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Thursday, March 5, 2020

No. 6

HOUSE JOURNAL NO. 5 (Cont'd)

Thursday, February 20, 2020

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

HOUSE JOURNAL NO. 6

Thursday, March 5, 2020

The House assembled at 1:00 p.m., and was called to order by the Speaker.

Prayer was offered by the member from Salem, Representative Robert Elliott.

Let us pray. Almighty God, once again we thank thee for giving us another 24 hours of this precious gift that we call human life. And we thank thee for once again keeping your promise to give us this day our daily bread. And now we ask thee to bless each one of us and to guide us as we gather together as the Representatives of the people of the glorious State of New Hampshire. We ask thee to grant us patience when we become tired and irritable. We ask thee to grant us wisdom when it comes time to vote on important and controversial issues. And we ask thee to grant us the ability to respect one another even when the vote doesn't go our way. And finally, O God, when we leave these hallowed halls and go to our various homes, we ask thee to grant us the ability to hear thy words, "Well done, good, and faithful servant." Amen.

Representative Alicia Lekas, member from Hudson, led the Pledge of Allegiance.

The National Anthem was sung by Lindsay O'Neill of Rochester.

LEAVES OF ABSENCE

Reps. Bosman, Callum, Cannon, DeClercq, French, Gidge, Lundgren, Massimilla, Oxenham, Salloway, Turcotte and Vail, the day, illness.

Reps. Barry, Doucette, Fothergill, Hayward, Josephson, Luneau, Mombourquette, Morrill, Spang, St. Clair, Viens, Walz and Ward, the day, important business.

Reps. Crawford, Hill, L'Heureux and Rooney, the day, illness in the family.

UNANIMOUS CONSENT

Rep. Plett requested Unanimous Consent of the House regarding an apology for walking in front of the Speaker's podium and addressed the House.

RESOLUTION

Reps. Ley and Hinch offered the following: RESOLVED, that late introduction having been approved by the Rules Committee and in accordance with the list in the possession of the Clerk, House Bill numbered 1716 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 by the necessary two-thirds vote.

INTRODUCTION OF HOUSE BILL

First, second reading and referral

HB 1716-FN, relative to the treatment of veterans' disability benefits for purposes of determining child support. (Baldasaro, Rock. 5; Wallace, Rock. 12; Children and Family Law)

MOTION TO SUSPEND HOUSE RULES

Reps. Ley and Hinch moved that House Rules be so far suspended as to allow the deadline for reporting on **HB 1716-FN**, relative to the treatment of veterans' disability benefits for purposes of determining child support. Motion adopted by the necessary two-thirds vote.

REGULAR CALENDAR

HB 1112-FN, requiring programs for female parolees. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Julie Radhakrishnan for Criminal Justice and Public Safety. This bill, as amended, forms a study committee to address the educational, employment, housing and other needs of formerly incarcerated women. Empirical research shows that comprehensive rehabilitation significantly reduced recidivism. The goal of this legislation is to gather information about resources within the prison system as well as in the community and to coordinate services and referrals for women to help them successfully re-integrate into society. Vote 19-1.

Amendment (0270h)

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

AN ACT establishing a committee to study programs for female parolees.

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

- 1 Committee Established. There is established a committee to study programs for female parolees.
- 2 Membership and Compensation.

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

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

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

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

3 Duties.

I. The committee shall study existing programs for female parolees and shall study whether the need exists for developing new programs for female parolees focusing on financial counseling, education including diploma or certificate programs, substance misuse and mental health counseling, job training including resume writing and interview skills, community housing programs, and programs available through Medicaid.

II. The committee may solicit advice and testimony from any individual or organization with information or expertise relevant to the committee's objective.

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

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

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

AMENDED ANALYSIS

This bill establishes a committee to study programs for female parolees.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

HB 1130-FN, relative to assault against an elderly person. **INEXPEDIENT TO LEGISLATE.**

Rep. John Bordenet for Criminal Justice and Public Safety. While this seems to have merit, this bill needs additional work. It attempts to make an assault against someone 60 or older a class A felony. No provision was made if the assailant was the same age or older. Vote 17-3.

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

Rep. Love spoke against.

Rep. Bordenet spoke in favor.

Committee report adopted.

HB 1292-FN, revising certain benefit provisions in the city of Manchester employees contributory retirement system. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Dianne Schuett for Executive Departments and Administration. This bill was a request of the city of Manchester and seeks to make 4 changes to their retirement system for members who commence service on or after January 1, 2021. The first change is to the definition of "final average earnings." It will be calculated using the average of the employees highest 5 years of earnings as opposed to the current 3-year average. The second change addresses early retirement. When someone retires early, they pay an offset to adjust for it,

which is currently 1/6 of 1 percent. Under the bill, this will be changed to 7/12 of 1 percent. The third change is to increase the normal retirement age from 60 to 62. The final change, for new hires only, is an increase in the employee contribution rate from 3.75 percent to 5.75 percent. The reduction in future benefits will improve the funded ratio of the system and accelerate the accrued liability amortization period by approximately one year and result in a savings to the city of Manchester over that period of approximately \$14 million. The amendment to the bill returns the employee contribution rate to 3.75 percent once the fund reaches the 100 percent level. Vote 19-1.

Amendment (0203h)

Amend the section heading of section 1 of the bill by replacing it with the following:

1 Manchester Retirement System; Definition; Final Average earnings. Amend 1973, 218:4, X as amended by 2002, 194:1 to read as follows:

Amend the section heading of section 2 of the bill by replacing it with the following:

2 Definitions; Normal Retirement Date. Amend 1973, 218:4, XIII as amended by 2002, 194:1 and 2002, 147:4 to read as follows:

Amend the section heading of section 3 of the bill by replacing it with the following:

3 Employees to Whom the Act Applies. Amend 1973, 218:7, II as amended by 2002, 194:1 and 2008, 90:3 to read as follows:

Amend the bill by replacing sections 4 and 5 with the following:

4 Contributions by Employees. Amend 1973, 218:9, I as amended by 2002, 194:1 to read as follows:

I. The rate of contributions by each member *who commenced service prior to January 1, 2021* shall be 3.75 percent of that portion of earnings received during each calendar year or portion thereof; *otherwise the rate of contributions shall be 5.75 percent and continuing until such time as the board of trustees certify to the executive director that the actuarial funded ratio of the Manchester's employees' contributory retirement system has reached a 100 percent funding level, when such contribution rate shall return to 3.75 percent for all subsequent service on the date determined by the board of trustees.*

5 Service Buybacks. Amend 1973, 218:10, III, as amended by 2002, 194:1 and 2006, 115:4, to read as follows:

III. A member who ceases to be a member, withdraws his or her member contributions pursuant to section 11 of this act, and later becomes a member again, may make a request after the member's return to city employment for service buyback of prior service credit for the previous time served as a member. If a service buyback is not made, the member's benefit shall be based solely on the member's years of service and final average earnings after the break in service. *For former members who return to service on or after January 1, 2021, the cost of the buyback shall be determined by dividing the value of refunded contributions by the contribution rate in effect during their withdrawn period of service, multiplying the results by the contribution rate in effect under paragraph I of section 9, and then applying interest at the rate in effect as determined by the board. Members who withdrew more than 5 years of service earned prior to January 1, 2021, who return to service on or after January 1, 2021 shall pay member contributions at the contribution rate in effect under paragraph I of section 9 for other new hires, however, the returning member shall retain his or her original normal retirement age of 60, and will have their earnings averaged over 3 years for benefit calculation purposes. Former members who return to service on or after January 1, 2021 who withdrew with less than 5 years of service earned prior to January 1, 2021 shall be subject to the 5-year earnings average and a normal retirement age of 62.*

AMENDED ANALYSIS

This bill establishes new benefit provisions for the employees' contributory retirement system of the City of Manchester originally established in 1973, 218 for participants who commence service on or after January 1, 2021. This bill increases the member contribution for participants until the plan reaches a 100 percent funded ratio and increases the normal retirement age. This bill will also mitigate the cost to the Manchester employees' contributory retirement system for early retirement and adjust the final average earning calculation.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

HB 1447-FN, relative to penalties for retired members of the retirement system exceeding part-time hourly limit. **INEXPEDIENT TO LEGISLATE.**

Rep. Jaci Grote for Executive Departments and Administration. This bill changes the penalty for New Hampshire Retirement System (NHRS) retirees who exceed the part-time work limitation from a forfeiture of the state annuity portion of their retirement allowance to a penalty of 23% of their paid compensation. The current policy was put in place to, among other reasons, eliminate the double dipping into the retirement system and the committee is not in favor of this modification. In this bill, the assessment of the penalty is the responsibility of the part-time employer or employers; the committee does not consider this to be a feasible method for

applying the penalty. Furthermore, the NHRS representative noted there may be potential Internal Revenue Code and labor wage issues relating to whether the penalty is an employee contribution subject to limitations on contributions, whether wages may be withheld and remitted to NHRS, and if the penalty is paid on a post-tax basis and withheld from the remaining wages paid. For all of these reasons, the committee opposes the adoption of the bill. Vote 19-1.

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

Rep. Abramson spoke against.

Rep. Grote spoke in favor.

On a division vote, with 339 members having voted in the affirmative, and 8 in the negative, the committee report was adopted.

HB 677-FN-A, relative to discipline of students, addressing students' behavioral needs, and making an appropriation therefor. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Susan Ford for Finance. This bill provides school districts with guidance to develop a discipline plan. Students suspended over a cumulative period of 20 days within a school year will be provided alternative educational services. If a student is suspended more than 10 school days in any school year, upon returning to school, the school district shall develop an intervention plan designed to proactively address the pupil's problematic behaviors. Currently the Department of Education (DOE) has a federal grant and is working with 12 school districts. In future bienniums, the DOE shall include a request for appropriations, pursuant to RSA 9:4, for an amount sufficient to meet the estimated expenses of working with school districts and public charter schools seeking to implement MTSS-B. The sum of \$1 for the biennium ending June 30, 2021 is hereby appropriated to the DOE for the purpose of supporting student behavioral health and wellness under RSA 198:63. Vote 19-1.

Amendment (0359h)

Amend RSA 193:13, V as inserted by section 1 of the bill by replacing it with the following:

[IV] V. School districts and chartered public schools shall make educational assignments available to the suspended pupil during periods of suspension. Except as provided in paragraphs II and IV, a school district or chartered public school shall provide alternative educational services to a suspended pupil whenever the pupil is suspended in excess of 20 cumulative days within any school year. The alternative educational services shall be designed to enable a pupil to advance from grade to grade. Any time a pupil is suspended more than 10 school days in any school year, upon the pupil's return to school the school district shall develop an intervention plan designed to proactively address the pupil's problematic behaviors. No pupil shall be penalized academically solely by virtue of missing class due to suspension. ~~[The local school board shall adopt a policy which allows the superintendent or chief administering officer to modify the expulsion requirements set forth in paragraphs II and III on a case by case basis.]~~

Amend RSA 198:64 as inserted by section 2 of the bill by inserting after paragraph III the following new paragraph:

IV. For each biennium, the commissioner of education shall include in the department of education's biennial request for appropriations pursuant to RSA 9:4 an amount sufficient to meet the estimated expenses of providing technical assistance and grant support to school districts and public charter schools seeking to implement MTSS-B. The amount requested shall be not less than the amount required to accomplish the effective implementation of MTSS-B in 25 percent of schools in the state.

Amend the bill by replacing section 3 with the following:

3 Appropriation. The sum of \$1 for the biennium ending June 30, 2021 is hereby appropriated to the department of education for the purposes of supporting student behavioral health and wellness under RSA 198:63. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

Committee amendment adopted.

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

On a division vote, with 259 members having voted in the affirmative, and 90 in the negative, the committee report was adopted and ordered to third reading.

HB 705-FN, relative to the rights of victims of crime, increasing the cap on assistance for victims of crime, and establishing a commission to study the needs of crime victims and enforcement of statutes governing crime victims' rights. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Peter Leishman for Finance. As amended by the House, HB 705-FN increases the per claimant maximum recovery for victims of crimes from the Victims' Assistance Fund from \$30,000 to \$40,000. The committee found that over a five-year average, revenues from the penalty assessment funds collected has exceeded claims from the Victims' Assistance Fund. The committee believes that revenues from the penalty assessment funds will

be sufficient to cover this \$10,000 increase. Additionally, at the prime sponsor's suggestion, the committee replaced the 21-member commission with a five-member legislative committee. The tasks for this new committee will remain the same as those of the earlier proposed commission. Vote 21-0.

Amendment (0048h)

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

AN ACT relative to the rights of victims of crime, increasing the cap on assistance for victims of crime, and establishing a committee to study the needs of crime victims and enforcement of statutes governing crime victims' rights.

Amend the bill by inserting after the enacting clause the following new section and renumbering the original sections 1-11 to read as 2-12, respectively:

1 Short Title. This act shall be known as the Crime Victims' Rights Enhancement Act of 2020.

Amend the bill by replacing section 8 with the following:

8 Committee on the Needs of Victims of Crime and the Enforcement of Crime Victims' Rights Established.

I. There is established a committee on the needs of crime victims and the enforcement of crime victims rights. The members of the committee shall be as follows:

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

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

II. The committee shall:

(a) Review the needs and services for victims of crime, and provide recommendations concerning addressing needs and enhancing services for victims of crime.

(b) Review the existing mechanisms and resources for the enforcement of the rights of victims of crimes and provide recommendations on enhancing enforcement of the rights of victims' rights.

(c) Solicit testimony and input from the victims of crime and members of the general public.

(d) Study other matters related to the needs of victims of crime as the committee may determine.

III. Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee. The members of the committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the first named house member. The first meeting of the committee shall be held within 45 days of the effective date of this section. Three members of the committee shall constitute a quorum.

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

Amend the bill by replacing all after section 10 with the following:

11 Effective Date.

I. Sections 2-7 and sections 9-10 of this act shall take effect 60 days after its passage.

II. The remainder of this act shall take effect upon its passage.

AMENDED ANALYSIS

This bill increases the maximum recovery for crime victims from the victims' compensation fund; establishes confidentiality procedures for information used to support restitution to the victims' compensation fund; expands the offenses covered by the crime victims' bill of rights; expands the rights available to crime victims; requires the department of justice to develop a crime victims' rights card and establish professional guidelines for victims' assistance providers; and establishes a committee on the needs of crime victims and the enforcement of crime victims' rights.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

HB 1224-FN-A-L, making an appropriation to the lakeshore redevelopment planning commission. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Patricia Lovejoy for Finance. This bill as amended appropriates \$500,000 to the Lakeshore Redevelopment Planning Commission, restricted for usage as matching funds for grants. The commission is charged with redevelopment of the state-owned facility in Laconia that was the former home of the Laconia State School. Vote 21-0.

Amendment (0290h)

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

1 Appropriation; Lakeshore Redevelopment Planning Commission. There is hereby appropriated to the lakeshore redevelopment planning commission established in RSA 10:5, the sum of \$500,000 for the fiscal year ending June 30, 2021, which shall be nonlapsing and shall be expended solely for the purpose of obtaining matching funds for supporting the operations of the commission and not for any other purpose. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

2 Lakeshore Redevelopment Planning Commission; Authorization to Accept Funds. Amend RSA 10:8, II(a) to read as follows:

(a) Request, accept, and expend any *state or* federal funds available to the commission to carry out the purposes of this subdivision or the duties of the commission[, ~~provided that state funds available to be expended by the commission shall not exceed \$365,000 in capital and general fund appropriations~~].

3 Budget Appropriation for the Lakeshore Redevelopment Planning Commission. Amend 2019, 345 by amending the footnote following the appropriation in accounting unit 01-14-14-141510-3892 to read as follows: * Funds in Accounting Unit 3892 for the Lakeshore Redevelopment Planning Commission established in RSA 10:5, shall not lapse [~~until June 30, 2021~~] and shall be expended to support the operations of the Commission *or any successor entity*.

4 Capital Appropriation for Lakeshore Redevelopment Planning Commission; Lapse of 2017 Appropriation Removed. Amend 2017, 240:3, II to read as follows:

II. The sum of \$115,000 is hereby appropriated to the lakeshore redevelopment planning commission established under RSA 10:5 for the purpose of undertaking any required title, subdivision, and other land preparation needed for the sale of the former Laconia state school property and training center property, and for the purpose of employing a consultant with real estate or financial expertise in preparation of the request for proposals for the sale of said property. Said funds shall not lapse [~~until June 30, 2021~~].

5 Transfer of Prior Appropriations to Successor Entity. Any appropriation to the lakeshore redevelopment planning commission established pursuant to RSA 10:5, including but not limited to appropriations to the commission in 2017, 240, 2019, 345, and section 1 of this act, shall be transferred to, and available for expenditure by, any successor entity or authority on the date of such transfer.

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

AMENDED ANALYSIS

This bill makes an appropriation to the lakeshore redevelopment planning commission, removes the lapse of prior appropriations to the commission, and provides for transfer of such appropriations to any successor entity. Committee amendment adopted.

Committee report adopted and ordered to third reading.

HB 1234-FN-A, making an appropriation for the purposes of heating state-owned buildings. **OUGHT TO PASS WITH AMENDMENT.**

Rep. William Hatch for Finance. This bill appropriates funds to heat state owned buildings. HB 1234-FN-A is necessary to correct an oversight that occurred during the budget process. The funds allocated for this purpose were not carried from HB 2 to the final version of the budget in HB 4, and thus must be put back in if we are going to heat the State House Complex buildings. Note, the amended bill also continues to use savings produced with the new system to pay the principal and interest on bonds and notes issued to fund this project. Considering this, and the fact that without passage we would be very cold, the committee voted to recommend Ought to Pass with Amendment. Vote 21-0.

Amendment (0321h)

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

AN ACT relative to the heating of certain state-owned buildings in Concord and making an appropriation therefor.

Amend the bill by inserting after section 1 the following and renumbering the original section 2 to read as 3:

2 Department of Administrative Services; Heating System Savings Account. Amend RSA 21-I:19-ff to read as follows:

21-I:19-ff State Heating System Savings Account. There is hereby established the state heating system savings account for the transfer of unexpended state heating system appropriations due to reduced heating system costs resulting from the 26 state buildings served by the Concord Steam project authorized in 2017, 2. Notwithstanding RSA 21-I:19-e, at the end of each state fiscal year, the commissioner of administrative services shall identify the unexpended appropriations in the accounts and class lines for the 26 state buildings served by the replacement of the Concord Steam facility. The commissioner shall deposit such sums into the account established by this section. Funds in the state heating system savings account shall be nonlapsing and appropriated to the department of administrative services for the biennium ending June 30, 2019, *the biennium ending June 30, 2021*, and the fiscal year ending [2020] *June 30, 2022* and may be used to pay principal and interest on bonds and notes issued to fund the capital project for the heating of state facilities located at the Governor Hugh J. Gallen state office park and state-owned buildings in downtown Concord.

AMENDED ANALYSIS

This bill makes an appropriation to the department of administrative services for the purpose of replacing heating systems in state-owned buildings in Concord that formerly used Concord Steam. The bill also extends a prior appropriation to the state heating system savings account.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

SB 7-FN-L, establishing the secure modern accurate registration act (SMART ACT). **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Patricia Lovejoy for the Majority of Finance. This bill as amended would implement an automatic voter registration system named the Secure Modern Accurate Registration Technology Act (SMART). At the time a citizen applies for or renews a driver license at the Department of Motor Vehicles (DMV) they would be automatically registered to vote unless the citizen opts out of being registered to vote. The amendment clarifies the duties of the DMV and the Secretary of State's office. The DMV and the Secretary of State's office have updated their fiscal analysis that now have the financial impact in year one: of \$543,00; year two: \$490,000; year three: \$553,000 and year four: \$563,000. This is in line with the expenses that other states have reported for the implementation of automatic voter registration. Currently 21 states and the District of Columbia (including all of the other New England states) have adopted automatic voter registration. The funding for this program would come from Help America Vote Act (HAVA) funds. The dedicated fund for HAVA funds stands at \$11.9 million as of 6/30/19 and with the appropriations in the last budget and the 2019 additional HAVA grant the balance will increase to \$15.1 million. The state has been notified that it will receive an additional \$3,472,912 HAVA grant in 2020 (which will require a \$694,582 match). Assuming the state accepts the grant and meets the required match, the balance in the fund would rise to \$19.2 million. The state average of spending over the last four years to meet the requirements of the HAVA grant has been approximately \$750,000. The cost of implementing and operating the SMART Act over the next four years is under \$2.2 million, well within the capacity of the HAVA Dedicated Fund to finance and meets the purpose of the Help America Vote Act. Vote 13-7.

Rep. Lynne Ober for the Minority of Finance. The minority believes that this bill should be Inexpedient to Legislate because there are significant issues. Because of the extreme expense of this bill which tries to turn New Hampshire into a motor voter state when we are a same day registration state, an amendment was drafted to require Help America Vote Act (HAVA) funds to fund the entire bill. Although modifications were made the bill still met significant agency resistance. House Finance was told that a non-partisan group had drafted a better bill that would move our state to online registration. The committee was also told that there were significant bills trying to spend HAVA dollars and the agency would need general fund dollars to pay for elections, which has not been done in our state. Although the bill is written that training and promotional brochures can use HAVA funding and DMV will be able to expend those dollars, the agency testified that they do not expect to do training or produce materials and will be expecting that the Secretary of State will develop both of these. While the Secretary of State did agree, he also pointed out that additional staff, which is not authorized in the bill, would be mandatory. Testimony was also given that it was expected that general fund dollars be appropriated for the support of such staff rather than expecting an on-going use of HAVA funding. Altogether, this bill should probably be turned into a study committee to look at not only the issues raised, but to be able to marry this bill with other bills expending HAVA dollars to ensure that New Hampshire continues to have adequate election funding into the future and that the best and most legal use of federal HAVA dollars is made. Therefore, the minority believes this bill should be found Inexpedient to Legislate.

Majority Amendment (0457h)

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

1 New Subdivision; Secure Modern Accurate Registration Technology Act. Amend RSA 654 by inserting after section 15 the following new subdivision:

Secure Modern Accurate Registration Technology Act

654:15-a Voter Registration at the Division of Motor Vehicles.

I. The secretary of state, pursuant to an interagency contract and jointly-adopted criteria, shall establish a secure data transfer program that satisfies the requirements of this section and any other applicable law.

II. Any time a person applies for a driver's license, a nondriver's picture identification card, or a record change to a driver's license or nondriver's picture identification card with the division of motor vehicles, as specified below, during which he or she demonstrates that he or she is a United States citizen, 18 years of age or older, and a resident of New Hampshire, he or she shall, without taking any other action, automatically apply to register to vote unless he or she declines to submit such registration application under the procedures outlined in paragraph IV.

