



State of
New Hampshire

HOUSE RECORD

Second Year of the 166th General Court Calendar and Journal of the 2020 Session

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Vol. 42

Concord, N.H.

Thursday, January 9, 2020

No. 2

HOUSE JOURNAL NO. 1 (Cont'd)

Wednesday, January 8, 2020

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

HOUSE JOURNAL NO. 2

Thursday, January 9, 2020

The House assembled at 10:00 a.m., the hour to which it stood adjourned, and was called to order by the Speaker.
Prayer was offered by House Chaplain, Reverend Kate Atkinson, Rector of St. Paul's Church in Concord.

A Prayer for Sound Government

from the Book of Common Prayer of The Episcopal Church

O Lord our Governor, bless the leaders of our land, that we may be a people at peace among ourselves and a blessing to other nations of the earth. To the President and members of the Cabinet, to Governors of States - especially Governor Sununu, to Mayors of Cities - especially Mayor Bouley, and to all in administrative authority, grant wisdom and grace in the exercise of their duties. To Senators and Representatives - especially Speaker Shurtleff and members of this House, and to all those who make our laws in States, Cities, and Towns, give courage, wisdom, and foresight to provide for the needs of all our people, and to fulfill our obligations in the community of nations. To the Judges and officers of our Courts give understanding and integrity, that human rights may be safeguarded and justice served. And finally, teach our people to rely on Your strength and to accept their responsibilities to their fellow citizens, that they may elect trustworthy leaders and make wise decisions for the well-being of our society; that we may serve You faithfully in our generation and honor Your Holy Name. Amen.

Representative Casey Conley, member from Dover, led the Pledge of Allegiance.

The National Anthem was sung by The Seacoast Men of Harmony, Dover Chapter of the Barbershop Harmony Society. Members include Leo Ouellette singing lead, Bob Foulks singing bass, Gary Wilbur singing baritone and Dick Ferraro singing tenor.

LEAVES OF ABSENCE

Reps. Steven Beaudoin, Burns, Martin, Meader, Nutter-Upham, Nutting-Wong, Plumer, Radhakrishnan, Roy and Warner, the day, illness.

Reps. Espitia, Hall, Harrington, Komi, Lang, Richards, Rooney, Southworth, Tatro, Verville and Webb, the day, important business.

Reps. L'Heureux and McMahon, the day, illness in the family.

INTRODUCTION OF GUESTS

Elizabeth Thomas and Michelle Barrette, wife and guest of Rep. Doug Thomas. Hillel Stavis and Donna Friedman, brother and sister-in-law of Rep. Stavis.

MOTION TO SUSPEND HOUSE RULES

Reps. Goley and McGuire moved that House Rules be so far suspended as to permit late drafting and introduction of a bill relative to ratification of amendments to the state building code.

Rep. Goley spoke in favor.

Motion adopted by the necessary two-thirds vote.

**REGULAR CALENDAR CONT'D FROM
JANUARY 8, 2020**

HB 731-FN, relative to the minimum hourly rate. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Linda DiSilvestro for the Majority of Labor, Industrial and Rehabilitative Services. This legislation brings New Hampshire from a no-minimum wage state to a \$10.00 an hour minimum wage state; a modest increase of \$2.75 from the national minimum wage. The increase starts January 1, 2021 with a four-year time frame to increase the minimum wage to \$13 per hour, effective January 1, 2024. The bill will put back the 50% base rate of tipped wages which is currently at 45%. The youth hourly rate will be \$1.00 less than the minimum wage starting at \$10.00. This bill has New Hampshire moving forward with our employers and employees in mind to make New Hampshire a more desirable place to live, work, and start new business. Vote 11-6.

Rep. Jack Flanagan for the Minority of Labor, Industrial and Rehabilitative Services. This bill confuses a livable wage with minimum wage. It creates reduced hours and automation, moving business and manufacturing out of the country. It also makes obtaining work for first time workers more difficult. A similar bill was vetoed by the Governor that had even lower increases.

Majority Amendment (2767h)

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

AN ACT establishing a state minimum wage and providing for adjustments to the minimum wage.

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:**

\$10 per hour effective January 1, 2021.

\$11 per hour effective January 1, 2022.

\$12 per hour effective January 1, 2023.

\$13 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:

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, 2021.

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.

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

Rep. Kanzler offered floor amendment (2897h).

Floor Amendment (2897h)

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 at an hourly rate lower than **\$10 or** that set forth in the federal minimum wage law, as amended. 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 percent of the applicable minimum wage. 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 for all hours worked, the employer shall pay the employee the difference to guarantee the applicable minimum wage. The limitations imposed hereby shall be subject to the following exceptions:

2 Effective Date. This act shall take effect January 1, 2021.

AMENDED ANALYSIS

This bill establishes a state minimum hourly rate.

Rep. Kanzler spoke in favor.

Rep. Conley spoke against.

Rep. Baldasaro requested a roll call; sufficiently seconded.

YEAS 189 - NAYS 170

YEAS - 189

BELKNAP

Aldrich, Glen
Jurius, Deanna
Varney, Peter

Comtois, Barbara
Mackie, Jonathan
Viens, Harry

Feeney, George
Beaudoin, Richard

Fields, Dennis
Spanos, Peter

CARROLL

Burroughs, Anita
Kanzler, Harrison
Woodcock, Stephen

Butler, Edward
MacDonald, John

Crawford, Karel
Marsh, William

DesMarais, Edith
Nelson, Bill

CHESHIRE

Bordenet, John
Parkhurst, Henry

Ley, Douglas

Mann, John

O'Day, John

COOS

Hatch, William

Noel, Henry

Tucker, Edith

Thomas, Yvonne

GRAFTON

Dontonville, Roger
Ladd, Rick
Osborne, Richard

Egan, Timothy
Massimilla, Linda
Stavis, Laurel

French, Elaine
Migliore, Vincent Paul
Stringham, Jerry

Gordon, Edward
Mulligan, Mary Jane
Weston, Joyce

HILLSBOROUGH

Lekas, Alicia
Boehm, Ralph
Cote, David
Gagne, Larry
Greene, Bob
Hinch, Richard
Klee, Patricia
McGhee, Kat
Mullen, Sue
Pickering, Daniel
Proulx, Mark
Newman, Sue
Lekas, Tony
Williams, Kermit

Griffin, Barbara
Camarota, Linda
Dargie, Paul
Goley, Jeffrey
Griffith, Willis
Hopper, Gary
Ober, Lynne
McLean, Mark
Notter, Jeanine
Piedra, Israel
Newman, Ray
Sofikitis, Catherine
Toomey, Dan
Woodbury, David

Baroody, Benjamin
Connors, Erika
DiSilvestro, Linda
Gould, Linda
Hamer, Heidi
Jeudy, Jean
Mangipudi, Latha
Merlino, Timothy
Panasiti, Reed
Plett, Fred
Renzullo, Andrew
Somero, Paul
Warden, Mark

Barry, Richard
Cornell, Patricia
Flanagan, Jack
Graham, John
Heath, Mary
King, Mark
Marzullo, JP
Mombourquette, Donna
Petrigno, Peter
Porter, Marjorie
Riel, Cole
St. John, Michelle
Whittemore, James

MERRIMACK

Allard, James
Hill, Gregory
Moffett, Howard
Saunderson, George
Walsh, Thomas

Carson, Clyde
Klose, John
Pearl, Howard
Soucy, Timothy
Wells, Kenneth

Ebel, Karen
Kotowski, Frank
Pimentel, Roderick
Testerman, Dave
Wolf, Dan

Forsythe, Robert
MacKay, James
Rodd, Beth
Turcotte, Alan

ROCKINGHAM

Abbas, Daryl
Baldasaro, Al
Coursin, David
Dolan, Tom
Fowler, William
Grote, Jaci
Hoelzel, Kathleen
Khan, Aboul
Lovejoy, Patricia
Malloy, Dennis
O'Connor, John
Potucek, John
Spillane, James
Welch, David

Abrami, Patrick
Barnes, Arthur
Davis, Dan
Doucette, Fred
Gay, Betty
Guthrie, Joseph
Osborne, Jason
Kolodziej, Walter
Lundgren, David
McKinney, Betsy
Owens, Becky
Pratt, Kevin
Torosian, Peter
Weyler, Kenneth

Abramson, Max
Bushway, Patricia
Thomas, Douglas
Eisner, Mary
Gilman, Julie
Harb, Robert
Janigian, John
Le, Tamara
Griffin, Mary
Melvin, Charles
Packard, Sherman
Prudhomme-O'Brien, Katherine
True, Chris

Acton, Dennis
Chirichiello, Brian
DeClercq, Edward
Elliott, Robert
Green, Dennis
Hobson, Deborah
Katsakiores, Phyllis
Love, David
Pearson, Mark
Milz, David
Pantelakos, Laura
Pearson, Stephen
Vose, Michael

STRAFFORD

Bixby, Peter
Hayward, Peter
Opderbecke, Linn
Towne, Matthew

Fargo, Kristina
Keans, Sandra
Schmidt, Peter
Vincent, Kenneth

Fontneau, Timothy
Kittredge, Mac
Rich, Cecilia
Wall, Janet

Gourgue, Amanda
Smith, Marjorie
Salloway, Jeffrey
Wuelper, Kurt

SULLIVAN

Aron, Judy
Smith, Steven

Callum, John
Tanner, Linda

Lucas, Gates

Stapleton, Walter

NAYS - 170**BELKNAP**

Bean, Harry
Sylvia, Michael

Howard, Raymond
Tilton, Franklin

Huot, David

St. Clair, Charlie

CARROLL

Avellani, Lino
Knirk, Jerry

Buco, Thomas
Ticehurst, Susan

Comeau, Ed

Cordelli, Glenn

CHESHIRE

Abbott, Michael
Fenton, Donovan
Morrill, David
Von Plinsky, Sparky

Ames, Richard
Gomarlo, Jennie
Schapiro, Joe
Pearson, William

Berch, Paul
Harvey, Cathryn
Swinburne, Sandy
Weber, Lucy

Faulkner, Barry
Hunt, John
Thompson, Craig

COOS

Craig, Kevin
Moynihan, Wayne

Furbush, Michael

Laflamme, Larry

Merner, Troy

GRAFTON

Abel, Richard
Diggs, Francesca
Josephson, Timothy
Ruprecht, Dennis

Adjutant, Joshua
Fellows, Sallie
Maes, Kevin
Smith, Suzanne

Almy, Susan
Ford, Susan
Muscatel, Garrett
Sykes, George

Campion, Polly
Hennessey, Erin
Nordgren, Sharon

HILLSBOROUGH

Alexander, Joe
Balch, Chris
Bordy, William
Chretien, Jacqueline
Erf, Keith
Gidge, Kenneth
Schmidt, Janice
Lascelles, Richard
Nunez, Hershel
Ober, Russell
Stevens, Deb
Vail, Suzanne
Wilhelm, Matthew

Bouldin, Amanda
Beaulieu, Jane
Bosman, James
Cleaver, Skip
Davis, Fred
Gunski, Michael
Jack, Martin
Long, Patrick
Pedersen, Michael
Rice, Kimberly
Smith, Timothy
Van Houten, Constance

Bouldin, Andrew
Bergeron, Paul
Bouchard, Donald
Cohen, Bruce
Fedolli, Jim
Herbert, Christopher
Klein-Knight, Nicole
Murray, Megan
Prout, Andrew
Rung, Rosemarie
Telerski, Laura
Vann, Ivy

Backus, Robert
Bernet, Jennifer
Burt, John
Dutzy, Sherry
Freitas, Mary
Indruk, Greg
Langley, Diane
Murphy, Nancy
Query, Joshua
Stack, Kathryn
Ulery, Jordan
Thomas, Wendy

MERRIMACK

Bartlett, Christy
Fox, Samantha
Lane, Connie
Myler, Mel
Schultz, Kristina
Wazir, Safiya

Buchanan, Ryan
Fulweiler, Joyce
Luneau, David
Rogers, Katherine
Seaworth, Brian
Woods, Gary

Doherty, David
Horn, Werner
McGuire, Carol
Schamberg, Thomas
Wallner, Mary Jane
Yakubovich, Michael

Ellison, Arthur
Karrick, David
McWilliams, Rebecca
Schuett, Dianne
Walz, Mary Beth

ROCKINGHAM

Altschiller, Debra
Cahill, Michael
Desilets, Joel
Grossman, Gaby
Maggiore, Jim
Meuse, David
Sytek, John

Berrien, Skip
Cali-Pitts, Jacqueline
DiLorenzo, Charlotte
Janvrin, Jason
Major, Norman
Piemonte, Tony
Vallone, Mark

Bershtein, Alan
Costable, Michael
Edgar, Michael
Murray, Kate
McBeath, Rebecca
Read, Ellen
Ward, Gerald

Bunker, Lisa
Cushing, Robert Renny
Edwards, Jess
Loughman, Tom
McConnell, Liz
Somssich, Peter
Yokela, Josh

STRAFFORD

Cannon, Gerri
Frost, Sherry
Horrigan, Timothy
Pitre, Joseph

Chase, Wendy
Grassie, Chuck
Kenney, Cam
Sandler, Catt

Conley, Casey
Higgins, Peg
Levesque, Cassandra
Spang, Judith

Ellis, Donna
Horgan, James
Perreault, Mona
Treleaven, Susan

SULLIVAN

Cloutier, John
Oxenham, Lee

Laware, Thomas
Rollins, Skip

Merchant, Gary
Sullivan Brian

O'Hearne, Andrew

and floor amendment (2897h) was adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.
Rep. Schultz offered floor amendment (0024h).

Floor Amendment (0024h)

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

1 Minimum Wage Law; Minimum Hourly Rate. Amend the introductory paragraph in RSA 279:21 to read as follows:

Unless otherwise provided by statute, no person, firm, or corporation shall employ any employee at an hourly rate lower than that set forth in the federal minimum wage law, as amended, **or at an hourly rate as follows, whichever is higher:**

\$8.50 per hour effective through December 31, 2020.

\$10.60 per hour effective January 1, 2021.

\$11.70 per hour effective January 1, 2022.

\$12.80 per hour effective January 1, 2023.

\$13.90 per hour effective January 1, 2024, and

\$15 per hour effective January 1, 2025 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**.

Beginning January 1, 2026, and each January 1 thereafter, the minimum hourly rate for employees and the base rate for tipped employees shall be adjusted according to the increase in the cost of living according to the Northeast consumer price index as determined by the Bureau of Labor Statistics, United States Department of Labor. The adjustment to the minimum hourly rate for employees and the base rate for tipped employees shall not decrease either rate. The limitations imposed hereby shall be subject to the following exceptions:

2 Applicability. The \$8.50 hourly rate specified in section 1 of this act shall be applicable and enforceable beginning 60 days after the effective date of this act.

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

AMENDED ANALYSIS

This bill increases the minimum hourly rate over the next 5 years; increases the base rate for tipped employees; and adjusts the rate annually based on the consumer price index.

Rep. Schultz spoke in favor.

Rep. Flanagan spoke against and yielded to questions.

Rep. Baldasaro requested a roll call; sufficiently seconded.

YEAS 189 - NAYS 177

YEAS - 189

BELKNAP

Huot, David

CARROLL

Burroughs, Anita

DesMarais, Edith

Knirk, Jerry

Woodcock, Stephen

CHESHIRE

Abbott, Michael

Ames, Richard

Berch, Paul

Bordenet, John

Eaton, Daniel

Faulkner, Barry

Fenton, Donovan

Gomarlo, Jennie

Harvey, Cathryn

Ley, Douglas

Mann, John

Morrill, David

Parkhurst, Henry

Schapiro, Joe

Swinburne, Sandy

Thompson, Craig

Von Plinsky, Sparky

Pearson, William

Weber, Lucy

COOS

Hatch, William

Laflamme, Larry

Moynihan, Wayne

Thomas, Yvonne

GRAFTON

Abel, Richard

Adjutant, Joshua

Almy, Susan

Campion, Polly

Diggs, Francesca

Dontonville, Roger

Egan, Timothy

Fellows, Sallie

Ford, Susan
Mulligan, Mary Jane
Ruprecht, Dennis
Weston, Joyce

French, Elaine
Muscatel, Garrett
Stavis, Laurel

Josephson, Timothy
Nordgren, Sharon
Smith, Suzanne

Maes, Kevin
Osborne, Richard
Sykes, George

HILLSBOROUGH

Bouldin, Amanda
Baroody, Benjamin
Bosman, James
Cohen, Bruce
Davis, Fred
Griffith, Willis
Indruk, Greg
King, Mark
Leishman, Peter
McGhee, Kat
Pedersen, Michael
Porter, Marjorie
Newman, Sue
Stack, Kathryn
Vail, Suzanne
Wilhelm, Matthew

Bouldin, Andrew
Beaulieu, Jane
Bouchard, Donald
Cornell, Patricia
Freitas, Mary
Hamer, Heidi
Schmidt, Janice
Klee, Patricia
Long, Patrick
Mombourquette, Donna
Petrigno, Peter
Query, Joshua
Snow, Kendall
Stevens, Deb
Van Houten, Constance

Backus, Robert
Bernet, Jennifer
Chretien, Jacqueline
Cote, David
Gidge, Kenneth
Heath, Mary
Jack, Martin
Klein-Knight, Nicole
Murray, Megan
Murphy, Nancy
Pickering, Daniel
Newman, Ray
Sofikitis, Catherine
Smith, Timothy
Vann, Ivy

Balch, Chris
Bordy, William
Cleaver, Skip
Dutzy, Sherry
Goley, Jeffrey
Herbert, Christopher
Judy, Jean
Langley, Diane
Mangipudi, Latha
O'Brien, Michael
Piedra, Israel
Riel, Cole
St. John, Michelle
Tellerski, Laura
Thomas, Wendy

MERRIMACK

Bartlett, Christy
Ebel, Karen
Lane, Connie
Moffett, Howard
Saunderson, George
Soucy, Timothy
Wazir, Safiya

Buchanan, Ryan
Ellison, Arthur
Luneau, David
Myler, Mel
Schamberg, Thomas
Turcotte, Alan
Woods, Gary

Carson, Clyde
Fox, Samantha
MacKay, James
Rodd, Beth
Schuett, Dianne
Wallner, Mary Jane

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

ROCKINGHAM

Altschiller, Debra
Cushing, Robert Renny
Gay, Betty
Le, Tamara
McConnell, Liz
Somssich, Peter

Berrien, Skip
DiLorenzo, Charlotte
Gilman, Julie
Loughman, Tom
Meuse, David
Vallone, Mark

Bunker, Lisa
Edgar, Michael
Grossman, Gaby
Maggiore, Jim
Pantelakos, Laura
Ward, Gerald

Cali-Pitts, Jacqueline
Elliott, Robert
Murray, Kate
McBeath, Rebecca
Read, Ellen

STRAFFORD

Bixby, Peter
Ellis, Donna
Gourgue, Amanda
Keans, Sandra
Opderbecke, Linn
Sandler, Catt
Wall, Janet

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

Chase, Wendy
Fontneau, Timothy
Higgins, Peg
Levesque, Cassandra
Rich, Cecilia
Towne, Matthew

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

Cloutier, John
Tanner, Linda

O'Hearne, Andrew

Oxenham, Lee

Sullivan Brian

NAYS - 177

BELKNAP

Aldrich, Glen
Fields, Dennis
Beaudoin, Richard
Tilton, Franklin

Bean, Harry
Howard, Raymond
Spanos, Peter
Varney, Peter

Comtois, Barbara
Jurius, Deanna
St. Clair, Charlie
Viens, Harry

Feeney, George
Mackie, Jonathan
Sylvia, Michael

CARROLL

Avellani, Lino
Cordelli, Glenn
Marsh, William

Buco, Thomas
Crawford, Karel
Nelson, Bill

Butler, Edward
Kanzler, Harrison
Ticehurst, Susan

Comeau, Ed
MacDonald, John

CHESHIRE

Hunt, John

O'Day, John

COOS

Craig, Kevin
Tucker, Edith

Furbush, Michael

Merner, Troy

Noel, Henry

GRAFTON

Gordon, Edward
Migliore, Vincent Paul

Hennessey, Erin
Stringham, Jerry

Ladd, Rick

Massimilla, Linda

HILLSBOROUGH

Lekas, Alicia
Bergeron, Paul
Connors, Erika
Erf, Keith
Gould, Linda
Hinch, Richard
Marzullo, JP
Notter, Jeanine
Proulx, Mark
Rice, Kimberly
Toomey, Dan
Williams, Kermit

Alexander, Joe
Boehm, Ralph
Danielson, David
Fedolff, Jim
Graham, John
Hopper, Gary
McLean, Mark
Nunez, Hershel
Prout, Andrew
Rung, Rosemarie
Ulery, Jordan
Woodbury, David

Griffin, Barbara
Burt, John
Dargie, Paul
Flanagan, Jack
Greene, Bob
Ober, Lynne
Merlino, Timothy
Panasiti, Reed
Ober, Russell
Somero, Paul
Warden, Mark

Barry, Richard
Camarota, Linda
DiSilvestro, Linda
Gagne, Larry
Gunski, Michael
Lascelles, Richard
Mullen, Sue
Plett, Fred
Renzullo, Andrew
Lekas, Tony
Whitemore, James

MERRIMACK

Allard, James
Horn, Werner
Pearl, Howard
Walsh, Thomas

Forsythe, Robert
Klose, John
Pimentel, Roderick
Wells, Kenneth

Fulweiler, Joyce
Kotowski, Frank
Seaworth, Brian
Wolf, Dan

Hill, Gregory
McGuire, Carol
Testerman, Dave
Yakubovich, Michael

ROCKINGHAM

Abbas, Daryl
Baldasaro, Al
Cahill, Michael
Davis, Dan
DeSimone, Debra
Eisner, Mary
Guthrie, Joseph
Osborne, Jason
Khan, Aboul
Lundgren, David
Malloy, Dennis
O'Connor, John
Potucek, John
Spillane, James
Vose, Michael
Yokela, Josh

Abrami, Patrick
Barnes, Arthur
Chirichiello, Brian
Thomas, Douglas
Dolan, Tom
Fowler, William
Harb, Robert
Janigian, John
Kolodziej, Walter
Griffin, Mary
McKinney, Betsy
Owens, Becky
Pratt, Kevin
Sytek, John
Wallace, Scott

Abramson, Max
Bershtein, Alan
Costable, Michael
DeClercq, Edward
Doucette, Fred
Green, Dennis
Hobson, Deborah
Janvrin, Jason
Love, David
Pearson, Mark
Melvin, Charles
Packard, Sherman
Prudhomme-O'Brien, Katherine
Torosian, Peter
Welch, David

Acton, Dennis
Bushway, Patricia
Coursin, David
Desilets, Joel
Edwards, Jess
Grote, Jaci
Hoelzel, Kathleen
Katsakiores, Phyllis
Lovejoy, Patricia
Major, Norman
Milz, David
Piemonte, Tony
Pearson, Stephen
True, Chris
Weyler, Kenneth

STRAFFORD

Hayward, Peter
Pitre, Joseph

Horgan, James
Vincent, Kenneth

Kittredge, Mac
Wuelper, Kurt

Perreault, Mona

SULLIVAN

Aron, Judy
Merchant, Gary

Callum, John
Rollins, Skip

Laware, Thomas
Stapleton, Walter

Lucas, Gates
Smith, Steven

and floor amendment (0024h) was adopted.

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

Rep. Mackie spoke against.

Rep. Sullivan spoke in favor.

Rep. Baldasaro requested a roll call; sufficiently seconded.

YEAS 212 - NAYS 155

YEAS - 212

BELKNAP

Huot, David

St. Clair, Charlie

CARROLL

Burroughs, Anita
Woodcock, Stephen

DesMarais, Edith

Knirk, Jerry

Ticehurst, Susan

CHESHIRE

Abbott, Michael
Eaton, Daniel
Harvey, Cathryn
Parkhurst, Henry
Von Plinsky, Sparky

Ames, Richard
Faulkner, Barry
Ley, Douglas
Schapiro, Joe
Pearson, William

Berch, Paul
Fenton, Donovan
Mann, John
Swinburne, Sandy
Weber, Lucy

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

COOS

Hatch, William
Thomas, Yvonne

Laflamme, Larry

Moynihan, Wayne

Tucker, Edith

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
Dutzy, Sherry
Goley, Jeffrey
Heath, Mary
Jack, Martin
Klein-Knight, Nicole
Murray, Megan
Mullen, Sue
Petrigno, Peter
Query, Joshua
Newman, Sue
Stack, Kathryn
Toomey, Dan
Thomas, Wendy

Bouldin, Andrew
Beaulieu, Jane
Bosman, James
Cohen, Bruce
Davis, Fred
Griffith, Willis
Herbert, Christopher
Judy, Jean
Langley, Diane
Mangipudi, Latha
Murphy, Nancy
Pickering, Daniel
Newman, Ray
Snow, Kendall
Stevens, Deb
Vail, Suzanne
Wilhelm, Matthew

Backus, Robert
Bergeron, Paul
Bouchard, Donald
Cornell, Patricia
Freitas, Mary
Hamer, Heidi
Indruk, Greg
King, Mark
Leishman, Peter
McGhee, Kat
O'Brien, Michael
Piedra, Israel
Riel, Cole
Sofikitis, Catherine
Smith, Timothy
Van Houten, Constance
Williams, Kermit

Balch, Chris
Bernet, Jennifer
Chretien, Jacqueline
Cote, David
Gidge, Kenneth
Harriott-Gathright, Linda
Schmidt, Janice
Klee, Patricia
Long, Patrick
Mombourquette, Donna
Pedersen, Michael
Porter, Marjorie
Rung, Rosemarie
St. John, Michelle
Telerski, Laura
Vann, Ivy
Woodbury, David

MERRIMACK

Bartlett, Christy
Ebel, Karen
Karrick, David
McWilliams, Rebecca
Rodd, Beth
Schuett, Dianne
Wallner, Mary Jane
Woods, Gary

Buchanan, Ryan
Ellison, Arthur
Lane, Connie
Moffett, Howard
Rogers, Katherine
Schultz, Kristina
Walz, Mary Beth

Carson, Clyde
Fox, Samantha
Luneau, David
Myler, Mel
Saunderson, George
Soucy, Timothy
Wazir, Safiya

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

ROCKINGHAM

Altschiller, Debra
Cahill, Michael
DiLorenzo, Charlotte
Gay, Betty
Murray, Kate
Maggiore, Jim
Meuse, David
Vallone, Mark

Berrien, Skip
Cali-Pitts, Jacqueline
Edgar, Michael
Gilman, Julie
Le, Tamara
Malloy, Dennis
Pantelakos, Laura
Ward, Gerald

Bunker, Lisa
Coursin, David
Eisner, Mary
Grossman, Gaby
Loughman, Tom
McBeath, Rebecca
Read, Ellen

Bushway, Patricia
Cushing, Robert Renny
Elliott, Robert
Grote, Jaci
Lovejoy, Patricia
McConnell, Liz
Somssich, Peter

STRAFFORD

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

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

Chase, Wendy
Fontneau, Timothy
Higgins, Peg
Levesque, Cassandra
Rich, Cecilia
Towne, Matthew

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

SULLIVAN

Cloutier, John
Sullivan, Brian

Merchant, Gary
Tanner, Linda

O'Hearne, Andrew

Oxenham, Lee

NAYS - 155**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
Mackie, Jonathan
Tilton, Franklin

CARROLL

Avellani, Lino
Cordelli, Glenn
Marsh, William

Buco, Thomas
Crawford, Karel
Nelson, Bill

Butler, Edward
Kanzler, Harrison

Comeau, Ed
MacDonald, John

CHESHIRE

Hunt, John

O'Day, John

COOS

Craig, Kevin

Furbush, Michael

Merner, Troy

Noel, Henry

GRAFTON

Gordon, Edward
Migliore, Vincent Paul

Hennessey, Erin

Ladd, Rick

Massimilla, Linda

HILLSBOROUGH

Lakas, Alicia
Boehm, Ralph
Danielson, David
Fedolfi, Jim
Graham, John
Hopper, Gary
McLean, Mark
Panasiti, Reed
Ober, Russell
Lakas, Tony

Alexander, Joe
Burt, John
Dargie, Paul
Flanagan, Jack
Greene, Bob
Ober, Lynne
Merlino, Timothy
Plett, Fred
Renzullo, Andrew
Ulery, Jordan

Griffin, Barbara
Camarota, Linda
DiSilvestro, Linda
Gagne, Larry
Gunski, Michael
Lascelles, Richard
Notter, Jeanine
Proulx, Mark
Rice, Kimberly
Warden, Mark

Barry, Richard
Connors, Erika
Erf, Keith
Gould, Linda
Hinch, Richard
Marzullo, JP
Nunez, Hershel
Prout, Andrew
Somero, Paul
Whittemore, James

MERRIMACK

Allard, James
Klose, John
Seaworth, Brian
Yakubovich, Michael

Forsythe, Robert
Kotowski, Frank
Testerman, Dave

Hill, Gregory
McGuire, Carol
Walsh, Thomas

Horn, Werner
Pearl, Howard
Wolf, Dan

ROCKINGHAM

Abbas, Daryl
Baldasaro, Al
Costable, Michael
Desilets, Joel
Edwards, Jess
Harb, Robert
Janigian, John
Kolodziej, Walter
Pearson, Mark
Milz, David
Piemonte, Tony
Pearson, Stephen
True, Chris
Weyler, Kenneth

Abrami, Patrick
Barnes, Arthur
Davis, Dan
DeSimone, Debra
Fowler, William
Hobson, Deborah
Janvrin, Jason
Love, David
Major, Norman
O'Connor, John
Potucek, John
Spillane, James
Vose, Michael
Yokela, Josh

Abramson, Max
Bershtein, Alan
Thomas, Douglas
Dolan, Tom
Green, Dennis
Hoelzel, Kathleen
Katsakiores, Phyllis
Lundgren, David
McKinney, Betsy
Owens, Becky
Pratt, Kevin
Sytek, John
Wallace, Scott

Acton, Dennis
Chirichello, Brian
DeClercq, Edward
Doucette, Fred
Guthrie, Joseph
Osborne, Jason
Khan, Aboul
Griffin, Mary
Melvin, Charles
Packard, Sherman
Prudhomme-O'Brien, Katherine
Torosian, Peter
Welch, David

STRAFFORD

Hayward, Peter
Pitre, Joseph

Horgan, James
Wuelper, Kurt

Kittredge, Mac

Perreault, Mona

SULLIVAN

Aron, Judy
Rollins, Skip

Callum, John
Stapleton, Walter

Laware, Thomas
Smith, Steven

Lucas, Gates

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

MOTION TO PRINT DEBATE

Rep. McBeath moved that the debate on **HB 731-FN**, establishing a state minimum wage and providing for adjustments to the minimum wage, be printed in the Permanent Journal.

