
Stavis, Laurel
Weston, Joyce

Almy, Susan
Egan, Timothy
Josephson, Timothy
Nordgren, Sharon
Stringham, Jerry

Campion, Polly
Fellows, Sallie
Maes, Kevin
Osborne, Richard
Smith, Suzanne

HILLSBOROUGH

Bouldin, Amanda
Baroody, Benjamin
Bordy, William
Cleaver, Skip
Cote, David
Dutzy, Sherry
Goley, Jeffrey
Heath, Mary
Jack, Martin
Komi, Richard
Murray, Megan
Mombourquette, Donna

Bouldin, Andrew
Beaulieu, Jane
Bosman, James
Cohen, Bruce
Dargie, Paul
Espitia, Manny
Griffith, Willis
Herbert, Christopher
King, Mark
Langley, Diane
Mangipudi, Latha
Mullen, Sue

Backus, Robert
Bergeron, Paul
Bouchard, Donald
Connors, Erika
Desjardin, Kathy
Davis, Fred
Hamer, Heidi
Indruk, Greg
Klee, Patricia
Leishman, Peter
Martin, Joelle
Murphy, Nancy

Balch, Chris
Bernet, Jennifer
Chretien, Jacqueline
Cornell, Patricia
DiSilvestro, Linda
Freitas, Mary
Harriott-Gathright, Linda
Schmidt, Janice
Klein-Knight, Nicole
Long, Patrick
McGhee, Kat
Nutting-Wong, Allison

Pedersen, Michael
Query, Joshua
Rung, Rosemarie
St. John, Michelle
Vail, Suzanne
Wilhelm, Matthew

Petrigno, Peter
Newman, Ray
Newman, Sue
Stack, Kathryn
Van Houten, Constance
Williams, Kermit

Pickering, Daniel
Radhakrishnan, Julie
Snow, Kendall
Stevens, Deb
Vann, Ivy
Woodbury, David

Porter, Marjorie
Riel, Cole
Sofikitis, Catherine
Telerski, Laura
Thomas, Wendy

MERRIMACK

Bartlett, Christy
Ebel, Karen
Klose, John
McWilliams, Rebecca
Richards, Beth
Schuett, Dianne
Wallner, Mary Jane
Woods, Gary

Buchanan, Ryan
Fox, Samantha
Lane, Connie
Moffett, Howard
Rogers, Katherine
Schultz, Kristina
Walz, Mary Beth

Carson, Clyde
Fulweiler, Joyce
Luneau, David
Myler, Mel
Saunderson, George
Soucy, Timothy
Wazir, Safiya

Doherty, David
Karrick, David
MacKay, James
Pimentel, Roderick
Schamberg, Thomas
Turcotte, Alan
Wells, Kenneth

ROCKINGHAM

Altschiller, Debra
Cahill, Michael
DiLorenzo, Charlotte
Grossman, Gaby
Loughman, Tom
McBeath, Rebecca
Somssich, Peter
Yokela, Josh

Berrien, Skip
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
Warner, Anne

Bushway, Patricia
Cushing, Robert Renny
Gilman, Julie
Le, Tamara
Malloy, Dennis
Read, Ellen
Webb, James

STRAFFORD

Cannon, Gerri
Fontneau, Timothy
Kenney, Cam
Schmidt, Peter
Spang, Judith

Chase, Wendy
Grassie, Chuck
Levesque, Cassandra
Rich, Cecilia
Towne, Matthew

Conley, Casey
Horrigan, Timothy
Smith, Marjorie
Sandler, Catt
Vincent, Kenneth

Ellis, Donna
Keans, Sandra
Opderbecke, Linn
Southworth, Thomas
Wall, Janet

SULLIVAN

Cloutier, John
Sullivan, Brian

Merchant, Gary
Tanner, Linda

O'Hearne, Andrew

Oxenham, Lee

and the minority committee amendment failed.

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

Rep. Gagne requested a roll call; sufficiently seconded.

YEAS 214 - NAYS 140

YEAS - 214

BELKNAP

Fields, Dennis

Huot, David

CARROLL

Buco, Thomas
Kanzler, Harrison

Burroughs, Anita
Knirk, Jerry

Butler, Edward
Ticehurst, Susan

DesMarais, Edith
Woodcock, Stephen

CHESHIRE

Abbott, Michael
Faulkner, Barry
Morrill, David
Tatro, Bruce
Weber, Lucy

Ames, Richard
Gomarlo, Jennie
Parkhurst, Henry
Thompson, Craig

Bordenet, John
Mann, John
Schapiro, Joe
Von Plinsky, Sparky

Eaton, Daniel
Meader, David
Swinburne, Sandy
Pearson, William

COOS

Hatch, William
Tucker, Edith

Laflamme, Larry
Thomas, Yvonne

Moynihan, Wayne

Noel, Henry

GRAFTON

Abel, Richard
Diggs, Francesca
Ford, Susan
Mulligan, Mary Jane
Ruprecht, Dennis
Sykes, George

Adjutant, Joshua
Dontonville, Roger
French, Elaine
Muscatel, Garrett
Stavis, Laurel
Weston, Joyce

Almy, Susan
Egan, Timothy
Josephson, Timothy
Nordgren, Sharon
Stringham, Jerry

Campion, Polly
Fellows, Sallie
Maes, Kevin
Osborne, Richard
Smith, Suzanne

HILLSBOROUGH

Bouldin, Amanda
 Baroody, Benjamin
 Bordy, William
 Cleaver, Skip
 Cote, David
 Dutzy, Sherry
 Goley, Jeffrey
 Heath, Mary
 Jack, Martin
 Komi, Richard
 Murray, Megan
 Mombourquette, Donna
 Pedersen, Michael
 Query, Joshua
 Rung, Rosemarie
 St. John, Michelle
 Vail, Suzanne
 Wilhelm, Matthew

Bouldin, Andrew
 Beaulieu, Jane
 Bosman, James
 Cohen, Bruce
 Dargie, Paul
 Espitia, Manny
 Griffith, Willis
 Herbert, Christopher
 King, Mark
 Langley, Diane
 Mangipudi, Latha
 Mullen, Sue
 Petrigno, Peter
 Newman, Ray
 Newman, Sue
 Stack, Kathryn
 Van Houten, Constance
 Williams, Kermit

Backus, Robert
 Bergeron, Paul
 Bouchard, Donald
 Connors, Erika
 Desjardin, Kathy
 Davis, Fred
 Hamer, Heidi
 Indruk, Greg
 Klee, Patricia
 Leishman, Peter
 Martin, Joelle
 Murphy, Nancy
 Pickering, Daniel
 Radhakrishnan, Julie
 Snow, Kendall
 Stevens, Deb
 Vann, Ivy
 Woodbury, David

Balch, Chris
 Bernet, Jennifer
 Chretien, Jacqueline
 Cornell, Patricia
 DiSilvestro, Linda
 Freitas, Mary
 Harriott-Gathright, Linda
 Schmidt, Janice
 Klein-Knight, Nicole
 Long, Patrick
 McGhee, Kat
 Nutting-Wong, Allison
 Porter, Marjorie
 Riel, Cole
 Sofikitis, Catherine
 Telerski, Laura
 Thomas, Wendy

MERRIMACK

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

Buchanan, Ryan
 Fox, Samantha
 Luneau, David
 Myler, Mel
 Sauderson, George
 Soucy, Timothy
 Wazir, Safiya

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

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

ROCKINGHAM

Acton, Dennis
 Bushway, Patricia
 Coursin, David
 Edgar, Michael
 Grossman, Gaby
 Loughman, Tom
 McBeath, Rebecca
 Read, Ellen
 Yokela, Josh

Altschiller, Debra
 Cahill, Michael
 Cushing, Robert Renny
 Eisner, Mary
 Grote, Jaci
 Lovejoy, Patricia
 McConnell, Liz
 Somssich, Peter

Berrien, Skip
 Cali-Pitts, Jacqueline
 Davis, Dan
 Gay, Betty
 Murray, Kate
 Maggiore, Jim
 Melvin, Charles
 Ward, Gerald

Bunker, Lisa
 Costable, Michael
 DiLorenzo, Charlotte
 Gilman, Julie
 Le, Tamara
 Malloy, Dennis
 Meuse, David
 Warner, Anne

STRAFFORD

Cannon, Gerri
 Fontneau, Timothy
 Kenney, Cam
 Schmidt, Peter
 Spang, Judith

Chase, Wendy
 Grassie, Chuck
 Levesque, Cassandra
 Rich, Cecilia
 Towne, Matthew

Conley, Casey
 Horrigan, Timothy
 Smith, Marjorie
 Sandler, Catt
 Vincent, Kenneth

Ellis, Donna
 Keans, Sandra
 Opderbecke, Linn
 Southworth, Thomas
 Wall, Janet

SULLIVAN

Cloutier, John
 Sullivan, Brian

Merchant, Gary
 Tanner, Linda

O'Hearne, Andrew

Oxenham, Lee

NAYS - 140**BELKNAP**

Aldrich, Glen
 Howard, Raymond
 Spanos, Peter
 Viens, Harry

Bean, Harry
 Jurius, Deanna
 Sylvia, Michael

Comtois, Barbara
 Lang, Timothy
 Tilton, Franklin

Feeney, George
 Beaudoin, Richard
 Varney, Peter

CARROLL

Avellani, Lino

Comeau, Ed

MacDonald, John

Marsh, William

CHESHIRE**COOS**

Craig, Kevin

Merner, Troy

GRAFTON

Gordon, Edward

Hennessey, Erin

Ladd, Rick

Migliore, Vincent Paul

HILLSBOROUGH

Lekas, Alicia	Alexander, Joe	Griffin, Barbara	Barry, Richard
Boehm, Ralph	Burns, Charles	Burt, John	Camarota, Linda
Danielson, David	Erf, Keith	Fedolli, Jim	Flanagan, Jack
Gagne, Larry	Gould, Linda	Graham, John	Greene, Bob
Gunski, Michael	Hinch, Richard	Ober, Lynne	Lascelles, Richard
Marzullo, JP	McLean, Mark	Notter, Jeanine	Nunez, Hershel
Panasiti, Reed	Plett, Fred	Proulx, Mark	Ober, Russell
Renzullo, Andrew	Rice, Kimberly	Sanborn, Laurie	Somero, Paul
Lekas, Tony	Toomey, Dan	Trento, Michael	Ulery, Jordan
Warden, Mark	Whittemore, James		

MERRIMACK

Allard, James	Hill, Gregory	Horn, Werner	Klose, John
Kotowski, Frank	Marple, Richard	McGuire, Carol	Pearl, Howard
Seaworth, Brian	Testerman, Dave	Yakubovich, Michael	

ROCKINGHAM

Abbas, Daryl	Abrami, Patrick	Abramson, Max	Baldasaro, Al
Barnes, Arthur	Bershtein, Alan	Chirichiello, Brian	Thomas, Douglas
DeClercq, Edward	Desilets, Joel	DeSimone, Debra	Dolan, Tom
Doucette, Fred	Edwards, Jess	Elliott, Robert	Fowler, William
Green, Dennis	Harb, Robert	Hobson, Deborah	Hoelzel, Kathleen
Osborne, Jason	Janigian, John	Janvrin, Jason	Katsakiores, Phyllis
Khan, Aboul	Love, David	Lundgren, David	Griffin, Mary
Pearson, Mark	McBride, Everett	McMahon, Charles	Milz, David
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
Vallone, Mark	Wallace, Scott	Webb, James	Welch, David
Weyler, Kenneth			

STRAFFORD

Harrington, Michael	Hayward, Peter	Horgan, James	McNally, Jody
Perreault, Mona	Pitre, Joseph	Rooney, Abigail	Beaudoin, Steven
Salloway, Jeffrey	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 186, establishing a state minimum wage and providing for adjustments to the minimum wage. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Donald Bouchard for the Majority of Labor, Industrial and Rehabilitative Services. The majority believes that this is a reasonable reintroduction of minimum wage into New Hampshire state law. As amended, in a 3-year progression, the minimum wage moves to \$9.50, \$10.75, and \$12.00 per hour. The tipped minimum wage returns to 50% of the current minimum wage as it was in the early 1990's. The bill also establishes a youth minimum wage that is \$1.00 less than the current minimum wage. Vote 12-7.

Rep. Jonathan Mackie for the Minority of Labor, Industrial and Rehabilitative Services. The minority believes this bill sets up a minimum wage based on age which might be unconstitutional age discrimination. It also is unnecessary as the state is already subject to federal minimum wage law. The state would be better served by continuing to have wages set by the free market. As the free market is serving us well with our booming economy and low unemployment, this government manipulation of wages is unnecessary.

Majority Amendment (0723h)

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

1 Minimum Hourly Rate. Amend the introductory paragraph of RSA 279:21 to read as follows:

279:21 Minimum Hourly Rate. Unless otherwise provided by statute, no person, firm, or corporation shall employ any employee **17 years of age or older** at an hourly rate lower than that set forth in the federal minimum wage law, as amended, **or the following minimum hourly rate, whichever is higher:**

\$9.50 per hour effective January 1, 2020.

\$10.75 per hour effective January 1, 2021.

\$12.00 per hour effective January 1, 2022, and thereafter.

Tipped employees of a restaurant, hotel, motel, inn or cabin, or ballroom who customarily and regularly receive more than \$30 a month in tips directly from the customers will receive a base rate from the employer of not less than [45] **50** percent of the applicable minimum [wage] **hourly rate**. If an employee shows to the

satisfaction of the commissioner that the actual amount of wages received at the end of each pay period did not equal the minimum [wage] **hourly rate** for all hours worked, the employer shall pay the employee the difference to guarantee the applicable minimum [wage] **hourly rate**. The limitations imposed hereby shall be subject to the following exceptions:

2 New Paragraph; Minimum Hourly Rate; Youth Minimum Wage. Amend RSA 279:21 by inserting after paragraph VIII the following new paragraph:

IX. The minimum hourly rate for a person under 17 years of age shall be one dollar per hour less than the minimum hourly rate applicable under this section.

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

AMENDED ANALYSIS

This bill establishes a minimum hourly rate which increases over the next 3 years, requires tipped employees to receive 50 percent of the applicable minimum hourly rate, and establishes a youth minimum wage for employees under 17 years of age.

Majority committee amendment adopted.

Rep. Schultz offered floor amendment (1045h).

Floor Amendment (1045h)

Amend the bill by replacing section 1 with the following:

1 Minimum Hourly Rate. Amend the introductory paragraph of RSA 279:21 to read as follows:

279:21 Minimum Hourly Rate. Unless otherwise provided by statute, no person, firm, or corporation shall employ any employee **17 years of age or older** at an hourly rate lower than that set forth in the federal minimum wage law, as amended, **or the following minimum hourly rate, whichever is higher:**

\$9.50 per hour effective January 1, 2020.

\$10.75 per hour effective January 1, 2021.

\$12.00 per hour effective January 1, 2022.

\$13.50 per hour effective January 1, 2023

\$15.00 per hour effective January 1, 2024, and thereafter.

Tipped employees of a restaurant, hotel, motel, inn or cabin, or ballroom who customarily and regularly receive more than \$30 a month in tips directly from the customers will receive a base rate from the employer of not less than [45] **50** percent of the applicable minimum [wage] **hourly rate**. If an employee shows to the satisfaction of the commissioner that the actual amount of wages received at the end of each pay period did not equal the minimum [wage] **hourly rate** for all hours worked, the employer shall pay the employee the difference to guarantee the applicable minimum [wage] **hourly rate**. The limitations imposed hereby shall be subject to the following exceptions:

AMENDED ANALYSIS

This bill establishes a minimum hourly rate which increases over the next 5 years, requires tipped employees to receive 50 percent of the applicable minimum hourly rate, and establishes a youth minimum wage for employees under 17 years of age.

Rep. Schultz spoke in favor and yielded to questions.

Rep. Sullivan spoke against.

Rep. Baldasaro requested a roll call; sufficiently seconded.