III. The division of motor vehicles shall electronically transmit to the secretary of state certain information as outlined in RSA 654:15-b about every eligible voter applying pursuant to this section. Such transmission shall be in a format that the secretary of state can upload into the statewide centralized database and reviewed by election officials. The division of motor vehicles shall also transmit any updates to addresses or names to ensure that the voter checklists are kept up-to-date.

IV. The division of motor vehicles shall add a voter registration section to those online or paper forms used in connection with applying for a driver's license, a nondriver's picture identification card, or a record

change related to a driver's license or nondriver's picture identification card, which shall collect information required for voter registration not already collected in such division of motor vehicles forms. By signing and submitting this application, you are authorizing the division of motor vehicles to transmit this application to the secretary of state for voter registration purposes. **YOU MAY DECLINE TO APPLY TO REGISTER.** Both the location of the office through which you submit this application and your decision of whether or not to apply to register to vote will remain confidential and will be used for voter registration purposes only." A check box shall appear below such preprinted statement and next to the following statement: "Do not register me to vote or update my voter registration. I decline to register to vote or update my voter registration."

V. Upon receiving the electronic record of the applicant's information, the secretary of state shall send a mailing to each eligible applicant, including a pre-paid return to be sent to the voter's town or city hall, which shall include the following:

(a) The process used to adopt a political party affiliation.

(b) The registrant's polling location.

(c) A check box with a statement next to it that reads: "Do not register me to vote or update my voter registration. I decline to register to vote or update my voter registration."

VI. An application that complies with the requirements of this section shall constitute a completed voter registration unless the city or town clerk or supervisor of the checklist finds an error in the voter registration application pursuant to paragraph IX.

VII. If, during the review of the information sent by the secretary of state, the city or town clerk or supervisor of the checklist deems there to be an error in the voter registration application, such local election official shall promptly inform the applicant that his or her registration has not been processed, and shall provide such applicant a reasonable opportunity to cure such error.

VIII. Any person applying to register to vote pursuant to this section within 30 calendar days immediately preceding an election shall be advised to apply to register to vote with a city or town clerk or supervisor of the checklist pursuant to this chapter.

654:15-b Electronic Transmission of Voter Registration Data.

I. The division of motor vehicles shall transmit, via a secure electronic transmission, data collected relevant to voter registration, including data relating to age, residency, citizenship, place of birth, and driver's license or non-driver's picture identification card, as well as a signature image, for every citizen who applies to register to vote in accordance with RSA 654:15-a to the secretary of state. The division of motor vehicles shall transfer data in a format that can be uploaded to the statewide centralized voter registration database. The secretary of state shall format data to allow the city or town clerk or supervisor of the checklist to print the information on an 8.5 x 11 inch sheet of paper. Notwithstanding RSA 294-E and any other law to the contrary, the secretary of state, state agencies, and political subdivisions shall accept, use, and permit the use of the applicant's signature image for purposes of this subdivision.

II. The city or town clerk or supervisor of the checklist shall be alerted when a new eligible voter has been entered into the statewide centralized voter registration database.

III. The secretary of state shall also transmit for review by election officials any address or name updates to their records to ensure that the voter checklists are kept up-to-date and remove voters' registration from the previous address, in accordance with state and federal law.

654:15-c Voter Registration Data Privacy and Security.

I. The secretary of state shall regularly upgrade data security for the voter registration system, such that the system adheres to up-to-date security processes and protocols.

II. The secretary of state shall ensure the privacy of the information received from the division of motor vehicles pursuant to this subdivision by prohibiting:

(a) Public disclosure of an individual's decision not to apply to register to vote, which shall be exempt from the provisions of RSA 91-A.

(b) Agencies from transmitting to election officials information other than that required for voter registration or specified information relevant to the administration of elections.

(c) The disclosure of information relating to persons in categories designated confidential by federal or state law, including victims of domestic violence or stalking, prosecutors and law enforcement personnel, and participants in a witness protection program.

(d) Any other disclosure of information collected pursuant to this subdivision that is prohibited by federal or state law.

654:15-d Unauthorized Registration. The record and signature of an ineligible applicant that is transmitted through an electronic system by a government agency to any elections or voter registration authority shall not constitute a completed voter registration form, and that applicant shall not be considered to have registered to vote.

654:15-e Requests for Removal from the Checklist. Any person who applies to register to vote pursuant to this subdivision may, prior to the certification of the checklist pursuant to RSA 654:28 and RSA 654:29, request that he or she be removed from the checklist by submitting such request in person at his or her town or city hall.

2 New Paragraph; Access to Governmental Records and Meetings; Exemptions. Amend RSA 91-A:5 by inserting after paragraph XI the following new paragraph:

XII. An individual's decision not to apply to register to vote under RSA 654:15-a.

3 New Paragraph; Motor Vehicles; Records and Certification. Amend RSA 260:14 by inserting after paragraph III-d the following new paragraph:

III-e. Motor vehicle records relevant to voter registration shall be provided to the secretary of state pursuant to RSA 654:15-b. These records may be further transferred or otherwise made available to city or town clerks and supervisors of the checklist for purposes of voter registration.

4 Department and Secretary of State; Election Fund. Amend RSA 5:6-d, III to read as follows:

III. The secretary of state is authorized to accept, budget, and, subject to the limitations of this paragraph, expend [~~monies~~] **moneys** in the election fund received from any party for the purposes of conducting elections, voter and election official education, the purchase or lease of equipment that complies with the Help America Vote Act of 2002, Public Law 107-252, or with RSA 659:13, V, reimbursing the department of safety for the actual cost of voter identification cards, election law enforcement, enhancing election technology, making election security improvements, and improvements to related information technology, including acquisition and operation of an automated election management system. With the exception of federal and state portions of funds associated with the 2018 Election Reform Program, the secretary of state shall not expend any monies in the election fund unless the balance in the fund following such expenditures shall be at least [~~12~~] **10** times the estimated annual cost of maintaining the programs established to comply with the Help America Vote Act of 2002, Public Law 107-252.

5 Funding. Funding for the direct Help America Vote Act related implementation of this act, including division of motor vehicles software and SMART-related training and public informational collateral, shall be provided by grants received pursuant to the 2018 Help America Vote Act Election Security Award and section 101 of the Help America Vote Act of 2002, Public Law 107-252.

6 Effective Date. This act shall take effect July 1, 2021.

Majority committee amendment adopted.

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

On a division vote, with 202 members having voted in the affirmative, and 146 in the negative, the majority committee report was adopted and ordered to third reading.

CACR 14, relating to reproductive medical decisions. Providing that the state shall not infringe or unduly inconvenience the right of reproductive medical decisions. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Paul Berch for the Majority of Judiciary. The proposed constitutional amendment would place in the New Hampshire constitution a bar on the state infringing or unduly inconveniencing a person's right to make personal medical reproductive decisions. The Judiciary Committee by a bi-partisan majority, has voted to recommend against passage of this CACR. The majority was composed of members with two differing points of view. Some members felt that the matter of personal reproductive decisions should not be in the constitution and, if it were, certain limitations and prohibitions should be included in the language. Other members of the majority were sympathetic to the intention of the CACR, but found the provisions contradictory, confusing and subject to possible unintended consequences. Vote 18-2.

Rep. Timothy Horrigan for the Minority of Judiciary. This proposed constitutional amendment would not, if passed, change anything in existing New Hampshire law. It does not make anything legal which is currently legal. It does not make anything illegal which is currently legal. No matter what their gender may be, everyone in New Hampshire will still be allowed to follow their conscience when making the most intimate of all personal choices. CACR 14 simply guarantees that New Hampshire's long-standing tradition of respecting bodily autonomy and reproductive choice will in the future be explicitly protected by our state constitution.

MOTION TO LAY ON THE TABLE

Rep. Ley moved that **CACR 14**, relating to reproductive medical decisions. Providing that the state shall not infringe or unduly inconvenience the right of reproductive medical decisions, be laid on the table.

On a division vote, with 244 members having voted in the affirmative, and 105 in the negative, the motion was adopted.

REGULAR CALENDAR CONT'D

CACR 15, relating to regulation of searches and seizures. Providing that certain information in a legally enforceable contract shall be secure from unreasonable searches and seizures. **INEXPEDIENT TO LEGISLATE.**

Rep. Jason Janvrin for Judiciary. In 2018 the General Court sent a proposed constitutional amendment to the citizens of New Hampshire, which was passed and became Part First, Article 2-b. The article states "An individual's right to live free from governmental intrusion in private or personal information is natural, essential, and inherent." This proposed amendment seems to refine that amendment and as such should appear in statute, not as a further amendment to the constitution. Vote 19-1.

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

Rep. Yokela spoke against.

Rep. Janvrin spoke in favor.

Committee report adopted.

HB 1353, relative to the writ of quo warranto. **INEXPEDIENT TO LEGISLATE.**

Rep. Kurt Wuelper for Judiciary. With full respect for former Rep. Marple's desire to see citizens' historically common law rights honored today in statute, the committee feels that the need to go through the Attorney General's office to challenge an office holder's authority was insufficient reason to enact the right of "quo warranto" into a new statute. Vote 17-2.

Committee report adopted.

HB 1181-FN, allowing the New Hampshire public employer labor relations board to award pain and suffering damages. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Timothy Soucy for the Majority of Labor, Industrial and Rehabilitative Services. The majority of the committee agreed that the legislation would be burdensome to the NH Public Employer Labor Relations Board and appears to be outside of their scope of work. The committee also agreed that the language in the current law can allow the NH Public Employer Labor Relations Board to award other such relief as the board may deem necessary. Vote 16-3.

Rep. Dan Toomey for the Minority of Labor, Industrial and Rehabilitative Services. Testimony was given that detailed the emotional distress that is experienced by employees that have been subject to retaliation before and after they have been awarded an unfair labor practices award. This bill would empower the Public Employees Labor Relation Board to award damages.

Majority committee report adopted.

HB 1221, relative to privacy for an employee's personal financial and credit information. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Michael Cahill for the Majority of Labor, Industrial and Rehabilitative Services. The majority feels that credit history should not be a barrier to employment which in fact is needed to repay debt and repair their credit. Vote 11-6.

Rep. Jack Flanagan for the Minority of Labor, Industrial and Rehabilitative Services. This is a bill that was submitted last year and subsequently vetoed by the Governor. It, as the last one, doesn't allow for business that utilize credit card processing or any other financial transactions by small businesses in the state. The bill had exceptions, however, not ones that resolve the minority's concerns.

Majority Amendment (0256h)

Amend RSA 275:78, II as inserted by section 1 of the bill by inserting after subparagraph (c) the following new subparagraph:

(d) Any sales finance company or retail seller licensed by the New Hampshire banking department under RSA 361-A:2.

On a division vote, with 213 members having voted in the affirmative, and 129 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. Burt requested a roll call; sufficiently seconded.

YEAS 210 - NAYS 139

**YEAS - 210
BELKNAP**

Huot, David

CARROLL

Buco, Thomas
Kanzler, Harrison

Burroughs, Anita
Knirk, Jerry

Butler, Edward
Ticehurst, Susan

DesMarais, Edith
Woodcock, Stephen

CHESHIRE

Abbott, Michael
Eaton, Daniel

Ames, Richard
Faulkner, Barry

Berch, Paul
Fenton, Donovan

Bordenet, John
Gomarlo, Jennie

Harvey, Cathryn
Parkhurst, Henry
Von Plinsky, Sparky

Ley, Douglas
Schapiro, Joe
Pearson, William

Mann, John
Swinburne, Sandy
Weber, Lucy

Meador, David
Tatro, Bruce

COOS

Hatch, William
Tucker, Edith

Laflamme, Larry
Thomas, Yvonne

Moynihan, Wayne

Noel, Henry

GRAFTON

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

Adjutant, Joshua
Dontonville, Roger
Josephson, Timothy
Osborne, Richard
Smith, Suzanne

Almy, Susan
Egan, Timothy
Maes, Kevin
Ruprecht, Dennis
Sykes, George

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

HILLSBOROUGH

Bouldin, Amanda
Baroody, Benjamin
Bordy, William
Cohen, Bruce
Dargie, Paul
Davis, Fred
Hall, Brett
Herbert, Christopher
Jeudy, Jean
Komi, Richard
Mangipudi, Latha
Murphy, Nancy
Pedersen, Michael
Porter, Marjorie
Riel, Cole
Sofikitis, Catherine
Telerski, Laura
Thomas, Wendy

Bouldin, Andrew
Beaulieu, Jane
Bouchard, Donald
Connors, Erika
Desjardin, Kathy
Freitas, Mary
Hamer, Heidi
Indruk, Greg
King, Mark
Langley, Diane
Martin, Joelle
Nutter-Upham, Frances
Petrigno, Peter
Query, Joshua
Newman, Sue
St. John, Michelle
Toomey, Dan
Wilhelm, Matthew

Backus, Robert
Bergeron, Paul
Chretien, Jacqueline
Cornell, Patricia
DiSilvestro, Linda
Goley, Jeffrey
Harriott-Gathright, Linda
Schmidt, Janice
Klee, Patricia
Leishman, Peter
McGhee, Kat
Nutting-Wong, Allison
Pickering, Daniel
Newman, Ray
Shaw, Barbara
Stevens, Deb
Van Houten, Constance
Williams, Kermit

Balch, Chris
Bernet, Jennifer
Cleaver, Skip
Cote, David
Dutzy, Sherry
Griffith, Willis
Heath, Mary
Jack, Martin
Klein-Knight, Nicole
Murray, Megan
Mullen, Sue
O'Brien, Michael
Piedra, Israel
Radhakrishnan, Julie
Snow, Kendall
Smith, Timothy
Vann, Ivy
Woodbury, David

MERRIMACK

Bartlett, Christy
Ebel, Karen
Karrick, David
Moffett, Howard
Rodd, Beth
Schuett, Dianne
Wazir, Safiya

Buchanan, Ryan
Ellison, Arthur
Lane, Connie
Myler, Mel
Rogers, Katherine
Schultz, Kristina
Wells, Kenneth

Carson, Clyde
Fox, Samantha
MacKay, James
Pimentel, Roderick
Saunderson, George
Soucy, Timothy
Woods, Gary

Doherty, David
Horn, Werner
McWilliams, Rebecca
Richards, Beth
Schamberg, Thomas
Wallner, Mary Jane

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
Warner, Anne

STRAFFORD

Bixby, Peter
Fargo, Kristina
Grassie, Chuck
Kenney, Cam
Schmidt, Peter
Towne, Matthew

Chase, Wendy
Fontneau, Timothy
Higgins, Peg
Levesque, Cassandra
Rich, Cecilia
Treleaven, Susan

Conley, Casey
Frost, Sherry
Horriggan, Timothy
Smith, Marjorie
Sandler, Catt
Vincent, Kenneth

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

SULLIVAN

Cloutier, John
Tanner, Linda

Merchant, Gary

O'Hearne, Andrew

SULLIVAN, Brian

NAYS - 139

BELKNAP

Bean, Harry
Jurius, Deanna
Spanos, Peter

Comtois, Barbara
Mackie, Jonathan
Sylvia, Michael

Fields, Dennis
Plumer, John
Tilton, Franklin

Howard, Raymond
Beaudoin, Richard
Varney, Peter

CARROLL

Avellani, Lino
Marsh, William

Comeau, Ed
Nelson, Bill

Cordelli, Glenn

MacDonald, John

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
Burns, Charles
Erf, Keith
Graham, John
Hopper, Gary
McLean, Mark
Plett, Fred
Renzullo, Andrew
Lekas, Tony

Alexander, Joe
Burt, John
Flanagan, Jack
Greene, Bob
Ober, Lynne
Notter, Jeanine
Proulx, Mark
Rice, Kimberly
Ulery, Jordan

Griffin, Barbara
Camarota, Linda
Gagne, Larry
Gunski, Michael
Lascelles, Richard
Nunez, Hershel
Prout, Andrew
Rung, Rosemarie
Warden, Mark

Boehm, Ralph
Danielson, David
Gould, Linda
Hinch, Richard
Marzullo, JP
Panasiti, Reed
Ober, Russell
Somero, Paul

MERRIMACK

Allard, James
McGuire, Carol
Walsh, Thomas

Forsythe, Robert
Pearl, Howard
Wolf, Dan

Klose, John
Seaworth, Brian
Yakubovich, Michael

Kotowski, Frank
Testerman, Dave

ROCKINGHAM

Abbas, Daryl
Barnes, Arthur
Davis, Dan
Dolan, Tom
Gay, Betty
Hobson, Deborah
Janvrin, Jason
Love, David
McBride, Everett
Milz, David
Potucek, John
Pearson, Stephen
True, Chris
Welch, David

Abrami, Patrick
Bershtein, Alan
Thomas, Douglas
Edwards, Jess
Green, Dennis
Hoelzel, Kathleen
Katsakiores, Phyllis
Griffin, Mary
McKinney, Betsy
O'Connor, John
Pratt, Kevin
Spillane, James
Verville, Kevin
Weyler, Kenneth

Abramson, Max
Chirichiello, Brian
Desilets, Joel
Elliott, Robert
Guthrie, Joseph
Osborne, Jason
Khan, Aboul
Pearson, Mark
McMahon, Charles
Packard, Sherman
Prudhomme-O'Brien, Katherine
Sytek, John
Vose, Michael
Yokela, Josh

Acton, Dennis
Costable, Michael
DeSimone, Debra
Fowler, William
Harb, Robert
Janigian, John
Kolodziej, Walter
Major, Norman
Melvin, Charles
Piemonte, Tony
Roy, Terry
Torosian, Peter
Wallace, Scott

STRAFFORD

Harrington, Michael
Wuelper, Kurt

Horgan, James

Perreault, Mona

Pitre, Joseph

SULLIVAN

Aron, Judy
Stapleton, Walter

Laware, Thomas
Smith, Steven

Lucas, Gates

Rollins, Skip

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

HB 1290-FN, relative to public employee labor relations and collective bargaining. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Harrison Kanzler for the Majority of Labor, Industrial and Rehabilitative Services. This bill seeks to extend the option of mail-in ballots for employee organizations elections to any organization that requests it. This option provides employees an extra level of anonymity where there is a concern about possible intimidation occurring at an on-site election. Vote 12-7.

Rep. Hershel Nunez for the Minority of Labor, Industrial and Rehabilitative Services. The bill, as amended, allows the employee organization to request any election be replaced by a ballot by mail. This would alter the current process where mail ballots are allowed only when warranted as specified in rules. In a traditional election, the PELRB oversees the process on-site to ensure it is fair and balanced. The minority is concerned that opening up the voting in both time and location would weaken the integrity of the process.

Majority Amendment (0444h)

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

AN ACT relative to voting by a public employee organization.

Amend the bill by replacing section 1 with the following:

1 New Paragraph; Public Employee Labor Relations; Elections. Amend RSA 273-A:10 by inserting after paragraph IX the following new paragraph:

X. An employee organization may elect to have all votes cast by mail ballot in any election ordered by the board under this chapter. The employee organization shall provide notice of this election in a filing to the board submitted at least 24 hours prior to the board's pre-election conference.

AMENDED ANALYSIS

This bill allows an employee organization to conduct an election by mail ballot.
Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.
Rep. Sullivan spoke in favor.