Motion adopted.

DEBATE ON HB 731-FN

Speaker Shurtleff: Rep. Kanzler moves floor amendment (2897h). The Chair recognizes the member from North Conway, Rep. Kanzler, to speak to his amendment.

Representative Kanzler: Thank you, I will try to keep this quick. We did a lot of discussing on the minimum wage bill. We had several hearings on it because we had several bills and I've had a lot of discussions with my colleagues across the aisle as well as in the other body. In talks I've had one thing became pretty clear

to me which is that there aren't too, too many people who are opposed to a minimum wage. What they are opposed to is something that is going to upend potentially the economic status that we see right now in our state. In those discussions I have heard the idea of \$10 an hour being proposed by some of my colleagues as being the economic minimum that we see now. It is the effective minimum wage based on what we see in the state. If we put forward a minimum wage of \$10, we are setting the bar there. We are establishing that most businesses are already paying this and we are not going to cause any detriment to most businesses that we see as well as giving some benefit to those who are potentially being predatorially employed at a wage that is substandard to what our economy has set. So I encourage you to please vote for this amendment. I think that it will do a lot for businesses. I think it will do a lot for employees and I think it will put us on the right foot to having an established minimum wage in the State of New Hampshire. Thank you.

Speaker Shurtleff: The Chair recognizes the member from Dover, Rep. Conley to speak against the recommendation.

Representative Conley: Thank you, Mister Speaker. Colleagues, I rise today in opposition to the proposal to raise the minimum wage but only to \$10 an hour. This proposal is well intended but it amounts to an unconditional and unnecessary compromise in the fight for a living wage. When the clock struck midnight on New Year's Day, the minimum wage went up in Maine, went up in Massachusetts and it went up in Vermont. In Maine, the lowest hourly wage is \$12 an hour and in Vermont it's \$10.96 and in Massachusetts it's \$12.75. Here in New Hampshire, of course, it's \$7.25 but if this measure were to pass, New Hampshire would still have the lowest minimum wage of any surrounding state. I ask why New Hampshire workers should earn less for their labor than the same people in corresponding states. Last year this body approved an incremental increase in minimum wage to \$12. We all know what happened next and there is no reason to believe a \$10 an hour wage would have any different outcome. The reality is that we can control only what we do in this chamber. I ask for supporters of a minimum wage to support a wage that you truly believe in. New Hampshire workers deserve fair pay for their labor. They deserve a paycheck that meets the basic needs for themselves and their families. Based on that premise, \$13 or even \$15 already amounts to a compromise. Even so, both would represent an important first step and one that I hope you will support. So with that I urge you to oppose this amendment and press the red button. Thank you.

Speaker Shurtleff: Rep. Baldasaro has asked for a roll call vote. Is that sufficiently seconded? It is sufficiently seconded. This will be a roll call vote. Members will kindly take their seats. The question before the House is the motion to adopt floor amendment (2897h). This will be a roll call vote. The Chair recognizes Rep. Adjutant for a parliamentary inquiry.

Representative Adjutant: Thank you, Mister Speaker. Mister Speaker, if I know that it was the great President Franklin Delano Roosevelt who created the minimum wage, who said that it was meant to be not bare sustenance, but a decent standard of living and \$10 an hour is not that. If I know that putting money in the hands of spenders instead of savers and speculators will reverse our trend toward a second gilded age and stimulate our economy and \$10 an hour will not do that. And, lastly Mister Speaker if I know that all of my colleagues deserve the opportunity to vote unanimously on \$15 an hour because I hope they will agree with me...

Speaker Shurtleff: Will the member suspend? That other issue is not before the floor. You are here for a parliamentary inquiry on the amendment we are actually voting on. You may proceed.

Representative Adjutant: Let me rephrase that.

Speaker Shurtleff: Please do.

Representative Adjutant: If I know that we must defeat this amendment so that other amendments may be made because all of my colleagues deserve the opportunity to potentially vote on those amendments because I hope they will agree with me that it is wrong for businesses that can afford to pay a living wage to have become so use to government being a means to their bottom line that they can push all their overworked and..

Speaker Shurtleff: The member will suspend. This is a parliamentary inquiry. I don't want to give the member a hard time, but we know in this body we have a form in which parliamentary inquiries are made and you have kind of strayed off that a couple of times and so hopefully you are close to wrapping this up.

Representative Adjutant: I am Mister Speaker.

Speaker Shurtleff: I thank the member for his cooperation.

Representative Adjutant: Mister Speaker, if I know that or if I believe that it is wrong for businesses to push their overworked and underpaid employees.

Speaker Shurtleff: Member will suspend. You cannot make a broad statement about businesses in the State of New Hampshire. We are very proud of the businesspeople in this community. I have had nobody come to me personally and say that they feel their employer is overworking them and underpaying them. If anybody is underpaid it is all of us here in this chamber. If you want to talk about the underpaid in the New Hampshire Legislature you may have some merit there, but to make a broad statement that denigrates New Hampshire businesses is not appropriate on this floor.

Representative Adjutant: Okay, Mister Speaker, if I know that nobody can live on \$10 an hour and that's wrong, would I now press the red button? Thank you.

Speaker Shurtleff: The question before the House is the motion to adopt floor amendment (2897h). The Chair recognizes Rep. Kanzler for a parliamentary inquiry.

Representative Kanzler: Thank you, Mister Speaker. Mister Speaker, if I know that we will all get a chance to vote on the next amendment regardless of how we vote on this one. And, if I also know that mandating multi-year increases to a minimum wage without allowing time in between those raises to assess how it's impacting our economy and make sure we are doing the right thing for everyone in New Hampshire. And, further Mister Speaker, if I know that I am up here representing not only Democrats but Republicans as well and that regardless as to my political affiliation, I need to take everyone's thoughts into consideration, would I now press the green button and vote in favor of this amendment? Thank you.

Speaker Shurtleff: This will be a roll call vote. The question before the House is the adoption of floor amendment (2897h). If you are in favor of the amendment, you will vote by pressing the green button. If you are opposed, you'll press the red button. Voting stations will be open for 30 seconds. Have all members present had an opportunity to vote? The House will be attentive to the state of the vote. With 189 members voting Yea and 170 members voting Nay, the floor amendment passes. The question now before the House is on the adoption of floor amendment (0024h) which should be in your seat pockets. The Chair recognizes the member from Concord, Rep. Schultz to speak to her amendment.

Representative Schultz: Thank you, Mister Speaker. As some national retailers get to \$15 this year, including Target, too many hardworking Granite Staters get left behind. When you look at the type of jobs earning less than \$15, it's a wide range. It includes personal care aides and even department of transportation workers and other state employees. Thousands of state workers are stuck with low wage full-time jobs while receiving public assistance and some companies even coach their workers and encourage them to go on public assistance. Too many of them have to take second jobs, keeping them away from their families for 60 plus hours a week. Martin Luther King, Jr. said all labor has dignity and yet hardworking people are forced to seek government help while doing all that society asks of them. For all our discussion about personal responsibility that any full-time worker in this state, the Granite State, has to seek public assistance, I find unacceptable. The New Hampshire Fiscal Policy Institute says that even in Coos County a living wage in New Hampshire for two adults and one child is \$53,000. If you factor in medical debts, student loans and let's give them a retirement too, that would get us to \$33 an hour. So \$15 is actually already a compromise even for Coos County. So I hope you'll stand with me and our members of Congress, Annie Kuster and Chris Pappas and support a \$15 minimum wage. Thank you.

Speaker Shurtleff: The question before the House is the adoption of floor amendment (0024h). The Chair recognizes the member from Brookline, Rep. Flannagan, to speak against the amendment.

Representative Flanagan: Thank you, Mister Speaker. Colleagues, isn't amazing how we learn when we spend more and more time here what the right things and the wrong things to do? First of all, this is not our first pass on minimum wage and as we remember Governor Sununu had vetoed a bill that had smaller dollar amounts than what's being referenced on the bill in question that's being amended so let's not forget that. Second of all is the provisions in here talk about an increase based on consumer pricing so that puts another load on our businesses that have to pay the minimum wage to the 1,400 people that are making minimum wage, not including tipped wage employees. They are still classified as minimum wage but they do not make a minimum wage. I had the conversation last night at Tandy's trying to explain to somebody that even though tipped wage people are classified as minimum wage employees, they don't make \$7.25 an hour. I want to just touch a little bit about the \$15 an hour number that is being floated around here and it reminds me of a comment that the Mayor of New York City had said about \$30 pizza on New Year's Eve. Do you all remember that, that they were charging \$30 for a pizza during the New Year's Eve celebration? But New York City has a \$15 an hour pay and since it's not 5 or 6:00, it's after hours so they are making time and a half. So, the people delivering pizzas are making \$22 an hour to say here is your pizza. So, the mayor is upset that this business is charging \$30 for a pizza and I believe one of my colleagues is going to talk about the downside of increasing minimum wage because increased labor cost is one of them and that's a first-hand experience. Of course, my favorite part about talking about minimum wage is one of my favorite fast food restaurants is Panera Bread. I don't know if anybody goes there but there used to be six or seven people working behind the counter at the cash registers. Now there is two and there is four screens that if you want to make your order, you can feel free to make it at the screen. So, if you want to hurt labor and you want to hurt the people making minimum wage, you want to put another nail in the coffin, vote this bill. Thank you, Mister Speaker. Please vote red.

Speaker Shurtleff: Will the member yield to a question? Rep. Horn, you are recognized. No, the other Rep. Horn is recognized. You have to wait your turn. You may inquire.

Representative Horn: Thank you, Mister Speaker and thank you for taking my question. Was there compelling data driven testimony offered during the public hearings to substantiate why a move of the minimum wage should be appropriate at this time?

Representative Flanagan: I thank the Representative for the question. The most driving force and I think you heard it here was it's not a livable wage and I've said before numerous times is that minimum wage is for people that have no skills and that the employer is taking a chance on the employee.

Speaker Shurtleff: Will the member suspend? The member will suspend. I know some of you are new to this chamber. Let me explain what you do when you want to make a point of order. You do not jump up in your seat and start yelling. That's step one. You come down to the well and say Mister Speaker, I wish to make a point of order. Then you state your point of order. Will the member yield to another question?

Representative Flanagan: As I have said to a number of freshmen, both Democrat and Republican, I will be more than happy to take questions.

Speaker Shurtleff: Rep. Klein-Knight you may inquire.

Representative Klein-Knight: Thank you, Speaker. I just want to know what you think a fair wage for someone delivering pizzas on an ice storm, putting their life at risk to feed their families would be?

Representative Flanagan: Thank you for the question. What I think that wage should be is really no barring because the employee...

Speaker Shurtleff: You may proceed.

Representative Flanagan: The amount of money someone makes should not be dictated by somebody in here. It's between the employer and the employee so if we say \$15 an hour and they negotiate \$17, great, but I have nothing to say as it relates to how much somebody's going to be making. Thank you.

Speaker Shurtleff: The question before the House. The House will be in order. The question before the House. Now I'm getting hungry. The question before the House is the motion to adopt floor amendment (0024h). Rep. Baldasaro has requested a roll call vote. Is that sufficiently seconded? It is sufficiently seconded. This will be a roll call vote. Members will kindly take their seats. The question before the House is the motion to adopt floor amendment (0024h). The Chair recognizes Rep. Flanagan for a parliamentary inquiry.

Representative Flanagan: Thank you, Mister Speaker. Mister Speaker, if I know this has been an ongoing debate and we probably not be anywhere close to an agreement. And, Mister Speaker, do I know that only 1,400 people are making minimum wage in the State of New Hampshire, excluding tipped wages. And, if I know this bill has automatic increases, which will make it even harder for businesses in the State of New Hampshire, would I now vote red and vote down this amendment? Thank you, Mister Speaker.

Speaker Shurtleff: The question before the House is the adoption of floor amendment (0024h). The Chair recognizes Rep. Cushing for a parliamentary inquiry.

Representative Cushing: Mister Speaker, if I know that we are becoming a state that is divided between those who are doing very, very well and those who are being left behind. And, if I know that there are 173,000 people in the State of New Hampshire who make less than \$15 an hour. And, if I know that the fight for \$15 is a battle for economic justice and an economy that works for everyone, not just the few, would I now press the green button and establish a \$15 an hour minimum wage?

Speaker Shurtleff: This will be a roll call vote. The question before the House is the adoption of floor amendment (0024h). If you are in favor, you'll press the green button. If you are opposed, you'll press the red button. Voting stations will be open for 15 seconds. Have all members present had an opportunity to vote? The House will be attentive to the state of the vote. With 189 members voting Yea and 177 voting Nay, the motion to adopt (0024h) passes. The question now before the House is on the motion of Ought to Pass as Amended. The Chair recognizes the member from Meredith, Rep. Mackie, to speak against the motion.

Representative Mackie: Thank you, Mister Speaker. I rise in opposition to the committee report as amended of Ought to Pass. An arbitrary minimum wage hurts the people it is supposed to help. A business has two options when faced with higher labor costs, cut the number of employees or cut the number of hours. According to a survey of restaurants in states that recently raised the minimum wage, 64% of them reduced employee hours and 43% eliminated jobs. A study by the Congressional Budget Office on the effects of raising the minimum wage on a national level predicted an increase to \$15 an hour would most likely put 1.3 million Americans out of work. With an unemployment rate hovering around 2.5% and the average statewide wage at just under \$26 an hour and a median household income that is the 4th highest in the nation and has the lowest poverty rate in the nation, what good will raising New Hampshire minimum wage do? Very little good plus some significant damage. While very few people in New Hampshire are paid the current minimum wage, a number of entry level jobs have a pay rate between the current minimum and the proposed new minimum. Employers are willing to take a chance on unskilled and or inexperienced worker if the rate of pay reflects those realities. If the rate of pay is set to a level that is above the value of the skills and experience of the worker, the employer is more likely to look to automation or outsourcing to get the job done. Instead of passing counterproductive minimum wage legislation, we should work to continue to do the things that help deliver a strong economy, lowering the tax burden on employers, cutting regulations and reducing electricity and healthcare costs. This would ensure that New Hampshire workers would be paid much higher wages than those proposed by HB 731. I fear that if this bill passes, the young and inexperienced workers will discover instead of the promised

minimum wage of this bill, they will find themselves receiving what has always been the minimum wage, zero dollars per hour, the wage when you don't have a job. I urge you to vote no on the Ought to Pass recommendation so another motion can be made. Thank you.

Speaker Shurtleff: I thank the member. The question before the House is the recommendation that the bill Ought to Pass as Amended. The Chair recognizes the member from Grantham, Rep. Sullivan to speak for the motion.

Representative Sullivan: Thank you, Mister Speaker. Colleagues, it is long past time that New Hampshire adopt a minimum wage. I'm happy to see that it's going to be moving in a graduated step towards \$15 an hour. We are joining the movement to reach for \$15. This month 21 states have increased their minimum wage. Seven have been increased by automatic cost of living increases. Fourteen have been statutorily increased. New Hampshire is the only state in New England that does not have a minimum wage. It's the only state in New England that has a minimum wage under \$10 an hour. Massachusetts is \$12.75. Maine is \$12. Vermont is \$10.96. Rhode Island is \$10.50 and New Hampshire is \$7.25. We need to start catching up. New Hampshire struggles to find workers with unemployment around 2.5%. If New Hampshire workers cross into neighboring states, New Hampshire businesses will suffer. Benefits of an increased minimum wage are many. Among them, fewer people will be on public assistance. Low wage parents will be able to spend more time with their families. There will be improved nutrition for the families of low wage earners and there will be increased stability of low wage workers to find affordable housing. Polls have shown that a strong majority of New Hampshire Democrats, Independents and Republicans favor a substantially higher minimum wage. Colleagues, it's time for New Hampshire to adopt a minimum wage. Please press the green button and move the minimum wage forward. Thank you.

Speaker Shurtleff: The question before the House if the recommendation that the bill Ought to Pass as Amended. The Chair recognizes the member from Grantham, Rep. Mackie, to speak. I'm a page behind everybody else. Rep. Baldasaro has requested a roll call vote. Is that sufficiently seconded? It is sufficiently seconded. This will be a roll call vote. The question before the House is the recommendation that HB 731 Ought to Pass as Amended. The Chair recognizes Rep. Nunez for a parliamentary inquiry.

Representative Nunez: Thank you, Mister Speaker. Mister Speaker, if I know that statistics show a high percentage of employers are forced to reduce hours or even eliminate jobs due to raises in the minimum wage. If I know that small businesses in New Hampshire, especially in our North Country, may not be able to afford to pay higher wages. And, if I believe that free markets should determine salaries and wages and that contracts and agreements negotiated between perspective employees and employers will determine compensation and benefits then would I press the red button? Thank you.

Speaker Shurtleff: The question before the House is the recommendation that the bill Ought to Pass as Amended. The Chair recognizes Rep. Schultz for a parliamentary inquiry.

Representative Schultz: If I know that 173,000 Granite Staters make less than \$15,000 a year, most of whom have families. And, if I know we get to \$15 over 5 steps, including the first two under \$10, then would I please push the color of cash and push green?

Speaker Shurtleff: This is a roll call vote. The question before the House is the recommendation that HB 731 Ought to Pass as Amended. If you are in favor, you'll press the green button. If you're opposed, you'll press the red button. Voting stations will be open for 30 seconds. Have all members present had an opportunity to vote? The House will be attentive to the state of the vote. With 212 members voting Yea and 155 voting Nay, the Yeas have it and the recommendation is adopted.

REGULAR CALENDAR CONT'D

SB 19, relative to the privacy of certain information concerning public employees. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Manny Espitia for the Majority of Labor, Industrial and Rehabilitative Services. In the era since the Janus decision, the right to organize has been under attack. This bill would protect the information of public employees and make sure outside agents will not have this private information. In other states, public employees have been subject to harassment on the phone and even by home visits. This bill will allow for this information to be protected from these outside agents. Vote 11-6.

Rep. Brian Seaworth for the Minority of Labor, Industrial and Rehabilitative Services. The minority supports passage of this bill with an additional provision. Where there is a request for personal information from a collective bargaining organization, we would require the employee to agree to its release. We believe in giving our state and municipal employees as much control over their privacy and personal information as can be reasonably accommodated.

Majority Amendment (2805h)

Amend the bill by replacing section 1 with the following:

1 New Subdivision; Privacy of Employee Information. Amend RSA 275 by inserting after section 77 the following new subdivision:

Privacy of Employee Information

275:78 Privacy of Employee Information. The home address, personal email address, and home or mobile telephone number of an employee of a public agency or public body, as those terms are defined in RSA 91-A:1-a, which maintains records identifying its employees shall not be public, except that such information may be disclosed to an employee organization whose written purpose is to represent public employees in collective bargaining, or as otherwise required by law, or as is necessary in the performance of the employee's duties. The home address, personal email address, and home or mobile telephone number of a family member of such employee contained in a record in the custody of a public agency or public body which maintains records identifying its employees shall not be public and may only be disclosed as required by law. On a division vote, with 209 members having voted in the affirmative, and 143 in the negative, the majority committee amendment was adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Flanagan offered minority committee amendment (2830h).

Minority Amendment (2830h)

Amend the bill by replacing section 1 with the following:

1 New Subdivision; Privacy of Employee Information. Amend RSA 275 by inserting after section 77 the following new subdivision:

Privacy of Employee Information

275:78 Privacy of Employee Information. The home address, personal email address, and home or mobile telephone number of an employee of a public agency or public body, as those terms are defined in RSA 91-A:1-a, which maintains records identifying its employees shall not be public, except that such information may, at the employee's discretion, be disclosed to an employee organization whose written purpose is to represent public employees in collective bargaining, or as otherwise required by law, or as is necessary in the performance of the employee's duties. The home address, personal email address, and home or mobile telephone number of a family member of such employee contained in a record in the custody of a public agency or public body which maintains records identifying its employees shall not be public and may only be disclosed as required by law.

Rep. Flanagan spoke in favor and yielded to questions.

Rep. Bordy spoke against.

Rep. Baldasaro requested a roll call; sufficiently seconded.

YEAS 148 - NAYS 216

YEAS - 148

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
Mackie, Jonathan
Tilton, Franklin

CARROLL

Avellani, Lino
MacDonald, John

Comeau, Ed
Nelson, Bill

Cordelli, Glenn

Crawford, Karel

CHESHIRE

Hunt, John

O'Day, John

COOS

Craig, Kevin

Furbush, Michael

Merner, Troy

GRAFTON

Gordon, Edward

Hennessey, Erin

Ladd, Rick

Migliore, Vincent Paul

HILLSBOROUGH

Lekas, Alicia
Boehm, Ralph
Erf, Keith
Gould, Linda
Hinch, Richard
Marzullo, JP
Nunez, Hershel
Ober, Russell
Lekas, Tony
Williams, Kermit

Alexander, Joe
Burt, John
Fedolfi, Jim
Graham, John
Hopper, Gary
McLean, Mark
Panasiti, Reed
Renzullo, Andrew
Ulery, Jordan

Griffin, Barbara
Camarota, Linda
Flanagan, Jack
Greene, Bob
Ober, Lynne
Merlino, Timothy
Plett, Fred
Rice, Kimberly
Warden, Mark

Barry, Richard
Danielson, David
Gagne, Larry
Gunski, Michael
Lascelles, Richard
Notter, Jeanine
Prout, Andrew
Somero, Paul
Whittemore, James

MERRIMACK

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

Ebel, Karen
Klose, John
Seaworth, Brian
Yakubovich, Michael

Forsythe, Robert
Kotowski, Frank
Testerman, Dave

Hill, Gregory
McGuire, Carol
Walsh, Thomas

ROCKINGHAM

Abbas, Daryl
Baldasaro, Al
Costable, Michael
Desilets, Joel
Edwards, Jess
Green, Dennis
Hoelzel, Kathleen
Katsakiores, Phyllis
Lundgren, David
McKinney, Betsy
Owens, Becky
Pratt, Kevin
Sytek, John
Wallace, Scott

Abrami, Patrick
Barnes, Arthur
Davis, Dan
DeSimone, Debra
Elliott, Robert
Guthrie, Joseph
Osborne, Jason
Khan, Aboul
Griffin, Mary
Melvin, Charles
Packard, Sherman
Prudhomme-O'Brien, Katherine
Torosian, Peter
Welch, David

Abramson, Max
Bershtein, Alan
Thomas, Douglas
Dolan, Tom
Fowler, William
Harb, Robert
Janigian, John
Kolodziej, Walter
Pearson, Mark
Milz, David
Piemonte, Tony
Pearson, Stephen
True, Chris
Weyler, Kenneth

Acton, Dennis
Chirichiello, Brian
DeClercq, Edward
Doucette, Fred
Gay, Betty
Hobson, Deborah
Janvrin, Jason
Love, David
Major, Norman
O'Connor, John
Potucek, John
Spillane, James
Vose, Michael
Yokela, Josh

STRAFFORD

Hayward, Peter
Pitre, Joseph

Horgan, James
Wuelper, Kurt

Kittredge, Mac

Perreault, Mona

SULLIVAN

Aron, Judy
Stapleton, Walter

Callum, John
Smith, Steven

Lucas, Gates

Rollins, Skip

**NAYS - 216
BELKNAP**

Huot, David

St. Clair, Charlie

CARROLL

Buco, Thomas
Kanzler, Harrison

Burroughs, Anita
Knirk, Jerry

Butler, Edward
Ticehurst, Susan

DesMarais, Edith
Woodcock, Stephen

CHESHIRE

Abbott, Michael
Eaton, Daniel
Harvey, Cathryn
Schapiro, Joe
Weber, Lucy

Ames, Richard
Faulkner, Barry
Mann, John
Swinburne, Sandy

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

Bordenet, John
Gomarlo, Jennie
Parkhurst, Henry
Von Plinsky, Sparky

COOS

Hatch, William
Tucker, Edith

Laflamme, Larry
Thomas, Yvonne

Moynihan, Wayne

Noel, Henry

GRAFTON

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

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

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

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

HILLSBOROUGH

Bouldin, Amanda
Baroody, Benjamin
Bordy, William
Cleaver, Skip
Cote, David
Dutzy, Sherry
Goley, Jeffrey
Heath, Mary
Jack, Martin
Klein-Knight, Nicole
Murray, Megan
Mullen, Sue

Bouldin, Andrew
Beaulieu, Jane
Bosman, James
Cohen, Bruce
Dargie, Paul
Davis, Fred
Griffith, Willis
Herbert, Christopher
Judy, Jean
Langley, Diane
Mangipudi, Latha
Murphy, Nancy

Backus, Robert
Bergeron, Paul
Bouchard, Donald
Connors, Erika
Desjardin, Kathy
Freitas, Mary
Hamer, Heidi
Indruk, Greg
King, Mark
Leishman, Peter
McGhee, Kat
O'Brien, Michael

Balch, Chris
Bernet, Jennifer
Chretien, Jacqueline
Cornell, Patricia
DiSilvestro, Linda
Gidge, Kenneth
Harriott-Gathright, Linda
Schmidt, Janice
Klee, Patricia
Long, Patrick
Mombourquette, Donna
Pedersen, Michael

Petrigno, Peter
Proulx, Mark
Rung, Rosemarie
St. John, Michelle
Telerski, Laura
Vann, Ivy

Pickering, Daniel
Query, Joshua
Newman, Sue
Stack, Kathryn
Toomey, Dan
Thomas, Wendy

Piedra, Israel
Newman, Ray
Snow, Kendall
Stevens, Deb
Vail, Suzanne
Wilhelm, Matthew

Porter, Marjorie
Riel, Cole
Sofikitis, Catherine
Smith, Timothy
Van Houten, Constance
Woodbury, David

MERRIMACK

Bartlett, Christy
Ellison, Arthur
Lane, Connie
Moffett, Howard
Rogers, Katherine
Schultz, Kristina
Walz, Mary Beth

Buchanan, Ryan
Fox, Samantha
Luneau, David
Myler, Mel
Saunderson, 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
Rodd, Beth
Schuett, Dianne
Wallner, Mary Jane
Woods, Gary

ROCKINGHAM

Altschiller, Debra
Cahill, Michael
DiLorenzo, Charlotte
Grossman, Gaby
Loughman, Tom
McBeath, Rebecca
Read, Ellen

Berrien, Skip
Cali-Pitts, Jacqueline
Edgar, Michael
Grote, Jaci
Lovejoy, Patricia
McConnell, Liz
Somssich, Peter

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

Bushway, Patricia
Cushing, Robert Renny
Gilman, Julie
Le, Tamara
Malloy, Dennis
Pantelakos, Laura
Ward, Gerald

STRAFFORD

Bixby, Peter
Ellis, Donna
Gourgue, Amanda
Keans, Sandra
Opderbecke, Linn
Sandler, Catt
Wall, Janet

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

Chase, Wendy
Fontneau, Timothy
Higgins, Peg
Levesque, Cassandra
Rich, Cecilia
Towne, Matthew

Conley, Casey
Frost, Sherry
Horrigan, Timothy
Smith, Marjorie
Salloway, Jeffrey
Vincent, Kenneth

SULLIVAN

Cloutier, John
Oxenham, Lee

Laware, Thomas
Sullivan, Brian

Merchant, Gary
Tanner, Linda

O'Hearne, Andrew

and the minority committee amendment failed.