YEAS 79 - NAYS 274

YEAS - 79

BELKNAP

Sylvia, Michael

CARROLL

Woodcock, Stephen

CHESHIRE

Eaton, Daniel
Morrill, David

Faulkner, Barry
Schapiro, Joe

Gomarlo, Jennie
Thompson, Craig

Mann, John
Von Plinsky, Sparky

GRAFTON

Abel, Richard
Josephson, Timothy

Adjutant, Joshua
Muscatel, Garrett

Diggs, Francesca
Osborne, Richard

Dontonville, Roger

HILLSBOROUGH

Bouldin, Amanda
Desjardin, Kathy
Klein-Knight, Nicole

Bouldin, Andrew
Herbert, Christopher
Komi, Richard

Bernet, Jennifer
Indruk, Greg
Langley, Diane

Chretien, Jacqueline
King, Mark
Murray, Megan

Mangipudi, Latha
Pedersen, Michael
Stack, Kathryn
Vann, Ivy

McGhee, Kat
Query, Joshua
Stevens, Deb
Thomas, Wendy

Murphy, Nancy
Sofikitis, Catherine
Vail, Suzanne
Warden, Mark

Nutting-Wong, Allison
St. John, Michelle
Van Houten, Constance
Wilhelm, Matthew

MERRIMACK

Buchanan, Ryan
Rogers, Katherine

Fox, Samantha
Schamberg, Thomas

Luneau, David
Schultz, Kristina

McWilliams, Rebecca
Wazir, Safiya

ROCKINGHAM

Altschiller, Debra
Edgar, Michael
Le, Tamara
Vallone, Mark

Bunker, Lisa
Gay, Betty
McConnell, Liz

Coursin, David
Grossman, Gaby
Meuse, David

Cushing, Robert Renny
Osborne, Jason
Read, Ellen

STRAFFORD

Chase, Wendy
Keans, Sandra
Salloway, Jeffrey

Conley, Casey
Kenney, Cam
Towne, Matthew

Grassie, Chuck
Levesque, Cassandra

Horrigan, Timothy
Rich, Cecilia

SULLIVAN

Merchant, Gary

Oxenham, Lee

Smith, Steven

NAYS - 274

BELKNAP

Aldrich, Glen
Howard, Raymond
Beaudoin, Richard
Viens, Harry

Bean, Harry
Huot, David
Spanos, Peter

Comtois, Barbara
Jurius, Deanna
Tilton, Franklin

Fields, Dennis
Lang, Timothy
Varney, Peter

CARROLL

Avellani, Lino
Comeau, Ed
MacDonald, John

Buco, Thomas
DesMarais, Edith
Marsh, William

Burroughs, Anita
Kanzler, Harrison
Ticehurst, Susan

Butler, Edward
Knirk, Jerry

CHESHIRE

Abbott, Michael
Meador, David
Tatro, Bruce

Ames, Richard
O'Day, John
Pearson, William

Bordenet, John
Parkhurst, Henry
Weber, Lucy

Hunt, John
Swinburne, Sandy

COOS

Craig, Kevin
Moynihan, Wayne

Hatch, William
Noel, Henry

Laflamme, Larry
Tucker, Edith

Merner, Troy
Thomas, Yvonne

GRAFTON

Almy, Susan
Ford, Susan
Ladd, Rick
Nordgren, Sharon
Smith, Suzanne

Campion, Polly
French, Elaine
Maes, Kevin
Ruprecht, Dennis
Sykes, George

Egan, Timothy
Gordon, Edward
Migliore, Vincent Paul
Stavis, Laurel
Weston, Joyce

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

HILLSBOROUGH

Lekas, Alicia
Balch, Chris
Bergeron, Paul
Bouchard, Donald
Cleaver, Skip
Cote, David
Dutzy, Sherry
Flanagan, Jack
Gould, Linda
Gunski, Michael
Hinch, Richard
Ober, Lynne
Martin, Joelle
Mullen, Sue
Petrigno, Peter
Proulx, Mark
Renzullo, Andrew
Newman, Sue
Lekas, Tony
Ulery, Jordan

Alexander, Joe
Baroody, Benjamin
Boehm, Ralph
Burns, Charles
Cohen, Bruce
Danielson, David
Erf, Keith
Freitas, Mary
Graham, John
Hamer, Heidi
Schmidt, Janice
Lascelles, Richard
Marzullo, JP
Notter, Jeanine
Pickering, Daniel
Newman, Ray
Rice, Kimberly
Sanborn, Laurie
Telerski, Laura
Whittemore, James

Griffin, Barbara
Barry, Richard
Bordy, William
Burt, John
Connors, Erika
Dargie, Paul
Espitia, Manny
Gagne, Larry
Greene, Bob
Harriott-Gathright, Linda
Jack, Martin
Leishman, Peter
McLean, Mark
Nunez, Hershel
Plett, Fred
Ober, Russell
Riel, Cole
Snow, Kendall
Toomey, Dan
Williams, Kermit

Backus, Robert
Beaulieu, Jane
Bosman, James
Camarota, Linda
Cornell, Patricia
DiSilvestro, Linda
Davis, Fred
Goley, Jeffrey
Griffith, Willis
Heath, Mary
Klee, Patricia
Long, Patrick
Mombourquette, Donna
Panasiti, Reed
Porter, Marjorie
Radhakrishnan, Julie
Rung, Rosemarie
Somero, Paul
Trento, Michael
Woodbury, David

MERRIMACK

Allard, James
Ebel, Karen
Karrick, David
MacKay, James
Myler, Mel
Saunderson, George
Testerman, Dave
Wells, Kenneth

Bartlett, Christy
Fulweiler, Joyce
Klose, John
Marple, Richard
Pearl, Howard
Schuett, Dianne
Turcotte, Alan
Wolf, Dan

Carson, Clyde
Hill, Gregory
Kotowski, Frank
McGuire, Carol
Pimentel, Roderick
Seaworth, Brian
Wallner, Mary Jane
Woods, Gary

Doherty, David
Horn, Werner
Lane, Connie
Moffett, Howard
Richards, Beth
Soucy, Timothy
Walz, Mary Beth
Yakubovich, Michael

ROCKINGHAM

Abbas, Daryl
Baldasaro, Al
Bushway, Patricia
Costable, Michael
Desilets, Joel
Doucette, Fred
Fowler, William
Harb, Robert
Janvrin, Jason
Loughman, Tom
Griffin, Mary
McBeath, Rebecca
Melvin, Charles
Piemonte, Tony
Roy, Terry
Sytek, John
Ward, Gerald
Weyler, Kenneth

Abrami, Patrick
Barnes, Arthur
Cahill, Michael
Davis, Dan
DeSimone, Debra
Edwards, Jess
Gilman, Julie
Hobson, Deborah
Murray, Kate
Love, David
Pearson, Mark
McBride, Everett
Milz, David
Potucek, John
Pearson, Stephen
Torosian, Peter
Warner, Anne
Yokela, Josh

Abramson, Max
Berrien, Skip
Cali-Pitts, Jacqueline
Thomas, Douglas
DiLorenzo, Charlotte
Eisner, Mary
Green, Dennis
Hoelzel, Kathleen
Katsakiores, Phyllis
Lovejoy, Patricia
Maggiore, Jim
McKinney, Betsy
Owens, Becky
Pratt, Kevin
Somssich, Peter
True, Chris
Webb, James

Acton, Dennis
Bershtein, Alan
Chirichiello, Brian
DeClercq, Edward
Dolan, Tom
Elliott, Robert
Grote, Jaci
Janigan, John
Khan, Aboul
Lundgren, David
Malloy, Dennis
McMahon, Charles
Packard, Sherman
Prudhomme-O'Brien, Katherine
Spillane, James
Wallace, Scott
Welch, David

STRAFFORD

Cannon, Gerri
Hayward, Peter
Opderbecke, Linn
Rooney, Abigail
Spang, Judith

Ellis, Donna
Horgan, James
Schmidt, Peter
Beaudoin, Steven
Vincent, Kenneth

Fontneau, Timothy
Smith, Marjorie
Perreault, Mona
Sandler, Catt
Wall, Janet

Harrington, Michael
McNally, Jody
Pitre, Joseph
Southworth, Thomas
Wuelper, Kurt

SULLIVAN

Aron, Judy
Lucas, Gates
Sullivan, Brian

Callum, John
O'Hearne, Andrew
Tanner, Linda

Cloutier, John
Rollins, Skip

Laware, Thomas
Stapleton, Walter

and floor amendment (1045h) failed.

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

Reps. Abramson and Flanagan spoke against and yielded to questions.

Reps. Sullivan and Moffett spoke in favor.

Rep. Wazir requested a roll call; sufficiently seconded.

YEAS 210 - NAYS 145

**YEAS - 210
BELKNAP**

Huot, David

CARROLL

Burroughs, Anita
Knirk, Jerry

Butler, Edward
Ticehurst, Susan

DesMarais, Edith
Woodcock, Stephen

Kanzler, Harrison

CHESHIRE

Abbott, Michael
Faulkner, Barry
Morrill, David
Tatro, Bruce
Weber, Lucy

Ames, Richard
Gomarlo, Jennie
Parkhurst, Henry
Thompson, Craig

Bordenet, John
Mann, John
Schapiro, Joe
Von Plinsky, Sparky

Eaton, Daniel
Meader, David
Swinburne, Sandy
Pearson, William

COOS

Hatch, William
Tucker, Edith

Laflamme, Larry
Thomas, Yvonne

Moynihan, Wayne

Noel, Henry

GRAFTON

Abel, Richard
Diggs, Francesca
Ford, Susan
Mulligan, Mary Jane
Ruprecht, Dennis
Sykes, George

Adjutant, Joshua
Dontonville, Roger
French, Elaine
Muscatel, Garrett
Stavis, Laurel
Weston, Joyce

Almy, Susan
Egan, Timothy
Josephson, Timothy
Nordgren, Sharon
Stringham, Jerry

Campion, Polly
Fellows, Sallie
Maes, Kevin
Osborne, Richard
Smith, Suzanne

HILLSBOROUGH

Bouldin, Amanda
Baroody, Benjamin
Bordy, William
Cleaver, Skip
Cote, David
Dutzy, Sherry
Goley, Jeffrey
Heath, Mary
Jack, Martin
Komi, Richard
Murray, Megan
Mombourquette, Donna
Pedersen, Michael
Porter, Marjorie
Riel, Cole
Sofikitis, Catherine
Telerski, Laura
Vann, Ivy
Woodbury, David

Bouldin, Andrew
Beaulieu, Jane
Bosman, James
Cohen, Bruce
Dargie, Paul
Espitia, Manny
Griffith, Willis
Herbert, Christopher
King, Mark
Langley, Diane
Mangipudi, Latha
Mullen, Sue
Petrigno, Peter
Query, Joshua
Rung, Rosemarie
St. John, Michelle
Toomey, Dan
Thomas, Wendy

Backus, Robert
Bergeron, Paul
Bouchard, Donald
Connors, Erika
Desjardin, Kathy
Davis, Fred
Hamer, Heidi
Indruk, Greg
Klee, Patricia
Leishman, Peter
Martin, Joelle
Murphy, Nancy
Pickering, Daniel
Newman, Ray
Newman, Sue
Stack, Kathryn
Vail, Suzanne
Wilhelm, Matthew

Balch, Chris
Bernet, Jennifer
Chretien, Jacqueline
Cornell, Patricia
DiSilvestro, Linda
Freitas, Mary
Harriott-Gathright, Linda
Schmidt, Janice
Klein-Knight, Nicole
Long, Patrick
McGhee, Kat
Nutting-Wong, Allison
Piedra, Israel
Radhakrishnan, Julie
Snow, Kendall
Stevens, Deb
Van Houten, Constance
Williams, Kermit

MERRIMACK

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

Buchanan, Ryan
Fox, Samantha
MacKay, James
Pimentel, Roderick
Schamberg, Thomas
Turcotte, Alan
Wells, Kenneth

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

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

ROCKINGHAM

Altschiller, Debra
Cahill, Michael
DiLorenzo, Charlotte
Grossman, Gaby
Le, Tamara
Malloy, Dennis
Read, Ellen
Warner, Anne

Berrien, Skip
Cali-Pitts, Jacqueline
Edgar, Michael
Grote, Jaci
Loughman, Tom
McBeath, Rebecca
Somssich, Peter

Bunker, Lisa
Coursin, David
Eisner, Mary
Murray, Kate
Lovejoy, Patricia
McConnell, Liz
Vallone, Mark

Bushway, Patricia
Cushing, Robert Renny
Gilman, Julie
Khan, Aboul
Maggiore, Jim
Meuse, David
Ward, Gerald

STRAFFORD

Cannon, Gerri
Fontneau, Timothy
Kenney, Cam
Schmidt, Peter
Southworth, Thomas
Wall, Janet

Chase, Wendy
Grassie, Chuck
Levesque, Cassandra
Rich, Cecilia
Spang, Judith

Conley, Casey
Horrigan, Timothy
Smith, Marjorie
Salloway, Jeffrey
Towne, Matthew

Ellis, Donna
Keans, Sandra
Opderbecke, Linn
Sandler, Catt
Vincent, Kenneth

SULLIVAN

Cloutier, John
Stapleton, Walter

Merchant, Gary
Sullivan, Brian

O'Hearne, Andrew
Tanner, Linda

Oxenham, Lee

NAYS - 145**BELKNAP**

Aldrich, Glen
Fields, Dennis
Beaudoin, Richard
Varney, Peter

Bean, Harry
Howard, Raymond
Spanos, Peter
Viens, Harry

Comtois, Barbara
Jurius, Deanna
Sylvia, Michael

Feeney, George
Lang, Timothy
Tilton, Franklin

CARROLL

Avellani, Lino
Marsh, William

Buco, Thomas

Comeau, Ed

MacDonald, John

CHESHIRE

Hunt, John

O'Day, John

COOS

Craig, Kevin Merner, Troy

GRAFTON

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

HILLSBOROUGH

Lekas, Alicia	Alexander, Joe	Griffin, Barbara	Barry, Richard
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	Ober, Lynne	Lascelles, Richard
Marzullo, JP	McLean, Mark	Notter, Jeanine	Nunez, Hershel
Panasiti, Reed	Plett, Fred	Proulx, Mark	Ober, Russell
Renzullo, Andrew	Rice, Kimberly	Sanborn, Laurie	Somero, Paul
Lekas, Tony	Trento, Michael	Ulery, Jordan	Warden, Mark
Whittemore, James			

MERRIMACK

Allard, James	Fulweiler, Joyce	Hill, Gregory	Horn, Werner
Klose, John	Kotowski, Frank	Marple, Richard	McGuire, Carol
Pearl, Howard	Seaworth, Brian	Testerman, Dave	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	DeClercq, Edward
Desilets, Joel	DeSimone, Debra	Dolan, Tom	Doucette, Fred
Edwards, Jess	Elliott, Robert	Fowler, William	Gay, Betty
Green, Dennis	Harb, Robert	Hobson, Deborah	Hoelzel, Kathleen
Osborne, Jason	Janigian, John	Janvrin, Jason	Katsakiores, Phyllis
Love, David	Lundgren, David	Griffin, Mary	Pearson, Mark
McBride, Everett	McKinney, Betsy	McMahon, Charles	Melvin, Charles
Milz, David	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	Wallace, Scott	Webb, James	Welch, David
Weyler, Kenneth	Yokela, Josh		

STRAFFORD

Harrington, Michael	Hayward, Peter	Horgan, James	McNally, Jody
Perreault, Mona	Pitre, Joseph	Rooney, Abigail	Beaudoin, Steven
Wuelper, Kurt			

SULLIVAN

Aron, Judy	Callum, John	Laware, Thomas	Lucas, Gates
Rollins, Skip	Smith, Steven		

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

HB 252, establishing a committee to study certain labor statutes. **OUGHT TO PASS WITH AMENDMENT.** Rep. Brian Seaworth for Labor, Industrial and Rehabilitative Services. This bill was submitted based on the recommendation of last term's interim study. It would establish a legislative committee to review labor law with the intent of identifying outdated, confusing, or unused provisions. Using the expertise of the Department of Labor, industry, organized labor and others, the committee would recommend needed updates to be submitted by a future legislature. Vote 12-6.

Amendment (0156h)

Amend the bill by replacing section 3 with the following:

3 Duties. The committee shall study RSA 275, RSA 276-A, and RSA 279 and the associated labor department rules to identify which statutes or rules should be repealed, amended, or remain in current form. The committee may solicit testimony and input as it deems necessary from the department of labor, organized labor groups, business and trade organizations, members of the public, and any other interested party.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

HB 373-FN-L, allowing counties to establish drug and alcohol use prevention and treatment programs. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Marjorie Porter for the Majority of Municipal and County Government. This bill allows the county convention in each county to establish drug and alcohol use prevention and treatment programs. The committee appreciates the thought and effort put into this bill, and the sponsor's attempt to address the state's substance misuse epidemic

at the county level. However, counties can already establish prevention and treatment programs, and in fact many of them already have. In addition, the bill allows counties to grant immunity from criminal prosecution for possession or use of illegal substances, which might create legal inconsistencies from one county to the next. Finally, the bill gives the county authority to prohibit municipalities from preventing drug and alcohol treatment clinics from operating within their boundaries, thereby taking away local control of these matters. Vote 15-4.

Rep. Max Abramson for the Minority of Municipal and County Government. Jessie McCassie's Law has received a good deal of media attention since it was introduced two sessions ago. It proposes treatment, prevention, and recovery support instead of the recent trend of prison as the elixir to address the drug crisis, addiction, and so much of what ails society. While county delegations are allowed a bit of leeway in tackling drug and alcohol addiction, this bill would add a healthier list of new and proven options, ranging from a Gloucester ANGEL program to Vermont's successful recovery support and Portugal's employment support; from alternative programs for veterans and youth to Swiss diamorphine clinics (now showing 90% success rates). The minority maintains that, with over 400 of our friends and family dying each year under the drug crisis, more innovative approaches need to be taken in the areas of aftercare programs, mental health counseling, coping skills, immunity policies, NARCAN policies, and drug and alcohol prevention. Any problem that could be solved by half a century of incarceration focused policies would be gone by now, or it's there to stay.

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

Rep. Abramson spoke against.

Rep. Porter spoke in favor.

On a division vote, with 270 members having voted in the affirmative, and 65 in the negative, the majority committee report was adopted.

HB 388-L, requiring code compliance inspection for building permits. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Susan Treleaven for the Majority of Municipal and County Government. The majority felt that the bill could be considered an unfunded mandate to cities and towns in principle, as it may result in less revenue to the community. Further, the cities and towns need to follow their own code enforcement rules for building permits issued. Vote 16-3.

Rep. Max Abramson for the Minority of Municipal and County Government. The minority agrees with the N.H. Supreme Court in the Opinion of the Justices 117 N.H. 382, 384 (1977) that any "fees" charged to a business or individual, "must... bear a relation to rendering the particular service." The bill's sponsor and several members of the committee noted that some towns were charging a building permit "fee" that has actually turned into a tax, because those towns were not carrying out the building inspection that they were charging property owners and builders for. In *Antoni v DHHS* 917 A.2d 177 (2006), the high court also warns that taxes used to raise revenue, "must be levied proportionately upon all taxpayers," *Starr v Governor*, 148 N.H. 72, 74, 802 A.2d 1227 (2002), and that "the amount paid to acquire a business license, for example, must bear a relationship to and approximate the expense of issuing the license and of inspecting and regulating the business licensed." *Laconia v Gordon*, 107 N.H. 209, 211, 219 A.2d 701 (1966). Towns using "administrative fees" merely to collect revenue are clearly violating the spirit of the law, violating the N.H. Constitution, and placing their own taxpayers in jeopardy of expensive litigation.

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

Reps. Steven Beaudoin and Dolan spoke against.

Rep. Carson spoke in favor.

On a division vote, with 243 members having voted in the affirmative, and 94 in the negative, the majority committee report was adopted.