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

YEAS 209 - NAYS 134

YEAS - 209 BELKNAP

Huot, David

CARROLL

Buco, Thomas
Kanzler, Harrison

Burroughs, Anita
Knirk, Jerry

Butler, Edward
Ticehurst, Susan

DesMarais, Edith
Woodcock, Stephen

CHESHIRE

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

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

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

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

COOS

Hatch, William
Noel, Henry

Laflamme, Larry
Tucker, Edith

Merner, Troy
Thomas, Yvonne

Moynihan, Wayne

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Stringham, Jerry

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Josephson, Timothy
Osborne, Richard
Smith, Suzanne

Almy, Susan
Egan, Timothy
Maes, Kevin
Ruprecht, Dennis
Sykes, George

Campion, Polly
Fellows, Sallie
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Stavis, Laurel
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Indruk, Greg
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Goley, Jeffrey
Harriott-Gathright, Linda
Schmidt, Janice
Klee, Patricia
Murray, Megan
Mullen, Sue
O'Brien, Michael
Piedra, Israel
Newman, Ray
Newman, Sue
St. John, Michelle
Toomey, Dan
Wilhelm, Matthew

Backus, Robert
Bergeron, Paul
Chretien, Jacqueline
Cornell, Patricia
DiSilvestro, Linda
Griffith, Willis
Heath, Mary
Jack, Martin
Klein-Knight, Nicole
Mangipudi, Latha
Murphy, Nancy
Pedersen, Michael
Porter, Marjorie
Radhakrishnan, Julie
Shaw, Barbara
Stevens, Deb
Van Houten, Constance
Williams, Kermit

Balch, Chris
Bernet, Jennifer
Cleaver, Skip
Cote, David
Dutzy, Sherry
Hall, Brett
Herbert, Christopher
Judy, Jean
Langley, Diane
Martin, Joelle
Nutter-Upham, Frances
Petrigno, Peter
Proulx, Mark
Riel, Cole
Snow, Kendall
Smith, Timothy
Vann, Ivy
Woodbury, David

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Lane, Connie
Myler, Mel
Rogers, Katherine
Schultz, Kristina
Wells, Kenneth

Buchanan, Ryan
Ellison, Arthur
MacKay, James
Pimentel, Roderick
Saunderson, George
Soucy, Timothy
Woods, Gary

Carson, Clyde
Fox, Samantha
McWilliams, Rebecca
Richards, Beth
Schamberg, Thomas
Wallner, Mary Jane

Doherty, David
Karrick, David
Moffett, Howard
Rodd, Beth
Schuett, Diane
Wazir, Safiya

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Edgar, Michael
Grote, Jaci
Lovejoy, Patricia
McConnell, Liz
Somssich, Peter

Berrien, Skip
Coursin, David
Eisner, Mary
Murray, Kate
Maggiore, Jim
Meuse, David
Vallone, Mark

Bunker, Lisa
Cushing, Robert Renny
Gilman, Julie
Le, Tamara
Malloy, Dennis
Pantelakos, Laura
Warner, Anne

Bushway, Patricia
DiLorenzo, Charlotte
Grossman, Gaby
Loughman, Tom
McBeath, Rebecca
Read, Ellen

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Schmidt, Peter
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Chase, Wendy
Fontneau, Timothy
Higgins, Peg
Levesque, Cassandra
Rich, Cecilia
Treleaven, Susan

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

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

SULLIVAN

Cloutier, John
Sullivan, Brian

Laware, Thomas
Tanner, Linda

Merchant, Gary

O'Hearne, Andrew

**NAYS - 134
BELKNAP**

Bean, Harry
Jurius, Deanna
Spanos, Peter

Comtois, Barbara
Mackie, Jonathan
Sylvia, Michael

Fields, Dennis
Plumer, John
Tilton, Franklin

Howard, Raymond
Beaudoin, Richard
Varney, Peter

CARROLL

Avellani, Lino
Marsh, William

Comeau, Ed
Nelson, Bill

Cordelli, Glenn

MacDonald, John

CHESHIRE

Hunt, John

O'Day, John

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Furbush, Michael

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Hennessey, Erin

Ladd, Rick

Migliore, Vincent Paul

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Lekas, Alicia
Burns, Charles
Erf, Keith
Graham, John
Hopper, Gary
McLean, Mark
Plett, Fred
Rice, Kimberly
Warden, Mark

Alexander, Joe
Burt, John
Flanagan, Jack
Greene, Bob
Ober, Lynne
Notter, Jeanine
Prout, Andrew
Somero, Paul

Griffin, Barbara
Camarota, Linda
Gagne, Larry
Gunski, Michael
Lascelles, Richard
Nunez, Hershel
Ober, Russell
Lekas, Tony

Boehm, Ralph
Danielson, David
Gould, Linda
Hinch, Richard
Marzullo, JP
Panasiti, Reed
Renzullo, Andrew
Ulery, Jordan

MERRIMACK

Allard, James
Kotowski, Frank
Testerman, Dave

Forsythe, Robert
McGuire, Carol
Walsh, Thomas

Horn, Werner
Pearl, Howard
Wolf, Dan

Klose, John
Seaworth, Brian
Yakubovich, Michael

ROCKINGHAM

Abbas, Daryl
Barnes, Arthur
Davis, Dan
Dolan, Tom
Green, Dennis
Hoelzel, Kathleen
Khan, Aboul
Pearson, Mark
McMahon, Charles
Packard, Sherman
Prudhomme-O'Brien, Katherine
Sytek, John
Vose, Michael
Yokela, Josh

Abrami, Patrick
Bershtein, Alan
Thomas, Douglas
Edwards, Jess
Guthrie, Joseph
Osborne, Jason
Kolodziej, Walter
Major, Norman
Melvin, Charles
Piemonte, Tony
Roy, Terry
Torosian, Peter
Wallace, Scott

Abramson, Max
Chirichiello, Brian
Desilets, Joel
Elliott, Robert
Harb, Robert
Janigian, John
Love, David
McBride, Everett
Milz, David
Potucek, John
Pearson, Stephen
True, Chris
Welch, David

Acton, Dennis
Costable, Michael
DeSimone, Debra
Gay, Betty
Hobson, Deborah
Katsakiores, Phyllis
Griffin, Mary
McKinney, Betsy
O'Connor, John
Pratt, Kevin
Spillane, James
Verville, Kevin
Weyler, Kenneth

STRAFFORDHarrington, Michael
Wuelper, Kurt

Horgan, James

Perreault, Mona

Pitre, Joseph

SULLIVANAron, Judy
Smith, Steven

Lucas, Gates

Rollins, Skip

Stapleton, Walter

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

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

HB 1322, prohibiting university system funds from being spent to oppose the formation of unions and collective bargaining units. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Donald Bouchard for the Majority of Labor, Industrial and Rehabilitative Services. This bill prohibits the use of public funds to discourage employees from forming a collective bargaining unit. This bill will allow workers to exercise their rights in organizing without worrying about public university funds being used in fighting their efforts to organize a collective bargaining unit. Vote 11-6.

Rep. Jonathan Mackie for the Minority of Labor, Industrial and Rehabilitative Services. It was stated during the testimony of the sponsor that this bill was being brought in response to the university system hiring a law firm to assist them during the union organizing efforts. It is the opinion of the university that this is an overreaction to that situation and would effectively muzzle the university system during any future unionizing efforts.

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

Rep. Flanagan spoke against.

Rep. Cushing spoke in favor.

Rep. Notter requested a roll call; sufficiently seconded.

YEAS 207 - NAYS 137**YEAS - 207****BELKNAP**

Huot, David

CARROLLBuco, Thomas
Kanzler, HarrisonBurroughs, Anita
Knirk, JerryButler, Edward
Ticehurst, SusanDesMarais, Edith
Woodcock, Stephen**CHESHIRE**Abbott, Michael
Eaton, Daniel
Harvey, Cathryn
Schapiro, Joe
Pearson, WilliamAmes, Richard
Faulkner, Barry
Mann, John
Swinburne, Sandy
Weber, LucyBerch, Paul
Fenton, Donovan
Meador, David
Tatro, BruceBordenet, John
Gomarlo, Jennie
Parkhurst, Henry
Von Plinsky, Sparky**COOS**Hatch, William
Noel, HenryLaflamme, Larry
Tucker, EdithMerner, Troy
Thomas, Yvonne

Moynihan, Wayne

GRAFTONAbel, Richard
Diggs, Francesca
Ford, Susan
Nordgren, Sharon
Stringham, JerryAdjutant, Joshua
Dontonville, Roger
Josephson, Timothy
Osborne, Richard
Smith, SuzanneAlmy, Susan
Egan, Timothy
Maes, Kevin
Ruprecht, Dennis
Sykes, GeorgeCampion, Polly
Fellows, Sallie
Mulligan, Mary Jane
Stavis, Laurel
Weston, Joyce**HILLSBOROUGH**Bouldin, Amanda
Baroody, Benjamin
Bordy, William
Cohen, Bruce
Dargie, Paul
Freitas, Mary
Hamer, Heidi
Indruk, Greg
King, Mark
Leishman, Peter
McGhee, Kat
Nutting-Wong, AllisonBouldin, Andrew
Beaulieu, Jane
Bouchard, Donald
Connors, Erika
Desjardin, Kathy
Goley, Jeffrey
Harriott-Gathright, Linda
Schmidt, Janice
Klee, Patricia
Murray, Megan
Mullen, Sue
O'Brien, MichaelBackus, Robert
Bergeron, Paul
Chretien, Jacqueline
Cornell, Patricia
DiSilvestro, Linda
Griffith, Willis
Heath, Mary
Jack, Martin
Klein-Knight, Nicole
Mangipudi, Latha
Murphy, Nancy
Pedersen, MichaelBalch, Chris
Bernet, Jennifer
Cleaver, Skip
Cote, David
Dutzy, Sherry
Hall, Brett
Herbert, Christopher
Judy, Jean
Langley, Diane
Martin, Joelle
Nutter-Upham, Frances
Petrigno, Peter

Pickering, Daniel
Query, Joshua
Newman, Sue
Stevens, Deb
Van Houten, Constance
Williams, Kermit

Piedra, Israel
Newman, Ray
Snow, Kendall
Smith, Timothy
Vann, Ivy
Woodbury, David

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

Proulx, Mark
Rung, Rosemarie
St. John, Michelle
Toomey, Dan
Wilhelm, Matthew

MERRIMACK

Bartlett, Christy
Ebel, Karen
Karrick, David
Moffett, Howard
Rodd, Beth
Schuett, Dianne
Wazir, Safiya

Buchanan, Ryan
Ellison, Arthur
Lane, Connie
Myler, Mel
Rogers, Katherine
Schultz, Kristina
Wells, Kenneth

Carson, Clyde
Fox, Samantha
MacKay, James
Pimentel, Roderick
Saunderson, George
Soucy, Timothy
Woods, Gary

Doherty, David
Horn, Werner
McWilliams, Rebecca
Richards, Beth
Schamberg, Thomas
Wallner, Mary Jane

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
Warner, Anne

STRAFFORD

Bixby, Peter
Fargo, Kristina
Grassie, Chuck
Levesque, Cassandra
Sandler, Catt
Vincent, Kenneth

Chase, Wendy
Fontneau, Timothy
Higgins, Peg
Opderbecke, Linn
Southworth, Thomas
Wall, Janet

Conley, Casey
Frost, Sherry
Horrigan, Timothy
Schmidt, Peter
Towne, Matthew

Ellis, Donna
Gourgue, Amanda
Kenney, Cam
Rich, Cecilia
Treleven, Susan

SULLIVAN

Cloutier, John
Sullivan, Brian

Laware, Thomas
Tanner, Linda

Merchant, Gary

O'Hearne, Andrew

NAYS - 137

BELKNAP

Bean, Harry
Jurius, Deanna
Spanos, Peter

Comtois, Barbara
Mackie, Jonathan
Sylvia, Michael

Fields, Dennis
Plumer, John
Tilton, Franklin

Howard, Raymond
Beaudoin, Richard
Varney, Peter

CARROLL

Avellani, Lino
Marsh, William

Comeau, Ed
Nelson, Bill

Cordelli, Glenn

MacDonald, John

CHESHIRE

COOS

Hunt, John

O'Day, John

Craig, Kevin

Furbush, Michael

GRAFTON

Gordon, Edward

Hennessey, Erin

Ladd, Rick

Migliore, Vincent Paul

HILLSBOROUGH

Lekas, Alicia
Burns, Charles
Erf, Keith
Greene, Bob
Ober, Lynne
Notter, Jeanine
Prout, Andrew
Rice, Kimberly
Ulery, Jordan

Alexander, Joe
Burt, John
Flanagan, Jack
Gunski, Michael
Lascelles, Richard
Nunez, Hershel
Ober, Russell
Sanborn, Laurie
Warden, Mark

Griffin, Barbara
Camarota, Linda
Gagne, Larry
Hinch, Richard
Marzullo, JP
Panasiti, Reed
Radhakrishnan, Julie
Somero, Paul

Boehm, Ralph
Danielson, David
Gould, Linda
Hopper, Gary
McLean, Mark
Plett, Fred
Renzullo, Andrew
Lekas, Tony

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Allard, James
McGuire, Carol
Walsh, Thomas

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Wolf, Dan

Klose, John
Seaworth, Brian
Yakubovich, Michael

Kotowski, Frank
Testerman, Dave

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Dolan, Tom
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Hoelzel, Kathleen
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Griffin, Mary
McKinney, Betsy
O'Connor, John
Pratt, Kevin
Spillane, James
Verville, Kevin
Weyler, Kenneth

Abrami, Patrick
Bershtein, Alan
Thomas, Douglas
Edwards, Jess
Guthrie, Joseph
Osborne, Jason
Khan, Aboul
Pearson, Mark
McMahon, Charles
Packard, Sherman
Prudhomme-O'Brien, Katherine
Sytek, John
Vose, Michael
Yokela, Josh

Abramson, Max
Chirichiello, Brian
Desilets, Joel
Elliott, Robert
Harb, Robert
Janigian, John
Kolodziej, Walter
Major, Norman
Melvin, Charles
Piemonte, Tony
Roy, Terry
Torosian, Peter
Wallace, Scott

Acton, Dennis
Costable, Michael
DeSimone, Debra
Gay, Betty
Hobson, Deborah
Janvrin, Jason
Love, David
McBride, Everett
Milz, David
Potucek, John
Pearson, Stephen
True, Chris
Welch, David

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Harrington, Michael
Pitre, Joseph

Horgan, James
Beaudoin, Steven

Keans, Sandra
Wuelper, Kurt

Perreault, Mona

SULLIVAN

Aron, Judy
Smith, Steven

Lucas, Gates

Rollins, Skip

Stapleton, Walter

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

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

Rep. Abramson voted Nay and intended to vote Yea.

HB 1399, relative to the establishment of public employee bargaining units. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Brian Sullivan for the Majority of Labor, Industrial and Rehabilitative Services. This bill as amended allows the establishment of a public sector bargaining unit by the collection of board-approved authorization cards from a majority of the members of the bargaining unit. The collection of these cards indicates a desire by the majority of the unit members to be represented. Holding an election in the face of this would be redundant. Vote 11-8.

Rep. Jonathan Mackie for the Minority of Labor, Industrial and Rehabilitative Services. It is the opinion of the minority that the existing secret ballot process of certifying an employee organization for collective bargaining purposes is fair. This legislation would eliminate the secret ballot. Selection would be by signed authorization cards. Without the privacy of a secret ballot, this process could become one of intimidation rather than free choice.

Majority Amendment (0449h)

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

1 Public Employee Labor Relations; Definition. Amend RSA 273-A:1 by inserting after paragraph XII the following new paragraph:

XIII. "Written majority authorization" means board-approved written majority authorization cards signed and dated by a majority of employees in the appropriate bargaining unit which designate an employee organization as their representative for the purpose of collective bargaining. Current employee signatures must be dated within the 6 months preceding the date on which the signed written majority authorization cards are filed with the board to establish majority and exclusive representative status.

2 New Paragraph; Public Employee Labor Relations; Elections. Amend RSA 273-A:10 by inserting after paragraph IX the following new paragraph:

X. Notwithstanding any other provision of this section, the board shall certify and the public employer shall recognize as the exclusive representative an employee organization which has received a written majority authorization for the purpose of collective bargaining of all the employees in the bargaining unit. This rule shall apply only when no other employee organization has been and currently is lawfully recognized as the exclusive representative of the employees in the appropriate bargaining unit. The employee organization shall file the written majority authorization cards and a written majority authorization petition for certification with the board. Absent exceptional cause, within 10 days, the board's staff shall inspect the written majority authorization cards in order to verify the employee organization's majority support within the appropriate bargaining unit and report the results of such inspection in writing to the parties. The board shall establish rules and procedures for the prompt verification of evidence of written majority authorization, including safeguards to protect the privacy of individual employee choice and the board shall treat the written majority authorization cards as confidential once they are filed with the board.

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

AMENDED ANALYSIS

This bill amends the procedure for written majority authorization of an employee organization for the purpose of collective bargaining.

Majority committee amendment 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. Notter requested a roll call; sufficiently seconded.

YEAS 205 - NAYS 142

YEAS - 205
BELKNAP

Huot, David

CARROLL

Buco, Thomas
Knirk, Jerry

Burroughs, Anita

Butler, Edward

DesMarais, Edith

CHESHIRE

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

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

Berch, Paul
Fenton, Donovan
Meader, David
Von Plinsky, Sparky

Bordenet, John
Gomarlo, Jennie
Parkhurst, Henry
Pearson, William

COOS

Hatch, William
Noel, Henry

Laflamme, Larry
Tucker, Edith

Merner, Troy
Thomas, Yvonne

Moynihan, Wayne

GRAFTON

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

Adjutant, Joshua
Dontonville, Roger
Josephson, Timothy
Osborne, Richard
Smith, Suzanne

Almy, Susan
Egan, Timothy
Maes, Kevin
Ruprecht, Dennis
Sykes, George

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

HILLSBOROUGH

Bouldin, Amanda
Baroody, Benjamin
Bordy, William
Cohen, Bruce
Dargie, Paul
Davis, Fred
Hall, Brett
Herbert, Christopher
Judy, Jean
Langley, Diane
Mangipudi, Latha
Nutter-Upham, Frances
Petrigno, Peter
Proulx, Mark
Riel, Cole
Sofikitis, Catherine
Telerski, Laura
Thomas, Wendy

Bouldin, Andrew
Beaulieu, Jane
Bouchard, Donald
Connors, Erika
Desjardin, Kathy
Freitas, Mary
Hamer, Heidi
Indruk, Greg
King, Mark
Leishman, Peter
Martin, Joelle
Nutting-Wong, Allison
Pickering, Daniel
Query, Joshua
Newman, Sue
St. John, Michelle
Toomey, Dan
Wilhelm, Matthew

Backus, Robert
Bergeron, Paul
Chretien, Jacqueline
Cornell, Patricia
DiSilvestro, Linda
Goley, Jeffrey
Harriott-Gathright, Linda
Schmidt, Janice
Klee, Patricia
Long, Patrick
Mullen, Sue
O'Brien, Michael
Piedra, Israel
Newman, Ray
Shaw, Barbara
Stevens, Deb
Van Houten, Constance
Williams, Kermit

Balch, Chris
Bernet, Jennifer
Cleaver, Skip
Cote, David
Espitia, Manny
Griffith, Willis
Heath, Mary
Jack, Martin
Klein-Knight, Nicole
Murray, Megan
Murphy, Nancy
Pedersen, Michael
Porter, Marjorie
Radhakrishnan, Julie
Snow, Kendall
Smith, Timothy
Vann, Ivy
Woodbury, David

MERRIMACK

Bartlett, Christy
Ebel, Karen
Lane, Connie
Myler, Mel
Rogers, Katherine
Schultz, Kristina
Wazir, Safiya

Buchanan, Ryan
Ellison, Arthur
MacKay, James
Pimentel, Roderick
Saunderson, George
Soucy, Timothy
Wells, Kenneth

Carson, Clyde
Fox, Samantha
McWilliams, Rebecca
Richards, Beth
Schamberg, Thomas
Testerman, Dave
Woods, Gary

Doherty, David
Karrick, David
Moffett, Howard
Rodd, Beth
Schuett, Dianne
Wallner, Mary Jane

ROCKINGHAM

Abramson, Max
Bushway, Patricia

Altschiller, Debra
Cahill, Michael

Berrien, Skip
Cali-Pitts, Jacqueline

Bunker, Lisa
Coursin, David

Cushing, Robert Renny
Gilman, Julie
Le, Tamara
Malloy, Dennis
Pantelakos, Laura

DiLorenzo, Charlotte
Grossman, Gaby
Loughman, Tom
McBeath, Rebecca
Read, Ellen

Edgar, Michael
Grote, Jaci
Lovejoy, Patricia
McConnell, Liz
Somssich, Peter

Eisner, Mary
Murray, Kate
Maggiore, Jim
Meuse, David
Vallone, Mark

STRAFFORD

Bixby, Peter
Fargo, Kristina
Grassie, Chuck
Kenney, Cam
Schmidt, Peter
Treleaven, Susan

Chase, Wendy
Fontneau, Timothy
Higgins, Peg
Levesque, Cassandra
Rich, Cecilia
Wall, Janet

Conley, Casey
Frost, Sherry
Horrigan, Timothy
Smith, Marjorie
Sandler, Catt

Ellis, Donna
Gourgue, Amanda
Keans, Sandra
Opderbecke, Linn
Southworth, Thomas

SULLIVAN

Cloutier, John
Sullivan, Brian

Laware, Thomas
Tanner, Linda

Merchant, Gary

O'Hearne, Andrew

NAYS - 142

BELKNAP

Bean, Harry
Jurius, Deanna
Spanos, Peter

Comtois, Barbara
Mackie, Jonathan
Sylvia, Michael

Fields, Dennis
Plumer, John
Tilton, Franklin

Howard, Raymond
Beaudoin, Richard
Varney, Peter

CARROLL

Avellani, Lino
MacDonald, John
Woodcock, Stephen

Comeau, Ed
Marsh, William

Cordelli, Glenn
Nelson, Bill

Kanzler, Harrison
Ticehurst, Susan

CHESHIRE

Hunt, John

O'Day, John

COOS

Craig, Kevin

Furbush, Michael

GRAFTON

Gordon, Edward

Hennessey, Erin

Ladd, Rick

Migliore, Vincent Paul

HILLSBOROUGH

Lekas, Alicia
Burns, Charles
Dutzy, Sherry
Gould, Linda
Hinch, Richard
Marzullo, JP
Nunez, Hershel
Ober, Russell
Sanborn, Laurie
Warden, Mark

Alexander, Joe
Burt, John
Erf, Keith
Graham, John
Hopper, Gary
McGhee, Kat
Panasiti, Reed
Renzullo, Andrew
Somero, Paul

Griffin, Barbara
Camarota, Linda
Flanagan, Jack
Greene, Bob
Ober, Lynne
McLean, Mark
Plett, Fred
Rice, Kimberly
Lekas, Tony

Boehm, Ralph
Danielson, David
Gagne, Larry
Gunski, Michael
Lascelles, Richard
Notter, Jeanine
Prout, Andrew
Rung, Rosemarie
Ulery, Jordan

MERRIMACK

Allard, James
Kotowski, Frank
Walsh, Thomas

Forsythe, Robert
McGuire, Carol
Wolf, Dan

Horn, Werner
Pearl, Howard
Yakubovich, Michael

Klose, John
Seaworth, Brian

ROCKINGHAM

Abbas, Daryl
Bershtein, Alan
Thomas, Douglas
Edwards, Jess
Green, Dennis
Hoelzel, Kathleen
Katsakiores, Phyllis
Griffin, Mary
McKinney, Betsy
O'Connor, John
Pratt, Kevin
Torosian, Peter
Wallace, Scott
Yokela, Josh

Abrami, Patrick
Chirichiello, Brian
Desilets, Joel
Elliott, Robert
Guthrie, Joseph
Osborne, Jason
Khan, Aboul
Pearson, Mark
McMahon, Charles
Packard, Sherman
Roy, Terry
True, Chris
Warner, Anne

Acton, Dennis
Costable, Michael
DeSimone, Debra
Fowler, William
Harb, Robert
Janigian, John
Kolodziej, Walter
Major, Norman
Melvin, Charles
Piemonte, Tony
Pearson, Stephen
Verville, Kevin
Welch, David

Barnes, Arthur
Davis, Dan
Dolan, Tom
Gay, Betty
Hobson, Deborah
Janvrin, Jason
Love, David
McBride, Everett
Milz, David
Potucek, John
Spillane, James
Vose, Michael
Weyler, Kenneth

STRAFFORD

Harrington, Michael
Beaudoin, Steven

Horgan, James
Towne, Matthew

Perreault, Mona
Wuelper, Kurt

Pitre, Joseph

SULLIVAN

Aron, Judy
Smith, Steven

Lucas, Gates

Rollins, Skip

Stapleton, Walter

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

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

HB 1554-FN, relative to elections in collective bargaining. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: REFER FOR INTERIM STUDY.**

Rep. William Bordy for the Majority of Labor, Industrial and Rehabilitative Services. The majority believes that this bill is unnecessary as there is already a mechanism in place for union members to change their union affiliation if they wish. This includes dissolving the union. Vote 11-6.

Rep. Hershel Nunez for the Minority of Labor, Industrial and Rehabilitative Services. The minority of the committee agreed this bill should be given an opportunity for further work and would suggest Interim Study.

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

Rep. Notter requested a roll call; sufficiently seconded.