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

YEAS 218 - NAYS 148

YEAS - 218

BELKNAP

Huot, David

St. Clair, Charlie

CARROLL

Buco, Thomas
Kanzler, Harrison

Burroughs, Anita
Knirk, Jerry

Butler, Edward
Ticehurst, Susan

DesMarais, Edith
Woodcock, Stephen

CHESHIRE

Abbott, Michael
Eaton, Daniel
Harvey, Cathryn
Schapiro, Joe
Pearson, William

Ames, Richard
Faulkner, Barry
Mann, John
Swinburne, Sandy
Weber, Lucy

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

Bordenet, John
Gomarlo, Jennie
Parkhurst, Henry
Von Plinsky, Sparky

COOS

Hatch, William
Tucker, Edith

Laflamme, Larry
Thomas, Yvonne

Moynihan, Wayne

Noel, Henry

GRAFTON

Abel, Richard
Dontonville, Roger
French, Elaine
Mulligan, Mary Jane
Ruprecht, Dennis
Sykes, George

Adjutant, Joshua
Egan, Timothy
Josephson, Timothy
Muscatel, Garrett
Stavis, Laurel
Weston, Joyce

Almy, Susan
Fellows, Sallie
Maes, Kevin
Nordgren, Sharon
Stringham, Jerry

Campion, Polly
Ford, Susan
Massimilla, Linda
Osborne, Richard
Smith, Suzanne

HILLSBOROUGH

Bouldin, Amanda
 Baroody, Benjamin
 Bordy, William
 Cleaver, Skip
 Cote, David
 Dutzy, Sherry
 Goley, Jeffrey
 Heath, Mary
 Jack, Martin
 Klein-Knight, Nicole
 Murray, Megan
 Mullen, Sue
 Petrigno, Peter
 Proulx, Mark
 Rung, Rosemarie
 St. John, Michelle
 Telerski, Laura
 Vann, Ivy
 Woodbury, David

Bouldin, Andrew
 Beaulieu, Jane
 Bosman, James
 Cohen, Bruce
 Dargie, Paul
 Davis, Fred
 Griffith, Willis
 Herbert, Christopher
 Jeudy, Jean
 Langley, Diane
 Mangipudi, Latha
 Murphy, Nancy
 Pickering, Daniel
 Query, Joshua
 Newman, Sue
 Stack, Kathryn
 Toomey, Dan
 Thomas, Wendy

Backus, Robert
 Bergeron, Paul
 Bouchard, Donald
 Connors, Erika
 Desjardin, Kathy
 Freitas, Mary
 Hamer, Heidi
 Indruk, Greg
 King, Mark
 Leishman, Peter
 McGhee, Kat
 O'Brien, Michael
 Piedra, Israel
 Newman, Ray
 Snow, Kendall
 Stevens, Deb
 Vail, Suzanne
 Wilhelm, Matthew

Balch, Chris
 Bernet, Jennifer
 Chretien, Jacqueline
 Cornell, Patricia
 DiSilvestro, Linda
 Gidge, Kenneth
 Harriott-Gathright, Linda
 Schmidt, Janice
 Klee, Patricia
 Long, Patrick
 Mombourquette, Donna
 Pedersen, Michael
 Porter, Marjorie
 Riel, Cole
 Sofikitis, Catherine
 Smith, Timothy
 Van Houten, Constance
 Williams, Kermit

MERRIMACK

Bartlett, Christy
 Ebel, Karen
 Karrick, David
 McWilliams, Rebecca
 Rodd, Beth
 Schuett, Dianne
 Wallner, Mary Jane
 Woods, Gary

Buchanan, Ryan
 Ellison, Arthur
 Lane, Connie
 Moffett, Howard
 Rogers, Katherine
 Schultz, Kristina
 Walz, Mary Beth

Carson, Clyde
 Fox, Samantha
 Luneau, David
 Myler, Mel
 Saunderson, George
 Soucy, Timothy
 Wazir, Safiya

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

ROCKINGHAM

Altschiller, Debra
 Cahill, Michael
 DiLorenzo, Charlotte
 Grossman, Gaby
 Loughman, Tom
 McBeath, Rebecca
 Read, Ellen

Berrien, Skip
 Cali-Pitts, Jacqueline
 Edgar, Michael
 Grote, Jaci
 Lovejoy, Patricia
 McConnell, Liz
 Somssich, Peter

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

Bushway, Patricia
 Cushing, Robert Renny
 Gilman, Julie
 Le, Tamara
 Malloy, Dennis
 Pantelakos, Laura
 Ward, Gerald

STRAFFORD

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

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

Chase, Wendy
 Fontneau, Timothy
 Higgins, Peg
 Levesque, Cassandra
 Rich, Cecilia
 Towne, Matthew

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

SULLIVAN

Cloutier, John
 Sullivan, Brian

Laware, Thomas
 Tanner, Linda

O'Hearne, Andrew

Oxenham, Lee

NAYS - 148**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
 Mackie, Jonathan
 Tilton, Franklin

CARROLL

Avellani, Lino
 MacDonald, John

Comeau, Ed
 Nelson, Bill

Cordelli, Glenn

Crawford, Karel

CHESHIRE**COOS**

Hunt, John

O'Day, John

Merner, Troy

GRAFTON

Diggs, Francesca
 Migliore, Vincent Paul

Gordon, Edward

Hennessey, Erin

Ladd, Rick

HILLSBOROUGH

Lekas, Alicia
Boehm, Ralph
Erf, Keith
Gould, Linda
Hinch, Richard
Marzullo, JP
Nunez, Hershel
Ober, Russell
Lekas, Tony

Alexander, Joe
Burt, John
Fedolfi, Jim
Graham, John
Hopper, Gary
McLean, Mark
Panasiti, Reed
Renzullo, Andrew
Ulery, Jordan

Griffin, Barbara
Camarota, Linda
Flanagan, Jack
Greene, Bob
Ober, Lynne
Merlino, Timothy
Plett, Fred
Rice, Kimberly
Warden, Mark

Barry, Richard
Danielson, David
Gagne, Larry
Gunski, Michael
Lascelles, Richard
Notter, Jeanine
Prout, Andrew
Somero, Paul
Whittemore, James

MERRIMACK

Allard, James
Klose, John
Seaworth, Brian
Yakovovich, Michael

Forsythe, Robert
Kotowski, Frank
Testerman, Dave

Hill, Gregory
McGuire, Carol
Walsh, Thomas

Horn, Werner
Pearl, Howard
Wolf, Dan

ROCKINGHAM

Abbas, Daryl
Baldasaro, Al
Costable, Michael
Desilets, Joel
Edwards, Jess
Green, Dennis
Hoelzel, Kathleen
Katsakiores, Phyllis
Lundgren, David
McKinney, Betsy
Owens, Becky
Pratt, Kevin
Sytek, John
Wallace, Scott

Abrami, Patrick
Barnes, Arthur
Davis, Dan
DeSimone, Debra
Elliott, Robert
Guthrie, Joseph
Osborne, Jason
Khan, Aboul
Griffin, Mary
Melvin, Charles
Packard, Sherman
Prudhomme-O'Brien, Katherine
Torosian, Peter
Welch, David

Abramson, Max
Bershtein, Alan
Thomas, Douglas
Dolan, Tom
Fowler, William
Harb, Robert
Janigian, John
Kolodziej, Walter
Pearson, Mark
Milz, David
Piemonte, Tony
Pearson, Stephen
True, Chris
Weyler, Kenneth

Acton, Dennis
Chirichiello, Brian
DeClercq, Edward
Doucette, Fred
Gay, Betty
Hobson, Deborah
Janvrin, Jason
Love, David
Major, Norman
O'Connor, John
Potucek, John
Spillane, James
Vose, Michael
Yokela, Josh

STRAFFORD

Hayward, Peter
Pitre, Joseph

Horgan, James
Wuelper, Kurt

Kittredge, Mac

Perreault, Mona

SULLIVAN

Aron, Judy
Rollins, Skip

Callum, John
Stapleton, Walter

Lucas, Gates
Smith, Steven

Merchant, Gary

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

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

HB 363-FN, including the legislature as a public employer under the public employee labor relations act and relative to the duties of the joint committee on legislative facilities. **OUGHT TO PASS WITH AMENDMENT.** Rep. Douglas Ley for Legislative Administration. This legislation simply provides non-partisan employees of the General Court the opportunity to organize and engage in collective bargaining, if they so desire. Other public employees already possess that right by statute, and this bill extends the same rights to employees of the General Court. The decision rests with the employees, where it should be. The amendment corrects some of the names of the non-partisan offices in the bill and eliminates the section requiring the development of a sexual harassment policy since this was addressed in SB 235 which was adopted in 2019. Vote 9-3.

Amendment (2755h)

Amend RSA 273-A:9-c, I as inserted by section 4 of the bill by replacing it with the following:

I. In this section, "nonpartisan employee" means an employee whose purpose is to serve the institution of the general court rather than to shape and implement policies that reflect the positions of elected officials. Nonpartisan employees shall include employees in the following offices: general court administrative office, legislative budget assistant, legislative services, legislative operations, health services, general court technology services, visitors center, protective services, chief operating officer, speaker's office, house clerk's office, house sergeant-at-arms office, house committee services, senate president's office, senate clerk's office, senate research office, senate committee services, senate administrative assistants, senate legislative aides, and senate legislative assistants.

Amend the bill by replacing all after section 4 with the following:

5 Effective Date. This act shall take effect January 1, 2021.

AMENDED ANALYSIS

This bill establishes the legislature as a public employer under the public employee labor relations act and establishes procedures for collective bargaining by nonpartisan employees.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

HB 102, relative to municipal ordinances regarding the use of plastics. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Clyde Carson for the Majority of Municipal and County Government. This bill as amended enables municipalities to regulate the distribution of single use plastic bags and paper bags to consumers through local ordinances. This legislation is one step in answer to the desire of NH municipalities to reduce the amount of single use plastics in their waste streams, in landfills and in the environment. Vote 12-7.

Rep. Tom Dolan for the Minority of Municipal and County Government. It was felt that this bill only served as a “back up” to HB 559 in case it doesn’t pass. Passing this bill could result in varying standards community by community that would be both difficult and expensive for retail establishments to implement.

Majority Amendment (2819h)

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

AN ACT relative to municipal ordinances regulating single-use bags.

Amend RSA 31:39, I(q) as inserted by section 1 of the bill by replacing it with the following:

(q) Regulating the distribution of single-use plastic bags and paper bags to consumers.

AMENDED ANALYSIS

This bill permits towns to adopt bylaws to regulate the distribution of single-use plastic bags and paper bags. Majority committee amendment adopted.

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

Reps. Spang and Bartlett spoke in favor.

Rep. Dolan spoke against and yielded to questions.

Rep. Baldasaro requested a roll call; sufficiently seconded.

YEAS 215 - NAYS 151

YEAS - 215

BELKNAP

Huot, David

St. Clair, Charlie

CARROLL

Burroughs, Anita
Knirk, Jerry

Butler, Edward
Ticehurst, Susan

DesMarais, Edith
Woodcock, Stephen

Kanzler, Harrison

CHESHIRE

Abbott, Michael
Eaton, Daniel
Harvey, Cathryn
Parkhurst, Henry
Von Plinsky, Sparky

Ames, Richard
Faulkner, Barry
Ley, Douglas
Schapiro, Joe
Pearson, William

Berch, Paul
Fenton, Donovan
Mann, John
Swinburne, Sandy
Weber, Lucy

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

COOS

Hatch, William
Tucker, Edith

Laflamme, Larry
Thomas, Yvonne

Moynihan, Wayne

Noel, Henry

GRAFTON

Abel, Richard
Diggs, Francesca
French, Elaine
Mulligan, Mary Jane
Ruprecht, Dennis
Sykes, George

Adjutant, Joshua
Dontonville, Roger
Josephson, Timothy
Muscatel, Garrett
Stavis, Laurel
Weston, Joyce

Almy, Susan
Egan, Timothy
Maes, Kevin
Nordgren, Sharon
Stringham, Jerry

Campion, Polly
Ford, Susan
Massimilla, Linda
Osborne, Richard
Smith, Suzanne

HILLSBOROUGH

Bouldin, Amanda
Baroody, Benjamin
Bosman, James
Cohen, Bruce
Dargie, Paul
Freitas, Mary
Harriott-Gathright, Linda
Schmidt, Janice
Klee, Patricia
Long, Patrick

Bouldin, Andrew
Beaulieu, Jane
Bouchard, Donald
Connors, Erika
Desjardin, Kathy
Gidge, Kenneth
Heath, Mary
Jack, Martin
Klein-Knight, Nicole
Murray, Megan

Backus, Robert
Bernet, Jennifer
Chretien, Jacqueline
Cornell, Patricia
DiSilvestro, Linda
Goley, Jeffrey
Herbert, Christopher
Jeudy, Jean
Langley, Diane
Mangipudi, Latha

Balch, Chris
Bordy, William
Cleaver, Skip
Cote, David
Dutzy, Sherry
Griffith, Willis
Indruk, Greg
King, Mark
Leishman, Peter
McGhee, Kat

Mombourquette, Donna
Pedersen, Michael
Porter, Marjorie
Rung, Rosemarie
St. John, Michelle
Telerski, Laura
Vann, Ivy
Woodbury, David

Mullen, Sue
Petrigno, Peter
Query, Joshua
Newman, Sue
Stack, Kathryn
Toomey, Dan
Thomas, Wendy

Murphy, Nancy
Pickering, Daniel
Newman, Ray
Snow, Kendall
Stevens, Deb
Vail, Suzanne
Wilhelm, Matthew

O'Brien, Michael
Piedra, Israel
Riel, Cole
Sofikitis, Catherine
Smith, Timothy
Van Houten, Constance
Williams, Kermit

MERRIMACK

Bartlett, Christy
Ebel, Karen
Karrick, David
McWilliams, Rebecca
Rodd, Beth
Schuett, Dianne
Walz, Mary Beth
Woods, Gary

Buchanan, Ryan
Ellison, Arthur
Lane, Connie
Moffett, Howard
Rogers, Katherine
Schultz, Kristina
Wazir, Safiya

Carson, Clyde
Fox, Samantha
Luneau, David
Myler, Mel
Saunderson, George
Soucy, Timothy
Wells, Kenneth

Doherty, David
Fulweiler, Joyce
MacKay, James
Pimentel, Roderick
Schamberg, Thomas
Wallner, Mary Jane
Wolf, Dan

ROCKINGHAM

Altschiller, Debra
Cahill, Michael
DiLorenzo, Charlotte
Gilman, Julie
Murray, Kate
Maggiore, Jim
Meuse, David
Ward, Gerald

Berrien, Skip
Cali-Pitts, Jacqueline
Edgar, Michael
Grossman, Gaby
Le, Tamara
Malloy, Dennis
Pantelakos, Laura

Bunker, Lisa
Coursin, David
Eisner, Mary
Grote, Jaci
Loughman, Tom
McBeath, Rebecca
Read, Ellen

Bushway, Patricia
Cushing, Robert Renny
Elliott, Robert
Guthrie, Joseph
Lovejoy, Patricia
McConnell, Liz
Somssich, Peter

STRAFFORD

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

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

Chase, Wendy
Fontneau, Timothy
Higgins, Peg
Levesque, Cassandra
Rich, Cecilia
Towne, Matthew

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

SULLIVAN

Cloutier, John
Sullivan, Brian

Merchant, Gary
Tanner, Linda

O'Hearne, Andrew

Oxenham, Lee

NAYS - 151 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
Mackie, Jonathan
Tilton, Franklin

CARROLL

Avellani, Lino
Crawford, Karel

Buco, Thomas
MacDonald, John

Comeau, Ed
Nelson, Bill

Cordelli, Glenn

CHESHIRE

Hunt, John

O'Day, John

COOS

Craig, Kevin

Furbush, Michael

Merner, Troy

GRAFTON

Fellows, Sallie
Migliore, Vincent Paul

Gordon, Edward

Hennessey, Erin

Ladd, Rick

HILLSBOROUGH

Lekas, Alicia
Bergeron, Paul
Danielson, David
Gagne, Larry
Gunski, Michael
Ober, Lynne
Merlino, Timothy

Alexander, Joe
Boehm, Ralph
Erf, Keith
Gould, Linda
Hamer, Heidi
Lascelles, Richard
Notter, Jeanine

Griffin, Barbara
Burt, John
Fedolfi, Jim
Graham, John
Hinch, Richard
Marzullo, JP
Nunez, Hershel

Barry, Richard
Camarota, Linda
Flanagan, Jack
Greene, Bob
Hopper, Gary
McLean, Mark
Panasiti, Reed

Plett, Fred
Renzullo, Andrew
Ulery, Jordan

Proulx, Mark
Rice, Kimberly
Warden, Mark

Prout, Andrew
Somero, Paul
Whittemore, James

Ober, Russell
Lekas, Tony

MERRIMACK

Allard, James
Klose, John
Seaworth, Brian
Yakubovich, Michael

Forsythe, Robert
Kotowski, Frank
Testerman, Dave

Hill, Gregory
McGuire, Carol
Turcotte, Alan

Horn, Werner
Pearl, Howard
Walsh, Thomas

ROCKINGHAM

Abbas, Daryl
Baldasaro, Al
Costable, Michael
Desilets, Joel
Edwards, Jess
Harb, Robert
Janigian, John
Kolodziej, Walter
Pearson, Mark
Milz, David
Piemonte, Tony
Pearson, Stephen
True, Chris
Welch, David

Abrami, Patrick
Barnes, Arthur
Davis, Dan
DeSimone, Debra
Fowler, William
Hobson, Deborah
Janvrin, Jason
Love, David
Major, Norman
O'Connor, John
Potucek, John
Spillane, James
Vallone, Mark
Weyler, Kenneth

Abramson, Max
Bershtein, Alan
Thomas, Douglas
Dolan, Tom
Gay, Betty
Hoelzel, Kathleen
Katsakiores, Phyllis
Lundgren, David
McKinney, Betsy
Owens, Becky
Pratt, Kevin
Sytek, John
Vose, Michael
Yokela, Josh

Acton, Dennis
Chirichiello, Brian
DeClercq, Edward
Doucette, Fred
Green, Dennis
Osborne, Jason
Khan, Aboul
Griffin, Mary
Melvin, Charles
Packard, Sherman
Prudhomme-O'Brien, Katherine
Torosian, Peter
Wallace, Scott

STRAFFORD

Hayward, Peter
Pitre, Joseph

Horgan, James
Wuelper, Kurt

Kittredge, Mac

Perreault, Mona

SULLIVAN

Aron, Judy
Rollins, Skip

Callum, John
Stapleton, Walter

Laware, Thomas
Smith, Steven

Lucas, Gates

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

UNANIMOUS CONSENT

Without objection, Rep. Flanagan requested Unanimous Consent of the House regarding an apology and addressed the House.

REGULAR CALENDAR CONT'D

HB 143, relative to incompatibility of offices. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Paul Dargie for the Majority of Municipal and County Government. As amended this bill prohibits land use board members from participating in a decision on the appeal of a ruling made by another board or commission, if the member participated in the ruling being appealed, as a member of the original board or commission. Vote 15-4.

Rep. Tony Piemonte for the Minority of Municipal and County Government. This bill may cause community conflicts on issues pertaining to boards where members serve on multiple boards. Some towns may have difficulties obtaining quorums due to lack of volunteers. Also, it is believed ex-officio board members should have no voting rights, and should be used for informational purposes only.

Majority Amendment (0518h)

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

AN ACT relative to disqualification of members of local land use boards.

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

1 Local Land Use Boards; Disqualification of Member. Amend RSA 673:14, I to read as follows:

I. No member of a zoning board of adjustment, building code board of appeals, planning board, heritage commission, historic district commission, agricultural commission, or housing commission shall participate in deciding or shall sit upon the hearing of any question which the board is to decide in a judicial capacity if that member has a direct personal or pecuniary interest in the outcome which differs from the interest of other citizens, or if that member would be disqualified for any cause to act as a juror upon the trial of the same matter in any action at law, ***or if the matter in question is an appeal from a decision of another board or commission and the member participated in the decision as a member of that board or commission.*** Reasons for disqualification do not include exemption from service as a juror or knowledge of the facts involved gained in the performance of the member's official duties.

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

AMENDED ANALYSIS

This bill requires a member of a local land use board to be disqualified to act on an appeal from a decision of another board or commission that the member participated in as a member of that board or commission. Majority committee amendment adopted.

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

Rep. Piemonte spoke against.

Rep. Dargie spoke in favor.

Majority committee report adopted and ordered to third reading.

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

HB 311, regulating sober living facilities. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Timothy Josephson for the Majority of Municipal and County Government. This bill, as amended, allows sober living facilities (or "recovery homes") to apply to the state fire marshal for an exemption to local fire codes. The prerequisite to this exemption is that the facility must register with the Department of Health and Human Services (DHHS) and meet their requirements as a recovery home. The amended bill allows recovery homes to operate around more onerous regulations; currently, because of the number of unrelated adults living there, they would have to be considered a boarding house. This bill allows the state fire marshal to enact stricter regulations than a single-family home, but not as costly as the requirements of a boarding house. The majority of the committee felt that this was a fair approach to allow these facilities to become legitimate while balancing safety concerns. Vote 12-7.

Rep. Tom Dolan for the Minority of Municipal and County Government. The main reason the minority disagrees is the intended exemption of required sprinkler systems for recovery houses. This exemption could put the residents occupying these recovery houses at risk of injury (or their lives) in the event of a fire.

Majority Amendment (2824h)

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

AN ACT relative to the authority of the state fire marshal to grant an exemption from fire code requirements to recovery houses.

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

1 New Section; Fire Marshal; Exemption for Recovery Houses. Amend RSA 153 by inserting after section 10-c the following new section:

153:10-d Exemption for Recovery Houses.

I. An owner or operator of a recovery house which is in compliance with rules adopted by the commissioner of health and human services under RSA 172-B:2, V for the voluntary registry for operators of recovery houses may apply to the state fire marshal and be granted an exemption under RSA 153:5, IV from requirements of the state fire code and local amendments, provided no exemption from such requirements shall be granted for the following:

- (a) A properly maintained electrical system.
- (b) A maintained heating system including a one-hour fire separation.
- (c) Maintained cooking appliances.
- (d) Street number of the recovery house posted and visible from the street.
- (e) No smoking within 10 feet of the building unless approved by the local fire department.
- (f) A written evacuation plan submitted to and approved by the local fire department.
- (g) Monthly evacuation drills must be conducted with documentation available for review onsite.
- (h) Basement living spaces shall have an exit directly to grade.
- (i) The facility shall have a minimum of 200 gross square feet per resident.
- (j) At least one escape window in each sleeping room.
- (k) Installed interconnected smoke and carbon monoxide alarms, electrically powered with battery backup, on each level and in each sleeping room; or, the installation of a complete fire alarm system.
- (l) Annual compliance inspection by the local fire department.
- (m) If the travel distance to an exit is greater than 75 feet, there shall be 2 remote means of egress from each floor.

II. In this section, "recovery house" means alcohol and drug free housing, or sober home, as defined in RSA 172-B:2, V and rules adopted thereunder by the commissioner of health and human services.

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

AMENDED ANALYSIS

This bill allows alcohol and drug free recovery houses to be granted an exemption by the state fire marshal for requirements of the state fire code and local amendments.

Majority committee amendment adopted.

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

Reps. Abramson and Josephson spoke in favor.

On a division vote, with 269 members having voted in the affirmative, and 92 in the negative, the majority committee report was adopted and ordered to third reading.

HB 559, enabling municipalities to ban single-use sources of plastic pollution. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Clyde Carson for the Majority of Municipal and County Government. As amended, this bill addresses the concerns voiced regarding similar legislation from previous sessions. It is intended to reduce the number and volume of point of sale, single use bags in the state's waste stream and in the environment by establishing a fee for certain bags, that is retained by the retailer. The nominal fee encourages consumers to utilize reusable bags instead of paper or plastic by requiring bags of a certain size, and distributed at the point of sale, to be reusable, recyclable, and made of recycled materials. The bill also requires the Department of Environmental Services to hold a stake holders review of the bill's effectiveness after it has been in effect for 2 years, and to recommend changes as appropriate. Finally, while the reduction of single-use bags is the goal of this act, the legislature recognizes that the importance of industry led programs to encourage consumer recycling of single-use plastics. Those efforts are complimentary to this legislation. Vote 11-8.

Rep. John MacDonald for the Minority of Municipal and County Government. This bill as amended fails to recognize several important facts. Plastic bags are 100% recyclable, highly reused, and the vast majority are made and recycled in the United States, which supports tens of thousands of U.S. manufacturing jobs. Charging fees for plastic bag use will not address overall litter and waste issues. The EPA says that plastic bags make up less than 0.3% of the nation's municipal solid waste. Statewide litter surveys have found that plastic bags typically make up less than 1% of litter. Study after study has found that plastic bags are the most sustainable and least resource-intensive option at the checkout counter. The manufacturing of paper bags, reusable bags, and cloth bags have a higher carbon footprint than plastic bags. Charging fees for plastic bags will only make doing business in New Hampshire more expensive and burdensome for our citizens, businesses, and visitors, while doing nothing to address overall litter and waste. Plastic bag fees will promote shopping online and hurt our local businesses. These online companies, who ship products from out of state, will be allowed to use any type or size of plastic bag they choose. Those bags and or containers may or may not be made of recyclable materials. Yet they will still become part of New Hampshire's solid waste. The bill as written, with its 4 mils requirement, will have serious consequences. It will have added costs to our New Hampshire retailers and created more plastic produced for ultimate use by the consumer. The current standard in California is 2.25 mils and is considered to be one of the strictest standards in the world. The proposed 4 mils far exceeds that. The minority believes educational efforts concerning the use, reuse, and recycling of plastic bags should first be attempted prior to imposing an indirect tax on our residents and visitors.

Majority Amendment (2820h)

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

AN ACT relative to point of sale bags.

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

1 Purpose; Solid Waste Management Methods. In accordance with RSA 149-M:2 and RSA 149-M:3, this act is intended to reduce the number and volume of point of sale, single use bags in the state's waste stream and in the environment by establishing source reduction as the preferred waste management method. The act also encourages consumers to utilize re-usable bags instead of paper or plastic by requiring bags of a certain size and distributed at the point of sale to be made of recycled materials and which are themselves recyclable and reusable. The act also requires the department to hold a stakeholders review of the act's effectiveness after it has been in effect for 2 years and to recommend changes as appropriate. Finally, while the reduction of single-use bags is the goal of this act, the legislature recognizes that the importance of industry led programs to encourage consumer recycling of single-use plastics. Those efforts are complimentary to this legislation.

2 New Subdivision; Point of Sale Bags. Amend RSA 149-M by inserting after section 60 the following new subdivision:

Point of Sale Bags

149-M:61 Point of Sale Bags.