HB 469, relative to limiting amendments to warrant articles in towns that have adopted official ballot voting. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Timothy Josephson for the Majority of Municipal and County Government. This bill attempts to protect the "intent" or "effect" of a petitioned warrant article by limiting its amendment during a deliberative session in an SB 2 town. When citizens sign on to a petitioned warrant article, they are releasing it to consideration of the legislative body, which is the first session of the warranted town meeting, the deliberative session. There, the legislative body can amend as they see fit. The legislative body has the power to debate and amend these petitioned warrant articles at the deliberative session just as the state legislature is the legislative body of the state. For these reasons, the committee finds this bill Inexpedient to Legislate. Vote 17-2.

Rep. Max Abramson for the Minority of Municipal and County Government. The minority agreed with this bill's sponsor that petitioned warrant articles have the right to be considered by all of the voters in the March election. All too often, as few as one voter at deliberative session--the business meeting--have been able to modify, nullify, or zero out petitioned articles, depriving dozens of petition signers and thousands of voters from being able to decide issues affecting them. The minority also rejects the idea that any number of voters must show up to deliberative session to protect their right to vote on the same article in March. The

minority believes the current state of RSA 40:13 for “SB 2 towns” clearly violates the state constitution and the fundamental principle that governments “derive their just powers from the consent of the governed.” No voter should ever be disenfranchised by premeditated parliamentary sophistry - let alone the entire town.

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

Rep. Josephson spoke in favor.

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

YEAS 205 - NAYS 136

YEAS - 205 BELKNAP

Huot, David

Tilton, Franklin

Buco, Thomas
Kanzler, Harrison
Woodcock, Stephen

Burroughs, Anita
Knirk, Jerry

CARROLL

Butler, Edward
MacDonald, John

DesMarais, Edith
Ticehurst, Susan

CHESHIRE

Abbott, Michael
Faulkner, Barry
Parkhurst, Henry
Pearson, William

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

Bordenet, John
Meador, David
Swinburne, Sandy

Eaton, Daniel
Morrill, David
Tatro, Bruce

COOS

Hatch, William
Thomas, Yvonne

Laflamme, Larry

Moynihan, Wayne

Noel, Henry

GRAFTON

Abel, Richard
Dontonville, Roger
French, Elaine
Mulligan, Mary Jane
Stavis, Laurel
Weston, Joyce

Adjutant, Joshua
Egan, Timothy
Gordon, Edward
Nordgren, Sharon
Stringham, Jerry

Campion, Polly
Fellows, Sallie
Josephson, Timothy
Osborne, Richard
Smith, Suzanne

Diggs, Francesca
Ford, Susan
Maes, Kevin
Ruprecht, Dennis
Sykes, George

HILLSBOROUGH

Bouldin, Amanda
Baroody, Benjamin
Bordy, William
Cleaver, Skip
Cote, David
Espitia, Manny
Griffith, Willis
Herbert, Christopher
King, Mark
Langley, Diane
Mangipudi, Latha
Mullen, Sue
Petrigno, Peter
Porter, Marjorie
Rung, Rosemarie
Stack, Kathryn
Vail, Suzanne
Williams, Kermit

Bouldin, Andrew
Beaulieu, Jane
Bosman, James
Cohen, Bruce
Dargie, Paul
Davis, Fred
Hamer, Heidi
Indruk, Greg
Klee, Patricia
Leishman, Peter
Martin, Joelle
Murphy, Nancy
Pickering, Daniel
Query, Joshua
Newman, Sue
Stevens, Deb
Van Houten, Constance
Woodbury, David

Backus, Robert
Bergeron, Paul
Bouchard, Donald
Connors, Erika
Desjardin, Kathy
Freitas, Mary
Harriott-Gathright, Linda
Schmidt, Janice
Klein-Knight, Nicole
Long, Patrick
McGhee, Kat
Nutting-Wong, Allison
Piedra, Israel
Newman, Ray
Snow, Kendall
Telerski, Laura
Thomas, Wendy

Balch, Chris
Bernet, Jennifer
Chretien, Jacqueline
Cornell, Patricia
Dutzy, Sherry
Goley, Jeffrey
Heath, Mary
Jack, Martin
Komi, Richard
Murray, Megan
Mombourquette, Donna
Pedersen, Michael
Plett, Fred
Radhakrishnan, Julie
St. John, Michelle
Toomey, Dan
Wilhelm, Matthew

MERRIMACK

Bartlett, Christy
Ebel, Karen
Kotowski, Frank
McWilliams, Rebecca
Richards, Beth
Schuett, Dianne
Wallner, Mary Jane

Buchanan, Ryan
Fox, Samantha
Lane, Connie
Moffett, Howard
Rogers, Katherine
Schultz, Kristina
Walz, Mary Beth

Carson, Clyde
Fulweiler, Joyce
Luneau, David
Myler, Mel
Saunderson, George
Soucy, Timothy
Wells, Kenneth

Doherty, David
Karrick, David
MacKay, James
Pimentel, Roderick
Schamberg, Thomas
Turcotte, Alan
Woods, Gary

ROCKINGHAM

Abrami, Patrick
Bushway, Patricia
Desilets, Joel
Gilman, Julie
Hoelzel, Kathleen
Lovejoy, Patricia
McBride, Everett
Vallone, Mark

Altschiller, Debra
Cahill, Michael
DiLorenzo, Charlotte
Grossman, Gaby
Murray, Kate
Maggiore, Jim
McConnell, Liz
Ward, Gerald

Berrien, Skip
Coursin, David
Edgar, Michael
Grote, Jaci
Khan, Aboul
Malloy, Dennis
Meuse, David
Warner, Anne

Bunker, Lisa
Cushing, Robert Renny
Eisner, Mary
Harb, Robert
Le, Tamara
McBeath, Rebecca
Somssich, Peter
Welch, David

STRAFFORD

Cannon, Gerri
Grassie, Chuck
Levesque, Cassandra
Salloway, Jeffrey
Wall, Janet

Chase, Wendy
Horrigan, Timothy
Opderbecke, Linn
Sandler, Catt

Ellis, Donna
Keans, Sandra
Schmidt, Peter
Southworth, Thomas

Fontneau, Timothy
Kenney, Cam
Rich, Cecilia
Vincent, Kenneth

SULLIVAN

Cloutier, John
Oxenham, Lee

Lucas, Gates
Sullivan, Brian

Merchant, Gary
Tanner, Linda

O'Hearne, Andrew

NAYS - 136**BELKNAP**

Aldrich, Glen
Fields, Dennis
Spanos, Peter

Bean, Harry
Howard, Raymond
Sylvia, Michael

Comtois, Barbara
Lang, Timothy
Varney, Peter

Feeney, George
Beaudoin, Richard
Viens, Harry

CARROLL

Avellani, Lino

Comeau, Ed

Marsh, William

CHESHIRE

Gomarlo, Jennie

Hunt, John

O'Day, John

COOS

Craig, Kevin

Merner, Troy

Tucker, Edith

GRAFTON

Almy, Susan

Hennessey, Erin

Ladd, Rick

Migliore, Vincent Paul

HILLSBOROUGH

Lekas, Alicia
Burns, Charles
Erf, Keith
Gould, Linda
Hinch, Richard
McLean, Mark
Proulx, Mark
Sanborn, Laurie
Ulery, Jordan

Griffin, Barbara
Burt, John
Fedolfi, Jim
Graham, John
Ober, Lynne
Notter, Jeanine
Ober, Russell
Somero, Paul
Warden, Mark

Barry, Richard
Camarota, Linda
Flanagan, Jack
Greene, Bob
Lascelles, Richard
Nunez, Hershel
Renzullo, Andrew
Lekas, Tony
Whittemore, James

Boehm, Ralph
Danielson, David
Gagne, Larry
Gunski, Michael
Marzullo, JP
Panasiti, Reed
Riel, Cole
Trento, Michael

MERRIMACK

Allard, James
Marple, Richard
Testerman, Dave

Hill, Gregory
McGuire, Carol
Wolf, Dan

Horn, Werner
Pearl, Howard
Yakubovich, Michael

Klose, John
Seaworth, Brian

ROCKINGHAM

Abbas, Daryl
Barnes, Arthur
Costable, Michael
DeSimone, Debra
Elliott, Robert
Osborne, Jason
Love, David
McKinney, Betsy
Packard, Sherman
Prudhomme-O'Brien, Katherine
Spillane, James
Wallace, Scott

Abramson, Max
Bershtein, Alan
Davis, Dan
Dolan, Tom
Gay, Betty
Janigian, John
Lundgren, David
McMahon, Charles
Piemonte, Tony
Read, Ellen
Sytek, John
Webb, James

Acton, Dennis
Cali-Pitts, Jacqueline
Thomas, Douglas
Doucette, Fred
Green, Dennis
Janvrin, Jason
Griffin, Mary
Melvin, Charles
Potucek, John
Roy, Terry
Torosian, Peter
Weyler, Kenneth

Baldasaro, Al
Chirichiello, Brian
DeClercq, Edward
Edwards, Jess
Hobson, Deborah
Katsakiores, Phyllis
Pearson, Mark
Owens, Becky
Pratt, Kevin
Pearson, Stephen
True, Chris
Yokela, Josh

STRAFFORD

Harrington, Michael
Perreault, Mona
Spang, Judith

Hayward, Peter
Pitre, Joseph
Towne, Matthew

Horgan, James
Rooney, Abigail
Wuelper, Kurt

McNally, Jody
Beaudoin, Steven

SULLIVAN

Aron, Judy
Stapleton, Walter

Callum, John
Smith, Steven

Laware, Thomas

Rollins, Skip

and the majority committee report was adopted.

HB 132-FN, relative to net neutrality. **INEXPEDIENT TO LEGISLATE.**

Rep. Lee Oxenham for Science, Technology and Energy. The size of the fiscal note, combined with the threat of legal action against the state by the national telecommunications companies, convinced the committee to unanimously recommend that the bill not pass. Vote 16-0.

Committee report adopted.

HB 156, establishing a commission to study the establishment of a state department of energy. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Kat McGhee for the Majority of Science, Technology and Energy. This bill establishes a commission to understand whether New Hampshire should have a Department of Energy. Energy policy is complex, and its economic impacts are far reaching. The purpose of the commission is to determine if the state would benefit from centralized, strategic energy planning. Vote 12-7.

Rep. Fred Plett for the Minority of Science, Technology and Energy. The Governor's Office of Strategic Initiatives (OSI) was formed last session in Governor Sununu's prior term. The OSI does contain an Energy Division. The OSI ought to be given a chance to function for a while before any changes are made. It may be that the current organization provides all of the visibility needed on energy matters.

Majority Amendment (0388h)

Amend RSA 162-H:23, I(1) as inserted by section 1 of the bill by replacing it with the following:

- (1) One representative of the New Hampshire High Tech Alliance, appointed by the alliance.

Majority committee amendment adopted.

Majority committee report adopted and ordered to third reading.

HB 157, relative to the class rate for biomass. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Peter Somssich for the Majority of Science, Technology and Energy. The majority believes that since changes to this program have only recently been implemented and not yet allowed to work completely, it would be premature to make rate class changes for biomass at this time. NH's forest products industry, which supports close to 1,000 jobs in direct employment and many more indirectly, is in very difficult straits. Of our six small biomass generating plants, one has closed and two more were on the verge of closure until the final passage of SB 365 in the 2018 legislative session, only to be put at risk of closure again because of litigation now pending at the Federal Energy Regulatory Commission. This is simply not the time to be cutting in half the value of the Class III renewable energy credits that our biomass plants rely on to stay in business. With an economic impact of approximately \$250 million and many other beneficial contributions, it would be disruptive to both the residents and the businesses to be making constant changes that affect business predictability. Vote 13-7.

Rep. Fred Plett for the Minority of Science, Technology and Energy. This bill lowers the rate to biomass facilities to \$45 per MWh through 2019, escalating at inflation thereafter. This restores Class III status to these plants which existed prior to passage of SB 129 in 2017, effectively repealing that bill. The effect is to save consumers substantial sums on electric rates.

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

Rep. Plett spoke against.

Rep. Somssich spoke in favor.

Rep. Baldasaro requested a roll call; sufficiently seconded.

YEAS 210 - NAYS 130**YEAS - 210****BELKNAP**

Huot, David

Viens, Harry

CARROLL

Buco, Thomas
Knirk, Jerry

Burroughs, Anita
Ticehurst, Susan

Butler, Edward
Woodcock, Stephen

DesMarais, Edith

CHESHIRE

Abbott, Michael
Faulkner, Barry
Meador, David
Swinburne, Sandy
Pearson, William

Ames, Richard
Gomarlo, Jennie
Morrill, David
Tatro, Bruce
Weber, Lucy

Bordenet, John
Hunt, John
Parkhurst, Henry
Thompson, Craig

Eaton, Daniel
Mann, John
Schapiro, Joe
Von Plinsky, Sparky

COOS

Hatch, William
Noel, Henry

Laflamme, Larry
Tucker, Edith

Merner, Troy
Thomas, Yvonne

Moynihan, Wayne

GRAFTON

Abel, Richard
Diggs, Francesca
Ford, Susan
Josephson, Timothy
Nordgren, Sharon
Smith, Suzanne

Adjutant, Joshua
Dontonville, Roger
French, Elaine
Ladd, Rick
Osborne, Richard
Sykes, George

Almy, Susan
Egan, Timothy
Gordon, Edward
Maes, Kevin
Ruprecht, Dennis
Weston, Joyce

Campion, Polly
Fellows, Sallie
Hennessey, Erin
Mulligan, Mary Jane
Stringham, Jerry

HILLSBOROUGH

Bouldin, Amanda
Baroody, Benjamin
Bordy, William
Cleaver, Skip
Cote, David
Davis, Fred
Hamer, Heidi
Indruk, Greg
Klee, Patricia
Leishman, Peter
Martin, Joelle
Murphy, Nancy
Pickering, Daniel
Newman, Ray
Newman, Sue
Stevens, Deb
Van Houten, Constance
Williams, Kermit

Bouldin, Andrew
Beaulieu, Jane
Bosman, James
Cohen, Bruce
Dargie, Paul
Freitas, Mary
Harriott-Gathright, Linda
Schmidt, Janice
Klein-Knight, Nicole
Long, Patrick
McGhee, Kat
Nutting-Wong, Allison
Piedra, Israel
Radhakrishnan, Julie
Snow, Kendall
Telerski, Laura
Vann, Ivy
Woodbury, David

Backus, Robert
Bergeron, Paul
Bouchard, Donald
Connors, Erika
Desjardin, Kathy
Goley, Jeffrey
Heath, Mary
Jack, Martin
Komi, Richard
Murray, Megan
Mombourquette, Donna
Pedersen, Michael
Porter, Marjorie
Riel, Cole
St. John, Michelle
Toomey, Dan
Thomas, Wendy

Balch, Chris
Bernet, Jennifer
Chretien, Jacqueline
Cornell, Patricia
Dutzy, Sherry
Griffith, Willis
Herbert, Christopher
King, Mark
Langley, Diane
Mangipudi, Latha
Mullen, Sue
Petrigno, Peter
Query, Joshua
Rung, Rosemarie
Stack, Kathryn
Vail, Suzanne
Wilhelm, Matthew

MERRIMACK

Bartlett, Christy
Ebel, Karen
Karrick, David
McWilliams, Rebecca
Pimentel, Roderick
Schamberg, Thomas
Turcotte, Alan
Wolf, Dan

Buchanan, Ryan
Fox, Samantha
Lane, Connie
Moffett, Howard
Richards, Beth
Schuett, Dianne
Wallner, Mary Jane
Woods, Gary

Carson, Clyde
Fulweiler, Joyce
Luneau, David
Myler, Mel
Rogers, Katherine
Schultz, Kristina
Walz, Mary Beth

Doherty, David
Horn, Werner
MacKay, James
Pearl, Howard
Saunderson, George
Soucy, Timothy
Wells, Kenneth

ROCKINGHAM

Altschiller, Debra
Cahill, Michael
DiLorenzo, Charlotte
Grossman, Gaby
Lovejoy, Patricia
McConnell, Liz
Vallone, Mark

Berrien, Skip
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
Warner, Anne

Bushway, Patricia
Cushing, Robert Renny
Gilman, Julie
Le, Tamara
McBeath, Rebecca
Somssich, Peter

STRAFFORD

Cannon, Gerri
Fontneau, Timothy
Kenney, Cam
Rich, Cecilia
Spang, Judith

Chase, Wendy
Grassie, Chuck
Levesque, Cassandra
Salloway, Jeffrey
Towne, Matthew

Conley, Casey
Horrigan, Timothy
Opderbecke, Linn
Sandler, Catt
Vincent, Kenneth

Ellis, Donna
Keans, Sandra
Schmidt, Peter
Southworth, Thomas
Wall, Janet

SULLIVAN

Merchant, Gary
Sullivan, Brian

O'Hearne, Andrew
Tanner, Linda

Oxenham, Lee

Rollins, Skip

NAYS - 130**BELKNAP**

Aldrich, Glen
Fields, Dennis
Beaudoin, Richard

Bean, Harry
Howard, Raymond
Spanos, Peter

Comtois, Barbara
Jurius, Deanna
Tilton, Franklin

Feeney, George
Lang, Timothy
Varney, Peter

CARROLL

Avellani, Lino

Comeau, Ed

MacDonald, John

Marsh, William

CHESHIRE**COOS**

O'Day, John

Craig, Kevin

GRAFTON

Migliore, Vincent Paul

HILLSBOROUGH

Lekas, Alicia
Boehm, Ralph
Danielson, David
Gagne, Larry
Gunski, Michael
Marzullo, JP
Panasiti, Reed
Renzullo, Andrew
Trento, Michael

Alexander, Joe
Burns, Charles
Erf, Keith
Gould, Linda
Hinch, Richard
McLean, Mark
Plett, Fred
Sanborn, Laurie
Ulery, Jordan

Griffin, Barbara
Burt, John
Fedolfi, Jim
Graham, John
Ober, Lynne
Notter, Jeanine
Proulx, Mark
Somero, Paul
Whittemore, James

Barry, Richard
Camarota, Linda
Flanagan, Jack
Greene, Bob
Lascelles, Richard
Nunez, Hershel
Ober, Russell
Lekas, Tony

MERRIMACK

Allard, James
Marple, Richard
Yakubovich, Michael

Hill, Gregory
McGuire, Carol

Klose, John
Seaworth, Brian

Kotowski, Frank
Testerman, Dave

ROCKINGHAM

Abbas, Daryl
Baldasaro, Al
Davis, Dan
DeSimone, Debra
Elliott, Robert
Hobson, Deborah
Janvrin, Jason
Lundgren, David
McKinney, Betsy
Packard, Sherman
Prudhomme-O'Brien, Katherine
Sytek, John
Webb, James

Abrami, Patrick
Barnes, Arthur
Thomas, Douglas
Dolan, Tom
Gay, Betty
Hoelzel, Kathleen
Katsakiores, Phyllis
Griffin, Mary
McMahon, Charles
Piemonte, Tony
Roy, Terry
Torosian, Peter
Welch, David

Abramson, Max
Bershtein, Alan
DeClercq, Edward
Doucette, Fred
Green, Dennis
Osborne, Jason
Khan, Aboul
Pearson, Mark
Melvin, Charles
Potucek, John
Pearson, Stephen
True, Chris
Weyler, Kenneth

Acton, Dennis
Chirichiello, Brian
Desilets, Joel
Edwards, Jess
Harb, Robert
Janigian, John
Love, David
McBride, Everett
Owens, Becky
Pratt, Kevin
Spillane, James
Wallace, Scott
Yokela, Josh

STRAFFORD

Harrington, Michael
Perreault, Mona

Hayward, Peter
Pitre, Joseph

Horgan, James
Rooney, Abigail

McNally, Jody
Wuelper, Kurt

SULLIVAN

Aron, Judy
Lucas, Gates

Callum, John
Stapleton, Walter

Cloutier, John
Smith, Steven

Laware, Thomas

and the majority committee report was adopted.