YEAS 211 - NAYS 136**YEAS - 211****BELKNAP**

Huot, David

CARROLL

Buco, Thomas
Kanzler, Harrison

Burroughs, Anita
Knirk, Jerry

Butler, Edward
Ticehurst, Susan

DesMarais, Edith
Woodcock, Stephen

CHESHIRE

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

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

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

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

COOS

Hatch, William
Noel, Henry

Laflamme, Larry
Tucker, Edith

Merner, Troy
Thomas, Yvonne

Moynihan, Wayne

GRAFTON

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

Adjutant, Joshua
Dontonville, Roger
Josephson, Timothy
Osborne, Richard
Smith, Suzanne

Almy, Susan
Egan, Timothy
Maes, Kevin
Ruprecht, Dennis
Sykes, George

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

HILLSBOROUGH

Bouldin, Amanda
Baroody, Benjamin
Bouchard, Donald
Connors, Erika
DiSilvestro, Linda
Freitas, Mary
Hamer, Heidi
Indruk, Greg
King, Mark
Leishman, Peter
Martin, Joelle
Nutter-Upham, Frances
Petrigno, Peter
Proulx, Mark
Rung, Rosemarie
Sofikitis, Catherine
Telerski, Laura
Thomas, Wendy

Bouldin, Andrew
Beaulieu, Jane
Chretien, Jacqueline
Cote, David
Dutzy, Sherry
Goley, Jeffrey
Harriott-Gathright, Linda
Schmidt, Janice
Klee, Patricia
Long, Patrick
McGhee, Kat
Nutting-Wong, Allison
Pickering, Daniel
Query, Joshua
Newman, Sue
St. John, Michelle
Toomey, Dan
Wilhelm, Matthew

Backus, Robert
Bernet, Jennifer
Cleaver, Skip
Dargie, Paul
Espitia, Manny
Griffith, Willis
Heath, Mary
Jack, Martin
Klein-Knight, Nicole
Murray, Megan
Mullen, Sue
O'Brien, Michael
Piedra, Israel
Newman, Ray
Shaw, Barbara
Stevens, Deb
Van Houten, Constance
Williams, Kermit

Balch, Chris
Bordy, William
Cohen, Bruce
Desjardin, Kathy
Davis, Fred
Hall, Brett
Herbert, Christopher
Jeudy, Jean
Langley, Diane
Mangipudi, Latha
Murphy, Nancy
Pedersen, Michael
Porter, Marjorie
Riel, Cole
Snow, Kendall
Smith, Timothy
Vann, Ivy
Woodbury, David

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Bartlett, Christy
Ebel, Karen
Lane, Connie
Myler, Mel
Rogers, Katherine
Schultz, Kristina
Wells, Kenneth

Buchanan, Ryan
Ellison, Arthur
MacKay, James
Pimentel, Roderick
Saunderson, George
Soucy, Timothy
Woods, Gary

Carson, Clyde
Fox, Samantha
McWilliams, Rebecca
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Wallner, Mary Jane

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Lovejoy, Patricia
McConnell, Liz
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Schmidt, Peter
Southworth, Thomas
Wall, Janet

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Fontneau, Timothy
Higgins, Peg
Levesque, Cassandra
Pitre, Joseph
Towne, Matthew

Conley, Casey
Frost, Sherry
Horrigan, Timothy
Smith, Marjorie
Rich, Cecilia
Treleaven, Susan

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

SULLIVAN

Cloutier, John
Sullivan, Brian

Laware, Thomas
Tanner, Linda

Merchant, Gary

O'Hearne, Andrew

NAYS - 136**BELKNAP**

Bean, Harry
Jurius, Deanna
Spanos, Peter

Comtois, Barbara
Mackie, Jonathan
Sylvia, Michael

Fields, Dennis
Plumer, John
Tilton, Franklin

Howard, Raymond
Beaudoin, Richard
Varney, Peter

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Avellani, Lino
Marsh, William

Comeau, Ed
Nelson, Bill

Cordelli, Glenn

MacDonald, John

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O'Day, John

Craig, Kevin

Furbush, Michael

GRAFTON

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Hennessey, Erin

Ladd, Rick

Migliore, Vincent Paul

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Burns, Charles
Erf, Keith
Graham, John
Hopper, Gary
McLean, Mark
Plett, Fred
Renzullo, Andrew
Lekas, Tony

Alexander, Joe
Burt, John
Flanagan, Jack
Greene, Bob
Ober, Lynne
Notter, Jeanine
Prout, Andrew
Rice, Kimberly
Ulery, Jordan

Griffin, Barbara
Camarota, Linda
Gagne, Larry
Gunki, Michael
Lascelles, Richard
Nunez, Hershel
Ober, Russell
Sanborn, Laurie
Warden, Mark

Boehm, Ralph
Danielson, David
Gould, Linda
Hinch, Richard
Marzullo, JP
Panasiti, Reed
Radhakrishnan, Julie
Somero, Paul

MERRIMACK

Allard, James
Kotowski, Frank
Testerman, Dave

Forsythe, Robert
McGuire, Carol
Walsh, Thomas

Horn, Werner
Pearl, Howard
Wolf, Dan

Klose, John
Seaworth, Brian
Yakubovich, Michael

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Barnes, Arthur

Abrami, Patrick
Bershtein, Alan

Abramson, Max
Chirichiello, Brian

Acton, Dennis
Costable, Michael

Davis, Dan
Dolan, Tom
Gay, Betty
Hobson, Deborah
Janvrin, Jason
Love, David
McBride, Everett
O'Connor, John
Pratt, Kevin
Spillane, James
Vose, Michael
Yokela, Josh

Thomas, Douglas
Edwards, Jess
Green, Dennis
Hoelzel, Kathleen
Katsakiores, Phyllis
Griffin, Mary
McMahon, Charles
Packard, Sherman
Prudhomme-O'Brien, Katherine
Torosian, Peter
Wallace, Scott

Desilets, Joel
Elliott, Robert
Guthrie, Joseph
Osborne, Jason
Khan, Aboul
Pearson, Mark
Melvin, Charles
Piemonte, Tony
Roy, Terry
True, Chris
Welch, David

DeSimone, Debra
Fowler, William
Harb, Robert
Janigian, John
Kolodziej, Walter
Major, Norman
Milz, David
Potucek, John
Pearson, Stephen
Verville, Kevin
Weyler, Kenneth

STRAFFORD

Harrington, Michael
Wuelper, Kurt

Horgan, James

Perreault, Mona

Beaudoin, Steven

SULLIVAN

Aron, Judy
Smith, Steven

Lucas, Gates

Rollins, Skip

Stapleton, Walter

and the majority committee report was adopted.

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

HB 1125, enabling municipalities to adopt an exemption from property taxes for volunteer firefighters and volunteer emergency medical personnel. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Bruce Tatro for the Majority of Municipal and County Government. This bill is designed to enable municipalities to grant volunteer firefighters and volunteer emergency medical personnel an exemption from property taxes. The committee feels the exemption would not address compensation for work performed especially for personnel who don't own property in the town. Other towns have resolved the compensation to emergency workers. This bill is not necessary. Vote 17-3.

Rep. Max Abramson for the Minority of Municipal and County Government. The bill would simply have permitted local towns with volunteer firefighters to offer a property tax exemption as an incentive to encourage its firefighters to live in town. This was both to improve public safety and improve the town's ISO Fire Rating, which would also save property owners money on their fire insurance. One comment made by an opponent of the bill was that such tax exemptions should only be offered to those who've risked their lives for the safety of the public. The minority agrees with that statement, and, for this reasoning, volunteer firefighters should be eligible for some property tax relief, if a town chooses to offer it.

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

Reps. Horn and Abramson spoke against.

Rep. Carson spoke in favor and yielded to questions.

On a division vote, with 310 members having voted in the affirmative, and 31 in the negative, the majority committee report was adopted.

HB 1155-FN-L, relative to exemptions from timber taxes for certain residential cutting. **INEXPEDIENT TO LEGISLATE.**

Rep. Donna Mombourquette for Municipal and County Government. Current law allows for 7 exemptions for the taxation of cut timber. This bill would combine 2 exemptions which would create confusion for landowners, municipalities and those in the timber business. Testimony from the NH Timberland Owners Association indicated that the current system is clearly understood and does not require change. A 1942 amendment to Part II, Article 5 of the NH Constitution split taxation of land and standing timber to establish a tax on cut timber only, with tax exemptions amended throughout the subsequent years. This bill would result in a loss of revenue to municipalities currently estimated at \$3.5M. Vote 19-0.

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

Rep. Flanagan spoke against.

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

Committee report adopted.

HB 1158, relative to the adoption of bylaws and ordinances by municipalities. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Donna Mombourquette for the Majority of Municipal and County Government. This bill is intended to require a municipality to cite the enabling statute in all bylaws and ordinances. While the committee finds the value of such information easily available to citizens, the bill in its current form poses significant challenges for municipalities. First, the process is meant to be retroactive, causing a high administrative (and a therefore, financial) burden on the municipality. Second, the inadvertent citation of an incorrect statute is not

addressed. This is further complicated with decisions issued by the Supreme Court and not the legislature. Third, the timeline to implementation is unreasonable at 60 days. Finally, the bill constitutes an unfunded mandate. Vote 17-2.

Rep. Max Abramson for the Minority of Municipal and County Government. The bill would simply require that all municipalities adopt best practices and reference their rules with RSA numbers for future reference. Each time the governing body decided to add an outdoor water use ban, parking restrictions, or land use mandate, the enabling statute should be listed so that the elected officials, code enforcement officer, complainant, and person receiving the notice can look up the statute and definitions without having to contact an attorney to fight it. Although the minority appreciates that some towns and cities would have to spend 20-30-man hours to comply with this mandate, this is work that those inhabitants cited as having to do almost every time a citation is issued. More important, when enabling statutes are changed by the General Court, there is no simple way for the elected officials of a town to figure out which of their ordinances might have been affected. There would be no simple way for next year's selectman to figure out how to untangle decades of linguistic linguini left over without dusting off the minutes of old meetings or contacting legal counsel to find out why the courts are starting to throw out their determinations. A few minutes spent copying down an RSA number today could save taxpayers tens of thousands in legal fees years later. Better to do this work once and have it done for good.

Majority committee report adopted.

HB 1197, exempting disabled veterans from the payment of property taxes. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Bruce Tatro for the Majority of Municipal and County Government. This bill exempts veterans who are totally and permanently disabled from paying property taxes. HB 130, which was passed last year, covers the same subject, effective April 1, 2020. This bill is the same as HB 130. Vote 17-3.

Rep. Vincent Paul Migliore for the Minority of Municipal and County Government. The minority felt that yet another micro-class of taxpayers should not be given consideration for an assessment/tax break, burdening all the rest of the local property tax payers with 100% of the remaining burden - except in the case of veterans - of any stature - who put their life on the line for all taxpayers in the entire country. Now that is one special class, and any deference or special treatment of it is indeed a wise incentive which will insure to the future benefit of us all to consider at every opportunity to do so.

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

On a division vote, with 301 members having voted in the affirmative, and 39 in the negative, the majority committee report was adopted.

HB 1210, establishing a property tax exemption for energy storage systems. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Clyde Carson for the Majority of Municipal and County Government. This bill establishes a mandatory tax exemption for energy storage systems. In the last session HB 464 defined energy storage systems (RSA 72:84) and enabled municipalities to provide a tax exemption for those systems (RSA 72:75), similar to the existing exemptions for solar energy systems and wind energy systems, also part of RSA 72. The majority of the committee found this bill to be redundant to that legislation. Vote 19-1.

Rep. Max Abramson for the Minority of Municipal and County Government. The bill simply recognizes that batteries and other portable energy storage systems are appliances and should not be subject to property taxation. There is already case law showing that such objects are not part of the structure of a property and cannot be subject to property taxes. Previous legislation making this a local option gives small towns a false sense of security that they may prevail in court, which is unlikely.

Majority committee report adopted.

HB 1276, relative to ex-officio members of budget committees and planning boards. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Laurel Stavis for the Majority of Municipal and County Government. The purpose of having ex officio members on governing boards of all kinds is to add context to the expertise of existing board members. If a member from another board, i.e. an ex officio member, is included in a budget or any other committee, removing their ability to vote would deprive the municipal board of their expertise while also stripping them of their regular board status since all members under the law are entitled to vote. Vote 10-8.

Rep. Tony Lekas for the Minority of Municipal and County Government. Members of budget committees are elected by the people to protect their interests as taxpayers and to act as a check on the governing body of the municipality and schools. While the information and views contributed by ex officio members of those governing bodies that are appointed to budget committees are valuable to the budget committee, only the members of the budget committee who were elected to that position should vote. In addition, the votes for and against warrant articles made by the budget committee are listed on the warrant presented to the voters. Limiting those vote totals to those made by people elected to the budget committee will make it clear to the voters the views of the people they elected to that position.

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

Rep. Abramson spoke against.

Rep. Maggiore spoke in favor.

Rep. Torosian spoke against and yielded to questions.

On a division vote, with 216 members having voted in the affirmative, and 122 in the negative, the majority committee report was adopted.

HB 1277-FN-L, requiring notice to owners of dogs that have failed to license their dog or renew their dog license. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Julie Gilman for the Majority of Municipal and County Government. This bill intends to provide dog owners with advanced notice of fines for their late registration renewal. This method already exists in current law among other solutions. It also passes an unfunded mandate on town clerks. Vote 17-1.

Rep. Max Abramson for the Minority of Municipal and County Government. The minority felt that notifying dog owners before issuing a warrant to take the dog would save taxpayers money and prevent unnecessary interactions or taking of dogs while homeowners were away. Dogs are like family members, and having them taken unnecessarily can cause unnecessary trauma to young children and animals alike. One last notice should reduce the number of warrants issued, police or animal control officer visits, and money expended. While some dog owners forget or do not know that they must renew their dog license, others have moved with the family. This bill would also increase the chances that dogs are brought up to date on rabies vaccination, which dog licensing is meant to accomplish.

Majority committee report adopted.

HB 1372, relative to the election of Carroll county commissioners. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Marjorie Porter for the Majority of Municipal and County Government. This bill makes a change in the way Carroll County commissioners are elected. Carroll County is divided into three districts, each with its own county commissioner, who is charged with representing the citizens within the district. However, under the current election system, voters within the district do not choose their own commissioner. Instead, voters from the entire county vote for all three commissioners. This bill changes the system, so that only voters living within the district choose the commissioner who represents them. This change brings Carroll County into alignment with eight of the other nine counties within the state. Vote 10-8.

Rep. John MacDonald for the Minority of Municipal and County Government. This bill would change a well-established and reasonable procedure for the election of Carroll County commissioners. The current law provides for three districts, equally spread across Carroll County. Each has candidates for county commissioner that must live in their respected district. The entire county then votes for the candidates in each district. The minority cannot support a bill that does not consider the best interests of all the residents of Carroll County.

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

Rep. Ticehurst spoke in favor.

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

YEAS 203 - NAYS 141

YEAS - 203

BELKNAP

Huot, David

CARROLL

Buco, Thomas
Kanzler, Harrison

Burroughs, Anita
Knirk, Jerry

Butler, Edward
Ticehurst, Susan

DesMarais, Edith
Woodcock, Stephen

CHESHIRE

Abbott, Michael
Eaton, Daniel
Harvey, Cathryn
Parkhurst, Henry
Pearson, William

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

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

Bordenet, John
Gomarlo, Jennie
Meador, David
Tatro, Bruce

COOS

Hatch, William
Tucker, Edith

Laflamme, Larry
Thomas, Yvonne

Moynihan, Wayne

Noel, Henry

GRAFTON

Abel, Richard
Dontonville, Roger

Adjutant, Joshua
Egan, Timothy

Almy, Susan
Fellows, Sallie

Campion, Polly
Ford, Susan

Josephson, Timothy
Osborne, Richard
Smith, Suzanne

Maes, Kevin
Ruprecht, Dennis
Sykes, George

Mulligan, Mary Jane
Stavis, Laurel
Weston, Joyce

Nordgren, Sharon
Stringham, Jerry

HILLSBOROUGH

Bouldin, Amanda
Baroody, Benjamin
Bordy, William
Cohen, Bruce
Dargie, Paul
Espitia, Manny
Griffith, Willis
Heath, Mary
Jack, Martin
Klein-Knight, Nicole
Mangipudi, Latha
Murphy, Nancy
Pedersen, Michael
Porter, Marjorie
Rung, Rosemarie
St. John, Michelle
Toomey, Dan
Wilhelm, Matthew

Bouldin, Andrew
Beaulieu, Jane
Bouchard, Donald
Connors, Erika
Desjardin, Kathy
Freitas, Mary
Hall, Brett
Herbert, Christopher
Judy, Jean
Langley, Diane
Martin, Joelle
Nutter-Upham, Frances
Petrigno, Peter
Query, Joshua
Newman, Sue
Stevens, Deb
Van Houten, Constance
Williams, Kermit

Backus, Robert
Bergeron, Paul
Chretien, Jacqueline
Cornell, Patricia
DiSilvestro, Linda
Gagne, Larry
Hamer, Heidi
Indruk, Greg
King, Mark
Long, Patrick
McGhee, Kat
Nutting-Wong, Allison
Pickering, Daniel
Newman, Ray
Shaw, Barbara
Smith, Timothy
Vann, Ivy
Woodbury, David

Balch, Chris
Bernet, Jennifer
Cleaver, Skip
Cote, David
Dutzy, Sherry
Goley, Jeffrey
Harriott-Gathright, Linda
Schmidt, Janice
Klee, Patricia
Murray, Megan
Mullen, Sue
O'Brien, Michael
Piedra, Israel
Riel, Cole
Sofikitis, Catherine
Telerski, Laura
Thomas, Wendy

MERRIMACK

Bartlett, Christy
Ebel, Karen
Lane, Connie
Myler, Mel
Saunderson, George
Wallner, Mary Jane

Buchanan, Ryan
Ellison, Arthur
MacKay, James
Pimentel, Roderick
Schuett, Dianne
Wazir, Safiya

Carson, Clyde
Fox, Samantha
McWilliams, Rebecca
Richards, Beth
Schultz, Kristina
Wells, Kenneth

Doherty, David
Karrick, David
Moffett, Howard
Rodd, Beth
Soucy, Timothy
Woods, Gary

ROCKINGHAM

Altschiller, Debra
Cahill, Michael
DiLorenzo, Charlotte
Grossman, Gaby
Lovejoy, Patricia
McBride, Everett
Pantelakos, Laura
Warner, Anne

Berrien, Skip
Cali-Pitts, Jacqueline
Edgar, Michael
Grote, Jaci
Maggiore, Jim
McConnell, Liz
Read, Ellen

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

Bushway, Patricia
Cushing, Robert Renny
Gilman, Julie
Le, Tamara
McBeath, Rebecca
O'Connor, John
Vallone, Mark

STRAFFORD

Chase, Wendy
Frost, Sherry
Horrigan, Timothy
Smith, Marjorie
Beaudoin, Steven
Treleaven, Susan

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

Ellis, Donna
Grassie, Chuck
Kenney, Cam
Schmidt, Peter
Southworth, Thomas
Wall, Janet

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

SULLIVAN

Cloutier, John

O'Hearne, Andrew

Sullivan, Brian

Tanner, Linda

NAYS - 141

BELKNAP

Bean, Harry
Jurius, Deanna
Spanos, Peter

Comtois, Barbara
Mackie, Jonathan
Sylvia, Michael

Fields, Dennis
Plumer, John
Tilton, Franklin

Howard, Raymond
Beaudoin, Richard
Varney, Peter

CARROLL

Avellani, Lino
Marsh, William

Comeau, Ed
Nelson, Bill

Cordelli, Glenn

MacDonald, John

CHESHIRE

Von Plinsky, Sparky

COOS

Merner, Troy

GRAFTON

Diggs, Francesca
Migliore, Vincent Paul

Gordon, Edward

Hennessey, Erin

Ladd, Rick

HILLSBOROUGH

Lekas, Alicia
Burns, Charles
Erf, Keith
Gunski, Michael
Lascelles, Richard
Notter, Jeanine
Proulx, Mark
Renzullo, Andrew
Lekas, Tony

Alexander, Joe
Burt, John
Gould, Linda
Hinch, Richard
Leishman, Peter
Nunez, Hershel
Prout, Andrew
Rice, Kimberly
Ulery, Jordan

Griffin, Barbara
Camarota, Linda
Graham, John
Hopper, Gary
Marzullo, JP
Panasiti, Reed
Ober, Russell
Sanborn, Laurie
Warden, Mark

Boehm, Ralph
Danielson, David
Greene, Bob
Ober, Lynne
McLean, Mark
Plett, Fred
Radhakrishnan, Julie
Somero, Paul

MERRIMACK

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

Forsythe, Robert
McGuire, Carol
Testerman, Dave

Horn, Werner
Pearl, Howard
Walsh, Thomas

Klose, John
Schamberg, Thomas
Wolf, Dan

ROCKINGHAM

Abbas, Daryl
Barnes, Arthur
Davis, Dan
Dolan, Tom
Gay, Betty
Hobson, Deborah
Katsakiores, Phyllis
Griffin, Mary
McMahon, Charles
Piemonte, Tony
Roy, Terry
Verville, Kevin
Weyler, Kenneth

Abrami, Patrick
Bershtein, Alan
Thomas, Douglas
Edwards, Jess
Green, Dennis
Hoelzel, Kathleen
Khan, Aboul
Pearson, Mark
Melvin, Charles
Potucek, John
Pearson, Stephen
Vose, Michael
Yokela, Josh

Abramson, Max
Chirichiello, Brian
Desilets, Joel
Elliott, Robert
Guthrie, Joseph
Osborne, Jason
Kolodziej, Walter
Major, Norman
Milz, David
Pratt, Kevin
Toriosian, Peter
Wallace, Scott

Acton, Dennis
Costable, Michael
DeSimone, Debra
Fowler, William
Harb, Robert
Janigian, John
Love, David
McKinney, Betsy
Packard, Sherman
Prudhomme-O'Brien, Katherine
True, Chris
Welch, David

STRAFFORD

Bixby, Peter
Perreault, Mona

Fontneau, Timothy
Pitre, Joseph

Harrington, Michael
Wuelper, Kurt

Horgan, James

SULLIVAN

Aron, Judy
Rollins, Skip

Laware, Thomas
Stapleton, Walter

Lucas, Gates
Smith, Steven

Merchant, Gary

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

HB 1441, relative to the perambulation of town lines. **INEXPEDIENT TO LEGISLATE.**

Rep. Tom Dolan for Municipal and County Government. The current law was determined by the committee to be fine as currently configured. Vote 16-1.

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

Rep. Dolan spoke in favor.