I. Point of sale bags refers to bags that are distributed to customers at a checkout counter, line, or other final spot in a retail environment, where payment for goods is made. Any bag that is greater in size than 150 square inches shall meet one of the following standards:

(a) Plastic bags shall be made of recycled plastic and be at least 4 mils in thickness. The bags shall be visibly labeled as "made from recycled material" and "recyclable and reusable." Businesses that distribute bags using this standard shall charge customers a fee of 10 cents per bag up to a maximum of 50 cents per purchase. The fee shall be retained by the business.

(b) Paper bags shall be made of recycled paper defined as 100 percent recyclable containing a minimum of 40 percent post-consumer recycled materials. The bag shall be visibly labeled as “made from recycled materials” and “recyclable and reusable.” Businesses that distribute bags using this standard shall charge customers a fee of 10 cents per bag up to maximum of 50 cents per purchase. The fee will be retained by the business.

II. All other reusable bags bought by or sold to the consumer are exempt from this subdivision.

III. The department of environmental services shall form a focus group of stakeholders 24 months after the effective date of this section to review its effectiveness in achieving the solid waste goals defined in RSA 149-M:3, and recommend changes to help support the goal of source reduction.

3 Enforcement. Amend RSA 149-M:5 to read as follows:

149-M:5 Administration and Enforcement.

I. The department shall administer and enforce this chapter. The department is hereby named as the state agency for planning and regulating solid waste management.

II. This section shall not apply to RSA 149-M:61, unless such enforcement is determined necessary by the stakeholder review conducted by the department under RSA 149-M:61, III.

4 Effective Date. This act shall take effect one year after its passage.

AMENDED ANALYSIS

This bill requires businesses to charge customers for single-use bags.
Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.
Reps. Abramson and MacDonald spoke against.

Rep. Carson spoke in favor.

Rep. Baldasaro requested a roll call; sufficiently seconded.

YEAS 205 - NAYS 158

YEAS - 205

BELKNAP

Huot, David

CARROLL

Burroughs, Anita
Knirk, Jerry

Butler, Edward
Ticehurst, Susan

DesMarais, Edith
Woodcock, Stephen

Kanzler, Harrison

CHESHIRE

Abbott, Michael
Faulkner, Barry
Ley, Douglas
Swinburne, Sandy
Weber, Lucy

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

Berch, Paul
Gomarlo, Jennie
Morrill, David
Von Plinsky, Sparky

Bordenet, John
Harvey, Cathryn
Schapiro, Joe
Pearson, William

COOS

Hatch, William
Tucker, Edith

Laflamme, Larry
Thomas, Yvonne

Moynihan, Wayne

Noel, Henry

GRAFTON

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

Adjutant, Joshua
Dontonville, Roger
French, Elaine
Mulligan, Mary Jane
Ruprecht, Dennis
Weston, Joyce

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

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

HILLSBOROUGH

Bouldin, Amanda
Baroody, Benjamin
Bosman, James
Cohen, Bruce
Dargie, Paul
Davis, Fred
Harriott-Gathright, Linda
Schmidt, Janice
Klee, Patricia
Long, Patrick
Mullen, Sue
Petrigno, Peter
Query, Joshua
Snow, Kendall

Bouldin, Andrew
Beaulieu, Jane
Bouchard, Donald
Connors, Erika
Desjardin, Kathy
Freitas, Mary
Heath, Mary
Jack, Martin
Klein-Knight, Nicole
Mangipudi, Latha
Murphy, Nancy
Pickering, Daniel
Newman, Ray
Sofikitis, Catherine

Backus, Robert
Bernet, Jennifer
Chretien, Jacqueline
Cornell, Patricia
DiSilvestro, Linda
Gidge, Kenneth
Herbert, Christopher
Jeudy, Jean
Langley, Diane
McGhee, Kat
O'Brien, Michael
Piedra, Israel
Riel, Cole
St. John, Michelle

Balch, Chris
Bordy, William
Cleaver, Skip
Cote, David
Dutzy, Sherry
Griffith, Willis
Indruk, Greg
King, Mark
Leishman, Peter
Mombourquette, Donna
Pedersen, Michael
Porter, Marjorie
Newman, Sue
Stack, Kathryn

Stevens, Deb
Vail, Suzanne
Wilhelm, Matthew

Smith, Timothy
Van Houten, Constance
Williams, Kermit

Telerski, Laura
Vann, Ivy
Woodbury, David

Toomey, Dan
Thomas, Wendy

MERRIMACK

Bartlett, Christy
Ebel, Karen
Lane, Connie
Moffett, Howard
Rogers, Katherine
Schultz, Kristina
Wells, Kenneth

Buchanan, Ryan
Ellison, Arthur
Luneau, David
Myler, Mel
Saunderson, George
Wallner, Mary Jane
Wolf, Dan

Carson, Clyde
Fox, Samantha
MacKay, James
Pimentel, Roderick
Schamberg, Thomas
Walz, Mary Beth
Woods, Gary

Doherty, David
Karrick, David
McWilliams, Rebecca
Rodd, Beth
Schuett, Dianne
Wazir, Safiya

ROCKINGHAM

Altschiller, Debra
Cahill, Michael
DiLorenzo, Charlotte
Gilman, Julie
Murray, Kate
Maggiore, Jim
Meuse, David

Berrien, Skip
Cali-Pitts, Jacqueline
Edgar, Michael
Grossman, Gaby
Le, Tamara
Malloy, Dennis
Pantelakos, Laura

Bunker, Lisa
Coursin, David
Eisner, Mary
Grote, Jaci
Loughman, Tom
McBeath, Rebecca
Read, Ellen

Bushway, Patricia
Cushing, Robert Renny
Elliott, Robert
Guthrie, Joseph
Lovejoy, Patricia
McConnell, Liz
Ward, Gerald

STRAFFORD

Bixby, Peter
Fargo, Kristina
Higgins, Peg
Levesque, Cassandra
Rich, Cecilia
Towne, Matthew

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

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

Conley, Casey
Grassie, Chuck
Kenney, Cam
Schmidt, Peter
Spang, Judith
Wall, Janet

SULLIVAN

Cloutier, John
Sullivan, Brian

Merchant, Gary
Tanner, Linda

O'Hearne, Andrew

Oxenham, Lee

NAYS - 158

BELKNAP

Aldrich, Glen
Fields, Dennis
Beaudoin, Richard
Tilton, Franklin

Bean, Harry
Howard, Raymond
Spanos, Peter
Varney, Peter

Comtois, Barbara
Jurius, Deanna
St. Clair, Charlie
Viens, Harry

Feeney, George
Mackie, Jonathan
Sylvia, Michael

CARROLL

Avellani, Lino
Crawford, Karel

Buco, Thomas
MacDonald, John

Comeau, Ed
Nelson, Bill

Cordelli, Glenn

CHESHIRE

Eaton, Daniel

Hunt, John

O'Day, John

Parkhurst, Henry

COOS

Craig, Kevin

Furbush, Michael

Merner, Troy

GRAFTON

Gordon, Edward

Hennessey, Erin

Ladd, Rick

Migliore, Vincent Paul

HILLSBOROUGH

Lekas, Alicia
Bergeron, Paul
Danielson, David
Gagne, Larry
Greene, Bob
Hopper, Gary
McLean, Mark
Panasiti, Reed
Ober, Russell
Somero, Paul
Whittemore, James

Alexander, Joe
Boehm, Ralph
Erf, Keith
Goley, Jeffrey
Gunski, Michael
Ober, Lynne
Merlino, Timothy
Plett, Fred
Renzullo, Andrew
Lekas, Tony

Griffin, Barbara
Burt, John
Fedolfi, Jim
Gould, Linda
Hamer, Heidi
Lascelles, Richard
Notter, Jeanine
Proulx, Mark
Rice, Kimberly
Ulery, Jordan

Barry, Richard
Camarota, Linda
Flanagan, Jack
Graham, John
Hinch, Richard
Marzullo, JP
Nunez, Hershel
Prout, Andrew
Rung, Rosemarie
Warden, Mark

MERRIMACK

Allard, James
Horn, Werner
Pearl, Howard
Turcotte, Alan

Forsythe, Robert
Klose, John
Seaworth, Brian
Walsh, Thomas

Fulweiler, Joyce
Kotowski, Frank
Soucy, Timothy
Yakubovich, Michael

Hill, Gregory
McGuire, Carol
Testerman, Dave

ROCKINGHAM

Abbas, Daryl
 Baldasaro, Al
 Davis, Dan
 DeSimone, Debra
 Fowler, William
 Hobson, Deborah
 Janvrin, Jason
 Love, David
 Major, Norman
 O'Connor, John
 Potucek, John
 Somssich, Peter
 True, Chris
 Welch, David

Abrami, Patrick
 Bershtein, Alan
 Thomas, Douglas
 Dolan, Tom
 Gay, Betty
 Hoelzel, Kathleen
 Katsakiores, Phyllis
 Lundgren, David
 McKinney, Betsy
 Owens, Becky
 Pratt, Kevin
 Spillane, James
 Vallone, Mark
 Weyler, Kenneth

Abramson, Max
 Chirichiello, Brian
 DeClercq, Edward
 Doucette, Fred
 Green, Dennis
 Osborne, Jason
 Khan, Aboul
 Griffin, Mary
 Melvin, Charles
 Packard, Sherman
 Prudhomme-O'Brien, Katherine
 Sytek, John
 Vose, Michael
 Yokela, Josh

Acton, Dennis
 Costable, Michael
 Desilets, Joel
 Edwards, Jess
 Harb, Robert
 Janigian, John
 Kolodziej, Walter
 Pearson, Mark
 Milz, David
 Piemonte, Tony
 Pearson, Stephen
 Torosian, Peter
 Wallace, Scott

STRAFFORD

Ellis, Donna
 Kittredge, Mac

Fontneau, Timothy
 Perreault, Mona

Hayward, Peter
 Pitre, Joseph

Horgan, James
 Wuelper, Kurt

SULLIVAN

Aron, Judy
 Stapleton, Walter

Callum, John
 Smith, Steven

Laware, Thomas

Rollins, Skip

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

The House recessed at 12:10 p.m.

RECESS

The House reconvened at 1:15 p.m.

(Speaker Shurtleff in the Chair)

MOTION TO SUSPEND HOUSE RULES

Reps. Cloutier and Graham moved that House Rules be so far suspended as to permit late drafting and introduction of a bill relative to the 10-year highway transportation improvement plan.

Reps. Graham and Cloutier spoke in favor.

Motion adopted by the necessary two-thirds vote.

REGULAR CALENDAR CONT'D

HB 655, regulating disorderly houses. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Laurel Stavis for the Majority of Municipal and County Government. This is enabling legislation that adds resources for municipalities to regulate repeated disturbances emanating from certain property, whether they be used for short or long-term rentals. It helps towns address a growing trend of houses that are regularly used for loud disruptive parties, to the detriment of neighbors in the community who are unable to enjoy the peace of their neighborhoods. Vote 12-7.

Rep. Tom Dolan for the Minority of Municipal and County Government. The reasons not to support this legislation are as follows. Residents with firearms may be discriminated against when shooting in nearby woods/forests. The property owner would be held responsible for tenant disorder rather than those causing the disorder, and may suggest the property owner to act to correct the disorder normally reserved for the police to intervene.

Majority Amendment (2733h)

Amend RSA 31:39, I(q) as inserted by section 1 of the bill by replacing it with the following:

(q) Regulating disorderly houses. In this section, "disorderly houses" mean houses in which the activity of a building's owner, occupants, or tenants, or the invitees of an owner, occupant, or tenant, unreasonably disturbs the peace of the community or neighborhood, or prevents an individual occupying property near the disorderly activity from the enjoyment of his or her home due to activities including but not limited to loud music or parties, or other loud noises emanating from within or on the property occupied by the building, fights involving occupants of the building or their invitees, intoxication of the occupants of the building, and similar activities. Disorderly activities shall not include abuse as defined in RSA 173-B:1.

Majority committee amendment adopted.

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

Rep. Abramson spoke against.

Reps. Stavis and Butler spoke in favor.

Rep. Dolan spoke against and yielded to questions.

Rep. Notter requested a roll call; sufficiently seconded.

YEAS 178 - NAYS 188**YEAS - 178
BELKNAP**

St. Clair, Charlie

Burroughs, Anita
Knirk, JerryAbbott, Michael
Eaton, Daniel
Mann, John
Swinburne, SandyHatch, William
Thomas, YvonneAbel, Richard
Dontonville, Roger
Josephson, Timothy
Nordgren, Sharon
Sykes, GeorgeBouldin, Amanda
Beaulieu, Jane
Bosman, James
Connors, Erika
Desjardin, Kathy
Gidge, Kenneth
Heath, Mary
Jack, Martin
Long, Patrick
O'Brien, Michael
Porter, Marjorie
Newman, Sue
Smith, Timothy
Vann, IvyBartlett, Christy
Ebel, Karen
Lane, Connie
Rodd, Beth
Schultz, Kristina
Wazir, SafiyaAltschiller, Debra
Cali-Pitts, Jacqueline
Eisner, Mary
Grote, Jaci
Maggiore, Jim
Meuse, DavidBixby, Peter
Ellis, Donna
Grassie, Chuck
Opderbecke, Linn
Salloway, Jeffrey
Treleven, SusanCloutier, John
Sullivan, BrianButler, Edward
Nelson, BillAmes, Richard
Fenton, Donovan
Morrill, David
Von Plinsky, Sparky

Laflamme, Larry

Almy, Susan
Egan, Timothy
Maes, Kevin
Osborne, Richard
Weston, JoyceBouldin, Andrew
Bergeron, Paul
Chretien, Jacqueline
Cornell, Patricia
Dutzy, Sherry
Griffith, Willis
Herbert, Christopher
Judy, Jean
Mangipudi, Latha
Petrigno, Peter
Query, Joshua
Shaw, Barbara
Telerski, Laura
Wilhelm, MatthewBuchanan, Ryan
Ellison, Arthur
MacKay, James
Rogers, Katherine
Testerman, Dave
Wells, KennethBerrien, Skip
Coursin, David
Elliott, Robert
Murray, Kate
Malloy, Dennis
Pantelakos, LauraCannon, Gerri
Fargo, Kristina
Kenney, Cam
Schmidt, Peter
Sandler, Catt
Wall, JanetMerchant, Gary
Tanner, Linda**CARROLL**DesMarais, Edith
Ticehurst, Susan**CHESHIRE**Berch, Paul
Harvey, Cathryn
Parkhurst, Henry
Weber, Lucy**COOS**

Moynihan, Wayne

Kanzler, Harrison
Woodcock, StephenBordenet, John
Ley, Douglas
Schapiro, Joe

Noel, Henry

GRAFTONCampion, Polly
Fellows, Sallie
Mulligan, Mary Jane
Stavis, LaurelDiggs, Francesca
Ford, Susan
Muscatel, Garrett
Smith, Suzanne**HILLSBOROUGH**Backus, Robert
Bernet, Jennifer
Cleaver, Skip
Cote, David
Davis, Fred
Hamer, Heidi
Indruk, Greg
King, Mark
Mombourquette, Donna
Pickering, Daniel
Newman, Ray
Snow, Kendall
Vail, Suzanne
Williams, KermitBalch, Chris
Bordy, William
Cohen, Bruce
Dargie, Paul
Freitas, Mary
Harriott-Gathright, Linda
Schmidt, Janice
Klee, Patricia
Murphy, Nancy
Piedra, Israel
Riel, Cole
Sofikitis, Catherine
Van Houten, Constance
Woodbury, David**MERRIMACK**Carson, Clyde
Fox, Samantha
Moffett, Howard
Saunderson, George
Wallner, Mary Jane
Woods, GaryDoherty, David
Karrick, David
Pimentel, Roderick
Schuett, Dianne
Walz, Mary Beth**ROCKINGHAM**Bunker, Lisa
Cushing, Robert Renny
Gilman, Julie
Le, Tamara
McBeath, Rebecca
Somssich, PeterCahill, Michael
Edgar, Michael
Grossman, Gaby
Lovejoy, Patricia
McConnell, Liz
Ward, Gerald**STRAFFORD**Chase, Wendy
Frost, Sherry
Levesque, Cassandra
Perreault, Mona
Spang, JudithConley, Casey
Gourgue, Amanda
Smith, Marjorie
Rich, Cecilia
Towne, Matthew**SULLIVAN**

O'Hearne, Andrew

Oxenham, Lee

NAYS - 188**BELKNAP**

Aldrich, Glen
Fields, Dennis
Mackie, Jonathan
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
Crawford, Karel

Buco, Thomas
MacDonald, John

Comeau, Ed
Marsh, William

Cordelli, Glenn

CHESHIRE

Faulkner, Barry

Gomarlo, Jennie

O'Day, John

Thompson, Craig

COOS

Craig, Kevin

Furbush, Michael

Merner, Troy

Tucker, Edith

GRAFTON

Adjutant, Joshua
Ladd, Rick
Stringham, Jerry

French, Elaine
Massimilla, Linda

Gordon, Edward
Migliore, Vincent Paul

Hennessey, Erin
Ruprecht, Dennis

HILLSBOROUGH

Lekas, Alicia
Barry, Richard
Camarota, Linda
Fedolfi, Jim
Gould, Linda
Hinch, Richard
Langley, Diane
Marzullo, JP
Notter, Jeanine
Proulx, Mark
Rice, Kimberly
St. John, Michelle
Toomey, Dan
Whittemore, James

Alexander, Joe
Boehm, Ralph
Danielson, David
Flanagan, Jack
Graham, John
Hopper, Gary
Lascelles, Richard
McGhee, Kat
Nunez, Hershel
Prout, Andrew
Rung, Rosemarie
Stack, Kathryn
Ulery, Jordan

Griffin, Barbara
Bouchard, Donald
DiSilvestro, Linda
Gagne, Larry
Greene, Bob
Klein-Knight, Nicole
Leishman, Peter
McLean, Mark
Panasiti, Reed
Ober, Russell
Sanborn, Laurie
Stevens, Deb
Thomas, Wendy

Baroody, Benjamin
Burt, John
Erf, Keith
Goley, Jeffrey
Gunski, Michael
Ober, Lynne
Murray, Megan
Mullen, Sue
Plett, Fred
Renzullo, Andrew
Somero, Paul
Lekas, Tony
Warden, Mark

MERRIMACK

Allard, James
Horn, Werner
McGuire, Carol
Schamberg, Thomas
Walsh, Thomas

Forsythe, Robert
Klose, John
McWilliams, Rebecca
Seaworth, Brian
Wolf, Dan

Fulweiler, Joyce
Kotowski, Frank
Myler, Mel
Soucy, Timothy
Yakubovich, Michael

Hill, Gregory
Luneau, David
Pearl, Howard
Turcotte, Alan

ROCKINGHAM

Abbas, Daryl
Baldasaro, Al
Chirichiello, Brian
DeClercq, Edward
Dolan, Tom
Gay, Betty
Hobson, Deborah
Janvrin, Jason
Loughman, Tom
Pearson, Mark
Melvin, Charles
Packard, Sherman
Prudhomme-O'Brien, Katherine
Torosian, Peter
Wallace, Scott

Abrami, Patrick
Barnes, Arthur
Costable, Michael
Desilets, Joel
Doucette, Fred
Green, Dennis
Hoelzel, Kathleen
Katsakiores, Phyllis
Love, David
Major, Norman
Milz, David
Piemonte, Tony
Pearson, Stephen
True, Chris
Welch, David

Abramson, Max
Bershtein, Alan
Davis, Dan
DeSimone, Debra
Edwards, Jess
Guthrie, Joseph
Osborne, Jason
Khan, Aboul
Lundgren, David
McBride, Everett
O'Connor, John
Potucek, John
Spillane, James
Vallone, Mark
Weyler, Kenneth

Acton, Dennis
Bushway, Patricia
Thomas, Douglas
DiLorenzo, Charlotte
Fowler, William
Harb, Robert
Janigian, John
Kolodziej, Walter
Griffin, Mary
McKinney, Betsy
Owens, Becky
Pratt, Kevin
Sytek, John
Vose, Michael
Yokela, Josh

STRAFFORD

Fontneau, Timothy
Horrigan, Timothy
Vincent, Kenneth

Hayward, Peter
Keans, Sandra
Wuelper, Kurt

Higgins, Peg
Kittredge, Mac

Horgan, James
Pitre, Joseph

SULLIVAN

Aron, Judy
Rollins, Skip

Callum, John
Stapleton, Walter

Laware, Thomas
Smith, Steven

Lucas, Gates

and the majority committee report failed.

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

Rep. McBeath requested a roll call; sufficiently seconded.

YEAS 188 - NAYS 180**YEAS - 188
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
Mackie, Jonathan
Tilton, Franklin

CARROLL

Avellani, Lino
MacDonald, John

Comeau, Ed
Marsh, William

Cordelli, Glenn
Nelson, Bill

Crawford, Karel

CHESHIRE

Faulkner, Barry
Von Plinsky, Sparky

Gomarlo, Jennie

Harvey, Cathryn

O'Day, John

COOS

Craig, Kevin
Thomas, Yvonne

Furbush, Michael

Merner, Troy

Tucker, Edith

GRAFTON

Adjutant, Joshua
Maes, Kevin
Stringham, Jerry

Gordon, Edward
Massimilla, Linda
Smith, Suzanne

Hennessey, Erin
Migliore, Vincent Paul

Ladd, Rick
Ruprecht, Dennis

HILLSBOROUGH

Lekas, Alicia
Griffin, Barbara
Burt, John
Fedolff, Jim
Gould, Linda
Hinch, Richard
Lascelles, Richard
McLean, Mark
Plett, Fred
Renzullo, Andrew
Shaw, Barbara
Lekas, Tony
Whittemore, James

Alexander, Joe
Barry, Richard
Camarota, Linda
Flanagan, Jack
Graham, John
Hopper, Gary
Leishman, Peter
Notter, Jeanine
Proulx, Mark
Rice, Kimberly
Snow, Kendall
Ulery, Jordan

Bouldin, Amanda
Boehm, Ralph
Danielson, David
Gagne, Larry
Greene, Bob
Judy, Jean
Marzullo, JP
Nunez, Hershel
Prout, Andrew
Rung, Rosemarie
Somero, Paul
Thomas, Wendy

Bouldin, Andrew
Bouchard, Donald
Erf, Keith
Goley, Jeffrey
Gunski, Michael
Ober, Lynne
McGhee, Kat
Panasiti, Reed
Ober, Russell
Sanborn, Laurie
Stack, Kathryn
Warden, Mark

MERRIMACK

Allard, James
Hill, Gregory
McGuire, Carol
Soucy, Timothy
Wolf, Dan

Buchanan, Ryan
Horn, Werner
Pearl, Howard
Testerman, Dave
Yakubovich, Michael

Forsythe, Robert
Klose, John
Schamberg, Thomas
Turcotte, Alan

Fulweiler, Joyce
Kotowski, Frank
Seaworth, Brian
Walsh, Thomas

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Baldasaro, Al
Costable, Michael
Desilets, Joel
Doucette, Fred
Green, Dennis
Hoelzel, Kathleen
Katsakiores, Phyllis
Love, David
Major, Norman
Melvin, Charles
Packard, Sherman
Prudhomme-O'Brien, Katherine
Torosian, Peter
Wallace, Scott

Abrami, Patrick
Barnes, Arthur
Davis, Dan
DeSimone, Debra
Edwards, Jess
Guthrie, Joseph
Osborne, Jason
Khan, Aboul
Lundgren, David
Malloy, Dennis
Milz, David
Piemonte, Tony
Pearson, Stephen
True, Chris
Welch, David

Abramson, Max
Bershtein, Alan
Thomas, Douglas
DiLorenzo, Charlotte
Fowler, William
Harb, Robert
Janigian, John
Kolodziej, Walter
Griffin, Mary
McBride, Everett
O'Connor, John
Potucek, John
Spillane, James
Vallone, Mark
Weyler, Kenneth

Acton, Dennis
Chirichiello, Brian
DeClercq, Edward
Dolan, Tom
Gay, Betty
Hobson, Deborah
Janvrin, Jason
Loughman, Tom
Pearson, Mark
McKinney, Betsy
Owens, Becky
Pratt, Kevin
Sytek, John
Vose, Michael
Yokela, Josh

STRAFFORD

Bixby, Peter
Hayward, Peter
Keans, Sandra
Wuelper, Kurt

Chase, Wendy
Higgins, Peg
Kittredge, Mac

Ellis, Donna
Horgan, James
Pitre, Joseph

Fontneau, Timothy
Horrigan, Timothy
Vincent, Kenneth

SULLIVAN

Aron, Judy
Rollins, Skip

Callum, John
Stapleton, Walter

Laware, Thomas
Smith, Steven

Lucas, Gates

NAYS - 180**BELKNAP**

Huot, David

St. Clair, Charlie

CARROLL

Buco, Thomas
Kanzler, Harrison

Burroughs, Anita
Knirk, Jerry

Butler, Edward
Ticehurst, Susan

DesMarais, Edith
Woodcock, Stephen

CHESHIRE

Abbott, Michael
Eaton, Daniel
Morrill, David
Thompson, Craig

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

Berch, Paul
Ley, Douglas
Schapiro, Joe

Bordenet, John
Mann, John
Swinburne, Sandy

COOS

Hatch, William

Laflamme, Larry

Moynihan, Wayne

Noel, Henry

GRAFTON

Abel, Richard
Dontonville, Roger
French, Elaine
Nordgren, Sharon
Weston, Joyce

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

Campion, Polly
Fellows, Sallie
Mulligan, Mary Jane
Stavis, Laurel

Diggs, Francesca
Ford, Susan
Muscatel, Garrett
Sykes, George

HILLSBOROUGH

Backus, Robert
Bergeron, Paul
Chretien, Jacqueline
Cornell, Patricia
DiSilvestro, Linda
Gidge, Kenneth
Heath, Mary
Jack, Martin
Langley, Diane
Mombourquette, Donna
Pedersen, Michael
Porter, Marjorie
Newman, Sue
Smith, Timothy
Van Houten, Constance
Woodbury, David

Balch, Chris
Bernet, Jennifer
Cleaver, Skip
Cote, David
Dutzy, Sherry
Griffith, Willis
Herbert, Christopher
King, Mark
Long, Patrick
Mullen, Sue
Petrigno, Peter
Query, Joshua
Sofikitis, Catherine
Telerski, Laura
Vann, Ivy

Baroody, Benjamin
Bordy, William
Cohen, Bruce
Dargie, Paul
Davis, Fred
Hamer, Heidi
Indruk, Greg
Klee, Patricia
Murray, Megan
Murphy, Nancy
Pickering, Daniel
Newman, Ray
St. John, Michelle
Toomey, Dan
Wilhelm, Matthew

Beaulieu, Jane
Bosman, James
Connors, Erika
Desjardin, Kathy
Freitas, Mary
Harriott-Gathright, Linda
Schmidt, Janice
Klein-Knight, Nicole
Mangipudi, Latha
O'Brien, Michael
Piedra, Israel
Riel, Cole
Stevens, Deb
Vail, Suzanne
Williams, Kermit

MERRIMACK

Bartlett, Christy
Ellison, Arthur
Luneau, David
Myler, Mel
Saunderson, George
Walz, Mary Beth

Carson, Clyde
Fox, Samantha
MacKay, James
Pimentel, Roderick
Schuett, Dianne
Wazir, Safiya

Doherty, David
Karrick, David
McWilliams, Rebecca
Rodd, Beth
Schultz, Kristina
Wells, Kenneth

Ebel, Karen
Lane, Connie
Moffett, Howard
Rogers, Katherine
Wallner, Mary Jane
Woods, Gary

ROCKINGHAM

Altschiller, Debra
Cahill, Michael
Edgar, Michael
Grossman, Gaby
Lovejoy, Patricia
Meuse, David
Ward, Gerald

Berrien, Skip
Cali-Pitts, Jacqueline
Eisner, Mary
Grote, Jaci
Maggiore, Jim
Pantelakos, Laura

Bunker, Lisa
Coursin, David
Elliott, Robert
Murray, Kate
McBeath, Rebecca
Read, Ellen

Bushway, Patricia
Cushing, Robert Renny
Gilman, Julie
Le, Tamara
McConnell, Liz
Somssich, Peter

STRAFFORD

Cannon, Gerri
Gourgue, Amanda
Smith, Marjorie
Rich, Cecilia
Towne, Matthew

Conley, Casey
Grassie, Chuck
Opderbecke, Linn
Salloway, Jeffrey
Treleaven, Susan

Fargo, Kristina
Kenney, Cam
Schmidt, Peter
Sandler, Catt
Wall, Janet

Frost, Sherry
Levesque, Cassandra
Perreault, Mona
Spang, Judith

SULLIVAN

Cloutier, John
Sullivan, Brian

Merchant, Gary
Tanner, Linda

O'Hearne, Andrew

Oxenham, Lee

and the minority committee was adopted.