HB 166, relative to funding energy efficiency programs. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. John Mann for the Majority of Science, Technology and Energy. This bill clarifies principles related to funding for energy efficiency programs via the System Benefits Charge (SBC) on electric bills and allows increases in the SBC without prior approval by the legislature. The Public Utilities Commission (PUC) is authorized under RSA 374-F:3, X to approve funding via electric bills for public benefits related to the provision of electricity. These benefits may include but are not limited to energy efficiency programs, such as the Energy Efficiency Resource Standard (EERS) established by the PUC in 2016. Since such programs will lower the cost of electricity and thereby benefit all users, and since such programs have ample room to grow from the current level of offerings, this bill authorizes the PUC to adjust charges for these energy efficiency programs in a timely manner without requiring prior legislative approval. The bill also specifically authorizes the programs to provide low-cost, small-scale energy saving devices to low-income or other inconvenienced customers to defray some or all the cost of such increased charges. The majority also believes that setting the SBC charge is an aspect of rate setting, something the PUC has long done, subject to the requirement that rates be just and reasonable. Vote 10-9.

Rep. Fred Plett for the Minority of Science, Technology and Energy. This bill would allow the Public Utilities Commission, on its own motion without prior legislative approval, to increase the System Benefits Charge (SBC) for the funding of energy efficiency programs. In 2018, HB 317, relative to changes in the system benefits charge, was passed and signed into law. That bill stated that the commission shall not increase the SBC without legislative approval. This bill completely reverses the 2018 law within a couple of months of it becoming effective, at least with respect to energy efficiency programs. It abdicates legislative authority to an unelected commission for that which is tantamount to a tax increase, imposed on ratepayers.

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

Rep. Harrington spoke against.

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

YEAS 201 - NAYS 138**YEAS - 201
BELKNAP**

Huot, David

Buco, Thomas
Kanzler, HarrisonAbbott, Michael
Faulkner, Barry
Morrill, David
Thompson, CraigHatch, William
Tucker, EdithAbel, Richard
Diggs, Francesca
Ford, Susan
Mulligan, Mary Jane
Stavis, Laurel
Weston, JoyceBouldin, Amanda
Baroody, Benjamin
Bordy, William
Cleaver, Skip
Cote, David
Dutzy, Sherry
Hamer, Heidi
Indruk, Greg
Klee, Patricia
Leishman, Peter
Martin, Joelle
Murphy, Nancy
Pickering, Daniel
Newman, Ray
Newman, Sue
Stevens, Deb
Van Houten, Constance
Woodbury, DavidBartlett, Christy
Ebel, Karen
Lane, Connie
Moffett, Howard
Rogers, Katherine
Schultz, Kristina
Wells, KennethAltschiller, Debra
Cahill, Michael
DiLorenzo, Charlotte
Grossman, Gaby
Lovejoy, Patricia
McConnell, Liz
Vallone, MarkCannon, Gerri
Fontneau, Timothy
Kenney, Cam
Rich, Cecilia
Spang, JudithBurroughs, Anita
Knirk, JerryAmes, Richard
Gomarlo, Jennie
Schapiro, Joe
Von Plinsky, SparkyLaflamme, Larry
Thomas, YvonneAdjutant, Joshua
Dontonville, Roger
French, Elaine
Nordgren, Sharon
Stringham, JerryBouldin, Andrew
Beaulieu, Jane
Bosman, James
Cohen, Bruce
Danielson, David
Freitas, Mary
Harriott-Gathright, Linda
Schmidt, Janice
Klein-Knight, Nicole
Long, Patrick
McGhee, Kat
Nutting-Wong, Allison
Piedra, Israel
Radhakrishnan, Julie
Snow, Kendall
Telerski, Laura
Thomas, WendyBuchanan, Ryan
Fox, Samantha
Luneau, David
Myler, Mel
Saunderson, George
Soucy, Timothy
Wolf, DanBerrien, Skip
Cali-Pitts, Jacqueline
Edgar, Michael
Grote, Jaci
Maggiore, Jim
Meuse, David
Ward, GeraldChase, Wendy
Grassie, Chuck
Levesque, Cassandra
Salloway, Jeffrey
Towne, MatthewButler, Edward
Ticehurst, SusanBordenet, John
Mann, John
Swinburne, Sandy
Pearson, William

Moynihan, Wayne

Almy, Susan
Egan, Timothy
Josephson, Timothy
Osborne, Richard
Smith, SuzanneBackus, Robert
Bergeron, Paul
Bouchard, Donald
Connors, Erika
Dargie, Paul
Goley, Jeffrey
Heath, Mary
Jack, Martin
Komi, Richard
Murray, Megan
Mombourquette, Donna
Pedersen, Michael
Porter, Marjorie
Riel, Cole
Snow, Michelle
Toomey, Dan
Wilhelm, MatthewCarson, Clyde
Fulweiler, Joyce
MacKay, James
Pimentel, Roderick
Schamberg, Thomas
Turcotte, Alan
Woods, GaryBunker, Lisa
Coursin, David
Eisner, Mary
Murray, Kate
Malloy, Dennis
Read, Ellen
Warner, AnneConley, Casey
Horrigan, Timothy
Opderbecke, Linn
Sandler, Catt
Vincent, KennethDesMarais, Edith
Woodcock, StephenEaton, Daniel
Meader, David
Tatro, Bruce
Weber, Lucy

Noel, Henry

Campion, Polly
Fellows, Sallie
Maes, Kevin
Ruprecht, Dennis
Sykes, GeorgeBalch, Chris
Bernet, Jennifer
Chretien, Jacqueline
Cornell, Patricia
Desjardin, Kathy
Griffith, Willis
Herbert, Christopher
King, Mark
Langley, Diane
Mangipudi, Latha
Mullen, Sue
Petrigno, Peter
Query, Joshua
Rung, Rosemarie
Stack, Kathryn
Vail, Suzanne
Williams, KermitDoherty, David
Karrick, David
McWilliams, Rebecca
Richards, Beth
Schuett, Dianne
Walz, Mary BethBushway, Patricia
Cushing, Robert Renny
Gilman, Julie
Le, Tamara
McBeath, Rebecca
Somssich, PeterEllis, Donna
Keans, Sandra
Schmidt, Peter
Southworth, Thomas
Wall, Janet**CARROLL****CHESHIRE****COOS****GRAFTON****HILLSBOROUGH****MERRIMACK****ROCKINGHAM****STRAFFORD**

SULLIVANCloutier, John
Sullivan, BrianMerchant, Gary
Tanner, Linda

O'Hearne, Andrew

Oxenham, Lee

NAYS - 138**BELKNAP**Aldrich, Glen
Fields, Dennis
Beaudoin, Richard
Varney, PeterBean, Harry
Howard, Raymond
Spanos, Peter
Viens, HarryComtois, Barbara
Jurius, Deanna
Sylvia, MichaelFeeney, George
Lang, Timothy
Tilton, Franklin**CARROLL**

Avellani, Lino

Comeau, Ed

MacDonald, John

Marsh, William

CHESHIRE

Hunt, John

O'Day, John

Parkhurst, Henry

COOS

Craig, Kevin

Merner, Troy

GRAFTON

Gordon, Edward

Hennessey, Erin

Ladd, Rick

Migliore, Vincent Paul

HILLSBOROUGHLekas, Alicia
Boehm, Ralph
Erf, Keith
Gould, Linda
Hinch, Richard
Notter, Jeanine
Proulx, Mark
Lekas, Tony
Whittemore, JamesAlexander, Joe
Burns, Charles
Fedolli, Jim
Graham, John
Lascelles, Richard
Nunez, Hershel
Renzullo, Andrew
Trento, MichaelGriffin, Barbara
Burt, John
Flanagan, Jack
Greene, Bob
Marzullo, JP
Panasiti, Reed
Sanborn, Laurie
Ulery, JordanBarry, Richard
Camarota, Linda
Gagne, Larry
Gunski, Michael
McLean, Mark
Plett, Fred
Somero, Paul
Warden, Mark**MERRIMACK**Allard, James
Kotowski, Frank
Seaworth, BrianHill, Gregory
Marple, Richard
Testerman, DaveHorn, Werner
McGuire, Carol
Yakubovich, MichaelKlose, John
Pearl, Howard**ROCKINGHAM**Abbas, Daryl
Baldasaro, Al
Costable, Michael
Desilets, Joel
Edwards, Jess
Harb, Robert
Janigian, John
Love, David
McBride, Everett
Owens, Becky
Pratt, Kevin
Spillane, James
Wallace, Scott
Yokela, JoshAbrami, Patrick
Barnes, Arthur
Davis, Dan
DeSimone, Debra
Elliott, Robert
Hobson, Deborah
Janvrin, Jason
Lundgren, David
McKinney, Betsy
Packard, Sherman
Prudhomme-O'Brien, Katherine
Sytek, John
Webb, JamesAbramson, Max
Bershtein, Alan
Thomas, Douglas
Dolan, Tom
Gay, Betty
Hoelzel, Kathleen
Katsakiores, Phyllis
Griffin, Mary
McMahon, Charles
Piemonte, Tony
Roy, Terry
Torosian, Peter
Welch, DavidActon, Dennis
Chirichiello, Brian
DeClercq, Edward
Doucette, Fred
Green, Dennis
Osborne, Jason
Khan, Aboul
Pearson, Mark
Melvin, Charles
Potucek, John
Pearson, Stephen
True, Chris
Weyler, Kenneth**STRAFFORD**Harrington, Michael
Pitre, JosephHayward, Peter
Rooney, AbigailMcNally, Jody
Wuelper, Kurt

Perreault, Mona

SULLIVANAron, Judy
Rollins, SkipCallum, John
Stapleton, WalterLaware, Thomas
Smith, Steven

Lucas, Gates

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

HB 183, establishing a committee to study the changes in law necessary to allow for microgrids in electrical supply. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Howard Moffett for the Majority of Science, Technology and Energy. The committee heard and then merged two bills intended to explore the potential use of microgrids in New Hampshire to enhance and strengthen the resiliency, safety, reliability, and flexibility of New Hampshire's portion of the regional energy grid. This bill is the merged bill. Microgrids would allow "islanding" of critical facilities (like hospitals, military bases, etc.), and even whole communities served by distributed generation, to avoid being shut down in

the event of a threat to the grid and to help the entire grid get back up as quickly as possible in the event of a black-out. But there are questions about whether any NH laws would need to be changed in order to allow them to function as proposed, and further questions about the kinds of situations that would be appropriate for microgrid development. Hence the majority voted to create a study committee that could point the way to developing the full potential of this new technological tool. Vote 12-8.

Rep. Troy Merner for the Minority of Science, Technology and Energy. The bill would establish a committee to study whether it would be advantageous to allow for microgrids in the electrical supply. Although the bill is well intended, the testimony before the committee by the utilities shows there is no need for this study committee since microgrids can be authorized by the Public Utilities Commission under existing law.

Majority Amendment (0561h)

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

AN ACT establishing a committee to study the applications of microgrids in New Hampshire and changes in law necessary to allow for microgrids in electrical supply.

Amend the bill by replacing section 1 with the following:

1 Committee Established. There is established a committee to study the applications of microgrids in New Hampshire and changes in law necessary to allow for microgrids in electricity supply.

Amend the bill by replacing section 3 with the following:

3 Duties. The committee shall study the applications of microgrids in New Hampshire and changes in law necessary to allow for microgrids in electricity supply, with a view to both near-term and long-term applications in the state. For this purpose, the committee shall consult with representatives of utility companies, companies involved with microgrid development, and members of the general public with specific knowledge regarding microgrids and their benefits, as well as obstacles to their deployment.

AMENDED ANALYSIS

This bill establishes a committee to study the applications of microgrids in New Hampshire and changes in law necessary to allow for microgrids in electricity supply.

Majority committee amendment adopted.

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

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

On a division vote, with 206 members having voted in the affirmative, and 132 in the negative, the majority committee report was adopted and ordered to third reading.

HB 404, relative to a local option for liquefied natural gas storage facility sitings. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT

Rep. Kenneth Vincent for the Majority of Science, Technology and Energy. This bill would enable a municipality to determine by majority vote whether a liquefied natural gas storage facility can be sited within municipal borders. The committee believes this to be impractical and unwarranted. The Site Evaluation Committee was set up for this reason. To allow this bill to pass would undermine that committee. Vote 17-2.

Rep. Rebecca McWilliams for the Minority of Science, Technology and Energy. The minority believes that a prospective town or towns that are proposed to host a state energy-related development project should have the ability to appoint a non-voting member to represent each host municipality on the Site Evaluation Committee for the proposed state energy project. This bill, as amended, will achieve this objective.

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

Rep. McWilliams spoke against.

Rep. Backus spoke in favor.

On a division vote, with 289 members having voted in the affirmative, and 48 in the negative, the majority committee report was adopted.

HB 477-FN, relative to allowance sales under the New Hampshire regional greenhouse gas initiative program. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.

Rep. Kat McGhee for the Majority of Science, Technology and Energy. This bill proposed taking funding from the Regional Greenhouse Gas Initiative (RGGI) and distributing all but the defined administrative fees back to ratepayers. This would miss the point of RGGI which is to provide a funding mechanism for partner-states to make substantial investments in energy efficiency programs to help decrease and transition off of fossil fuel dependence more rapidly. Funding NH's energy efficiency programs decreases fossil fuel consumption which will result in lower energy bills. The prior practice of rebating 3 out of every 4 dollars of RGGI monies back to ratepayers eliminated over \$71 million in investment funds away from state energy efficiency programs. This bill would substantially diminish state energy efficiency funding from RGGI and simply keep the program administration in place, distributing large sums of money in tiny increments such that no energy efficiency impact is realized by our participation in RGGI. We will be unable to reap any large-scale benefit or energy cost reductions from investments over time. Vote 11-8.

Rep. Michael Harrington for the Minority of Science, Technology and Energy. This bill would rebate all RGGI funds back to the ratepayers. Under present law one dollar from every allowance sale is not rebated but is deposited in the Renewable Energy Fund administrated by the Public Utilities Commission. The minority believes that the ratepayers are better at spending their own money than unelected bureaucrats are and that any lowering of NH's very high electric rates, if only by a small amount, is a step in the right direction.

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

Rep. Plett spoke against.

Rep. Wells spoke in favor.

Rep. Notter requested a roll call; sufficiently seconded.