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

YEAS 271 - NAYS 74

YEAS - 271**BELKNAP**

Bean, Harry
Beaudoin, Richard

Fields, Dennis
Tilton, Franklin

Jurius, Deanna
Varney, Peter

Mackie, Jonathan

CARROLL

Buco, Thomas
Kanzler, Harrison
Woodcock, Stephen

Burroughs, Anita
Knirk, Jerry

Butler, Edward
MacDonald, John

DesMarais, Edith
Marsh, William

CHESHIRE

Abbott, Michael
Eaton, Daniel
Ley, Douglas
Schapiro, Joe
Weber, Lucy

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

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

Bordenet, John
Gomarlo, Jennie
Parkhurst, Henry
Pearson, William

COOS

Hatch, William
Thomas, Yvonne

Laflamme, Larry

Moynihan, Wayne

Noel, Henry

GRAFTON

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

Adjutant, Joshua
Dontonville, Roger
Gordon, Edward
Migliore, Vincent Paul
Ruprecht, Dennis
Sykes, George

Almy, Susan
Egan, Timothy
Hennessey, Erin
Mulligan, Mary Jane
Stavis, Laurel
Weston, Joyce

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

HILLSBOROUGH

Lekas, Alicia
Backus, Robert
Boehm, Ralph
Chretien, Jacqueline
Cornell, Patricia
Espitia, Manny
Goley, Jeffrey
Harriott-Gathright, Linda
Indruk, Greg
King, Mark
Lascelles, Richard
Mangipudi, Latha
Murphy, Nancy
Panasiti, Reed
Piedra, Israel
Newman, Ray
Rung, Rosemarie
Sofikitis, Catherine
Lekas, Tony
Van Houten, Constance
Williams, Kermit

Alexander, Joe
Baroody, Benjamin
Bordy, William
Cleaver, Skip
Cote, David
Davis, Fred
Graham, John
Heath, Mary
Schmidt, Janice
Klee, Patricia
Leishman, Peter
Martin, Joelle
Notter, Jeanine
Pedersen, Michael
Porter, Marjorie
Radhakrishnan, Julie
Newman, Sue
Somero, Paul
Telerski, Laura
Vann, Ivy
Woodbury, David

Bouldin, Amanda
Beaulieu, Jane
Bouchard, Donald
Cohen, Bruce
Desjardin, Kathy
Freitas, Mary
Griffith, Willis
Herbert, Christopher
Jack, Martin
Klein-Knight, Nicole
Long, Patrick
McGhee, Kat
Nutting-Wong, Allison
Petrigno, Peter
Prout, Andrew
Rice, Kimberly
Shaw, Barbara
St. John, Michelle
Toomey, Dan
Thomas, Wendy

Bouldin, Andrew
Bernet, Jennifer
Camarota, Linda
Connors, Erika
DiSilvestro, Linda
Gagne, Larry
Hamer, Heidi
Hinch, Richard
Judy, Jean
Langley, Diane
Murray, Megan
Mullen, Sue
O'Brien, Michael
Pickering, Daniel
Query, Joshua
Riel, Cole
Snow, Kendall
Stevens, Deb
Ulery, Jordan
Wilhelm, Matthew

MERRIMACK

Allard, James
Doherty, David
Fox, Samantha
Kotowski, Frank
McWilliams, Rebecca
Richards, Beth
Schamberg, Thomas
Soucy, Timothy
Wazir, Safiya

Bartlett, Christy
Ebel, Karen
Horn, Werner
Lane, Connie
Moffett, Howard
Rodd, Beth
Schuett, Dianne
Testerman, Dave
Wells, Kenneth

Buchanan, Ryan
Ellison, Arthur
Karrick, David
MacKay, James
Myler, Mel
Rogers, Katherine
Schultz, Kristina
Wallner, Mary Jane
Wolf, Dan

Carson, Clyde
Forsythe, Robert
Klose, John
McGuire, Carol
Pimentel, Roderick
Saunderson, George
Seaworth, Brian
Walsh, Thomas
Woods, Gary

ROCKINGHAM

Abrami, Patrick
Berrien, Skip
Cali-Pitts, Jacqueline
Davis, Dan
Dolan, Tom
Elliott, Robert
Guthrie, Joseph
Osborne, Jason
Katsakiores, Phyllis
Lovejoy, Patricia
Malloy, Dennis
McMahon, Charles
O'Connor, John
Pratt, Kevin
Somssich, Peter

Abramson, Max
Bunker, Lisa
Chirichiello, Brian
Thomas, Douglas
Edgar, Michael
Fowler, William
Harb, Robert
Janigian, John
Khan, Aboul
Griffin, Mary
McBeath, Rebecca
Melvin, Charles
Packard, Sherman
Prudhomme-O'Brien, Katherine
Vallone, Mark

Altschiller, Debra
Bushway, Patricia
Coursin, David
DeSimone, Debra
Edwards, Jess
Gilman, Julie
Hobson, Deborah
Janvrin, Jason
Le, Tamara
Pearson, Mark
McConnell, Liz
Meuse, David
Pantelakos, Laura
Read, Ellen
Warner, Anne

Barnes, Arthur
Cahill, Michael
Cushing, Robert Renny
DiLorenzo, Charlotte
Eisner, Mary
Grote, Jaci
Hoelzel, Kathleen
Murray, Kate
Love, David
Major, Norman
McKinney, Betsy
Milz, David
Piemonte, Tony
Pearson, Stephen
Welch, David

STRAFFORD

Bixby, Peter
Fontneau, Timothy
Horrigan, Timothy
Smith, Marjorie
Pitre, Joseph
Towne, Matthew

Chase, Wendy
Gourgue, Amanda
Keans, Sandra
Opderbecke, Linn
Rich, Cecilia
Treleaven, Susan

Ellis, Donna
Grassie, Chuck
Kenney, Cam
Schmidt, Peter
Sandler, Catt
Vincent, Kenneth

Fargo, Kristina
Higgins, Peg
Levesque, Cassandra
Perreault, Mona
Southworth, Thomas
Wall, Janet

SULLIVAN

Aron, Judy
O'Hearne, Andrew

Cloutier, John
Stapleton, Walter

Laware, Thomas
Sullivan, Brian

Lucas, Gates
Tanner, Linda

NAYS - 74**BELKNAP**Comtois, Barbara
Spanos, PeterHoward, Raymond
Sylvia, Michael

Huot, David

Plumer, John

CARROLLAvellani, Lino
Ticehurst, Susan

Comeau, Ed

Cordelli, Glenn

Nelson, Bill

CHESHIRE

Hunt, John

O'Day, John

Von Plinsky, Sparky

COOS

Craig, Kevin

Furbush, Michael

Merner, Troy

Tucker, Edith

GRAFTON

Ladd, Rick

HILLSBOROUGHGriffin, Barbara
Burt, John
Erf, Keith
Hopper, Gary
Nunez, Hershel
Ober, Russell
Warden, MarkBalch, Chris
Danielson, David
Gould, Linda
Ober, Lynne
Nutter-Upham, Frances
Renzullo, AndrewBergeron, Paul
Dargie, Paul
Greene, Bob
Marzullo, JP
Plett, Fred
Sanborn, LaurieBurns, Charles
Dutzy, Sherry
Hall, Brett
McLean, Mark
Proulx, Mark
Smith, Timothy**MERRIMACK**

Pearl, Howard

Yakubovich, Michael

ROCKINGHAMAbbas, Daryl
Desilets, Joel
Kolodziej, Walter
Roy, Terry
Vose, MichaelActon, Dennis
Gay, Betty
Maggiore, Jim
Toriosian, Peter
Wallace, ScottBershtein, Alan
Green, Dennis
McBride, Everett
True, Chris
Weyler, KennethCostable, Michael
Grossman, Gaby
Potucek, John
Verville, Kevin
Yokela, Josh**STRAFFORD**Conley, Casey
Wuelper, Kurt

Harrington, Michael

Horgan, James

Beaudoin, Steven

SULLIVAN

Merchant, Gary

Rollins, Skip

Smith, Steven

and the committee report was adopted.

HB 1546, relative to meeting minutes of county delegations. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Clyde Carson for the Majority of Municipal and County Government. This bill was brought forward by members of the Sullivan County delegation and would exempt counties from producing meeting minutes where the meeting was for the sole purpose of approving the minutes of the prior meeting. The majority of the committee does not agree and believes it is in the interest of the public to record who was at the meeting and the vote, even if the purpose of the meeting is just to approve minutes. Vote 12-7.

Rep. Tom Dolan for the Minority of Municipal and County Government. This bill would help with reducing the cost of convening meetings to solely approve minutes. It would have allowed no minutes required when such a meeting was convened.

Majority committee report adopted.

HB 1629-FN, relative to training and procedures for zoning and planning boards. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Marjorie Porter for the Majority of Municipal and County Government. This bill, along with its companion bill HB 1632, serves to encourage the development of affordable housing within the state. In amending the bill, the committee worked closely with all major stakeholders to make its provisions enabling rather than mandatory, and to maintain and enhance local control of development. It provides for free training materials of planning boards and zoning boards of appeals. It streamlines the appeals process, clarifies what can be included in inclusionary zoning ordinances, and modifies the criteria for workforce housing. Vote 16-2.

Rep. Max Abramson for the Minority of Municipal and County Government. We received many emails in opposition to this bill from constituents concerned about the loss of local control and an increasingly heavy-handed approach by the state in dictating local land use policy. This bill, as amended, would add more requirements

for planning boards, require more meetings to understand the impact of the new rules, and involves the office of strategic initiatives to move more reports between towns and the state. The worst problem with the bill is that communities that have already made provisions for affordable senior housing would lose this if they didn't also add "workforce housing."

Majority Amendment (0552h)

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

1 Local Land Use Boards; Training. Amend RSA 673:3-a to read as follows:

673:3-a Training. ~~[Within the first year of assuming office, a new]~~ **Any** member of a zoning board of adjustment or planning board may complete training offered by the office of strategic initiatives **or another organization that provides similar training covering the processes, procedures, regulations, and statutes related to the board on which the member serves.** ~~[The office of strategic initiatives may provide this training, which may be designed in a variety of formats including, but not limited to, web-based, distance learning, traditional classroom style, or self study.]~~ **The office of strategic initiatives shall develop standard self-training materials and corresponding tests for zoning boards of adjustment and planning boards which shall be provided to members free of charge. The office of strategic initiatives may provide other types of training, which may be designed in a variety of formats including, but not limited to, web-based, distance learning, or traditional classroom style. For purposes of this section, the term "member" includes regular and alternate members of zoning boards of adjustment and planning boards.**

2 New Paragraph; Local Land Use Boards; Staff; Finances. Amend RSA 673:16 by inserting after paragraph II the following new paragraph:

III. Any fee which a city or town imposes on an applicant pursuant to this title shall be published in a location accessible to the public during normal business hours. Any fee not published in accordance with this paragraph at the time an applicant submits an application shall be considered waived for purposes of that application. A city or town may comply with the requirements of this section by publicly posting a list of fees at the city or town hall or by publishing a list of fees on the city or town's Internet website.

3 Local Land Use Planning and Regulatory Powers; Innovative Land Use Controls. Amend RSA 674:21, II to read as follows:

II.(a) An innovative land use control adopted under RSA 674:16 may be required when supported by the master plan and shall contain within it the standards which shall guide the person or board which administers the ordinance. An innovative land use control ordinance may provide for administration, including the granting of conditional or special use permits, by the planning board, board of selectmen, zoning board of adjustment, or such other person or board as the ordinance may designate. If the administration of the innovative provisions of the ordinance is not vested in the planning board, any proposal submitted under this section shall be reviewed by the planning board prior to final consideration by the administrator. In such a case, the planning board shall set forth its comments on the proposal in writing and the administrator shall, to the extent that the planning board's comments are not directly incorporated into its decision, set forth its findings and decisions on the planning board's comments.

(b) If a municipality allows an increased density, reduced lot size, expedited approval, or other dimensional or procedural incentive under this section for the development of housing for older persons, as defined and regulated pursuant to RSA 354-A:15, it shall allow the same incentive for the development of workforce housing as defined in RSA 674:58, IV. Beginning July 1, 2021, incentives established for housing for older persons shall be deemed applicable to workforce housing development, regardless of whether a local land use ordinance or regulation specifically provides for their application to workforce housing development.

4 Local Land Use Planning and Regulator Powers; Innovative Land Use Controls. Amend RSA 674:21, IV(a) to read as follows:

IV. As used in this section:

(a) "Inclusionary zoning" means land use control regulations which **require a property owner to produce, as part of a development which meets certain characteristics, housing units which are affordable to persons or families of low and moderate income** or provide a voluntary incentive or benefit to a property owner in order to induce the property owner to produce housing units which are affordable to persons or families of low and moderate income. Inclusionary zoning includes, but is not limited to, density bonuses, growth control exemptions, and a streamlined application process. **Inclusionary zoning ordinances shall include standards that do not reduce the economic viability of developments in comparison to developments that do not require housing affordability. Such ordinances shall also enable the planning board to waive or modify in individual cases any standards that are demonstrated by an applicant to reduce the economic feasibility of a development.**

5 Planning and Zoning; Administrative and Enforcement Procedures; Issuance of Decision. Amend RSA 676:3, I to read as follows:

I. The local land use board shall issue a final written decision which either approves or disapproves an application for a local permit and make a copy of the decision available to the applicant. ***The decision shall include specific written findings of fact that support the decision. Failure of the board to make specific written findings of fact supporting a disapproval shall be grounds for automatic reversal and remand by the superior court upon appeal, in accordance with the time periods set forth in RSA 677:5 or RSA 677:15, unless the court determines that there are other factors warranting the disapproval.*** If the application is not approved, the board shall provide the applicant with written reasons for the disapproval. If the application is approved with conditions, the board shall include in the written decision a detailed description of all conditions necessary to obtain final approval.

6 New Paragraph; Powers of Zoning Board of Adjustment. Amend RSA 674:33 by inserting after paragraph VII the following new paragraph:

VIII. Upon receipt of any application for action pursuant to this section, the zoning board of adjustment shall begin formal consideration and shall approve or disapprove such application within 90 days of the date of receipt, provided that the applicant may waive this requirement and consent to such extension as may be mutually agreeable. If a zoning board of adjustment determines that it lacks sufficient information to make a final decision on an application, the board may, in its discretion, deny the application without prejudice, in which case the applicant may submit a new application for the same or substantially similar request for relief.

7 Workforce Housing; Definitions. Amend RSA 674:58, IV to read as follows:

IV. "Workforce housing" means housing which is intended for sale and which is affordable to a household with an income of no more than ~~[100]~~ **120** percent of the median income for a 4-person household for the metropolitan area or county in which the housing is located as published annually by the United States Department of Housing and Urban Development. "Workforce housing" also means rental housing which is affordable to a household with an income of no more than 60 percent of the median income for a 3-person household for the metropolitan area or county in which the housing is located as published annually by the United States Department of Housing and Urban Development. Housing developments that exclude minor children from more than 20 percent of the units, or in which more than 50 percent of the dwelling units have fewer than two bedrooms, ***or are subject to age restrictions***, shall not constitute workforce housing for the purposes of this subdivision.

8 Planning Board; Board's Procedures on Plats. Amend RSA 676:4, I(c) to read as follows:

(c)(1) The board shall, at the next regular meeting or within 30 days following the delivery of the application, for which notice can be given in accordance with the requirements of subparagraph (b), determine if a submitted application is complete according to the board's regulation and shall vote upon its acceptance. Upon determination by the board that a submitted application is incomplete according to the board's regulations, the board shall notify the applicant of the determination in accordance with RSA 676:3, which shall describe the information, procedure, or other requirement necessary for the application to be complete. Upon determination by the board that a submitted application is complete according to the board's regulations, the board shall begin formal consideration and shall act to approve, conditionally approve as provided in subparagraph (i), or disapprove within 65 days, subject to extension or waiver as provided in subparagraph (f). ~~[Upon failure of the board to approve, conditionally approve, or disapprove the application, the selectmen or city council shall, upon request of the applicant, immediately issue an order directing the board to act on the application within 30 days.]~~ ***If the board determines that it lacks sufficient information to make a final decision on an application, the board may, in its discretion, deny the application without prejudice, in which case the applicant may resubmit the same or a substantially similar application.*** If the planning board does not act on the application within that ~~[30-day]~~ **65-day** time period, then ~~[within 40 days of the issuance of the order,]~~ the selectmen or city council shall certify on the applicant's application that the plat is approved pursuant to this paragraph; ~~unless within those 40 days the selectmen or city council has identified in writing some specific subdivision regulation or zoning or other ordinance provision with which the application does not comply].~~ Such a certification, citing this paragraph, shall constitute final approval for all purposes including filing and recording under RSA 674:37 and 676:18, and court review under RSA 677:15.

(2) Failure of the selectmen or city council to ~~[issue an order to the planning board under subparagraph (1), or to]~~ certify approval of the plat upon the planning board's failure to ~~[comply with the order,]~~ ***act within the required time period*** shall constitute grounds for the superior court, upon petition of the applicant, to issue an order approving the application ~~[if the court determines that the proposal complies with existing subdivision regulations and zoning or other ordinances].~~ ***The superior court shall act upon such a petition within 30 days.*** If the court determines that the failure of the selectmen or the city council to act was not justified, the court may order the municipality to pay the applicant's reasonable costs, including attorney's fees, incurred in securing such order.

9 Planning Board; Board's Procedures on Plats. Amend RSA 676:4, I(f) to read as follows:

(f) ~~[The planning board may apply to the selectmen or city council for an extension not to exceed an additional 90 days before acting to approve or disapprove an application.]~~ The applicant may waive the requirement for planning board action within the time periods specified in subparagraph (c) and consent to such extension as may be mutually agreeable.

10 Planning and Zoning; Rehearing and Appeal Procedures; Court Review. Amend RSA 677:15, IV to read as follows:

IV. ~~[The court shall give any hearing under this section priority on the court calendar.]~~ ***Whenever an appeal to the superior court is initiated under this section, the court shall give the appeal priority on its calendar and shall issue a final decision within 120 days of the date upon which a certiorari order was delivered to the planning board pursuant to paragraph II. If the court stays an appeal pursuant to subparagraph I(b), then it shall issue a decision within 120 days of final resolution of all matters before the board of adjustment.***

11 Planning and Zoning; Rehearing and Appeal Procedures; Priority. Amend RSA 677:5 to read as follows:

677:5 Priority. ~~[Any hearing by the superior court upon an appeal under RSA 677:4 shall be given priority on the court calendar.]~~ ***Whenever an appeal to the superior court is initiated under RSA 677:4, the court shall give the appeal priority on its calendar and shall issue a final decision with 120 days of the date upon which the petition was served on the zoning board of adjustment or local legislative body.***

12 New Subdivision; Fee Shifting and Posting of Bond. Amend RSA 677 by inserting after section 19 the following new subdivision:

Fee Shifting and Posting of Bond

677:20 Fee Shifting and Posting of Bond.

I. Whenever an appeal to the superior court is initiated under this chapter, the court may in its discretion require the person or persons appealing to file a bond with sufficient surety for such a sum as shall be fixed by the court to indemnify and save harmless the person or persons in whose favor the decision was rendered from damages and costs which he or she may sustain in case the decision being appealed is affirmed.

II. In any appeal initiated under this chapter the court may, subject to the provisions of this paragraph or any other provision of law, award attorney's fees and costs to the prevailing party. Costs and attorney's fees shall not be allowed against a local land use board unless it shall appear to the court that the board, in making the decision from which the appeal arose, acted with gross negligence, in bad faith, or with malice. Costs and attorney's fees shall not be allowed against the party appealing from the decision of a local land use board unless it shall appear to the court that said party acted in bad faith or with malice in appealing to court.

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

AMENDED ANALYSIS

This bill provides for free training materials for members of a zoning board of adjustment or planning board, modifies the appeals process for zoning decisions, and provides for fee shifting and posting of bond in appeals to superior court from decisions of boards of adjustment.

Rep. Sylvia spoke against.

Rep. Porter spoke in favor.

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

On a division vote, with 276 members having voted in the affirmative, and 63 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. Abramson spoke against.

Rep. Griffith spoke in favor.

Rep. Camarota requested a roll call; sufficiently seconded.