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

HB 478-FN-A, establishing a road usage fee and making an appropriation therefor. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Michael Abbott for Public Works and Highways. The intent of the road usage fee is to make sure that motor vehicles using our state's roads and bridges provide their fair share of funds for the maintenance of this infrastructure. Presently, vehicles are becoming more fuel-efficient; saving gasoline and benefiting our natural environment. But this situation results in less money raised from the road toll, more popularly known as the gas tax, and thus less money going into New Hampshire's Highway Fund that helps pay for our roads and bridges. This bill, as amended, establishes a road usage fee for motor vehicles registered to travel on New Hampshire roads based on the combined Environmental Protection Agency (EPA) city/ highway miles per gallon (MPG) rating of the vehicle at the time of registration. This fee would be collected at the time of the annual vehicle registration and deposited into the Highway Fund. The bill also makes an appropriation of \$330,000 to the Department of Safety to help implement the fee. Additional provisions would allow city or town clerks, who usually register all vehicles, to keep up to \$1 of the fee to recoup the administrative costs of collecting it. Furthermore, along with helping to pay for state roads and bridges, the same percentage of money collected from the fee as from the gas tax would be allocated to municipalities for their roads and bridges. Exempted from the bill as amended would be motorcycles as defined in RSA 259:63, mopeds as defined in RSA 259:57, off-highway recreational vehicles (OHRVs) as defined in RSA 259:69, and motor vehicles 35 years or older. Vote 16-5.

MOTION TO LAY ON THE TABLE

Rep. Ley moved that **HB 478-FN-A**, establishing a road usage fee and making an appropriation therefor, be laid on the table.

Motion adopted.

REGULAR CALENDAR CONT'D

SB 300-FN, eliminating certain ramp tolls on the Everett turnpike in the town of Merrimack. **INEXPEDIENT TO LEGISLATE.**

Rep. John Graham for Public Works and Highways. This is not the first time the committee has wrestled with this issue. For over 20 years, the Town of Merrimack has agreed that the tolls in Merrimack at Exits 10, 11, and 12 should be removed as a matter of fairness. On the flip side, the committee is cognizant of the fact that the tolls at all three exits were established in the late 1980s at the request of the town. In return, there would be tolls at all three exits and Continental Boulevard would be built and maintained by the Turnpike System. But in 2014, the Exit 12 toll was eliminated by the legislature under SB 367, which also increased the state's road toll or gas tax. More recently, the committee has tried to reach a compromise with the town along the lines of removing the Exit 11 toll and the town taking responsibility for Continental Boulevard. The Town Council has come out against the idea of any compromise. Therefore, the committee recommends that this bill be rejected. Vote 19-2.

Committee report adopted.

HB 683-FN, relative to the rights of property owners abutting certain highways and railroads. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Wendy Thomas for the Majority of Resources, Recreation and Development. This bill, as amended, establishes procedural requirements prior to authorizing certain roads or parts of roads for off-highway recreational vehicle (OHRV) use. OHRV traffic has grown over the years and along with that growth has come significant discrepancies between the OHRV users' right to participate in a sport and the rights of abutting property owners to live peacefully in their homes. This bill, as amended, gives abutters a stronger voice in decisions pertaining to opening or closing roads to OHRV use in their municipalities. It requires the governing body to consider 17 coarse filter criteria prior to a road being authorized for OHRV use. Trails on state land are already required to consider similar coarse filter criteria. After consideration of criteria and public hearing, any decision made by the local governing body to open a road for OHRV use will be subject to a probationary period of one year. An abutter may initiate a petition to close an existing trail section or trail connector. The expense of any petition shall be borne by the petitioner. The bill also mandates that all hearings be held between May 1 and September 30 in order to get the voices of abutters and residents/voters who may leave for the winter months. This bill also allows for any person charged with operating an OHRV on any highway in excess of the specified speed limits to be charged with a motor vehicle offense resulting in points against their driver's license. Lastly, this bill states that Coos and Grafton trail connectors will now be subject to the newly established coarse filter criteria. Vote 10-8.

Rep. Michael Gunski for the Minority of Resources, Recreation and Development. The minority believes that this bill is premature in its filing. On July 12, 2019, the Governor signed a bill relative to studying the economic and other impacts of OHRV use in New Hampshire. To develop the best legislation possible for all interested parties relative to OHRVs, the minority believes we must know concisely the true impact of what we propose. Complete the study as now defined by law, then propose legislation like this bill if that is determined by the findings of the study.

Majority Amendment (2828h)

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

1 Inherent Dangers of OHRV Operation. Amend RSA 215-A:5-c to read as follows:

215-A:5-c Inherent Dangers of OHRV Operation. It is recognized that OHRV operation may be hazardous. Therefore, each person who drives or rides an OHRV accepts, as a matter of law, the dangers inherent in the sport, and shall not maintain an action against an owner, occupant, or lessee of land for any injuries which result from such inherent risks, dangers, or hazards. The categories of such risks, hazards, or dangers which the OHRV user assumes as a matter of law include, but are not limited to, the following: variations in terrain, trails, paths, or roads, surface or subsurface snow or ice conditions, bare spots, rocks, trees, stumps, and other forms of forest growth or debris, structures on the land, equipment not in use, pole lines, fences, and collisions with other operators or persons. ***For purposes of this section, an owner, occupant, or lessee of land shall include abutters to any highway or sidewalk upon which the state, city or town council, or board of selectmen has authorized OHRV use pursuant to RSA 215-A:6, IX and RSA 215-A:10, IV.***

2 Operation of All OHRVs. RSA 215-A:6, IX is repealed and reenacted to read as follows:

IX.(a) Pursuant to RSA 215-A:15, and following a duly noticed public hearing held between May 1 and September 30 posted at least 14 days in advance in a public location in the city or town and notification to all abutters by verified mail pursuant to RSA 451-C:1, VII, the state, city or town council, or board of selectmen may authorize or reauthorize the use of sidewalks and class IV, class V or class VI highways and bridges, or portions thereof, for use by OHRVs, pursuant to subparagraph (b). The public hearing shall be held not more than 30 days after the hearing notice. The operation of OHRVs may also be allowed on sidewalks adjacent to class I, II, III, or III-a highways pursuant to RSA 236:56, II(e). Operators of OHRVs using said roads, or portions thereof, shall keep to the extreme right and shall yield to all conventional motor vehicle traffic. The bureau, or its designee, shall so post such highways where authorized. Following a duly noticed public hearing, except in the case of an emergency closure, a city or town council or board of selectmen may change the allowable usage of a class IV, class V, or class VI highway by OHRVs by giving notification to the supervisor of the bureau and removing any signs that no longer apply.

(b) Prior to rendering a decision on the use of any sidewalk, highway, or bridge under this section for OHRVs, or the petition of an abutter under subparagraph (d), the state, city or town council, or board of selectmen shall consider the criteria set forth in subparagraphs (1)-(17) of this subparagraph. The applicant or petitioner shall bear the cost for criteria consideration. The information from considering such criteria shall be made available to the public at least 14 days before the public hearing required in subparagraph (a) and shall include the following:

- (1) Number of abutting property owners.
- (2) Whether there will be any effect on property values.
- (3) Character of the affected area.
- (4) Distance from nearest residents.
- (5) Anticipated users on weekdays and weekend.
- (6) Surface of roadway.
- (7) Anticipated noise nuisance.
- (8) Speed limit and physical controls and/or enforcement.
- (9) Reasonable alternatives to the trail.
- (10) Necessity of trail for accessing other trails or amenities.
- (11) Responsibility for road maintenance.
- (12) Impact on wildlife.
- (13) Impact on environment, water sources, and air quality.
- (14) Whether or not hazardous substances exist in area.
- (15) Input from the department of fish and game, department of safety, the bureau of trails in the department of natural and cultural resources, and the department of transportation if on state roads.
- (16) Whether or not there is a test or probationary period for the trail.
- (17) Other trail users such as cyclists, hikers, and equestrian users.

(c) After the public hearing and consideration of the criteria required in subparagraph (b), the state, city or town council or board of selectmen may authorize the use of a sidewalk, highway, bridge, or portion thereof, for a probationary period not to exceed one year. The state, city or town council, or board of selectmen shall retain final authority to approve or deny the use of a sidewalk, highway, bridge, or portion thereof, for OHRV use, subject to such conditions and limitations as the city or town council or board of selectmen may deem appropriate.

(d) An abutter may initiate a petition to discontinue a section of an OHRV trail or trail connector for OHRV use. The petitioner shall submit the petition in writing to the state, city or town council, or board of selectmen, accompanied by the signatures of the abutters who support the petition. The process for considering an abutter's petition shall be the same as in subparagraph (b). If consideration of the criteria required in subparagraph (b)(1)-(17) for the trail section or trail connector at issue was completed not more than 6 months ago, then the results of that consideration may be used. The petitioner shall bear the expense of the petition. If a petition to discontinue a section of an OHRV trail or trail connector is denied, no new petition to discontinue the use of that section shall be filed for one year.

3 New Paragraph; Operation of All OHRVs; Speeding on a Class V or VI Highway. Amend RSA 215-A:6 by inserting after paragraph XI the following new paragraph:

XII. Any person charged with operating an OHRV on any highway in excess of the speed limits specified in this section shall be cited for the equivalent violation and penalties under RSA 265:60 and not cited for unlawful speed under this section.

4 Limitations of OHRV Operation on Class I, II, III, and III-a Highways. Amend RSA 215-A:10, IV(a) to read as follows:

(a) Notwithstanding any provisions of the law to the contrary, a person may operate an OHRV on a class I, class II, class III, or class III-a highway that has been designated open for use, in Coos county or in Grafton county, by the bureau of trails, with the approval of the department of transportation and the department of safety ~~[and],~~ **after** a public ~~[meeting]~~ **hearing** in each ~~[community]~~ **city or town** which would be directly affected by such designation, **and after the criteria is considered pursuant to RSA 215-A:6, IX(b).** The bureau, or its designee, shall sign any approved sections of highway for OHRV use.

5 Prohibition of Certain Vehicles Within Highway Rights-of-Way. Amend RSA 236:56, II(d)(1) to read as follows:

(1) All OHRVs and snowmobiles may be operated within specified trail connectors and pursuant to the provisions of RSA 215-A:9 or RSA 215-C:9. The commissioner of the department of transportation may limit the operation of specified types of OHRVs and snowmobiles when the commissioner feels this is necessary in matters of safety and maintenance of trail corridors or at the suggestion of the chief supervisor of the bureau of trails. ~~[Trail connectors, as defined in RSA 215-A:1, in Coos county and in Grafton county shall be exempt from the provisions of RSA 215-A:42 and RSA 215-A:43.]~~

6 Repeal. RSA 215-A:43, V, relative to the exemption for a change in use designation for rail trails to include ATVs and trail bike use, is repealed.

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

AMENDED ANALYSIS

This bill establishes additional notice and procedural requirements prior to authorizing certain roads or portions of roads for OHRV use.

MOTION TO LAY ON THE TABLE

Rep. Flanagan moved that **HB 683-FN**, relative to the rights of property owners abutting certain highways and railtrails, be laid on the table.

On a division vote, with 210 members having voted in the affirmative, and 150 in the negative, the motion was adopted.

REGULAR CALENDAR CONT'D

SB 269-FN-A, making an appropriation to the department of natural and cultural resources to perform an ecological integrity assessment. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Deborah Hobson for Resources, Recreation and Development. This bill, as amended, appropriates \$50,000 to establish an ecological integrity assessment tool. The state of New Hampshire is, itself, the second largest landowner in the state. This assessment tool will enable the state to effectively manage areas with multiple land uses and protect, preserve, promote, and manage the state's natural ecological communities. It will help scientists respond to natural and man-made disturbances from invasive species to inadvertent contamination. Having this knowledge will allow land managers to make the best decisions about how to manage the land and its natural resources over time. The amendment reduces the appropriation from \$100,000 to \$50,000 because the Department of Natural and Cultural Resources has received a Moose Plate grant. Vote 13-6.

Amendment (2825h)

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

1 Appropriation. The sum of \$50,000 for the biennium ending June 30, 2021 is hereby appropriated to the commissioner of the department of natural and cultural resources for the development of an upland ecological integrity assessment. Such funds shall be nonlapsing and continually appropriated to the commissioner of the department of natural and cultural resources. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

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

Committee amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment. On a division vote, with 220 members having voted in the affirmative, and 137 in the negative, the committee report was adopted and referred to the Committee on Finance.

MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. McGuire moved that the House reconsider its action whereby, on a roll call vote of 188-180, the House adopted the minority committee report of Inexpedient to Legislate on **HB 655**, regulating disorderly houses.

Rep. McGuire spoke against.

On a division vote, with 185 members having voted in the affirmative, and 173 in the negative, the motion is adopted.

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

MOTION TO LAY ON THE TABLE

Rep. Ley moved that **HB 655**, regulating disorderly houses, be laid on the table.

Motion adopted.

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

REGULAR CALENDAR CONT'D

HB 735-FN-A, relative to carbon pricing. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Lee Oxenham for the Majority of Science, Technology and Energy. In order to achieve a clean energy economy by 2050 and to address the impending challenges of an increasingly unstable climate, we need to move as rapidly as possible away from fossil fuels. NH currently sends approximately \$4 billion a year out of state to pay for fuels that damage our citizens' health, reduce their productivity, and impair their longevity while fueling the climate crisis. These greenhouse gas emitting fuels pollute our air and waters and diminish our natural-resource based economy, as they threaten increased damage to our homes, businesses, and key infrastructure from floods and high winds. Shifting our fuel purchases to homegrown energy sources could save millions of dollars annually in health care and disaster costs, avoid larger costs if action is delayed, and attract both new investments to power our economy and the millennial workforce NH needs. This bill would institute a revenue-neutral, carbon cashback program that utilizes market signals and consumer choice to shift purchases to NH based energy sources. 100% of the funds collected would be returned in equal portions to adult NH residents, excepting only a small portion to cover administrative costs. Economists from across the political spectrum endorse such fee-and-dividend programs as the most cost-effective and equitable way to combat the multiple threats posed by our changing climate. Providing equal, annual cashback checks to every NH adult will more than cover the increase in fuel prices for low and moderate-income working families, as it speeds the transition to clean energy sources. Vote 10-8.

Rep. Michael Harrington for the Minority of Science, Technology and Energy. This bill has been revised but it has not gotten better. It still has the state collecting almost \$800 million per year in new taxes. It claims to be revenue neutral as it returns all the taxes to NH residents but neglects to mention how the state, the counties and the municipalities will pay for this huge increase in taxes on the fuel and electricity they must buy. The municipalities will have no choice but to raise property taxes but what will the state do? The state will have to cut spending by tens of millions of dollars every year (not very likely) or raise existing taxes or create new ones.

Majority Amendment (2831h)

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

AN ACT establishing a carbon cashback fee collection and distribution program administered by the department of environmental services.

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

1 Legislative Findings and Intent.

I. Climate change poses significant, immediate and increasing threats to the health, livelihoods, and security of New Hampshire families, businesses, and our natural resources-based economy.

II. State authorities must take action to mitigate the impacts of an increasingly warming and unstable climate and move our state off its current dependence on harmful, out-of-state fossil fuels to a clean energy economy based on New Hampshire's abundant renewable energy resources.

III. Placing a fee on carbon dioxide and related greenhouse gas emissions aims to make New Hampshire citizens whole for the damages caused by carbon pollution. This approach provides the most equitable and cost-effective method to reduce carbon emissions at the scale and speed that is necessary to avoid the consequences identified by the national and international scientific community, most notably by the United Nations' Intergovernmental Panel on Climate Change (IPCC), the National Academy of Sciences and the 2018 United States National Climate Assessment.

IV. An annually adjusting fee on carbon pollution corrects both for the subsidies that mask the true cost of carbon-based fuels, costs that impact our health, our clean air resources, and our state. An annually adjusting fee on carbon pollution also provides a predictable price signal that can harness the “invisible hand” of the marketplace to steer economic actors towards a low-carbon future.

V. An annually adjusting fee on carbon pollution encourages technological innovation, promotes increased energy efficiency and encourages further development of renewable energy in New Hampshire. It also provides the regulatory certainty companies have asked for and need for long-term investment in clean-energy alternatives.

VI. A revenue-neutral system that rebates carbon fees back to every adult domiciled in New Hampshire through a direct cash-back program protects low and moderate income groups from increases in energy prices, while using market signals to shift consumers away from higher-cost carbon-polluting products to carbon-reduced or carbon-free purchases.

2 New Chapter; Carbon Cashback Fee. Amend RSA by inserting after chapter 339-G the following new chapter:

CHAPTER 339-H CARBON CASHBACK FEE

339-H:1 Definitions. In this chapter:

- I. “Applicable entity” means the vendor of a carbon-based fuel, at the first point of sale within the state.
- II. “Carbon-based fuel” means coal, a petroleum product, natural gas, or electricity produced from such fuels.
- III. “Carbon dioxide equivalent” and “CO₂e” mean the amount of carbon dioxide by mass that would produce the same global warming impact as a given mass of another greenhouse gas over an integrated 20-year time frame after emission, based on the best available science.
- IV. “Department” means the department of environmental services.
- V. “Electricity suppliers” means electric utilities providing default energy service and competitive electricity retailers.

VI. “Greenhouse gas” or “greenhouse gas emission” means carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, sulfur hexafluoride, and any other substance emitted into the air that may be reasonably anticipated to cause or contribute to anthropogenic climate change.

VII. “Petroleum product” means all petroleum derivatives, whether in bond or not, which are commonly burned to produce heat, electricity, or motion, or which are commonly processed to produce synthetic gas for burning, or reacted to form proportionate quantities of a greenhouse gas as identified by United States Environmental Protection Agency, including without limitation, propane, gasoline, unleaded gasoline, kerosene, heating oil, diesel fuel, kerosene based jet fuel, and number 4, number 5 and residual oil for utility and non-utility uses, but not including, petroleum feedstocks for plastics production and for reagents used to synthesize non-fuel materials.

339-H:2 Carbon Cashback Fee; Fund Established.

I. Every applicable entity shall pay, in a manner determined in rules adopted pursuant to RSA 541-A by the commissioner of environmental services, a fee to the department on any carbon-based fuel sold, used, or entered into the state by such applicable entity for purposes of distribution or use within the state. As soon as possible after the effective date of this chapter, the department shall adopt in rules the schedule of fees to be levied on the sources of greenhouse gas emissions identified in this chapter.

II. The amount of the fee imposed by paragraph I on any carbon-based fuel shall be equal to the applicable amount per ton of carbon dioxide equivalent that would be emitted through the combustion of such product, as determined in rules adopted pursuant to RSA 541-A by the department of environmental services and pursuant to RSA 339-H:6, including:

(a) The carbon content of fossil fuels sold or used within the state, including, but not limited to, fossil fuels sold or used for aviation or marine purposes; and

(b) The carbon content inherent in electricity consumed within this state that is imported into New Hampshire.

III. For the purposes of paragraph II, the applicable amount shall be:

(a) For any carbon-based fuel sold, used, or imported into the state during calendar year 2020, \$20 per short ton carbon dioxide equivalent.

(b) For any carbon-based fuel sold, used, or entered into the state during any calendar year after 2020 and before 2030, an amount equal to the amount in effect under this paragraph for the preceding calendar year plus \$10 per short ton carbon dioxide equivalent.

(c) For any carbon-based fuel sold, used, or entered into the state during any calendar year after 2030, an amount equal to the amount in effect in 2030.

IV. The department shall calculate and publish the amount of the fee established under this section in current dollars for each year by October 1 of the previous year, except for the initial year of 2020. For 2020, the department shall calculate and publish the amount of the fee as soon as possible after the effective date of this chapter and begin collecting the fee under paragraphs I-III for the next full quarter after publication.

V. The department shall require all applicable entities to pay the fees required pursuant to this section by the end of each calendar quarter.

VI. From the fees collected, the department shall deduct the amount required to defray the costs associated with the collection, administration, and distribution of the carbon cashback fund. Such amounts deducted shall be deposited in a special account maintained by the department of environmental services to offset the costs of the carbon cashback program. All of the remaining moneys collected by applicable entities paying the fee established in this section shall be deposited in the carbon cashback fund. The carbon cashback fund is hereby established in the treasury and shall be nonlapsing and continually appropriated to the department. Amounts in the fund shall be expended as provided in RSA 339-H:5.

VII. Each applicable entity paying the fee established in this section shall submit an annual compliance report to the department, by a date and in a form prescribed in rules of the department. Each report shall include clear and concise information that demonstrates that the applicable entity made calculations and collected moneys fully in accordance with this section. The department shall determine if each applicable entity complied with the requirements of this chapter, or if additional actions must be taken by the applicable entity to come into compliance.

VIII. Failure to timely pay the fees due under this chapter shall result in the assessment of a 10 percent penalty to be added to the amount of fees due for that quarter. Said penalty shall immediately accrue and thereafter the overdue fees and the penalty shall bear interest at the rate established by the commissioner of safety under RSA 260:40-a. The department may waive all or any portion of penalties or interest for good cause.

339-H:3 Calculation of Emissions Factors.

I. As soon as possible after the effective date of this chapter, the department of environmental services shall, for each carbon-based fuel identified in this chapter, including various sources of electricity consumed in the state, calculate greenhouse gas emissions factors, in units of carbon dioxide equivalent.

II. Emissions factors calculated under this section shall take into account life-cycle greenhouse gas emissions.

III. At least once a year, the department of environmental services shall calculate, for each electricity supplier, greenhouse gas emissions factors, in carbon dioxide equivalent per megawatt-hour, associated with the combustion of each carbon-based fuel identified in this chapter for the purposes of generating electricity.

339-H:4 Reduction in Fees Due. Any fees due under RSA 339-H:2 shall be reduced by the amount of any fee or payment due under any federal law or regional carbon pricing system that establishes a direct greenhouse gas price on the same carbon-based fuels for the same year as the fee required in this chapter, provided however that such reduction shall not be to an amount less than zero.

339-H:5 Use of Funds. The moneys in the carbon cashback fund shall be used for the following:

I. All of the funds in the carbon cashback fund shall be distributed equally to all adults legally domiciled in the state of New Hampshire in the calendar year during which the fees are collected. Eligibility for carbon cashback funds shall be restricted to adults 18 years of age and older legally domiciled in the state on April 1 of each calendar year in which the funds are collected. Eligibility requirements for proof of domicile and annual registration forms shall be adopted by commissioner of the department of environmental services, with the advice and oversight of the Energy Efficiency and Sustainable Energy Board.

II. Fees collected under this chapter and deposited in the carbon cashback fund shall only be used for the purposes described in this section.

339-H:6 Rulemaking. The commissioner of the department of environmental services shall adopt rules under RSA 541-A for:

I. The schedule of fees under RSA 339-H:2.

II. The calculation of emissions factors in RSA 339-H:3.

III. Eligibility requirements and distribution procedures for carbon cashback funds under RSA 339-H:5.

IV. Other matters required for the implementation of this chapter.

3 New Subparagraph; Application of Receipts. Amend RSA 6:12, I(b) by inserting after subparagraph (358) the following new subparagraph:

(359) Moneys deposited in the carbon cashback fund established in RSA 339-H:2.

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

AMENDED ANALYSIS

This bill establishes a carbon cashback fee collected by the department of environmental services from vendors of carbon-based fuel at the first point of sale within the state. The amounts collected, less costs of administration, are to be distributed equally to all adults legally domiciled in the state of New Hampshire on April 1 in the calendar year during which the fees are collected.

MOTION TO LAY ON THE TABLE

Rep. Backus moved that **HB 735-FN-A**, relative to carbon pricing, be laid on the table.

Rep. Read requested a roll call; sufficiently seconded.