YEAS 198 - NAYS 131

YEAS - 198 BELKNAP

Huot, David

Viens, Harry

Buco, Thomas
Kanzler, Harrison

Burroughs, Anita
Knirk, Jerry

CARROLL

Butler, Edward
Ticehurst, Susan

DesMarais, Edith
Woodcock, Stephen

CHESHIRE

Abbott, Michael
Faulkner, Barry
Morrill, David
Tatro, Bruce
Weber, Lucy

Ames, Richard
Gomarlo, Jennie
Parkhurst, Henry
Thompson, Craig

Bordenet, John
Mann, John
Schapiro, Joe
Von Plinsky, Sparky

Eaton, Daniel
Meador, David
Swinburne, Sandy
Pearson, William

COOS

Laflamme, Larry
Thomas, Yvonne

Moynihan, Wayne

Noel, Henry

Tucker, Edith

GRAFTON

Abel, Richard
Diggs, Francesca
Ford, Susan
Mulligan, Mary Jane
Stavis, Laurel
Weston, Joyce

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

Almy, Susan
Egan, Timothy
Josephson, Timothy
Osborne, Richard
Smith, Suzanne

Campion, Polly
Fellows, Sallie
Maes, Kevin
Ruprecht, Dennis
Sykes, George

HILLSBOROUGH

Bouldin, Amanda
Baroody, Benjamin
Bordy, William
Cleaver, Skip
Cote, David
Dutzy, Sherry
Goley, Jeffrey
Heath, Mary
Jack, Martin
Komi, Richard
Mangipudi, Latha
Mullen, Sue
Petrigno, Peter
Query, Joshua
Rung, Rosemarie
Stevens, Deb
Van Houten, Constance
Williams, Kermit

Bouldin, Andrew
Beaulieu, Jane
Bosman, James
Cohen, Bruce
Danielson, David
Espitia, Manny
Griffith, Willis
Herbert, Christopher
King, Mark
Langley, Diane
Martin, Joelle
Murphy, Nancy
Pickering, Daniel
Newman, Ray
Newman, Sue
Telerski, Laura
Vann, Ivy
Woodbury, David

Backus, Robert
Bergeron, Paul
Bouchard, Donald
Connors, Erika
Dargie, Paul
Davis, Fred
Hamer, Heidi
Indruk, Greg
Klee, Patricia
Leishman, Peter
McGhee, Kat
Nutting-Wong, Allison
Piedra, Israel
Radhakrishnan, Julie
St. John, Michelle
Toomey, Dan
Thomas, Wendy

Balch, Chris
Bernet, Jennifer
Chretien, Jacqueline
Cornell, Patricia
Desjardin, Kathy
Freitas, Mary
Harriott-Gathright, Linda
Schmidt, Janice
Klein-Knight, Nicole
Murray, Megan
Mombourquette, Donna
Pedersen, Michael
Porter, Marjorie
Riel, Cole
Stack, Kathryn
Vail, Suzanne
Wilhelm, Matthew

MERRIMACK

Bartlett, Christy
Ebel, Karen
Luneau, David
Pimentel, Roderick
Schuett, Dianne
Walz, Mary Beth

Buchanan, Ryan
Fox, Samantha
MacKay, James
Richards, Beth
Schultz, Kristina
Wells, Kenneth

Carson, Clyde
Fulweiler, Joyce
McWilliams, Rebecca
Saunderson, George
Soucy, Timothy
Wolf, Dan

Doherty, David
Lane, Connie
Moffett, Howard
Schamberg, Thomas
Turcotte, Alan
Woods, Gary

ROCKINGHAM

Altschiller, Debra
Cahill, Michael
Edgar, Michael

Berrien, Skip
Cali-Pitts, Jacqueline
Eisner, Mary

Bunker, Lisa
Cushing, Robert Renny
Gay, Betty

Bushway, Patricia
DiLorenzo, Charlotte
Gilman, Julie

Grossman, Gaby
Lovejoy, Patricia
Meuse, David
Ward, Gerald

Grote, Jaci
Malloy, Dennis
Read, Ellen
Warner, Anne

Murray, Kate
McBeath, Rebecca
Somssich, Peter

Le, Tamara
McConnell, Liz
Vallone, Mark

STRAFFORD

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

Chase, Wendy
Horrigan, Timothy
Smith, Marjorie
Salloway, Jeffrey
Vincent, Kenneth

Conley, Casey
Keans, Sandra
Opderbecke, Linn
Southworth, Thomas
Wall, Janet

Fontneau, Timothy
Kenney, Cam
Schmidt, Peter
Spang, Judith

SULLIVAN

Cloutier, John
Sullivan, Brian

Merchant, Gary
Tanner, Linda

O'Hearne, Andrew

Oxenham, Lee

NAYS - 131

BELKNAP

Aldrich, Glen
Howard, Raymond
Spanos, Peter

Bean, Harry
Jurius, Deanna
Sylvia, Michael

Comtois, Barbara
Lang, Timothy
Tilton, Franklin

Fields, Dennis
Beaudoin, Richard
Varney, Peter

CARROLL

Avellani, Lino

Comeau, Ed

MacDonald, John

Marsh, William

CHESHIRE

Hunt, John

O'Day, John

COOS

Craig, Kevin

Merner, Troy

GRAFTON

Hennessey, Erin

Ladd, Rick

Migliore, Vincent Paul

HILLSBOROUGH

Lekas, Alicia
Boehm, Ralph
Erf, Keith
Gould, Linda
Hinch, Richard
Notter, Jeanine
Proulx, Mark
Trento, Michael

Alexander, Joe
Burns, Charles
Fedolfi, Jim
Graham, John
Lascelles, Richard
Nunez, Hershel
Renzullo, Andrew
Ulery, Jordan

Griffin, Barbara
Burt, John
Flanagan, Jack
Greene, Bob
Marzullo, JP
Panasiti, Reed
Somero, Paul
Warden, Mark

Barry, Richard
Camarota, Linda
Gagne, Larry
Gunski, Michael
McLean, Mark
Plett, Fred
Lekas, Tony
Whittemore, James

MERRIMACK

Allard, James
Kotowski, Frank
Seaworth, Brian

Hill, Gregory
Marple, Richard
Testerman, Dave

Horn, Werner
McGuire, Carol
Yakubovich, Michael

Klose, John
Pearl, Howard

ROCKINGHAM

Abbas, Daryl
Baldasaro, Al
Costable, Michael
Desilets, Joel
Edwards, Jess
Hobson, Deborah
Janvrin, Jason
Lundgren, David
McKinney, Betsy
Piemonte, Tony
Pearson, Stephen
True, Chris
Weyler, Kenneth

Abrami, Patrick
Barnes, Arthur
Davis, Dan
DeSimone, Debra
Elliott, Robert
Hoelzel, Kathleen
Katsakiores, Phyllis
Griffin, Mary
McMahon, Charles
Potucek, John
Spillane, James
Wallace, Scott
Yokela, Josh

Abramson, Max
Bershtein, Alan
Thomas, Douglas
Dolan, Tom
Green, Dennis
Osborne, Jason
Khan, Aboul
Pearson, Mark
Melvin, Charles
Pratt, Kevin
Sytek, John
Webb, James

Acton, Dennis
Chirichiello, Brian
DeClercq, Edward
Doucette, Fred
Harb, Robert
Janigian, John
Love, David
Maggiore, Jim
Packard, Sherman
Prudhomme-O'Brien, Katherine
Torosian, Peter
Welch, David

STRAFFORD

Harrington, Michael
Pitre, Joseph

Hayward, Peter
Rooney, Abigail

McNally, Jody
Beaudoin, Steven

Perreault, Mona
Wuelper, Kurt

SULLIVAN

Aron, Judy
Rollins, Skip

Callum, John
Stapleton, Walter

Laware, Thomas
Smith, Steven

Lucas, Gates

and the majority committee report was adopted.

HB 496, establishing a committee to identify the requirements needed to commit New Hampshire to a goal of 50 percent renewable energy for electricity by 2040. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Jacqueline Cali-Pitts for the Majority of Science, Technology and Energy. This bill, as amended, is a straight forward bill that establishes a committee to determine what is needed to accomplish a goal of at least 50% renewable energy for electricity generation by 2040. This bill does not set an exact number and bind the committee to it. The bill does not factor in nuclear or natural gas since they are not classified as renewables. Some members agree that nuclear energy and, to a lesser extent, gas contribute to lower carbon emissions. However, this bill deals only with renewables. This bill is a planning tool and will set a course to advance NH's commitment to renewable energy for the future. Vote 12-8.

Rep. Douglas Thomas for the Minority of Science, Technology and Energy. The minority feels that this bill is misplaced because it attempts to conduct a study for a presupposed outcome that is not aligned with the current 10-year energy plan. It alludes to the potential enactment into statutory law of a minimum goal that may risk cornering the state into actions not in the peoples' best interest if assumptions or technologies underperform. Some members felt the parameters should have focused on non-carbon generation instead of renewables since zero carbon emissions is the main concern. This would allow nuclear energy to be considered and add balance to the study because it has zero carbon emissions and is currently 57% of NH's generation (2017). For these reasons, the minority believes the parameters of this bill are flawed and therefore it should not be passed.

Majority Amendment (0497h)

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

AN ACT establishing a committee to identify the requirements needed to commit New Hampshire to a goal of at least 50 percent renewable energy for electricity by 2040.

Amend the bill by replacing section 1 with the following:

1 Committee Established. There is established a committee to identify the requirements needed to commit New Hampshire to a goal of at least 50 percent renewable energy for electricity by 2040.

Amend the bill by replacing section 3 with the following:

3 Duties.

I. The committee shall undertake an analysis of the requirements that would have to be considered if New Hampshire were to commit to the goal of providing at least 50 percent renewable energy for electricity only to residents and businesses by the year 2040.

II. The study shall include the following factors and concerns for evaluation:

(a) The current sources of renewable energy produced in New Hampshire and how regulations and/or rules or incentives would need to be changed to allow for an increase of in-state generated renewable energy. The potential capacity of renewable energy, such as biomass, solar, wind, both on-shore and off-shore, and hydro-electric power should be considered.

(b) Currently available technologies connected to renewable energy that are expected to improve energy efficiency and energy savings by 2040.

(c) Emerging technologies, such as offshore and onshore wind energy and tidal energy, that are expected to become price competitive and cost efficient, or that enhance grid operations, through both energy management and energy storage, by 2040, and that could have an impact on the generation and efficient use of renewable energy. Because New Hampshire will no longer have any in-state fossil fuel energy generation, this advantage offers a variety of flexible options for renewable energy sourcing. Worldwide solar energy and wind energy is already cheaper than new fossil fuel energy sources, and these renewable energy sources are growing annually at double-digit rates.

(d) Improvements in technologies and processes utilizing renewable energy can be expected by 2040 and should be considered, such as grid level energy storage, peak-saving measures, time-of-day rates, and on-demand energy.

(e) Potential out-of-state sources of renewable energy should be considered if they are needed during a transitional phase to meet the at least 50 percent renewable energy goal by 2040.

(f) What role the state's utilities can play and what incentives they may need to support at least a 50 percent renewable energy goal should be considered. A number of utilities nationwide, such as in Hawaii, New York, Vermont, and Massachusetts, are changing their business model to adapt to the changing renewable energy landscape.

(g) Since there are many opportunities for both the state and municipalities to invest in renewable energy and energy efficiency programs, the obstacles that currently exist should be identified. In light of existing investments by local municipalities and school districts in renewable energy, state action in these areas may achieve effective and rapid expansion of renewable energy potential.

(h) An evaluation should include an assessment of the impact of setting at least a 50 percent renewable energy goal for New Hampshire versus not setting a higher goal, while other New England states set such goals without any input from this state. Some states, such as Hawaii, have either already set 100 percent renewable energy goals, while others, such as California, New York, and Massachusetts, are within 1-2 years of setting such goals.

AMENDED ANALYSIS

This bill establishes a committee to undertake an analysis of the requirements that would have to be considered if New Hampshire were to commit to the goal of providing at least 50 percent renewable energy for electricity only to residents and businesses by the year 2040.

Majority committee amendment adopted.

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

Rep. Thomas spoke against.

Rep. Somssich spoke in favor.

On a division vote, with 196 members having voted in the affirmative, and 137 in the negative, the majority committee report was adopted and ordered to third reading.

HB 522, establishing a commission to study the environmental and health effects of evolving 5G technology. **OUGHT TO PASS.**

Rep. Chris Balch for Science, Technology and Energy. This bill establishes a commission to seek information on both environmental and potential health impacts that may be associated with developing 5G communications technology. During the hearing on the bill, testimony was presented by both the public and members of the scientific community regarding significant differences between current 4G and developing 5G technologies, including transmission tower signal strengths, distribution of towers, and net increases in public exposure to radio frequency emissions. Vote 11-8.

Committee report adopted and ordered to third reading.

HJR 1, supporting efforts to develop wind power off the New Hampshire coast. **OUGHT TO PASS.**

Rep. Kenneth Wells for Science, Technology and Energy. The US Department of Energy has determined that the Gulf of Maine, just 10 to 50 miles from the coast of New Hampshire and neighboring states, offers a total potential wind capacity in excess of 200,000 megawatts. This is 160 times the output of the Seabrook nuclear power plant. As the only regional state with a deep-water port, NH has much to gain from participating in an energy development project of this scale, and much to gain toward our future energy and environmental goals. Existing NH utilities have expressed their strong support. Entrepreneurs see opportunities for NH based manufacturing of offshore turbine generators, which are not currently manufactured in the US, plus supporting equipment. The committee applauds Governor Sununu's January 2, 2019 letter to the Bureau of Ocean Energy Management (BOEM) requesting initiation of a multi-governmental effort to develop offshore wind energy. Through this resolution, the General Court urges the Governor to make a formal request of BOEM to form a task force and stakeholder process for regional offshore wind development in the Gulf of Maine, and that the Director of the Office of Strategic Initiatives, or designee, take the lead for NH in assembling stakeholders to take part in that task force. Vote 12-8.

MOTION TO LAY ON THE TABLE

Rep. Backus moved that **HJR 1**, supporting efforts to develop wind power off the New Hampshire coast, be laid on the table.

On a division vote, with 310 members having voted in the affirmative, and 10 in the negative, the motion was adopted.

REGULAR CALENDAR CONT'D

HCR 5, requesting the United States Congress to propose a constitutional amendment to reverse the ruling of the United States Supreme Court in *Citizens United v. Federal Election Commission*. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Ryan Buchanan for the Majority of State-Federal Relations and Veterans Affairs. This resolution would add New Hampshire's voice to those of other states calling on Congress to propose a constitutional amendment to reverse the ruling of the United States Supreme Court *Citizens United* case. The majority agrees that corporations are not people and believes that the ruling in the *Citizens United* case needs to be reversed to restore and protect the rights of the people of the United States of America. It is far-fetched to conflate corporations with the individual. To give the rights of a person to a legal entity undermines the fabric of our nation and weakens the democracy it was built upon. Vote 11-7.

Rep. Al Baldasaro for the Minority of State-Federal Relations and Veterans Affairs. The minority believes that the Supreme Court got it right because corporations do have first amendment rights. NBC is a corporation; book

publisher Simon & Schuster is a corporation; Paramount Pictures is a corporation. Per Senator Ted Cruz, “no-body would reasonably argue that Congress could restrict what they say, or what money they spend distributing their views, books or movies, merely because they are not individual persons.” We do agree with Senator Rand Paul’s comments that money corrupts the process, however we also agree with the Citizens United ruling, that speech, whether you pay for it or not, is speech. Newspapers and main street media are much bigger corporations with a loud voice and millions of people view their writing and their bias. Paid speech must be protected.

Majority Amendment (0093h)

Amend the resolution by replacing the second paragraph after the resolving clause with the following:

That the state of New Hampshire hereby calls upon each member of the New Hampshire congressional delegation to actively support and promote in Congress an amendment to the United States Constitution on campaign finance reform and the first amendment that addresses this resolution and joins with all other states who have called for action to restore free, fair, and transparent elections to our democracy; and Majority committee amendment adopted.

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

MOTION TO LAY ON THE TABLE

Rep. Hunt moved that **HCR 5**, requesting the United States Congress to propose a constitutional amendment to reverse the ruling of the United States Supreme Court in Citizens United v. Federal Election Commission, be laid on the table.

Rep. Read requested a roll call; sufficiently seconded.

YEAS 142 - NAYS 189

YEAS - 142

BELKNAP

Aldrich, Glen
Fields, Dennis
Beaudoin, Richard
Varney, Peter

Bean, Harry
Howard, Raymond
Spanos, Peter
Viens, Harry

Comtois, Barbara
Jurius, Deanna
Sylvia, Michael

Feeney, George
Lang, Timothy
Tilton, Franklin

CARROLL

Avellani, Lino
Ticehurst, Susan

Comeau, Ed

MacDonald, John

Marsh, William

CHESHIRE

Hunt, John

O'Day, John

Tatro, Bruce

COOS

Craig, Kevin

Merner, Troy

GRAFTON

Gordon, Edward

Hennessey, Erin

Ladd, Rick

Migliore, Vincent Paul

HILLSBOROUGH

Lekas, Alicia
Boehm, Ralph
Danielson, David
Gagne, Larry
Gunski, Michael
McLean, Mark
Plett, Fred
Somero, Paul
Whittemore, James

Alexander, Joe
Burns, Charles
Erf, Keith
Gould, Linda
Hinch, Richard
Notter, Jeanine
Proulx, Mark
Lekas, Tony

Griffin, Barbara
Burt, John
Fedolfi, Jim
Graham, John
Lascelles, Richard
Nunez, Hershel
Renzullo, Andrew
Trento, Michael

Barry, Richard
Camarota, Linda
Flanagan, Jack
Greene, Bob
Marzullo, JP
Panasiti, Reed
Sanborn, Laurie
Ulery, Jordan

MERRIMACK

Allard, James
Kotowski, Frank
Seaworth, Brian

Hill, Gregory
Marple, Richard
Testerman, Dave

Horn, Werner
McGuire, Carol
Wolf, Dan

Klose, John
Pearl, Howard
Yakubovich, Michael

ROCKINGHAM

Abbas, Daryl
Barnes, Arthur
Costable, Michael
Desilets, Joel
Edwards, Jess
Hobson, Deborah

Abrami, Patrick
Bershtein, Alan
Davis, Dan
DeSimone, Debra
Gay, Betty
Hoelzel, Kathleen

Acton, Dennis
Cali-Pitts, Jacqueline
Thomas, Douglas
Dolan, Tom
Green, Dennis
Osborne, Jason

Baldasaro, Al
Chirichiello, Brian
DeClercq, Edward
Doucette, Fred
Harb, Robert
Janigian, John

Janvrin, Jason
Lundgren, David
McKinney, Betsy
Packard, Sherman
Prudhomme-O'Brien, Katherine
Sytek, John
Webb, James

Katsakiores, Phyllis
Griffin, Mary
McMahon, Charles
Piemonte, Tony
Roy, Terry
Torosian, Peter
Welch, David

Khan, Aboul
Pearson, Mark
Melvin, Charles
Potucek, John
Pearson, Stephen
True, Chris
Weyler, Kenneth

Love, David
McBride, Everett
Owens, Becky
Pratt, Kevin
Spillane, James
Wallace, Scott
Yokela, Josh

STRAFFORD

Harrington, Michael
Perreault, Mona
Beaudoin, Steven

Hayward, Peter
Pitre, Joseph
Wuelper, Kurt

Horgan, James
Rich, Cecilia

McNally, Jody
Rooney, Abigail

SULLIVAN

Aron, Judy
Rollins, Skip

Callum, John
Stapleton, Walter

Laware, Thomas
Smith, Steven

Lucas, Gates

NAYS - 189 BELKNAP

Huot, David

CARROLL

Buco, Thomas
Knirk, Jerry

Burroughs, Anita
Woodcock, Stephen

DesMarais, Edith

Kanzler, Harrison

CHESHIRE

Abbott, Michael
Faulkner, Barry
Morrill, David
Von Plinsky, Sparky

Ames, Richard
Gomarlo, Jennie
Parkhurst, Henry
Pearson, William

Bordenet, John
Mann, John
Schapiro, Joe
Weber, Lucy

Eaton, Daniel
Meador, David
Swinburne, Sandy

COOS

Hatch, William
Tucker, Edith

Laflamme, Larry
Thomas, Yvonne

Moynihan, Wayne

Noel, Henry

GRAFTON

Abel, Richard
Diggs, Francesca
Ford, Susan
Mulligan, Mary Jane
Stavis, Laurel
Weston, Joyce