YEAS 276 - NAYS 60

YEAS - 276

BELKNAP

Fields, Dennis

Huot, David

Jurios, Deanna

Tilton, Franklin

CARROLL

Buco, Thomas
Kanzler, Harrison
Ticehurst, Susan

Burroughs, Anita
Knirk, Jerry
Woodcock, Stephen

Butler, Edward
MacDonald, John

DesMarais, Edith
Marsh, William

CHESHIRE

Abbott, Michael
Eaton, Daniel

Ames, Richard
Faulkner, Barry

Berch, Paul
Fenton, Donovan

Bordenet, John
Gomarlo, Jennie

Harvey, Cathryn
Meader, David
Tatro, Bruce

Hunt, John
Parkhurst, Henry
Von Plinsky, Sparky

Ley, Douglas
Schapiro, Joe
Pearson, William

Mann, John
Swinburne, Sandy
Weber, Lucy

COOS

Furbush, Michael
Noel, Henry

Hatch, William
Tucker, Edith

Laflamme, Larry
Thomas, Yvonne

Moynihan, Wayne

GRAFTON

Abel, Richard
Diggs, Francesca
Ford, Susan
Ladd, Rick
Osborne, Richard
Smith, Suzanne

Adjutant, Joshua
Dontonville, Roger
Gordon, Edward
Maes, Kevin
Ruprecht, Dennis
Sykes, George

Almy, Susan
Egan, Timothy
Hennessey, Erin
Migliore, Vincent Paul
Stavis, Laurel
Weston, Joyce

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

HILLSBOROUGH

Alexander, Joe
Balch, Chris
Bernet, Jennifer
Chretien, Jacqueline
Cornell, Patricia
DiSilvestro, Linda
Davis, Fred
Graham, John
Heath, Mary
Schmidt, Janice
Klee, Patricia
Long, Patrick
Marzullo, JP
Notter, Jeanine
Panasiti, Reed
Piedra, Israel
Query, Joshua
Riel, Cole
Shaw, Barbara
St. John, Michelle
Toomey, Dan
Wilhelm, Matthew

Bouldin, Amanda
Baroody, Benjamin
Bordy, William
Cleaver, Skip
Cote, David
Dutzy, Sherry
Freitas, Mary
Griffith, Willis
Herbert, Christopher
Jack, Martin
Klein-Knight, Nicole
Murray, Megan
McLean, Mark
Nutter-Upham, Frances
Pedersen, Michael
Plett, Fred
Newman, Ray
Rung, Rosemarie
Snow, Kendall
Stevens, Deb
Van Houten, Constance
Williams, Kermit

Bouldin, Andrew
Beaulieu, Jane
Bouchard, Donald
Cohen, Bruce
Dargie, Paul
Erf, Keith
Gagne, Larry
Hamer, Heidi
Hinch, Richard
Jeudy, Jean
Langley, Diane
Mangipudi, Latha
Mullen, Sue
Nutting-Wong, Allison
Petrigno, Peter
Porter, Marjorie
Radhakrishnan, Julie
Newman, Sue
Sofikitis, Catherine
Smith, Timothy
Vann, Ivy
Woodbury, David

Backus, Robert
Bergeron, Paul
Burns, Charles
Connors, Erika
Desjardin, Kathy
Espitia, Manny
Goley, Jeffrey
Harriott-Gathright, Linda
Indruk, Greg
King, Mark
Lascelles, Richard
Martin, Joelle
Murphy, Nancy
O'Brien, Michael
Pickering, Daniel
Proulx, Mark
Rice, Kimberly
Sanborn, Laurie
Somero, Paul
Telerski, Laura
Thomas, Wendy

MERRIMACK

Allard, James
Doherty, David
Karrick, David
MacKay, James
Myler, Mel
Rogers, Katherine
Schultz, Kristina
Walsh, Thomas

Bartlett, Christy
Ebel, Karen
Klose, John
McGuire, Carol
Pearl, Howard
Saunderson, George
Soucy, Timothy
Wazir, Safiya

Buchanan, Ryan
Fox, Samantha
Kotowski, Frank
McWilliams, Rebecca
Pimentel, Roderick
Schamberg, Thomas
Testerman, Dave
Wells, Kenneth

Carson, Clyde
Horn, Werner
Lane, Connie
Moffett, Howard
Rodd, Beth
Schuett, Dianne
Wallner, Mary Jane
Woods, Gary

ROCKINGHAM

Abbas, Daryl
Barnes, Arthur
Cahill, Michael
Cushing, Robert Renny
Edwards, Jess
Gay, Betty
Harb, Robert
Murray, Kate
Lovejoy, Patricia
Malloy, Dennis
McMahon, Charles
Pantelakos, Laura
Read, Ellen
Vose, Michael
Yokela, Josh

Abrami, Patrick
Berrien, Skip
Cali-Pitts, Jacqueline
DiLorenzo, Charlotte
Eisner, Mary
Gilman, Julie
Hoelzel, Kathleen
Katsakiores, Phyllis
Griffin, Mary
McBeath, Rebecca
Melvin, Charles
Piemonte, Tony
Pearson, Stephen
Warner, Anne

Acton, Dennis
Bunker, Lisa
Chirichiello, Brian
Dolan, Tom
Elliott, Robert
Grote, Jaci
Osborne, Jason
Le, Tamara
Pearson, Mark
McBride, Everett
Meuse, David
Potucek, John
Somssich, Peter
Welch, David

Altschiller, Debra
Bushway, Patricia
Coursin, David
Edgar, Michael
Fowler, William
Guthrie, Joseph
Janigian, John
Love, David
Major, Norman
McConnell, Liz
Packard, Sherman
Prudhomme-O'Brien, Katherine
Vallone, Mark
Weyler, Kenneth

STRAFFORD

Bixby, Peter
Frost, Sherry
Higgins, Peg

Chase, Wendy
Gourgue, Amanda
Horgan, James

Fargo, Kristina
Grassie, Chuck
Horrigian, Timothy

Fontneau, Timothy
Harrington, Michael
Kenney, Cam

Levesque, Cassandra
Perreault, Mona
Towne, Matthew
Wuelper, Kurt

Smith, Marjorie
Rich, Cecilia
Treleaven, Susan

Opderbecke, Linn
Sandler, Catt
Vincent, Kenneth

Schmidt, Peter
Southworth, Thomas
Wall, Janet

SULLIVAN

Aron, Judy
Merchant, Gary
Smith, Steven

Cloutier, John
O'Hearne, Andrew
Sullivan, Brian

Laware, Thomas
Rollins, Skip
Tanner, Linda

Lucas, Gates
Stapleton, Walter

NAYS - 60

BELKNAP

Bean, Harry
Plumer, John
Varney, Peter

Comtois, Barbara
Beaudoin, Richard

Howard, Raymond
Spanos, Peter

Mackie, Jonathan
Sylvia, Michael

CARROLL

Avellani, Lino

Comeau, Ed

Cordelli, Glenn

CHESHIRE

O'Day, John

COOS

Craig, Kevin

Merner, Troy

HILLSBOROUGH

Lekas, Alicia
Camarota, Linda
Gunki, Michael
McGhee, Kat
Renzullo, Andrew

Griffin, Barbara
Danielson, David
Hall, Brett
Nunez, Hershel
Lekas, Tony

Boehm, Ralph
Gould, Linda
Ober, Lynne
Prout, Andrew
Ulery, Jordan

Burt, John
Greene, Bob
Leishman, Peter
Ober, Russell

MERRIMACK

Forsythe, Robert

Seaworth, Brian

Wolf, Dan

Yakubovich, Michael

ROCKINGHAM

Abramson, Max
Thomas, Douglas
Hobson, Deborah
Maggiore, Jim
True, Chris

Bershtein, Alan
Desilets, Joel
Janvrin, Jason
McKinney, Betsy
Verville, Kevin

Costable, Michael
Green, Dennis
Khan, Aboul
Pratt, Kevin
Wallace, Scott

Davis, Dan
Grossman, Gaby
Kolodziej, Walter
Torosian, Peter

STRAFFORD

Keans, Sandra

Pitre, Joseph

Beaudoin, Steven

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

HB 1480, relative to the use of system benefits charges. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. John Mann for the Majority of Science, Technology and Energy. The future of energy will feature a mix of generation to meet demand and energy efficiency to lower demand. Under long standing authority delegated to the Public Utilities Commission (PUC) by the General Court, the PUC has, for more than a century, set utility rates without need for specific legislative action to approve the rates, which would in fact be totally impractical. Although the System Benefits Charge (SBC) is not a typical rate, it is a small part of the electric charges that the PUC has decided, within its general requirement that rates be "just and reasonable," since the General Court mandated the restructuring of the electric utility industry in 1996. The majority believes that this task should continue to be left to the PUC. This bill, by demanding prior legislative approval of future increases in the SBC, would hinder the PUC's efforts to advance energy efficiency in NH. Vote 11-8.

Rep. Michael Vose for the Minority of Science, Technology and Energy. In 2018, the Governor signed into law a requirement that the legislature, as stipulated by the state constitution, must approve any changes to a de-facto tax known as the Systems Benefits Charge (SBC). This state-mandated charge on electric bills raised \$80 million in 2019 for energy efficiency and to help low-income residents afford heat and power. A projection for 2020 foresees a substantial increase to \$90 million with additional increases forecast in 2021 and 2022. Such charges currently add \$3-\$5 to every electric bill, and future increases would raise the energy costs of municipal and county governments. In 2019, a state budget compromise stalled the legislature's oversight authority over the SBC with an amendment to the budget trailer bill. This bill would restore that legislative authority and protect the SBC from any potential constitutional challenge.

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

Rep. Vose spoke against.

Rep. Mann spoke in favor.

Rep. Notter requested a roll call; sufficiently seconded.

YEAS 201 - NAYS 130

YEAS - 201

BELKNAP

Huot, David

CARROLL

Buco, Thomas
Kanzler, Harrison

Burroughs, Anita
Knirk, Jerry

Butler, Edward
Ticehurst, Susan

DesMarais, Edith
Woodcock, Stephen

CHESHIRE

Abbott, Michael
Eaton, Daniel
Harvey, Cathryn
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
Meador, David
Tatro, Bruce

COOS

Hatch, William
Thomas, Yvonne

Laflamme, Larry

Moynihan, Wayne

Noel, Henry

GRAFTON

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

Adjutant, Joshua
Dontonville, Roger
Josephson, Timothy
Osborne, Richard
Smith, Suzanne

Almy, Susan
Egan, Timothy
Maes, Kevin
Ruprecht, Dennis
Sykes, George

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

HILLSBOROUGH

Bouldin, Amanda
Baroody, Benjamin
Bordy, William
Cohen, Bruce
Dargie, Paul
Freitas, Mary
Hamer, Heidi
Indruk, Greg
King, Mark
Leishman, Peter
Martin, Joelle
Nutter-Upham, Frances
Piedra, Israel
Radhakrishnan, Julie
Shaw, Barbara
Stevens, Deb
Van Houten, Constance

Bouldin, Andrew
Beaulieu, Jane
Bouchard, Donald
Connors, Erika
Desjardin, Kathy
Goley, Jeffrey
Harriott-Gathright, Linda
Schmidt, Janice
Klee, Patricia
Long, Patrick
McGhee, Kat
O'Brien, Michael
Porter, Marjorie
Riel, Cole
Snow, Kendall
Smith, Timothy
Thomas, Wendy

Backus, Robert
Bergeron, Paul
Chretien, Jacqueline
Cornell, Patricia
Dutzy, Sherry
Griffith, Willis
Heath, Mary
Jack, Martin
Klein-Knight, Nicole
Murray, Megan
Mullen, Sue
Petrigno, Peter
Query, Joshua
Rung, Rosemarie
Sofikitis, Catherine
Telerski, Laura
Williams, Kermit

Balch, Chris
Bernet, Jennifer
Cleaver, Skip
Cote, David
Espitia, Manny
Hall, Brett
Herbert, Christopher
Judy, Jean
Langley, Diane
Mangipudi, Latha
Murphy, Nancy
Pickering, Daniel
Newman, Ray
Newman, Sue
St. John, Michelle
Toomey, Dan
Woodbury, David

MERRIMACK

Bartlett, Christy
Ebel, Karen
MacKay, James
Pimentel, Roderick
Schamberg, Thomas
Wallner, Mary Jane
Woods, Gary

Buchanan, Ryan
Fox, Samantha
McWilliams, Rebecca
Rodd, Beth
Schuett, Dianne
Wazir, Safiya

Carson, Clyde
Karrick, David
Moffett, Howard
Rogers, Katherine
Schultz, Kristina
Wells, Kenneth

Doherty, David
Lane, Connie
Myler, Mel
Saunderson, George
Soucy, Timothy
Wolf, Dan

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
Warner, Anne

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

STRAFFORD

Bixby, Peter
Fontneau, Timothy
Higgins, Peg
Levesque, Cassandra
Rich, Cecilia
Treleven, Susan

Chase, Wendy
Frost, Sherry
Horrigan, Timothy
Smith, Marjorie
Sandler, Catt
Vincent, Kenneth

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

Fargo, Kristina
Grassie, Chuck
Kenney, Cam
Schmidt, Peter
Towne, Matthew

SULLIVAN

Cloutier, John
Tanner, Linda

Merchant, Gary

O'Hearne, Andrew

Sullivan, Brian

NAYS - 130**BELKNAP**

Bean, Harry
Jurius, Deanna
Spanos, Peter

Comtois, Barbara
Mackie, Jonathan
Sylvia, Michael

Fields, Dennis
Plumer, John
Tilton, Franklin

Howard, Raymond
Beaudoin, Richard
Varney, Peter

CARROLL

Avellani, Lino
Marsh, William

Comeau, Ed
Nelson, Bill

Cordelli, Glenn

MacDonald, John

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
Burns, Charles
Erf, Keith
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

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

Boehm, Ralph
Danielson, David
Graham, John
Ober, Lynne
Notter, Jeanine
Proulx, Mark
Rice, Kimberly
Ulery, Jordan

MERRIMACK

Allard, James
Kotowski, Frank
Testerman, Dave

Forsythe, Robert
McGuire, Carol
Walsh, Thomas

Horn, Werner
Pearl, Howard
Yakubovich, Michael

Klose, John
Seaworth, Brian

ROCKINGHAM

Abbas, Daryl
Barnes, Arthur
Davis, Dan
Edwards, Jess
Green, Dennis
Hoelzel, Kathleen
Khan, Aboul
Major, Norman
Melvin, Charles
Pratt, Kevin
True, Chris
Welch, David

Abrami, Patrick
Bershtein, Alan
Thomas, Douglas
Elliott, Robert
Guthrie, Joseph
Osborne, Jason
Kolodziej, Walter
McBride, Everett
Packard, Sherman
Prudhomme-O'Brien, Katherine
Verville, Kevin
Weyler, Kenneth

Abramson, Max
Chirichiello, Brian
Desilets, Joel
Fowler, William
Harb, Robert
Janigian, John
Love, David
McKinney, Betsy
Piemonte, Tony
Pearson, Stephen
Vose, Michael
Yokela, Josh

Acton, Dennis
Costable, Michael
Dolan, Tom
Gay, Betty
Hobson, Deborah
Katsakiores, Phyllis
Griffin, Mary
McMahon, Charles
Potucek, John
Torosian, Peter
Wallace, Scott

STRAFFORD

Harrington, Michael
Beaudoin, Steven

Horgan, James
Wuelper, Kurt

Perreault, Mona

Pitre, Joseph

SULLIVAN

Aron, Judy
Stapleton, Walter

Laware, Thomas
Smith, Steven

Lucas, Gates

Rollins, Skip

and the majority committee report was adopted.

HB 1383, prohibiting commercial trucks from left lane travel on multi-lane highways. **INEXPEDIENT TO LEGISLATE.**

Rep. Suzanne Vail for Transportation. This bill attempts to restrict commercial trucks from the left lane during rush hour, twice daily, to alleviate traffic congestion. There is concern about application of this on multi-lane highways, such as the Everett Turnpike, where sections expand and contract from five to two lanes. Additionally, the bill had no provisions for signs that would designate times of day the provision would be in effect. The committee felt this bill would create too much confusion on the highway at both the slowest and the busiest times of day. Vote 19-0.

Committee report adopted.

HB 1408, relative to license plate covers. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Steven Smith for Transportation. This bill allows clear protective covers to be installed over license plates. This does not impact the current rule that license plates may not be hidden or obscured. The committee amendment clarifies the original language by stating simply that you may not install a cover that is "colored, smoked, or tinted." Vote 13-6.

Amendment (0619h)

Amend the bill by replacing section 1 with the following:

1 Certificates of Title and Registration of Vehicles; Misuse or Failure to Display Plates. Amend RSA 261:176, II to read as follows:

II. *Any person who applies or permits to be applied any covering to a license plate that is colored, smoked, or tinted shall be guilty of a violation.*

III. The fine for a violation of this section shall be \$150.

AMENDED ANALYSIS

This bill prohibits persons from attaching or permitting to be attached to a license plate any coverings that are colored, smoked, or tinted.

Committee amendment adopted.

Committee report adopted and ordered to third reading.

HB 1427, removing the authorization for OHRV use on certain sections of state highway. **INEXPEDIENT TO LEGISLATE.**

Rep. Larry Gagne for Transportation. This bill would remove the authorization for Off-Highway Recreational Vehicle use for certain sections of state highways. The concerns contained in this bill, and other similar bills, will be better addressed in HB 1182, and will address the concerns of all stake holders. HB 1182 establishes a commission addressing all the issues relating to road usage by non-traditional motor vehicles. Therefore, the bipartisan majority of the committee recommends this bill should be found Inexpedient to Legislate. Vote 16-3. Committee report adopted.

HB 1621-FN, relative to the use of protective head gear while operating motorcycles and motorized bicycles. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Nicole Klein-Knight for the Majority of Transportation. This bill would require all motorcyclists wear protective headgear. Current law is adequate as the rider may choose. Although the committee believes wearing a helmet promotes safety, it does not believe that helmet usage should be mandatory. Vote 16-4.

Rep. Casey Conley for the Minority of Transportation. Helmets save lives. Motorcycle helmets are mandatory in more than a dozen states. Mandatory helmets are supported by a myriad medical and safety organizations. Helmets also can reduce medical costs in serious accidents that all of us pay through taxes and insurance premiums.

MOTION TO LAY ON THE TABLE

Rep. Ley moved that **HB 1621-FN**, relative to the use of protective head gear while operating motorcycles and motorized bicycles, be laid on the table.

Rep. Burt requested a roll call; sufficiently seconded.

YEAS 193 - NAYS 141**YEAS - 193****BELKNAP**

Huot, David

Tilton, Franklin

CARROLL

Buco, Thomas
Kanzler, Harrison

Burroughs, Anita
Knirk, Jerry

Butler, Edward
Ticehurst, Susan

DesMarais, Edith

CHESHIRE

Abbott, Michael
Eaton, Daniel

Ames, Richard
Faulkner, Barry

Berch, Paul
Fenton, Donovan

Bordenet, John
Gomarlo, Jennie

Harvey, Cathryn
Schapiro, Joe
Weber, Lucy

Ley, Douglas
Swinburne, Sandy

Mann, John
Tatro, Bruce

Meador, David
Pearson, William

COOS

Hatch, William
Thomas, Yvonne

Laflamme, Larry

Moynihan, Wayne

Noel, Henry

GRAFTON

Almy, Susan
Egan, Timothy
Maes, Kevin
Stavis, Laurel
Weston, Joyce

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

Diggs, Francesca
Ford, Susan
Nordgren, Sharon
Smith, Suzanne

Dontonville, Roger
Josephson, Timothy
Osborne, Richard
Sykes, George

HILLSBOROUGH

Bouldin, Amanda
Beaulieu, Jane
Chretien, Jacqueline
Cornell, Patricia
Dutzy, Sherry
Goley, Jeffrey
Harriott-Gathright, Linda
Schmidt, Janice
Klee, Patricia
Long, Patrick
McGhee, Kat
Nutting-Wong, Allison
Pickering, Daniel
Newman, Ray
Snow, Kendall
Smith, Timothy
Thomas, Wendy

Bouldin, Andrew
Bergeron, Paul
Cleaver, Skip
Cote, David
Espitia, Manny
Griffith, Willis
Heath, Mary
Jack, Martin
Ober, Lynne
Murray, Megan
Mullen, Sue
O'Brien, Michael
Piedra, Israel
Radhakrishnan, Julie
Sofikitis, Catherine
Telerski, Laura
Williams, Kermit

Backus, Robert
Bernet, Jennifer
Cohen, Bruce
Dargie, Paul
Davis, Fred
Hall, Brett
Herbert, Christopher
Jeudy, Jean
Langley, Diane
Mangipudi, Latha
Murphy, Nancy
Pedersen, Michael
Porter, Marjorie
Rung, Rosemarie
St. John, Michelle
Toomey, Dan
Woodbury, David

Baroody, Benjamin
Bordy, William
Connors, Erika
Desjardin, Kathy
Freitas, Mary
Hamer, Heidi
Indruk, Greg
King, Mark
Leishman, Peter
Martin, Joelle
Nutter-Upham, Frances
Petrigno, Peter
Query, Joshua
Newman, Sue
Stevens, Deb
Van Houten, Constance

MERRIMACK

Bartlett, Christy
Fox, Samantha
Moffett, Howard
Rogers, Katherine
Schultz, Kristina
Wells, Kenneth

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

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

Ebel, Karen
McWilliams, Rebecca
Rodd, Beth
Schuett, Diane
Wazir, Safiya

ROCKINGHAM

Altschiller, Debra
Cahill, Michael
Edgar, Michael
Grote, Jaci
Lovejoy, Patricia
McConnell, Liz
Read, Ellen
Weyler, Kenneth

Berrien, Skip
Coursin, David
Eisner, Mary
Guthrie, Joseph
Maggiore, Jim
McKinney, Betsy
Somssich, Peter

Bunker, Lisa
Cushing, Robert Renny
Gay, Betty
Murray, Kate
Malloy, Dennis
Meuse, David
Vallone, Mark

Bushway, Patricia
DiLorenzo, Charlotte
Grossman, Gaby
Le, Tamara
McBeath, Rebecca
Pantelakos, Laura
Warner, Anne

STRAFFORD

Bixby, Peter
Fontneau, Timothy
Higgins, Peg
Opderbecke, Linn
Southworth, Thomas
Wall, Janet

Chase, Wendy
Frost, Sherry
Keans, Sandra
Schmidt, Peter
Towne, Matthew

Conley, Casey
Gourgue, Amanda
Kenney, Cam
Rich, Cecilia
Treleven, Susan

Fargo, Kristina
Grassie, Chuck
Levesque, Cassandra
Sandler, Catt
Vincent, Kenneth

SULLIVAN

Cloutier, John
Tanner, Linda

Merchant, Gary

O'Hearne, Andrew

Sullivan, Brian

NAYS - 141

BELKNAP

Bean, Harry
Jurius, Deanna
Spanos, Peter

Comtois, Barbara
Mackie, Jonathan
Sylvia, Michael

Fields, Dennis
Plumer, John
Varney, Peter

Howard, Raymond
Beaudoin, Richard

CARROLL

Avellani, Lino
Nelson, Bill

Comeau, Ed
Woodcock, Stephen

Cordelli, Glenn

MacDonald, John

CHESHIRE

Hunt, John

O'Day, John

Parkhurst, Henry

Von Plinsky, Sparky

COOS

Craig, Kevin

Furbush, Michael

Merner, Troy

GRAFTON

Abel, Richard
Ladd, Rick

Adjutant, Joshua
Migliore, Vincent Paul

Gordon, Edward
Ruprecht, Dennis

Hennessey, Erin

HILLSBOROUGH

Lekas, Alicia
Boehm, Ralph
Camarota, Linda
Gould, Linda
Hinch, Richard
McLean, Mark
Plett, Fred
Renzullo, Andrew
Shaw, Barbara
Warden, Mark

Alexander, Joe
Bouchard, Donald
Danielson, David
Graham, John
Klein-Knight, Nicole
Notter, Jeanine
Proulx, Mark
Rice, Kimberly
Somero, Paul

Griffin, Barbara
Burns, Charles
Erf, Keith
Greene, Bob
Lascelles, Richard
Nunez, Hershel
Prout, Andrew
Riel, Cole
Lekas, Tony

Balch, Chris
Burt, John
Gagne, Larry
Gunski, Michael
Marzullo, JP
Panasiti, Reed
Ober, Russell
Sanborn, Laurie
Ulery, Jordan

MERRIMACK

Allard, James
Karrick, David
Pearl, Howard
Yakubovich, Michael

Buchanan, Ryan
Klose, John
Seaworth, Brian

Forsythe, Robert
Kotowski, Frank
Testerman, Dave

Horn, Werner
McGuire, Carol
Walsh, Thomas

ROCKINGHAM

Abbas, Daryl
Barnes, Arthur
Costable, Michael
Dolan, Tom
Gilman, Julie
Hoelzel, Kathleen
Katsakiores, Phyllis
Griffin, Mary
Melvin, Charles
Pratt, Kevin
True, Chris
Welch, David

Abrami, Patrick
Bershtein, Alan
Davis, Dan
Edwards, Jess
Green, Dennis
Osborne, Jason
Khan, Aboul
Major, Norman
Packard, Sherman
Prudhomme-O'Brien, Katherine
Verville, Kevin
Yokela, Josh

Abramson, Max
Cali-Pitts, Jacqueline
Thomas, Douglas
Elliott, Robert
Harb, Robert
Janigian, John
Kolodziej, Walter
McBride, Everett
Piemonte, Tony
Pearson, Stephen
Vose, Michael

Acton, Dennis
Chirichiello, Brian
Desilets, Joel
Fowler, William
Hobson, Deborah
Janvrin, Jason
Love, David
McMahon, Charles
Potucek, John
Torosian, Peter
Wallace, Scott

STRAFFORD

Harrington, Michael
Perreault, Mona

Horgan, James
Pitre, Joseph

Horrigan, Timothy
Beaudoin, Steven

Smith, Marjorie
Wuelper, Kurt

SULLIVAN

Aron, Judy
Stapleton, Walter

Laware, Thomas
Smith, Steven

Lucas, Gates

Rollins, Skip

and the motion was adopted.