YEAS 187 - NAYS 172**YEAS - 187
BELKNAP**

Huot, David

St. Clair, Charlie

Buco, Thomas
Kanzler, HarrisonBurroughs, Anita
Knirk, Jerry**CARROLL**Butler, Edward
Ticehurst, Susan

DesMarais, Edith

CHESHIREAbbott, Michael
Eaton, Daniel
Harvey, Cathryn
Parkhurst, HenryAmes, Richard
Faulkner, Barry
Ley, Douglas
Schapiro, JoeBerch, Paul
Fenton, Donovan
Mann, John
Swinburne, SandyBordenet, John
Gomarlo, Jennie
Morrill, David
Weber, Lucy**COOS**Hatch, William
Thomas, Yvonne

Laflamme, Larry

Moynihan, Wayne

Tucker, Edith

GRAFTONAlmy, Susan
Ford, Susan
Mulligan, Mary Jane
Ruprecht, Dennis
Sykes, GeorgeDiggs, Francesca
French, Elaine
Muscatel, Garrett
Stavis, LaurelDontonville, Roger
Maes, Kevin
Nordgren, Sharon
Stringham, JerryFellows, Sallie
Massimilla, Linda
Osborne, Richard
Smith, Suzanne**HILLSBOROUGH**Backus, Robert
Bergeron, Paul
Bouchard, Donald
Connors, Erika
Desjardin, Kathy
Freitas, Mary
Hamer, Heidi
Indruk, Greg
King, Mark
Murray, Megan
Mullen, Sue
Piedra, Israel
Riel, Cole
Snow, Kendall
Telerski, Laura
Thomas, WendyBalch, Chris
Bernet, Jennifer
Chretien, Jacqueline
Cornell, Patricia
DiSilvestro, Linda
Gidge, Kenneth
Harriott-Gathright, Linda
Schmidt, Janice
Klee, Patricia
Mangipudi, Latha
O'Brien, Michael
Porter, Marjorie
Rung, Rosemarie
St. John, Michelle
Toomey, Dan
Wilhelm, MatthewBaroody, Benjamin
Bordy, William
Cleaver, Skip
Cote, David
Dutzy, Sherry
Goley, Jeffrey
Heath, Mary
Jack, Martin
Langley, Diane
McGhee, Kat
Petrigno, Peter
Query, Joshua
Newman, Sue
Stevens, Deb
Vail, Suzanne
Williams, KermitBeaulieu, Jane
Bosman, James
Cohen, Bruce
Dargie, Paul
Davis, Fred
Griffith, Willis
Herbert, Christopher
Jeudy, Jean
Long, Patrick
Mombourquette, Donna
Pickering, Daniel
Newman, Ray
Shaw, Barbara
Smith, Timothy
Van Houten, Constance
Woodbury, David**MERRIMACK**Bartlett, Christy
Ellison, Arthur
MacKay, James
Rodd, Beth
Shurtleff, Steve
Walz, Mary Beth
Woods, GaryCarson, Clyde
Fox, Samantha
McWilliams, Rebecca
Rogers, Katherine
Soucy, Timothy
Wazir, SafiyaDoherty, David
Fulweiler, Joyce
Moffett, Howard
Saunderson, George
Turcotte, Alan
Wells, KennethEbel, Karen
Karrick, David
Pimentel, Roderick
Schuett, Dianne
Wallner, Mary Jane
Wolf, Dan**ROCKINGHAM**Altschiller, Debra
Cahill, Michael
DiLorenzo, Charlotte
Grossman, Gaby
Maggiore, Jim
McKinney, Betsy
Vallone, MarkBerrien, Skip
Cali-Pitts, Jacqueline
Edgar, Michael
Grote, Jaci
Malloy, Dennis
Meuse, David
Ward, GeraldBunker, Lisa
Coursin, David
Eisner, Mary
Murray, Kate
McBeath, Rebecca
Pantelakos, LauraBushway, Patricia
Cushing, Robert Renny
Gilman, Julie
Lovejoy, Patricia
McConnell, Liz
Somssich, Peter**STRAFFORD**Bixby, Peter
Fargo, Kristina
Horrigan, Timothy
Rich, Cecilia
Treleaven, SusanCannon, Gerri
Gourgue, Amanda
Keans, Sandra
Salloway, Jeffrey
Vincent, KennethChase, Wendy
Grassie, Chuck
Opderbecke, Linn
Sandler, Catt
Wall, JanetEllis, Donna
Higgins, Peg
Schmidt, Peter
Towne, Matthew

SULLIVAN

Cloutier, John
Sullivan, Brian

Merchant, Gary
Tanner, Linda

O'Hearne, Andrew

Oxenham, Lee

NAYS - 172**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
Mackie, Jonathan
Tilton, Franklin

CARROLL

Avellani, Lino
MacDonald, John

Comeau, Ed
Marsh, William

Cordelli, Glenn
Nelson, Bill

Crawford, Karel

CHESHIRE

Hunt, John

O'Day, John

Thompson, Craig

Von Plinsky, Sparky

COOS

Craig, Kevin

Furbush, Michael

Merner, Troy

Noel, Henry

GRAFTON

Abel, Richard
Gordon, Edward
Migliore, Vincent Paul

Adjutant, Joshua
Hennessey, Erin
Weston, Joyce

Campion, Polly
Josephson, Timothy

Egan, Timothy
Ladd, Rick

HILLSBOROUGH

Lekas, Alicia
Griffin, Barbara
Camarota, Linda
Gagne, Larry
Gunski, Michael
Ober, Lynne
McLean, Mark
Panasiti, Reed
Prout, Andrew
Sanborn, Laurie
Lekas, Tony
Whittemore, James

Alexander, Joe
Barry, Richard
Danielson, David
Gould, Linda
Hinch, Richard
Lascelles, Richard
Murphy, Nancy
Pedersen, Michael
Ober, Russell
Sofikitis, Catherine
Ulery, Jordan

Bouldin, Amanda
Boehm, Ralph
Erf, Keith
Graham, John
Hopper, Gary
Leishman, Peter
Notter, Jeanine
Plett, Fred
Renzullo, Andrew
Somero, Paul
Vann, Ivy

Bouldin, Andrew
Burt, John
Fedolli, Jim
Greene, Bob
Klein-Knight, Nicole
Marzullo, JP
Nunez, Hershel
Proulx, Mark
Rice, Kimberly
Stack, Kathryn
Warden, Mark

MERRIMACK

Allard, James
Horn, Werner
McGuire, Carol
Schultz, Kristina
Yakubovich, Michael

Buchanan, Ryan
Klose, John
Myler, Mel
Seaworth, Brian

Forsythe, Robert
Kotowski, Frank
Pearl, Howard
Testerman, Dave

Hill, Gregory
Luneau, David
Schamberg, Thomas
Walsh, Thomas

ROCKINGHAM

Abbas, Daryl
Barnes, Arthur
Davis, Dan
DeSimone, Debra
Elliott, Robert
Harb, Robert
Janigian, John
Le, Tamara
Pearson, Mark
Owens, Becky
Pratt, Kevin
Sytek, John
Wallace, Scott

Abrami, Patrick
Bershtein, Alan
Thomas, Douglas
Dolan, Tom
Gay, Betty
Hobson, Deborah
Katsakiores, Phyllis
Love, David
Major, Norman
Packard, Sherman
Prudhomme-O'Brien, Katherine
Torosian, Peter
Welch, David

Acton, Dennis
Chirichiello, Brian
DeClercq, Edward
Doucette, Fred
Green, Dennis
Hoelzel, Kathleen
Khan, Aboul
Lundgren, David
McBride, Everett
Piemonte, Tony
Read, Ellen
True, Chris
Weyler, Kenneth

Baldasaro, Al
Costable, Michael
Desilets, Joel
Edwards, Jess
Guthrie, Joseph
Osborne, Jason
Kolodziej, Walter
Griffin, Mary
Melvin, Charles
Potucek, John
Pearson, Stephen
Vose, Michael
Yokela, Josh

STRAFFORD

Conley, Casey
Kenney, Cam
Perreault, Mona

Frost, Sherry
Kittredge, Mac
Pitre, Joseph

Hayward, Peter
Levesque, Cassandra
Spang, Judith

Horgan, James
Smith, Marjorie
Wuelper, Kurt

SULLIVAN

Aron, Judy
Rollins, Skip

Callum, John
Stapleton, Walter

Laware, Thomas
Smith, Steven

Lucas, Gates

and the motion was adopted.

MOTION TO PRINT DEBATE

Rep. Baldasaro moved that the debate on **HB 735-FN-A**, relative to carbon pricing, be printed in the Permanent Journal.

Motion failed.

REGULAR CALENDAR CONT'D

SB 122-FN, relative to expenditures from the energy efficiency fund. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Kenneth Wells for the Majority of Science, Technology and Energy. This bill, as amended, ends the diversion of residential Regional Greenhouse Gas Initiative (RGGI) energy efficiency funds to rebates for residential customers, and instead allocates all such funds (currently \$13.6 million) toward energy efficiency in the following manner. At least 35% of the funds will be allocated to the low-income utility core energy efficiency program. No more than \$5 million will be allocated to municipal, school district and local government energy efficiency programs, with any funds unclaimed after 4 months offered on a first-come, first-served basis to business and municipal customers who fund the System Benefits Charge. Also included is a requirement for the Public Utilities Commission and Department of Environmental Services to report on any recommended changes to these allocations. In this bill, 100% of the energy efficiency funds collected from commercial and industrial customers will be rebated to them. Vote 11-8.

Rep. Fred Plett for the Minority of Science, Technology and Energy. This bill would retain amounts now refunded to residential ratepayers in direct bill assistance from the moneys generated by the payments made by generators for carbon dioxide emissions and instead spend it on efficiency programs. In 2018, the amount generated by the fund from RGGI charges was \$12.8 million. Residential ratepayers consume about 42% of electric sales, so this would increase residential electric bills by more than \$5 million per year.

Majority Amendment (1728h)

Amend the bill by replacing section 1 with the following:

1 Regional Greenhouse Gas Initiative; Energy Efficiency Fund and Use of Auction Proceeds. Amend RSA 125-O:23, II and III to read as follows:

II. All amounts ~~[in excess of the threshold price of \$1 for any allowance sale]~~ shall be ***allocated to the commercial and industrial retail electric ratepayers and the residential retail electric ratepayers consistent with the kilowatt-hour delivery sales of electric distribution utilities as determined by the commission. All of the commercial and industrial retail electric ratepayer allocations shall be*** rebated to all ***commercial and retail industrial*** ~~[retail electric]~~ ratepayers in the state on a per-kilowatt-hour basis, in a timely manner to be determined by the commission.

III. All remaining proceeds received by the state from the sale of allowances, excluding the amount used for commission and department administration under paragraph I, shall be allocated by the commission as follows:

(a) At least ~~[15]~~ **35** percent to the low-income ***utility*** core energy efficiency program.

(b) Beginning January 1, ~~[2014]~~ **2020**, ~~[up to \$2,000,000]~~ ***no more than \$5,000,000*** annually to utility core ***energy efficiency*** programs for municipal, ***school district***, and local government energy efficiency projects, including projects by local governments that have their own municipal utilities. Funding elements shall include, but not be limited to, funding for direct technical and project management assistance to identify and encourage comprehensive projects and incentives structured to assist municipal and local governments funding energy efficiency projects. In calendar years 2014~~, 2015, and 2016,~~ ***through 2019*** any unused funds allocated to municipal and local government projects under this paragraph remaining at the end of the year shall roll over and be added to the new calendar year program funds and continue to be made available exclusively for municipal and local government projects. Beginning in calendar year ~~[2017]~~ **2020**, and all subsequent years, funds allocated to municipal and local government projects under this paragraph shall be offered first to municipal and local governments as described in this paragraph for no less than 4 full calendar months. If, at the end of this time, municipal and local governments have not submitted requests for eligible projects that will expend the funds allocated to municipal and local government projects under this paragraph within that program year, the funds shall be offered on a first-come, first-serve basis to business and municipal customers who fund the system benefits charge.

(c) The remainder to all-fuels, comprehensive energy efficiency programs administered by qualified parties which may include electric distribution companies as selected through a competitive bid process. The funding shall be distributed among residential, commercial, and industrial customers ~~[based upon each customer class's electricity usage]~~ ***divided evenly between the 2 existing customer classes*** to the greatest extent practicable as determined by the commission. Bids shall be evaluated based on, but not limited to, the following criteria:

(1) A benefit/cost ratio analysis including all fuels.

(2) Demonstrated ability to provide a comprehensive, fuel neutral program.

- Amend the bill by deleting section 3 and renumbering the original section 4 to read as 3.

This bill:

II. Requires rebates from the use of auction proceeds to all commercial and industrial retail energy ratepayers.

Majority committee report adopted.

Rep. Plett spoke against.

Rep. Notter requested a roll call; sufficiently seconded.

St. Clair, Charlie

Kanzler, Harrison

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

Noel, Henry

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

Balch, Chris
Bernet, Jennifer
Chretien, Jacqueline
Cornell, Patricia
Desjardin, Kathy
Gidge, Kenneth
Harriott-Gathright, Linda
Schmidt, Janice
Klee, Patricia
Long, Patrick
Mombourquette, Donna
Pedersen, Michael
Porter, Marjorie
Rung, Rosemarie
Sofikitis, Catherine
Smith, Timothy
Van Houten, Constance
Williams, Kermit

MERRIMACK

Bartlett, Christy
 Ellison, Arthur
 Luneau, David
 Myler, Mel
 Sauderson, George
 Soucy, Timothy
 Wells, Kenneth

Carson, Clyde
 Fox, Samantha
 MacKay, James
 Pimentel, Roderick
 Schamberg, Thomas
 Turcotte, Alan
 Wolf, Dan

Doherty, David
 Fulweiler, Joyce
 McWilliams, Rebecca
 Rodd, Beth
 Schuett, Dianne
 Walz, Mary Beth
 Woods, Gary

Ebel, Karen
 Karrick, David
 Moffett, Howard
 Rogers, Katherine
 Schultz, Kristina
 Wazir, Safiya

ROCKINGHAM

Altschiller, Debra
 Cahill, Michael
 DiLorenzo, Charlotte
 Grossman, Gaby
 Lovejoy, Patricia
 McConnell, Liz
 Somssich, Peter

Berrien, Skip
 Cali-Pitts, Jacqueline
 Edgar, Michael
 Grote, Jaci
 Maggiore, Jim
 Meuse, David
 Vallone, Mark

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

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

STRAFFORD

Bixby, Peter
 Ellis, Donna
 Grassie, Chuck
 Kenney, Cam
 Rich, Cecilia
 Towne, Matthew

Cannon, Gerri
 Fargo, Kristina
 Higgins, Peg
 Levesque, Cassandra
 Salloway, Jeffrey
 Treleaven, Susan

Chase, Wendy
 Frost, Sherry
 Horrigan, Timothy
 Opderbecke, Linn
 Sandler, Catt
 Vincent, Kenneth

Conley, Casey
 Gourgue, Amanda
 Keans, Sandra
 Schmidt, Peter
 Spang, Judith
 Wall, Janet

SULLIVAN

Cloutier, John
 Sullivan, Brian

Merchant, Gary
 Tanner, Linda

O'Hearne, Andrew

Oxenham, Lee

NAYS - 140**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
 Mackie, Jonathan
 Tilton, Franklin

CARROLL

Avellani, Lino
 Crawford, Karel

Buco, Thomas
 MacDonald, John

Comeau, Ed
 Marsh, William

Cordelli, Glenn
 Nelson, Bill

CHESHIRE

Hunt, John

O'Day, John

COOS

Craig, Kevin

Furbush, Michael

Merner, Troy

GRAFTON

Gordon, Edward

Hennessey, Erin

Ladd, Rick

Migliore, Vincent Paul

HILLSBOROUGH

Lekas, Alicia
 Boehm, Ralph
 Fedolfi, Jim
 Greene, Bob
 Lascelles, Richard
 Nunez, Hershel
 Prout, Andrew
 Sanborn, Laurie
 Warden, Mark

Alexander, Joe
 Burt, John
 Gagne, Larry
 Gunski, Michael
 Marzullo, JP
 Panasiti, Reed
 Ober, Russell
 Somero, Paul
 Whittemore, James

Griffin, Barbara
 Camarota, Linda
 Gould, Linda
 Hinch, Richard
 McLean, Mark
 Plett, Fred
 Renzullo, Andrew
 Lekas, Tony

Barry, Richard
 Erf, Keith
 Graham, John
 Ober, Lynne
 Notter, Jeanine
 Proulx, Mark
 Rice, Kimberly
 Ulery, Jordan

MERRIMACK

Allard, James
 Klose, John
 Seaworth, Brian

Forsythe, Robert
 Kotowski, Frank
 Testerman, Dave

Hill, Gregory
 McGuire, Carol
 Walsh, Thomas

Horn, Werner
 Pearl, Howard
 Yakubovich, Michael

ROCKINGHAM

Abbas, Daryl
 Bershtein, Alan
 Thomas, Douglas

Abrami, Patrick
 Chirichiello, Brian
 DeClercq, Edward

Acton, Dennis
 Costable, Michael
 Desilets, Joel

Baldasaro, Al
 Davis, Dan
 DeSimone, Debra

Dolan, Tom
Green, Dennis
Hoelzel, Kathleen
Kolodziej, Walter
Pearson, Mark
Melvin, Charles
Packard, Sherman
Prudhomme-O'Brien, Katherine
True, Chris
Weyler, Kenneth

Edwards, Jess
Guthrie, Joseph
Osborne, Jason
Love, David
Major, Norman
Milz, David
Piemonte, Tony
Pearson, Stephen
Vose, Michael
Yokela, Josh

Elliott, Robert
Harb, Robert
Janigian, John
Lundgren, David
McBride, Everett
O'Connor, John
Potucek, John
Sytek, John
Wallace, Scott

Gay, Betty
Hobson, Deborah
Katsakiores, Phyllis
Griffin, Mary
McKinney, Betsy
Owens, Becky
Pratt, Kevin
Torosian, Peter
Welch, David

STRAFFORD

Hayward, Peter
Pitre, Joseph

Horgan, James
Wuelper, Kurt

Kittredge, Mac

Perreault, Mona

SULLIVAN

Aron, Judy
Rollins, Skip

Callum, John
Stapleton, Walter

Laware, Thomas
Smith, Steven

Lucas, Gates

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

SB 124, relative to renewable portfolio standards after 2025. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Kenneth Wells for the Majority of Science, Technology and Energy. The aim of the Renewable Portfolio Standard (RPS) is to encourage an annual steady growth rate of the state's production of electricity from renewable energy sources. The standard is made up of 4 classes. Class I includes all new sources such as wind, geothermal, and tidal, while Class II is just for new solar. Class III and IV are for pre-2006 biomass, biogas, and hydro facilities. This bill, as amended, updates the yearly RPS schedule to eliminate some abrupt changes in the rate schedule and extend it to the year 2040. The schedule is exceedingly modest, calling for annual minimum increases of only 0.9% in both Class I and Class II renewables. Class III and IV percentages remain flat. By 2040, total electricity production must be at least 28.5% from Class I, 18.7% from Class II, 8% from Class III, and 1.5% from Class IV. Vote 11-8.

Rep. Michael Harrington for the Minority of Science, Technology and Energy. For years we have been inundated with information on global warming and climate change. You would think that all NH residents would be fully informed on these issues and be able to make their own choices as far as what type of electricity to buy. Well according to this bill you would be wrong. The premise of this bill is that NH residents are too ignorant to make their own decision on what type of electricity to buy. Given the freedom to make this choice, they will choose wrong, therefore the state must make this decision for them. This bill has nothing to do with whether renewable energy is good or bad, it is all about freedom. Do NH residents have the freedom to decide what type of electricity to buy or should the state make that decision for them? The minority believes individuals should be able to make that choice for themselves.

Majority Amendment (2804h)

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

AN ACT relative to the minimum electric renewable portfolio standards.

Amend RSA 362-F:3, I as inserted by section 1 of the bill by replacing it with the following:

I. For each year specified below, each provider of electricity shall obtain and retire certificates sufficient in number and class type to meet or exceed the percentages designated of total megawatt-hours of electricity supplied by the provider to its end-use customers that year, except to the extent that the provider makes payments to the renewable energy fund under RSA 362-F:10, II:

(a) For Class I: 9.6 percent in 2019; plus an additional .9 percent each year until 2040. Within the total for Class I, the Class I useful thermal requirement shall be 1.4 percent in 2019 plus an additional .2 percent for each year until 2040. Therefore, for 2040, and each year thereafter, the total for Class I shall be 28.5 percent with 5.6 percent Class I useful thermal within the total.

(b) For Class II: .6 percent in 2019; .7 percent in 2020; plus an additional .9 percent for each year until 2040. Therefore, for 2040 and each year thereafter, the Class II requirement shall be 18.7 percent.

(c) For Class III: for 2019 and each year thereafter, 8 percent.

(d) For Class IV: for 2019 and each year thereafter, 1.5 percent.

Amend RSA 362-F:3-a as inserted by section 2 of the bill by replacing it with the following:

362-F:3-a Exemption Period for Certain Electrical Supply Contracts.

I. The increases in the annual purchase percentages under RSA 362-F:3 applicable to class II for 2021 and thereafter as compared to the class II annual purchase percentages in effect as of January 1, 2020, shall not apply to the megawatt-hours delivered during the contract term under any electrical power supply contract entered into before the effective date of this section, provided that the contract term in effect before such effective date has not been extended or otherwise increased after that date.

II. Providers shall inform the commission by July 1 of each year, through July 1, 2023, of all such exempted contracts, including but not limited to, the execution date and expiration date of the contract, the basis for exemption under this section, and if applicable, the annual megawatt-hours supplied and exempted, or the annual amount of exempted methane gas certificates and the basis for exemption. All such information filed with the commission shall be exempt from the provisions of RSA 91-A:5, IV.

Majority committee amendment adopted.

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

Rep. Plett spoke against.

Rep Wells spoke in favor and yielded to questions.

Rep. Notter requested a roll call; sufficiently seconded.

YEAS 214 - NAYS 141

YEAS - 214

BELKNAP

Huot, David St. Clair, Charlie

CARROLL

Burroughs, Anita Butler, Edward DesMarais, Edith Kanzler, Harrison
Knirk, Jerry Ticehurst, Susan

CHESHIRE

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

COOS

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

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
Massimilla, Linda Mulligan, Mary Jane Muscatel, Garrett Nordgren, Sharon
Osborne, Richard Ruprecht, Dennis Stavis, Laurel Stringham, Jerry
Smith, Suzanne Sykes, George Weston, Joyce

HILLSBOROUGH

Bouldin, Amanda Bouldin, Andrew Backus, Robert Balch, Chris
Baroody, Benjamin Beaulieu, Jane Bergeron, Paul Bernet, Jennifer
Bordy, William Bosman, James Bouchard, Donald Chretien, Jacqueline
Cleaver, Skip Cohen, Bruce Connors, Erika Cornell, Patricia
Cote, David Danielson, David Dargie, Paul Desjardin, Kathy
DiSilvestro, Linda Dutzy, Sherry Davis, Fred Freitas, Mary
Gidge, Kenneth Goley, Jeffrey Griffith, Willis Hamer, Heidi
Harriott-Gathright, Linda Heath, Mary Herbert, Christopher Indruk, Greg
Schmidt, Janice Jack, Martin Jeudy, Jean King, Mark
Klee, Patricia Klein-Knight, Nicole Langley, Diane Leishman, Peter
Long, Patrick Murray, Megan Mangipudi, Latha McGhee, Kat
Mombourquette, Donna Mullen, Sue Murphy, Nancy O'Brien, Michael
Pedersen, Michael Petrigno, Peter Pickering, Daniel Piedra, Israel
Porter, Marjorie Query, Joshua Newman, Ray Riel, Cole
Rung, Rosemarie Newman, Sue Shaw, Barbara Snow, Kendall
Sofikitis, Catherine St. John, Michelle Stack, Kathryn Stevens, Deb
Smith, Timothy Telerski, Laura Toomey, Dan Vail, Suzanne
Van Houten, Constance Vann, Ivy Thomas, Wendy Wilhelm, Matthew
Williams, Kermit Woodbury, David

MERRIMACK

Bartlett, Christy Carson, Clyde Doherty, David Ebel, Karen
Ellison, Arthur Fox, Samantha Fulweiler, Joyce Karrick, David
Luneau, David MacKay, James McWilliams, Rebecca Moffett, Howard
Myler, Mel Pimentel, Roderick Rodd, Beth Rogers, Katherine
Saunderson, George Schamberg, Thomas Schuett, Dianne Schultz, Kristina
Soucy, Timothy Turcotte, Alan Wallner, Mary Jane Walz, Mary Beth
Wazir, Safiya Wells, Kenneth Wolf, Dan Woods, Gary

ROCKINGHAM

Altschiller, Debra
Cahill, Michael
DiLorenzo, Charlotte
Grossman, Gaby
Lovejoy, Patricia
McConnell, Liz
Somssich, Peter

Berrien, Skip
Cali-Pitts, Jacqueline
Edgar, Michael
Grote, Jaci
Maggiore, Jim
Meuse, David
Vallone, Mark

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

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

STRAFFORD

Bixby, Peter
Ellis, Donna
Grassie, Chuck
Kenney, Cam
Schmidt, Peter
Spang, Judith
Wall, Janet

Cannon, Gerri
Fargo, Kristina
Higgins, Peg
Levesque, Cassandra
Rich, Cecilia
Towne, Matthew

Chase, Wendy
Frost, Sherry
Horrigan, Timothy
Smith, Marjorie
Salloway, Jeffrey
Treleven, Susan

Conley, Casey
Gourgue, Amanda
Keans, Sandra
Opderbecke, Linn
Sandler, Catt
Vincent, Kenneth

SULLIVAN

Cloutier, John
Tanner, Linda

Merchant, Gary

O'Hearne, Andrew

Oxenham, Lee

NAYS - 141**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
Mackie, Jonathan
Tilton, Franklin

CARROLL

Avellani, Lino
Crawford, Karel

Buco, Thomas
MacDonald, John

Comeau, Ed
Marsh, William

Cordelli, Glenn
Nelson, Bill

CHESHIRE

Hunt, John

O'Day, John

COOS

Craig, Kevin

Furbush, Michael

Merner, Troy

GRAFTON

Gordon, Edward

Hennessey, Erin

Ladd, Rick

Migliore, Vincent Paul

HILLSBOROUGH

Lekas, Alicia
Boehm, Ralph
Fedolfi, Jim
Greene, Bob
Ober, Lynne
Notter, Jeanine
Proulx, Mark
Rice, Kimberly
Ulery, Jordan

Alexander, Joe
Burt, John
Gagne, Larry
Gunski, Michael
Lascelles, Richard
Nunez, Hershel
Prout, Andrew
Sanborn, Laurie
Warden, Mark

Griffin, Barbara
Camarota, Linda
Gould, Linda
Hinch, Richard
Marzullo, JP
Panasiti, Reed
Ober, Russell
Somero, Paul
Whittemore, James

Barry, Richard
Erf, Keith
Graham, John
Hopper, Gary
McLean, Mark
Plett, Fred
Renzullo, Andrew
Lekas, Tony

MERRIMACK

Allard, James
Klose, John
Seaworth, Brian

Forsythe, Robert
Kotowski, Frank
Walsh, Thomas

Hill, Gregory
McGuire, Carol
Yakubovich, Michael

Horn, Werner
Pearl, Howard

ROCKINGHAM

Abbas, Daryl
Bershtein, Alan
Thomas, Douglas
Dolan, Tom
Gay, Betty
Hobson, Deborah
Katsakiores, Phyllis
Griffin, Mary
McKinney, Betsy
Owens, Becky
Pratt, Kevin
Torosian, Peter
Welch, David

Abrami, Patrick
Chirichiello, Brian
DeClercq, Edward
Doucette, Fred
Green, Dennis
Hoelzel, Kathleen
Kolodziej, Walter
Pearson, Mark
Melvin, Charles
Packard, Sherman
Prudhomme-O'Brien, Katherine
True, Chris
Weyler, Kenneth

Acton, Dennis
Costable, Michael
Desilets, Joel
Edwards, Jess
Guthrie, Joseph
Osborne, Jason
Love, David
Major, Norman
Milz, David
Piemonte, Tony
Pearson, Stephen
Vose, Michael
Yokela, Josh

Baldasaro, Al
Davis, Dan
DeSimone, Debra
Elliott, Robert
Harb, Robert
Janigian, John
Lundgren, David
McBride, Everett
O'Connor, John
Potucek, John
Sytek, John
Wallace, Scott

STRAFFORD

Hayward, Peter
Pitre, Joseph

Horgan, James
Wuelper, Kurt

Kittredge, Mac

Perreault, Mona

SULLIVAN

Aron, Judy
Rollins, Skip

Callum, John
Stapleton, Walter

Laware, Thomas
Smith, Steven

Lucas, Gates

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

MOTION TO VACATE

Rep. Butler moved that the House vacate the reference of **HB 1132**, establishing a committee to study the establishment of a multi-state agreement to phase out corporate giveaways., to the Committee on Commerce and Consumer Affairs.

Motion adopted.

The Speaker referred **HB 1132** to the Committee on Ways and Means.

REGULAR CALENDAR CONT'D

SB 159, relative to net energy metering limits for customer-generators. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Howard Moffett for the Majority of Science, Technology and Energy. Like HB 365, which passed both the House and Senate with overwhelming bi-partisan majorities in the 2019 regular session, this bill would raise the size limit on renewable customer-generators eligible for net metering rates set by the Public Utilities Commission from 1 MW to 5 MW. It would (1) support energy independence by boosting private investment in local renewable energy resources (where New Hampshire badly lags every other New England state); (2) allow businesses, towns, school districts and other large electric consumers to produce their own power with zero-cost fuel, thus reducing their own energy bills; (3) permit those same customer-generators to sell their excess energy back onto the grid, making money in the process; and (4) allow participating municipalities to lower tax rates by developing larger income-producing renewable energy projects on municipally-owned land and buildings, as Manchester, Franklin, Derry, Whitefield, Colebrook and some 30 other municipalities would like to do. A bi-partisan majority of the committee still agrees this is not just good energy and environmental policy, but good jobs and economic development policy as well. The amendment raises the percentage of energy required to be consumed by the customer-generator "behind the meter" from 20% to 50%, and places that requirement in the statute. Vote 12-7.

Rep. Michael Vose for the Minority of Science, Technology and Energy. This bill originally was a mirror image of HB 365, but was retained in the House. The amendment being proposed adjusts effective dates and also adds a new restriction that permits the net metering of only 50% of the output of a customer-generator's system. While this latter change makes the bill less expensive, the minority continues to believe that expanded net metering prohibitively burdens non-net metering ratepayers due to tariffs that exceed the avoided cost for power, which shifts costs to non-net metering customers.

Majority Amendment (2844h)

Amend the bill by replacing all after section 2 with the following:

3 Net Energy Metering; Net Effects. Amend RSA 362-A:9, VII to read as follows:

VII.(a) A distribution utility may perform an annual calculation to determine the net effect this section had on its default service and distribution revenues and expenses in the prior calendar year. The method of performing the calculation and applying the results, as well as a reconciliation mechanism to collect or credit any such net effects with appropriate carrying charges and credits applied, shall be determined by the commission.

(b) *For the purposes of accounting for any exports to the distribution grid by customer-generators, such exports shall be treated as reductions to the customer-generator's electricity supplier's wholesale load obligation for energy supply as a load serving entity, net of any applicable line loss adjustments as approved by the commission.*

(c) *A generator that first becomes operational on or after July 1, 2020 shall only be eligible to participate in net metering as a customer-generator if it does not register as a generator with ISO New England, is not considered a "Network Resource" or "Asset" by ISO New England, and does not participate in any other sale of electricity in interstate commerce.*

(d) *A generator that first became operational before July 1, 2020 and that has outstanding capacity commitments in the forward capacity market administered by ISO New England, is registered as a generator with ISO New England, or is considered a "Network Resource" or "Asset" by ISO New England, may elect to become a customer-generator and participate in net metering upon retirement from all wholesale electric markets administered by ISO New England. A generator in the process of retiring from FERC regulated electric markets may prospectively register as a group host pursuant to paragraph XIV provided that net metering tariffs under this section shall not be effective until such retirement is effective.*

(e) Any provisions of settlement agreements or orders that have been approved or issued by the commission that relate to a distribution utility's treatment of the output from qualifying facilities or independent power producers shall not apply to the output from an eligible customer-generator participating in net metering.