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

Almy, Susan
Egan, Timothy
Josephson, Timothy
Osborne, Richard
Smith, Suzanne

Campion, Polly
Fellows, Sallie
Maes, Kevin
Ruprecht, Dennis
Sykes, George

HILLSBOROUGH

Bouldin, Amanda
Beaulieu, Jane
Bosman, James
Cohen, Bruce
Dargie, Paul
Davis, Fred
Harriott-Gathright, Linda
Jack, Martin
Komi, Richard
Murray, Megan
Mombourquette, Donna
Pedersen, Michael
Porter, Marjorie
Riel, Cole
St. John, Michelle
Vail, Suzanne
Wilhelm, Matthew

Bouldin, Andrew
Bergeron, Paul
Bouchard, Donald
Connors, Erika
Desjardin, Kathy
Freitas, Mary
Heath, Mary
King, Mark
Langley, Diane
Mangipudi, Latha
Mullen, Sue
Petrigno, Peter
Query, Joshua
Rung, Rosemarie
Stack, Kathryn
Van Houten, Constance
Williams, Kermit

Backus, Robert
Bernet, Jennifer
Chretien, Jacqueline
Cornell, Patricia
Dutzy, Sherry
Griffith, Willis
Indruk, Greg
Klee, Patricia
Leishman, Peter
Martin, Joelle
Murphy, Nancy
Pickering, Daniel
Newman, Ray
Newman, Sue
Stevens, Deb
Vann, Ivy
Woodbury, David

Balch, Chris
Bordy, William
Cleaver, Skip
Cote, David
Espitia, Manny
Hamer, Heidi
Schmidt, Janice
Klein-Knight, Nicole
Long, Patrick
McGhee, Kat
Nutting-Wong, Allison
Piedra, Israel
Radhakrishnan, Julie
Snow, Kendall
Telerski, Laura
Thomas, Wendy

MERRIMACK

Bartlett, Christy
Ebel, Karen
Luneau, David
Myler, Mel
Saunderson, George
Soucy, Timothy
Wells, Kenneth

Buchanan, Ryan
Fulweiler, Joyce
MacKay, James
Pimentel, Roderick
Schamberg, Thomas
Turcotte, Alan
Woods, Gary

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

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

ROCKINGHAM

Abramson, Max
 Bushway, Patricia
 Edgar, Michael
 Grote, Jaci
 Malloy, Dennis
 Read, Ellen
 Warner, Anne

Altschiller, Debra
 Cahill, Michael
 Eisner, Mary
 Murray, Kate
 McBeath, Rebecca
 Somssich, Peter

Berrien, Skip
 Cushing, Robert Renny
 Gilman, Julie
 Le, Tamara
 McConnell, Liz
 Vallone, Mark

Bunker, Lisa
 DiLorenzo, Charlotte
 Grossman, Gaby
 Lovejoy, Patricia
 Meuse, David
 Ward, Gerald

STRAFFORD

Cannon, Gerri
 Horrigan, Timothy
 Schmidt, Peter
 Spang, Judith

Chase, Wendy
 Keans, Sandra
 Salloway, Jeffrey
 Towne, Matthew

Conley, Casey
 Kenney, Cam
 Sandler, Catt
 Vincent, Kenneth

Grassie, Chuck
 Opderbecke, Linn
 Southworth, Thomas
 Wall, Janet

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 with Amendment.
 Reps. Buchanan and McGhee spoke in favor.

Rep. Baldasaro spoke against and yielded to questions.

Rep. Read requested a roll call; sufficiently seconded.

YEAS 198 - NAYS 132**YEAS - 198****BELKNAP**

Huot, David

CARROLL

Buco, Thomas
 Kanzler, Harrison

Burroughs, Anita
 Knirk, Jerry

Butler, Edward
 Ticehurst, Susan

DesMarais, Edith
 Woodcock, Stephen

CHESHIRE

Abbott, Michael
 Gomarlo, Jennie
 Parkhurst, Henry
 Von Plinsky, Sparky

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

Bordenet, John
 Meader, David
 Swinburne, Sandy
 Weber, Lucy

Faulkner, Barry
 Morrill, David
 Tatro, Bruce

COOS

Hatch, William
 Tucker, Edith

Lafamme, Larry
 Thomas, Yvonne

Moynihan, Wayne

Noel, Henry

GRAFTON

Abel, Richard
 Diggs, Francesca
 Ford, Susan
 Maes, Kevin
 Ruprecht, Dennis
 Sykes, George

Adjutant, Joshua
 Dontonville, Roger
 French, Elaine
 Mulligan, Mary Jane
 Stavis, Laurel
 Weston, Joyce

Almy, Susan
 Egan, Timothy
 Gordon, Edward
 Nordgren, Sharon
 Stringham, Jerry

Campion, Polly
 Fellows, Sallie
 Josephson, Timothy
 Osborne, Richard
 Smith, Suzanne

HILLSBOROUGH

Bouldin, Amanda
 Baroody, Benjamin
 Bordy, William
 Cleaver, Skip
 Cote, David
 Espitia, Manny
 Griffith, Willis
 Indruk, Greg
 Klee, Patricia
 Leishman, Peter
 Martin, Joelle
 Murphy, Nancy
 Pickering, Daniel
 Newman, Ray
 Newman, Sue
 Stevens, Deb
 Vann, Ivy
 Woodbury, David

Bouldin, Andrew
 Beaulieu, Jane
 Bosman, James
 Cohen, Bruce
 Dargie, Paul
 Davis, Fred
 Hamer, Heidi
 Schmidt, Janice
 Klein-Knight, Nicole
 Long, Patrick
 McGhee, Kat
 Nutting-Wong, Allison
 Piedra, Israel
 Radhakrishnan, Julie
 Snow, Kendall
 Telerski, Laura
 Thomas, Wendy

Backus, Robert
 Bergeron, Paul
 Bouchard, Donald
 Connors, Erika
 Desjardin, Kathy
 Freitas, Mary
 Harriott-Gathright, Linda
 Jack, Martin
 Komi, Richard
 Murray, Megan
 Mombourquette, Donna
 Pedersen, Michael
 Porter, Marjorie
 Riel, Cole
 St. John, Michelle
 Vail, Suzanne
 Wilhelm, Matthew

Balch, Chris
 Bernet, Jennifer
 Chretien, Jacqueline
 Cornell, Patricia
 Dutzy, Sherry
 Goley, Jeffrey
 Heath, Mary
 King, Mark
 Langley, Diane
 Mangipudi, Latha
 Mullen, Sue
 Petrigno, Peter
 Query, Joshua
 Rung, Rosemarie
 Stack, Kathryn
 Van Houten, Constance
 Williams, Kermit

MERRIMACK

Bartlett, Christy
Ebel, Karen
Luneau, David
Myler, Mel
Saunderson, George
Soucy, Timothy
Wells, Kenneth

Buchanan, Ryan
Fulweiler, Joyce
MacKay, James
Pimentel, Roderick
Schamberg, Thomas
Turcotte, Alan
Woods, Gary

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

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

ROCKINGHAM

Abramson, Max
Bushway, Patricia
DiLorenzo, Charlotte
Gilman, Julie
Le, Tamara
McBeath, Rebecca
Somssich, Peter

Altschiller, Debra
Cahill, Michael
Edgar, Michael
Grossman, Gaby
Lovejoy, Patricia
McConnell, Liz
Vallone, Mark

Berrien, Skip
Cali-Pitts, Jacqueline
Eisner, Mary
Grote, Jaci
Pearson, Mark
Meuse, David
Ward, Gerald

Bunker, Lisa
Cushing, Robert Renny
Gay, Betty
Murray, Kate
Malloy, Dennis
Read, Ellen
Warner, Anne

STRAFFORD

Cannon, Gerri
Horrigan, Timothy
Schmidt, Peter
Southworth, Thomas
Wall, Janet

Chase, Wendy
Keans, Sandra
Rich, Cecilia
Spang, Judith

Conley, Casey
Kenney, Cam
Salloway, Jeffrey
Towne, Matthew

Grassie, Chuck
Opderbecke, Linn
Sandler, Catt
Vincent, Kenneth

SULLIVAN

Cloutier, John
Sullivan, Brian

Merchant, Gary
Tanner, Linda

O'Hearne, Andrew

Oxenham, Lee

NAYS - 132**BELKNAP**

Aldrich, Glen
Fields, Dennis
Beaudoin, Richard
Varney, Peter

Bean, Harry
Howard, Raymond
Spanos, Peter
Viens, Harry

Comtois, Barbara
Jurius, Deanna
Sylvia, Michael

Feeney, George
Lang, Timothy
Tilton, Franklin

CARROLL

Avellani, Lino

Comeau, Ed

MacDonald, John

Marsh, William

CHESHIRE

O'Day, John

COOS

Craig, Kevin

Merner, Troy

GRAFTON

Hennessey, Erin

Ladd, Rick

Migliore, Vincent Paul

HILLSBOROUGH

Lekas, Alicia
Boehm, Ralph
Danielson, David
Gould, Linda
Hinch, Richard
Notter, Jeanine
Renzullo, Andrew
Trento, Michael

Alexander, Joe
Burns, Charles
Erf, Keith
Graham, John
Lascelles, Richard
Nunez, Hershel
Sanborn, Laurie
Ulery, Jordan

Griffin, Barbara
Burt, John
Flanagan, Jack
Greene, Bob
Marzullo, JP
Panasiti, Reed
Somero, Paul
Whittemore, James

Barry, Richard
Camarota, Linda
Gagne, Larry
Gunski, Michael
McLean, Mark
Plett, Fred
Lekas, Tony

MERRIMACK

Allard, James
Kotowski, Frank
Seaworth, Brian

Hill, Gregory
Marple, Richard
Testerman, Dave

Horn, Werner
McGuire, Carol
Wolf, Dan

Klose, John
Pearl, Howard
Yakubovich, Michael

ROCKINGHAM

Abbas, Daryl
Barnes, Arthur
Davis, Dan
DeSimone, Debra
Green, Dennis

Abrami, Patrick
Bershtein, Alan
Thomas, Douglas
Dolan, Tom
Harb, Robert

Acton, Dennis
Chirichiello, Brian
DeClercq, Edward
Doucette, Fred
Hobson, Deborah

Baldasaro, Al
Costable, Michael
Desilets, Joel
Edwards, Jess
Hoelzel, Kathleen

Osborne, Jason
Khan, Aboul
McBride, Everett
Owens, Becky
Pratt, Kevin
Spillane, James
Wallace, Scott
Yokela, Josh

Janigian, John
Love, David
McKinney, Betsy
Packard, Sherman
Prudhomme-O'Brien, Katherine
Sytek, John
Webb, James

Janvrin, Jason
Lundgren, David
McMahon, Charles
Piemonte, Tony
Roy, Terry
Torosian, Peter
Welch, David

Katsakiores, Phyllis
Griffin, Mary
Melvin, Charles
Potucek, John
Pearson, Stephen
True, Chris
Weyler, Kenneth

STRAFFORD

Harrington, Michael
Perreault, Mona
Wuelper, Kurt

Hayward, Peter
Pitre, Joseph

Horgan, James
Rooney, Abigail

McNally, Jody
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.

HB 198, repealing the prohibition on texting while driving. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Daniel Pickering for Transportation. This bill, as amended, clarifies the prohibition against using mobile electronic devices while driving and increases the penalties imposed for violations of such prohibition. It also repeals RSA 265:105-a, which only refers to texting and was difficult to enforce; and reinforces a newer, more comprehensive RSA 265-79-c, commonly known as the hands-free law. Vote 15-3.

Amendment (0412h)

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

AN ACT clarifying the prohibition against the use of mobile electronic devices while driving.

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

1 Motor Vehicles; Words and Phrases Defined; Serious Traffic Violation. Amend RSA 259:98-a, X to read as follows:

X. Driving a commercial motor vehicle in violation of RSA ~~[265:105-a]~~ **265:79-c**.

2 Motor Vehicles; Rules of the Road; Use of Mobile Electronic Devices While Driving; Prohibition. Amend RSA 265:79-c, III to read as follows:

III. Any person who violates this section shall be guilty of a violation and shall be fined ~~[\$100 plus penalty assessment]~~ **not less than \$250 nor more than \$1000** for a first **or second** offense, ~~[\$250 plus penalty assessment for a second offense,]~~ and **not less than \$500** ~~[plus penalty assessment]~~ for any subsequent offense ~~[within a 24-month period]~~. **In addition, the director may suspend the person's license to drive for up to 10 days for a second offense, and shall suspend the person's license to drive for not less than 10 days for any subsequent offense.**

3 Repeal. RSA 265:105-a, relative to prohibited text messages and device usage while operating a motor vehicle, is repealed.

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

AMENDED ANALYSIS

This bill clarifies the prohibition against using mobile electronic devices while driving and increases the penalties imposed for violations of such prohibition.

Committee amendment adopted.

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

On a division vote, with 252 members having voted in the affirmative, and 73 in the negative, the committee report was adopted and ordered to third reading.

HB 230, prohibiting smoking in motor vehicles when a passenger is under 16 years of age. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Brian Chirichiello for the Majority of Transportation. The bill as written is unenforceable. Children do not carry identification, so how would an officer tell the age of a child? The bill does not mention "vaping" and would allow police to pull someone over if they see smoke or water vapor. While well intended, this bill is not ready for prime time. Also, creating law to govern "common sense" is not desirable. Educating the public about secondhand smoke is a better solution. Vote 11-7.

Rep. Skip Cleaver for the Minority of Transportation. This is a health issue; a smoker in a vehicle, which is an enclosed small space, subjects others in the vehicle to dangerous secondhand smoke. This is especially problematic for children who cannot advocate for themselves and who are most susceptible to the detrimental effects of secondhand smoke. Though there would be problems with enforceability, the House must make a statement in defense of children's health, children in a most vulnerable situation.

MOTION TO LAY ON THE TABLE

Rep. Steven Smith moved that **HB 230**, prohibiting smoking in motor vehicles when a passenger is under 16 years of age, be laid on the table.

On a division vote, with 178 members having voted in the affirmative, and 142 in the negative, the motion was adopted.

REGULAR CALENDAR CONT'D

HB 395, relative to number plates for motor vehicles. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Laura Telerski for the Majority of Transportation. This bill would allow vehicles to display only one number plate; on the rear of a vehicle. Passage of this bill could affect toll collection because we only have front readers on many toll booths. The ability to identify vehicles by public safety officials for criminal activity and amber alerts is enhanced when two plates are displayed. There is no significant environmental advantage by eliminating one plate. The Department of Transportation and State Police were opposed to this bill. Vote 13-7.

Rep. Steven Smith for the Minority of Transportation. Currently, twenty states do not require number plates to be displayed front and rear. Today's cars look similar to each other because they are designed to strict aerodynamic standards to meet federal economy ratings. The cars are wind tunnel tested without the optional front plate, which lowers the cars' efficiency. There is also something unnerving about paying \$30,000 or more for your new car and then watching a dealer technician use an impact driver to run lag bolts through your pristine new bumper. Sometimes, the plate must be installed in such a way that it partially blocks a cooling vent, decreasing the life of your engine. Lastly, passage of this bill would mean that the state would only have to produce half of the plates that they do now which would conserve resources and increase net revenue. The opposition arguments are "safety." Law enforcement prefers to be able to see your number from the front. This is only possible during the day and at low speed. It also does not apply to all the NH towns celebrating their 250th birthdays. They are permitted by current law to replace the front plate with a commemorative one for one year. NH law enforcement officials were asked to support their concerns by getting data or at least anecdotal evidence from Vermont which went to one rear plate over 5 years ago, towns with the special front plate, or any of the 40% of US states that do not require a front plate. This was not provided. In the absence of any evidence supporting safety concerns, and the fact that installing the brackets damages vehicles, we find that this bill Ought to Pass.

MOTION TO SPECIAL ORDER

Rep. Conley moved that **HB 395**, relative to number plates for motor vehicles, be made a Special Order for the Session of March 19, 2019.

Motion adopted.

REGULAR CALENDAR CONT'D

HB 472-FN, relative to special number plates for certain veterans. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Michael O'Brien for Transportation. This bill, as amended, expands the issuance of special number plates for a single car owned by a veteran to include multiple cars. Under current law, veterans who qualify for Purple Heart, Pearl Harbor, Former Prisoner of War, and Disabled Veteran plates are allowed one set of plates free of charge. An additional set of plates shall be issued to a person who qualifies for the special plates upon payment of the state and municipal permit fees for the issuance of number plates. Vote 19-0.

Amendment (0696h)

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

1 Motor Vehicles; Number Plates; Special Number Plates for Certain Veterans. Amend the introductory paragraph of RSA 261:86, I to read as follows:

I. The department shall furnish ~~[one set of]~~ special number plates, designed by the director with the approval of the commissioner, for ~~[one]~~ **each** motor vehicle owned by a veteran, who may be listed as the first or second owner on the certificate of title or certificate of registration, who:

2 Motor Vehicles; Number Plates; Special Number Plates for Certain Veterans. Amend RSA 261:86, II to read as follows:

II. ***The initial set of*** plates furnished pursuant to subparagraphs I(a)-I(e) shall be issued without charge. ***An additional set of plates shall be issued to a person who qualifies for the special plates upon payment of the state and municipal permit fees for the issuance of number plates.*** Notwithstanding RSA 265:73 or any other law, any person who is issued a plate pursuant to subparagraphs I(c)-I(e) shall not be entitled to free parking privileges for disabled veterans. A person who qualifies for special plates pursuant to subparagraph I(a), I(c), I(d), or I(e) may be issued an additional plate for a motorcycle.