REGULAR CALENDAR CONT'D

HB 1492-FN-A-L, establishing a tax on the retail sale of certain electronic devices to fund education. **INEXPEDIENT TO LEGISLATE.**

Rep. Lisa Bunker for Ways and Means. This bill proposes to tax certain electronic devices sold in the state, with revenues to go to education funding. There is no question that state education funding needs to be increased, but, as on other occasions, the committee had concerns about the troubles that arise when attempts are made to arbitrarily tax one narrowly defined sector of the retail economy. Reservations were expressed about the inexactness of the definition of taxable items. We also talked about the negative impact the bill would have on retail outlets near the borders with other states, and on cross-border traffic in search of tax savings generally. Vote 20-0.

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

Rep. Cleaver spoke against.

Rep. Bosman requested a roll call; sufficiently seconded.

YEAS 320 - NAYS 11**YEAS - 320
BELKNAP**

Bean, Harry
Huot, David
Beaudoin, Richard
Varney, Peter

Comtois, Barbara
Jurius, Deanna
Spanos, Peter

Fields, Dennis
Mackie, Jonathan
Sylvia, Michael

Howard, Raymond
Plumer, John
Tilton, Franklin

CARROLL

Avellani, Lino
Comeau, Ed
Knirk, Jerry
Ticehurst, Susan

Buco, Thomas
Cordelli, Glenn
MacDonald, John
Woodcock, Stephen

Burroughs, Anita
DesMarais, Edith
Marsh, William

Butler, Edward
Kanzler, Harrison
Nelson, Bill

CHESHIRE

Abbott, Michael
Eaton, Daniel
Hunt, John
Schapiro, Joe
Pearson, William

Ames, Richard
Faulkner, Barry
Ley, Douglas
Swinburne, Sandy
Weber, Lucy

Berch, Paul
Fenton, Donovan
O'Day, John
Tatro, Bruce

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

COOS

Craig, Kevin
Merner, Troy

Furbush, Michael
Moynihan, Wayne

Hatch, William
Noel, Henry

Laflamme, Larry
Thomas, Yvonne

GRAFTON

Abel, Richard
Diggs, Francesca
Ford, Susan
Ladd, Rick
Osborne, Richard
Smith, Suzanne

Adjutant, Joshua
Dontonville, Roger
Gordon, Edward
Maes, Kevin
Ruprecht, Dennis
Sykes, George

Almy, Susan
Egan, Timothy
Hennessey, Erin
Migliore, Vincent Paul
Stavis, Laurel
Weston, Joyce

Campion, Polly
Fellows, Sallie
Josephson, Timothy
Mulligan, Mary Jane
Stringham, Jerry

HILLSBOROUGH

Lekas, Alicia
Griffin, Barbara
Bergeron, Paul
Bouchard, Donald
Chretien, Jacqueline
Cote, David
Erf, Keith
Goley, Jeffrey
Griffith, Willis
Harriott-Gathright, Linda
Indruk, Greg
Klee, Patricia
Lascelles, Richard
Mangipudi, Latha
McLean, Mark
Nutter-Upham, Frances
Pedersen, Michael
Plett, Fred
Query, Joshua
Renzullo, Andrew
Newman, Sue
Sofikitis, Catherine
Lekas, Tony
Ulery, Jordan
Warden, Mark

Alexander, Joe
Backus, Robert
Bernet, Jennifer
Burns, Charles
Cohen, Bruce
Danielson, David
Espitia, Manny
Gould, Linda
Gunski, Michael
Heath, Mary
Schmidt, Janice
Klein-Knight, Nicole
Leishman, Peter
Martin, Joelle
Mullen, Sue
Nutting-Wong, Allison
Petrigno, Peter
Porter, Marjorie
Newman, Ray
Rice, Kimberly
Sanborn, Laurie
Somero, Paul
Smith, Timothy
Van Houten, Constance
Williams, Kermit

Bouldin, Amanda
Balch, Chris
Boehm, Ralph
Burt, John
Connors, Erika
Dargie, Paul
Davis, Fred
Graham, John
Hall, Brett
Herbert, Christopher
Jack, Martin
Ober, Lynne
Long, Patrick
Marzullo, JP
Murphy, Nancy
O'Brien, Michael
Pickering, Daniel
Proulx, Mark
Ober, Russell
Riel, Cole
Shaw, Barbara
St. John, Michelle
Telerski, Laura
Vann, Ivy
Woodbury, David

Bouldin, Andrew
Baroody, Benjamin
Bordy, William
Camarota, Linda
Cornell, Patricia
Dutzy, Sherry
Gagne, Larry
Greene, Bob
Hamer, Heidi
Hinch, Richard
Judy, Jean
Langley, Diane
Murray, Megan
McGhee, Kat
Notter, Jeanine
Panasiti, Reed
Piedra, Israel
Prout, Andrew
Radhakrishnan, Julie
Rung, Rosemarie
Snow, Kendall
Stevens, Deb
Toomey, Dan
Thomas, Wendy

MERRIMACK

Allard, James
Ebel, Karen
Karrick, David
MacKay, James
Myler, Mel
Rogers, Katherine
Schultz, Kristina
Wallner, Mary Jane
Wolf, Dan

Bartlett, Christy
Forsythe, Robert
Klose, John
McGuire, Carol
Pearl, Howard
Saunderson, George
Seaworth, Brian
Walsh, Thomas
Woods, Gary

Buchanan, Ryan
Fox, Samantha
Kotowski, Frank
McWilliams, Rebecca
Pimentel, Roderick
Schamberg, Thomas
Soucy, Timothy
Wazir, Safiya
Yakubovich, Michael

Carson, Clyde
Horn, Werner
Lane, Connie
Moffett, Howard
Rodd, Beth
Schuett, Dianne
Testerman, Dave
Wells, Kenneth

ROCKINGHAM

Abbas, Daryl
 Altschiller, Debra
 Bunker, Lisa
 Chirichiello, Brian
 Davis, Dan
 Dolan, Tom
 Elliott, Robert
 Green, Dennis
 Harb, Robert
 Janigian, John
 Khan, Aboul
 Lovejoy, Patricia
 Malloy, Dennis
 McMahon, Charles
 Pantelakos, Laura
 Prudhomme-O'Brien, Katherine
 Vallone, Mark
 Warner, Anne

Abrami, Patrick
 Barnes, Arthur
 Bushway, Patricia
 Costable, Michael
 Thomas, Douglas
 Edgar, Michael
 Fowler, William
 Grossman, Gaby
 Hobson, Deborah
 Janvrin, Jason
 Kolodziej, Walter
 Griffin, Mary
 McBeath, Rebecca
 Melvin, Charles
 Piemonte, Tony
 Pearson, Stephen
 Verville, Kevin
 Welch, David

Abramson, Max
 Berrien, Skip
 Cahill, Michael
 Coursin, David
 Desilets, Joel
 Edwards, Jess
 Gay, Betty
 Grote, Jaci
 Hoelzel, Kathleen
 Murray, Kate
 Le, Tamara
 Maggiore, Jim
 McBride, Everett
 Meuse, David
 Potucek, John
 Torosian, Peter
 Vose, Michael
 Weyler, Kenneth

Acton, Dennis
 Bershtein, Alan
 Cali-Pitts, Jacqueline
 Cushing, Robert Renny
 DiLorenzo, Charlotte
 Eisner, Mary
 Gilman, Julie
 Guthrie, Joseph
 Osborne, Jason
 Katsakiores, Phyllis
 Love, David
 Major, Norman
 McConnell, Liz
 Packard, Sherman
 Pratt, Kevin
 True, Chris
 Wallace, Scott
 Yokela, Josh

STRAFFORD

Bixby, Peter
 Frost, Sherry
 Higgins, Peg
 Kenney, Cam
 Perreault, Mona
 Sandler, Catt
 Vincent, Kenneth

Chase, Wendy
 Gourgue, Amanda
 Horgan, James
 Levesque, Cassandra
 Pitre, Joseph
 Southworth, Thomas
 Wall, Janet

Fargo, Kristina
 Grassie, Chuck
 Horrigan, Timothy
 Smith, Marjorie
 Rich, Cecilia
 Towne, Matthew
 Wuelper, Kurt

Fontneau, Timothy
 Harrington, Michael
 Keans, Sandra
 Schmidt, Peter
 Beaudoin, Steven
 Treleaven, Susan

SULLIVAN

Aron, Judy
 Merchant, Gary
 Smith, Steven

Cloutier, John
 O'Hearne, Andrew
 Sullivan, Brian

Laware, Thomas
 Rollins, Skip
 Tanner, Linda

Lucas, Gates
 Stapleton, Walter

**NAYS - 11
CHESHIRE**

Mann, John

Meador, David

HILLSBOROUGH

Beaulieu, Jane
 King, Mark

Cleaver, Skip

Desjardin, Kathy

Freitas, Mary

MERRIMACK

Doherty, David

ROCKINGHAM

Read, Ellen

Somssich, Peter

STRAFFORD

Opderbecke, Linn

and the committee report was adopted.

HB 1652-FN-A, including ski area ticket sales under the meals and rooms tax and dedicating the revenue to the governor's scholarship program for New Hampshire resident students. **INEXPEDIENT TO LEGISLATE.** Rep. Jerry Stringham for Ways and Means. This bill calls for expanding the meals and rooms tax to include ski tickets. The supporters are looking for a revenue source for higher education scholarships, a laudable goal. A new tax that would suppress visitors would not be good for northern New Hampshire or the granite state as a whole. This tax would be viewed as a sales tax on skiing and the state's no sales tax reputation helps promote our tourism, which leads to meals and rooms tax revenues, as well as liquor, tobacco, and lottery revenues. Tourists have a choice of where to spend their vacation dollars and we welcome them in NH. While sympathetic to the goals of the bill, the committee recommended the bill Inexpedient to Legislate. Vote 20-0. The question being adoption of the committee report of Inexpedient to Legislate. Rep. Rice requested a roll call; sufficiently seconded.

YEAS 323 - NAYS 7**YEAS - 323
BELKNAP**

Bean, Harry

Comtois, Barbara

Fields, Dennis

Howard, Raymond

Huot, David
Beaudoin, Richard
Varney, Peter

Jurius, Deanna
Spanos, Peter

Mackie, Jonathan
Sylvia, Michael

Plumer, John
Tilton, Franklin

CARROLL

Avellani, Lino
Comeau, Ed
Knirk, Jerry
Ticehurst, Susan

Buco, Thomas
Cordelli, Glenn
MacDonald, John
Woodcock, Stephen

Burroughs, Anita
DesMarais, Edith
Marsh, William

Butler, Edward
Kanzler, Harrison
Nelson, Bill

CHESHIRE

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

Ames, Richard
Faulkner, Barry
O'Day, John
Weber, Lucy

Berch, Paul
Gomarlo, Jennie
Parkhurst, Henry

Bordenet, John
Hunt, John
Tatro, Bruce

COOS

Craig, Kevin
Merner, Troy

Furbush, Michael
Moynihan, Wayne

Hatch, William
Noel, Henry

Laflamme, Larry
Thomas, Yvonne

GRAFTON

Abel, Richard
Diggs, Francesca
Ford, Susan
Ladd, Rick
Nordgren, Sharon
Stringham, Jerry

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

Almy, Susan
Egan, Timothy
Hennessey, Erin
Migliore, Vincent Paul
Ruprecht, Dennis
Sykes, George

Campion, Polly
Fellows, Sallie
Josephson, Timothy
Mulligan, Mary Jane
Stavis, Laurel
Weston, Joyce

HILLSBOROUGH

Lekas, Alicia
Griffin, Barbara
Beaulieu, Jane
Bordy, William
Camarota, Linda
Connors, Erika
Dargie, Paul
Espitia, Manny
Goley, Jeffrey
Griffith, Willis
Harriott-Gathright, Linda
Indruk, Greg
King, Mark
Langley, Diane
Murray, Megan
McGhee, Kat
Notter, Jeanine
Panasiti, Reed
Piedra, Israel
Prout, Andrew
Radhakrishnan, Julie
Rung, Rosemarie
Snow, Kendall
Stevens, Deb
Toomey, Dan
Thomas, Wendy

Alexander, Joe
Backus, Robert
Bergeron, Paul
Bouchard, Donald
Chretien, Jacqueline
Cornell, Patricia
Desjardin, Kathy
Davis, Fred
Gould, Linda
Gunski, Michael
Heath, Mary
Schmidt, Janice
Klee, Patricia
Lascelles, Richard
Mangipudi, Latha
McLean, Mark
Nutter-Upham, Frances
Pedersen, Michael
Plett, Fred
Query, Joshua
Renzullo, Andrew
Newman, Sue
Sofikitis, Catherine
Lekas, Tony
Ulery, Jordan
Warden, Mark

Bouldin, Amanda
Balch, Chris
Bernet, Jennifer
Burns, Charles
Cleaver, Skip
Cote, David
Dutzy, Sherry
Freitas, Mary
Graham, John
Hall, Brett
Herbert, Christopher
Jack, Martin
Klein-Knight, Nicole
Leishman, Peter
Martin, Joelle
Mullen, Sue
Nutting-Wong, Allison
Petrigno, Peter
Porter, Marjorie
Newman, Ray
Rice, Kimberly
Sanborn, Laurie
Somero, Paul
Smith, Timothy
Van Houten, Constance
Williams, Kermit

Bouldin, Andrew
Baroody, Benjamin
Boehm, Ralph
Burt, John
Cohen, Bruce
Danielson, David
Erf, Keith
Gagne, Larry
Greene, Bob
Hamer, Heidi
Hinch, Richard
Judy, Jean
Ober, Lynne
Long, Patrick
Marzullo, JP
Murphy, Nancy
O'Brien, Michael
Pickering, Daniel
Proulx, Mark
Ober, Russell
Riel, Cole
Shaw, Barbara
St. John, Michelle
Telerski, Laura
Vann, Ivy
Woodbury, David

MERRIMACK

Allard, James
Doherty, David
Horn, Werner
Lane, Connie
Moffett, Howard
Rodd, Beth
Schuett, Dianne
Testerman, Dave
Wells, Kenneth

Bartlett, Christy
Ebel, Karen
Karrick, David
MacKay, James
Myler, Mel
Rogers, Katherine
Schultz, Kristina
Wallner, Mary Jane
Wolf, Dan

Buchanan, Ryan
Forsythe, Robert
Klose, John
McGuire, Carol
Pearl, Howard
Saunderson, George
Seaworth, Brian
Walsh, Thomas
Woods, Gary

Carson, Clyde
Fox, Samantha
Kotowski, Frank
McWilliams, Rebecca
Pimentel, Roderick
Schamberg, Thomas
Soucy, Timothy
Wazir, Safiya
Yakubovich, Michael

ROCKINGHAM

Abbas, Daryl
Altschiller, Debra
Bunker, Lisa

Abrami, Patrick
Barnes, Arthur
Bushway, Patricia

Abramson, Max
Berrien, Skip
Cahill, Michael

Acton, Dennis
Bershtein, Alan
Cali-Pitts, Jacqueline

Chirichiello, Brian
 Davis, Dan
 Dolan, Tom
 Elliott, Robert
 Green, Dennis
 Hobson, Deborah
 Janvrin, Jason
 Kolodziej, Walter
 Griffin, Mary
 McBeath, Rebecca
 Melvin, Charles
 Piemonte, Tony
 Pearson, Stephen
 Verville, Kevin
 Welch, David

Costable, Michael
 Thomas, Douglas
 Edgar, Michael
 Fowler, William
 Grossman, Gaby
 Hoelzel, Kathleen
 Murray, Kate
 Le, Tamara
 Maggiore, Jim
 McBride, Everett
 Meuse, David
 Potucek, John
 Torosian, Peter
 Vose, Michael
 Weyler, Kenneth

Coursin, David
 Desilets, Joel
 Edwards, Jess
 Gay, Betty
 Grote, Jaci
 Osborne, Jason
 Katsakiores, Phyllis
 Love, David
 Major, Norman
 McConnell, Liz
 Packard, Sherman
 Pratt, Kevin
 True, Chris
 Wallace, Scott
 Yokela, Josh

Cushing, Robert Renny
 DiLorenzo, Charlotte
 Eisner, Mary
 Gilman, Julie
 Guthrie, Joseph
 Janigian, John
 Khan, Aboul
 Lovejoy, Patricia
 Malloy, Dennis
 McMahon, Charles
 Pantelakos, Laura
 Prudhomme-O'Brien, Katherine
 Vallone, Mark
 Warner, Anne

STRAFFORD

Bixby, Peter
 Frost, Sherry
 Higgins, Peg
 Kenney, Cam
 Schmidt, Peter
 Beaudoin, Steven
 Treleaven, Susan

Chase, Wendy
 Gourgue, Amanda
 Horgan, James
 Levesque, Cassandra
 Perreault, Mona
 Sandler, Catt
 Vincent, Kenneth

Fargo, Kristina
 Grassie, Chuck
 Horrigan, Timothy
 Smith, Marjorie
 Pitre, Joseph
 Southworth, Thomas
 Wall, Janet

Fontneau, Timothy
 Harrington, Michael
 Keans, Sandra
 Opderbecke, Linn
 Rich, Cecilia
 Towne, Matthew
 Wuelper, Kurt

SULLIVAN

Aron, Judy
 Merchant, Gary
 Smith, Steven

Cloutier, John
 O'Hearne, Andrew
 Sullivan, Brian

Laware, Thomas
 Rollins, Skip
 Tanner, Linda

Lucas, Gates
 Stapleton, Walter

NAYS - 7

CHESHIRE

Mann, John
 Von Plinsky, Sparky

Meador, David

Schapiro, Joe

Swinburne, Sandy

ROCKINGHAM

Read, Ellen

Somssich, Peter

and the committee report was adopted.

HB 1699-FN-A, relative to a tax on electronic cigarettes. MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Richard Ames for the Majority of Ways and Means. This bill proposes to tax electronic cigarettes at a unitary rate of 40% on the wholesale price of nicotine-based e-liquid, replacing the bifurcated rates enacted as part of last year's budget bill of 8% of e-liquid wholesale price for open systems and 30 cents per milliliter of e-liquid for closed systems. Devices used for vaping e-liquids will not be taxed under this proposal unless sold as part of a package containing both a device and e-liquid. Any e-liquid that is approved by the Food and Drug Administration (FDA) for smoking cessation purposes is exempt from the current tax and will be exempt from the proposed 40% tax, but there has been no such FDA approval to date. This bill responds to several major vaping developments that came after the time in June 2019 when budget conferees negotiated the bifurcated open system/closed system tax rates that were eventually enacted. First, in November 2019, Massachusetts enacted a 75% of wholesale price vaping tax (the tax reaches both e-liquids and e-devices regardless of their packaging; Massachusetts' retail sales tax also applies to these products). Second, in July 2019, Maine adopted a 43% of wholesale price vaping tax (this, too, reaches vaping liquids and devices regardless of packaging and these products, too, are also subject to Maine's retail sales tax). Third, in January 2020, the Centers for Disease Control and Prevention (CDC) reported 2600 vaping-related hospitalizations and 57 deaths country-wide in the second half of 2019. And fourth, there have been multiple reports in recent months of student vaping levels in NH higher than anywhere else in the country. In sum, we now know that this bill's proposed 40% rate on e-liquids will be lower than the rates in all of our surrounding states (Vermont went to 92% early in 2019). The nicotine delivered by electronic cigarettes is a toxic addictive chemical derived from the tobacco plant. We know it is addictive. But we don't yet fully understand the extent of the damage to vital human organs, particularly the lungs and heart, that may be caused by its inhalation through the vaping process. We don't yet know its effect on the human brain, particularly its effect on the still developing brain of a young person. Reflecting a belief that the damage done is significant and potentially irreversible, the federal government has recently acted to prohibit sale of this product to young people under the age of 21. NH currently taxes all tobacco products other than cigarettes and electronic cigarettes at the rate of 65.03% of the wholesale price. Given the risk of harm, there is a solid argument to be made that electronic cigarettes

should also be taxed at this “other tobacco products” rate of 65.03%. But, in deference to the long-standing tradition in New Hampshire of staying slightly below the lowest tax rates in our neighboring states and in recognition of the belief held by many that vaping can have a significant smoking cessation effect, the committee majority agreed that this bill’s proposed 40% rate represents a reasonable compromise. Vote 12-8.

Rep. Patrick Abrami for the Minority of Ways and Means. The minority of the committee feels that the vape taxes passed in the recent budget that went in effect on January 1, 2020 need at least a year to settle in before we consider increasing them. In addition, there are numerous vaping bills making their way through the legislature this session. It is unclear what the final statutes will be concerning the state’s public policy stance concerning vaping. The minority feels that any change in our taxing policy should support any revised position of the legislature on this issue. The final concern is that this bill increases the tax on both closed systems and open systems. The open systems are for the most part what are sold at our vape shops. Increasing the tax on open systems from 8% to 40% would place great financial strain on our vape shops, since they testified, they would not be able to pass this tax on to their customers. The vape shops feel if they increase their overall pricing, that their customers would be lost to the internet where these products would be less expensive. This phenomenon is what has led the legislature not to tax premium cigars to protect our smoke shops from losing their business to the internet.

MOTION TO LAY ON THE TABLE

Rep. Burt moved that **HB 1699-FN-A**, relative to a tax on electronic cigarettes, be laid on the table.

Rep. Prout requested a roll call; sufficiently seconded.