4 Net Energy Metering; Transition of Tariffs. Amend RSA 362-A:9, XV to read as follows:

XV. Standard tariffs that are available to eligible customer-generators under this section shall terminate on December 31, 2040 and such customer-generators shall transition to tariffs that are in effect at that time. ***Alternative tariffs shall be applicable and have such grandfathering provisions as may be approved or adopted by the commission under this section. Customer-generators with a nameplate or maximum rated capacity of more than one megawatt and less than 5 megawatts that are eligible for net metering before the commission adopts tariffs specifically for customer-generators with a generating capacity of more than one megawatt shall:***

(a) Be eligible to receive the export credit rate approved by the commission in Order No. 26,029 (DE 16-576) for one megawatt sized customer-generators on default service, namely, the applicable default energy service rate.

(b) Be grandfathered by the terms of currently applicable tariffs for customer-generators with a total peak generating capacity of one megawatt if the customer-generator's electrical generating facility first becomes operational on or after July 1, 2020.

(c) Transition to such new tariffs as are specifically approved by the commission for customer-generators with a nameplate or maximum rated capacity of more than one megawatt if the customer-generator's electrical generating facility first became operational before July 1, 2020.

5 New Paragraph; Net Energy Metering; Limitation. Amend RSA 362-A:9 by inserting after paragraph XIX the following new paragraph:

XX. For the purpose of this section, a customer-generator with a nameplate or maximum rated capacity in excess of 100 kilowatts, and which first becomes operational on or after July 1, 2020 shall be eligible for net energy metering only if at least 50 percent of the actual or estimated annual electricity generation from its facility is consumed behind-the-meter, unless it has registered as a group host under paragraph XIV.

6 Utility Property Tax; Eligible Customer-Generator; Exclusion Clarified. Amend RSA 83-F:1, V(d) to read as follows:

(d) The electrical generation, production, storage, and supply equipment of an "eligible customer-generator" as defined in RSA 362-A:1-a, II-b, ***up to and including one megawatt;***

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

AMENDED ANALYSIS

This bill increases the electric generating capacity of customer generators who may participate in net energy metering and modifies the transition of tariffs applicable to certain customer-generators. The bill requires that for net energy metering 50 percent of a customer generator's electricity generation be consumed behind the meter. The bill also clarifies the definition of eligible customer-generator for purposes of the utility property tax Majority committee amendment adopted.

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

Rep. Vose spoke against.

Rep. Moffett spoke in favor and yielded to questions.

Rep. Notter requested a roll call; sufficiently seconded.

YEAS 227 - NAYS 128

YEAS - 227

BELKNAP

Fields, Dennis

Huot, David

St. Clair, Charlie

CARROLL

Buco, Thomas
Kanzler, Harrison

Burroughs, Anita
Knirk, Jerry

Butler, Edward
Marsh, William

DesMarais, Edith
Ticehurst, Susan

CHESHIRE

Abbott, Michael
Eaton, Daniel
Harvey, Cathryn
Parkhurst, Henry
Von Plinsky, Sparky

Ames, Richard
Faulkner, Barry
Ley, Douglas
Schapiro, Joe
Weber, Lucy

Berch, Paul
Fenton, Donovan
Mann, John
Swinburne, Sandy

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

COOS

Hatch, William
Noel, Henry

Laflamme, Larry
Tucker, Edith

Merner, Troy
Thomas, Yvonne

Moynihan, Wayne

GRAFTON

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

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

Almy, Susan
Egan, Timothy
Hennessey, Erin
Mulligan, Mary Jane
Ruprecht, Dennis
Sykes, George

Campion, Polly
Fellows, Sallie
Ladd, Rick
Muscatel, Garrett
Stavis, Laurel
Weston, Joyce

HILLSBOROUGH

Bouldin, Amanda
Baroody, Benjamin
Bordy, William
Cleaver, Skip
Cote, David
DiSilvestro, Linda
Gidge, Kenneth
Hamer, Heidi
Indruk, Greg
King, Mark
Leishman, Peter
McGhee, Kat
O'Brien, Michael
Piedra, Israel
Riel, Cole
Shaw, Barbara
Stack, Kathryn
Toomey, Dan
Thomas, Wendy

Bouldin, Andrew
Beaulieu, Jane
Bosman, James
Cohen, Bruce
Danielson, David
Dutzy, Sherry
Goley, Jeffrey
Harriott-Gathright, Linda
Schmidt, Janice
Klee, Patricia
Long, Patrick
Mombourquette, Donna
Pedersen, Michael
Porter, Marjorie
Rung, Rosemarie
Snow, Kendall
Stevens, Deb
Vail, Suzanne
Wilhelm, Matthew

Backus, Robert
Bergeron, Paul
Bouchard, Donald
Connors, Erika
Dargie, Paul
Davis, Fred
Graham, John
Heath, Mary
Jack, Martin
Klein-Knight, Nicole
Murray, Megan
Mullen, Sue
Petrigno, Peter
Query, Joshua
Newman, Sue
Sofikitis, Catherine
Smith, Timothy
Van Houten, Constance
Williams, Kermit

Balch, Chris
Bernet, Jennifer
Chretien, Jacqueline
Cornell, Patricia
Desjardin, Kathy
Freitas, Mary
Griffith, Willis
Herbert, Christopher
Judy, Jean
Langley, Diane
Mangipudi, Latha
Murphy, Nancy
Plickering, Daniel
Newman, Ray
Sanborn, Laurie
St. John, Michelle
Telerski, Laura
Vann, Ivy
Woodbury, David

MERRIMACK

Allard, James
Ebel, Karen
Horn, Werner
McWilliams, Rebecca
Rodd, Beth
Schuett, Dianne
Wallner, Mary Jane
Wolf, Dan

Bartlett, Christy
Ellison, Arthur
Karrick, David
Moffett, Howard
Rogers, Katherine
Schultz, Kristina
Walz, Mary Beth
Woods, Gary

Carson, Clyde
Fox, Samantha
Luneau, David
Myler, Mel
Saunderson, George
Soucy, Timothy
Wazir, Safiya

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

ROCKINGHAM

Altschiller, Debra
Cahill, Michael
DiLorenzo, Charlotte
Grossman, Gaby
Lovejoy, Patricia
McConnell, Liz
Read, Ellen

Berrien, Skip
Cali-Pitts, Jacqueline
Edgar, Michael
Grote, Jaci
Maggiore, Jim
Meuse, David
Somssich, Peter

Bunker, Lisa
Coursin, David
Eisner, Mary
Murray, Kate
Malloy, Dennis
O'Connor, John
Vallone, Mark

Bushway, Patricia
Cushing, Robert Renny
Gilman, Julie
Le, Tamara
McBeath, Rebecca
Pantelakos, Laura
Ward, Gerald

STRAFFORD

Bixby, Peter
Ellis, Donna
Grassie, Chuck
Kenney, Cam
Schmidt, Peter
Spang, Judith
Wall, Janet

Cannon, Gerri
Fargo, Kristina
Higgins, Peg
Levesque, Cassandra
Rich, Cecilia
Towne, Matthew

Chase, Wendy
Frost, Sherry
Horrigan, Timothy
Smith, Marjorie
Salloway, Jeffrey
Treleaven, Susan

Conley, Casey
Gourgue, Amanda
Keans, Sandra
Opderbecke, Linn
Sandler, Catt
Vincent, Kenneth

SULLIVAN

Cloutier, John
Rollins, Skip

Merchant, Gary
Stapleton, Walter

O'Hearne, Andrew
Sullivan, Brian

Oxenham, Lee
Tanner, Linda

NAYS - 128**BELKNAP**

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

Bean, Harry
Jurius, Deanna
Sylvia, Michael

Comtois, Barbara
Mackie, Jonathan
Tilton, Franklin

Feeney, George
Beaudoin, Richard
Varney, Peter

CARROLL

Avellani, Lino
MacDonald, John

Comeau, Ed
Nelson, Bill

Cordelli, Glenn

Crawford, Karel

CHESHIRE

Hunt, John O'Day, John

COOS

Craig, Kevin Furbush, Michael

GRAFTON

Gordon, Edward Migliore, Vincent Paul

HILLSBOROUGH

Lekas, Alicia	Alexander, Joe	Griffin, Barbara	Barry, Richard
Boehm, Ralph	Burt, John	Camarota, Linda	Erf, Keith
Fedolff, Jim	Gagne, Larry	Gould, Linda	Greene, Bob
Gunski, Michael	Hinch, Richard	Hopper, Gary	Ober, Lynne
Lascelles, Richard	Marzullo, JP	McLean, Mark	Notter, Jeanine
Nunez, Hershel	Panasiti, Reed	Plett, Fred	Proulx, Mark
Prout, Andrew	Ober, Russell	Renzullo, Andrew	Rice, Kimberly
Somero, Paul	Lekas, Tony	Ulery, Jordan	Warden, Mark
Whittemore, James			

MERRIMACK

Forsythe, Robert	Hill, Gregory	Klose, John	Kotowski, Frank
McGuire, Carol	Pearl, Howard	Seaworth, Brian	Testerman, Dave
Walsh, Thomas	Yakubovich, Michael		

ROCKINGHAM

Abbas, Daryl	Abrami, Patrick	Acton, Dennis	Baldasaro, Al
Bershtein, Alan	Chirichiello, Brian	Costable, Michael	Davis, Dan
Thomas, Douglas	DeClercq, Edward	Desilets, Joel	DeSimone, Debra
Dolan, Tom	Doucette, Fred	Edwards, Jess	Elliott, Robert
Gay, Betty	Green, Dennis	Guthrie, Joseph	Harb, Robert
Hobson, Deborah	Hoelzel, Kathleen	Osborne, Jason	Janigian, John
Katsakiores, Phyllis	Kolodziej, Walter	Love, David	Lundgren, David
Griffin, Mary	Pearson, Mark	Major, Norman	McBride, Everett
Melvin, Charles	Milz, David	Owens, Becky	Packard, Sherman
Piemonte, Tony	Potucek, John	Pratt, Kevin	Prudhomme-O'Brien, Katherine
Pearson, Stephen	Sytek, John	Torosian, Peter	True, Chris
Vose, Michael	Wallace, Scott	Welch, David	Weyler, Kenneth
Yokela, Josh			

STRAFFORD

Hayward, Peter	Horgan, James	Kittredge, Mac	Perreault, Mona
Pitre, Joseph	Wuelper, Kurt		

SULLIVAN

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

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

SB 166, relative to competitive electricity supplier requirements under net energy metering. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Kenneth Wells for the Majority of Science, Technology and Energy. This bill, as amended, corrects a flaw in the original bill requiring competitive generation companies to credit customer-generators for the "full retail value" of the electricity returned to the grid. Because "full retail value" includes additional items, such as the Systems Benefits Charge and Renewable Portfolio Standard compliance charges, on top of the billable energy price, competitive generation companies would always lose money and thus be obliged to refuse such customers. This bill solves this flaw by changing the basis of crediting customer generation from a retail dollar amount to a kilowatt-hour credit amount of load reduction. Vote 11-8.

Rep. Michael Vose for the Minority of Science, Technology and Energy. By synchronizing the terms under which competitive energy suppliers and municipal and county aggregators provide net metering, this bill further expands net metering. The minority continues to believe that expanded net metering prohibitively burdens non-net metering ratepayers due to tariffs that exceed the avoided cost for power, which creates cost shifting. Furthermore, such cost shifting in policies that permit aggregators to include publicly owned generation systems allow municipal taxpayers to off-load some of their local obligations to all of a utility's ratepayers.

Majority Amendment (2785h)

Amend the bill by replacing section 1 with the following:

1 Net Energy Metering; Competitive Electricity Suppliers. Amend RSA 362-A:9, II to read as follows:

II. Competitive electricity suppliers registered under RSA 374-F:7 *and municipal or county aggregators under RSA 53-E* may determine the terms, conditions, and prices under which they agree to provide generation supply to and *credit, as an offset to supply, or purchase [net] the* generation output *exported*

to the distribution grid from eligible customer-generators. The commission may require appropriate disclosure of such terms, conditions, and prices or credits. Such output shall be accounted for as a reduction to the customer-generators' electricity supplier's wholesale load obligation for energy supply as a load service entity, net of any applicable line loss adjustments, as approved by the commission. Nothing in this paragraph shall be construed as limiting or otherwise interfering with the provisions or authority for municipal or county aggregators under RSA 53-E, including, but not limited to, the terms and conditions for net metering.

AMENDED ANALYSIS

This bill adds municipal and county aggregators to provisions governing competitive electricity suppliers for the credit or purchase of electrical supply under net energy metering.
Majority committee amendment adopted.

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

Rep. Vose spoke against.

Rep. Wells spoke in favor.

Rep. Notter requested a roll call; sufficiently seconded.

YEAS 203 - NAYS 131

YEAS - 203

BELKNAP

Fields, Dennis

Huot, David

St. Clair, Charlie

Buco, Thomas
Kanzler, Harrison

Burroughs, Anita
Knirk, Jerry

Butler, Edward
Ticehurst, Susan

DesMarais, Edith

CHESHIRE

Abbott, Michael
Eaton, Daniel
Harvey, Cathryn
Parkhurst, Henry
Von Plinsky, Sparky

Ames, Richard
Faulkner, Barry
Ley, Douglas
Schapiro, Joe
Weber, Lucy

Berch, Paul
Fenton, Donovan
Mann, John
Swinburne, Sandy

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

COOS

Laflamme, Larry
Thomas, Yvonne

Moynihan, Wayne

Noel, Henry

Tucker, Edith

GRAFTON

Abel, Richard
Dontonville, Roger
French, Elaine
Muscatel, Garrett
Stringham, Jerry

Adjutant, Joshua
Egan, Timothy
Maes, Kevin
Nordgren, Sharon
Smith, Suzanne

Almy, Susan
Fellows, Sallie
Massimilla, Linda
Osborne, Richard
Sykes, George

Diggs, Francesca
Ford, Susan
Mulligan, Mary Jane
Ruprecht, Dennis
Weston, Joyce

HILLSBOROUGH

Bouldin, Amanda
Baroody, Benjamin
Bosman, James
Cohen, Bruce
Danielson, David
Dutzy, Sherry
Griffith, Willis
Herbert, Christopher
King, Mark
Long, Patrick
Mombourquette, Donna
Petrigno, Peter
Query, Joshua
Shaw, Barbara
Stack, Kathryn
Toomey, Dan
Thomas, Wendy

Bouldin, Andrew
Bergeron, Paul
Bouchard, Donald
Connors, Erika
Dargie, Paul
Davis, Fred
Hamer, Heidi
Indruk, Greg
Klein-Knight, Nicole
Murray, Megan
Mullen, Sue
Pickering, Daniel
Newman, Ray
Snow, Kendall
Stevens, Deb
Vail, Suzanne
Wilhelm, Matthew

Backus, Robert
Bernet, Jennifer
Chretien, Jacqueline
Cornell, Patricia
Desjardin, Kathy
Freitas, Mary
Harriott-Gathright, Linda
Schmidt, Janice
Langley, Diane
Mangipudi, Latha
Murphy, Nancy
Piedra, Israel
Rung, Rosemarie
Sofikitis, Catherine
Smith, Timothy
Van Houten, Constance
Williams, Kermit

Balch, Chris
Bordy, William
Cleaver, Skip
Cote, David
DiSilvestro, Linda
Gidge, Kenneth
Heath, Mary
Jack, Martin
Leishman, Peter
McGhee, Kat
Pedersen, Michael
Porter, Marjorie
Newman, Sue
St. John, Michelle
Telerski, Laura
Vann, Ivy
Woodbury, David

MERRIMACK

Allard, James
Ebel, Karen
Horn, Werner
McWilliams, Rebecca
Rodd, Beth

Bartlett, Christy
Ellison, Arthur
Karrick, David
Moffett, Howard
Rogers, Katherine

Carson, Clyde
Fox, Samantha
Luneau, David
Myler, Mel
Saunderson, George

Doherty, David
Fulweiler, Joyce
MacKay, James
Pimentel, Roderick
Schamberg, Thomas

Schuett, Dianne
Wallner, Mary Jane
Woods, Gary

Schultz, Kristina
Walz, Mary Beth

Soucy, Timothy
Wazir, Safiya

Turcotte, Alan
Wells, Kenneth

ROCKINGHAM

Altschiller, Debra
Cali-Pitts, Jacqueline
Edgar, Michael
Grote, Jaci
McConnell, Liz
Somssich, Peter

Bunker, Lisa
Coursin, David
Eisner, Mary
Murray, Kate
Meuse, David
Vallone, Mark

Bushway, Patricia
Cushing, Robert Renny
Gilman, Julie
Lovejoy, Patricia
Pantelakos, Laura
Ward, Gerald

Cahill, Michael
DiLorenzo, Charlotte
Grossman, Gaby
McBeath, Rebecca
Read, Ellen

STRAFFORD

Bixby, Peter
Fargo, Kristina
Higgins, Peg
Levesque, Cassandra
Rich, Cecilia
Treleaven, Susan

Cannon, Gerri
Frost, Sherry
Horrigan, Timothy
Smith, Marjorie
Salloway, Jeffrey
Vincent, Kenneth

Chase, Wendy
Gourgue, Amanda
Keans, Sandra
Opderbecke, Linn
Sandler, Catt
Wall, Janet

Conley, Casey
Grassie, Chuck
Kenney, Cam
Schmidt, Peter
Towne, Matthew

SULLIVAN

Cloutier, John
Stapleton, Walter

Merchant, Gary
Sullivan, Brian

O'Hearne, Andrew
Tanner, Linda

Oxenham, Lee

NAYS - 131

BELKNAP

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

Bean, Harry
Jurius, Deanna
Sylvia, Michael

Comtois, Barbara
Mackie, Jonathan
Tilton, Franklin

Feeney, George
Beaudoin, Richard
Varney, Peter

CARROLL

Avellani, Lino
MacDonald, John

Comeau, Ed
Marsh, William

Cordelli, Glenn
Nelson, Bill

Crawford, Karel

CHESHIRE

COOS

Hunt, John

O'Day, John

Merner, Troy

Craig, Kevin

Furbush, Michael

GRAFTON

Gordon, Edward

Hennessey, Erin

Migliore, Vincent Paul

HILLSBOROUGH

Lekas, Alicia
Boehm, Ralph
Gagne, Larry
Hinch, Richard
Marzullo, JP
Panasiti, Reed
Ober, Russell
Somero, Paul
Whittemore, James

Alexander, Joe
Burt, John
Graham, John
Hopper, Gary
McLean, Mark
Plett, Fred
Renzullo, Andrew
Lekas, Tony

Griffin, Barbara
Camarota, Linda
Greene, Bob
Ober, Lynne
Notter, Jeanine
Proulx, Mark
Rice, Kimberly
Ulery, Jordan

Barry, Richard
Erf, Keith
Gunski, Michael
Lascelles, Richard
Nunez, Hershel
Prout, Andrew
Sanborn, Laurie
Warden, Mark

MERRIMACK

Forsythe, Robert
McGuire, Carol
Walsh, Thomas

Hill, Gregory
Pearl, Howard
Yakubovich, Michael

Klose, John
Seaworth, Brian

Kotowski, Frank
Testerman, Dave

ROCKINGHAM

Abbas, Daryl
Bershtein, Alan
Thomas, Douglas
Dolan, Tom
Gay, Betty
Hobson, Deborah
Kolodziej, Walter
Pearson, Mark
Milz, David
Piemonte, Tony
Pearson, Stephen
Vose, Michael

Abrami, Patrick
Chirichiello, Brian
DeClercq, Edward
Doucette, Fred
Green, Dennis
Hoelzel, Kathleen
Love, David
Major, Norman
O'Connor, John
Potucek, John
Sytek, John
Welch, David

Acton, Dennis
Costable, Michael
Desilets, Joel
Edwards, Jess
Guthrie, Joseph
Janigian, John
Lundgren, David
McBride, Everett
Owens, Becky
Pratt, Kevin
Torosian, Peter
Weyler, Kenneth

Baldasaro, Al
Davis, Dan
DeSimone, Debra
Elliott, Robert
Harb, Robert
Katsakiores, Phyllis
Griffin, Mary
Melvin, Charles
Packard, Sherman
Prudhomme-O'Brien, Katherine
True, Chris
Yokela, Josh

STRAFFORD

Hayward, Peter
Pitre, Joseph

Horgan, James
Wuelper, Kurt

Kittredge, Mac

Perreault, Mona

SULLIVAN

Aron, Judy
Rollins, Skip

Callum, John
Smith, Steven

Laware, Thomas

Lucas, Gates

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

HCR 6, applying to congress to propose a congressional term limits constitutional amendment. **INEXPEDIENT TO LEGISLATE.**

Rep. Reed Panasiti for State-Federal Relations and Veterans Affairs. The majority's position on term limits through a constitutional amendment was both compelling and educational. It was agreed by the majority that this particular bill presented two very different sets of issues; that of term limits themselves and the Article V convention of states to be called by congress. The latter has been discussed by the committee on numerous previous occasions during other hearings on different subjects. It was the consensus of the committee that submitting legislation and passing a bill on to the United State Congress would in fact cause considerable consternation and confusion. Term limits were discussed at length and again the majority felt it would not be in the best interest of this state to tell other states, with much larger population, why they should support term limits. The majority felt, we in New Hampshire, do an effective job of limiting our representative through our election process. Also, the majority felt that term limits could and would take away some if not most all corporate (government) knowledge which is so important when navigating through the legislative process. One other important discussion centered around lobbyists, deep state groups/individuals, or public and private institutions who could effectively manipulate those less experienced legislators. These individuals or groups do not abide by any term limits which effectively creates groups with an out-sized amount of political power. Vote 10-2.

Rep. Gay spoke against.

Rep. Amanda Bouldin spoke in favor.

Rep. Wallace requested a roll call; sufficiently seconded.

YEAS 318 - NAYS 27**YEAS - 318****BELKNAP**

Bean, Harry
Jurius, Deanna
St. Clair, Charlie
Viens, Harry

Feeney, George
Mackie, Jonathan
Sylvia, Michael

Fields, Dennis
Beaudoin, Richard
Tilton, Franklin

Huot, David
Spanos, Peter
Varney, Peter

CARROLL

Buco, Thomas
Crawford, Karel
MacDonald, John

Burroughs, Anita
DesMarais, Edith
Marsh, William

Butler, Edward
Kanzler, Harrison
Nelson, Bill

Comeau, Ed
Knirk, Jerry
Ticehurst, Susan

CHESHIRE

Abbott, Michael
Eaton, Daniel
Harvey, Cathryn
Morrill, David
Swinburne, Sandy

Ames, Richard
Faulkner, Barry
Hunt, John
O'Day, John
Von Plinsky, Sparky

Berch, Paul
Fenton, Donovan
Ley, Douglas
Parkhurst, Henry
Weber, Lucy

Bordenet, John
Gomarlo, Jennie
Mann, John
Schapiro, Joe

COOS

Craig, Kevin
Moynihan, Wayne

Furbush, Michael
Noel, Henry

Laflamme, Larry
Tucker, Edith

Merner, Troy
Thomas, Yvonne

GRAFTON

Abel, Richard
Diggs, Francesca
Ford, Susan
Ladd, Rick
Muscatel, Garrett
Stavis, Laurel
Weston, Joyce

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

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

Campion, Polly
Fellows, Sallie
Hennessey, Erin
Mulligan, Mary Jane
Ruprecht, Dennis
Sykes, George

HILLSBOROUGH

Lekas, Alicia
Backus, Robert
Beaulieu, Jane

Bouldin, Amanda
Balch, Chris
Bergeron, Paul

Bouldin, Andrew
Baroody, Benjamin
Bernet, Jennifer

Griffin, Barbara
Barry, Richard
Boehm, Ralph

Bordy, William
 Chretien, Jacqueline
 Cornell, Patricia
 Desjardin, Kathy
 Davis, Fred
 Goley, Jeffrey
 Griffith, Willis
 Heath, Mary
 Schmidt, Janice
 Klein-Knight, Nicole
 Leishman, Peter
 Marzullo, JP
 Mullen, Sue
 Panasiti, Reed
 Piedra, Israel
 Prout, Andrew
 Renzullo, Andrew
 Newman, Sue
 Somero, Paul
 Lekas, Tony
 Vail, Suzanne
 Warden, Mark
 Woodbury, David

Allard, James
 Ebel, Karen
 Fulweiler, Joyce
 Klose, John
 McGuire, Carol
 Pearl, Howard
 Saunderson, George
 Soucy, Timothy
 Walz, Mary Beth
 Woods, Gary

Abrami, Patrick
 Bershtein, Alan
 Cali-Pitts, Jacqueline
 Cushing, Robert Renny
 Desilets, Joel
 Doucette, Fred
 Gilman, Julie
 Hobson, Deborah
 Kolodziej, Walter
 Pearson, Mark
 McBride, Everett
 Milz, David
 Pantelakos, Laura
 Pearson, Stephen
 Vallone, Mark
 Yokela, Josh

Bixby, Peter
 Ellis, Donna
 Grassie, Chuck
 Keans, Sandra
 Smith, Marjorie
 Pitre, Joseph
 Spang, Judith
 Wall, Janet

Aron, Judy
 O'Hearne, Andrew
 Smith, Steven

Bosman, James
 Cleaver, Skip
 Cote, David
 DiSilvestro, Linda
 Freitas, Mary
 Gould, Linda
 Gunski, Michael
 Herbert, Christopher
 Jack, Martin
 Ober, Lynne
 Long, Patrick
 McGhee, Kat
 Murphy, Nancy
 Pedersen, Michael
 Plett, Fred
 Query, Joshua
 Rice, Kimberly
 Shaw, Barbara
 St. John, Michelle
 Smith, Timothy
 Van Houten, Constance
 Whittemore, James

Bartlett, Christy
 Ellison, Arthur
 Hill, Gregory
 Kotowski, Frank
 McWilliams, Rebecca
 Pimentel, Roderick
 Schamberg, Thomas
 Testerman, Dave
 Wazir, Safiya
 Yakubovich, Michael

Altschiller, Debra
 Bunker, Lisa
 Chirichiello, Brian
 Davis, Dan
 DeSimone, Debra
 Edgar, Michael
 Grossman, Gaby
 Hoelzel, Kathleen
 Lovejoy, Patricia
 Major, Norman
 McConnell, Liz
 O'Connor, John
 Piemonte, Tony
 Sytek, John
 Vose, Michael

Cannon, Gerri
 Fargo, Kristina
 Higgins, Peg
 Kenney, Cam
 Opderbecke, Linn
 Rich, Cecilia
 Towne, Matthew
 Wuelper, Kurt

Callum, John
 Oxenham, Lee
 Sullivan, Brian

Bouchard, Donald
 Cohen, Bruce
 Danielson, David
 Dutzy, Sherry
 Gagne, Larry
 Graham, John
 Hamer, Heidi
 Hinch, Richard
 King, Mark
 Langley, Diane
 Murray, Megan
 McLean, Mark
 Notter, Jeanine
 Petrigno, Peter
 Porter, Marjorie
 Newman, Ray
 Riel, Cole
 Snow, Kendall
 Stack, Kathryn
 Telerski, Laura
 Vann, Ivy
 Wilhelm, Matthew

MERRIMACK

Carson, Clyde
 Forsythe, Robert
 Horn, Werner
 Luneau, David
 Moffett, Howard
 Rodd, Beth
 Schuett, Dianne
 Wallner, Mary Jane
 Wells, Kenneth

ROCKINGHAM

Baldasaro, Al
 Bushway, Patricia
 Costable, Michael
 Thomas, Douglas
 DiLorenzo, Charlotte
 Edwards, Jess
 Grote, Jaci
 Murray, Kate
 Lundgren, David
 Malloy, Dennis
 Melvin, Charles
 Owens, Becky
 Potucek, John
 Torosian, Peter
 Ward, Gerald

STRAFFORD

Chase, Wendy
 Frost, Sherry
 Horgan, James
 Kittredge, Mac
 Schmidt, Peter
 Salloway, Jeffrey
 Treleaven, Susan

SULLIVAN

Laware, Thomas
 Rollins, Skip
 Tanner, Linda

NAYS - 27

BELKNAP

Howard, Raymond

Burt, John
 Connors, Erika
 Dargie, Paul
 Erf, Keith
 Gidge, Kenneth
 Greene, Bob
 Harriott-Gathright, Linda
 Indruk, Greg
 Klee, Patricia
 Lascelles, Richard
 Mangipudi, Latha
 Mombourquette, Donna
 Nunez, Hershel
 Pickering, Daniel
 Proulx, Mark
 Ober, Russell
 Rung, Rosemarie
 Sofikitis, Catherine
 Stevens, Deb
 Toomey, Dan
 Thomas, Wendy
 Williams, Kermit

Doherty, David
 Fox, Samantha
 Karrick, David
 MacKay, James
 Myler, Mel
 Rogers, Katherine
 Seaworth, Brian
 Walsh, Thomas
 Wolf, Dan

Berrien, Skip
 Cahill, Michael
 Coursin, David
 DeClercq, Edward
 Dolan, Tom
 Eisner, Mary
 Harb, Robert
 Katsakiores, Phyllis
 Griffin, Mary
 McBeath, Rebecca
 Meuse, David
 Packard, Sherman
 Prudhomme-O'Brien, Katherine
 True, Chris
 Welch, David

Conley, Casey
 Gourgue, Amanda
 Horrigan, Timothy
 Levesque, Cassandra
 Perreault, Mona
 Sandler, Catt
 Vincent, Kenneth

Merchant, Gary
 Stapleton, Walter

Aldrich, Glen

Comtois, Barbara

CARROLL

Avellani, Lino

Cordelli, Glenn

GRAFTON

Massimilla, Linda

HILLSBOROUGHAlexander, Joe
Ulery, Jordan

Camarota, Linda

Hopper, Gary

Sanborn, Laurie

MERRIMACK

Schultz, Kristina

Turcotte, Alan

ROCKINGHAMAbbas, Daryl
Green, Dennis
Pratt, KevinActon, Dennis
Guthrie, Joseph
Read, EllenElliott, Robert
Janigian, John
Weyler, KennethGay, Betty
Love, David**STRAFFORD**

Hayward, Peter

SULLIVAN

Cloutier, John

Lucas, Gates

and the majority committee report was adopted.