3 Motor Vehicles; Number Plates; Special Number Plates for Veterans. Amend RSA 261:87-b, II to read as follows:

II. For purposes of this section, a motor vehicle is owned by a veteran if the veteran is the motor vehicle's owner under RSA 259:72, I, or if the legal ownership of the motor vehicle is held by a trust established by the veteran and the veteran has use of the motor vehicle or the motor vehicle is used for the transportation of the veteran. The director shall establish the documentation required for a motor vehicle held in trust to be eligible for plates under this section. ~~[The director shall not issue more than one set of plates under this section to any trust.]~~ A trustee of the trust or the administrator of the estate may be fined up to \$500 for failing to return within 60 days of the death of the veteran any plates issued under this section for a motor vehicle held in trust.

4 Certificates of Title and Registration of Vehicles; Municipal Permits for Registration; Exemption of Amputee and Other Disabled Veterans. Amend RSA 261:157 to read as follows:

261:157 Exemption of Amputee and Other Disabled Veterans. ***For the initial set of plates***, no fee shall be charged for a permit to register a motor vehicle owned by a veteran of any war or armed conflict, as defined in RSA 72:28, V, who because of being an amputee or paraplegic or having suffered loss or use of a limb from a service-connected cause, as certified by the United States Department of Veterans Affairs, has received said vehicle from the United States government or cash settlement in lieu thereof; or because of a disability incurred in, or aggravated by such service, and upon satisfactory proof that the veteran is evaluated by the United States Department of Veterans Affairs to be totally and permanently disabled from such service-connected disability.

5 Certificates of Title and Registration of Vehicles; Municipal Permits for Registration; Exemption for Blind Veterans. Amend RSA 261:159 to read as follows:

261:159 Exemption for Blind Veterans. ***For the initial set of plates***, no fee shall be charged for a permit to register a vehicle owned by a veteran who has been determined by the Department of Veterans Affairs to be suffering from total blindness as a result of a service-connected disability.

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

Committee amendment adopted.

Committee report adopted and ordered to third reading.

HB 537, relative to the release of motor vehicle records. **OUGHT TO PASS.**

Rep. Skip Cleaver for Transportation. This bill amends the definition of motor vehicle records and clarifies the circumstances under which certain information contained in these records may be released to the public: when matters of personal safety or public safety are involved. This allows the release of licenses and photo identification cards which could be helpful in cases of an emergency. Vote 15-4.

MOTION TO LAY ON THE TABLE

Rep. Cleaver moved that **HB 537**, relative to the release of motor vehicle records, be laid on the table. Motion adopted.

REGULAR CALENDAR CONT'D

HB 592, relative to OHRV operation and license. **OUGHT TO PASS.**

Rep. Daniel Pickering for Transportation. This bill was supported by the Department of Natural and Cultural Resources and the Bureau of Trails. The majority of the committee agreed that any person operating an off highway recreational vehicle (OHRV) along the traveled portion of a public highway must be licensed to drive. Vote 15-4.

Rep. Horn requested a roll call; sufficiently seconded.

YEAS 202 - NAYS 116

YEAS - 202

BELKNAP

Huot, David

Tilton, Franklin

Viens, Harry

CARROLL

Buco, Thomas
Kanzler, Harrison
Woodcock, Stephen

Burroughs, Anita
Knirk, Jerry

Butler, Edward
Marsh, William

DesMarais, Edith
Ticehurst, Susan

CHESHIRE

Abbott, Michael
Gomarlo, Jennie
Parkhurst, Henry
Von Plinsky, Sparky

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

Bordenet, John
Meador, David
Swinburne, Sandy

Faulkner, Barry
Morrill, David
Tatro, Bruce

COOS

Laflamme, Larry
Thomas, Yvonne

Moynihan, Wayne

Noel, Henry

Tucker, Edith

GRAFTON

Abel, Richard
Diggs, Francesca
Ford, Susan
Maes, Kevin
Osborne, Richard
Weston, Joyce

Adjutant, Joshua
Dontonville, Roger
French, Elaine
Migliore, Vincent Paul
Stavis, Laurel

Almy, Susan
Egan, Timothy
Josephson, Timothy
Mulligan, Mary Jane
Smith, Suzanne

Campion, Polly
Fellows, Sallie
Ladd, Rick
Nordgren, Sharon
Sykes, George

HILLSBOROUGH

Bouldin, Amanda
Baroody, Benjamin
Bordy, William
Cleaver, Skip
Cote, David
Dutzy, Sherry
Freitas, Mary
Graham, John
Heath, Mary
King, Mark
Langley, Diane
Mangipudi, Latha
Mullen, Sue
Petrigno, Peter
Query, Joshua
Rung, Rosemarie
Stack, Kathryn
Van Houten, Constance

Bouldin, Andrew
Barry, Richard
Bosman, James
Cohen, Bruce
Danielson, David
Erf, Keith
Gagne, Larry
Griffith, Willis
Indruk, Greg
Klee, Patricia
Leishman, Peter
Martin, Joelle
Murphy, Nancy
Pickering, Daniel
Newman, Ray
Newman, Sue
Stevens, Deb
Vann, Ivy

Griffin, Barbara
Beaulieu, Jane
Bouchard, Donald
Connors, Erika
Dargie, Paul
Espitia, Manny
Goley, Jeffrey
Hamer, Heidi
Schmidt, Janice
Klein-Knight, Nicole
Long, Patrick
McGhee, Kat
Nutting-Wong, Allison
Piedra, Israel
Radhakrishnan, Julie
Snow, Kendall
Telerski, Laura
Thomas, Wendy

Backus, Robert
Bergeron, Paul
Chretien, Jacqueline
Cornell, Patricia
Desjardin, Kathy
Davis, Fred
Gould, Linda
Harriott-Gathright, Linda
Jack, Martin
Komi, Richard
Murray, Megan
Mombourquette, Donna
Pedersen, Michael
Porter, Marjorie
Riel, Cole
St. John, Michelle
Vail, Suzanne
Woodbury, David

MERRIMACK

Allard, James
Doherty, David
Luneau, David
Pimentel, Roderick
Schamberg, Thomas
Wallner, Mary Jane
Woods, Gary

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

Buchanan, Ryan
Karrick, David
McWilliams, Rebecca
Rogers, Katherine
Schultz, Kristina
Wells, Kenneth

Carson, Clyde
Lane, Connie
Myler, Mel
Saunderson, George
Soucy, Timothy
Wolf, Dan

ROCKINGHAM

Abrami, Patrick
Bushway, Patricia
DeClercq, Edward
Gay, Betty
Hoelzel, Kathleen
Pearson, Mark
McConnell, Liz
Ward, Gerald

Altschiller, Debra
Cahill, Michael
DiLorenzo, Charlotte
Grossman, Gaby
Murray, Kate
Malloy, Dennis
Meuse, David
Warner, Anne

Berrien, Skip
Cali-Pitts, Jacqueline
Edgar, Michael
Grote, Jaci
Le, Tamara
McBeath, Rebecca
Read, Ellen

Bunker, Lisa
Cushing, Robert Renny
Eisner, Mary
Harb, Robert
Lovejoy, Patricia
McBride, Everett
Somssich, Peter

STRAFFORD

Cannon, Gerri
Horgan, James
Opderbecke, Linn
Southworth, Thomas

Chase, Wendy
Horriggan, Timothy
Schmidt, Peter
Spang, Judith

Conley, Casey
Keans, Sandra
Rich, Cecilia
Towne, Matthew

Grassie, Chuck
Kenney, Cam
Sandler, Catt
Wall, Janet

SULLIVAN

Cloutier, John
Smith, Steven

Merchant, Gary
Sullivan, Brian

O'Hearne, Andrew
Tanner, Linda

Oxenham, Lee

NAYS - 116**BELKNAP**

Aldrich, Glen
Fields, Dennis
Spanos, Peter

Bean, Harry
Howard, Raymond
Sylvia, Michael

Comtois, Barbara
Jurius, Deanna
Varney, Peter

Feeney, George
Beaudoin, Richard

CARROLL

Avellani, Lino

Comeau, Ed

MacDonald, John

CHESHIRE**COOS**

O'Day, John

Craig, Kevin

Hatch, William

Merner, Troy

GRAFTON

Gordon, Edward

Hennessey, Erin

Ruprecht, Dennis

Stringham, Jerry

HILLSBOROUGHLekas, Alicia
Burt, John
Gunski, Michael
McLean, Mark
Plett, Fred
Lekas, TonyAlexander, Joe
Camarota, Linda
Hinch, Richard
Notter, Jeanine
Renzullo, Andrew
Trento, MichaelBoehm, Ralph
Flanagan, Jack
Lascelles, Richard
Nunez, Hershel
Sanborn, Laurie
Ulery, JordanBurns, Charles
Greene, Bob
Marzullo, JP
Panasiti, Reed
Somero, Paul
Whittemore, James**MERRIMACK**Hill, Gregory
Marple, Richard
Testerman, DaveHorn, Werner
McGuire, Carol
Turcotte, AlanKlose, John
Pearl, Howard
Yakubovich, MichaelKotowski, Frank
Seaworth, Brian**ROCKINGHAM**Abbas, Daryl
Barnes, Arthur
Davis, Dan
Dolan, Tom
Hobson, Deborah
Katsakiores, Phyllis
McKinney, Betsy
Piemonte, Tony
Roy, Terry
Torosian, Peter
Webb, JamesAbramson, Max
Bershtein, Alan
Thomas, Douglas
Edwards, Jess
Osborne, Jason
Khan, Aboul
Melvin, Charles
Potucek, John
Pearson, Stephen
True, Chris
Welch, DavidActon, Dennis
Chirichiello, Brian
Desilets, Joel
Gilman, Julie
Janigian, John
Love, David
Owens, Becky
Pratt, Kevin
Spillane, James
Vallone, Mark
Weyler, KennethBaldasaro, Al
Costable, Michael
DeSimone, Debra
Green, Dennis
Janvrin, Jason
Griffin, Mary
Packard, Sherman
Prudhomme-O'Brien, Katherine
Sytek, John
Wallace, Scott
Yokela, Josh**STRAFFORD**Harrington, Michael
Pitre, Joseph
Wuelper, KurtHayward, Peter
Rooney, AbigailMcNally, Jody
Beaudoin, StevenPerreault, Mona
Vincent, Kenneth**SULLIVAN**Aron, Judy
Rollins, SkipCallum, John
Stapleton, Walter

Laware, Thomas

Lucas, Gates

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

HB 672-FN, relative to driving to the left of an unbroken painted line. **OUGHT TO PASS.**

Rep. Steven Smith for Transportation. This bill addresses a conflict in current law. The “move over law” requires you to give an emergency vehicle a wide berth. If you cross a center line to do it, you are in violation of another statute. This bill creates an exception for safe maneuvers and resolves the conflict. Vote 13-4.

MOTION TO LAY ON THE TABLE

Rep. Ebel moved that **HB 672-FN**, relative to driving to the left of an unbroken painted line, be laid on the table.

On a division vote, with 171 members having voted in the affirmative, and 145 in the negative, the motion was adopted.

REGULAR CALENDAR CONT'D

CACR 10, relating to a state income tax. Providing that revenue from any state income tax shall be returned to the cities, towns, school districts, and counties to assist in property tax relief. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Richard Ames for the Majority of Ways and Means. This constitutional amendment concurrent resolution would amend the NH constitution by inserting in Part II a new Article 6-c requiring the return of all revenue from “any personal income tax enacted in the state” to cities, towns, school districts, and counties to “assist in property tax relief.” Property tax relief is certainly needed, but the proposed amendment would appear to require the immediate redirection from other priority needs of all revenue raised by the state’s existing interest and dividends tax and by at least a part of the state’s existing business profits tax. Both of these taxes are on forms of personal income. Revenue from hypothetical future taxes on other forms of personal income would also be categorically restricted, establishing a rigid constitutional mandate that would inappropriately bind future legislatures regardless of fiscal and socio-economic circumstances that cannot now be foreseen. This conditional revenue restriction does not belong in our constitution. Vote 16-1.

Rep. Thomas Schamberg for the Minority of Ways and Means. This constitutional amendment concurrent resolution is not an amendment promoting a “broad base income tax.” It is not a negative amendment. It is an affirmative amendment that would restrict NH citizens, workers, and businesses hard earned income to be

used for real property tax relief by using this “lockbox” approval. This constitutional amendment concurrent resolution will give the voters a voice in how they would like to see a “broad base income tax” applied. The support of this constitutional amendment will protect “hard earned income” to be applied only for reduction of real property taxes on their homes and businesses.

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

Rep. Schamberg spoke against.

Rep. Almy spoke in favor.

Rep. Baldasaro requested a roll call; sufficiently seconded.

YEAS 285 - NAYS 23

YEAS - 285

BELKNAP

Aldrich, Glen
Fields, Dennis
Lang, Timothy
Tilton, Franklin

Bean, Harry
Howard, Raymond
Beaudoin, Richard
Varney, Peter

Comtois, Barbara
Huot, David
Spanos, Peter
Viens, Harry

Feeney, George
Jurius, Deanna
Sylvia, Michael

CARROLL

Avellani, Lino
Kanzler, Harrison
Woodcock, Stephen

Burroughs, Anita
MacDonald, John

Comeau, Ed
Marsh, William

DesMarais, Edith
Ticehurst, Susan

CHESHIRE

Abbott, Michael
Gomarlo, Jennie
O'Day, John
Tatro, Bruce

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

Bordenet, John
Meader, David
Schapiro, Joe
Weber, Lucy

Faulkner, Barry
Morrill, David
Swinburne, Sandy

COOS

Craig, Kevin
Moynihan, Wayne

Hatch, William
Noel, Henry

Laflamme, Larry
Tucker, Edith

Merner, Troy
Thomas, Yvonne

GRAFTON

Abel, Richard
Egan, Timothy
Hennessey, Erin
Migliore, Vincent Paul
Ruprecht, Dennis
Sykes, George

Almy, Susan
Ford, Susan
Josephson, Timothy
Mulligan, Mary Jane
Stavis, Laurel
Weston, Joyce

Campion, Polly
French, Elaine
Ladd, Rick
Nordgren, Sharon
Stringham, Jerry

Dontonville, Roger
Gordon, Edward
Maes, Kevin
Osborne, Richard
Smith, Suzanne

HILLSBOROUGH

Lekas, Alicia
Griffin, Barbara
Beaulieu, Jane
Bosman, James
Chretien, Jacqueline
Cornell, Patricia
Desjardin, Kathy
Flanagan, Jack
Gould, Linda
Gunski, Michael
Hinch, Richard
Klee, Patricia
Lascelles, Richard
Marzullo, JP
Mullen, Sue
Panasiti, Reed
Piedra, Israel
Newman, Ray
Newman, Sue
Lekas, Tony
Vail, Suzanne
Woodbury, David

Alexander, Joe
Backus, Robert
Bergeron, Paul
Bouchard, Donald
Cleaver, Skip
Cote, David
Dutzy, Sherry
Freitas, Mary
Graham, John
Hamer, Heidi
Indruk, Greg
Klein-Knight, Nicole
Long, Patrick
McGhee, Kat
Notter, Jeanine
Pedersen, Michael
Plett, Fred
Renzullo, Andrew
Snow, Kendall
Telerski, Laura
Van Houten, Constance

Bouldin, Amanda
Baroody, Benjamin
Boehm, Ralph
Burt, John
Cohen, Bruce
Danielson, David
Erf, Keith
Gagne, Larry
Greene, Bob
Harriott-Gathright, Linda
Jack, Martin
Komi, Richard
Mangipudi, Latha
McLean, Mark
Nunez, Hershel
Petrigno, Peter
Porter, Marjorie
Riel, Cole
Somero, Paul
Trento, Michael
Vann, Ivy

Bouldin, Andrew
Barry, Richard
Bordy, William
Camarota, Linda
Connors, Erika
Dargie, Paul
Espitia, Manny
Goley, Jeffrey
Griffith, Willis
Heath, Mary
King, Mark
Langley, Diane
Martin, Joelle
Mombourquette, Donna
Nutting-Wong, Allison
Pickering, Daniel
Query, Joshua
Rung, Rosemarie
Stevens, Deb
Ulery, Jordan
Whitemore, James

MERRIMACK

Allard, James
Ebel, Karen
Klose, John
MacKay, James

Bartlett, Christy
Hill, Gregory
Kotowski, Frank
Marple, Richard

Carson, Clyde
Horn, Werner
Lane, Connie
McGuire, Carol

Doherty, David
Karrick, David
Luneau, David
Moffett, Howard

Myler, Mel
Schuett, Dianne
Wallner, Mary Jane
Woods, Gary

Pearl, Howard
Seaworth, Brian
Walz, Mary Beth
Yakubovich, Michael

Richards, Beth
Soucy, Timothy
Wells, Kenneth

Saunderson, George
Testerman, Dave
Wolf, Dan

ROCKINGHAM

Abbas, Daryl
Baldasaro, Al
Bushway, Patricia
Cushing, Robert Renny
Desilets, Joel
Edgar, Michael
Gilman, Julie
Hobson, Deborah
Janvrin, Jason
Le, Tamara
Pearson, Mark
McConnell, Liz
Packard, Sherman
Prudhomme-O'Brien, Katherine
Sytek, John
Wallace, Scott
Weyler, Kenneth

Abrami, Patrick
Berrien, Skip
Cahill, Michael
Davis, Dan
DeSimone, Debra
Edwards, Jess
Green, Dennis
Hoelzel, Kathleen
Murray, Kate
Love, David
Malloy, Dennis
Melvin, Charles
Piemonte, Tony
Roy, Terry
Torosian, Peter
Ward, Gerald
Yokela, Josh

Abramson, Max
Bershtein, Alan
Cali-Pitts, Jacqueline
Thomas, Douglas
DiLorenzo, Charlotte
Eisner, Mary
Grossman, Gabby
Osborne, Jason
Katsakiores, Phyllis
Lovejoy, Patricia
McBeath, Rebecca
Meuse, David
Potucek, John
Pearson, Stephen
True, Chris
Warner, Anne

Altschiller, Debra
Bunker, Lisa
Costable, Michael
DeClercq, Edward
Dolan, Tom
Gay, Betty
Grote, Jaci
Janigian, John
Khan, Aboul
Griffin, Mary
McBride, Everett
Owens, Becky
Pratt, Kevin
Spillane, James
Vallone, Mark
Welch, David

STRAFFORD

Cannon, Gerri
Harrington, Michael
Kenney, Cam
Perreault, Mona
Beaudoin, Steven
Towne, Matthew

Chase, Wendy
Hayward, Peter
McNally, Jody
Pitre, Joseph
Sandler, Catt
Vincent, Kenneth

Conley, Casey
Horgan, James
Opderbecke, Linn
Rich, Cecilia
Southworth, Thomas
Wall, Janet

Grassie, Chuck
Horrigan, Timothy
Schmidt, Peter
Rooney, Abigail
Spang, Judith
Wuelper, Kurt

SULLIVAN

Aron, Judy
O'Hearne, Andrew
Smith, Steven

Cloutier, John
Oxenham, Lee
Sullivan, Brian

Laware, Thomas
Rollins, Skip
Tanner, Linda

Lucas, Gates
Stapleton, Walter

NAYS - 23 CARROLL

Buco, Thomas

GRAFTON

Adjutant, Joshua

Diggs, Francesca

Fellows, Sallie

HILLSBOROUGH

Burns, Charles
Murray, Megan
Thomas, Wendy

Davis, Fred
Murphy, Nancy

Schmidt, Janice
St. John, Michelle

Leishman, Peter
Stack, Kathryn

MERRIMACK

McWilliams, Rebecca
Turcotte, Alan

Pimentel, Roderick

Rogers, Katherine

Schamberg, Thomas

ROCKINGHAM

Acton, Dennis

Somssich, Peter

STRAFFORD

Keans, Sandra

SULLIVAN

Callum, John

Merchant, Gary

and the majority committee report was adopted.