YEAS 144 - NAYS 185

YEAS - 144

BELKNAP

Bean, Harry
Jurius, Deanna
Spanos, Peter

Comtois, Barbara
Mackie, Jonathan
Sylvia, Michael

Fields, Dennis
Plumer, John
Tilton, Franklin

Howard, Raymond
Beaudoin, Richard
Varney, Peter

CARROLL

Avellani, Lino
MacDonald, John

Comeau, Ed
Marsh, William

Cordelli, Glenn
Nelson, Bill

Kanzler, Harrison

CHESHIRE

Eaton, Daniel

Hunt, John

O'Day, John

COOS

Craig, Kevin

Furbush, Michael

Merner, Troy

GRAFTON

Adjutant, Joshua
Migliore, Vincent Paul

Gordon, Edward

Hennessey, Erin

Ladd, Rick

HILLSBOROUGH

Lekas, Alicia
Burt, John
Gagne, Larry
Gunski, Michael
Ober, Lynne
McLean, Mark
O'Brien, Michael
Proulx, Mark
Rice, Kimberly
Somero, Paul
Warden, Mark

Alexander, Joe
Camarota, Linda
Gould, Linda
Harriott-Gathright, Linda
Lascelles, Richard
Mullen, Sue
Panasiti, Reed
Prout, Andrew
Riel, Cole
Lekas, Tony

Griffin, Barbara
Danielson, David
Graham, John
Hinch, Richard
Leishman, Peter
Notter, Jeanine
Pedersen, Michael
Ober, Russell
Sanborn, Laurie
Smith, Timothy

Boehm, Ralph
Erf, Keith
Greene, Bob
King, Mark
Marzullo, JP
Nutter-Upham, Frances
Plett, Fred
Renzullo, Andrew
Shaw, Barbara
Ulery, Jordan

MERRIMACK

Allard, James
McGuire, Carol
Testerman, Dave

Forsythe, Robert
Pearl, Howard
Walsh, Thomas

Horn, Werner
Rogers, Katherine
Wolf, Dan

Klose, John
Seaworth, Brian
Yakubovich, Michael

ROCKINGHAM

Abbas, Daryl
Barnes, Arthur
Davis, Dan
Edwards, Jess
Green, Dennis

Abrami, Patrick
Bershtein, Alan
Thomas, Douglas
Elliott, Robert
Guthrie, Joseph

Abramson, Max
Chirichiello, Brian
Desilets, Joel
Fowler, William
Hobson, Deborah

Acton, Dennis
Costable, Michael
Dolan, Tom
Gay, Betty
Hoelzel, Kathleen

Osborne, Jason
Khan, Aboul
Major, Norman
Packard, Sherman
Prudhomme-O'Brien, Katherine
Vallone, Mark
Welch, David

Janigian, John
Kolodziej, Walter
McBride, Everett
Piemonte, Tony
Pearson, Stephen
Verville, Kevin
Weyler, Kenneth

Janvrin, Jason
Love, David
McMahon, Charles
Potucek, John
Torosian, Peter
Vose, Michael
Yokela, Josh

Katsakiores, Phyllis
Griffin, Mary
Melvin, Charles
Pratt, Kevin
True, Chris
Wallace, Scott

STRAFFORD

Harrington, Michael
Pitre, Joseph

Horgan, James
Beaudoin, Steven

Kenney, Cam
Vincent, Kenneth

Perreault, Mona
Wuelper, Kurt

SULLIVAN

Aron, Judy
Stapleton, Walter

Laware, Thomas
Smith, Steven

Lucas, Gates

Rollins, Skip

NAYS - 185 BELKNAP

Huot, David

CARROLL

Buco, Thomas
Knirk, Jerry

Burroughs, Anita
Ticehurst, Susan

Butler, Edward
Woodcock, Stephen

DesMarais, Edith

CHESHIRE

Abbott, Michael
Faulkner, Barry
Mann, John
Swinburne, Sandy
Weber, Lucy

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

Berch, Paul
Gomarlo, Jennie
Parkhurst, Henry
Von Plinsky, Sparky

Bordenet, John
Ley, Douglas
Schapiro, Joe
Pearson, William

COOS

Hatch, William
Thomas, Yvonne

Laflamme, Larry

Moynihan, Wayne

Noel, Henry

GRAFTON

Abel, Richard
Dontonville, Roger
Josephson, Timothy
Osborne, Richard
Smith, Suzanne

Almy, Susan
Egan, Timothy
Maes, Kevin
Ruprecht, Dennis
Sykes, George

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

Diggs, Francesca
Ford, Susan
Nordgren, Sharon
Stringham, Jerry

HILLSBOROUGH

Bouldin, Andrew
Beaulieu, Jane
Bouchard, Donald
Cohen, Bruce
Dargie, Paul
Davis, Fred
Hamer, Heidi
Schmidt, Janice
Klein-Knight, Nicole
Mangipudi, Latha
Nutting-Wong, Allison
Porter, Marjorie
Rung, Rosemarie
St. John, Michelle
Van Houten, Constance
Woodbury, David

Backus, Robert
Bergeron, Paul
Burns, Charles
Connors, Erika
Desjardin, Kathy
Freitas, Mary
Heath, Mary
Jack, Martin
Langley, Diane
Martin, Joelle
Petrigno, Peter
Query, Joshua
Newman, Sue
Stevens, Deb
Vann, Ivy

Balch, Chris
Bernet, Jennifer
Chretien, Jacqueline
Cornell, Patricia
Dutzy, Sherry
Griffith, Willis
Herbert, Christopher
Judy, Jean
Long, Patrick
McGhee, Kat
Pickering, Daniel
Newman, Ray
Snow, Kendall
Telerski, Laura
Thomas, Wendy

Baroody, Benjamin
Bordy, William
Cleaver, Skip
Cote, David
Espitia, Manny
Hall, Brett
Indruk, Greg
Klee, Patricia
Murray, Megan
Murphy, Nancy
Piedra, Israel
Radhakrishnan, Julie
Sofikitis, Catherine
Toomey, Dan
Williams, Kermit

MERRIMACK

Bartlett, Christy
Ebel, Karen
Lane, Connie
Myler, Mel
Schamberg, Thomas
Wallner, Mary Jane

Buchanan, Ryan
Fox, Samantha
MacKay, James
Pimentel, Roderick
Schuett, Dianne
Wazir, Safiya

Carson, Clyde
Karrick, David
McWilliams, Rebecca
Rodd, Beth
Schultz, Kristina
Wells, Kenneth

Doherty, David
Kotowski, Frank
Moffett, Howard
Saunderson, George
Soucy, Timothy
Woods, Gary

ROCKINGHAM

Altschiller, Debra
Cahill, Michael

Berrien, Skip
Cali-Pitts, Jacqueline

Bunker, Lisa
Coursin, David

Bushway, Patricia
Cushing, Robert Renny

DiLorenzo, Charlotte
Grossman, Gaby
Lovejoy, Patricia
McConnell, Liz
Somssich, Peter

Edgar, Michael
Grote, Jaci
Maggiore, Jim
Meuse, David
Warner, Anne

Eisner, Mary
Murray, Kate
Malloy, Dennis
Pantelakos, Laura

Gilman, Julie
Le, Tamara
McBeath, Rebecca
Read, Ellen

STRAFFORD

Bixby, Peter
Frost, Sherry
Horrigan, Timothy
Opderbecke, Linn
Southworth, Thomas

Chase, Wendy
Gourgue, Amanda
Keans, Sandra
Schmidt, Peter
Towne, Matthew

Fargo, Kristina
Grassie, Chuck
Levesque, Cassandra
Rich, Cecilia
Treleaven, Susan

Fontneau, Timothy
Higgins, Peg
Smith, Marjorie
Sandler, Catt
Wall, Janet

SULLIVAN

Cloutier, John
Tanner, Linda

Merchant, Gary

O'Hearne, Andrew

Sullivan, Brian

and the motion failed.

Rep. Harriott-Gathright voted Yea and intended to vote Nay.

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

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

Rep. Ames spoke in favor.

Rep. Notter requested a roll call; sufficiently seconded.

YEAS 172 - NAYS 142

YEAS - 172

BELKNAP

Huot, David

CARROLL

Buco, Thomas
Knirk, Jerry

Burroughs, Anita
Ticehurst, Susan

Butler, Edward
Woodcock, Stephen

DesMarais, Edith

CHESHIRE

Abbott, Michael
Faulkner, Barry
Mann, John
Swinburne, Sandy

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

Berch, Paul
Gomarlo, Jennie
Parkhurst, Henry
Pearson, William

Bordenet, John
Ley, Douglas
Schapiro, Joe
Weber, Lucy

COOS

Hatch, William
Thomas, Yvonne

Laflamme, Larry

Moynihan, Wayne

Noel, Henry

GRAFTON

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

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

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

Diggs, Francesca
Ford, Susan
Osborne, Richard
Smith, Suzanne

HILLSBOROUGH

Backus, Robert
Bernet, Jennifer
Cleaver, Skip
Cote, David
Davis, Fred
Hamer, Heidi
Schmidt, Janice
Langley, Diane
McGhee, Kat
Petrigno, Peter
Query, Joshua
Newman, Sue
Stevens, Deb
Vann, Ivy

Balch, Chris
Bordy, William
Cohen, Bruce
Dargie, Paul
Freitas, Mary
Harriott-Gathright, Linda
Judy, Jean
Murray, Megan
Murphy, Nancy
Pickering, Daniel
Newman, Ray
Snow, Kendall
Telerski, Laura
Thomas, Wendy

Beaulieu, Jane
Bouchard, Donald
Connors, Erika
Desjardin, Kathy
Griffith, Willis
Heath, Mary
Klee, Patricia
Mangipudi, Latha
Nutting-Wong, Allison
Piedra, Israel
Radhakrishnan, Julie
Sofikitis, Catherine
Toomey, Dan
Williams, Kermit

Bergeron, Paul
Chretien, Jacqueline
Cornell, Patricia
Dutzy, Sherry
Hall, Brett
Indruk, Greg
Klein-Knight, Nicole
Martin, Joelle
Pedersen, Michael
Porter, Marjorie
Rung, Rosemarie
St. John, Michelle
Van Houten, Constance
Woodbury, David

MERRIMACK

Bartlett, Christy
Ebel, Karen
McWilliams, Rebecca

Buchanan, Ryan
Karrick, David
Moffett, Howard

Carson, Clyde
Lane, Connie
Myler, Mel

Doherty, David
MacKay, James
Pimentel, Roderick

Rodd, Beth
Schultz, Kristina
Woods, Gary

Saunderson, George
Wallner, Mary Jane

Schamberg, Thomas
Wazir, Safiya

Schuett, Dianne
Wells, Kenneth

ROCKINGHAM

Altschiller, Debra
Cahill, Michael
DiLorenzo, Charlotte
Grossman, Gaby
Maggiore, Jim
Meuse, David
Warner, Anne

Berrien, Skip
Cali-Pitts, Jacqueline
Edgar, Michael
Grote, Jaci
Malloy, Dennis
Pantelakos, Laura

Bunker, Lisa
Coursin, David
Eisner, Mary
Murray, Kate
McBeath, Rebecca
Somssich, Peter

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

STRAFFORD

Bixby, Peter
Gourgue, Amanda
Keans, Sandra
Schmidt, Peter
Towne, Matthew

Chase, Wendy
Grassie, Chuck
Levesque, Cassandra
Rich, Cecilia
Treleaven, Susan

Fargo, Kristina
Higgins, Peg
Smith, Marjorie
Sandler, Catt
Wall, Janet

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

SULLIVAN

Cloutier, John

Merchant, Gary

Sullivan, Brian

Tanner, Linda

NAYS - 142

BELKNAP

Bean, Harry
Jurius, Deanna
Spanos, Peter

Comtois, Barbara
Mackie, Jonathan
Sylvia, Michael

Fields, Dennis
Plumer, John
Tilton, Franklin

Howard, Raymond
Beaudoin, Richard

CARROLL

Avellani, Lino
MacDonald, John

Comeau, Ed
Marsh, William

Cordelli, Glenn
Nelson, Bill

Kanzler, Harrison

CHESHIRE

Eaton, Daniel

Hunt, John

O'Day, John

COOS

Craig, Kevin

Furbush, Michael

Merner, Troy

GRAFTON

Adjutant, Joshua
Migliore, Vincent Paul

Gordon, Edward

Hennessey, Erin

Ladd, Rick

HILLSBOROUGH

Lekas, Alicia
Burns, Charles
Erf, Keith
Greene, Bob
King, Mark
McLean, Mark
O'Brien, Michael
Renzullo, Andrew
Shaw, Barbara
Ulery, Jordan

Alexander, Joe
Burt, John
Gagne, Larry
Gunski, Michael
Lascelles, Richard
Mullen, Sue
Panasiti, Reed
Rice, Kimberly
Somero, Paul
Warden, Mark

Griffin, Barbara
Camarota, Linda
Gould, Linda
Hinch, Richard
Leishman, Peter
Notter, Jeanine
Plett, Fred
Riel, Cole
Lekas, Tony

Boehm, Ralph
Danielson, David
Graham, John
Jack, Martin
Marzullo, JP
Nutter-Upham, Frances
Prout, Andrew
Sanborn, Laurie
Smith, Timothy

MERRIMACK

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

Forsythe, Robert
McGuire, Carol
Soucy, Timothy

Horn, Werner
Pearl, Howard
Testerman, Dave

Klose, John
Rogers, Katherine
Walsh, Thomas

ROCKINGHAM

Abbas, Daryl
Barnes, Arthur
Davis, Dan
Edwards, Jess
Green, Dennis
Osborne, Jason
Khan, Aboul
Griffin, Mary
Melvin, Charles

Abrami, Patrick
Bershtein, Alan
Thomas, Douglas
Elliott, Robert
Guthrie, Joseph
Janigian, John
Kolodziej, Walter
Major, Norman
Packard, Sherman

Abramson, Max
Chirichiello, Brian
Desilets, Joel
Fowler, William
Hobson, Deborah
Janvrin, Jason
Love, David
McBride, Everett
Piemonte, Tony

Acton, Dennis
Costable, Michael
Dolan, Tom
Gay, Betty
Hoelzel, Kathleen
Katsakiores, Phyllis
Lovejoy, Patricia
McMahon, Charles
Potucek, John

Pratt, Kevin
Torosian, Peter
Welch, David

Prudhomme-O'Brien, Katherine
True, Chris
Weyler, Kenneth

Read, Ellen
Verville, Kevin
Yokela, Josh

Pearson, Stephen
Vose, Michael

STRAFFORD

Frost, Sherry
Perreault, Mona
Wuelper, Kurt

Harrington, Michael
Pitre, Joseph

Horgan, James
Beaudoin, Steven

Kenney, Cam
Vincent, Kenneth

SULLIVAN

Aron, Judy
Stapleton, Walter

Laware, Thomas
Smith, Steven

Lucas, Gates

Rollins, Skip

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

MOTION TO PRINT DEBATE

Rep. Steven Smith moved that the debate on **HB 1492-FN-A-L**, establishing a tax on the retail sale of certain electronic devices to fund education, be printed in the Permanent Journal.

DEBATE ON HB 1492

Representative Cleaver: Thank you, Mister Speaker. We don't have enough revenue my friends. We just don't have enough revenue. Not for general purposes and certainly not for education. The recent budget was a significant improvement over the previous funding but still short of where we need to be in both K12 as well as higher education. We have overcrowded classrooms. We have limited art and music and athletic programs. We have teachers that are underpaid, infrastructure that is crumbling, instate tuition for our colleges and universities is the highest in the country and that's embarrassing. We struggle to barely pay for kindergarten and we should be paying for pre-K universally. This shameful shortfall cannot continue and we cannot further tax property. That is very unfair, grossly unfair to depend on property taxes again, again and again is just tremendously shortsighted. Zip code should not determine your quality of education whether it is Bedford to Berlin, Portsmouth to Peterborough, Nashua to Newport, Keene to Claremont, it should not limit the resources available. Any child should be having the same resources available no matter where in the state they are. We are responsible and have been charged with providing an adequate education. Are we doing that? Do we do that? The answer in some cases is no. Let alone an adequate education, we should be providing a superior education. That's what New Hampshire deserves. That's what our future deserves. We should have a duty to posterity to educate the children of today for the workforce of tomorrow. We should also attract families from out of state for our workforce, young families that would depend on the quality of schools. HB 1492 was designed and put forward to fund education in part to exercise some restraint on property tax. It is a narrowly focused bill based on a few specific products. Unlike what we heard earlier; it is not so general as to be difficult to define. It is very clear. Standalone products would be included. Integrated products such as automobile parts and electronics on major appliances would not. Standalone products only. It is narrowly focused, it is not a broad-based tax, but it is a tax and we have a very serious problem with that word, tax, in this state and that's why we have a revenue issue. It's time to stand up and say we need further funding and to decide how and when we are going to do it. 4.3% is not much and with the volatility of these products and the variability in pricing that is not noticeable in any major way. 4.3% is lower than our neighbors as far as our tax is concerned, sales tax, and it's not that difficult to implement. Similar to supermarkets where you have groceries that are not taxed and food preparation, prepared foods that are taxes. Taxes should be fair and reasonable. Property tax is not. It's gone beyond that. This is fair and it is reasonable. Please help to fund the education system by voting no on this recommendation. This ITL recommendation makes me very sad and the inability to discuss it and further develop it make me even more sad. We are committed to provide an education and it should be more than adequate. We should not be selfish and shortsighted in terms of the future. The future is our kids. Let's educate them properly. Please vote no on this motion so we can move forward and be responsible to provide funding for education as we should. Thank you.

Speaker Shurtleff: Will the member yield to a question? The member does not yield. The question before the House is the recommendation that the bill is Inexpedient to Legislate. Rep. Jason Osborne 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 House will be in order. The question before the House is the recommendation that the bill is Inexpedient to Legislate. The Chair recognizes Rep. Bunker for a parliamentary inquiry.

Representative Bunker: Thank you, Mister Speaker. Mister Speaker, if I know that increased funding for education is a laudable goal, but if I also know that efforts to tax one small sector of the retail economy will lead to problems. And if I know that these problems include the irksome puzzle of defining exactly what products would and would not be taxes as well as an inevitable negative impact on cross border sales that are essential to New Hampshire's retail economy, then would I follow the unanimous recommendation of the Ways and Means Committee of Inexpedient to Legislate by pressing the green button?

Speaker Shurtleff: This will be a roll call vote. The question before the House is the recommendation that the bill is Inexpedient to Legislate. If you are in favor, you'll press the green button. If you are opposed, you'll press the red button. Voting stations 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 320 members voting Yea, 11 voting Nay, the motion fails.

RESOLUTION

Rep. Ley offered the following: RESOLVED, that the House now adjourn from the early session, that the business of the late session be in order at the present time, that the reading of bills be by title only and resolutions by caption only and that all bills ordered to third reading be read a third time by this resolution, and that all titles of bills be the same as adopted, and that they be passed at the present time, and when the House adjourns today it be to meet, Wednesday, March 11, 2020 at 9:00 a.m.
Motion adopted.

LATE SESSION

Third Reading and Final Passage

HB 1505, relative to compensation of college athletes.

HB 1664-FN, establishing greenhouse gas emission reduction goals for the state and establishing a climate action plan.

HB 1112-FN, establishing a committee to study programs for female parolees.

HB 1292-FN, revising certain benefit provisions in the city of Manchester employees contributory retirement system.

HB 677-FN-A, relative to discipline of students, addressing students' behavioral needs, and making an appropriation therefor.

HB 705-FN, relative to the rights of victims of crime, increasing the cap on assistance for victims of crime, and establishing a committee to study the needs of crime victims and enforcement of statutes governing crime victims' rights.

HB 1224-FN-A-L, making an appropriation to the lakeshore redevelopment planning commission.

HB 1234-FN-A, relative to the heating of certain state-owned buildings in Concord and making an appropriation therefor.

SB 7-FN-L, establishing the secure modern accurate registration act (SMART ACT).

HB 1221, relative to privacy for an employee's personal financial and credit information.

HB 1290-FN, relative to voting by a public employee organization.

HB 1322, prohibiting university system funds from being spent to oppose the formation of unions and collective bargaining units.

HB 1399, relative to the establishment of public employee bargaining units.

HB 1372, relative to the election of Carroll county commissioners.

HB 1629-FN, relative to training and procedures for zoning and planning boards.

HB 1408, relative to license plate covers.

HB 1699-FN-A, relative to a tax on electronic cigarettes.

UNANIMOUS CONSENT

Rep. Burns requested Unanimous Consent of the House regarding fallen soldier from Newport, Army Specialist Justin Rollins and addressed the House.

Without objection, the Speaker ordered the remarks printed in the Permanent Journal.

MOMENT OF SILENCE

A moment of silence was observed in honor and in memory of fallen soldier from Newport, Army Specialist Justin Rollins.

REMARKS

Representative Burns: Thank you, Mister Speaker and thank you colleagues. We are really blessed, all of us, to be able to assemble here in the people's House to do the people's business in the Live Free or Die state. As we all know, freedom really isn't free. It's principally secured by that 1% by folks in America who step up to serve in the United States Military. Thirteen years ago today in Samarra Iraq the son of one of our colleagues, Skip Rollins of Newport, and his wife, Rhonda, was killed along with six of his closest friends by a roadside bomb. As Skip was a 22-year-old specialist in the 82nd Airborne, and he loved animals and he had sort of adopted a pregnant dog that had been roaming around the base. He knew she was about to deliver. So he went out one day looking for her and found her in a port a potty surrounded by 8 little puppies so he pulled the puppies out into safety and then apparently laid on the ground with them all crawling all over him and he is screaming help, help. All of his friends showed up, weapons in hand, trying to rescue this soldier in distress to find him playing happily with those puppies. This is the night before he was killed. Advance

now a few more years and you can only imagine the horrible grief that the Rollins family was going through. Through a groundswell of support, one of those puppies was the first dog to be diplomatically extracted from Iraq and sent here to New Hampshire as a permanent reminder or maybe not permanent but as a living reminder to the Rollins family of their son and they appropriately named the dog Hero. Well, Hero I guess is now 13 years old so today or yesterday and is still living in Newport, kind of elderly and with a few aches and pains like, well a couple of us I see here in this room. So anyway, I just thought that we really owe a debt of gratitude to Jason and to his family. I ask for a moment of silence.

RECESS MOTION

Rep. Ley moved that the House stand in recess for the purposes of the introduction of bills, receiving Senate messages, enrolled bill amendments and enrolled bill reports.

Motion adopted.

The House recessed at 5:25 p.m.

RECESS

(Speaker Shurtleff in the Chair)

SENATE MESSAGE

CONCURRENCE WITH AMENDMENT

SB 684-FN, relative to Medicaid to schools.

ENROLLED BILL AMENDMENT

SB 684-FN, relative to Medicaid to schools. (Amendment printed SJ 3/5/20)

Motion adopted.

RECESS

(Speaker Shurtleff in the Chair)

ENROLLED BILL REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled Senate Bill numbered 684.

Rep. Ley, Sen. Soucy for the Committee

RECESS