HB 317, relative to tinted windows on motor vehicles. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Steven Smith for the Majority of Transportation. This bill would have removed the prohibition on aftermarket window tint on the front side windows of a vehicle. The committee amendment specifies that the tint cannot make the window darker than what is currently deemed safe by the National Highway Traffic Safety Administration, and currently legal in New Hampshire when applied by the automobile manufacturer. Vote 13-4.

Rep. Suzanne Vail for the Minority of Transportation. The minority opinion is to support our State Troopers and police officers who have testified that tinted windows limits their vision into the vehicle during traffic stops. This creates a hazard to the police officers and to persons in the vehicle and creates a safety hazard for all involved. Current state law already allows persons with medical conditions to apply to the Division of Motor Vehicles for stronger tint or clear UV (ultraviolet) window cover. Therefore, the minority believes current law is adequate for the safety of our police officers, vehicle occupants, and the general public.

Majority Amendment (2772H)

Amend RSA 266:58-a, III as inserted by section 2 of the bill by replacing it with the following:

III. It shall be unlawful to drive on any way any motor vehicle registered in this state which has after market tinting on the windshield [~~or on the windows to the left and right of the driver~~]. Where after market tinting is applied to windows to the rear of the driver, outside rear view mirrors shall be required on both the left and right side of the vehicle for the use of the driver and a front seat passenger. The light transmittance of after-market tinted windows *to the left and right of the driver where they are allowed shall not be less than 70 percent, and the light transmittance of after-market tinted rear windows* where they are allowed shall not be less than 35 percent, except that the light transmittance of after market tinted rear windows of multipurpose passenger vehicles, as defined in 49 C.F.R. *section* 571.3 and pickup trucks may be such percentage as is allowed by 49 C.F.R. *section* 571.205 with respect to pre-market tinted rear windows. Majority committee amendment adopted.

Majority committee report adopted and ordered to third reading.

SB 34, relative to the applicability of certain DWI prohibitions. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Nicole Klein-Knight for the Majority of Transportation. This bill would erode language currently in place to effectively curb drunk driving. If it were to pass, it would enable an impaired or intoxicated person to be in a vehicle, and it would allow the impaired person to decide when and if they are sober enough to drive. Passage could have the result of an increase in DWI-related deaths and other casualties in the state. Vote 9-8.

Rep. Thomas Walsh for the Minority of Transportation. The original bill language was problematic, possibly leading to difficulties with prosecutions. The proposed amendment would have simplified the bill by defining "attempt to drive." Currently, under New Hampshire DWI statutes, the mere act of sitting in or sleeping in a parked vehicle is just cause for being charged with DWI. The minority agrees with Justice Chavez of the New Mexico Supreme Court on a recently overturned conviction when he said, "It was pure speculation whether defendant would rouse himself and drive the vehicle. Defendant could not be convicted for what he might have done."

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

Reps. Vail, Klein-Knight and Sykes spoke in favor.

Reps. St. Clair and Steven Smith spoke against.

On a division vote, with 158 members having voted in the affirmative, and 184 in the negative, the majority committee report failed.

Rep. Steven Smith moved the minority committee report of Ought to Pass with Amendment and offered minority committee amendment (2781h).

Minority Amendment (2781h)

Amend the bill by replacing section 1 with the following:

1 New Paragraph; Alcohol or Drug Impairment; Definitions. Amend RSA 265-A:1 by inserting after paragraph V the following new paragraph:

VI. "Drive," or "attempt to drive," or "actual physical control" shall not include sleeping, resting, or sheltering in place in a vehicle parked in any place where parking is permitted, provided that the person is not seated at the controls of the vehicle.

Rep. Sykes spoke in favor.

Minority committee amendment adopted.

Minority committee report adopted and ordered to third reading.

HB 274-FN, relative to the payment of the meals and rooms tax by individuals renting cars through an online service. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Dennis Malloy for Ways and Means. This bill, as amended, adds and modifies definitions and requirements in the meals and rooms tax to include facilitators of internet transactions of motor vehicle rentals and facilitators of internet transactions of room occupancies. This bill now codifies the role of the facilitator in these transactions as the tax collector and tax remitter. In a unanimous vote, the committee agreed that this bill ensures that tax collection duties are clearly assigned to the facilitators of those who choose to use online platforms in the rental of personal vehicles and private homes, just like the commercial car rental and lodging industry is required to collect and remit the meals and rooms tax now. As originally introduced, this bill dealt only with the car sharing internet platforms and HB 653-FN dealt with short-term housing rental internet platforms. With the consent of both prime sponsors, the committee merged HB 653-FN with HB 274-FN to ensure the two bills affecting the same sections of law get combined as the legislature intends. Vote 18-0.

Amendment (2751h)

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

AN ACT relative to including under the meals and rooms tax facilitators of Internet transactions of motor vehicle rentals and facilitators of Internet transactions of room occupancies.

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

1 Meals and Rooms Tax; Definition; Gross Rental Receipts; Motor Vehicle Rentals. Amend the introductory paragraph of RSA 78-A:3, VI to read as follows:

VI. "Gross rental receipts" means value received or promised as consideration to the owner of a motor vehicle **and any rental facilitator** for [rental of the vehicle, but] **a rental agreement, including any fee, service, or other charge or amount required to be paid by the renter as a condition for the rental agreement. The term** shall not include:

2 Definition; Operator. Amend RSA 78-A:3, XIII to read as follows:

XIII. "Operator" means any person operating a hotel, charging for a taxable meal, or receiving gross rental receipts, whether as owner or proprietor or lessee, or otherwise. **The term operator shall include a rental facilitator and a room facilitator.**

3 Definition; Rent; Room Facilitators Added. Amend RSA 78-A:3, XVII(a) to read as follows:

(a) The [consideration received] **full retail price charged** for occupancy valued in money, whether received in money or otherwise, including all receipts, cash, credits, and property, or services of any kind or nature, and also any amount for which the occupant is liable for the occupancy without any deduction of any kind, **including any fee, service, or other charge required to be paid by the occupant to a room facilitator;** and

4 Definition; Rental Agreement. Amend RSA 78-A:3, XVIII to read as follows:

XVIII. "Rental agreement" means an agreement by the owner of a motor vehicle to provide, for not longer than 180 days, the exclusive use of that motor vehicle to another for consideration, **whether directly or indirectly, through a rental facilitator or otherwise.**

5 New Paragraph; Definition; Rental Facilitator. Amend RSA 78-A:3 by inserting after paragraph XVIII the following new paragraph:

XVIII-a. "Rental facilitator" means any person having any right, access, ability, or authority to offer, reserve, book, arrange for, remarket, distribute, broker, resell, coordinate, or otherwise facilitate rental of a motor vehicle to a renter, whether directly or indirectly, through an Internet transaction or any other means whatsoever.

6 New Paragraph; Definitions; Room Facilitator. Amend RSA 78-A:3 by inserting after paragraph XIX the following new paragraph:

XIX-a. "Room facilitator" means any person having any right, access, ability, or authority to offer, reserve, book, arrange for, remarket, distribute, broker, resell, coordinate, or otherwise facilitate occupancy to an occupant, whether directly or indirectly, through an Internet transaction or any other means whatsoever.

7 New Subparagraphs; Collection of Tax; Rental Facilitator; Room Facilitator. Amend RSA 78-A:7, I by inserting after subparagraph (b) the following new subparagraphs:

(c) If the rental of a motor vehicle is offered, reserved, booked, arranged for, or otherwise facilitated in whole or in part by a rental facilitator, the rental facilitator shall demand and collect the tax from the renter. The rental facilitator shall remit the tax to the state.

(d) If the occupancy is offered, reserved, booked, arranged for, or otherwise facilitated in whole or in part by a room facilitator, the room facilitator shall demand and collect the tax from the occupant. The room facilitator shall remit the tax to the state.

7 New Paragraphs; Assessment of Additional Tax; Rental Facilitator; Room Facilitator. Amend RSA 78-A:11 by inserting after paragraph I the following new paragraphs:

I-a. If a rental facilitator required to collect and remit a tax under this chapter fails to make a return, no assessment shall be made except against the rental facilitator.

I-b. If a room facilitator required to collect and pay a tax under this chapter fails to make a return, no assessment shall be made except against the room facilitator.

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

AMENDED ANALYSIS

This bill adds and modifies definitions and requirements in the meals and rooms tax to include facilitators of Internet transactions of motor vehicle rentals and facilitators of Internet transactions of room occupancies.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

HB 647-FN, relative to lucky 7 tickets. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Fred Doucette for Ways and Means. This bill, as amended, addresses concerns that some facilities may choose to only sell one-dollar Lucky 7 tickets and many, particularly seniors, want the ability to still buy 50-cent tickets. This bill requires anyone offering a one-dollar option to sell 50-cent tickets as well, giving people the option, and those that want to buy the one-dollar ticket, the opportunity. This will help bring in revenues to 500 plus local charities and the state. It gives charitable gaming an added option, in light of recent competition in other states. Lucky 7 ticket prices have not increased in over 40 years, and every other state in the country that sells Lucky 7 tickets has at least a one-dollar option and many have higher denominations. Vote 18-0.

Amendment (2860h)

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

1 Lucky 7 Ticket Prices. Amend RSA 287-E:20, II to read as follows:

II. The price of any lucky 7 ticket pack or ticket card shall ~~[not exceed]~~ ***be either \$.50 or \$1, provided that at any location where a charitable organization offers \$1 tickets for sale the charitable organization shall also offer \$.50 tickets for sale.***

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

AMENDED ANALYSIS

This bill makes changes to the price of lucky 7 tickets.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

BILLS REMOVED FROM THE CONSENT CALENDAR

HB 613-FN, relative to mandatory automobile insurance. **REFER FOR INTERIM STUDY.**

Rep. Edward Butler for Commerce and Consumer Affairs. This bill requires proof of motor vehicle liability insurance in order to register a motor vehicle. We have considered bills similar to this several times over the years. Ours is the only state in the union that doesn't require auto liability insurance coverage. And yet there are several states whose rate of uninsured motorists is greater than ours. And there are several whose rate of uninsured motorists is lower. There are instances where the effects of being in an accident with an uninsured motorist can have life altering impacts. And yet minimal coverage may not have the desired effects that mandatory insurance could define. The committee hopes that further study will yield, if not definitive answers then further details that can inform the record on how to best proceed. Vote 17-2.

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

Reps. Bartlett and Wazir spoke against.

Rep. Butler spoke in favor.

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

On a division vote, with 274 members having voted in the affirmative, and 53 in the negative, the committee report was adopted.

RESOLUTION

Rep. Ley offered the following: RESOLVED, that the House now adjourn from the early session, that the business of the late session be in order at the present time, that the reading of bills be by title only and resolutions by caption only and that all bills ordered to third reading be read a third time by this resolution, and that all titles of bills be the same as adopted, and that they be passed at the present time, and when the House adjourns today it be to meet at the Call of the Chair.

Motion adopted.

LATE SESSION

Third Reading and Final Passage

HB 731-FN, establishing a state minimum wage and providing for adjustments to the minimum wage.

SB 19, relative to the privacy of certain information concerning public employees.

HB 363-FN, including the legislature as a public employer under the public employee labor relations act and relative to the duties of the joint committee on legislative facilities.

HB 102, relative to municipal ordinances regulating single-use bags.

HB 143, relative to disqualification of members of local land use boards.

HB 311, relative to the authority of the state fire marshal to grant an exemption from fire code requirements to recovery houses.

HB 559, relative to point of sale bags.

SB 122-FN, relative to expenditures from the energy efficiency fund.

SB 124, relative to the minimum electric renewable portfolio standards.

SB 159, relative to net energy metering limits for customer-generators.

SB 166, relative to competitive electricity supplier requirements under net energy metering.

HB 317, relative to tinted windows on motor vehicles.

SB 34, relative to the applicability of certain DWI prohibitions.

HB 274-FN, relative to including under the meals and rooms tax facilitators of Internet transactions of motor vehicle rentals and facilitators of Internet transactions of room occupancies.

HB 647-FN, relative to lucky 7 tickets.

UNANIMOUS CONSENT

Rep. Moffett requested Unanimous Consent of the House regarding the passing of the former member from Canterbury, the Honorable Priscilla Lockwood and addressed the House.

MOTION TO PRINT REMARKS

Without objection, the Speaker ordered the remarks made by Rep. Moffett to be printed in the Permanent Journal.

REMARKS

Representative Moffett: Thank you, Mister Speaker. May I have Rep. Saunderson and Rep. Pearl join me? We want to take just a couple minutes of your time as the 3 members of the House, Democrat and Republican who represent Canterbury and Loudon in order to remember one of our former colleagues who served our two communities as State Representative for 16 years from 1999 through 2014. That was Priscilla Parmenter Lockwood, who many in this body will remember fondly. Priscilla died peacefully this past November 11th surrounded by loving family, having not so much battled as gracefully and stoically accepted her terminal illness. There are very few who approach the end of this mortal life with less concern about sympathy from family and friends. She was as matter of fact about death as she was about life and wasn't going to have any truck with anyone who wanted to fuss about her or put on a long face. The memorial service at the Canterbury church was packed and there was standing room only in the parish house where the service was piped in from the sanctuary next door. Those of you who did know Priscilla may remember that she in fact succeeded her husband, Bob Lockwood, who also represented Canterbury for 10 years from 1987 to 1997. What many may not know is that public service ran even farther back in the family. Priscilla's father, Draper Parmenter, had also been a State Representative serving the Town of Londonderry from 1953 to 1957. At the memorial service at the Canterbury church, they read from Proverbs 31, which describes the virtuous wife. Verse 23 said, "Her husband is known in the gates when he sits among the elders of the land." As a Christian I take the scriptures seriously. I don't take them lightly, but I would humbly suggest that the good Lord would not be offended if we paraphrase that verse to read, "She was known in the gates when she sat among the elders and eldernesses of the land." Those of us who served with Priscilla, and for me it was just one term, will remember her as a friendly, fair, no nonsense, common sense, Yankee citizen legislator who would tell you exactly what she thought about any bill under consideration and challenge you if she disagreed. She was always cheerful and charitable with a disarming tenacity to both moderation and nonpartisanship. I loved her for those last two qualities especially. She wasn't the only Republican I voted for, but she was the Republican I always voted for. Thank you.

MOMENT OF SILENCE

A moment of silence was observed in honor and in memory of the former member from Canterbury, the Honorable Priscilla Lockwood.

UNANIMOUS CONSENT

Rep. Cushing requested Unanimous Consent of the House regarding the new Bicentennial stained-glass window and addressed the House.

MOTION TO PRINT REMARKS

Rep. Notter moved that the remarks made by Rep. Cushing during Unanimous Consent be printed in the Permanent Journal.

Without objection, the Speaker ordered.

REMARKS

Representative Cushing: Thank you, Mister Speaker. Since we last met or since we closed our business last Fall, we have had one final component of our State House Bicentennial celebration and that is the installation of a half-round stained-glass window on the West side of the State House. It fills a space that had been there architecturally since the 1863 addition moved the wall a little bit towards the West, but had been filled with, in recent memory, with some painted white cardboard; I mean plywood. What the bicentennial glass, stained-glass, represents is a permanent addition to the State House. It is modeled on the existing stained-glass windows that we see in the front of the building and interestingly enough the glass that was used to construct this new addition is from the same stained-glass manufacturer that has been in business since 1680's in Indiana and it includes the same stained-glass that was in the original State House glasses. When you look at it, it contains in the center a replication of the original 1819 State House and when you look at it you see the 1819 State House and above it is rising the current State House and around it is the notation that it was the State House Bicentennial 1819 to 2019. Those of you who are planning on being here at the 250th anniversary celebration, and I know there are people in this room who will be there. Myself, I'm not so sure if I'll make it another 50. Those of you who are there, take a look at it and appreciate the fact that you are here at a moment when there has been so much work done to restore this building and has been such a glorious celebration of our democracy for 200 years. Remember this day and remember this year and tell the story to those who are going to come before about what it was like back in the day when we installed this bicentennial window. Interestingly enough it was manufactured in Portsmouth which has a great, a certain wonder about that because Portsmouth as you know was the site of our original State Capital. So just as the State Capital moved from Portsmouth to Exeter up and on here to Concord so too does this piece of permanent addition to the State House make its way from being crafted by Sash and Sauder in the button factory in Portsmouth New Hampshire coming here. It was added to the State House and installed on January 30th. When you get a chance, walk around on the 3rd floor or the 2nd floor and look up and catch it and see it illuminated. I'm sure there are going to be times when the sun is setting in the West over the State House and it will reflect off that stained-glass window and make us marvel at what a joy it is to live in New Hampshire. What a joy it is to be part of democracy and what a joy it is to work in a State House where the legislature has met longest in its original chamber. Thank you. One more, I know the question may be asked and I want to tell you and give a special thanks to everyone who has gone to the New Hampshire state liquor store and purchased that State House replica bottle because the proceeds of that bottle sales were used to pay for the stained-glass window. Thank you.

RECESS MOTION

Rep. Ley moved that the House stand in recess for the purposes of the introduction of bills, receiving Senate messages, enrolled bill amendments and enrolled bill reports.

Motion adopted.

The House recessed at 4:25 p.m.

RECESS

(Rep. Mangipudi in the Chair)

RESOLUTION

Rep. Porter offered the following: RESOLVED, that late drafting and introduction having been approved by the House and in accordance with the list in the possession of the Clerk, House Bill numbered 1714 shall be by this resolution re- ad a first and second time by the therein listed title, sent for printing and referred to the therein designated committee.

Motion adopted.

INTRODUCTION OF HOUSE BILL**First, second reading and referral**

HB 1714, relative to ratification of amendments to the state building code and state fire code. (Goley, Hills. 8; McGuire, Merr. 29; Carson, Dist 14; Executive Departments and Administration)

**SENATE MESSAGES
CONCURRENCE**

HB 130-L, relative to property tax relief for totally and permanently disabled veterans.

HB 348, relative to procedures for condominiums with 25 or fewer residential units.

HB 703-FN, relative to providing notice of the introduction of new high-cost prescription drugs.

REFERRED FOR INTERIM STUDY

HB 150-FN, relative to statements of financial interests filed by state officials.

HB 153, relative to circumstances under which police officer disciplinary records shall be public documents.

HB 155, relative to procedures for determining and disclosing exculpatory evidence in a police officer's personnel file.

HB 186, establishing a state minimum wage and providing for adjustments to the minimum wage.

HB 233, relative to the group and individual health insurance market.

HB 272, relative to temporary workers.

HB 383, relative to the prohibition on unlawful discrimination in public and nonpublic schools.

HB 479-FN, relative to eligibility for the low and moderate income homeowners property tax relief.

HB 481-FN-A-L, relative to the legalization and regulation of cannabis and making appropriations therefor.

HB 487-FN, establishing a registry for the deaf, hard of hearing, and deaf/blind in the department of health and human services.

HB 536-FN, adding biometric information to the consumer protection act.

HB 556, allowing municipalities to process absentee ballots prior to election day.

HB 707, relative to settlement money from actions pertaining to the contamination of groundwater or drinking water.

NONCONCURRENCE

HB 303, relative to certification of building code compliance inspectors.

HB 381, repealing requirements for transfer of appropriations in Carroll county.

HB 384, relative to access to historic burial sites on state-owned land.

HB 568, relative to the New Hampshire energy strategy.

HB 717-FN, prohibiting prescription drug manufacturers from offering coupons or discounts to cover insurance copayments or deductibles.

LAI'D ON THE TABLE

HB 121-FN, relative to the regulation of massage, reflexology, structural integrator and Asian bodywork therapy establishments.

HB 397-FN, relative to drivers' licenses for New Hampshire residents who do not possess a social security card.

HB 447, relative to school calendar days.

HB 520, relative to availability of diaper changing stations in public restrooms.

HB 652, relative to suicide prevention.

COMMITTEE ASSIGNMENTS

The Speaker made the following committee assignments:

Rep. Greene on the Committee on Finance.

RECESS

(Rep. Nutting-Wong in the Chair)

ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 130, 348 and 703.

Rep. Wall, Sen. Soucy for the Committee

RECESS

(Rep. Jason Osborne in the Chair)

RESOLUTION

Rep. Hinch offered the following: RESOLVED, that late drafting and introduction having been approved by the House and in accordance with the list in the possession of the Clerk, House Bill numbered 2020 shall be by this resolution read a first and second time by the therein listed title, sent for printing and referred to the therein designated committee.

Motion adopted.

INTRODUCTION OF HOUSE BILLS**First, second reading and referral**

HB 2020, relative to the 10-year transportation improvement plan. (Cloutier, Sull. 10; Public Works and Highways)

RECESS

(Rep. Megan Murray in the Chair)

ENROLLED BILL AMENDMENT

SB 255-FN, relative to dementia training for direct care staff in residential facilities and community-based settings. (Amendment printed SJ 1/30/20)
Motion adopted.

SENATE MESSAGE**CONCURRENCE WITH AMENDMENTS**

SB 159, relative to net energy metering limits for customer-generators.

SB 255-FN, relative to dementia training for direct care staff in residential facilities and community-based settings.

RECESS

(Rep. Megan Murry in the Chair)

RESOLUTION

Rep. Cushing offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, Senate Bill numbered 684 shall be by this resolution read a first and second time by the therein listed title and referred to the therein designated committee.

Motion adopted.

INTRODUCTION OF SENATE BILL**First, second reading and referral**

HB 684-FN, relative to mediation of rent increases in manufactured housing parks. (Education)

RECESS

(Rep. Ebel in the Chair)

RESOLUTION

Rep. Weber offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, Senate Bills numbered 13, 113, 152, 223, 229, 231, 244, 248, 295, 304, 319, 410, 411, 413, 430, 431, 434, 440, 442, 444, 445, 451, 471, 472, 473, 477, 478, 505, 511, 537, 552, 557, 558, 567, 573, 583, 587, 595, 602, 604, 619, 643 and 673 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 13, relative to limited electrical energy producers and net energy metering. (Science, Technology and Energy)

SB 113, relative to municipal authority regarding the state building code. (Executive Departments and Administration)

SB 152, relative to third party inspections conducted pursuant to a planning board approval. (Municipal and County Government)

SB 223-FN, increasing the minimum gross business income required for filing a business profits tax return. (Ways and Means)

SB 229-FN, establishing a committee to study the value of conducting post-election audits in New Hampshire. (Election Law)

SB 231-FN, establishing a committee to study truth in political advertising. (Election Law)

SB 244-FN, establishing a commission to study the incentivization of publicly-offered real estate investment trusts in New Hampshire. (Commerce and Consumer Affairs)

SB 248-FN, increasing the age for sales and possession of tobacco products. (Commerce and Consumer Affairs)

SB 295-FN, relative to the office of the child advocate. (Children and Family Law)

SB 304-FN-A, establishing a committee to study public funding of certain state election campaigns. (Election Law)

SB 319-FN, requiring automated external defibrillators in certain facilities promoting health and wellness through a paid program of intended physical activity. (Commerce and Consumer Affairs)

SB 410-FN, relative to the state minimum hourly rate. (Labor, Industrial and Rehabilitative Services)

SB 411, relative to the direct shipping of liquor. (Commerce and Consumer Affairs)

SB 413, authorizing the Girl Scouts of the Green and White Mountains to issue decals for multi-use decal plates. (Transportation)

SB 430, relative to the child fatality review committee. (Judiciary)

SB 431, establishing a commission to study the adoption of remote online notarization in New Hampshire. (Judiciary)

SB 434, relative to the purchasing authority of the department of administrative services. (Executive Departments and Administration Services)

SB 440, establishing the New Hampshire collaborative law act. (Judiciary)

SB 442, relative to alternative dispute resolution. (Judiciary)

SB 444, amending the alimony statute due to changes in federal tax law. (Children and Family Law)

SB 445, relative to residency of children of members of the armed forces. (Transportation)

SB 451-FN, establishing an administrative hearing procedure and penalty for an employer who fails to make payment of wages or who fails to secure workers' compensation coverage. (Labor, Industrial and Rehabilitative Services)

SB 471, relative to funds for the division of veterans services. (Transportation)

SB 472, establishing a committee to study gold star family decals. (Transportation)

SB 473, relative to certificate of boating safety. (Resources, Recreation and Development)

SB 477, establishing a council on the creative economy. (Commerce and Consumer Affairs)

SB 478, relative to food in cigar shops. (Commerce and Consumer Affairs)

SB 505, relative to residential child care licensing of child care institutions or agencies. (Children and Family Law)

SB 511, relative to the formula used to determine current use tax rates. (Ways and Means)

SB 537, proclaiming January 24 as Granny D. Day. (Executive Departments and Administration)

SB 552, designating a portion of state route 125 as Officer Stephen Arkell Memorial Highway. (Public Works and Highways)

SB 557, relative to the advisory council on career and technical education. (Education)

SB 558, extending the reporting date of the commission to study school funding. (Education)

SB 567, relative to the commission on interdisciplinary primary care workforce. (Health, Human Services and Elderly Affairs)

SB 573, relative to criminal threats to school safety. (Education)

SB 583, relative to the addition of climate and environmental sciences to the criteria for an adequate education. (Education)

SB 587, relative to the duties and membership of the energy efficiency and sustainable energy board. (Science, Technology and Energy)

SB 595, relative to certain unclassified positions in the department of health and human services. (Executive Departments and Administration)

SB 602, establishing a committee to study the issue of unmarried cohabitants, domestic partnerships, and common law marriage. (Children and Family Law)

SB 604, naming certain courtrooms in the tenth circuit district court and relative to circuit court, district and family division cases in Rockingham county. (Public Works and Highways)

SB 619-FN, repealing the sunset provision for insurance coverage for oral anti-cancer therapies. (Commerce and Consumer Affairs)

SB 643, relative to missing children. (Children and Family Law)

SB 673-FN, relative to recovery of unauthorized payments by the state. (Health, Human Services and Elderly Affairs)

RECESS

(Speaker Shurtleff in the Chair)

ENROLLED BILL REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled Senate Bill numbered 159.

Rep. Ley, Sen. Soucy for the Committee

RECESS

(Rep. Howard in the Chair)

ENROLLED BILL REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled Senate Bill numbered 255.

Rep. Ley, Sen. Soucy for the Committee

RECESS