Rep. Yokela voted Yea and intended to vote Nay.

Rep. Megan Murray voted Nay and intended to vote Yea.

CACR 11, relating to taxes. Providing that a broad-based sales tax shall be prohibited. **MAJORITY: INEX-PEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Richard Ames for the Majority of Ways and Means. This constitutional amendment concurrent resolution would amend the NH constitution by inserting in Part II a new Article 6-c prohibiting the General Court from "adopting any broad-based sales tax not in effect as of January 1, 2019." "Broad-based" can be interpreted in

many ways, and an October 24, 2017 Tax Foundation report titled “Sales Tax Base Broadening: Right-Sizing a State Sales Tax” suggests that the typical state sales tax with exemptions for groceries or services or clothing is not “broad-based” so would not be covered. Nevertheless, this categorical prohibition would forever bind future legislatures and governors regardless of fiscal and socio-economic circumstances that cannot now be foreseen. Current constitutional limits on taxation are appropriately expressed as general standards setting limits on all forms of NH taxation. There are three provisions of the New Hampshire Constitution that are intended to work in combination to ensure fairness in taxation. First, Part I, Article 12 establishes that “[e]very member of the community has a right to be protected by it, in the enjoyment of his life, liberty, and property; he is therefore bound to contribute his share in the expense of such protection.” Article 12 requires that a given class of property be taxed at a “uniform rate” and that “taxes must be not merely proportional, but in due proportion, so that each individual’s just share, and no more, shall fall on him.” Second, Part II, Article 5 grants the legislature authority “to impose and levy proportional and reasonable assessments, rates and taxes, upon all the inhabitants of, and residents within” the State. Our NH Supreme Court has affirmed that together Part I, Article 12 and Part II, Article 5 “establish equality and justice as the basis of all constitutional taxation.” [See *Smith v N.H. Dep’t of Rev. Admin.*, 141 N.H. 681, 686 (1997)]. And third, Part II, Article 6 authorizes the legislature to “classify” property for purposes of taxation, a provision that conveys to the Legislature “broad power to declare property to be taxable or non-taxable based upon a classification of the property’s kind or use, but not based upon a classification of the property’s owner.” *N. Country Envtl. Servs. v State*, 157 N.H. 15, 19 (2008). The categorical prohibition proposed by CACR 11 does not belong in our constitution and should be rejected. Vote 12-8.

Rep. Charles Burns for the Minority of Ways and Means. The minority is in favor of the Ought to Pass motion because we felt that a statewide vote would be the best poll we could take to gauge how the voters of New Hampshire truly feel about the potential imposition of a broad-based tax.

MOTION TO LAY ON THE TABLE

Rep. Cali-Pitts moved that **CACR 11**, relating to taxes. Providing that a broad-based sales tax shall be prohibited, be laid on the table.

Rep. Baldasaro requested a roll call; sufficiently seconded.

YEAS 158 - NAYS 151

YEAS - 158

BELKNAP

Feeney, George	Huot, David	Tilton, Franklin
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CARROLL

Buco, Thomas	DesMarais, Edith	Kanzler, Harrison	Woodcock, Stephen
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CHESHIRE

Ames, Richard	Bordenet, John	Faulkner, Barry	Mann, John
Meador, David	Swinburne, Sandy	Tatro, Bruce	Weber, Lucy

COOS

Hatch, William	Laflamme, Larry	Moynihan, Wayne	Thomas, Yvonne
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GRAFTON

Abel, Richard	Adjutant, Joshua	Almy, Susan	Campion, Polly
Diggs, Francesca	Dontonville, Roger	Egan, Timothy	Fellows, Sallie
Ford, Susan	French, Elaine	Josephson, Timothy	Maes, Kevin
Mulligan, Mary Jane	Nordgren, Sharon	Ruprecht, Dennis	Stavis, Laurel
Smith, Suzanne	Sykes, George	Weston, Joyce	

HILLSBOROUGH

Bouldin, Amanda	Bouldin, Andrew	Backus, Robert	Baroody, Benjamin
Beaulieu, Jane	Bergeron, Paul	Bordy, William	Bouchard, Donald
Chretien, Jacqueline	Cohen, Bruce	Connors, Erika	Cornell, Patricia
Cote, David	Davis, Fred	Flanagan, Jack	Freitas, Mary
Goley, Jeffrey	Hamer, Heidi	Heath, Mary	Indruk, Greg
Schmidt, Janice	Jack, Martin	King, Mark	Klee, Patricia
Klein-Knight, Nicole	Komi, Richard	Langley, Diane	Leishman, Peter
Long, Patrick	Murray, Megan	Mangipudi, Latha	Martin, Joelle
McGhee, Kat	Mombourquette, Donna	Mullen, Sue	Murphy, Nancy
Nutting-Wong, Allison	Pedersen, Michael	Petrigno, Peter	Pickering, Daniel
Porter, Marjorie	Query, Joshua	Newman, Ray	Riel, Cole
Rung, Rosemarie	Newman, Sue	Snow, Kendall	St. John, Michelle
Stevens, Deb	Vail, Suzanne	Van Houten, Constance	Vann, Ivy

MERRIMACK

Bartlett, Christy
Karrick, David
McWilliams, Rebecca
Rogers, Katherine
Wallner, Mary Jane
Woods, Gary

Carson, Clyde
Lane, Connie
Moffett, Howard
Saunderson, George
Walz, Mary Beth

Doherty, David
Luneau, David
Myler, Mel
Schamberg, Thomas
Wells, Kenneth

Ebel, Karen
MacKay, James
Richards, Beth
Schuett, Dianne
Wolf, Dan

ROCKINGHAM

Altschiller, Debra
Cahill, Michael
Edgar, Michael
Murray, Kate
McBeath, Rebecca
Somssich, Peter
Yokela, Josh

Berrien, Skip
Cali-Pitts, Jacqueline
Eisner, Mary
Le, Tamara
McBride, Everett
Vallone, Mark

Bunker, Lisa
Cushing, Robert Renny
Gilman, Julie
Lovejoy, Patricia
McConnell, Liz
Ward, Gerald

Bushway, Patricia
DiLorenzo, Charlotte
Grossman, Gaby
Malloy, Dennis
Read, Ellen
Warner, Anne

STRAFFORD

Cannon, Gerri
Horrigan, Timothy
Schmidt, Peter
Spang, Judith

Chase, Wendy
Keans, Sandra
Rich, Cecilia
Towne, Matthew

Conley, Casey
Kenney, Cam
Sandler, Catt
Vincent, Kenneth

Grassie, Chuck
Opderbecke, Linn
Southworth, Thomas
Wall, Janet

SULLIVAN

Cloutier, John
Sullivan, Brian

Merchant, Gary
Tanner, Linda

O'Hearne, Andrew

Oxenham, Lee

**NAYS - 151
BELKNAP**

Aldrich, Glen
Howard, Raymond
Spanos, Peter

Bean, Harry
Jurius, Deanna
Sylvia, Michael

Comtois, Barbara
Lang, Timothy
Varney, Peter

Fields, Dennis
Beaudoin, Richard
Viens, Harry

CARROLL

Avellani, Lino
Ticehurst, Susan

Comeau, Ed

MacDonald, John

Marsh, William

CHESHIRE

Gomarlo, Jennie
Schapiro, Joe

Morrill, David
Von Plinsky, Sparky

O'Day, John

Parkhurst, Henry

COOS

Craig, Kevin

Merner, Troy

Noel, Henry

Tucker, Edith

GRAFTON

Gordon, Edward
Osborne, Richard

Hennessey, Erin
Stringham, Jerry

Ladd, Rick

Migliore, Vincent Paul

HILLSBOROUGH

Lekas, Alicia
Boehm, Ralph
Camarota, Linda
Desjardin, Kathy
Gagne, Larry
Griffith, Willis
Lascelles, Richard
Nunez, Hershel
Renzullo, Andrew
Telerski, Laura
Whittemore, James

Alexander, Joe
Bosman, James
Cleaver, Skip
Dutzy, Sherry
Gould, Linda
Gunski, Michael
Marzullo, JP
Panasiti, Reed
Somero, Paul
Trento, Michael
Woodbury, David

Griffin, Barbara
Burns, Charles
Danielson, David
Erf, Keith
Graham, John
Harriott-Gathright, Linda
McLean, Mark
Piedra, Israel
Stack, Kathryn
Ulery, Jordan

Barry, Richard
Burt, John
Dargie, Paul
Espitia, Manny
Greene, Bob
Hinch, Richard
Notter, Jeanine
Plett, Fred
Lekas, Tony
Thomas, Wendy

MERRIMACK

Allard, James
Kotowski, Frank
Pimentel, Roderick
Testerman, Dave

Hill, Gregory
Marple, Richard
Schultz, Kristina
Turcotte, Alan

Horn, Werner
McGuire, Carol
Seaworth, Brian
Yakubovich, Michael

Klose, John
Pearl, Howard
Soucy, Timothy

ROCKINGHAM

Abbas, Daryl
Baldasaro, Al
Davis, Dan

Abrami, Patrick
Barnes, Arthur
Thomas, Douglas

Abramson, Max
Bershtein, Alan
DeClercq, Edward

Acton, Dennis
Costable, Michael
Desilets, Joel

DeSimone, Debra
Green, Dennis
Osborne, Jason
Khan, Aboul
Melvin, Charles
Piemonte, Tony
Roy, Terry
Torosian, Peter
Weyler, Kenneth

Dolan, Tom
Grote, Jaci
Janigian, John
Love, David
Meuse, David
Potucek, John
Pearson, Stephen
True, Chris

Edwards, Jess
Hobson, Deborah
Janvrin, Jason
Griffin, Mary
Owens, Becky
Pratt, Kevin
Spillane, James
Wallace, Scott

Gay, Betty
Hoelzel, Kathleen
Katsakiores, Phyllis
Pearson, Mark
Packard, Sherman
Prudhomme-O'Brien, Katherine
Sytek, John
Welch, David

STRAFFORD

Harrington, Michael
Perreault, Mona
Wuelper, Kurt

Hayward, Peter
Pitre, Joseph

Horgan, James
Rooney, Abigail

McNally, Jody
Beaudoin, Steven

SULLIVAN

Aron, Judy
Rollins, Skip

Callum, John
Stapleton, Walter

Laware, Thomas
Smith, Steven

Lucas, Gates

and the motion was adopted.

SPECIAL ORDERED

Without objection, the Speaker made the remaining bills on today's calendar Special Orders for the Session of March 19, 2019.

RESOLUTION

Rep. Porter 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, Tuesday, March 19, 2019 at 10:00 a.m.
Motion adopted.

LATE SESSION

Third Reading and Final Passage

HB 150-FN, relative to statements of financial interests filed by state officials.

HB 615, relative to the regulation of pharmacies and pharmacists.

HB 621-FN, establishing the state commission on aging.

HB 736, reestablishing the commission to study environmentally-triggered chronic illness.

HB 155, relative to procedures for determining and disclosing exculpatory evidence in a police officer's personnel file.

HB 286-L, relative to free inspection of records under the right-to-know law.

HB 396-FN-L, relative to delay or denial of records under the right-to-know law.

HB 406, relative to reporting and investigation of serious injuries and death in the workplace.

HB 128, establishing a committee to study veterans property tax credits and exemptions.

HB 635-L, enabling a payment in lieu of taxes for a combined heat and power agricultural facility.

HB 140, establishing a commission to study the licensing of drivers from foreign countries.

HB 391, relative to permits for vehicle registration.

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

HB 446, relative to initiating amendments and corrections to birth records.

HB 692-FN, relative to dental care for Medicaid recipients.

HB 291, establishing a committee to study certain findings and other initiatives regarding end-of-life care.

HB 186, establishing a state minimum wage and providing for adjustments to the minimum wage.

HB 252, establishing a committee to study certain labor statutes.

HB 156, establishing a commission to study the establishment of a state department of energy.

HB 166, relative to funding energy efficiency programs.

HB 183, establishing a committee to study the applications of microgrids in New Hampshire and changes in law necessary to allow for microgrids in electrical supply.

HB 496, establishing a committee to identify the requirements needed to commit New Hampshire to a goal of at least 50 percent renewable energy for electricity by 2040.

HB 522, establishing a commission to study the environmental and health effects of evolving 5G technology.

HCR 5, requesting the United States Congress to propose a constitutional amendment to reverse the ruling of the United States Supreme Court in *Citizens United v. Federal Election Commission*.

HB 198, clarifying the prohibition against the use of mobile electronic devices while driving.

HB 472-FN, relative to special number plates for certain veterans.

HB 592, relative to OHRV operation and license.

PERSONAL PRIVILEGE

Rep. Welch requested Personal Privilege and addressed the House.

PRINT REMARKS

Without objection the Speaker ordered the remarks made by Rep. Welch during Personal Privilege to be printed in the Permanent Journal.

REMARKS

Rep. Welch: Thank you, Mister Speaker. As many of you are aware, I have recently been involved in a controversy that has had some negative results not only in this country, but as I have been told, around the world. I want to set the record straight. On Tuesday, March 5th the House Criminal Justice and Public Safety Committee held a public hearing on the so-called Red Flag bill, which is a measure designed to deter school shootings and prevent suicides. The bill has many constitutional problems and I am not here to debate whether or not it is a good or a bad bill, but only to show what has happened since that hearing, both to me and others members of the committee who also participated by wearing a string of pearls to indicate support for the Women's Defense League, a pro-gun group of women who train other women how to defend themselves with a firearm. We all stayed until the end of the hearing which was quite lengthy and at no time did I ask or speak to the bill. As early as 2017 I wore the same string of pearls at the signing of a constitutional carry bill. There was no outcry then. When I got home after that hearing, my answering machine was full and the inbox of both my email accounts were full of the most outrageous and obscene messages that I have ever received in my 34 years as a Representative. Amidst the four-letter words were in a few cases threats of my life and many threats to vote me out of office, even though 95% of the emails and phone calls were from as far away as California and even Canada. Newspapers from all over the world had this story from the supporters of the bill who claimed that I was mocking the women. Some of whom were telling personal stories of family members who had committed suicide. Believe me when I tell you that my heart goes out to those folks. The grief that they must feel, I am familiar with. As of Monday, I have deleted about 1,500 emails but I have saved a few of them to show how depraved our country is now. The cry of guilty even before the facts are known is now the norm. Some even said that I should apologize to those women who had family stories to tell about suicides in their family. For those few women who spoke at the hearing and who were disturbed by my show of support for women who choose to defend themselves with a firearm rather than to seek to disarm the populous, I do apologize, but for the vast majority of women who with their filthy language called me every name in the book and those reporters who did not take the time to ascertain the facts before condemning myself and my colleagues, I will not apologize and I will continue to support all citizens who act responsibly whether or not I agree with them. Thank you.

RECESS MOTION

Rep. Porter 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 6:05 p.m.

RECESS

(Rep. Weber in the Chair)

SENATE MESSAGES**CONCURRENCE**

HB 453, making changes to the membership of the state house bicentennial commission, declaring June 2 - June 8 as New Hampshire State House Bicentennial Week, and declaring June 6 as New Hampshire Legislators' Homecoming Day.

ENROLLED BILL REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bill numbered 453.
Rep. Wall, Sen. Soucy for the Committee

RECESS

(Rep. Petrigno in the Chair)

RESOLUTION

Rep. Carson offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, Senate Bills numbered 86, 119, 178, 180, 225, 232 and 255 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 86, establishing a commission to study programs for serving individuals with certain developmental and mental health disabilities. (Health, Human Services and Elderly Affairs)

SB 119, directing hospitals to develop an operational plan for the care of patients with dementia. (Health, Human Services and Elderly Affairs)

SB 178, relative to telemedicine for spectacle and contact lenses. (Health, Human Services and Elderly Affairs)

SB 180, relative to privileged communications under the law governing mental health practice. (Health, Human Services and Elderly Affairs)

SB 225-FN, adding physician assistants to certain New Hampshire laws. (Health, Human Services and Elderly Affairs)

SB 232-FN, adopting the model psychology interjurisdictional compact. (Health, Human Services and Elderly Affairs)

SB 255-FN, relative to dementia training for direct care staff in residential facilities and community-based settings. (Health, Human Services and Elderly Affairs)

RECESS